ATTACHMENT 7
CORRESPONDENCE

LEE, MEL

From: DNGARUS@aol.com
Sent: Friday, March 30, 2012 4:31 PM
To: sthorp@burnhamusa.com
Cc: LEE, MEL; goathillredneck@netzero.net
Subject: 450 E.17th St, Costa Mesa, CA.

Mr. Thorp,
You and I have not met, and I was out of town until today, but I am involved with my neighbor, Mr. David Harris, and share his concern regarding the property that you intend to develop at 450 E.17th Street, in the city of Costa Mesa. I own the residence located at 465 Cabrillo, and, as I stated previously, I share Mr. Harris's concern with your proposed development of this property.
To begin with, I do not feel that we were given adequate forewarning of this proposed development, and since the apparent cutoff date is April 2nd, this coming Monday, we are, apparently, out of luck.
I have read your response to Mr,. Lee, the Senior Planner for the City of Costa Mesa, and there are several things that I would very much like to point out to you. In your response to Mr. Lee, you state that you are doing your best to address the neighbor's concerns. If that is, in fact, so, then know this; your initial response regarding Mr. Harris's concern over the location of the trash enclosure, you state that your intention is to heavily landscape the exterior wall of the enclosure to create an additional buffer, and that you will not consider relocation of the enclosure. If this does not perform adequately, and I doubt that it will, and if it turns out to be a health hazard due to rodent infestation, and homeless occupancy, we intend to bring legal proceedings against Burnham USA, and the City of Costa Mesa. We will proceed in the same manner if the performance of your intended order post, and it's location, do not live up to expectations. In other words, Mr. Thorp, our intention is to hold you to your promises, and it is my sincere hope that you intend to keep each and every one of them, because, as residents of the adjacent properties, we are the ones that will have to live with the results.
Sincerely,
Robert Small
465 Cabrillo Street
Costa Mesa, CA. 92627

Subject: RE: 450 E 17th ST

Mel,

Rest assured, we have taken all of these matters into account and we are doing our best to address the neighbor's concerns. Please see my responses below in RED. If you have any other questions, please feel free to call me at anytime.

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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From: LEE, MEL [mailto:MEL.LEE@costamesaca.gov]
Sent: Thursday, March 29, 2012 10:01 AM
To: Stephen Thorp
Cc: Bryon Ward; BOUWENS-KILLEEN, WILLA
Subject: FW: 450 E 17th ST

Stephen

I know we discussed the items raised by Mr. Harris (neighbor behind the project), but if you could provide written confirmation that would be great.

Thanks,

Mel Lee, AICP
Senior Planner
City of Costa Mesa
77 Fair Drive, Costa Mesa, 92628
Ph. (714) 754-5611 Fax. (714) 754-4856
mel.lee@costamesaca.gov

From: BOUWENS-KILLEEN, WILLA
Sent: Thursday, March 29, 2012 9:53 AM
To: LEE, KASAMA
Cc: 'goathillredneck@netzero.net'
Subject: 450 E 17th ST

Hi, Mel,

David Harris came to the counter this morning; he resides behind 450 E 17th St. Some of his concerns were not

March 28, 2012

Willa Bouwens-Killeen, AICP
Zoning Administrator, City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92626

RE: 450 E. 17th Street

Why did I not receive the information sent to the other neighbors on Cabrillo Street about the Coffee Shop wanting to become a part of 17th Street? After all, it will effect me more than any other person on this street. My place backs up directly in back of the property in question. From what I gather, this is a done deal and we have nothing to say about it. As I stated in my first letter to you, when we bought our place there was nothing at 450 17th Street. Did we think twice about residential sitting right next to business? No! Forty years ago I doubt if there was any zoning in Costa Mesa. I rather doubt it the way the city has progressed.

Some business like the bank was good for that location. Business during the day and quiet at night.

Please keep me informed!

