

LOCATION MAP



Not to Scale

BACKGROUND

The Town Center renovation and update was approved by Milpitas City Council in May 2004. Since then, there have been many subsequent approvals including but not limited to exterior modifications such as new store frontages and signs. The project is located within the Town Center zoning district. According to Section 22.04-9, take out restaurants are conditionally permitted. The application is submitted pursuant to Section 57, Conditional Use Permits.

SITE DESCRIPTION

The project site is approximately 17 acres and contains several buildings that include Safeway, Red Lobster, El Torito, retail shops and personal service businesses. The project is located within the Town Center West zoning district. The Town Center District consists of two distinct sub areas: the eastern portion located between I-680 and North Hillview Drive; and the western portion: located between North Hillview Drive westerly to the railroad tracks. The development concept for the Town Center is to have office and highway serving uses in the eastern portion, and retail/entertainment uses in the western area.

Most tenant spaces within the shopping center are occupied. The project site is located on the North East corner of North Milpitas Blvd. and E. Calaveras Blvd. To the north are residential condominiums. To the South are commercial buildings. Milpitas City Hall (zoned Institutional) is located to the west and commercial uses are located to the East.

PROJECT DESCRIPTION

The applicant is proposing to operate a frozen yogurt shop with outdoor seating. The applicant proposes 27 seats located inside the shop and four seats outdoors. The proposed hours of operation are Sunday through Thursday from 11:00 AM to 10:00 PM. Friday and Saturday hours are proposed to be between 11:00 AM and 11:00 PM. They will serve frozen yogurt desserts, smoothies and beverages. Other than a new sign (to be submitted at a later date), the applicant does not propose any exterior change to the building. The conditions of approval will include a requirement that all tables and chairs must be stored inside the store during closed hours.

ANALYSIS

Land Use

The proposed restaurant is located in a space adjacent to various commercial uses. Other uses within the plaza include a grocery store, restaurants, optical store, jewelry store and beverage shops. The proposed use is compatible with its surrounding uses and is a unique addition to the existing stores.

Parking

The applicant proposes 27 indoor seats, four outdoor seats and 192 square feet of take out area. Based on Section 53, Off-Street Parking Regulations, of the City’s Zoning Ordinance, the proposed use requires one space for every 2.5 seats and 1/50 square feet for the “take-out” counter, which requires 16 parking spaces.

The Town Center Shopping Center as a whole provides 1,457 parking spaces and currently has 23 surplus spaces (more than required by the Zoning Ordinance). If the 1,632 square foot tenant space were to be used as retail space, 8 spaces are allocated to the space and the retail use would not draw from the 23 surplus spaces. The proposed use requires 16 parking spaces and therefore would use 8 surplus parking spaces from shopping center’s 23 surplus spaces. Shapell has approved the allocation of 8 surplus spaces to this tenant which would leave 15 remaining surplus spaces in the center. Attachment D is a parking analysis for the Town Center Shopping Center. Since the site provides adequate parking for the use, the proposed project complies with the City’s parking requirements.

General Plan

The table below outlines the project’s consistency with applicable General Plan Implementing Policies:

Table 2
General Plan Consistency

Policy	Consistency Finding
<i>Implementing Policy 2.a-G-1 Maintain a land use program that balances Milpitas’ regional and local roles by providing for a highly amenable community environment and a thriving regional industrial center.</i>	Consistent. The proposed use adds to the mix of uses within the shopping center. There is no other business that is similar to the proposed use.
<i>Implementing Policy 2.a-I-3 Encourage economic pursuits which will strengthen and promote development through stability and balance.</i>	Consistent. The proposed use adds to the economic base for the City of Milpitas. The proposed use will occupy a space that has been vacant for a while.

Zoning Ordinance

The proposed project is located in the Town Center-West (TC-W) zoning district and is conditionally permitted with a Conditional Use Permit. With the approval of this application, the proposed project conforms to City’s Zoning Ordinance. The proposed use is appropriate because it is compatible with the surrounding uses and with the approval of this CUP will meet all the requirements of the Zoning Ordinance. The project complies with the City’s parking requirements, and operation is not immediately adjacent to residential to cause any potential negative impacts. The land use, with added conditions of approval, will add to the variety mix of uses within the building and within the area, which better serves the community.

ENVIRONMENTAL REVIEW

The Planning Division conducted an initial environmental assessment of the project in accordance with the California Environmental Quality Act (CEQA). Staff determined that the project is categorically exempt per Section 15301, (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines because the proposed use is located within an existing building and no new construction is proposed beyond the existing tenant space.

PUBLIC COMMENT/OUTREACH

Staff publicly noticed the application in accordance with City and State law. As of the time of writing this report, no inquiries were received.

CONCLUSION

The primary consideration of a CUP relates to compatibility of the proposed use with surrounding land uses. The applicant proposes to operate a frozen yogurt in a building that has many types of commercial uses. The proposed use is compatible with the uses within the building because it is a commercial business and offers a product that is unique within the shopping center and the use is not expected to negatively impact nearby residential uses. Staff's position is that the proposed use is compatible with the existing surrounding uses.

