

ATTACHMENT 5
APPROVAL LETTER AND EXHIBITS



CITY OF COSTA MESA

P.O. BOX 1200 • 77 FAIR DRIVE • CALIFORNIA 92628-1200

DEVELOPMENT SERVICES DEPARTMENT

March 26, 2012

Stephen Thorp
1100 Newport Center Drive. #150
Newport Beach, CA 92660

**RE: ZONING APPLICATION ZA-12-10
MINOR CONDITIONAL USE PERMIT TO CONVERT A PORTION OF A
BUILDING CONTAINING A DRIVE-THROUGH FOR A FORMER CREDIT
UNION TO A DRIVE-THROUGH FOR A COFFEE SHOP
450 EAST 17TH STREET, COSTA MESA**

Dear Mr. Thorp:

Staff's review of your zoning application for the above-referenced project has been completed. The application, as described in the attached project description, has been approved, based on the findings and subject to the conditions of approval and code requirements (attached). The decision will become final at 5 p.m. on April 2, 2012, unless appealed by an affected party including filing of the necessary application and payment of the appropriate fee or called up for review by a member of the Planning Commission or City Council.

If you have any questions regarding this letter, please feel free to contact the project planner, Mel Lee, at (714) 754-5611, or at mel.lee@costamesaca.gov.

Sincerely,

WILLA BOUWENS-KILLEEN, AICP
Zoning Administrator

Attachments: Project Description
 Findings
 Conditions of Approval, Code Requirements, and Special District
 Requirements
 Applicant's Project Description Letter and Parking Study
 Approved Conceptual Plans

cc: Engineering
 Fire Protection Analyst
 Building Safety Division

100

450 East 17th Street Associates, LLC
1100 Newport Center Drive, #150
Newport Beach, CA 92660

Toby Walker
Post Office Box 8083
Newport Beach, CA 92658

David Harris
455 Cabrillo Street
Costa Mesa, CA 92627

Bob Small
465 Cabrillo Street
Costa Mesa, CA 92627

PROJECT DESCRIPTION

- The property is located on the north side of East 17th Street, between Tustin Avenue and Irvine Avenue, and contains a 5,800 square-foot building (formerly Schools First Federal Credit Union) and 30 on-site parking spaces. The building has an existing 154-foot deep drive-through lane that accommodated a drive-up automated teller machine (since removed). The property is zoned C1 (Local Business District) and has a general plan land use designation of General Commercial.
- The applicant is requesting approval of a Minor Conditional Use Permit for a future 2,356 square-foot coffee house with the parking demand and traffic characteristics of a Starbucks Coffee Shop ("coffee shop") with drive-through service. According to the applicant, the remaining portion of the building, approximately 2,185 square feet, has been allocated for a future restaurant tenant use (a specific tenant has not been identified) bringing the total net rentable area to 4,541 square feet. An existing 1,250 square-foot second floor mezzanine within the building will be removed as part of the building remodel. Outdoor patios are also proposed, which has also been factored into the parking analysis discussed below.

Staff Justifications for Approval

Staff recommends approval of the MCUP for the following reasons:

- Staff believes that the independent shared parking study prepared for the project, rather than the straight parking requirements in the Code, generally identifies the parking demand for the project, although subsequent parking monitoring shall be required. A shared parking analysis dated March 1, 2012, was prepared for the project by Linscott, Law & Greenspan Engineers (LLG), a copy of which is attached to this letter. A shared parking analysis is a tool to identify peak parking demand in multi-tenant commercial centers. In some cases, depending on the different mix of land uses, it may show a lower parking requirement compared to straight "Code-required" parking requirements. This parking study analyzed 2,356 square feet of the building being occupied with a drive-through coffee shop and the balance of the building (2,185 square feet) being occupied by a food service tenant.

In this case, Code-required parking is calculated based on a scenario wherein both spaces are occupied by eating and drinking establishments, which is consistent with the applicant's proposed use of the property. However, even under the assumption that the building is fully leased and occupied, the study concludes that, based on the proposed mix of uses, there would be a **surplus of 3 parking spaces** (39 spaces required; 42 parking spaces provided) during the PM peak times on the weekdays and weekends. The study concluded that there would be adequate parking.

The parking study has been reviewed by the City's Transportation Services and Planning Divisions, and staff generally concurs with the study methodology, suggested parking rates, and the consultant's conclusions in concept. However, the parking study is based on theoretical assumptions of the parking demand

characteristics of drive-through coffee shops. At this level, the parking study does not take into account that, unique to some coffee shops, some customers may tend to stay/park for longer periods to use the Wi-Fi services for social networking or business purposes. As a result, parking supply may become limited due to the extended duration of customer visits. Therefore, staff believes it is necessary to validate the parking conclusions based on real-time parking counts once the coffee shop is fully operational. Given that the other tenant space is 2,185 square feet and parking shall be in common, staff believes it is important to take into account these customer characteristics to ensure adequate parking is available for both tenants.

Staff recommends the following condition of approval:

- Zoning approval and business license authorization for a proposed establishment where food and beverages are served shall be contingent upon validation of the parking conclusions of the March 1, 2012 parking study. This validation shall be in the form of real-time parking counts conducted within 180 days of the coffee shop being fully operational. As an alternative to real-life parking counts and to expedite negotiations with prospective tenants of the second lease area, the Development Services Director may elect to approve a revised parking study that addresses the unique customer characteristics of similar coffee shops in lieu of real-time parking counts. The intent of this condition is to ensure that the unique characteristics of coffee shop customers (i.e., tendency for extended visits) are taken into account for parking purposes. If parking shortages or other parking-related problems occur during the operations of any coffeehouse use on this property, the landlord shall institute whatever reasonable operational measures necessary to minimize or eliminate the problem. These measures may include identifying select parking spaces for short-term parking (i.e. 30 minutes, 1 hour, etc.), reserving certain parking spaces for the other tenant, and/or any other measures as deemed appropriate by the Development Services Director.

A condition of approval also requires an interim parking plan to address the anticipated high surge of customers during the coffee shop grand opening for 90 days. This condition ensures that employees are parked away from the main entrance and adequate parking is available to customers during peak hour traffic. A condition of approval has also been incorporated requiring the property owner or applicant to install bike racks on the site for patrons and employees.

- Design of drive-through lane provides adequate vehicle queueing and circulation. The main entrance to the drive-through lane site is provided via the easterly driveway entrance from East 17th Street with a queue for several vehicles exiting from the westerly driveway approach onto East 17th Street. Per Code, the minimum length of the drive through lane from the entry to the pickup window is 160 feet; 154 feet is proposed. The design of the queueing lane has been reviewed by the City's Transportation Services Division, and they have no concerns with the design or the length of the lane.

- The building will be remodeled with contemporary architecture to provide a positive complement to the East 17th Street streetscape. The building will have contemporary colors and materials that will be an improvement over the existing appearance of the building. Additionally, the landscaping along the street frontage will be required to be planted with appropriate-sized trees and groundcovers per current code requirements.

The conceptual plans show the proposed patio located within the required street landscape setback. Staff has included a condition of approval requiring that the applicant work with staff to reconfigure the proposed outdoor patios to minimize the encroachment into the required street setback landscape planters, subject to approval by the Planning Division.

- Noise impacts to residential uses will be minimized. The existing drive-through is set back approximately 140 feet from the nearest single-family residences to the north (rear), which is separated by an existing masonry block wall at least 6 feet in height and an existing 14-foot wide landscape planter, where the existing mature trees were recently removed. A condition of approval has been incorporated requiring this landscape planter to be densely re-planted with trees minimum 24-inch box size and other landscape materials. While this landscape area will not buffer noise as effectively as the existing block wall, it will also provide an effective visual barrier from the abutting residences, therefore, minimizing any adverse impacts to the adjacent residences.
- The use, as conditioned, is consistent with the Zoning Code and the City's General Plan because, with the proposed conditions, the proposed use should not adversely impact surrounding uses.

FINDINGS

- A. The information presented complies with Costa Mesa Municipal Code Section 13-29(g)(2) in that the proposed use is compatible with developments in the same general area. Granting the minor conditional use permit will not be detrimental to the health, safety and general welfare of the public or other properties or improvements within the immediate vicinity. Granting the minor conditional use permit will not allow a use, density or intensity, that is not in accordance with the general plan designation for the property. Specifically, staff does not anticipate any parking impacts because the parking study prepared for the project has been reviewed by the City's Transportation Services Division, and they concur with the study methodology, suggested parking rates, and the consultant's conclusions regarding adequate parking. If the remaining space is occupied by a food use, zoning approval and business license authorization shall be contingent upon validation of the parking conclusions of the parking study prepared for the project. This validation shall be in the form of real-time parking counts conducted within 180 days of the coffee shop being fully operational. Additionally, if parking shortages or other parking-related problems arise, the landlord shall institute

whatever reasonable operational measures necessary to minimize or eliminate the problem. Design of the drive-through lane provides adequate vehicle queueing and circulation. The building will be remodeled with contemporary architecture to provide a positive complement to the East 17th Street streetscape. Adverse impacts to residential uses will be minimized due to the requirement that the existing landscape planter at the rear of the property (adjacent to residential) be densely re-planted with trees to provide an additional buffer for residential properties.

- B. The proposed project complies with Costa Mesa Municipal Code Section 13-29 (e) because:
1. The proposed use is compatible and harmonious with uses both on-site as well as those on surrounding properties.
 2. Safety and compatibility of the design of the buildings, and other site features including functional aspects of the site development such as automobile and pedestrian circulation have been considered.
 3. The use is consistent with the General Plan designation because the project will not exceed the allowable General Plan intensity for the site.
- C. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt under Section 15301, Class 1, Existing Facilities, of the CEQA Guidelines.
- D. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

CONDITIONS OF APPROVAL

- Plng. 1. The uses shall be limited to the type of operation as described in the staff report and conditions of approval. Any change in the operational characteristics of any use including, but not limited to, the hours of operation and additional services provided, shall require review by the Planning Division and may require an amendment subject to approval by the Zoning Administrator.
2. If parking shortages or other parking-related problems arise, the business operator shall institute whatever reasonable operational measures necessary to minimize or eliminate the problem. These measures may include identifying select parking spaces for short-term parking (i.e. 30 minutes, 1 hour, etc.), reserving certain parking spaces for the other tenant, and/or any other measures as deemed appropriate by the Development Services Director.
3. The use shall be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood. The applicant and/or business owner shall institute whatever reasonable security and operational measures are necessary to comply with this requirement.
4. The applicant shall contact the Planning Division to arrange a Planning

- inspection of the site prior to commencement of the business. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
5. Prior to the grand opening of the coffee shop, the applicant shall submit an interim parking plan to the Planning Division for review and approval to ensure that adequate employee parking is available on-site or on at an authorized site through an agreement with its property owner. In addition, the plan shall indicate that employees shall be available to minimize any impacts to circulation on the adjacent streets and surrounding properties. This interim plan shall be in place for a minimum of 60 days during the "Grand Opening" and may be extended for an additional 30 days to meet customer demands as deemed appropriate by the Development Services Director. The interim plan shall be approved prior to issuance of certificate of occupancy.
 6. After the Grand Opening period when the interim parking plan is no longer in place, employees of the fast food restaurant shall park on-site. Employee parking shall occur in any of the parking stalls on the property. Employee parking on the public streets fronting residential properties shall be considered a violation of the terms of approval of the minor conditional use permit. If repeated violations occur, the Development Services Director shall have the discretion to require employee parking spaces be assigned on the property, or to require other appropriate measures to ensure on-site employee parking.
 7. Zoning approval and business license authorization for a proposed establishment where food and beverages are served shall be contingent upon validation of the parking conclusions of the March 1, 2012 parking study. This validation shall be in the form of real-time parking counts conducted within 180 days of the coffee shop being fully operational. As an alternative to real-life parking counts and to expedite negotiations with prospective tenants of the second lease area, the Development Services Director may also elect to approve a revised parking study that addresses the unique customer characteristics of similar coffee shops in lieu of real-time parking counts.
 8. The conditions of approval for ZA-12-10 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
 9. No modification(s) of the approved building elevations including, but not limited to, changes that increase the building height, removal of building articulation, or a change of the finish material(s), shall be made during construction without prior Planning Division written approval. Failure to obtain prior Planning Division approval of the modification could result in the requirement of the applicant to (re)process the modification through a discretionary review process such as a minor design review or a variance, or in the requirement to modify the construction to reflect the approved plans.
 10. No exterior roof access ladders, roof drain scuppers, or roof drain downspouts are permitted.
 11. It is recommended that the project incorporate green building design

- and construction techniques where feasible. The applicant may contact the Building Safety Division at (714) 754-5273 for additional information.
12. The existing landscape planter at the rear of the property shall be densely re-planted in order to provide an additional buffer for the residential properties with minimum 24-inch box size trees, subject to review and approval by the Planning Division.
 13. The property owner or applicant shall install bike racks for patrons and employees on the site. The bicycle racks shall be decorative in design. This condition shall be completed prior to final occupancy/start of business, under the direction of the Planning and Building Divisions.
 14. The applicant shall work with staff to reconfigure the proposed outdoor patios to minimize the encroachment into the required street setback landscape planters, subject to approval by the Planning Division.
 15. Transformers, backflow preventers, and any other approved above-ground utility improvement shall be located outside of the required street setback area and shall be screened upon view, under direction of Planning staff. Any deviation from this requirement shall be subject to review and approval of the Development Services Director.

CODE REQUIREMENTS

The following list of federal, state, and local laws applicable to the project has been compiled by staff for the applicant's reference. Any reference to "City" pertains to the City of Costa Mesa.