Sincerely,

Ardy Hurst

Arabelle (Ardy) Hurst
451 Cabrillo Street
Costa Mesa, CA 92627

949-642-6849

3) Lighting = from building and parking lot which is no longer blocked by the trees that used to line the back property line

All of these issues need to be addressed successfully if this permit is going to be allowed, and, if they can't be, then the permit should be denied. Our bottom line is that 450 E. 17th Street should remain an office building with 8:00am-5:00pm hours as was its original intention, not house a drive-thru fast food/coffee business that operates 17 hours a day with residential properties right next door! And beside that, there are already plenty of these types of business on this block of 17th Street.

Thank you for your time and consideration.

Sincerely,

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

cc: Melvin E. Lee, AICP, Senior Planner

CITY OF COSTA MESA

CALIFORNIA 92626 P. O. BOX 1200

FROM THE OFFICE OF PUBLIC SERVICES/ENGINEERING DIVISION

September 13, 1979

The Honorable City Council
City of Costa Mesa
Post Office Box 1200
Costa Mesa, Ca 92626

Re: Alley N/O 17th Street between Irvine Avenue and Tustin Avenue: Petition of Cabrillo Avenue property owners.

Recommendations: Design and construct a gravity storm drain system then abandon existing alley dedications back to property owners.

Dear Council Members:

The City adopted a precise plan for the subject alley in 1965(See Exhibit A). Since that time the City has only acquired one additional piece of dedication, leaving approximately 50% of the alley undedicated and the entire alley unimproved.

In 1969 some of the commercial property owners which front on 17th Street, petitioned the City to create an assessment district to improve the alley. The purpose of the alley was to provide the commercial properties with rear access to their businesses and alleviate the existing drainage problem. A feasibility study was done at that time by a private engineering firm. The Public Services Department then recommended the enclosed Study B(Exhibit B). The estimated cost of this alternative in 1970 was about $86,000.00. At current prices an assessment district would now cost approximately $175,000.00. Sometime in 1970 the project was apparently dropped, possibly due to a lessening of interest by the property owners when they discovered the potential price tag of the project. Also, due to the grade differential and a row of large Eucalyptus trees any alley would be unable to provide access to the residential property owners. Their only benefits would be the cleanup of the area and a solution to their drainage problem.

Of the items mentioned in the Cabrillo Street Residents petition, we believe the drainage problem to be the most serious concern. The commercial properties fronting on 17th Street drain most of their land to the rear of their lots. Over the years, as the commercially zoned properties developed, the runoff toward the potential alley continued to increase. This coupled with the fact that even though some of the developments were required to install sump pumps at the rear of their properties, they have not been maintained causing serious flooding problems for the residents on Cabrillo Street.

Our departments current policy (Exhibit C) is to not encourage the construction of new alleys and if feasible, abandoning excess alley dedications back to the property owners. If the drainage problem could be resolved this would seem to be an ideal instance for abandonment. Our maintenance forces have no legitimate access to the portions of the alley we own due to lack of dedication by the properties at either Tustin Avenue or Irvine Avenue. If we abandon the alley dedications back to the commercial property owners all maintenance responsibilities would then clearly be theirs.

77 FAIR DRIVE (714) 754-5323

March 19, 2012

VIA HAND DELIVERY

Ms. Willa Bouwens-Killeen, AICP
Zoning Administrator
City of Costa Mesa, California
77 Fair Drive
P. O. Box 1200
Costa Mesa, CA 92628-1200

Received
City of Costa Mesa
Development Services Department
MAR 20 2012

Re: Application No. ZA-12-10
450 E. 17th Street
Costa Mesa, CA 92627

Dear Ms. Bouwens-Killeen:

My first reaction is more fast food with the associated problems is the last thing 17th Street needs, not to mention behind my house and upwind.

Allow me to point out some of my concerns with any possible scenario, besides and including, 8 a.m. to 5 p.m. office or other logical retail use.

Noise: Obviously, the thought of "*May I take your order please*" starting at 6:00 a.m. is not something that I find attractive. A line of idling cars, trucks, motorcycles, etc. with exhaust systems spewing and radios playing will add to the standard noise, smoke and dirt already provided by 17th Street traffic. Daily customers are unknowing and uncaring of adjacent properties' quality of life. The current location of the trash containers is also of concern. It seems human nature precludes any thought of slamming gates and trash container lids to be annoying. Time of day is irrelevant to hourly employees and the homeless. Annoying odors and pests are certainly something else to be considered. After hours building and parking lot maintenance is frequently accomplished at the contractor's convenience, typically after 11:00 p.m. and before 6:00 a.m. Since all trees have been eliminated behind the 8 foot wall behind my house and along Morri's Flowers property line, there is nothing to attenuate wind, noise and dirt carried by prevailing winds. Wind driven loose trash, ending up in my backyard is already an issue.