RECOMMENDATION

STAFF RECOMMENDS THAT the Planning Commission approve UP09-0005 subject to the attached Resolution.

ATTACHMENTS:

- A. Resolution No. 09-020
- B. Project Plans
- C. Applicant Project Letter
- D. Parking Analysis

RESOLUTION NO. 09-020**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MILPITAS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT UP09-0005, TO ALLOW THE OPERATION OF A FROZEN YOGURT SHOP WITH OUTDOOR SEATING, LOCATED AT 489 E. CALAVERAS BLVD.**

WHEREAS, on March 16, 2009, an application was submitted by Cynthia Abad, 48932 Tulare Drive, Fremont, CA 94539, to allow the operation of a frozen yogurt shop with outdoor seating. The property is located within Town Center West (TC-W-S) Zoning district with APN (028-12-025); and

WHEREAS, the Planning Division completed an environmental assessment for the project in accordance with the California Environmental Quality Act (CEQA), and recommends that the Planning Commission determine this project is categorically exempt per Section 15301, (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines.

WHEREAS, on April 22, 2009, the Planning Commission held a duly noticed public hearing on the subject application, and considered evidence presented by City staff, the applicant, and other interested parties.

NOW THEREFORE, the Planning Commission of the City of Milpitas hereby finds, determines and resolves as follows:

Section 1: The recitals set forth above are true and correct and incorporated herein by reference.

Section 2: The project is categorically exempt per Section 15301, (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines because the proposed use is located within an existing building and no new construction is proposed beyond the existing tenant space.

Section 3: The proposed use, at the proposed location will not be detrimental or injurious to property or improvements in the vicinity nor to the public health, safety and general welfare in that it meets all requirements of the City's Zoning Ordinance and General Plan. The proposed yogurt shop will complement the existing grocery store, eateries and retail stores that are located in the shopping center. The proposed use is located away from residential uses and is not expected to produce objectionable odors that may affect nearby residential use. Adequate parking is provided for the proposed use as required by the Zoning Ordinance.

Section 4: The proposed use is consistent with the Milpitas General Plan in that it meets Implementing Policy 2.a-G-1, Maintain a land use program that balances Milpitas' regional and local roles by providing for a highly amenable community environment and a thriving regional industrial center. The proposed use offers a unique product to the shopping center and adds variety to the existing uses.

Section 5: The proposed use is consistent with the Milpitas General Plan in that it meets Implementing Policy 2.a-I-3, Encourage economic pursuits which will strengthen and promote development through stability and balance. The proposed use will occupy a space that has been vacant for a while and will encourage patron activity in the area.

Section 6: The proposed use is consistent with the Milpitas Zoning Ordinance in that the proposed use meets all the requirements set forth by the Zoning Ordinance and adequate amount of parking is provided for the site.

Section 7: The Planning Commission of the City of Milpitas hereby approves conditional use permit UP09-0005, frozen yogurt shop, subject to the above Findings, and Conditions of Approval attached hereto as Exhibit 1.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Milpitas on April 22, 2009.

Chair

TO WIT:

I HEREBY CERTIFY that the following resolution was duly adopted at a regular meeting of the Planning Commission of the City of Milpitas on April 22, 2009, and carried by the following roll call vote:

