BREA PLANNING DIVISION

BREA PLAZA MIXED-USE PROJECT
10/26/21 PLANNING COMMISSION QUESTIONS

At the October 26, 2021 Planning Commission meeting, a public hearing was held on the Brea Plaza mixed-use project. At this meeting, questions on the project and associated Environmental Impact Report (EIR) were raised and discussed. For the public's benefit, the Planning Division has prepared the following list of questions and answers discussed during public hearing. For additional information, please contact Juan Arauz, Senior Planner, at 714-990-7674 or at juana@cityofbrea.net.

Brea Olinda School District (BOUSD) Related Questions

Question: How would this project impact the schools?

Answer: All projects have an affect on schools. Growth occurs from projects and internally from existing housing inventory. BOUSD continuously plans for future growth projections and works with the City on upcoming projects.

BOUSD receives housing development related funding from a variety of sources, including but not limited to: one-time payment from impact fees, and continuous funding from the State for each student (per student enrollment).

For additional information regarding BOUSD, please visit: https://www.bousd.us/

Question: Who sets the dollar amount for school district impact fees?

Answer: The State sets the maximum amount the district may collect from impact fees. The fee is evaluated and updated every two years.

Question: Does the school district have a stated position on the Brea Plaza mixed-use project?

Answer: The school district has not taken an official position.

Question: Does the school district track RHNA numbers for growth projections?

Answer: The school district reviews at data provided by the City based on future development, and works with a third-party demographer.

Question: Is the $4.08 school impact fee negotiable?

Answer: The school district does not have the ability to adjust the State's mandated impact fee. However, some projects include a Development Agreement, which provides a mechanism for the negotiation of items below or above the maximum requirements. The Brea Plaza mixed-use project does not have a development agreement associated with its entitlement request.

Traffic Related Questions

Question: How will project construction traffic be managed?

Answer: The project would be required to provide a construction management plan that would be reviewed by the City's Public Works Department and Traffic Engineering Division. A contractor would be required to abide by restrictions to hours of construction, parking, and truck routes as outlined and conditioned. In addition, pre-construction meetings would take place between City staff and the contractor.

Question: What is a vehicle trip?

Answer: A vehicle trip is a single or one-way vehicle movement either to or from a site. For example, a vehicle entering a site would be one vehicle trip and that same vehicle exiting the same site at a later time would be counted as a second trip.

Question: What are the potential project related traffic effects?

Answer: Pursuant to the traffic studies found in the project CEQA EIR (https://www.ci.brea.ca.us/166/Projects-in-Process), the proposed project is expected to have no negative effects on shopping center driveway operations or on street traffic during the weekday evening peak-hour and Saturday evening peak-hour. During the morning peak-hour, the proposed project would generate an additional 100 trips in the over what the shopping center currently generates. Those 100 trips would be distributed amongst the various driveways and streets surrounding the site. It is anticipated that a significant portion of that new traffic would be destined to the CA-57 freeway or to areas west of the freeway or south of the development for employment and/or school. The traffic study modeled this additional traffic loading on Imperial Highway, Associated Road, and Birch Street and discovered that the effect on traffic operations do not exceed any significant thresholds.

In accordance with CEQA, the VMT assessment of total daily trips and miles traveled of the proposed project likewise revealed no negative transportation impacts.

Question: How much longer (or delay) would it take a driver to exit the Brea Plaza with project traffic?

Answer: Each entrance and exit to the shopping center would have different delay values based on location and time of day. However, a comparison of the average delay values for each of the study intersections, including each of the driveways, for 2024 (the anticipated opening year of the project), can be found in Table 8-2 of the traffic study. Essentially, the change in average delay per vehicle at each study intersection do not exceed any significant thresholds.

The unsignalized shopping center driveway that will experience the greatest increase in average delay exiting is the main shopping center driveway on Associated Road, or study intersection #8. The traffic study found that the average delay in exiting that driveway is currently 12.5 seconds per vehicle. When we talk about delay in this sense, it is not the total time a motorist takes to exit the driveway, it is the total time a motorist is stopped waiting for a gap in traffic in order to make a right turn or left turn out of that driveway. According to the traffic modeling, a delay average of 12.5 seconds for vehicles exiting in the morning peak-period is considered an LOS B for that driveway. When the project is complete and occupied in 2024 that average delay per vehicle rises to 14.2 seconds, or 1.7 seconds more than existing. This minor increase in average delay does not change the LOS B rating.