Lighting: The loss of trees obviously is an issue as regards to parking lot lights (typically on from dusk to dawn) and visual privacy considerations.

In closing, I leave you with these thoughts. How would you protect your quality of life and largest investment? How could any planning and zoning authority even consider allowing food service or a saloon behind and upwind, from a long pre-existing residential area? The precedent has been set, but that doesn't make it acceptable. I realize there are existing rules and regulations, regarding these issues. However, enforcement is typically not a priority. It is my hope that all issues in question, can be worked out before, and not after the fact.

Sincerely,

David Harris

David Harris
455 Cabrillo Street
Costa Mesa, CA 92627

cc: Melvin E. Lee, AICP, Senior Planner

I have serious reservations as to whether I would be able to agree with Mr. Thorp's assessment, in his letter to you dated February 15th of this year, that his proposed use of the property would not be detrimental to the surrounding properties in the area.

There are several things that need to be kept in mind when deciding what type of business will ultimately be in this location. When the Credit Union was there, they did not have a great deal of traffic on a daily basis, a situation that will be quite the opposite with a retail food court type of operation, which encourages a great deal of daily vehicular traffic of all kinds, as well as additional foot traffic.

Again, I am in favor of improvement of the existing buildings at this location, but not at the expense of the neighborhood that I, and my neighbors, live in.

My Best Regards,

Bob Small
465 Cabrillo Street
Costa Mesa, CA. 92627

Mel – Thanks for taking the time to meet with me yesterday. I have had a chance to review the site map re the above application and would like to find a convenient time to come back and visit with you once more. There are several things that adversely impact my property next door. I am available at your convenience to discuss them. Thanks - Toby

****

Toby Walker
PO Box 8083
Newport Beach, CA 92658
(949) 644-7058 T
(949) 271-2387 F

BWP BURNHAM|WARD PROPERTIES

949.760.9150
949.760.0430 fax

1100 Newport Center Drive, Suite 150
Newport Beach, CA 92660-6297

April 20, 2012

VIA E-MAIL ONLY

Mr. Melvin Lee
Mr. Colin McCarthy
Mr. Sam Clark
Mr. Robert L. Dickson Jr.
Mr. Jim Fitzpatrick
Mr. Edward Salcedo, Jr.
City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92626

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

Gentlemen,

I am writing in follow up to Mr. Walker's request to postpone the hearing from this Monday, April 23rd to Monday, May 14th. We strongly oppose any such accommodation from Staff or the Planning Commission to grant an extension for this matter. If this matter is not heard on Monday, April 23rd as scheduled and a decision rendered, our pending lease with our tenant and our entire project will be put in jeopardy. This item has been calendared for weeks now as a result of Mr. Walker's appeal, and it is important that the hearing proceed as planned.

It is important for you to understand that the matters raised by Mr. Walker in his appeal have nothing to do with the City of Costa Mesa, but are rather civil matters between two adjacent landowners. More particularly, the issue at hand is in regards to a non-exclusive easement that exists on our property. For the record, our plans for the property take this non-exclusive easement (along with our respective responsibilities to one another) into account, and they fully maintain the rights afforded to both properties. It is our belief that Mr. Walker is using the City to advance a hidden agenda in order to hold up our process to extort something from us in return.

Mr. Walker's appeal reflects his "personal opinions", however dubious, and provides no technical data for those "personal opinions". Mr. Walker's last minute request for an extension, lack of technical data to support "his opinions", and his overall strategy to use the City to advance his self-interests on a matter that does not even involve the City, gives us reason to believe this delay is solely to serve his personal agenda. Nevertheless, we have gone to great lengths, and spent considerable time and money with professional consultants, to address and refute his allegations in an effort to facilitate a timely decision on this matter. Having said that, you will see by our well prepared responses that we have

addressed each one of Mr. Walker's claims and provided the appropriate technical data to support our position.