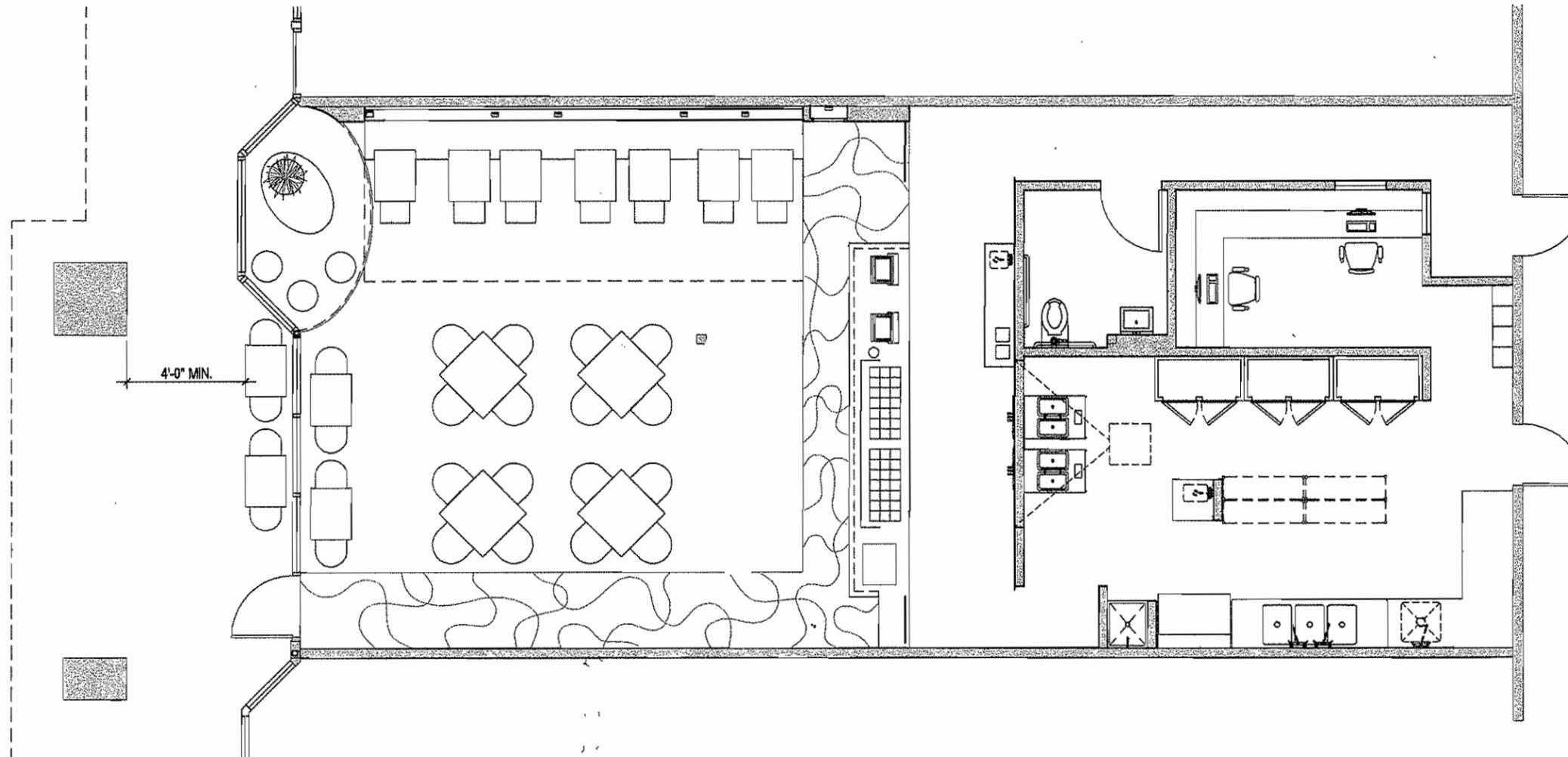
COMMISSIONER	AYES	NOES	OTHER
Cliff Williams			
Lawrence Ciardella			
Alexander Galang			
Sudhir Mandal			
Gurdev Sandhu			
Noella Tabladillo			
Aslam Ali			
Mark Tiernan			

EXHIBIT 1

**CONDITIONS OF APPROVAL
Frozen Yogurt Shop - Blush UP09-0005**

Planning Division

1. The owner or designee shall develop the approved project in conformance with the approved plans approved by the Planning Commission on April 22, 2009, in accordance with these Conditions of Approval.
2. Any deviation from the approved site plan, floor plans, or other approved submittal shall require that, prior to the issuance of building permits, the owner or designee shall submit modified plans and any other applicable materials as required by the City for review and obtain the approval of the Planning Director or Designee. If the Planning Director or designee determines that the deviation is significant, the owner or designee shall be required to apply for review and obtain approval of the Planning Commission, in accordance with the Zoning Ordinance.
3. Conditional Use Permit UP09-0005 shall become null and void if the project is not commenced within 18 months from the date of approval.
4. Pursuant to Section 64.04-1, the owner or designee shall have the right to request an extension of 18 months if said request is made, filed and approved by the Planning Commission prior to expiration dates set forth herein.
5. PJ ACCOUNT: If at the time of application for business license issuance, there is a project job account balance due to the City for recover of review fees, review of permits will not be initiated until the balance is paid in full.
6. SEATS: 27 indoor and four outdoor seats are permitted. All outdoor furniture shall be stored inside the store during non-business hours. Outdoor area shall be kept clean and orderly. A four foot path shall be kept open at all times for pedestrian access along the walkway in front of the store.



