

INTEROFFICE COMMUNICATION
San Mateo Police Department
Support Services

Date: October 11, 2012
To: Chief Manheimer
cc – Lt. Gonzales, and City Staff as Directed by the Chief
From: Sergeant Dave Norris
Re: Assessment – Proposed 7-Eleven at 501 N. San Mateo Drive

I. Purpose:

The San Mateo Police Department is informed that a small market and/or delicatessen has operated at 501 North San Mateo Drive for many years. Most recently, a specialty delicatessen was operated at the location which closed before dark; however, this business closed some time ago. The current owner of the property has leased the building to 7-11 for the operation of a convenience store.

The property at 501 North San Mateo Drive is zoned R-4 (multi-family residential). As a general rule, convenience stores are not allowed in the R-4 zone; however, the Community Development Department has determined that under the zoning code the operation of the convenience store is permissible as a legal, nonconforming use.

The zoning code contains a provision that authorizes the termination of a legal, nonconforming use. Under this provision, the city council may order the termination of such a use if it determines, among other things, that “such use is especially burdensome upon the surrounding neighborhood or the community at large.” In making this determination the council is to consider whether the use is detrimental to the “public health, safety, and general welfare.”

The Community Development Department is gathering information relevant to this determination, and has requested that SMPD compile and present information on police activities associated with the operation of convenience stores, markets, and related uses in San Mateo. This information will be used in the development of a staff recommendation to the planning commission and city council. This report is provided in response to that request.

The following will be studied:

- Police Response numbers for establishments in San Mateo with Off-Sale Alcoholic Beverage Sales Licenses – with analysis to include establishments open 24 hours and establishments conducting business in different regional areas (Known to SMPD as “Area Commands”) within the City of San Mateo.
- Police summaries of the workload presented by the three existing 7-Eleven Stores, including calls for service, potential for increased crime from local residents and transitory non-residents, problems with late-night crowds and alcohol-related issues, and any directed patrol concerns due to these issues.

- An anecdotal police perspective presented by the Area Lieutenant which provides a concern for potential issues based on factual history and practical officer experiences beyond that which can be described in a structured data spreadsheet. The information is based upon years of police experience from the officer to the command level on the day-to-day operations and public safety and security concerns of these types of commercial enterprises.

II. Approach to the Assignment:

There are three 7-Eleven stores currently operating within the city. All three stores are open 24 hours, and sell alcoholic beverages. According to Community Development Department staff there are no provisions of the zoning code that would prevent this new store from operating 24 hours or selling alcoholic beverages.

As stated above, the former delicatessen has been closed for some time, and the new convenience store is not yet in operation. It is tough to predict what impacts there will be from an as yet unopened business, however to get a sense of the numbers and types of police activities the city might reasonably expect as a result of the operation of this new store, SMPD staff reviewed the Computer Assisted Dispatch ("CAD") records which logs in information about police officer activities. CAD records for the last two years were analyzed. In determining which locations to examine, staff reviewed all locations with ABC licenses authorizing the sale of alcohol for offsite consumption.

We have analyzed the data for San Mateo's current 7-11 stores as well as the 71 establishments that utilize "Off-Sale" Licenses from the Department of Alcohol Beverage Control to furnish alcoholic beverages. The businesses range in size from small "mom & pop" liquor stores to large supermarkets. 36 of these establishments are open during daytime hours (closed by 9pm), 28 have some night time hours (open till as late as 1am), and 7 of these businesses operate 24 hours.

An analysis of police responses was conducted for each of these stores. The numbers used for this analysis is the result of a "premise history" check for each of these stores. "Premise history" includes:

- Calls for service to our dispatch center to address an "in progress" request for policing issues ranging from violence to disorder to quality of life issues.
- Directed enforcement requests for on-going problems including drug dealing, loitering, pan-handling, noise
- Proactive policing activity – this includes all police-initiated activity based on issues identified by police patrols, including pedestrian contacts, vehicle stops, suspicious vehicle contacts, walk-throughs and passing checks.
- Crime reports - both in-progress and after the fact

The stores were sorted based on hours of operation and location. The following locations were used, to coordinate with San Mateo's Policing Areas – Downtown, North (North of Downtown San Mateo, West of the 101 Freeway), South and West (South of Downtown, and West of the 101 Freeway), and East (East of the 101 Freeway). Total police responses per store over the past two years (to October 2010) were counted, and the totals sorted by store hours and averaged. This created an average police response per store by hours of operation, further sorted by region of the city.

