

## 541 E. Whittier Starbucks

### Summary of Property Improvements for Planning Commission

Received From Rodney Rivani August 17, 2024

Chestnut St Resident Owners Responses in Blue

August 20, 2024

#### Chestnut Street Resident Requests

Chestnut Street Resident Owners Requests: Items 1 through 9 are agreed to and appreciated.

1. Starbucks initially proposed to close at 10:00pm daily. Starbucks has compromised and agreed to close earlier at this location at 9:00pm daily for the benefit of the residents.
2. Starbucks initially proposed longer delivery hours which would have taken place during standard business hours. Starbucks has compromised and agreed to reduce delivery hours between the hours of 8:00am to 6:00pm daily. Once Starbucks is closer to opening for business, they will look into providing a more detailed delivery schedule. Starbucks will also try to avoid deliveries during peak traffic times. The reduced delivery hours is for the benefit of the residents.
3. At the property owner's expense, a prominent, highly visible "DO NOT ENTER, PRIVATE PROPERTY" pole sign will be installed at the northeast corner of our property, adjacent to Chestnut Street. This is for the benefit of the residents.
4. With the approval of the neighboring property owner at 601 E. Whittier Blvd., at the property owner's expense, an additional 2nd prominent, highly visible "DO NOT ENTER, PRIVATE PROPERTY" pole sign will be installed at the northwest corner of their property, adjacent to Chestnut Street. This is for the benefit of the residents.
5. The property owner will provide the residents with a construction timeline for the project. The Townsend's (residential property to the north) may choose not to be home during building demolition.
6. Construction vehicles will be directed to stay adjacent to the Starbucks property on Chestnut Street.
7. The property owner will reseal and restripe the portion of the southbound lane of Chestnut Street that is within the property owner's property lines. With the approval of the neighboring property across the street at 601 E. Whittier Blvd., the portion of the northbound lane of Chestnut Street that belongs to 601 E. Whittier Blvd., will be resealed and restriped as well.

8. The residents would like to reseal and restripe their portion of Chestnut Street. The property owner will coordinate the reseal of Chestnut Street with the residents and refer our asphalt contractor to them. This is for the benefit of the residents.
9. A copy of the building asbestos test will be provided to the residents.

Please see the additional notes below under Chestnut Street Resident Owners Requests items 10 and 11. Note that the Townsend's own the Apartment complex north of the proposed Starbucks development and have previously voiced concerns with the increased noise level and emissions from idling vehicles in the 2 drive through lanes. Below is the proposal from the property Owner on the wall:

10. A new, taller 8' foot landscape hedge will be planted along the north wall to block visibility to the residential property to the north and provide increased resident privacy. In addition to the north wall located between the properties, the 8' foot landscape hedge will also provide further noise reduction between the properties. This is for the benefit of the residents.

The Townsend and the City requested clarification that this 8' hedge would be at the 8' height starting on day one.

11. In addition to the new 8' foot landscape hedge (#10), the property owner will demolish and remove the existing north wall and construct a new 6'-6" (Six Foot Six Inch) concrete masonry north wall, as further described below.

This is a brand-new addition by the Property Owner as of 8.17.2024. Multiple documents have discussed this wall. Demolishing and constructing a new wall masonry block wall is the newest addition to the North Perimeter Wall notes. The Townsend's have a custom gate attached to the wall and request that a new custom gate, approved by the Townsend's, be included with the new block wall along with painting of the gate and wall to match our existing building.

### North Perimeter Wall

After the Planning Commission hearing in April, the property owner was willing to construct a new 8' foot wall along the north property perimeter to provide complete privacy between the 2 properties. The property owner proposed the construction of a new 8' foot wall to City of La Habra staff, Starbucks, and the residents. City of La Habra staff and Starbucks supported construction of the new 8' foot north wall. In a letter to the property owner dated May 23, 2024, Kathy and Tom Townsend objected to the proposed new 8' foot north wall, citing that "A higher wall will reduce our air flow as well as reduce our view". Kathy also contacted Sonya Lui inquiring if a new 8' foot wall would be permitted by the city. Sonya Liu informed us that a new 8' foot north wall would not be permitted according to the La Habra Municipal Code. The maximum permitted height for a new wall at our property would be 6'-6" in height.