BLUSH ORGANIC FROZEN YOGURT

MILPITAS TOWN CENTER
MILPITAS, CA

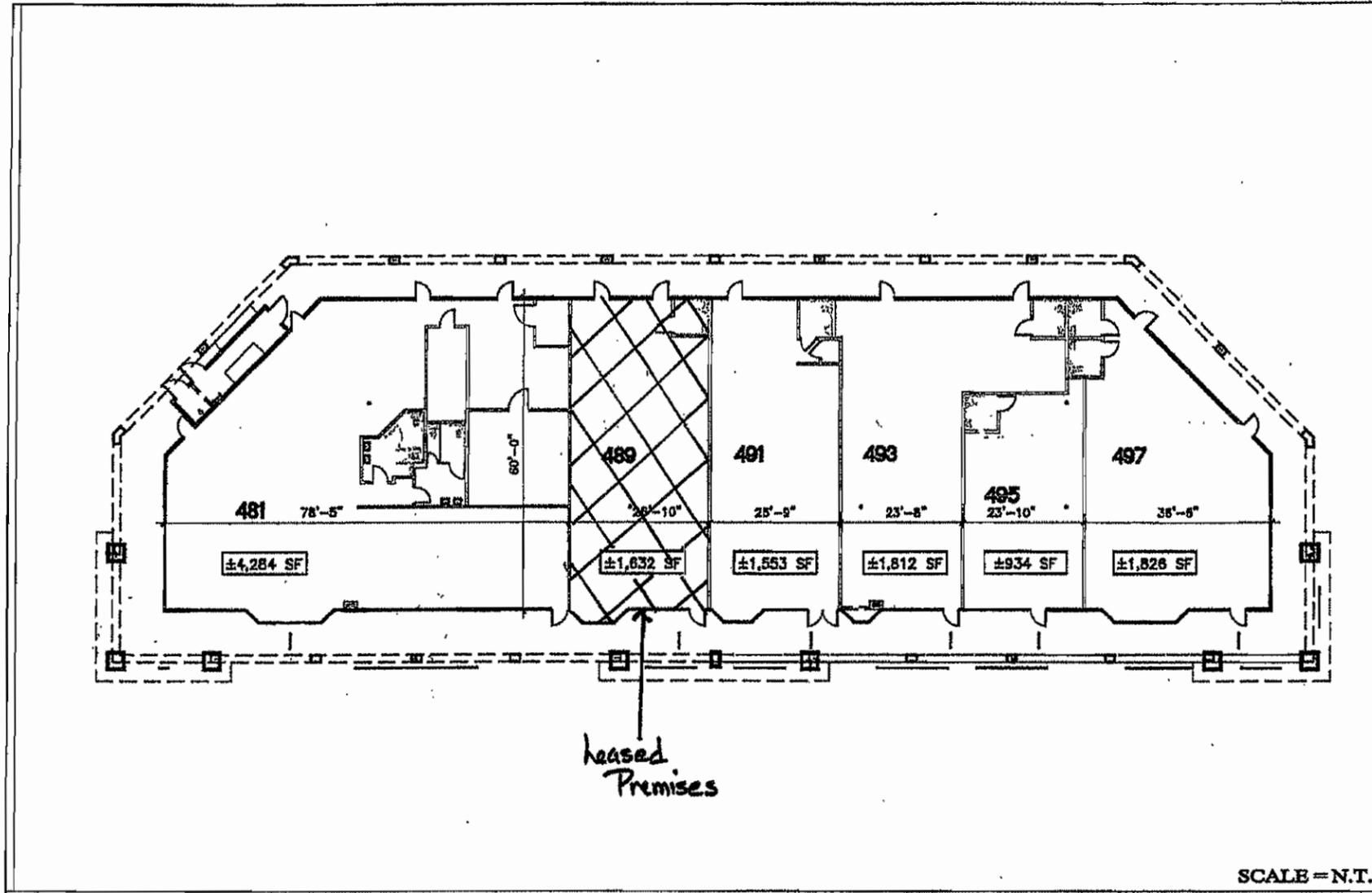
PROPOSED FLOOR PLAN - SCHEME 1

NORTH 
SCALE: 3/16" = 1'-0"
DATE: 04.15.09

MARTINKOVIC MILFORD ARCHITECTS

520 Sutter Street | San Francisco, CA 94102

EXHIBIT "B-1"
BUILDING PLAN



SCALE = N.T.S.

08-22-06



SHAPELL INDUSTRIES
of NORTHERN CALIFORNIA

100 North Milpitas Boulevard
Milpitas, California 95035

SHOPS 479
+/- 12,113 S.F.

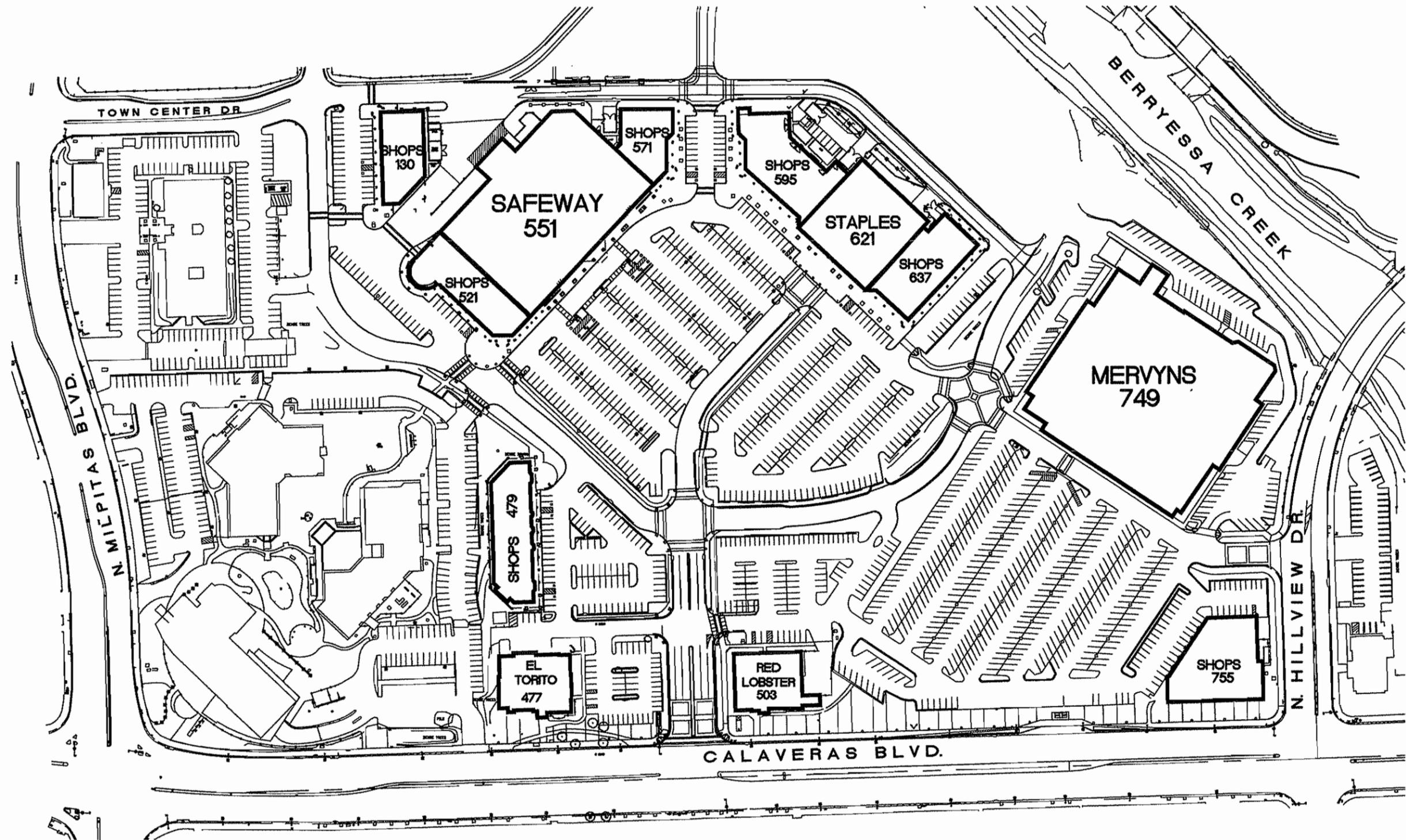
479 E CALAVARAS BLVD.
MILPITAS, CA. 95035