Average Per Store for San Mateo “Off-Sale” Retailers

Calls for Police Service by City Region –

- San Mateo Downtown
 - Daytime – 14 Police responses per year, per store (11 stores)
 - Evening – 35 Police responses per year, per store (4 stores)
 - 24 hour – 122 police responses per year, per store (2 stores)
- San Mateo North
 - Daytime – 13 Police responses per year, per store (8 stores)
 - Evening – 31 Police responses per year, per store (3 stores)
 - **No 24 Hour Stores in North San Mateo**
- San Mateo East
 - Daytime – 18 police responses per year, per store (4 stores)
 - Evening – 55 police responses per year, per store (7 stores)
 - **No 24 Hour Stores in East San Mateo**
- San Mateo South and West
 - Daytime – 10 Police responses per year, per store (13 stores)
 - Evening – 21 Police responses per year, per store (14 stores)
 - 24 Hour – 75 Police responses per year, per store (5 stores)

Overall City Stats for San Mateo “Off-Sale” Retailers – Police response per Store, per Year:

- Stores with **Daytime** Liquor Sales Only – **13 police responses per year, per store**
- Stores with **Evening** Liquor Sales – **33 police responses per year, per store**
- Stores with **24 hour** Service Serving Alcohol Till 2am – **89 police responses per year, per store ***

Data derived specific to existing San Mateo 7-Eleven Stores:

Based on the request to predict a neighborhood impact of the proposed 7-Eleven business, we have studied statistical data for existing 7-Eleven businesses already in San Mateo.

- **7-Eleven Delaware Center** – 383 police responses over the past two years (192 Calls/ year)
 - Second-Highest number of police responses for all Off-Sale Retailers in San Mateo
 - **217 of the total calls (57%) occurred between 9pm and 8 am (Overnight)**
 - 197 of the total calls (51%) involved suspicious persons or vehicles either as calls for service, or proactively initiated by police.

- 81 of the total calls (21%) were disturbance-type calls for service generated by the community or proactively by police related to ongoing Quality of Life type complaints (i.e. - noise, intoxicated persons, unruly crowds, traffic issues)
- 57 of the total calls (15%) were Directed Patrols reactively conducted by SMPD in response to community-expressed long-term Quality of Life complaints.
- **7-Eleven Concar Drive** – 105 police responses over the past two years (53 Calls/year)
 - **50 of the total calls (48%) occurred between 9pm and 8 am (Overnight)**
 - 57 of the total calls (54%) involved suspicious persons or vehicles either as calls for service, or proactively initiated by police.
 - 26 of the total calls (25%) were disturbance-type calls for service generated by the community or proactively by police related to ongoing Quality of Life type complaints (i.e. - noise, intoxicated persons, unruly crowds, traffic issues)
 - 7 of the total calls (7%) were Directed Patrols reactively conducted by SMPD in response to community-expressed long-term Quality of Life complaints.
- **7-Eleven Laurie Meadows** – 86 police responses over the past two years (43 Calls/year)
 - **51 of the total calls (59%) occurred between 9pm and 8 am (Overnight)**
 - 48 of the total calls (56%) involved suspicious persons or vehicles either as calls for service, or proactively initiated by police.
 - 22 of the total calls (26%) were disturbance-type calls for service generated by the community or proactively by police related to ongoing Quality of Life type complaints (i.e. - noise, intoxicated persons, unruly crowds, traffic issues)
 - 6 of the total calls (7%) were Directed Patrols reactively conducted by SMPD in response to community-expressed long-term Quality of Life complaints.

III. Anecdotal information from Area Lieutenant Pat Molloy

Lieutenant Pat Molloy -

“My first comment would be on the different location of the proposed store. Laurie Meadows and the Delaware Center are small strip malls in mixed commercial and residential areas. The Concar location is in the outer parking area of a large shopping center. All three locations are in proximity to residential areas, but are buffered by hundreds of feet, fences, or walls. The new location is adjacent to residential uses area with almost no buffer, and a newer condominium complex overlooking the external areas of the store including the parking lot and entrance area. Our calls for service and complaints from these higher volume uses abutting residential areas include loud subjects, vehicles, diesel trucks, loud music, loitering and panhandling, and other disturbances from the surrounding neighborhoods. I believe those complaints will increase at the proposed location due to residences being right on top of the business and parking lot. Usually loud noises and disturbances are considered those activities which can be heard by adjacent residences between 10pm and 7am. Any of this activity at the proposed location would be amplified, and the neighbors would be impacted. There would be no way to handle an incident and the resulting police responses without disturbing surrounding residents.

Another issue that is generated by 24-hour convenience stores is the presence of transients in the area. Citizens regularly encounter transients in front of and around the three existing

locations. This information is based on years of experience working night-time hours, and reviewing reports of officers who work during the overnight hours. Round-the-clock foot traffic and the false sense of security that comes with an open business facilitates panhandling. Based on recurrent anecdotal information from overnight officers, and my own late-night observations, this behavior occurs at all of our all-night locations. Quality of Life issues that accompany an increased transient population include public intoxication, drinking in public, public urination and defecation, and panhandling.