Average delays at traffic signals are generally higher than uncontrolled driveways since the traffic signal itself stops traffic movement with a red light for an extended period of time. However, in looking at study intersection #2, which contains the shopping center entrance/exit on Imperial Highway, the modeling suggests that intersection will operate at LOS C with no discernable increase in delay comparing 2024 estimated traffic conditions with the project.

Question: What are the traffic distributions of a movie theater vs the proposed project?

Answer: The traffic characteristics of the movie theater are very different from those of the proposed mixed-use project. Since movie theaters don't open for business until later in the day, they essentially generate and distribute no traffic during the morning peak-hour. In contrast, residential developments tend to generate their highest volume of traffic in the morning peak-hour, generally over 10% of their total traffic, as residents leave home to go to work or school. Residents returning to their homes do so over a longer period of time so the amount of traffic they generate in the evening peak-hour is generally less than the morning peak-hour.

Movie theaters in contrast tend to generate more traffic in the weekday evening peak-hour as theater goers catch early show times. However, the true peak-hour for a movie

theater occurs on a Saturday when the amount of traffic generated can be five times that of a typically weekday peak-period.

Question: Why does the traffic study in the EIR use national averages for the closed movie theater?

Answer: CEQA requires evaluating the movie theater as if it was a normal operation to establish a baseline for existing conditions. The City's Traffic Engineer and City Attorney have confirmed that the analysis in the traffic study requires evaluating the theater to reflect periods of normal time, and therefore using national averages to establish a baseline is reasonable.

Question: Traffic is already bad with the theater being closed. Is this considered?

Answer: CEQA requires the traffic study to fairly evaluate the theater and assign a vehicle trip generator, as if the theater was to reopen and operate at average levels.

Question: Intersections evaluated in the traffic study are already congested. What prevention measures, if any are included or recommended.

Answer: Generally, traffic signals have the ability, through the programing of their computer controller, to adjust, or allocate, green-light times based on detected demand. This function can be observed at left-turn pockets when there is only one or two cars waiting and the traffic signal may only provide 10 seconds of green arrow time for that movement; however, should the left-turn pocket be full of cars, the traffic signal may provide 20 or 30 seconds of green arrow time in an attempt to clear the additional traffic demand. Any unused green-light time from one movement is distributed to other movements that may have more traffic demand detected. These minor adjustments in green-light times happen on every cycle of the traffic signal. Programing of the traffic signal's computer software to make these adjustments is a preventive measure to reduce congestion and improve efficiency by making the traffic signal more responsive to the ebbs and flows of traffic demand.

Generally, once a new project is completed and occupied, traffic engineers monitor traffic operations in real-time and make minor adjustments in the programing of the traffic signal, if necessary, to account for the changes in traffic patterns generated by the new project.

Question: Did the consultant who prepared the study conduct a sample analysis or take survey counts at the site?

Answer: The methodology the used to arrive at the base-line traffic counts for the study is outlined in Section 3.4 of the traffic study (https://www.ci.brea.ca.us/166/Projects-in-Process). Essentially, historical pre-pandemic traffic counts were used at study intersections, and were factored/multiplied by 1% per year. At one study intersection for which pre-pandemic counts were not available, new 2020 pandemic influenced traffic counts were taken and adjusted upward based on comparisons to adjacent study

intersections. As for the site driveways, forecasted traffic volumes were used based on trip generation rates for the shopping center since they yield a more conservative approach, providing higher entering and exiting volumes than pandemic counts of a shopping center with reduced activity due to the pandemic.

Question: How is traffic analyzed, and how far away from a project site do you study to determine which intersections may or may not be impacted by the proposed project.

