

City of Merced  
Planning Division  
678 W. 18<sup>th</sup> Street  
Merced, CA 95340

Re: Public Convenience & Necessity Type 20 License

Dear City of Merced City Council,

Circle K Stores Inc is seeking a Type 20 Off-Sale General Liquor license for the proposed new development of a 3700 square foot convenience grocery store, and a four (4) dispenser fueling canopy to be located at the southwest corner of Loughborough Drive and R Street, in Merced, California. The retail facility will operate 24 hours per day and will offer for sale to the general public a wide variety of goods and services, including packaged and fresh foods, fountain soft-drinks, coffees, teas, bottled beverages, tobacco, beer, wine, and spirits. A Conditional Use Permit #1268 for alcohol and tobacco sales for off-site consumption, and Site Plan Review #506 was approved at the City of Merced Planning Commission meeting on January 18<sup>th</sup>, 2023. Per our conditions of approval we must obtain approval for a finding of Public Convenience or Necessity from the Merced City Council prior to obtaining a license from Alcoholic Beverage Control.

**1. Character of the particular premises.**

The project site is located at the southwest corner of R Street & Loughborough Drive and is part of a pending out-parcel that will be adjacent to and independent of the US Foods Chef's Store. It is surrounded by compatible uses, a commercial strip mall, Planet Fitness/Best Buy, the Merced Mall, and Multi-Family Housing. The new development will revive an underutilized parcel that has seen recent remodeling, and Circle K will be big part in enhancing this corner's offering for the community.

**2. The aesthetics and ambiance of the proposed business.**

The design of the proposed facility will provide the goods and services to the general public from a well-lit, safe, and secure facility. It provides for an open, inviting, and crime-deterrent environment, through the application of the fundamental principles of Crime Prevention Through Environmental Design (CPTED), including lighting, security monitoring, product location, maintaining clear visibility to the operational areas of the facility, and other operational systems.

**3. The attractiveness of the proposed business.**

For more than 50 years, Circle K has been one of North America's most popular and successful operators of convenience stores. There are more than 6,000 Circle K sites operating in the US and nine other countries. Our stores feature our award-winning brand of Premium Circle K Coffee®, Polar Pop® fountain drinks, Froster® frozen beverages, Take Away Cafe® food to go offerings, beer, snacks, candy, ATMs, prepaid wireless phones, Gift Cards, money orders, and general merchandise. Circle K has become one of the most widely recognized convenience store brands, known worldwide for quality products and great customer service, and this new store will reflect this standard for the Merced community.

**4. The manner in which the business is to be conducted, i.e., special or unique features, such as the type of games, food, or other services provided.**

The store will operate 24 hours a day, seven days per week to provide a consistent and reliable offering to the community. The attractive new development will serve as a safe and convenient place for customers to obtain a wide variety of quality products and services.

5. **The type of guests who are likely to be patrons.**

The most likely patrons of the new facility will be residents and community members from the nearby neighborhoods. Circle K strives to be a good neighbor and strong community participant to ensure that the offering serves the needs of residents and provides a welcoming environment for all.

6. **The predicted mode of operation.**

Circle K has established itself as a responsible retailer of age restricted sales and have proven procedures and training in place for alcohol & tobacco sales, including:

- All new hires are required to take approved Techniques of Alcohol Management before using the register system.
- All register systems are set up to be prompted to ask ID for restricted sales. Employees are required to card anyone 40 and under and enter birthdate into the register.
- We Card 40 and under signs are posted on cooler doors and windows, register areas letting customers know we card.
- Outside vendors visit sites bi-monthly to shop restrictive products to ensure policies and compliance is adhered to.
- Failure of the visit, employee is suspended for 3 days, receives a counseling and all team members are required to retake the TAM training, see bullet point 1.
- A second failure within a rolling 12 with the same employee is immediate termination.
- Store managers are subject to progressive disciplinary action for repeated failures of team members up to and including termination for excessive violations.
- Interior and exterior cameras

7. **The ability of the proposed business to serve a niche in the population not filled by other licensees in the same area, such as, catering to a particular clientele, economic or social grouping.**

Circle K's mission is to be the best and most convenient place to shop and work. Our stores are known around the world for offering busy consumers a wide variety of quality products and services in a fast, friendly, and clean environment. This new facility will provide an open, safe, convenient option for customers.

8. **Convenience of purchasing alcoholic beverages in conjunction with specialty food sales, or services.**

Although alcoholic beverages comprise only a small percent of the store shelf-space, it is nevertheless necessary in order to provide Circle K customers with a complete range of products. Thus, alcoholic beverages are a key element of the Circle K concept. By providing an assortment of products, including alcoholic beverages, readily available to the Circle K consumer, the public convenience of the area is certainly served. Circle K wants to maximize the availability of a large diversity of food and sundry items at the site pursuant to its concept. Permitting the sale of beer and wine at the site will complete Circle K's concept, enabling customers to purchase a variety of products at one convenient stop. Providing customers all of this at one location is what "public convenience or necessity" is really all about.

Please do not hesitate to contact me at 602-525-4823 or by email at [justin@LDCAZ.com](mailto:justin@LDCAZ.com) should you have questions or require additional information to process this request.

Sincerely,  
Land Development Consultants, LLC



Justin Pierce