EXHIBIT "B-1"

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011209#1

Tenant's Initials

Landlord's Initials



MILPITAS TOWN CENTER

06.29.06

This Site Plan is intended to show the approximate location of the Premises and the locations of the access roads for ingress and egress to and from the Shopping Center. The building and Common Area configurations and locations may vary from the shown hereon. Any designation of use is for convenience only and is not a representation that such part of the Shopping Center will be used for such purpose.

BLUSH

All-Natural Organic Non-Fat Frozen Yogurt

Cool Harmony, LLC™

<p>Al and Cynthia Abad 48932 Tulare Drive Fremont, CA 94539 Cell: 408-499-5926 Email: abadbaclig@comcast.net</p>	<p>Ian and Victoria Hinkle 2596 Yerba Bank Ct. San Jose, CA 95121 Cell: 408-406-3076 Email: ian.hinkle@sbcglobal.net</p>
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CONFIDENTIAL BUSINESS PLAN

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EXECUTIVE SUMMARY

Company

Blush will introduce a new, unique dessert product and concept into the Silicon Valley. Wholly owned by Life is Bliss Inc., Blush will offer an all-natural organic non-fat frozen yogurt targeting the health conscious market and those looking for a delicious healthy alternate to ice cream and/or gelato.

Blush will create a brand that is associated with an incredibly healthy, deliciously tasting (almost addictive) dessert that is "Bliss" to eat. Currently, frozen yogurt is rapidly regaining its popularity, with frozen yogurt outlets expanding all across southern California. Recent news regarding the healthy benefits of yogurt has created a buzz around this cool dessert (please see exhibit A). Although frozen yogurt has been around for quite some time, the concept of an organic healthy yogurt served in an upscale ambiance is a new concept to the Silicon Valley Area. We strongly believe that Blush will be the brand that will create this buzz.

Our business and operational model will be duplicated from our sister establishment Blush located in Dublin, CA. Our unique product will differentiate Blush from the frozen yogurt of any other competitors due to its natural tart yogurt taste and an all-natural organic recipe. We are aware that the reality of business is such that a good product is not the only thing that will make a product successful. As such, Blush will create a brand and image that will make our outlets a healthy and trendy place for customers to visit. Finally, we are certain this business will succeed due to a business and operational model that has worked at Blush headquarters in Dublin. We are confident that it will be successful here in the Bay Area.

We are venturing into this enterprise with the full intention on expanding into several locations within the next two years. Therefore our product, marketing, operational and business models will be focused on consistent branding, operational standardization and product consistency.

Objectives

1. To start making a profit within first 6 months of operating.
2. To grow revenue by an average of 25% a year for the first 5 years.
3. To have three Blush stores in operation in the Bay Area by spring of 2009.

Mission Statement

Blush is dedicated to serving a healthy and delicious organic frozen yogurt dessert in a consistent, courteous and pleasant manner. Our goal is to serve our customers in a clean, stylish ambiance that will create an enjoyable experience. The goal is to have customers return again and again for another healthy and delicious cup (or two).