In summary, if the City entertains this extension, this entire project will be unable to meet the deadlines required and the project will be jeopardized. It is an important enough matter to us that our entire team cancelled personal travel plans in order to be present at this coming Monday's Planning Commission meeting and worked diligently and at great expense to be prepared in time for this Monday's meeting, so as not to put this project at jeopardy.

We strongly urge the City to see this for what it is and continue hearing the matter as scheduled. Thank you for your understanding.

Best regards,

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

Bryon Ward

BW/st

cc: Scott Burnham (via e-mail)
Stephen Thorp (via e-mail)

From: Katie Arthur

Sent: Monday, April 23, 2012 8:34 AM

To: PLANNING COMMISSION

Subject: Starbucks - 17th Street

Dear Planning Commission: I do not support a drive through of any kind on 17th Street, especially one that will back up to residential property ....i.e.: a proposed drive through in the 400 block.
The Cabrillo Street residents already have a LOT of noise/pollution to deal with (including from Little Knight, etc.). I've been told that the proposed location may also have a restaurant which could also pose more issues (will there be a liquor license, will traffic back up onto 17th, etc.)?

I'm fine w/ Starbucks or a restaurant going into the proposed location – just not a drive through.
Thank you,
Katie Arthur

Costa Mesa, CA

From: Eastside Neighbors
Sent: Monday, April 23, 2012 1:15 PM
To: PLANNING COMMISSION
Subject: Starbuck's Drive Thru, 450 E. 17th St.

RE - Application ZA-12-10

Esteemed Commissioners,

We are writing as Eastside residents and on behalf of our neighbors on Cabrillo street and their concerns regarding the proposed drive-thru for the new Starbuck's at 450 E. 17th.

Our concerns are as follows:
1) Noise emitted from the drive-thru;
2) Pollution from the exhaust of the cars using the drive-thru;
3) Traffic back up on 17th.

While we welcome a new Starbuck's and restaurant to the area we question the need for a drive-thru. We are also deeply concerned about the negative environmental impacts listed above.

We respectfully request that the Planning Commission remove the drive-thru option as we feel the negative aspects outweigh the positive aspects.

We thank you in advance for your consideration on this matter.

Sincerely,
Steve Cortesy and Syndy Neyland-Cortesy

Costa Mesa, CA 92627

VI.2e

From: RODELIUS, SHARON
Sent: Monday, April 23, 2012 3:50 PM
To: JULIAN, SORAYA
Subject: FW: Drive thru Starbucks on 17th Street
Importance: High

Hi Soraya: Please forward to Planning Commissioners. Thanks

Sent: Monday, April 23, 2012 3:41 PM
To: RODELIUS, SHARON
Subject: FW: Drive thru Starbucks on 17th Street

I am going to send some others your way and ask you to please forward to planning commissioners for tonight, thanks.

Wendy Leece, Member
Costa Mesa City Council
77 Fair Drive
Costa Mesa, CA 92628-1200

wleece@ci.costa-mesa.ca.us
714-754-5328

From: Vicki Wadman [mailto:vswadman@sbcglobal.net]
Sent: Mon 4/23/2012 1:02 PM
To: MONAHAN, GARY; BEVER, ERIC; MENSINGER, STEPHEN; RIGHEIMER, JIM; LEECE, WENDY
Subject: Drive thru Starbucks on 17th Street

City Council,
Our family resides at 447 Cabrillo St and even though we back up to 17th Street the noise level, as of now, is not too bad. We recently redid our backyard and my husband, kids and I love sitting outside enjoying the afternoons and evenings. We do NOT want the noise and potential hazard of a business like the drive the Starbucks/restaurant that may be opened in the 400 block of 17th Street.
Thank you for your consideration in this matter,
Vicki Wadman

VI.2f

From: RODELIUS, SHARON
Sent: Monday, April 23, 2012 3:51 PM
To: JULIAN, SORAYA
Subject: FW: [BULK] NO ON THE THE STARBUCKS DRIVE THRU
Importance: Low