The notes above are incorrect. There has been continual back and forth on the Northern Perimeter Wall. The City of La Habra would not have supported an 8' wall since City Code would only allow a 6'6" wall Per Sonya Lui. Note that the Planning Commissioners did recommend an 8' wall during the April 22, 2024 Hearing. Raising the wall to 8' would require an additional permit at an additional cost. The info above regarding an email Kathy Townsend submitted back on May 23, 2024 is only a snippet of information contained in that document. The Townsends in fact agreed to the wall if regardless of our concerns the only resolution was to demo the current wall and erect a new block wall to reduce noise and reduce the levels of emissions. In our response we also advised that our current gate is attached to the wall and requested that our custom gate be replaced as part of the project. Rodney responded on June 11, 2024 that a new 8' north perimeter wall would be constructed and that he would pay for the new gate. Then on a response from Rodney received on July 10, 2024 he noted that the existing wall is not proposed to be increased in height and the existing wall would remain with the addition of the new 7'-8' landscape hedge. The wall was discussed at the July 15, 2024 City Hall meeting where Rodney advised that the sections of the north wall that were not up to the 6' City Code would be increased. The Townsends were not in favor of building on top of a 60-year-old wall. Now as of August 17, 2024 Rodney/Property Owner is agreeing to replacing the entire wall with a 6'6" masonry wall but we also require that our custom gate is replaced since it is attached to the existing wall. In addition, both the wall and gate paint must match our existing building. The entire back and forth regarding the North perimeter wall has been very frustrating. A conditional ruling needs to be entered into the Planning Commissions' conditions on specifically what is expected regarding the North Perimeter Wall. The Townsends agree to a new 6'6" masonry wall except where the 15' linear is at 3' for line of site as required by City code, a new custom gate, approved by the Townsend's, with both the wall and gate painted to match the existing building.

We spoke to Kathy and Tom on a conference call dated August 14. They mentioned the existing wall looks old and requested for the property owner to construct a new north perimeter wall.

1. The property owner will demolish and remove the existing north wall and construct a new 6'-6" (Six Foot Six Inch) concrete masonry north wall. The first 15' linear feet at the east end of the new north wall, adjacent to the residential property front yard [driveway](#), will be 3' feet in height in accordance with the La Habra Municipal Code and to allow a clear vehicle driveway line of sight for the residential property.

#### Drive Thru Management Improvements

1. Starbucks will install a new prominent 6' foot tall, 2-sided monument sign (facing eastbound and westbound traffic) along Whittier Boulevard directing patrons to utilize the driveway on Whittier Boulevard.

2. Should the drive-through queue exceed 17 vehicles, Starbucks shall have an employee positioned before the order board to take orders.
3. Once Starbucks opens for business, the drive thru management as it relates to Chestnut Street is subject to the review of the City of La Habra Traffic Engineer.
4. In the event the drive thru project conditions are not effective, as determined by the City of La Habra Traffic Engineer, a traffic queueing study will be conducted to determine if a permanent Chestnut Street driveway entry closure will need to be made.

Drive Thru Management Consensus

1. As Starbucks will offer a pick up/take out window at the property, as well a nice outdoor patio for outdoor seating, the property owner and the residents of Chestnut Street discussed and agreed at the meeting in City Hall on July 15 that an exit lane at the Chestnut Street driveway is reasonable and acceptable.

This is a false statement and misrepresents what was discussed at the meeting on July 15<sup>th</sup>. Please correct it. In communication with the other Resident Owners, we do not recall agreeing to either an entry or exit lane at Chestnut St. We continue to express that we would like the entry/exit for Starbucks on Chestnut St to be eliminated. This was discussed in length during our 8.14.2024 conference call with Rodney, Sonya Lui and Michael Plotnik. We certainly are not in agreement for an entry or an exit due to all the concerns we have previously submitted. Sonya noted that the City could not require the closure of the Chestnut St entry/exit, that would be the Property Owner and Starbuck's decision. The Resident Owners requested what is noted and underlined above and below.

2. In the same July 15 meeting at City Hall, for the Starbucks drive thru management plan, the residents of Chestnut Street proposed that the Chestnut Street driveway entry initially be closed when Starbucks opens for business. After Starbucks is open for a few months and traffic normalizes, the Chestnut Street driveway entry would be opened. What was agreed to by the Resident Owners is to eliminate the Chestnut St driveway from the beginning and revisit the closed Chestnut St driveway at 3 months and 6 months after the Starbuck's opening.

Therein, the property owner and the residents of Chestnut Street agreed in concept that an open entry lane at the Chestnut Street driveway is reasonable and acceptable, The Resident Owners did not agree to this – refer to the text above under #2.

provided and conditioned that (i) vehicles from the Starbucks drive thru lane do not exceed the drive thru lane capacity, overflow and back up onto Chestnut Street, and (ii) a follow up traffic queueing study would be conducted at the property for the Chestnut Street driveway entry lane within 3-6 months after it was opened, if necessary. The property owner mentioned he would discuss this concept with Starbucks and the City of La Habra Traffic Engineer.

3. The property owner subsequently discussed this with Starbucks and the City of La Habra Traffic Engineer, and the City of La Habra Traffic Engineer felt, in his expert opinion, that it would be best to initially have the Whittier Blvd. driveway and the Chestnut Street driveway both open at the time Starbucks opens for business, as this would provide the best site circulation.