- Plng.
1. Approval of the zoning application is valid for one (1) year from the effective date of this approval and will expire at the end of that period unless applicant establishes the use by one of the following actions: 1) obtains building permits for the authorized construction and initiates construction; and/or 2) obtains a business license and/or legally establishes the business. If the applicant is unable to establish the use/obtain building permits within the one-year time period, the applicant may request an extension of time. The Planning Division must receive a written request for the time extension prior to the expiration of the zoning application.
 2. Permits shall be obtained for all signs according to the provisions of the Costa Mesa Sign Ordinance.
 3. Use shall comply with all requirements of Articles 3 and 9, Chapter V, Title 13 of the Costa Mesa Municipal Code relating to commercial development standards.
 4. Use shall comply with all requirements of Sections 13-49 and 13-50 of the Costa Mesa Municipal Code relating to development standards for establishments within 200 feet of residentially zoned property and development standards for drive-through operations.
 5. Street address shall be visible from the public street and shall be displayed on the freestanding sign. If there is no freestanding sign, the street address may be displayed on the fascia adjacent to the main

entrance or on another prominent location. Numerals shall be a minimum twelve (12) inches in height with not less than three-fourth-inch stroke and shall contrast sharply with the background. Identification of individual units shall be provided adjacent to the unit entrances. Letters or numerals shall be four (4) inches in height with not less than one-fourth-inch stroke and shall contrast sharply with the background.

6. Parking stalls shall be double-striped in accordance with City standards
7. Two (2) sets of detailed landscape and irrigation plans, which meet the requirements set forth in Costa Mesa Municipal Code Sections 13-101 through 13-108, shall be required as part of the project plan check review and approval process. Plans shall be forwarded to the Planning Division for final approval prior to issuance of building permits.
8. Landscaping and irrigation shall be installed in accordance with the approved plans prior to final inspection or occupancy clearance.
9. Two (2) sets of landscape and irrigation plans, approved by the Planning Division, shall be attached to two of the final building plan sets.
- Bldg. 10. Comply with the requirements of the 2010 California Building Code, 2010 California Residential Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Green Building Standards Code and 2010 California Energy Code (or the applicable adopted California Building Code, California Residential Code California Electrical Code, California Mechanical Code California Plumbing Code, California Green Building Standards and California Energy Code at the time of plan submittal) and California Code of Regulations also known as the California Building Standards Code, as amended by the City of Costa Mesa.
11. Provide a plan to the County of Orange Health Dept. for review and approval.
- Bus. Lic. 12. All contractors and subcontractors shall have valid business licenses to do business in the City of Costa Mesa. Final inspections, final occupancy and utility releases will not be granted until all such licenses have been obtained.
13. Business license(s) shall be obtained prior to the initiation the business(es).
- Eng. 14. For demolition, grading, or building permits involving projects with a valuation of \$10,000 or more, the contractor shall use a City-permitted hauler(s) to haul any debris or solid waste from the job site (refer to Section 8-83(h), Regulations, of Title 8 of the Costa Mesa Municipal Code). Use of a City-permitted hauler for such projects is the responsibility of the designated contractor. Non-compliance is subject to an administrative penalty as follows: \$1,000 or 3% of the total project value, whichever is greater.

SPECIAL DISTRICT REQUIREMENTS

The requirement of the following special districts are hereby forwarded to the applicant:

- Sani. 1. It is recommended that the applicant contact the Costa Mesa Sanitary District at 949.645.8400 for current district requirements.
- AQMD 2. Applicant shall contact the Air Quality Management District at 800.288.7664 for potential additional conditions of development or for additional permits required by the district.
- Bldg. 3. Comply with the requirements of the California Department of Food and Agriculture (CDFA) to determine if red imported fire ants exist on the property prior to any soil movement or excavation. Call CDFA at (714) 708-1910 for information.

February 15, 2012

VIA HAND DELIVERY

Mr. Melvin Lee
Senior Planner
City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92626

RE: 450 E. 17th Street
Costa Mesa, CA 92627

Dear Mel,

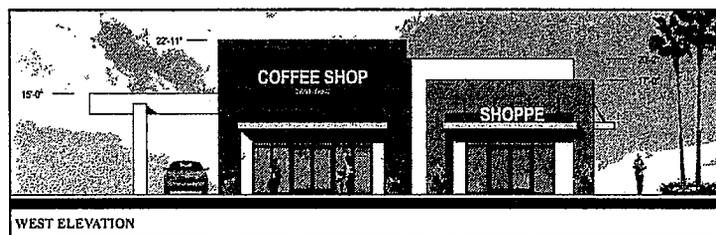
Please accept this letter along with the enclosed documents as our formal submittal for the remodel of the subject property. The property, which was formally occupied by Schools First Federal Credit Union, is an antiquated building that is no longer consistent with the quality of retail properties along the 17th Street Promenade. Several years ago the City of Costa Mesa went to great lengths to improve East 17th Street, and we are excited that we will be a part of the continued efforts to improve the 17th Street Promenade.

As a brief matter of background, Schools First Federal Credit Union formerly occupied the property as a credit union branch that offered an array of services, including a drive-through teller. The property did not undergo any substantial improvements during the past 30 years, and it now shows its age. While the interior improvements of the building are in good condition, the property deserves to be upgraded in order to accommodate new retail uses for the neighboring communities of East Side Costa Mesa.

One of the most important physical transformations that the property will undergo is the creation of a new storefront for each of the new suites (two suites total) that front 17th Street. Currently, there are no windows on the westerly elevation fronting 17th Street, thus resulting in a poor presence for the property. As you can see in the illustrations below, the planned improvements for the elevation will create a completely new appearance for the property.



Before



WEST ELEVATION

After

Mr. Melvin Lee
City of Costa Mesa
February 15, 2012
Page 2 of 3

The current configuration of the elevation facing East 17th Street is currently monolithic in nature and does not provide any variation in architectural style. The materials that will be used on the exterior feature sustainable organic materials which include reclaimed wood, natural steel, and smooth stucco. By creating two distinctive storefronts, the building will take on a new life which will lend itself to the transition of unique properties along the 17th Street Promenade. The existing drive-through canopy and window system will also be improved in order to accommodate a coffee/food user.

Another very important aspect of the property's remodel is the improvement that will be made to the common patio areas that front 17th Street. As the 17th Street Promenade continues to become an established pedestrian corridor, it is important to create more "people places" for gathering. As such, the renovation of the property will not only include the rehabilitation of the existing patio area, but it will also address new architectural enhancements such as a water feature or fire pit, sustainable landscaping utilizing drought tolerant plant materials and ornamental grasses, and bicycle racks and stroller parking area – all of which encourage the continued increase in pedestrian traffic and community gathering.

Currently, the building is approximately 5,800 square feet, however, there is a 1,250 square foot mezzanine space that will be abandoned as a part of the remodel of the property. The result will be a leasable area of approximately 4,550 square feet. Following a minor reconfiguration of the on-site parking lot, the property will provide 42 on-site parking spaces which equates to a 9.3:1 parking ratio. Additionally, significant improvements will be made to the ADA accessibility and parking in order to bring the property into compliance with ADA standards.

The proposed use of the property (retail, restaurant, service, etc.) is not only consistent with the past use, but it is also substantially compatible with current uses permitted along the 17th Street Promenade. The proposed uses would not be materially detrimental to other properties in the same area.

Mel, we are very excited about this opportunity to re-imagine and improve another property in the City of Costa Mesa and we look forward to working with you and the rest of your team to bring this project to fruition. Should you have any questions, please feel free to contact me anytime.

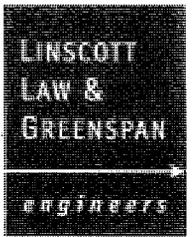
Best regards,

450 E. 17th St. Associates, LLC
By: Burnham-Ward Properties LLC



Stephen Thorp

cc: Bryon Ward



March 1, 2012

Mr. Stephen K. Thorp, Executive Vice President
Burnham USA
1100 Newport Center Drive, Suite 150
Newport Beach, CA 92660

LLG Reference No. 2.12.3265.1

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**Subject: Parking Analysis for the Remodel and Tenancy Modification
Former Orange County Teacher's
Federal Credit Union (OCTFCU) Site at 450 E. 17th Street
Costa Mesa, California**

Pasadena
Costa Mesa
San Diego
Las Vegas

Dear Mr. Thorp:

As requested, Linscott, Law, & Greenspan, Engineers (LLG) is pleased to submit this Parking Analysis for the proposed "redo" and reuse of the former (and currently 100% vacant) OCTFCU branch at 450 E. 17th Street in Costa Mesa. The proposed remodel would make way for a Starbucks Coffee location (with drive-thru) as well as an expected "quick serve" restaurant use. Together, these two tenancies are herein after referred to as the Project.

A parking study has been required by the City of Costa Mesa to evaluate the parking requirements and operational needs of the Project site at future full occupancy with the proposed two tenancies in place. This report evaluates those needs based on application of City code, and the further application of the Urban Land Institute's (ULI) *Shared Parking* methodology as adopted by the City of Costa Mesa.

Based on prior field study experience, LLG has concluded that the proposed Starbucks does not quite fit the parking ratio and time-of-day profile associated with a "restaurant" use as carried in the City's code and shared parking methodology. As such, the LLG approach presented below evaluates the total parking needs of the site by applying the City methodology to the expected "quick serve" restaurant component, and further adding an explicit parking ratio and time-of-day profile as derived from prior LLG field study for the Starbucks component.

Our study approach is detailed in the following sections of this report.

Philip M. Linscott, PE (1924-2000)
Jack M. Greenspan, PE (Ret.)
William A. Law, PE (Ret.)
Paul W. Wilkinson, PE
John P. Keating, PE
David S. Shender, PE
John A. Boorman, PE
Clare M. Look-Jaeger, PE
Richard E. Barretto, PE
Keil D. Maberry, PE

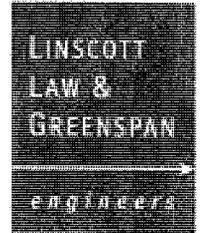
Briefly, we conclude that the “design level” parking demands of the site will peak at 39 spaces. This results from a shared parking evaluation integrating the City’s own procedures, with the further refinement and integration of Starbucks field study data compiled by LLG. The Project proposes a supply of 42 spaces, up to three of which could be utilized by tenants and visitors of the adjoining parcel at 462 E. 17th Street. After accounting for that use of up to 3 spaces, the minimum “net” Project-specific supply of 39 spaces will exactly balance with expected “design level” parking needs of the Project.

PROJECT LOCATION AND DESCRIPTION

The Project site is located on the north side of 17th Street generally between Tustin Avenue and Irvine Avenue. *Figure 1*, located at the rear of this letter report, presents the proposed site plan.

An A.L.T.A. survey of the site prepared in 2011 indicates an existing building floor area of 4,619 SF and a parking total of 30 spaces (to include 2 handicap parking spaces). Further review of that survey indicates a nonexclusive easement (dating back to 1982) on the 450 E. 17th Street Project site for ingress, egress and parking purposes benefiting the adjoining parcel to the east (462 E. 17th Street, where tenancies now include One West Bank, Blonder Salon, and a vacant suite.) The easement area appears to include up to three existing parking spaces at the 450 E. 17th Street Project address, and from clarifying conversations with you, it is LLG’s understanding that the net effect of that easement is an obligation of the Project to make available up to three nonexclusive parking spaces for use by tenants of and visitors to the 462 E. 17th Street address. As such, the parking calculations that follow track not only the needs of the proposed Starbucks and “quick serve” restaurant, but also presume, as a worst case that the adjoining uses at 462 E. 17th Street will add a further demand for three spaces.

When compared to existing development on the site, the proposed Project plan essentially remodels the existing building and divides it to two tenant spaces, the northern-most totaling 2,356 SF and constituting the Starbucks location (with immediate proximity to a remodeled drive-thru lane carried over from the prior financial tenancy), and the southern suite totaling 2,185 SF, for a resulting building area of 4,541 SF. From *Figure 1*, the plan also depicts a square footage total for each of three patio areas. For parking requirement calculation purposes, the City code requires patio area to be included as part of the restaurant floor area. Given that requirement, the floor area input to the “quick serve” parking needs calculation totals 2,535 SF (2,185 SF within the building plus patio areas of 100 SF and 250 SF). The



treatment of the 250 SF of patio immediately adjoining the Starbucks suite is described later in this report.

The *Figure 1* site plan modifies the current provision of 30 spaces on the site, and increases that supply to 42 spaces (including 2 handicap spaces).

“CODE” PARKING REQUIREMENTS AND ADAPTIVE METHODOLOGY

The “code” parking calculation for the Project is based on the City’s requirements as outlined in *Chapter 6 – Off-Street Parking Standards* City of Costa Mesa Municipal Code. For restaurant uses, the City’s Municipal Code requires ten (10) spaces per 1,000 SF of GFA for the first 3,000 SF, and twenty (20) spaces per 1,000 SF of GFA for each additional 1,000 SF.

The City’s code requires patio seating area to be summed as part of the building floor area when performing the “code” calculation. On that basis, the floor area to be input to the code calculation totals 5,141 SF (summed as 2,356 + 2,185 + 250 + 100 + 250). The resulting requirement breaks out as follows:

3,000 SF @ 10 spaces per 1,000 SF	=	30 spaces
<u>5,141 SF – 3,000 SF = 2,141 SF @ 20 spaces per 1,000 SF</u>	=	<u>43 spaces</u>
Total Requirement	=	73 spaces

This 73-space requirement does not reflect the potential use of up to three additional spaces by the adjoining parcel.

For projects with a mix of land use types, the “City of Costa Mesa Procedure for Determining Shared Parking Requirements” typically applies. While LLG’s experience is that coffee uses such as Starbucks do not fit the same “restaurant” ratio and time-of-day parking profiles applicable to the “quick serve” restaurant tenancy of the proposed Project, City procedures do not recognize that distinction. The analysis that follows does make that distinction, and combines a Project-specific Starbucks parking ratio and hourly profile with a “code” calculation and City shared parking application for the “quick serve” restaurant.

SHARED PARKING ANALYSIS

Shared Parking Methodology

Accumulated experience in parking demand characteristics indicates that a mixing of land uses results in an overall parking need that is less than the sum of the individual

peak requirements for each land use. This is true even for the subtle variation in parking needs for the Starbucks tenancy combined with those of the expected “quick serve” venue. The latter has typically a lunch-time and dinner trade, while Starbucks demand clearly peaks in the early to mid-morning hours in a complimentary pattern when compared to a more traditional “restaurant” use. The objective of this shared parking analysis is to forecast the peak parking requirements for the Project based on the combined demand patterns of these different tenancy types at the site.