Answer: There are two traffic analysis – Vehicle Miles Traveled (VMT) and Level of Service (LOS). VMT assesses vehicles traveling throughout the course of the entire day. LOS evaluates at peak hour efficiency at intersections. The proposed project had both VMT and LOS assessments conducted.

The VMT assessment is an environmental review focused on anticipated total daily traffic and total vehicle miles traveled. Since the proposed project would result in fewer daily trips, from a CEQA perspective it was concluded that the proposed project would have no significant transportation impacts.

The LOS assessment is a review to confirm that the proposed project is in conformance with the LOS performance goals established in the City's General Plan. If a project is anticipated to generate 50 or more peak-hour trips, then an LOS analysis is required. While the proposed project is anticipated to generate fewer weekend evening peak-hour and Saturday peak-hour trips than the existing shopping center, it is anticipated to generate 100 additional morning peak-hour trips, and thus an LOS analysis was required.

The selection of the studied intersections was a collaborative effort by the City Traffic Engineer and the City's environmental consultant to select intersections for study for which the added morning peak-period traffic generated by the proposed project could degrade intersection LOS to a level that would not conform with the minimum LOS D standard established by the City. In this case, that collaborative effort focused on nine study intersections essentially in the vicinity of the site. Other intersections further away were discarded, since the proposed project's morning peak-hour trip volumes, were at a level below significant thresholds to the intersection operation.

Question: Condition K requires a $20,000 deposit for traffic related studies and improvements. Can this money be used to further study the intersection of Redbay and Birch?

Answer: Yes, this deposit would allow the City evaluate any conditions or impacts that result from the project. Further, staff has proposed that this condition be revised with the deposit amount increased to $50,000.

Housing Related Questions

Question: Asked City Attorney to address State requirements pertaining to housing as it pertains to the project.

Answer: With regards to RHNA, this project, although not specifically mandated by State law, would help contribute towards the City's attainment of its RHNA goals.

Question: Has co-living been done in Brea?

Answer: No, this would be the first residential project with a co-living component.

Question: Is the Applicant allocating any residential units for senior housing?

Answer: At this time, no senior housing has been incorporated into the proposed project. However, the project proposes to set aside ten-percent of the residential units as affordable, as required by the Brea City Code, which could include a senior housing component identified at a later date.

Parking Related Questions

Question: How are parking spaces counted for a mixed-use project?

Answer: The Brea City Code has parking requirements, shown below in Table 1, for each type of land use. When a combination of land uses is proposed, the sum of the requirements for the various land uses is to be provided.

City of Brea Parking Rate per Land Use

Land Use	Required Parking Rate
Shopping Centers	5.5 spaces / 1,000 sf
Offices	1 space / 250 sf
Residential Developments with Two or More Units on One Building	1.5 spaces / Studio
	1.75 spaces / 1-bedroom
	2.0 spaces / 2-bedroom
	2.5 spaces / 3-bedroom
	3.0 spaces / 4-bedroom
	0.2 guest spaces / per unit

The project has elected to pursue the City's provisions for shared-use parking that allows *use of the same off-street parking spaces for two (2) or more distinguishable uses where peak parking demand of the different uses occurs at different times of the day, or, where various uses are visited without moving the motor vehicle.* As proposed, the project is eligible for shared-use parking among the residential and commercial uses.

Question: Did the parking study consider pandemic conditions?

Answer: Yes, the parking study accounted for pandemic times. To obtain parking demand for the project's residential component, the parking study includes an empirical assessment of three developed residential sites similar to the project (five-stories and over 200 units). The parking study also factored in shared parking for the commercial and residential uses, citing varying peak times for parking demand among the different uses.

Question: Which three residential sites were used in the parking study, and why were they selected? Did they have a mixed-use component?

Answer: The three sites in the parking study were selected for their similar characteristics to the project – all located in Orange County (Irvine, Costa Mesa, and Anaheim), are five-story residential developments, each with over 200 units, and all offer structured parking. In selecting these sites, the study aimed to isolate the parking demand generated by the residential units. The three surveyed residential sites are located in urban areas with commercial uses located within walking distance, and therefore tenant use of a vehicle to access neighboring commercial uses would not necessarily be required.