Soraya: Please forward to Planning Commissioners. Thanks Sharon

Sent: Monday, April 23, 2012 3:43 PM
To: RODELIUS, SHARON
Subject: FW: [BULK] NO ON THE THE STARBUCKS DRIVE THRU
Importance: Low

to PC

Wendy Leece, Member
Costa Mesa City Council
77 Fair Drive
Costa Mesa, CA 92628-1200

wleece@ci.costa-mesa.ca.us
714-754-5328

From: forbrats@gmail.com on behalf of Bunker Hill
Sent: Mon 4/23/2012 6:12 AM
To: LEECE, WENDY
Subject: [BULK] NO ON THE THE STARBUCKS DRIVE THRU

NO MORE STARBUCKS,
WENDY PLEASE DO NOT SUPPORT THE PROPOSED DRIVE THRU ON 17TH ST.

--
Regards,

Bunker A Hill

VI. 29

From: Katie Arthur [kaarthur@ca.rr.com]

Sent: Monday, April 23, 2012 3:53 PM

To: PLANNING COMMISSION; RODELIUS, SHARON

Subject: FW: Starbuck's Drive Thru, 450 E. 17th St.

RE - Application ZA-12-10

Dear Planning Commissioners:

I have concerns regarding the proposed drive-thru for the new Starbuck's at 450 E. 17th.

My concerns are as follows:
1) Noise emitted from the drive-thru;
2) Pollution from the exhaust of the cars using the drive-thru;
3) Traffic back up on 17th.

While we welcome a new Starbuck's and restaurant to the area we question the need for a drive-thru. We are also deeply concerned about the negative environmental impacts listed above. I know that some of you have focused on "green" (which we think is great, by the way) but a drive through seems to be anything but "green."

We respectfully request that the Planning Commission remove the drive-thru option as we feel the negative aspects outweigh the positive aspects.

We thank you in advance for your consideration on this matter.

Sincerely,
Katie Arthur
400 Cabrillo St.
Costa Mesa, CA 92627

VI.2h

From: Herb Netal [hnetal@citizen-systems.com]
Sent: Monday, April 23, 2012 4:12 PM
To: PLANNING COMMISSION
Subject: Starbuck's Drive Thru, 450 E. 17th St.

RE - Application ZA-12-10

Dear Commissioners,

I am writing as an Eastside resident and on behalf of my neighbors on Cabrillo street and their concerns regarding the proposed drive-thru for the new Starbuck's at 450 E. 17th.

Our concerns are as follows:

1) Additional noise emitted from the drive-thru;
2) Pollution from the exhaust of the cars using the drive-thru;
3) Traffic back up on 17th.

While we welcome a new Starbuck's and restaurant to the area we question the need for a drive-thru. We are also deeply concerned about the negative environmental impacts listed above.

We respectfully request that the Planning Commission remove the drive-thru option as we feel the negative aspects outweigh the positive aspects.

We thank you in advance for your consideration on this matter.

Sincerely,

Herb Netal
400 Cabrillo ST.
Costa Mesa, CA 92627

VI.2i

Please listen to the people of Costa Mesa who will be here long after the people from big business set up shop and leave!

If Starbucks were only asking for a coffee shop, I would not contest it. They want a drive-through with cars and radios going from 6:00 a.m. to 11:00 p.m. This is completely not the right place for this type of business. Our bedroom windows (open in the summer) is directly in back of this location. There is no buffer in between.

I checked out their facility at the corner of Adams and Brookhurst. It was a noisy and busy place.

After a variance is granted and it proves too much, what is our alternative? Move? Please turn down the drive-through! This is my first request in the 40 years I have lived here.