Shared parking calculations recognize that different uses often experience individual peak parking demands at different times of day, or days of the week. When uses share common parking footprints, the total number of spaces needed to support the collective whole is determined by adding parking profiles (by time-of-day for weekdays versus weekend days), rather than individual peak ratios as represented in the City of Costa Mesa Zoning Code. In that way, this shared parking approach starts from the City’s own code ratios for restaurants, supplements this with Starbucks-specific characteristics, applies the City’s own procedures for determining shared parking requirements, and results in the “design level” parking supply needs of the Project site.

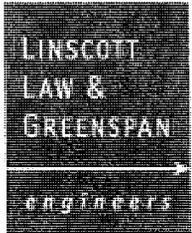
It should be noted that the “demand” results of this shared parking calculation are intended to be used directly for comparison to the proposed Project site supply, after accounting for the up to 3 spaces that may be used by the adjoining site. No further adjustments or contingency additions are needed because such contingencies are already built into the peak parking ratios and time-of-day profiles used in the calculations.

Shared Parking Ratios and Profiles

The expected “quick serve” restaurant tenancy of the site has been input to the shared parking calculations at the City code ratio of 10 parking spaces per 1,000 SF, an interior plus patio area of 2,535 SF, resulting peak requirement of 25 spaces, and the time-of-day profiles represented in the City’s shared parking methodology.

The Starbucks representation within those calculations is based on prior LLG field study (in year 2000) of two existing Starbucks sites, without drive-thru lanes. The study sites and other findings from the data are as follows:

- Existing Starbucks location of 1,464 SF at 14948 Imperial Highway in La Mirada, adjoining the La Mirada/Imperial intersection (“Site 1”).
- Existing Starbucks location of 1,520 SF at 505 N. State College Boulevard in Fullerton, adjoining the State College/Chapman intersection (“Site 2”).



- Both sites had some patio seating (3-5 tables, 8-16 seats). While the interior floor area of each site was known, the patio area was not. Peak parking ratios calculated from field study data are derived from those interior floor areas as a “blended” factor to be applied only to the interior floor area of a new location, but which also accounts for patio seating at that location.
- The peak observed parking demand on a weekday equated to a demand factor of 11.06 spaces per 1,000 SF of interior (versus interior plus patio) floor area. The peak weekend ratio was 10.05 spaces per 1,000 SF of building area.
- These field studies resulted in a peak parking “design factor” of 12.0 spaces per 1,000 SF of building area, which also accounts for the parking needs of the of the adjoining patio.
- Time-of-day profiles were also derived, and brought forward to the Project calculation based on the anticipated 2,356 SF Starbucks tenancy (noting further that this calculation inherently accounts for the presence of patio seating).

The attached *Appendix Table A-1* and *Table A-2* present the Starbucks ratio and profile derivation as well as its application to the Project site. As indicated, the peak Starbucks requirement tops out at 28 spaces at 8 AM on a weekday. Demand reduces significantly from this peak during other hours of the day. Weekend needs are incrementally less, with a peak focused more to the mid-morning hours.

It should be noted that the derived Starbucks peak ratio and parking profiles are rooted in field studies of sites without drive-thru lanes. This is concluded to be a conservative approach. At sites with a drive-thru lane, Starbucks has advised that 40% to 60% of its sales volume uses the drive-thru lane (inferring some corresponding reduction in parking demand). While this drive-thru split does not translate directly to an equivalent reduction in peak parking demand, the peak “design level” ratio of 12.0 spaces per 1,000 SF is concluded to have at least a ten to twenty percent integrated contingency.

Application of Shared Parking Methodology to Proposed Project

Tables 1 and *2* present the future weekday and weekend (typically Saturday) parking demand profiles for the proposed Project based on the shared parking methodology. They integrate the “quick serve” and Starbucks calculations as described in the prior section.

Review of *Tables 1* and *2* indicates that the weekday and weekend peak parking demands will occur in the evening hours, with “design level” peak demands of 39 spaces. The minimum Project surplus is 3 spaces, which would off-set the potential

Mr. Stephen K. Thorp
March 1, 2012
Page 6



use of up to three spaces by the adjoining site. It will also be noted that the City methodology results in relatively modest calculated restaurant demand levels at midday, with surpluses of at least 15 spaces (18 as shown minus up to 3 spaces being used by the adjoining site). The calculated midday surplus would facilitate stronger parking demand levels by the "quick serve" restaurant than anticipated by the City methodology.

Based on the results of *Tables 1* and *2*, we conclude that the proposed 42-space supply will result in a balanced condition with peak demand, even after accounting for up to three spaces being used by tenants and visitors of the adjoining 462 E. 17th Street parcel.

We appreciate the opportunity to prepare this analysis for Pacific Plaza. Should you have any questions or need additional assistance, please do not hesitate to call us at (714) 641-1587.

Very truly yours,
Linscott, Law & Greenspan, Engineers

A handwritten signature in black ink, appearing to read "Paul W. Wilkinson".

Paul W. Wilkinson, P.E.
Principal

Attachments

cc: file

**TABLE 1
WEEKDAY SHARED PARKING DEMAND ANALYSIS [a]
450 EAST 17TH STREET, COSTA MESA**

USE	Restaurant 1st 3K (Sq. Ft.)	Starbucks Based on Empirical Data [b]	Total Parking Demand by Hour	Comparison with Parking Supply by Hour (surplus)
SIZE	2,535	2,356	-	-
RATIO	0.01	-	-	-
SUPPLY	-	-	-	42
PK DEMAND	25	28	53	-
6:00 AM	0	17	17	25
7:00 AM	1	27	28	14
8:00 AM	1	28	29	13
9:00 AM	3	26	29	13
10:00 AM	5	12	17	25
11:00 AM	8	10	18	24
NOON	13	7	20	22
1:00 PM	18	6	24	18
2:00 PM	15	7	22	20
3:00 PM	15	10	25	17
4:00 PM	13	9	22	20
5:00 PM	18	9	27	15
6:00 PM	23	13	36	6
7:00 PM	25	7	32	10
8:00 PM	25	11	36	6
9:00 PM	25	14	39	3
10:00 PM	23	10	33	9
11:00 PM	18	6	24	18
MAXIMUM WEEKDAY DEMAND				39
NET PARKING SUPPLY [c]				39
PARKING SURPLUS (+) OR DEFICIENCY (-)				0

Notes:

[a] Source: Based on City of Costa Mesa adopted procedures

[b] Empirical Data Based on Average Ratios taken from the

Parking Study for the Proposed Starbucks Coffee in Harbor Town Square dated April 3, 2000.

[c] Accounts for 3 spaces on project site required to provide parking to the adjoining commercial site at 462 E. 17th Street.

TABLE 2
WEEKEND SHARED PARKING DEMAND ANALYSIS FOR EXISTING SITE [a]
450 EAST 17TH STREET, COSTA MESA

USE	Restaurant 1st 3K (Sq. Ft.)	Starbucks Based on Empirical Data [b]	Total Parking Demand by Hour	Comparison with Parking Supply by Hour (surplus)
SIZE	2,535	2,356	-	-
RATIO	0.01	-	-	-
SUPPLY	-	-	-	42
PK DEMAND	25	28	53	-
6:00 AM	0	3	3	39
7:00 AM	1	9	10	32
8:00 AM	1	15	16	26
9:00 AM	2	25	27	15
10:00 AM	2	26	28	14
11:00 AM	3	21	24	18
NOON	8	16	24	18
1:00 PM	11	18	29	13
2:00 PM	11	7	18	24
3:00 PM	11	11	22	20
4:00 PM	11	13	24	18
5:00 PM	15	10	25	17
6:00 PM	23	10	33	9
7:00 PM	24	15	39	3
8:00 PM	25	14	39	3
9:00 PM	25	14	39	3
10:00 PM	24	12	36	6
11:00 PM	22	15	37	5
MAXIMUM WEEKDAY DEMAND				39
NET PARKING SUPPLY [c]				39
PARKING SURPLUS (+) OR DEFICIENCY (-)				0

Notes:

[a] Source: Based on City of Costa Mesa adopted procedures

[b] Empirical Data Based on Average Ratios taken from the
Parking Study for the Proposed Starbucks Coffee in Harbor Town Square dated April 3, 2000.

[c] Accounts for 3 spaces on project site required to provide parking to the adjoining
commercial site at 462 E. 17th Street.

APPENDIX

**TABLE A-1
DERIVATION AND APPLICATION OF STARBUCKS PARKING PROFILE - WEEKDAY**

TIME	No. of Spaces Occupied by Starbucks Customers/ Employees		(1)	(2)	(3)	(4)
	Site 1 1,464 SF	Site 2 1,520 SF	Total Occupied Spaces	Actual Parking Ratio (1) Divided by 2,984sf	Actual Parking Ratio Divided by Maximum of 11.06	12x2.356x%
6:00 AM	9	11	20	6.70	61%	17
7:00 AM	11	21	32	10.72	97%	27
8:00 AM	15	18	33	11.06	100%	28
9:00 AM	16	14	30	10.05	91%	26
10:00 AM	6	8	14	4.69	42%	12
11:00 AM	6	6	12	4.02	36%	10
12:00 PM	3	5	8	2.68	24%	7
1:00 PM	2	5	7	2.35	21%	6
2:00 PM	4	4	8	2.68	24%	7
3:00 PM	7	5	12	4.02	36%	10
4:00 PM	4	6	10	3.35	30%	9
5:00 PM	4	7	11	3.69	33%	9
6:00 PM	7	8	15	5.03	45%	13
7:00 PM	4	4	8	2.68	24%	7
8:00 PM	6	7	13	4.36	39%	11
9:00 PM	11	5	16	5.36	48%	14
10:00 PM	6	6	12	4.02	36%	10
11:00 PM	4	3	7	2.35	21%	6

**TABLE A-2
DERIVATION AND APPLICATION OF STARBUCKS PARKING PROFILE - WEEKEND**

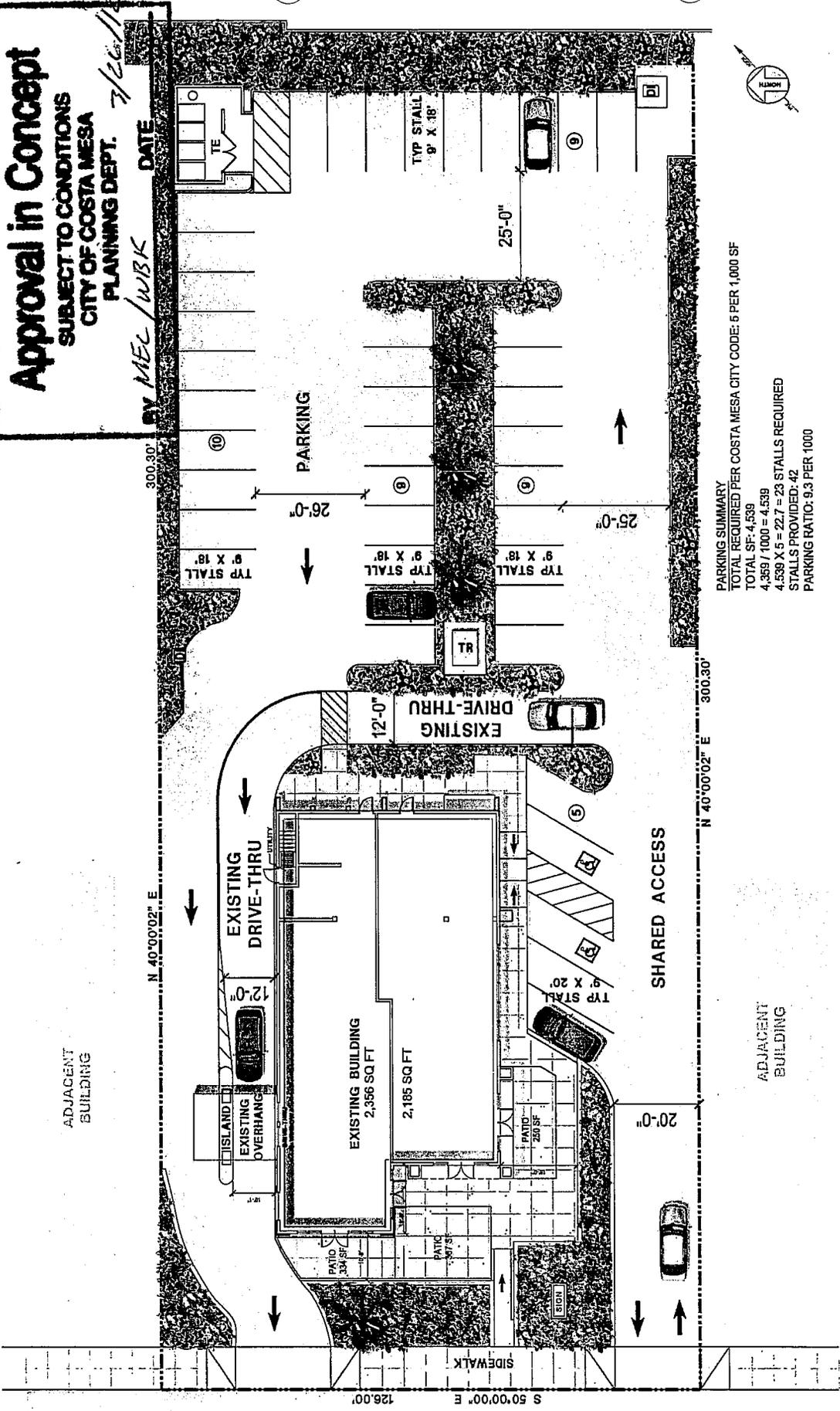
TIME	No. of Spaces Occupied by Starbucks Customers/ Employees		(1)	(2)	(3)	(4)
	Site 1 1,464 SF	Site 2 1,520 SF	Total Occupied Spaces	Actual Parking Ratio (1) Divided by 2.984sf	Actual Parking Ratio Divided by Maximum Weekday of 11.06	12x2.356x%
6:00 AM	4	0	4	1.34	12%	3
7:00 AM	10	0	10	3.35	30%	9
8:00 AM	13	4	17	5.70	52%	15
9:00 AM	17	12	29	9.72	88%	25
10:00 AM	13	17	30	10.05	91%	26
11:00 AM	11	13	24	8.04	73%	21
12:00 PM	7	12	19	6.37	58%	16
1:00 PM	11	10	21	7.04	64%	18
2:00 PM	3	5	8	2.68	24%	7
3:00 PM	6	7	13	4.36	39%	11
4:00 PM	6	9	15	5.03	45%	13
5:00 PM	6	6	12	4.02	36%	10
6:00 PM	5	7	12	4.02	36%	10
7:00 PM	6	11	17	5.70	52%	15
8:00 PM	11	5	16	5.36	48%	14
9:00 PM	11	5	16	5.36	48%	14
10:00 PM	9	5	14	4.69	42%	12
11:00 PM	10	7	17	5.70	52%	15