HOURS OF OPERATION:

SUNDAY - THURSDAY 11:00 AM - 10:00 PM

FRIDAY & SATURDAY 11:00 AM - 11:00 PM

BUSINESS OVERVIEW

Product

Blush will feature an organic frozen yogurt in several flavors (original, our signature Blush flavor – combination of pomegranate and dragon fruit, green tea, chocolate, and pineapple) with a choice of any combination of toppings (both fresh fruit and dry toppings). Our all-natural organic non-fat frozen yogurt (made from our own secret recipe) will be marketed as a healthy dessert which is superior in taste, color, flavor and presentation than any frozen yogurt available in the Silicon Valley today. Our frozen yogurts, in addition to being fat-free and low in calorie, will contain live, active probiotic cultures which scientists have found have the following beneficial health effects:

- Helps manage lactose intolerance
- Helps reduce the risk of colon cancer
- Helps lower cholesterol
- Improve immune function
- Prevent infections and reduces inflammation
- Improve mineral absorption
- Helps maintain a healthy digestive system

Blush customers find it hard to believe that our frozen yogurt is as healthy as it is.



Pricing

We offer our frozen yogurt in three sizes:

- Small Size (4 ounces) at **\$2.75**
- Regular Size (8 ounces) at **\$3.75**
- Large Size (12 ounces) at **\$4.75**

Additional topping will be based on an incremental cost model:

- 1 topping \$0.99
- 2 toppings \$1.50
- 3 toppings \$1.75

Based on our current estimates, we believe that the average unit price per sale will be on average **\$5.25**. In addition, we plan to supplement revenues by offering secondary products such as smoothies, yogurt parfaits, shaved ice and other healthy beverages such as bottled juices and water. Based on our conservative estimates, we anticipate a profit in the first six months of operation.

Management

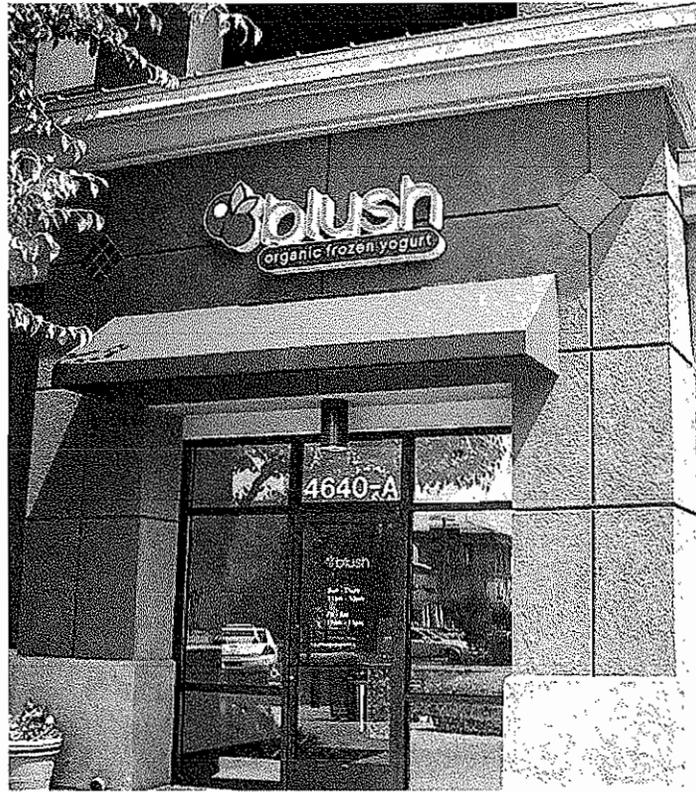
The principals will manage the Blush store.

Al and Cynthia Abad and Ian and Victoria Hinkle as co-owners will manage the day-to-day operations. As partners the principals will manage the set-up, expansion, marketing, and business development of the Blush business. The Abads are seasoned entrepreneurs in the dental industry with 20 years of experience.

Visual Concept

The Blush branding concept is upscale and vibrant. Below are samples that illustrate the type and quality ambiance we will attain for our retail locations:





TARGET MARKET AND COMPETITIVE ADVANTAGE

Target Market

All-natural organic non-fat frozen yogurt is in an ideal business for Blush given the lack of competition, high market potential, high-income neighborhoods, health conscious people who live and work in the Bay Area and the weather in the Silicon Valley Area.

Complement to the North Park Plaza

With several restaurants but no ice cream or frozen yogurt shops, the North Park Plaza is the perfect place to showcase our healthy dessert. Our upscale yogurt shop will complement the surrounding neighborhood, serving customers in both the residential and commercial areas, and will add a stylish feel to the North Park Plaza.

Competitive Advantage

Our direct and indirect competitors include outlets selling cold or frozen drink or desserts such as gelato, ice cream, frozen yogurt, smoothies, and iced coffee.

Although there is a TCBY and a Jamba Juice within a 3 mile radius of the proposed location, Blush will have a competitive advantage over these competitors as well as other competitors due to:

- The unique all-natural frozen yogurt recipe that creates a deliciously tart yogurt flavor (Unlike Blush, most of our frozen yogurt competitors use a powder mix to make their frozen yogurt.)
- An all-natural, organic, non-fat product
- Marketing a brand and image that is healthy and popular
- Our customers leaving the shop with a pleasant "blissful" experience.