Based on my experience at San Mateo Police Department, working with the community of San Mateo, a 24 hour convenience store at the proposed location would cause increased vehicle and pedestrian traffic (especially in the late-night hours), and impact surrounding residents' quality of life. As an example: Every workday when I was supervising the Day Shift, I would stop at the Concar 7-Eleven at approximately 6:20 am to pick up a cup of coffee. There were regularly several trucks (many left running) in the parking lot, and the store was packed with people on their way to work. In addition to vehicle noise, there would be loud conversations between fellow workers, music from vehicles, and people talking on phones. This type of activity generates complaints from surrounding neighborhoods. It is reasonable to expect that a 7-Eleven at this location would impact the surrounding neighborhoods.

IV. Conclusion:

In our experience and based up a review of the data and totality of information contained in this report we predict calls for police response and nuisances in the area would increase, specifically overnight. It should be noted that in 2 of the 3 existing 7 Eleven Stores, police responses are less than those at other 24 hour businesses. We believe that the neighborhood influences these responses and that we should expect a different result in this neighborhood.

While it is always a challenge to predict the future, six month snapshots taken from www.CrimeReports.com (Appendix attached) show the frequency of police calls for the areas of each of the 7-Eleven Stores and the proposed location. From these snapshots, it can be inferred that the North Central San Mateo location for the proposed 7-Eleven already has a high level of public safety calls for service more comparable to the very busy downtown location than to the two other residential areas.

As shown in the statistics related to police response calls, consistently over 50% of the calls handled by police at 7-Eleven stores occur during the overnight hours from 9pm to 8am. This burden is much heavier in these all-night stores than in even the late-night local markets.

The anecdotal data from the Area Lieutenant also reinforces this concern from a practical standpoint, based on direct officer experience and the supervisory and command level perspective coming from years of experience as a working law enforcement professional in this community.

APPENDIX – CRIME TREND SNAPSHOTS – APRIL 2012 TO OCTOBER 2012

In an effort to forecast the impacts and future calls for police resources at the proposed location, projections were made based on existing police reporting information in the areas of existing 7-11 locations.

Incident Layers

Choose incident types to view: SELECT ALL / Deselect All

<input checked="" type="checkbox"/> Breaking & Entering	<input checked="" type="checkbox"/> Property Crime	<input checked="" type="checkbox"/> Quality of Life
<input checked="" type="checkbox"/> Homicide	<input checked="" type="checkbox"/> Property Crime	<input checked="" type="checkbox"/> Disorder
<input checked="" type="checkbox"/> Robbery	<input checked="" type="checkbox"/> Property Crime Commercial	<input checked="" type="checkbox"/> Drugs
<input checked="" type="checkbox"/> Theft	<input checked="" type="checkbox"/> Property Crime Residential	<input checked="" type="checkbox"/> Liquor
<input checked="" type="checkbox"/> Theft of Vehicle	<input type="checkbox"/> Other	<input type="checkbox"/> Traffic
<input checked="" type="checkbox"/> Theft from Vehicle	<input type="checkbox"/> Alarm	<input type="checkbox"/> Fire
<input checked="" type="checkbox"/> Vehicle Recovery	<input type="checkbox"/> Arson	<input type="checkbox"/> Emergency
<input checked="" type="checkbox"/> Sexual Offense	<input type="checkbox"/> Death	<input type="checkbox"/> Proactive Policing
<input checked="" type="checkbox"/> Other Sexual Offense	<input type="checkbox"/> Family Offense	<input type="checkbox"/> Community Policing
<input checked="" type="checkbox"/> Sexual Assault	<input type="checkbox"/> Kidnapping	<input type="checkbox"/> Pedestrian Stop
<input checked="" type="checkbox"/> Assault	<input type="checkbox"/> Missing Person	<input type="checkbox"/> Vehicle Stop
<input checked="" type="checkbox"/> Assault with Deadly Weapon	<input type="checkbox"/> Other	<input type="checkbox"/> Sex Offenders
	<input type="checkbox"/> Weapon Offense	

LEGEND - EXPLANATION OF INCIDENT ICONS
ALSO - - ICON REPRESENTS MULTIPLE INCIDENTS AT ONE LOCATION



**AREA AROUND 501 N. SAN MATEO DRIVE
PROPOSED LOCATION - 7-ELEVEN**

Six Month Snapshot and Projection – PROPOSED LOCATION

Based on Alcohol Service Store Averages over six months, a Daytime only store would generate about 6 calls for service, a Night-Time service store would generate 15-16 calls, and a 24-Hour store with alcohol service till 2am would generate at least 25-30 and as many as 80 more calls during the same time period.