MINOR CONDITIONAL USE PERMIT/
ADMINISTRATIVE ADJUSTMENT NO. SA-12

Approval in Concept

SUBJECT TO CONDITIONS
CITY OF COSTA MESA
PLANNING DEPT. 7/26/12

DATE
BY MEC/WBK



PARKING SUMMARY
 TOTAL REQUIRED PER COSTA MESA CITY CODE: 6 PER 1,000 SF
 TOTAL SF: 4,539
 4,539 / 1000 = 4.539
 4.539 X 5 = 22.7 = 23 STALLS REQUIRED
 STALLS PROVIDED: 42
 PARKING RATIO: 9.3 PER 1000

17TH STREET

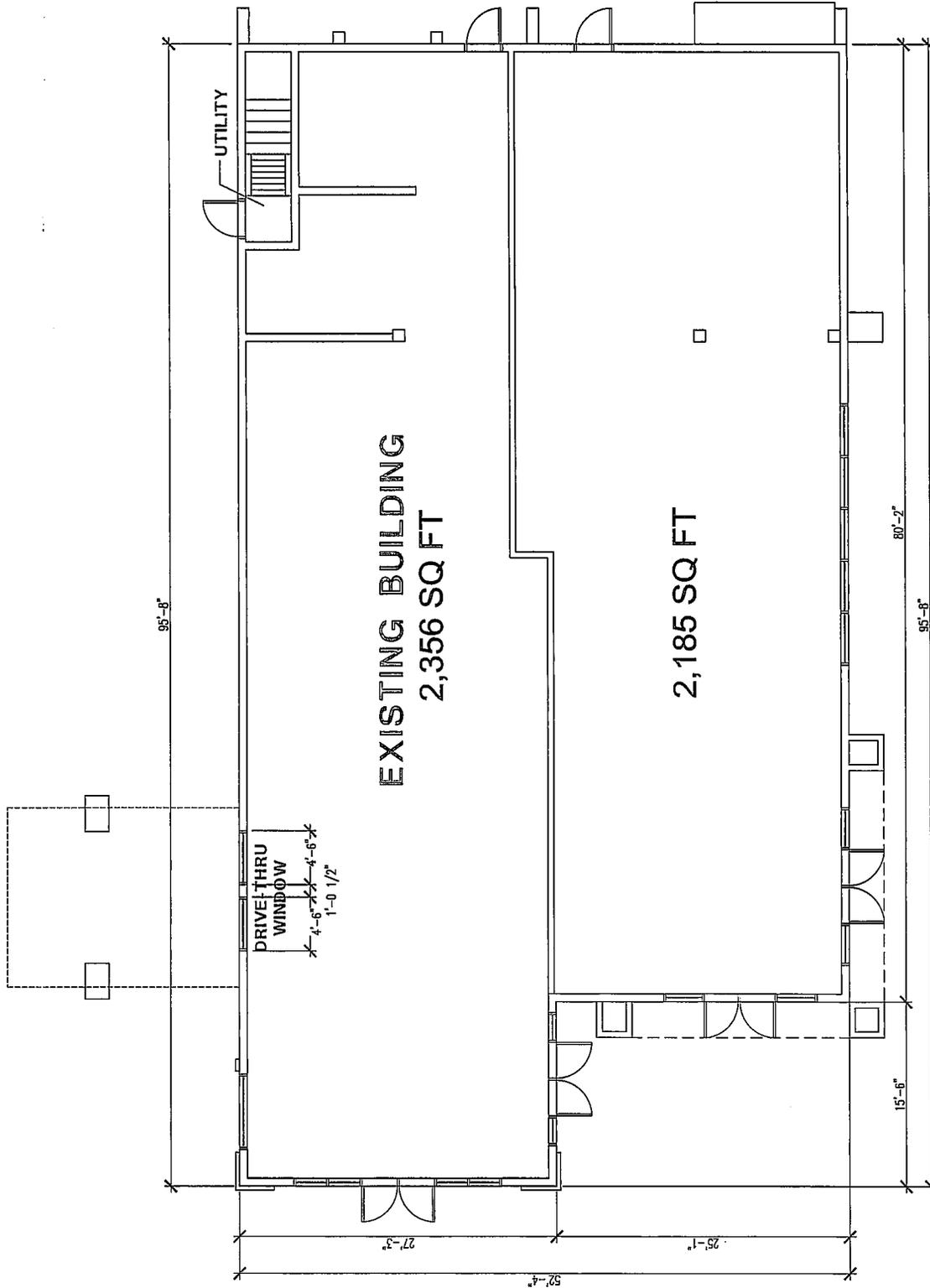
124

SITE PLAN

Scale: 1" = 10'
February 8, 2012

BURNHAM
 450 E. 17TH STREET
 COSTA MESA, CALIFORNIA

BICKEL UNDERWOOD
 ARCHITECTURAL ASSOCIATION
 3400 Birch Street, Suite 120, Newport Beach, CA 92649
 9497574111
 bickelunderwood@bickelunderwood.com



FLOOR PLAN

Scale: 1/4" = 1'-0"
February 8, 2012

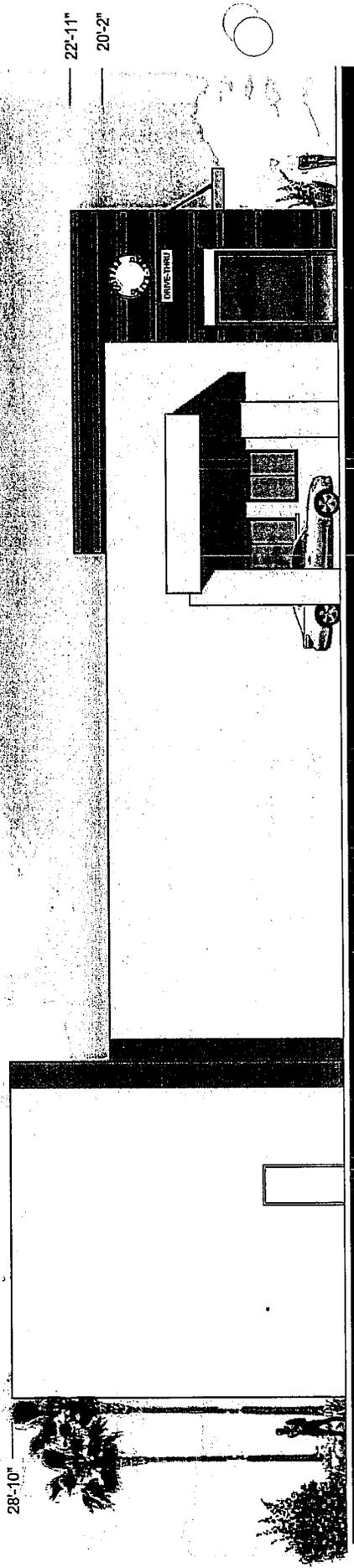
PLANNING - COST MANAGEMENT & RECORDS MANAGEMENT
FOR THE ARCHITECT AND ENGINEER'S USE ONLY. THIS DOCUMENT IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF BICKEL UNDERWOOD ARCHITECTS.

BURNHAM

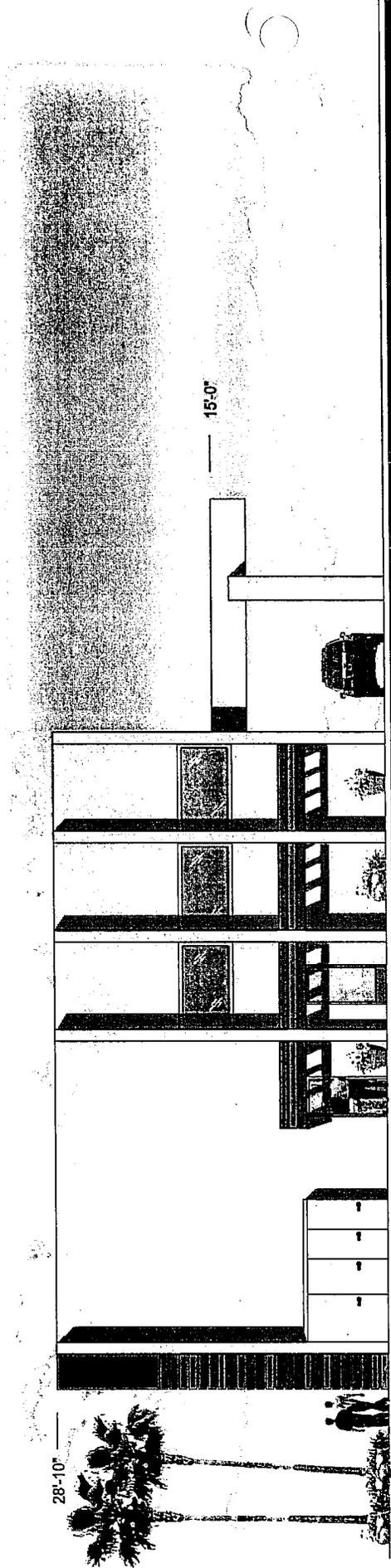
450 E. 17TH STREET
COSTA MESA, CALIFORNIA

Project Architect:

BICKEL UNDERWOOD
ARCHITECTS
A PROFESSIONAL CORPORATION
3600 Birch Street, Suite 120, Newport Beach, CA 92660
949-797-0411
architects@bickelunderwood.com



NORTH ELEVATION

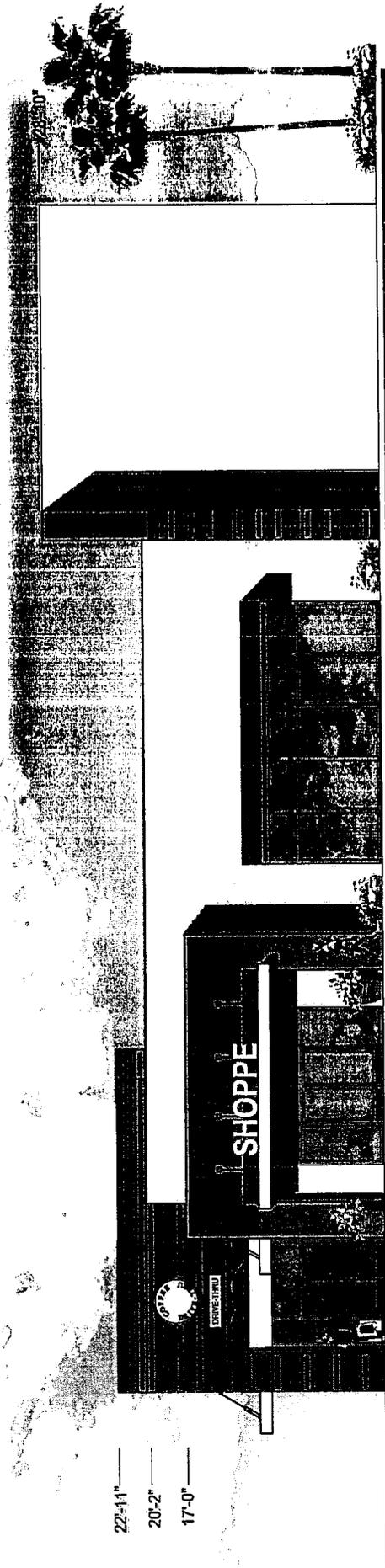


EAST ELEVATION

BURNHAM
 450 E. 17TH STREET
 COSTA MESA, CALIFORNIA

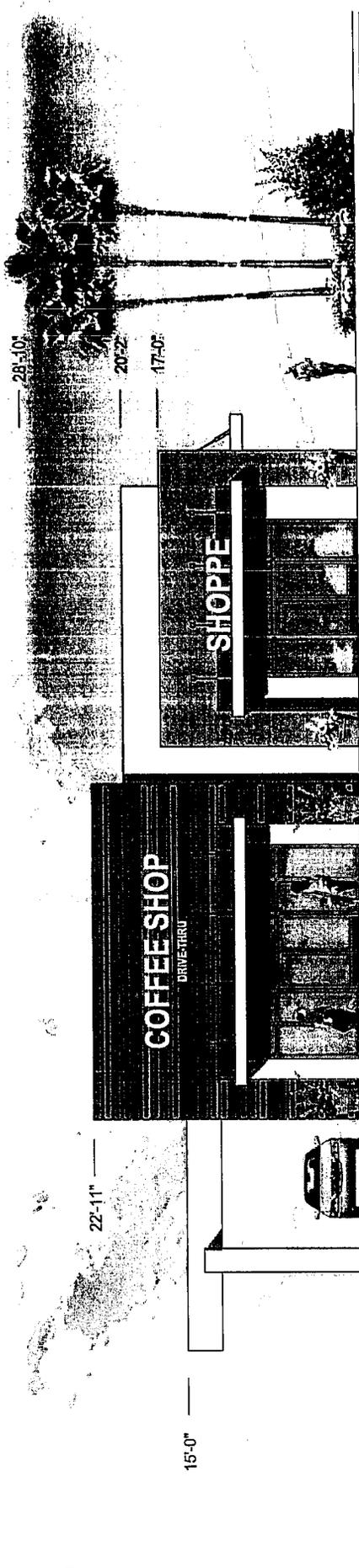
ELEVATIONS
 February 8, 2011

BICKEL UNDERWOOD
 ARCHITECTS
 1000 S. GARDEN AVENUE, SUITE 100
 COSTA MESA, CALIFORNIA 92626
 TEL: 714.440.1000 FAX: 714.440.1001



22'-11" —
 20'-2" —
 17'-0" —

SOUTH ELEVATION



22'-11" —
 15'-0" —

WEST ELEVATION



PLANNING COMMISSION

SUPPLEMENTAL MEMORANDUM

MEETING DATE: APRIL 23, 2012

ITEM NUMBER: VI. 2a

SUBJECT: APPEAL AND REVIEW OF ZONING APPLICATION ZA-12-10 MINOR CONDITIONAL
USE PERMIT FOR A DRIVE-THROUGH COFFEE SHOP
450 EAST 17TH STREET

DATE: APRIL 19, 2012

FROM: PLANNING DIVISION/DEVELOPMENT SERVICES DEPARTMENT

PRESENTATION BY: MEL LEE, SENIOR PLANNER *ME*

FOR FURTHER INFORMATION CONTACT: MEL LEE, AICP (714) 754-5611
mel.lee@costamesaca.gov

Attached is the following supplemental information related to the above project:

1. Request by the appellant (Toby Walker) to continue the item to the May 14, 2012 meeting.
2. Two additional letters from residents.
3. Response to appeal prepared by Linscott, Law and Greenspan Engineers (LLG) also referenced on Page 5 of the original staff report.