Ardy Hurst
451 Cabrillo Street
Costa Mesa, CA 92627

949-642-6849

LEE, MEL

From: DNGARUS@aol.com
Sent: Tuesday, April 24, 2012 8:53 AM
To: kaarthur@ca.rr.com
Cc: goathillredneck@netzero.net; LEE, MEL; sthorp@burnhamusa.com; LEECE, WENDY; wolfemama@gmail.com
Subject: Re: Starbucks on 17th

Hi Katie,
I went along with their proposal for several reasons;
When Dave Harris and I met with Byron Ward and Steve Thorp from the company that is developing the property (Burnham USA), they gave us their assurance that they would do their level best to be a good neighbor, and it is my belief that they are sincere. At the time, if you read the letter that Dave Harris and I signed, it states, specifically, that we would not appeal their development, providing, of course, that they lived up to their part of the agreement. If, for any reason, they do not follow through, you can bet that they will hear from me directly, and I already informed them that if they did not perform as promised, that I would do my level best to bring legal proceedings against both them, and the City of Costa Mesa.
Although Dave and I both agreed not to appeal their project, they still have a major hurdle to get over as the gentleman that owns the Wendy's property, Mr. Toby Walker, has appealed the development project, on the grounds that since his property and the proposed development share a common driveway, and he feels that it will create a traffic problem. He may be right, he may be wrong, I don't know, but Burnham indicates that they have done an in depth study, and that it won't constitute a problem.
Believe me when I say that I share your concern with the quality of life on our street, and I want the place where we live to be a quiet and comfortable environment for all of us, and I suppose I am naive enough to believe Mr.Thorp and Mr. Ward when they told Dave and I that they were willing to do whatever necessary to be good neighbors, and I think that they will live up to their end of the bargain, because they don't want the ensuing legal battle if they don't.
The other thing, and please believe me when I say that I thought about this quite a bit before I decided not to appeal this project, I believe the end result will be a good addition to 17th Street, insofar as it will be a clean, modern, and up to date building that will be far superior than what is there now. The old Credit Union building, which is currently vacant, is sitting there, unused and deteriorating, and is rapidly becoming an eyesore. Chantelle Wolfe brought up a good point, insofar as if the old Credit Union building's property was cleaned up, maybe, just maybe, it would give Morri's Flowers an incentive to clean up their property, which is a real eyesore at the moment.
Mr. Ward and Mr. Thorp, let me re-emphasize, gave us their assurances that they would do whatever necessary to be a good neighbor, and that includes controlling

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the noise level emanating from their development, up to, and including, the parking lot maintenance, trash collection, delivery trucks, etc, in addition to any noise generated as a direct result of their development.
As far as the issue of the trees, I can only go by what Mr. Ward and Mr. Thorp agreed to when Dave and I met with them, if it turns out that they can't, or won't, put the trees in to block the noise and lights from the parking area, then that will change the whole ball game, because my decision, and I believe Dave's, hinged on that as a major contingency.
In any event, I guess the next move is to see how it all plays out. As always, I am most interested in your thoughts with regard to anything that makes Cabrillo Street a better place to live.
Bob

In a message dated 4/23/2012 9:05:28 P.M. Pacific Daylight Time, kaarthur@ca.rr.com writes:

> Hi Bob: I was surprised to hear that you agreed to the Starbucks/drive through going in on 17th. I went to Planning Commission meeting tonight and spoke against it for the following reasons:
>
> - Noise – the car noise alone ought to be enough to drive anyone on your side of the street crazy; are you aware the hours of operation are 6 a.m. – 11:00 p.m.?
> - Pollution
> - Traffic – the traffic WILL back up onto 17th and that is going to be a "cluster" (to use Jamie MacCloud's word ;).
>
> Also – I believe you signed under a "gentlemen's" agreement but we found out tonight that they probably cannot plant large trees in the very back against the wall that abuts your property, that would block odors, noise, light, etc. They will be moving forward anyway…
>
> The only chance to stop this is if one of the City Council appeals it. The only chance we have for that is for Wendy Leece. All other Councilmen are tied very closely with developers and it's all about the money. And… the Councilmen appointed the Planning Commissioners.
>
> Anyway… I think it's a bad thing for our street and our property values. I'm not opposed to Starbucks going in … just do not think we should permit a drive through that will be operational from 6:00a .m. – 11:00 p.m.
>
> :)
>
> Katie

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LEE, MEL

From: Chantelle Wolfe [wolfemama@gmail.com]
Sent: Friday, April 27, 2012 7:10 AM
To: DNGARUS@aol.com
Cc: kaarthur@ca.rr.com; goathillredneck@netzero.net; LEE, MEL; sthorp@burnhamusa.com; LEECE, WENDY
Subject: Re: Starbucks on 17th