Marketing Strategy

Blush's marketing strategy is based on word-of-mouth advertising. This is because the largest obstacle to marketing frozen yogurt in California is product awareness. With new food products, people are open to try something once and make a new discovery. People are less likely to experiment with their frozen desserts because unlike a meal, which is eaten three times a day, frozen desserts are reserved as special treats. Therefore, consumers are more wary of trying new products when it comes to ice cream.

During the first year, we will be advertising through direct mail, publications and promotions. However, we have found that advertising and promotions are not nearly as effective as educating customers in our store and letting them be our spokespeople. Therefore, Blush will invest much of its efforts into creating a great product and refining it based on customer feedback, and training employees about our product and the healthy aspects of our product so that product information is effectively conveyed to our customers. See the website at <http://www.blushyogurt.com>. See Yelp Reviews of Blush at <http://www.yelp.com/biz/blush-dublin>.

EXHIBIT A

Heated Competition. Steaming Neighbors. This Is Frozen Yogurt?

By Jennifer Steinhauer
The New York Times
February 21, 2007

CONDEMNATIONS have been made. Mildly menacing Internet comments have been exchanged. A lawsuit and a police report have been filed. Multitudes of parking altercations have occurred, with government officials summoned.

Yes, frozen yogurt is back.

For the past year, congeries of women in Ugg boots have lined up outside a chain of shops called Pinkberry to get a taste of Los Angeles's newest take on the airy, low-fat treat of yore. Otherwise reasonable people have hopped from illegally parked cars and waited as long as an hour to get a little cup of sour yogurt, in two flavors, plain and green tea, often topped with fresh fruit, or, inexplicably, Fruity Pebbles cereal.

Pinkberry's original store has drawn the ire of its West Hollywood neighbors after nearly a year of parking dramas and lawns dotted with small paper cups bearing little pink swirls.

The company's squabbles with the competitors that have sprouted around town have been the subject of fierce debate on Los Angeles food blogs and more than a dozen news articles in the local press. The rivals have plans to expand into Las Vegas and Florida. Meanwhile a company in Korea claims that it was the inspiration for Pinkberry.

Undeterred, Pinkberry has marched on with its own expansion, opening nine new stores in Los Angeles County over the last three months, and three in New York.

How has frozen yogurt, the leg warmer of food trends, managed to stage such a showy comeback?

When frozen yogurt was introduced in the 1970s, the American public was largely unwilling to countenance its tart taste. In the 1980s, the chains The Country's Best Yogurt (now TCBY) and I Can't Believe It's Yogurt added flavors and sugars, creating cloyingly sweet and chalky products.

Consumers were charmed by this low-fat, lower-calorie alternative to ice cream and its odious cousin, ice milk. Sales of frozen yogurt soared over 200 percent a year from the mid 1980s until the early 1990s.

But then a wave of new reduced-fat ice creams turned up and "frozen yogurt started to take a dive," said Steven Young, a food technologist and an ice cream expert who runs a consulting firm in Houston.

In 2005, 65 million gallons of frozen yogurt were produced in the United States, a significant decline from 1990, when 117.6 million gallons of the stuff was made, according to the International Dairy Foods Association.

The frozen yogurt that has taken Los Angeles by storm resembles the early, sour frozen yogurt more than its artificially flavored progeny. And the current craze seems to spring from Korea, where a company called Red Mango started selling sour-style yogurt in 2004.

Its 150 stores offer frozen yogurt made from a powdered base imported from Italy. "We call it natural, authentic yogurt," said Brandon Jo, chief executive officer of Red Mango Inc., the company's North American unit, which is opening its first American store in Westwood this April.

Around the same time Red Mango got started, Shelly Hwang and her boyfriend, Young Lee, who are both from Korea, were attempting to open a tea parlor in West Hollywood. When the neighborhood rejected their application for a liquor license, the two switched gears. In early 2005, Pinkberry was born.

Mr. Lee said there is nothing Korean about the idea, but Pinkberry closely resembles Red Mango: two flavors only, plain and green tea, served with toppings such as strawberries, sweetened cereals, coconut and, if one knows to ask, mochi — Japanese sticky rice. ("We don't put that out," Mr. Lee said. "It is kind of like going to In-N-Out Burger and ordering 'animal style.' ")

By spring of 2006, Pinkberry was so successful that neighbors of its original shop began to complain about parking and litter to the West Hollywood City Council. The store was ordered to shorten its evening hours and place guards in front to help control the crowds. Employees began to pick up litter.

Yet some neighbors want the store's license revoked. The city is trying to facilitate a compromise, and officials believe the spread of Pinkberry locations across Los Angeles may ease the traffic at the original store, said Susan Healy Keene, the director of community development for West Hollywood.

In the meantime, Pinkberry competitors have opened all over town.

There is Kiwiberri, and Fiore, in the Japanese Village Plaza downtown. Seeking the entrance to a parking structure in Westwood recently, I was momentarily stymied by a tiny shop called Snowberry, which was selling, well, you know.

In November, a shop called Berri Good opened in Fairfax, with kosher certification and a chartreuse-and-pink logo that is barely distinguishable from Pinkberry's.

"I don't think we're the same," said Uzi Moses, the owner of Berri Good. "We use different fonts." On top of that, he said, "You know we have celebrities here, right? Are you aware of that?"