With regard to the appellant's request for continuance, the appellant was informed by staff that granting the request was at the discretion of the Planning Commission.

Additional condition of approval

If the Planning Commission upholds the Zoning Administrator's approval, the following additional condition of approval is recommended with regard to the issue with the existing easement:

16. City understands that the adjacent property may hold certain easement rights over the property that is the subject of this decision. The city is not in a position to determine the legal rights between the two parcels with respect to this easement. Accordingly, the City's approval is made expressly subject to the project being in full compliance with any existing duties, rights and obligations set forth in any easements or other encumbrances recorded against the property. Any construction initiated by applicant is performed at applicant's own risk that it may be inconsistent with existing easements and encumbrances.

Attachments

cc:

City Council
Chief Executive Officer
Assistant Chief Executive Officer
Interim Development Services Director
Deputy City Attorney
City Engineer
Transportation Services Manager
Fire Protection Analyst
Staff (4)
File (2)

Toby Walker
P.O. Box 8083
Newport Beach, CA 92658

450 East 17th Street Associates, LLC
1100 Newport Center Drive, #150
Newport Beach, CA 92660

David Harris
455 Cabrillo Street
Costa Mesa, CA 92627

Bob Small
465 Cabrillo Street
Costa Mesa, CA 92627

Ardy Hurst
451 Cabrillo Street
Costa Mesa, CA 92627

Jaime & Stephen MacLeod
461 Cabrillo Street
Costa Mesa, CA 92627

From: Toby Walker [mailto:tawalker@cox.net]
Sent: Wednesday, April 18, 2012 12:56 PM
To: LEE, MEL
Cc: BOUWENS-KILLEEN, WILLA; Wendy Leece; 'Rob Hamers'; 'Fanny Chen'
Subject: [BULK]
Importance: Low

Mel –

I am writing you at Willa's instruction to my engineer, Rob Hamers. I am unfortunately already committed to be in Florida the early part of next week and have respectfully asked for a continuance of the referenced matter.

That notwithstanding we will be prepared to present to the commission that the developer's approval for the 450 E. 17th is in violation of a recorded Mutual Egress and Ingress Easement as of 1982. That developer's proposal severely abridges the rights granted in that easement with respect not only to the demarcated parking spaces in Lot 2 of that easement but also with respect to both the physical ingress and easement of Lot 1 of that same easement (see attached).

As was outlined in our appeal, no attention was paid by the developer to what is the sole access over this easement to the adjoining property (462 E. 17th St.) – how it is affected by the additional angled parking spaces, the drive thru lane as well as the circulation of the 450 property which now requires a vastly different and more complicated access to its own parking and as I pointed out the negative affect on Lot 2 of the easement.

Thank you for your attention in this matter. We will wait to hear from you.

Toby Walker

ATTACHMENT 2

Received
City of Costa Mesa
Development Services Department

APR 18 2012

April 17, 2012

VIA HAND DELIVERED

Mr. Melvin Lee
Senior Planner
City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92626

Re: Zoning application ZA-12-10
450 E. 17th Street
Costa Mesa, CA 92727

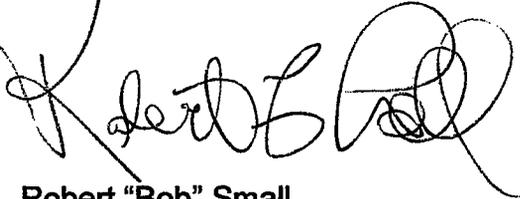
Dear Mr. Lee:

Regarding the above zoning application and its potential impact on the surrounding area, as you know, Mr. Bob Small and I had a productive meeting with Mr. Bryon Ward regarding our concerns about this project. Via a gentleman's agreement, follow by an e-mail containing the details of our agreement we decided not to appeal this application.

Sincerely,



David Harris



Robert "Bob" Small

Received
City of Costa Mesa
Development Services Department

APR 19 2012

TO: Planning commission
City of Costa Mesa

Attn: Mel Lee, AICP
Senior Planner

Subject: 650 E. 17th Street

Forty years ago we purchased our home here at 451 Cabrillo Street. There was no building behind us on E. 17th Street. I realize that is zoned for business. I also know this street was zoned single-residential. There is no buffer between the two. Mistake #1 !

The bank was ideal as there was no activity after 6:00 P.M. Now, the owner wants to convert the building to 2 restaurants – one a coffee “drive-thru” with the order box pointed my way. The hours will be from 6:00 A.M. To 11:00 P.M. Can you imagine the noise and smells from the cars and ordering from a “drive-thru” on warm summer nights when we are trying to sleep with our windows open?

That is a very small lot for so much activity and the driveway is inadequate for all the business' there.

Please consider this carefully and I'm hoping you say NO to this particular business. To say yes would be like a thorn in our side. Also, the valuation of our property would no doubt go down. We are all very proud of our street!

Sincerely,



Ardy Hurst
451 Cabrillo St.
Costa Mesa, CA 92627

949-642-6849

LEE, MEL

From: Stephen Thorp [sthorp@burnhamusa.com]
Sent: Tuesday, April 17, 2012 3:07 PM
To: LEE, MEL
Cc: Bryon Ward
Subject: 450 E 17th St. - LLG Responses - 1 of 2
Attachments: Response to Comments 2 123265 1 4-17-12 .pdf

Mel,

Please find attached LLG's responses to Toby Walker's comments that were identified in his appeal. As you will find, Toby Walker's claims are without merit, and furthermore, he provides no factual evidence for his claims. Notwithstanding, LLG has concluded that our plans approved by the City will have little to no impact on the easement area as Toby Walker projects. Nevertheless, please rest assured that the civil matters mentioned in Toby Walker's appeal, more particularly the non-exclusive ingress/egress easement and parking easement, have been taken into careful consideration in our plans and we will continue to fulfill our obligations as set forth in the easement agreements until they expire.

Please note that the attached is LLG's narrative, and a second e-mail will follow that will contain the exhibits.

Should you have any questions, please feel free to call me at anytime. Thank you.

Best regards,
Steve

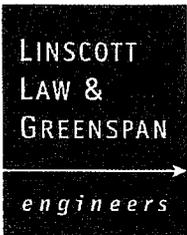
Stephen K. Thorp
Executive Vice President
Burnham USA Equities, Inc.
1100 Newport Center Drive, Suite #150
Newport Beach, CA 92660
Phn: (949) 760-9150
Fax: (949) 760-0430
Eml: sthorp@burnhamusa.com

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04/17/2012



April 17, 2012

Mr. Stephen K. Thorp, Executive Vice President
Burnham USA
1100 Newport Center Drive, Suite 150
Newport Beach, CA 92660

LLG Reference No. 2.12.3265.1

**Subject: Response to Appeal Comments by Toby Walker
Approval of Zoning Application ZA-12-10
Remodel and Tenancy Modification for Former Orange County
Teacher's Federal Credit Union (OCTFCU) Site
450 E. 17th Street
Costa Mesa, California**

Engineers & Planners
Traffic
Transportation
Parking

**Linscott, Law &
Greenspan, Engineers**
1580 Corporate Drive
Suite 122
Costa Mesa, CA 92626
714.641.1587 T
714.641.0139 F
www.llgengineers.com

Pasadena
Costa Mesa
San Diego
Las Vegas

Dear Mr. Thorp:

At your request, we have reviewed the subject appeal package submitted by Toby Walker, representing the property at 462 E. 17th Street ("462"). That property lies immediately east of your property at 450 E. 17th Street ("450"), the latter being the subject of a recent Zoning Application approval by the City of Costa Mesa.

The ZA-12-10 application addressed the remodel of your site, and re-tenancy with a Starbucks drive-thru as well as unspecified future quick serve food use. The parking aspects of the proposed plan were the subject of a parking analysis prepared by Linscott, Law & Greenspan, Engineers (LLG) and dated March 1, 2012. That study concluded a parking balance for the proposed plan based on the parking supply revisions/increase at "450", the parking needs of the proposed tenancy types at "450", and after accounting for a 3-space supply component on "450" (responding to a non-exclusive easement agreement executed in 1982 between the two property owners) for the benefit of parkers attributable to "462".

Mr. Walker has cited seven grounds ("comments") as the basis of his appeal. This letter was prepared to address each of those in anticipation of a future Planning Commission hearing on the appeal. Each of Mr. Walker's comments is repeated below followed by LLG's response. Additionally, Mr. Walker included attachments to his appeal (generally without explanation) that have also been extracted and attached to this response package for further discussion by LLG.

Philip M. Linscott, PE (1924-2000)
Jack M. Greenspan, PE (Ret.)
William A. Law, PE (Ret.)
Paul W. Wilkinson, PE
John P. Keating, PE
David S. Shender, PE
John A. Boarman, PE
Clare M. Look-Jaeger, PE
Richard E. Barretto, PE
Kell D. Maberry, PE

LLG's prior submittal of March 1 was focused to future parking demand, supply, and balance at the "450" site. Mr. Walker's current comments go beyond the scope of that prior analysis and include a focus to easement and site circulation issues. To facilitate our responses, and to provide supporting technical information, attached to this letter are the following:

- **Figure 1:** Using an existing aerial photo as its base, provides a snapshot of current traffic volumes along the easement area and at the existing "shared driveway" serving both "450" and "462". It comes from a March 10, 2012 (Tuesday) field study during the morning and afternoon periods when the traffic for the combined sites would generally experience its peak. What turned out to be incidental traffic using the "450" exit-only driveway (Location E) is also shown. The tabular summary further presents parking demand by hour for the survey period, sorted between the "450" and "462" addresses. From *Figure 1*, it is evident that existing "shared driveway" traffic volumes are very light, and peak at 25 vehicles/hour in the AM period and 34 vehicles per hour in the PM period. Because "450" is now vacant, all of this traffic can be attributed to "462". Additionally, parking demand peaked at 28 spaces (9AM and 4PM), again all presumably related to "462". It is interesting to note that while all 28 spaces of peak demand can be attributed to "462", only 19 of these parked vehicles were actually in the "462" lot (which provides an inventoried supply of 29 spaces). "462" parking in the "450" lot ranged from 3 to 13 spaces, depending on time of day. Coincidentally, the aerial photo base of this figure illustrates the typical location of "462" parking demand in the "450" lot.
- **Exhibits 1 through 4:** Given Mr. Walker's concerns relative to the easement, these ground-level photos illustrate the existing actual condition at photo locations as referenced in *Figure 1*. *Exhibit 1* is the "long view" looking northward from 17th Street along the easement area; the "450" building is to the left and the "462" building is to the right. *Exhibit 2* coincides with the portion of "450" towards the end of that "long view", with the camera location adjoining the access connection to the "462" lot. *Exhibit 3* is the *Exhibit 2* view from a slightly different angle. *Exhibits 2* and *3* illustrate an existing pavement arrow near the "450"- "462" property line indicating an intended one-way northbound flow passing to the right (east) of the 3 specific spaces intended (by easement) for use by "462" parkers. Those three spaces are "carved out" by the three parking stops appearing in the middle of the image. *Exhibit 4* shows the area of those three spaces in greater detail, and further illustrates the mounting brackets for four surface-mounted bollards, which would presumably "call out" these spaces in the midst of what appears to most drivers as a travel aisle, although the actual bollards are missing. It is worth noting that *Exhibits 2* and *3* further illustrate "blacked out" pavement

markings of a previous northbound directional arrow (near the left edge of the aisle) and angled parking (near the aisle's right edge).

- **Exhibits 5 and 6:** These were attached to Mr. Walker's appeal without additional explanation, and have been brought forward to this response package for further discussion. *Exhibit 5* is the original easement "sketch" from the 1982 Grant of Easements document. Parcel 1 of that "sketch" is, in essence, the intended access and circulation area. Parcel 2 is the parking "footprint". Relative to Parcel 2, the actual spaces are not shown, but the 18' x 27' rectangle provides for three standard spaces, side-by-side, with north-south orientation.

The actual field location of the 3 spaces in Parcel 2 (see *Figure 4*) is consistent with the easement sketch of *Figure 5*. The Parcel 1 footprint is also consistent between "sketch" and field except for an existing planter on the "450" site along its eastern property line with "462".

The timing of the easement recordation versus the construction of this planter is unknown. Its presence, however, reduces the aisle width immediately east of the 3 easement spaces to 14 feet, making it conducive to only one-way travel. Viewed in the context of the existing parking lot plan for "450", the Parcel 2 spaces make for a "tough fit", and their presence adversely impacts the parking and circulation continuity of the immediately surrounding area. The parking and circulation improvements of the proposed site plan will resolve that difficulty.