Question: Are there designated locations for rideshare, pickup and drop off for moving, and delivery areas?

Answer: Yes, the project incorporates these elements which would generally be located on levels one and two of the parking structure. Specific details and location have not been determined at this time.

Question: Are there designated bike and rental car spaces?

Answer: Yes, the project incorporates these elements which would generally be located on levels one and two of the parking structure. Specific details and location have not been determined at this time.

Question: What are challenges pertaining to building subterranean parking?

Answer: The applicant has explored this option; however, the following challenges pertaining to subterranean parking have been identified: engineering considerations due

to a high-water table at the site, shoring to support structural integrity of the 57-freeway, and coordination and approval by Caltrans.

Water and Drought Related Questions

Question: Does the City have sufficient water supply to support the project?

Answer: Yes, the City's Urban Water Master Plan has projections for population growth and water usage until year 2045. Based on this plan, there is sufficient capacity to accommodate the natural progression of growth throughout the City, including the proposed project.

Question: Is the drought considered in the City's Urban Water Master Plan?

Answer: Yes, the City's urban water master plan accounts for drought conditions and includes contingency plans to accommodate different levels of drought scenarios.

Public Outreach and Comments

Question: Was public outreach conducted for this project by staff and the applicant?

Answer: Yes, staff conducted public outreach through the project's EIR process, that included a notice of preparation, scoping meeting, notice of availability, and a public comment period. Project information was also made available in the City's Projects in Process website. The project was also introduced at the August 24, 2021 Planning Commission study session, and on August 26, 2021, the applicant held a community meeting with the Glenbrook residents. Staff observed the applicant's community meeting but did not participate.

Question: What was the temperature of the public comments received on the project? What issues were raised?

Answer: The project EIR has a list of approximately 80 comments received on the project. The majority cite concerns over the building height, traffic, parking, and impact to schools. The project EIR includes a response to all comments received.

Project Processing and Review Related Questions

Question: Why did the City intake and evaluate this project?

Answer: The City has an obligation to evaluate a project fairly and provide an applicant due process. A property owner has a legal right to request entitlements and legislative actions, and the City has an obligation to review and evaluate the request.

Question: Is there a checklist for projects before they can be presented to the Commission?

Answer: Yes, there is a process for projects to be submitted and evaluated. This includes a CEQA analysis and project application submittal checklist.

Questions to the Applicant

Question: Would the proposed residential clubhouse be used for wedding or birthday parties?

Answer: Tenants would not be allowed to have weddings at the clubhouse. Tenants may use the clubhouse for birthday parties.

Questions: Are there plans to designate any of the units for senior housing?

Answer: At this time, no senior housing has been incorporated into the proposed project. However, the project proposes to set aside ten-percent of the residential units as affordable, as required by the Brea City Code, which could include a senior housing component identified at a later date.

Question: Would the project promote workforce housing?

Answer: Yes, the project by design, with smaller unit types including studios and co-living, allows for units to be used as workforce housing.

Question: Does the architectural style of the proposed mixed-use building match the rest of Brea Plaza development?

Answer: No. The proposed mixed-use building has an updated design. There are plans to update the rest of the buildings at Brea Plaza at a future time.

Question: Would the residential units be used for short-term or long-term corporate housing?

Answer: The project proposes to designate 20 units for corporate housing for long-term rental.

Question: Why eight-stories and 189 units?

Answer: The project was scaled down from the original 220 units. The proposed size of the building is required to accommodate the number of units required to support onsite management, maintenance, and have full time security.

Question: Are there plans to renew the reciprocal access agreement with Mercury?

Answer: There are ongoing discussions with Mercury Insurance on this subject.

Question: Can you confirm that the project is designed so that there would be sufficient parking for everyone living and working at Brea Plaza without the Mercury agreement?

Answer: Yes, the project is designed to accommodate parking demand at the site without relying on the Mercury parking lot.

Question: Would the affordability term for the affordable units comply with the City and state requirements?

Answer: Yes, the affordable units would be deed restricted to comply the city and state term requirement (45 years for owner occupied and 55 years for rentals).