It is our understanding from the 8.14.2024 conference call that one of the main safety reasons for keeping the Chestnut St entry/exit open is that closing off the Chestnut St. driveway would create safety concerns from vehicles making U-turns at Chestnut St. This was mentioned by both Michael Plotnik and Sonya Lui. Although there was no data provided to support this concern, based on common sense, we agree this could happen since it happens now with no safety issues. We believe our common-sense safety concerns with increased vehicle traffic volume, if the Chestnut St entry/exit is allowed, will be challenging to all the residents and tenants of Chestnut St and exacerbate our ability to safely enter and exit Chestnut St.

4. The consensus here between all parties was that the City of La Habra Traffic Engineer, Starbucks, the property owner, and the residents of Chestnut Street all agreed that there could be a point where it is acceptable that the Chestnut Street driveway entry lane is open once Starbucks opens for business; and if the Starbucks drive thru lane does exceed the drive thru lane capacity, overflow and back up onto Chestnut Street, a follow up traffic queueing study would be conducted at the property for the Chestnut Street driveway entry lane within 6 months after Starbucks opens for business, and the Chestnut Street driveway entry lane would be permanently closed if necessary, as determined by the City of La Habra Traffic Engineer. This concept has been included in the written project conditions of approval.

The Resident Owners consensus was to eliminate the Chestnut St entry/exit from the start and then based on the traffic study and review by the City Traffic Manager and Starbucks at 3 months and 6 months, revisit the driveway closure and determine if opening the Chestnut St driveway would be needed. This is what the Resident Owners consensus is regarding the Chestnut St entry/exit. Please do not note that the Residents of Chestnut St are accepting this decision

as underlined above but instead agreed to what was noted at the beginning of this statement in blue. We want to make sure the correct message is provided to the Commissioners and not a false statement.

### Important Drive Thru Points

1. Our property will include a dual lane drive thru (2 lanes) with 2 menu speaker boards, which will allow for customer orders to be expedited faster. Most other Starbucks locations only offer 1 menu speaker board.
2. Our property will include the largest drive thru lane queue stacking for a Starbucks in the City of La Habra, which can accommodate up to 17 vehicles as part of the drive thru lanes, and the site can accommodate up to 23 vehicles within the property.

Items #1 and #2 represent the increase in vehicle volume and are exactly the reason that the Townsends, as the closest residential property to the Starbucks development, cannot fully support the project. As we have noted previously, we believe the quality of life for us and our tenants will suffer due to the proximity of this development to our residences. The concern continues to be just what these Important Drive Thru Points note in having dual drive thru lanes, dual outdoor menu boards and up to 17 vehicles in the que spewing vehicle emissions, additional noise of idling vehicles and 2 menu boards going at any given time. All this is approximately 13 feet from our living area and the living areas of our tenants. We hope the walls will mitigate these concerns but still they are our real-life concerns.

3. The detailed queueing analysis report compiled by the traffic engineering firm LSA studied drive thru queues at peak hours for 3 other Starbucks locations in Orange County at substantially busier signalized intersections. Based on the drive thru vehicle count analysis, the range for vehicle queueing observed was between 8-13 vehicles for all 3 other Starbucks locations, which is well below the 17 vehicle queue our property is offering. LSA therefore concluded that the proposed 17 vehicle dual drive thru lane is adequate for Starbucks at the property and a Chestnut Street driveway is acceptable.
4. The queueing analysis report has also been reviewed and approved by the City of La Habra Traffic Engineer and he has concluded that the proposed 17 vehicle dual drive thru lane is adequate for Starbucks at the property and a Chestnut Street driveway is acceptable. The City of La Habra Traffic Engineer also made a determination, in his expert opinion, that it would be best to have the Whittier Blvd. driveway and the Chestnut Street driveway both open at the time Starbucks opens for business, as this would provide the best site circulation. In the event any drive thru conditions (mitigation

measures) have to be applied, they would be done if and when necessary. The City of La Habra Traffic Engineer has successfully implemented this strategy at other properties and businesses in the City of La Habra.

5. Starbucks conducted a project sales report and found this location is not expected to be busy, as there is a Starbucks located at Harbor and E. La Habra Blvd. which is located less than 1 mile away, and a Starbucks located at Beach and Whittier that is located approximately 1.6 miles away.
6. The vehicle traffic counts at Harbor/E. La Habra Blvd. and at Beach/Whittier Blvd. are substantially higher than our property, and their drive thru lane queuing capacity is substantially less than our property.

[Is there a report on the traffic counts?](#)

#### Resident Recommendations (Not Included in the Starbucks Project)

The Chestnut Street residents own and share the portion of Chestnut Street in front of their homes. The Chestnut Street residents have a few options they can explore within their properties, at their own discretion, to limit vehicle access in the Chestnut Street residential area by placing:

- i. A gate on Chestnut Street at the entry of the residences, or in a location they feel is appropriate within their property line.
- ii. Prominent, highly visible "DO NOT ENTER, PRIVATE PROPERTY" pole signs on Chestnut Street at the entry of the residences.
- iii. Street striping on Chestnut Street at the entry of the residences.
- iv. A new speed hump on Chestnut Street at the entry of the residences.