Figure 6 is also from Mr. Walker's package with the mark-up of the plan presumably by Mr. Walker. The figure uses an unknown base which appears consistent with the existing parking and circulation configuration of the site. The area in green exactly corresponds to Parcel 1 of the easement. The location of the 3 spaces in the red-shaded area corresponds to Parcel 2 of the easement.

From Exhibit "A" of the Grant of Easements document, Parcel 1 is described as "An easement for ingress and egress over that portion of ...". No mention of parking is included in the Parcel 1 description. Parcel 2 is described in the same document as "An easement for ingress, egress and parking purposes over that portion of ...".

Referring back to *Exhibit 6*, and based on the excerpted Grant wording above, the 3 spaces shown in the red area are consistent with the easement description. The spaces in the green area are not consistent with the Grant wording, so the intent of the 11 spaces (in green) near the eastern border of "450" is not known. They do not correspond with the existing condition, and

they are not shown on the proposed plan. If the spaces in green were added, “red” spaces 1 through 3 would be in direct conflict with “green” spaces 3 through 5; they could not function together. Additionally, it is important to note that the areas depicted in red and green are not exclusive easements. So while the easement details are important, the easement and adjoining areas should function cohesively, and the proposed site plan will take steps to correct the shortcomings of the existing configuration.

- **Table 1:** Provides a traffic generation summary for both “450” and “462”. The top of the table presents generation factors for estimating likely future trips in the AM and PM peak hours for each of the indicated uses. At the middle of the table is a summary for the “450” project, indicating “zero” trips for the current vacant condition, and the potential trips to be generated if reoccupied at its current square footage with a “drive-in” bank use. The proposed plan is also considered, and it will be noted that the Starbucks has a dominant AM peak hour trip generation potential which amounts to roughly 80 vehicles arriving and then departing in the same hour (typically involving a short stay for drive-thru as well as many counter-service customers); the PM peak hour trip-making potential is much less.

The bottom of *Table 1* focuses to “462”, and pulls forward the actual counted volumes from *Figure 1*. From aerial images, “462” is estimated to have a building area of about 7,000 sf. Field review indicates existing bank, salon, and Pilates studio tenancies using an estimate 90% of floor area, with the remaining 10% an existing vacancy. To represent a full occupancy condition, that table presents an “Existing (Full Occupancy)” line item. The mix of uses now at “462” are not well represented in source information for trip generation factors (like those at the top of the table), but a “benchmark” calculation is presented to illustrate a total bank versus total specialty retail characteristic. Other permutations would be possible in keeping with an indication from Mr. Walker that a change of use for “462” may increase demand on the ingress-egress (“shared driveway”) easement.

- **Figure 2:** Using the proposed site plan and count or forecast-based traffic characteristics of *Table 1*, this figure presents a “snapshot” of future/full occupancy peak hour traffic volumes at key locations in the plan. The stacking capacity of the drive-thru lane, between the service window and the lane entry point, is also illustrated. That equates to a total storage length of eight vehicles before the cross aisle at the entry point would be affected.

The above materials are referred to in the responses that follow.

Comment No. 1

The owner of 450 E. 17th Street has never offered the owner of 462 E. 17th Street a modification to the existing access and parking easement, therefore, if the development is approved in its current configuration, 462 E. 17th Street tenants will not be able to park in the area specified in the easement and there will be a planter blocking use of the ingress lane. No resolution of this issue has been proposed.

Response to Comment No. 1

The easements established the right of "462" to circulate and park 3 vehicles on the "450" site. The owners of "450" will continue to be obligated to that requirement, and have given thoughtful consideration to the access and parking rights of "462" employees and visitors throughout the remaining term of the easement.

The proposed site plan will greatly enhance the flow of traffic and parking for the "450" site and the "462" property. The parking "retrofit" configuration illustrated on the proposed site plan anticipates that "462" parkers (that would otherwise use the 3 explicit but non-exclusive spaces within the existing recorded easement) would be entitled to use 3 spaces anywhere in the "450" plan.

While the easement has been in place for many years, our technical review concludes that it is an outdated arrangement and not a workable "footprint". Its literal incorporation within a remodel/update plan at "450" is not advised. Taken literally, the existing arrangement of these 3 spaces within the easement (at a perpendicular to the long axis of the easement) permits residual width for only a one-way northbound travel lane to extend past them so as to access the 3 spaces in the easement. A turn from that access lane to one of the 3 spaces requires a "button hook" movement or three-point turn, and once parked, there is no way for these vehicles to leave their space without travelling the wrong way in that northbound access lane, or travelling outside the easement. Additionally, the existing depiction of this configuration "on the ground" is confusing to motorists (parking stops at mid aisle, missing bollards, conflicting pavement markings). Only regular visitors to the site seem to sort things out, and the *Figure 1* data and aerial photo as well as *Exhibit 1* through *4* images illustrate that those visitors routinely prefer the angled spaces outside the easement to the 3 perpendicular spaces within it.

As such, the parking arrangement of the proposed site plan is the technical solution to a challenging existing condition that would be made worse by re-occupancy of the "450" site without the proposed parking and circulation enhancements.

Comment No. 2

Of critical importance, the current site plan causes all of the following ingress-egress activities to simultaneously occur in the same area, thereby causing a confluence" of conflicting vehicle movements:

- a. *Two-way ingress and egress in the 20-foot wide easement*
- b. *Cars and delivery trucks entering the 450 E. 17th Street site crossing to the left through the egress lane to enter angled parking.*
- c. *Cars and delivery trucks backing out of the angled parking spaces through the egress lane.*
- d. *Cars in the drive-thru lane queue standing and occupying the middle of the confluence area.*
- e. *Cars and delivery trucks entering and exiting 462 E. 17th Street in this same confluence area in the limited area allocated for this use. This is the only means of ingress and egress for cars and other vehicles to access the parking area for 462 E. 17th Street.*

Response to Comment No. 2

It is common for a mix of internal traffic flow patterns to “share” a common “footprint” within an on-site circulation configuration. While referred to as a confluence, the area described in the comment is really an internal “T” intersection (there are three “legs” with approaching traffic) with a fourth leg carrying only “leaving” intersection traffic as it enters the drive-thru lane. In this case, the “stem” of the “T” would be the exiting movement from the “462” parking lot, and as the side approach, that movement would normally be subject to STOP control. It is expected that the north-south movements along the aisle would not be subject to STOP control.

Figure 2 illustrates forecast future volumes based on the existing traffic counts plus adjustment for full occupancy at “462” as well a full future occupancy at “450”. In considering the above comment, it is important to understand not just the pattern of flows but the expected volume on each movement. Based on the *Figure 2* peak hour volume projections, it can be concluded that future traffic volumes at this internal intersection will be consistent with its overall design configuration including the presence of a possible STOP control on the “462 side street” approach.

Responding to the above individual comments by letter:

- a) The *Figure 2* volumes along the easement are consistent with a two-lane parking lot drive aisle including one with 20’ overall width. The *peak hour* northbound (entering) volume equates to an average flow rate of roughly 1 to 2 vehicles per minute. The *peak hour* southbound (exiting) movement equates to a rate of less than 1 vehicle per minute. While clearly measurable, these volumes are not large and clearly within the capabilities of this traffic configuration.

- b) The angled parking spaces on the entering driver's left (west side of the aisle) total three regular spaces and two handicapped (HC). The location of the latter is consistent with ADA and Title 24 expectations related to building proximity and path of travel, noting further that HC spaces tend to be used less frequently (and have lower turnover) than regular spaces. The lower turnover characteristic is a favorable one in reducing the potential for conflicts as expressed in the comment. Related to the three regular spaces, parking to both sides of a two-way parking lot aisle, carrying traffic with flow rates described in a), above, is a normal condition. Additionally, in our experience, delivery vehicles will only rarely, if ever, use a conventional parking space. Thus use of these spaces will be by employee and visitor traffic in conventional vehicles.
- c) Given the volume projections discussed above, with the further clarification in *Response a* above, significant issues are not anticipated.
- d) The *Figure 2* "snapshot" indicates an AM peak hour drive-thru lane volume of 24 vehicles per hour (representing the morning "surge" of Starbucks customer traffic). All of these vehicles would arrive in the drive-thru lane by making a left turn within the site. That left turn would have an "opposing" southbound volume (leaving the "450" parking lot and headed towards 17th Street) of 30 vehicles per hour. On a volume basis alone, we conclude that the potential for conflict is minimal.

Also from *Figure 2*, the overall stacking (queuing) capabilities of the drive-thru lane totals eight vehicles (three to the order board and five vehicles from the order board to the service window). From prior research of "fast food" sites, this stacking length provides sufficient storage distance for at least the 85th percentile confidence level. On that basis, a standing queue as stated in the comment is unlikely and would certainly not represent a common condition. It is acknowledged that the available storage at the order board might be infrequently exceeded, but enough periods of lesser demand would permit those instantaneous peak demands to clear. Additionally, it has been observed that queuing at drive-thru lanes tends to be self regulating. That is, arriving customers at the site will evaluate whether it would be faster to enter the drive-thru, or park their car and walk in. Further, operators like Starbucks are keenly aware of the experiences at their competition, and are therefore focused on delivering the best possible service times to their guests, which in turn translates to managed queue lengths.

For all of the above reasons, standing queues within the confluence area are expected to be very limited in nature if they occur at all.

- e) Please see responses, above.

Comment No. 3

With the expected traffic generated from the applicant's proposed food service establishments, which have high traffic volumes, it is likely there will occur a standstill condition and an inability to maneuver.

Response to Comment No. 3

Based on the site analysis details presented above, which consider the explicit trip-making potential of the proposed "450" tenancies in the presence of existing/full occupancy "462" traffic, a "standstill condition" is extremely unlikely. Conversely, the on-site traffic volume conditions during peak hours are concluded to be within the operating capabilities of the "450" remodel and enhancement plan.

Comment No. 4

The traffic study does not address the confluence area, which is a critically important consideration for continuing successful use of each parcel.

Response to Comment No. 4

The prior LLG submittal of March 1 was focused to a demand-supply parking analysis of the combined "450" and "462" sites. It did not include a traffic assessment. This letter provides that assessment, with conclusions as stated above.

Comment No. 5

Fire department access and response time is of concern because of the impact of the confluence area.

Response to Comment No. 5

The confluence area conditions described/presumed above by the commenter were not validated by the analysis that accompanies this response package. Reasonable operating conditions are expected on site, and the potential impact on fire department response times is expected to be negligible.

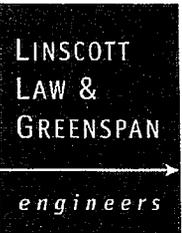
Comment No. 6

*There is also the possibility that a change of use for 462 E. 17th Street will **increase** the demand on the ingress-egress easement and confluence area. Whereas 450 E. 17th Street is considering a more upscale and active use, the use and traffic study should include parallel improvements to 462 E. 17th Street.*

Response to Comment No. 6

A modest/reasonable increase (to full "462" building occupancy) is anticipated by the above analysis. We can also conclude that further reasonable increases in traffic focused to the "462" site could also be possible in conjunction with the pending

Mr. Stephen K. Thorp
April 17, 2012
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"450" improvement plan, but in the absence of further "462" site plan details, analysis of an intensification and/or change of use on the "462" site is not possible.

It is noted, however, that existing observed site parking needs for "462" peak at 28 spaces. Parking supply available to "462" includes its own lot of 29 spaces plus 3 "easement" spaces at "450", for a total supply of 32 spaces. Expanding the current peak observed demand of 28 spaces by an assumed factor of 10% to account for full building occupancy infers a need of 31 spaces, for a theoretical surplus of 1 space.

Comment No. 7

There is the possibility that the standstill condition will cause cars and delivery trucks to wait on 17th Street until space occurs for ingress.

Response to Comment No. 7

From the above analysis, we conclude that the indicated scenario is extremely unlikely. Again, the traffic forecasting and analysis presented above leads us to conclude that the traffic generating potential of the combined "450"/"462" site would be reasonably well served by the proposed traffic and parking changes reflected in the pending "450" site plan.

We appreciate the opportunity to prepare this supplemental traffic analysis and response package for your "450" site. Should you have any questions or need additional assistance, please do not hesitate to call us at (714) 641-1587.

Very truly yours,
Linscott, Law & Greenspan, Engineers

A handwritten signature in black ink, appearing to read "Paul W. Wilkinson", is written over the typed name below.