Watching it all unfold, Red Mango executives are half frosted and half convinced that they are getting free market research, Mr. Jo said. "We are a little annoyed but at the same time they are introducing the product category to the marketplace."

Mr. Lee takes competition very seriously. John Bae, the owner of Kiwiberri, said that Mr. Lee had visited one of his stores puffing on a cigar and appeared to be up to something other than research.

"He came over at 11 p.m. and told me, 'I know where you live and I'm going to get you,' " Mr. Bae said. He filed a police report claiming he had been threatened with "great bodily harm," and demanded a restraining order against Mr. Lee, he said. A Los Angeles Police Department spokeswoman said that no restraining order was issued and that no criminal charges were filed. Mr. Lee denies making any threats. There has been one hearing on the matter in the city attorney's office with another scheduled for next month.

Mr. Lee, who in turn has filed a suit charging Mr. Bae with copying his logo and other trademark infringements, said that he did not like his competitor's business practices and filed the lawsuit to "teach them a lesson." Lawyers are engaged in settlement talks, with Pinkberry's side suggesting, among other things, that Mr. Bae change his logo and put a sign in his store stating that it has no connection to Pinkberry, and that he confess to posing as a regular yogurt lover while posting comments on food blogs under the name "yogurtfanetik." Mr. Bae called the settlement terms "ridiculous" and denied that he is yogurtfanetik.

Lawsuits, alleged threats and crowd control issues aside, how is Pinkberry's yogurt? Smooth, with a tangy finish to the plain. Doused with some fresh berries, it is almost addictive, and the lines at many Pinkberry locations seem understandable, even if Cap'n Crunch toppings do not. The green tea flavor is a bit more grainy and overbearing, and makes up less than 40 percent of the sales, Mr. Lee said.

Frozen yogurt's rebirth appears to be an outgrowth of the nation's obsession with food that offers health benefits (TCBY, looking for a revival of its own, added more live active cultures to its yogurt's base) and of its evolving palate.

David Kim, a yoga instructor who lives in Santa Monica, is not remotely concerned about Pinkberry's competitive issues. He gets his yogurt fix (small plain with mochi) once a week. "O.K., twice," Mr. Kim said. "If I could, I would get it three times. It doesn't immediately grab you, but there is something about the flavor that draws you in, and each time you go back you taste something a little bit different. The next thing you know, it's like crack."

FINANCIALS TO BE INCLUDED

Building		Seats	Square Footage	Ratio Required	Required Parking
Building 130 - Eric's Deli					
138	Cheese Steak	14 seats and 104 s.f. counter	1,021	1/ 2.5 seats and 1/50 s.f. counter	7
138	Vision Care		1,545	1/225	7
140	Cleaners		1,300	1/200	6
142	UPS Store		1,073	1/200	5
146	Nail Nook		1,031	1/200	5
148	Eric's Deli	112	2,447	100 seats at 1/3.5, 12 seats at 1/3 plus 10%	35
Building 521 - Peet's					
523	Office - vacant		3,390	1/200	17
527	Planet Beach		1,485	1/200	7
531	Retail		1,080	1/200	5
535	Credit Union		2,084	1/180	11
539	Retail		826	1/200	4
543	Peet's Coffee	32	1,615	1/ 2.5 seats	13
547	Jamba Juice	9	1,233	1/ 2.5 seats and 1/50 s.f. counter	7
Building 551 - Safeway					
555	Safeway store		55,884		279
	Café inside	53		1/ 2.5 seats	13
Building 637 - Credit Union					
573	KeyPoint Credit Union		3,747	1/180	21
581	Massage Envy		3,371	1/200	17
Building 595 - Comcast					
597	Comcast		2,513	1/200	12
599	Sushi Restaurant	53	2,182	1/3 seats plus 10%	19
601	Golf Store		2,000	1/200	10
603	Bank		3,997	1/180	22
607	Office		3,642	1/200	18
Building 621 - Staples					
621	Staples		20,066	1/200	100
Building 637 - Giorgio's					
643	Giorgio's	189	6,489	1/3 seats plus 10%	69
645	Retail		2,871	1/200	14
647	Retail		1,400	1/200	7
649	Retail		1,420	1/200	7

Building		Seats	Square Footage	Ratio Required	Required Parking
Building 749 - Mervyn's					
749	Retail		74,960	1/200	375
Building 755 - Big 5					
	Big 5		8,320	1/200	41
	Jenny Craig		2,669	1/200	13
	Kelly Services		1,181	1/200	6
Building 503 - Red Lobster					
Red Lobster		262		1/3.5 seats	75
Building 477 - El Torito					
El Torito		352		1/3.5 seats	100
Building 479 - Tung Kee					
497	Office		1,826	1/200	9
495	Retail		943	1/200	4
493	Retail		1,812	1/200	9
491	Dental		1,553	1/225	5
489	Proposed: Blush Yogurt	31		1/ 2.5 seats and 1/50 s.f. counter	16
481	New Tung Kee	160		116 seats at 1/3.5, 44 seats at 1/3 plus 10%	52
				Total Required	1442
				Total Provided	1457
				Surplus	15
*Shared parking agreement with all buildings listed					
*This analysis conducted in April 2009					