Good morning,
Katie asked me about my experiences with living behind Wendy's fast food chain for years. Here is my take on the new Starbucks and living off of 17th Street.
Thank you all, for keeping the communication open and civil. I love that we all care so much for our neighborhood!
Chantelle

Good morning,
I have now lived behind Wendy's for 22 years. Wow...
We have had issues that needed to be taken up with CMPD, property owerns and the city.
But issues were resolved and it has been a wonderful 6+ year stretch without any major issues.
Here is what we have dealt with over the years.

1. *The parking lot has been the biggest issue by far. These parking lots are not easily seen from 17th Street. They make perfect hang out spots for teens and adults. Just hanging out in their cars. So, laughter or car radio noises are common. More so in the summertime when you have your windows open. This has been an issue for all parking lots in the 400 block of 17th. A group of us met with city and PD...concerns were vented...action was taken and no more groups hanging out in the lots. The property owner posted signs back in the lot. Reminding people that they are in a residential neighborhood, please be quiet. One time, Kevin went back there around 10pm...flashed a fake badge and told the kids he was a DA and he was going to press charges...you never saw kids hop in their cars so fast...LOL. Very nice!*
2. *We have not only Wendy's but we had Dietrict's Coffee House. That outdoor patio situation was an issue at first. But with talks to the owners of Dietrict's....their night time entertainment was brought indoors. Very nice!*
3. *We then had the Napa Valley Pasta restaurant. Same issues with weekend entertainment and staff making noise in the parking lot. Contacted property owner and that too quickly ended. Very nice!*
4. *The volume of the order board was the smallest of all our concerns. One call and they replaced the speaker with a noise reducing model and haven't heard an order in years. Even on hot summer nights. Very nice!*

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5. *One time a few years back..... Wendy's had this grand idea to keep the drive thru open till 2am. Ahhh, I don't think so! LOL That was a very easy argument to argue. Squashed that one easily and they only operate till 11pm.*
6. *Trash and delivers are never made before 7am.*
7. *I would say....once every few years or so....Some work order gets messed up and the Pressure Washer guy will try to clean Wendy's in the middle of the night. Trust me, they don't like it when that happens. They get this scary housewife in her pjs and hair all askew yelling at them in her slippers. LOL That hasn't happened in years though. I scared them I think.....hehehehehehe.*
8. *We have humongous trees behind our house. This really helps with noise issues. They are our trees. We keep them thick.*
9. *Elevation of the parking lot was an issue. The LaGrandeur's were the first to raise their brick wall by nearly 3 feet. We did the same a few years after them. We did it without a permit and were call on it a few years ago. I took pictures of the 4 foot elevation difference and presented that to the judge. Case closed we are allowed to keep our fences. This is a huge huge huge help on noise control. Maybe developer can add onto all those neighboring fences?*

So in closing...None of these things are earth shattering. None of these things were unchangeable. Yes, it took time and effort. But living up against a busy business oriented street we knew when we purchased our home it would always be something we dealt with. Heck we even have an animal hospital behind our homes. That is a bigger pain the butt than any Wendy's or coffee house or restaurant. Seriously!

*I **do not** feel the Starbuck's will negatively impact my home value. I think a renovation on that property is a good thing. I think it will be a much needed boost for that wore-down section of 17th street. I don't think there will be a backup of traffic onto 17th street. There is a huge amount of real estate from curb to the drive thru line. I never and I mean never see a back up of drive thru-ers at Wendy's.*

Improvements! New companies ! Yes!

Dave mentioned to me that Starbuck's corporate is looking to test market selling beer and wine in some So Cal locations. I looked it up online and yes they are. I don't like that idea a whole bunch. But if this new location want to add a liquor licence they will need to apply and then they will send out notice to all of us again with that little white postcard. That is something I would like to get more info on and possibly protest.
And while we don't know what other restaurant might go into the 2nd space.....we will view that when it comes up. Can't argue about something that isn't even there yet.
Chantelle Wolfe
475 Cabrillo ST.