Paul W. Wilkinson, P.E.
Principal

Attachments

cc: file

TABLE 1
TRIP GENERATION CHARACTERISTICS¹

ITE Land Use Code / Project Description	AM Peak Hour			PM Peak Hour		
	Enter	Exit	Total	Enter	Exit	Total
<i>Generation Factors:</i>						
• 814: Specialty Retail Center (TE/1,000 SF)	0.61	0.39	1.00 ²	1.19	1.52	2.71
• 911: Walk-in Bank (TE/1,000 SF)	--	---	--	5.34	6.79	12.13
• 912: Drive-in Bank (TE/1,000 SF)	6.92	5.43	12.35	12.91	12.91	25.82
• 932: High Turnover Restaurant (TE/1,000 SF)	5.99	5.53	11.52	6.58	4.57	11.15
• Starbucks ³ (TE/1,000 SF)	34.62	34.61	69.23	15.39	15.38	30.77
<i>Generation Forecast:</i>						
450 E. 17th Street (Site)						
○ Existing (Vacant)	0	0	0	0	0	0
○ Existing/Reoccupied Financial (4,619 SF)	32	25	57	60	59	119
<i>Proposed</i>						
○ Coffee/Starbucks (2,356 SF)	82	81	163	36	36	72
○ Quick Service Food (2,185 SF)	13	12	25	14	10	24
Proposed Subtotal:	95	93	188	50	46	96
462 E. 17th Street (Neighbor)						
○ Existing (Counted)	25	1	26	17	18	35
○ Existing (Full Occupancy) ⁴	28	1	29	19	20	39
<i>Benchmark</i>						
○ Specialty Retail (7,000 SF)	4	3	7	8	11	19
○ Financial (7,000 SF)	--	--	--	37	48	85

Notes:

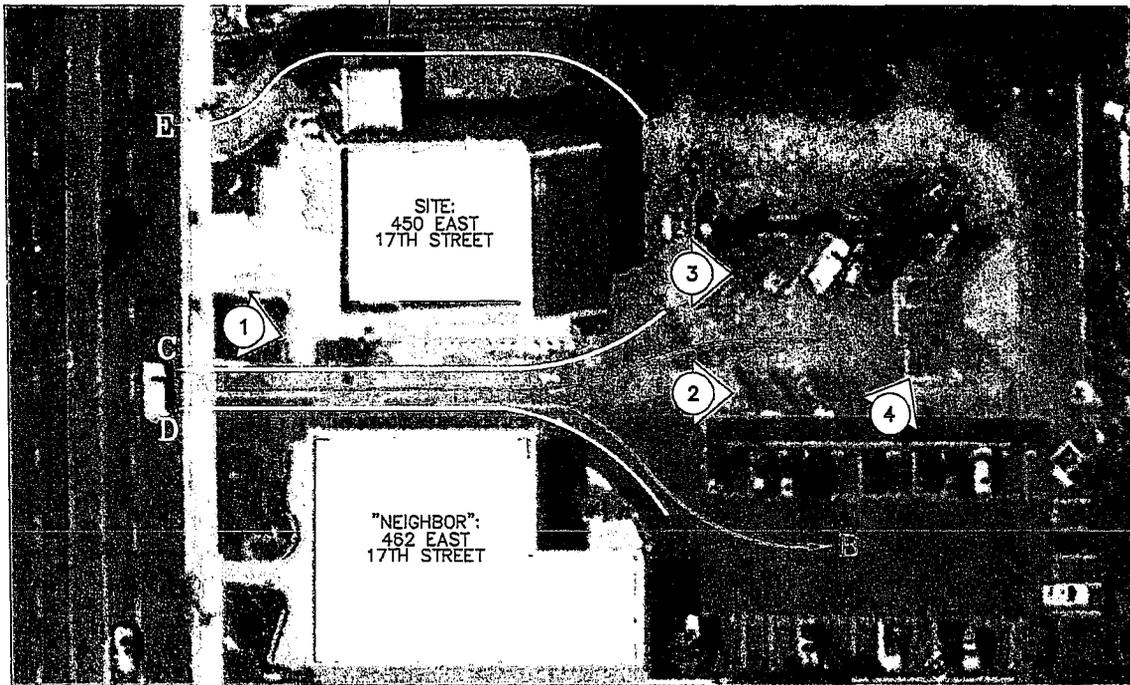
- TE/1,000 SF = Trip ends per 1,000 square foot of development

¹ Source: *Trip Generation*, 8th Edition, Institute of Transportation Engineers (ITE), Washington, D.C. (2008).

² AM trip rates are from ITE: 820 Shopping Center.

³ Source: *Trip Generation Study for the Proposed Starbucks at 8th Street/Pacific Coast Highway* prepared by LLG (2000).

⁴ The floor area vacancy was estimated to be 10%, so existing counts have been increased by 10% to reflect a full occupancy condition.



EXISTING SITE TRAFFIC SUMMARY

TIME	"SHARED DRIVEWAY"						2-WAY TOTAL	"EXIT ONLY" DRIVEWAY (MOVEMENT E)
	INBOUND MOVEMENT			OUTBOUND MOVEMENT				
	A	B	DWY SUBTOTAL	C	D	DWY SUBTOTAL		
7AM-8AM	3	3	6	0	0	0	6	0
8AM-9AM	8	13	21	0	1	1	22	1
AM PEAK HOUR	11	14	25	0	0	0	25	1
3PM-4PM	3	13	16	3	11	14	30	1
4PM-5PM	0	6	6	2	13	15	21	0
5PM-6PM	2	3	5	2	11	13	18	2
PM PEAK HOUR	3	14	17	3	14	17	34	1

EXISTING PARKING SUMMARY

TIME	SITE (450) PARKING (SUPPLY = 30)	NEIGHBOR (462) PARKING (SUPPLY = 29)	PARKING TOTAL (SUPPLY = 59)
7AM	3	0	3
8AM	6	3	9
9AM	13	15	28
3PM	8	19	27
4PM	7	21	28
5PM	5	14	19
6PM	3	6	9

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**LINSCOTT
LAW &
GREENSPAN**
engineers



NO SCALE



= PHOTO LOCATION

FIGURE 1

**EXISTING TRAFFIC VOLUMES
AND PARKING DEMAND**

450 AND 462 EAST 17TH STREET, COSTA MESA

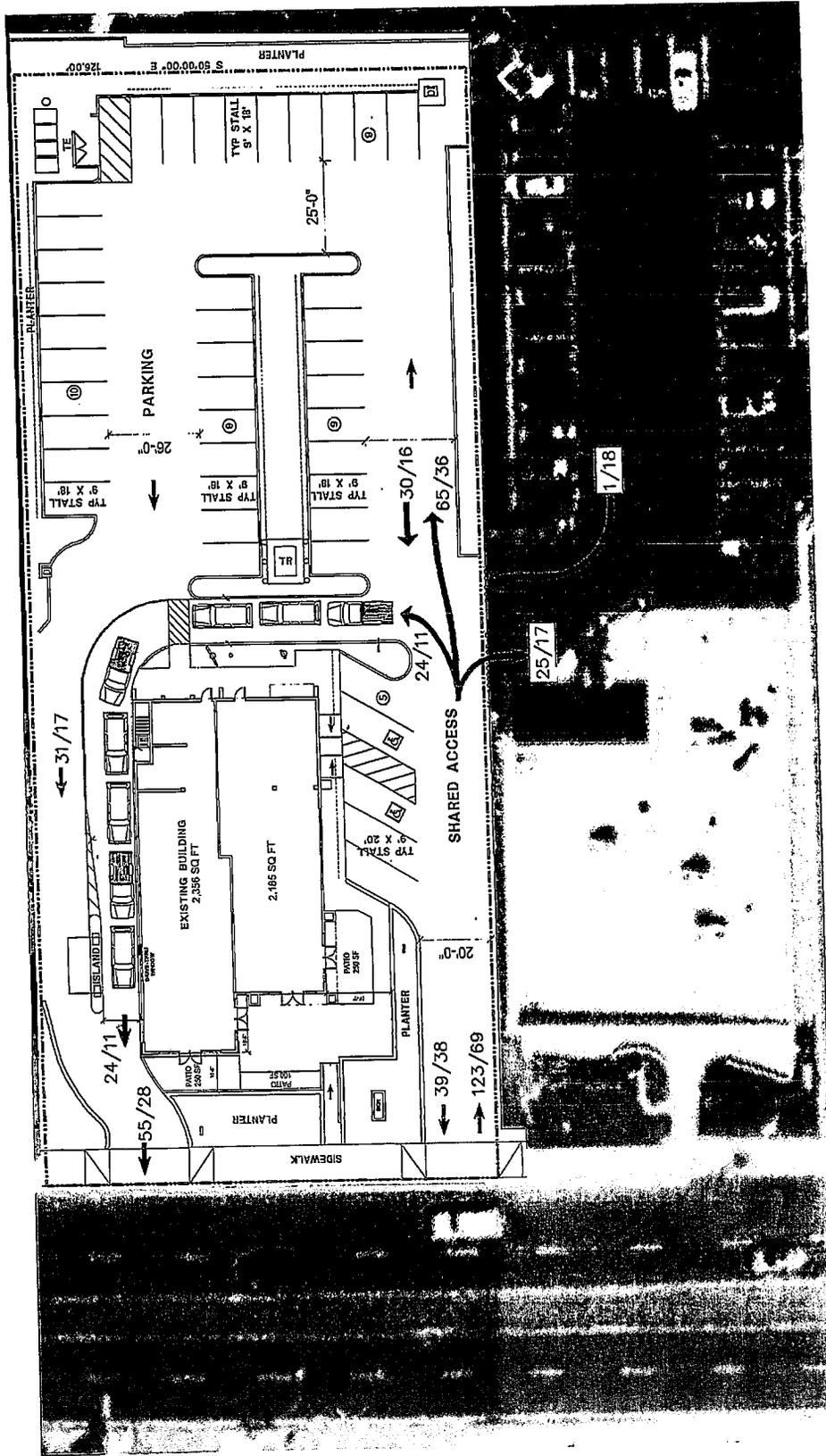


FIGURE 2

FUTURE CONDITIONS "SNAPSHOT"
450 AND 462 EAST 17TH STREET, COSTA MESA

SOURCE: GOOGLE EARTH

KEY

XX/YY = AM/PM PEAK HOUR TRIPS

= DRIVE-THRU QUEUING POSITION



NO SCALE

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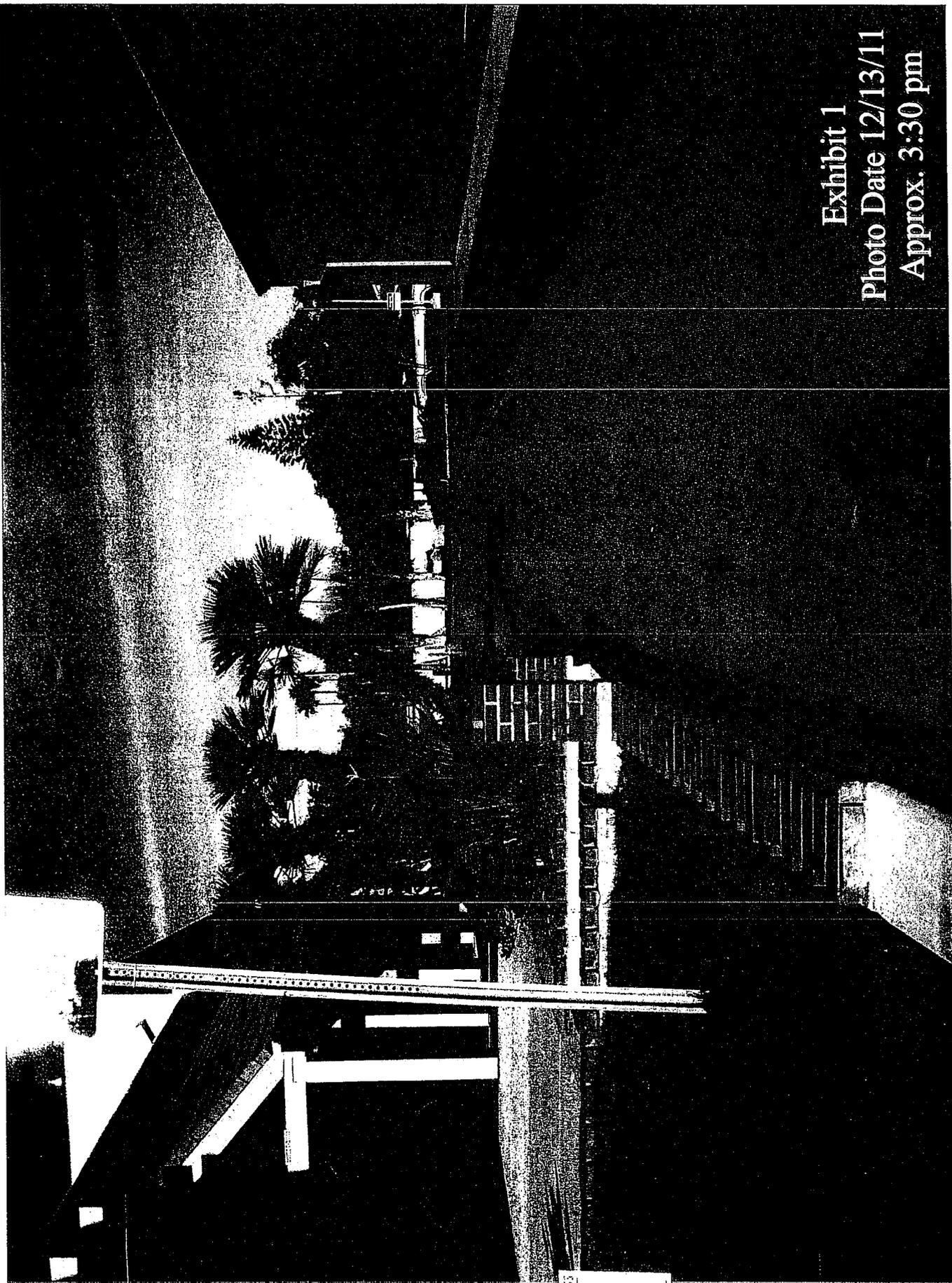


Exhibit 1
Photo Date 12/13/11
Approx. 3:30 pm

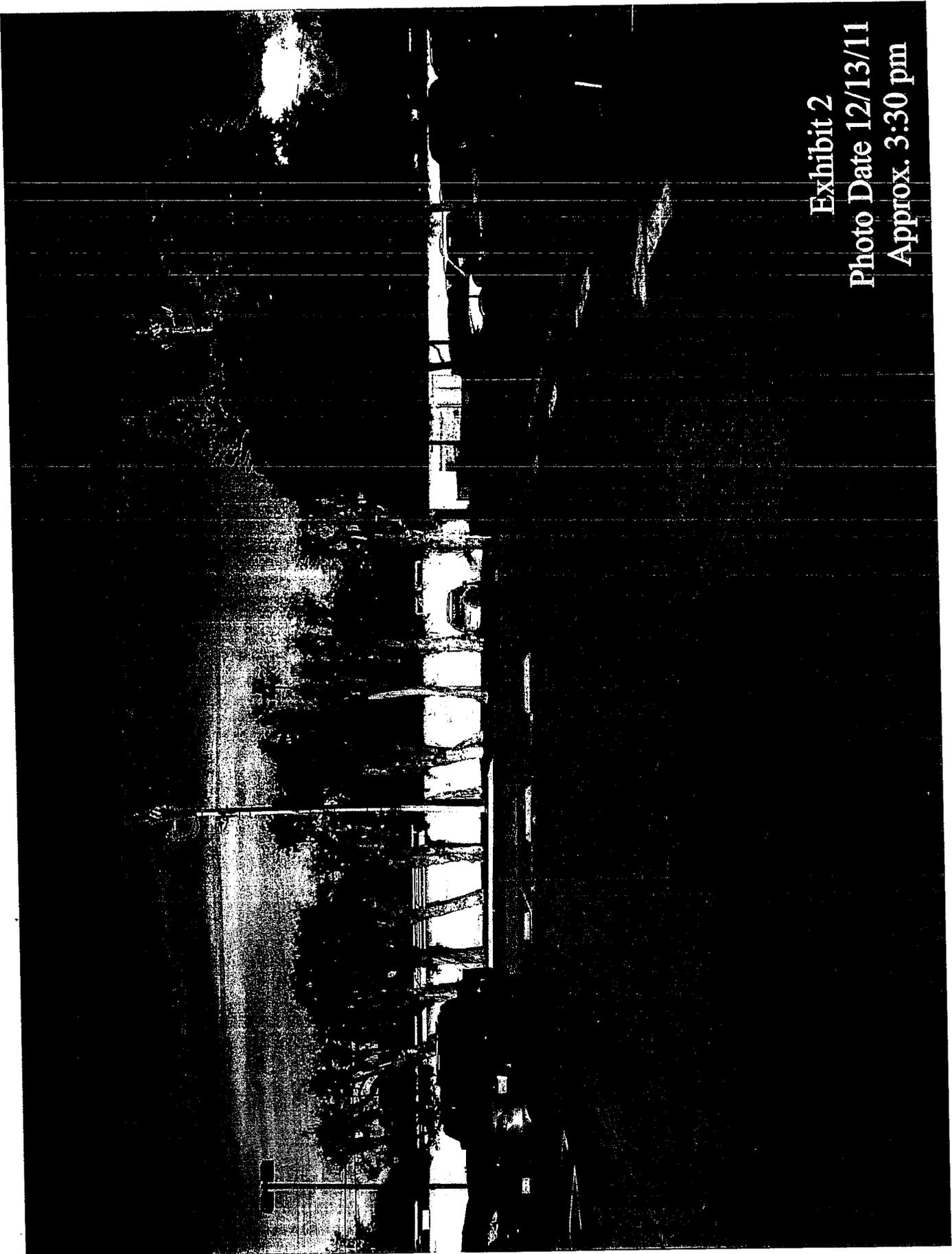


Exhibit 2
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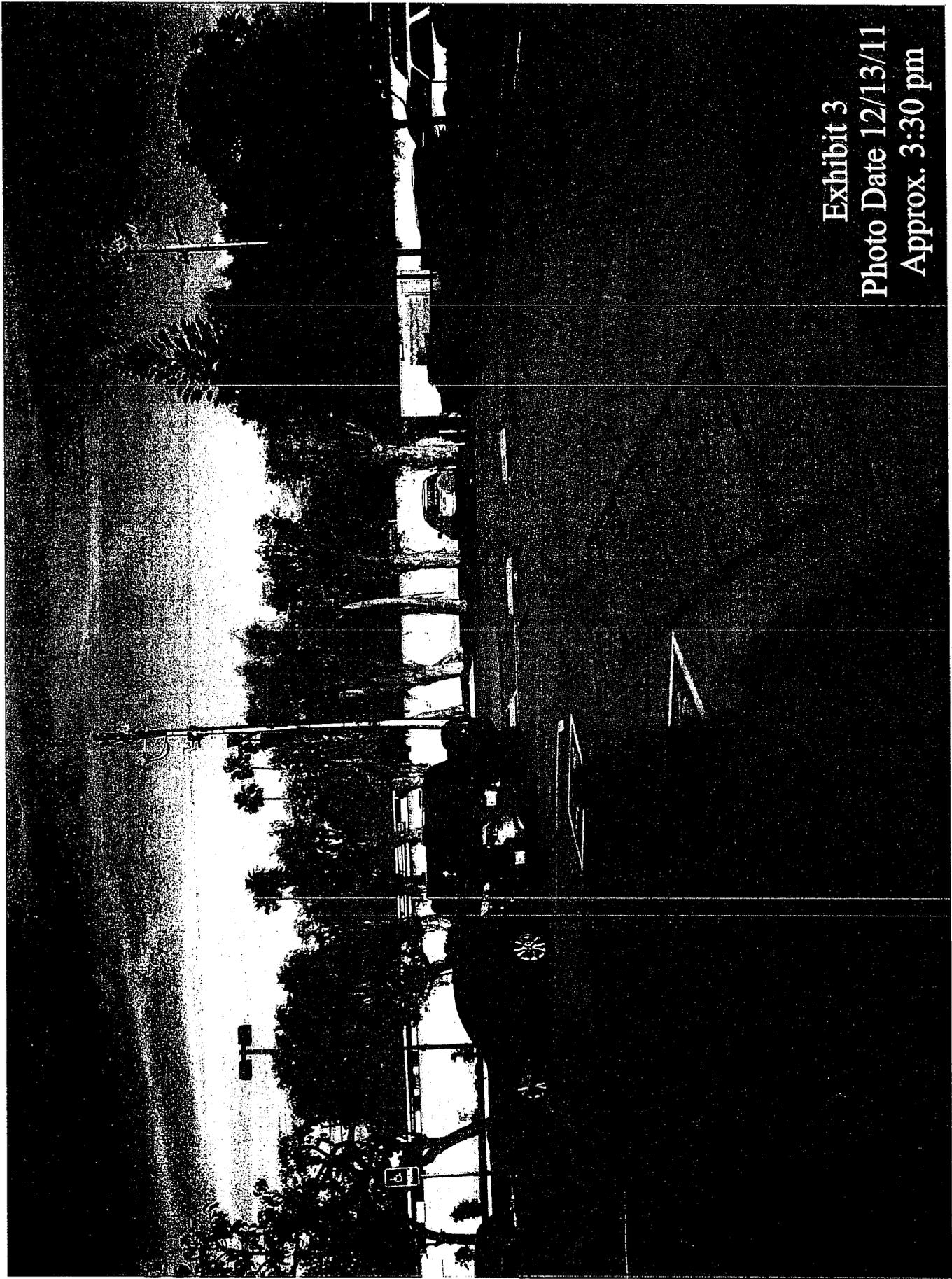


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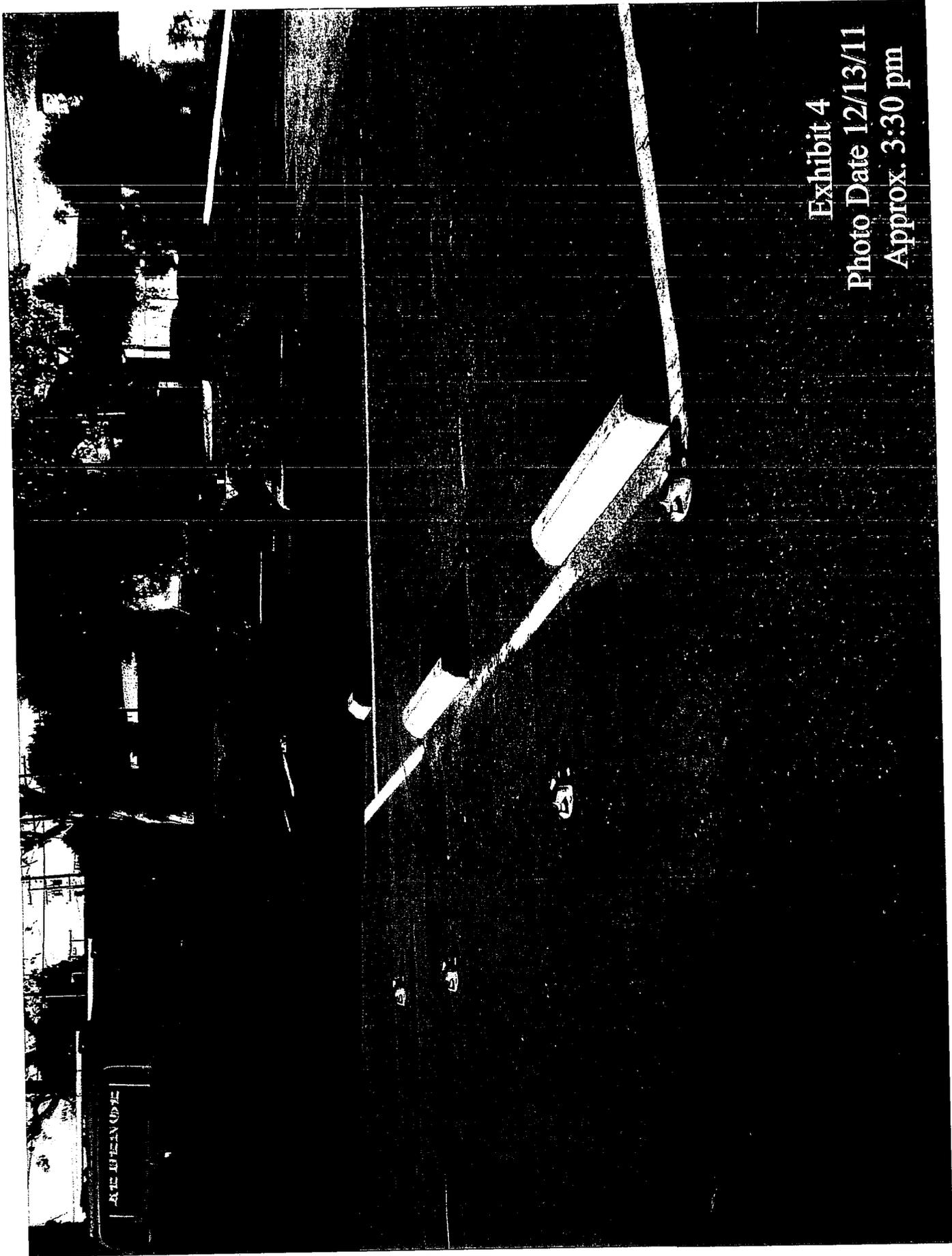


Exhibit 4
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Approx. 3:30 pm

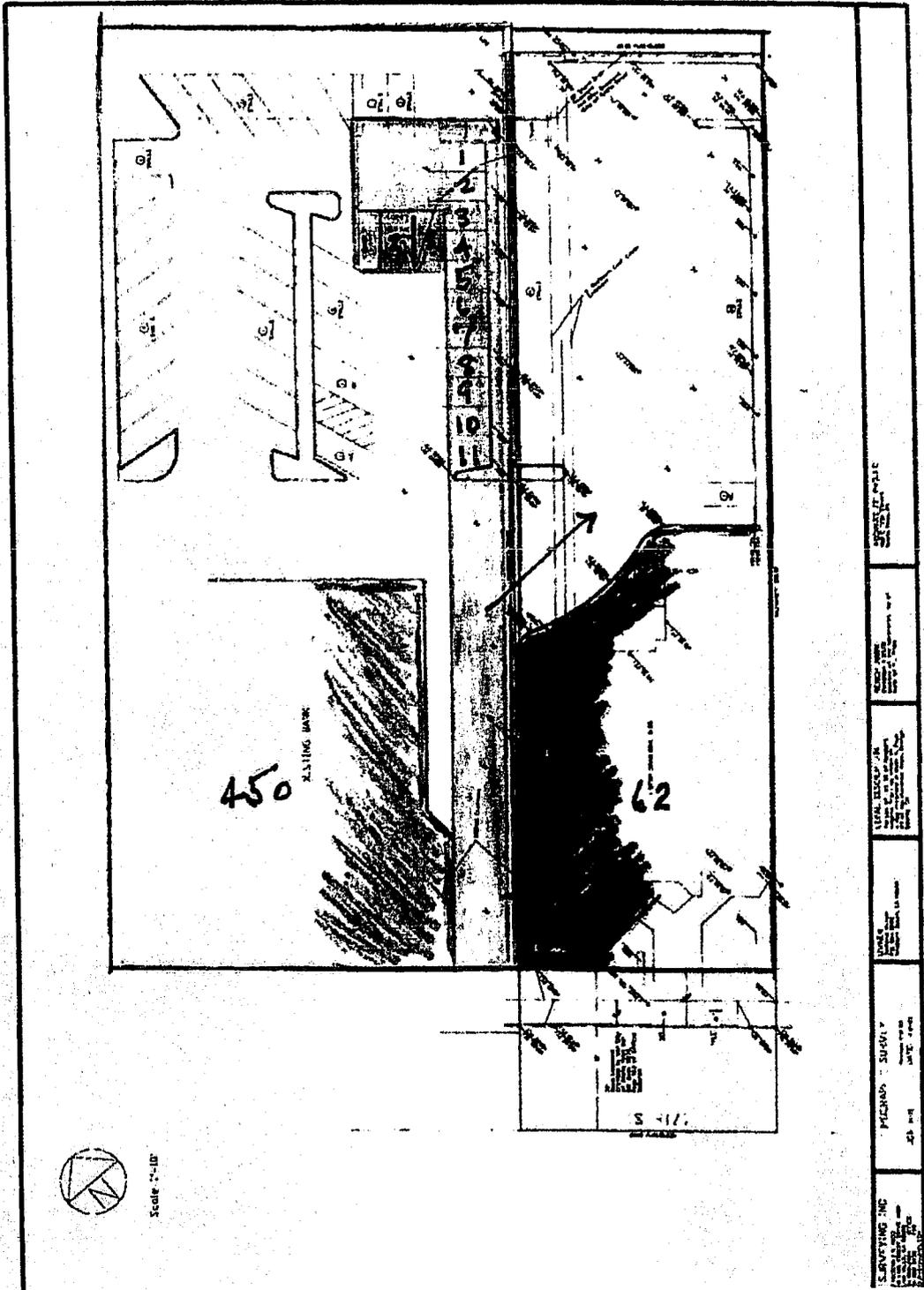


Exhibit 6
Source: Walker Appeal