Peace, Love & Happiness!!!
Peace, Love & Happiness!!!

On Tue, Apr 24, 2012 at 8:52 AM, <DNGARUS@aol.com> wrote:

Hi Katie,

I went along with their proposal for several reasons;

When Dave Harris and I met with Byron Ward and Steve Thorp from the company that is developing the property (Burnham USA), they gave us their assurance that they would do their level best to be a good neighbor, and it is my belief that they are sincere. At the time, if you read the letter that Dave Harris and I signed, it states, specifically, that we would not appeal their development, providing, of course, that they lived up to their part of the agreement. If, for any reason, they do not follow through, you can bet that they will hear from me directly, and I already informed them that if they did not perform as promised, that I would do my level best to bring legal proceedings against both them, and the City of Costa Mesa.

Although Dave and I both agreed not to appeal their project, they still have a major hurdle to get over as the gentleman that owns the Wendy's property, Mr. Toby Walker, has appealed the development project, on the grounds that since his property and the proposed development share a common driveway, and he feels that it will create a traffic problem. He may be right, he may be wrong, I don't know, but Burnham indicates that they have done an in depth study, and that it won't constitute a problem.

Believe me when I say that I share your concern with the quality of life on our street, and I want the place where we live to be a quiet and comfortable environment for all of us, and I suppose I am naive enough to believe Mr.Thorp and Mr. Ward when they told Dave and I that they were willing to do whatever necessary to be good neighbors, and I think that they will live up to their end of the bargain, because they don't want the ensuing legal battle if they don't.

The other thing, and please believe me when I say that I thought about this quite a bit before I decided not to appeal this project, I believe the end result will be a good addition to 17th Street, insofar as it will be a clean, modern, and up to date building that will be far superior than what is there now. The old Credit Union building, which is currently vacant, is sitting there, unused and deteriorating, and is rapidly becoming an eyesore. Chantelle Wolfe brought up a good point, insofar as if the old Credit Union building's property was cleaned up, maybe, just maybe, it would give Morri's Flowers an incentive to clean up their property, which is a real eyesore at the moment.

Mr. Ward and Mr. Thorp, let me re-emphasize, gave us their assurances that they would do whatever necessary to be a good neighbor, and that includes controlling the noise level emanating from their development, up to, and including, the parking

lot maintenance, trash collection, delivery trucks, etc, in addition to any noise generated as a direct result of their development.
As far as the issue of the trees, I can only go by what Mr. Ward and Mr. Thorp agreed to when Dave and I met with them, if it turns out that they can't, or won't, put the trees in to block the noise and lights from the parking area, then that will change the whole ball game, because my decision, and I believe Dave's, hinged on that as a major contingency.
In any event, I guess the next move is to see how it all plays out. As always, I am most interested in your thoughts with regard to anything that makes Cabrillo Street a better place to live.
Bob

In a message dated 4/23/2012 9:05:28 P.M. Pacific Daylight Time, kaarthur@ca.rr.com writes:

> Hi Bob: I was surprised to hear that you agreed to the Starbucks/drive through going in on 17th. I went to Planning Commission meeting tonight and spoke against it for the following reasons:
>
> - Noise – the car noise alone ought to be enough to drive anyone on your side of the street crazy; are you aware the hours of operation are 6 a.m. – 11:00 p.m.?
> - Pollution
> - Traffic – the traffic WILL back up onto 17th and that is going to be a "cluster" (to use Jamie MacCloud's word ;).
>
> Also – I believe you signed under a "gentlemen's" agreement but we found out tonight that they probably cannot plant large trees in the very back against the wall that abuts your property, that would block odors, noise, light, etc. They will be moving forward anyway...
>
> The only chance to stop this is if one of the City Council appeals it. The only chance we have for that is for Wendy Leece. All other Councilmen are tied very closely with developers and it's all about the money. And... the Councilmen appointed the Planning Commissioners.
>
> Anyway... I think it's a bad thing for our street and our property values. I'm not opposed to Starbucks going in ... just do not think we should permit a drive through that will be operational from 6:00a .m. – 11:00 p.m.
>
> :)
>
> Katie