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October 3, 2018

VIA U.S. MAIL AND EMAIL

Stan Donn, AICP, Project Manager
City of Chula Vista, Development Services Department
276 Fourth Avenue, Chula Vista, CA 91910
Email sdonn@chulavistaca.gov

**Re: DR 15-0037, CUP 15-0023 (Appeal)
Wash-N-Go carwash**

Dear Mr. Donn:

On March 20, 2018, I wrote you a letter, a copy of which is attached, taking exception to the City of Chula Vista considering the Wash-N-Go carwash located at 495 Telegraph Canyon Road under a categorical exception to the California Environmental Quality Act (CEQUA). The exemption to an approval pursuant to CEQUA is meant to apply to In-Fill Development Projects where the project would not result significant effects to traffic, noise, air quality, or water quality. This exemption does not apply where the project has some feature that distinguishes it from others in the exempt class, such as size or location and there is a reasonable possibility of a significant effect on the environment due to the unusual circumstances. These unusual circumstances are outlined in my previous letter which is incorporated by reference herein.

On October 1, 2018, I had a conference call with Justin Rasas, P.E. of LOS Engineering, Inc. regarding his preliminary traffic operations review for the proposed carwash on Telegraph Canyon Road/Halecrest Drive. There are multiple issues with the traffic analysis prepared by Frank Rivera as documented in his May 9, 2018 memorandum. The first is that Mr. Rivera does not use any baseline analysis for trip generation. Even in evaluating the unusual circumstances exception, the agency must use a baseline for an environmental analysis which must reflect the existing conditions at the time of the analysis, even if those conditions deviate from the level of development or activity authorized at the site.

Mr. Rivera's report starts with vehicle trips from a 10 year old previous use at the car wash site when it was used as a gas station and then seeks to compare it with trip generations reported by the applicant with no supporting traffic data. The site today is a Goodwill donation center and auto repair shop. He then makes certain assumptions to arrive at a statement that the proposed carwash would generate a maximum number of 600 vehicles per day. Mr. Rivera also assumes that the maximum rate the carwash tunnel can process is 40 to 50 vehicles per hour. Counting

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both in and out trips this would come to 1,200 trips per day.¹ Mr. Rivera then uses the SANDAG Trip Generation rate of 600 vehicles per day per acre for a carwash times 0.55 acre site to equal 330 vehicles per day. From this Mr. Rivera concludes that the worst p.m. peak hour trip generation is 30 vehicles at the peak period.

First, Mr. Rivera's analysis assumes a baseline provided by the applicant and then compares it with a previous use trip generation as opposed to using an established baseline for the current use. Such an analysis would violate basic CEQA Guidelines which should take into consideration a baseline of existing conditions and can include potential future conditions. See *Pfeiffer v. City of Sunnyvale City Council* (2011) 200 Cal.App.4th 1552. A comparison of a 10 year old condition with an assumed vehicle trip generation is not an analysis of a current baseline condition required by CEQA.

A comparison from other sources for car wash trip generation indicates the assumed vehicle generation used by Mr. Rivera is substantially understated. The SANDAG publication for automatic carwash shows a rate of 900 vehicles per day per site with a peak p.m. hour of 81 trips. Additionally, Mr. Rivera uses the lower rate (600 ADT/acre resulting in 30 p.m. trips) from SANDAG as opposed to the higher SANDAG rate (900 ADT/site resulting in 81 p.m. trips). When compared to the Institute of Transportation Engineer's Trip Generation rates, the trip generation shows p.m. peak hour generation of 78 trips which is much more consistent with the SANDAG source generation of 81 p.m. trips based on 900 ADT/site. A comparison with other sources of trip rates show a low of 78 at p.m. peak hour to a high of 219. Even the lowest number of trip generations for the peak hour is over twice that used by Mr. Rivera based on his assumptions.

The standard practice to determine whether a traffic study is needed looks at whether the project exceeds 50 trip generations during the peak hour. The trip generation comparison from other available sources clearly indicates that the carwash project will exceed 50 trips per peak hour. The City of Chula Vista has required traffic studies on projects that generate far less than 50 peak hour trips. Caltrans' criteria on affected state highway facilities that experience significant delays such as levels of service of E or F recommends traffic studies where the project generates 1 to 49 peak hour trips.

There appears to be no support for an analysis that compares a 10-year-old previous use to an unsubstantiated and assumed current use that is substantially less than independently reported sources of car wash trip generation to determine that there is no impact on traffic.

¹ The site plan indicates an 82 foot building which would accommodate an 80 foot tunnel which according to the Sonny's, the manufacturer, can process 90 cars per hour.



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Mr. Rivera's analysis is also flawed in that it looks at levels of service based on a segment analysis as opposed to an intersection analysis. The intersection analysis for Telegraph Canyon at the I-805 northbound ramp shows a near-term Level of Service E (LOS E) based on the Sharp Hospital Traffic Study and characterizes this as a cumulative impact. Without a traffic study, it is impossible to know whether there will be additional cumulative impacts to the Telegraph Canyon Road/I-805 northbound ramp intersection and indeed whether it might cause it to go from an E to an F.

Under Environmental Impact Analysis for Transportation and Circulation, CEQA guidelines indicate that significant impacts will exist if there is a reasonable possibility that the project would substantially increase hazards due to a design feature and/or would result in an inadequate emergency access. Mr. Rasas' analysis shows that the car wash driveway on Halecrest Drive was blocked 19% of the time between 4 and 6 p.m. and during the peak hour for 4:45- 5:45 p.m. is blocked 20% of the time. This means if one carwash patron stops and waits to turn left they will block the sole northbound travel lane creating potential spill back into Telegraph Canyon Road. This will also create delays for patrons at the ARCO gas station across the street. This preliminary analysis demonstrates that the proposed car wash has a potentially significant impact and could block the busy Telegraph Canyon intersection adjacent to the freeway entry and exit which could affect emergency vehicles. Given that the preliminary study shows blockage of 20% during peak hours, by failing to do a traffic study, the City is avoiding an analysis of known conditions and how that would affect not only Mr. Bisharat's business, but the surrounding area. Persons trying to turn into the carwash heading northbound may find themselves blocked and would likely travel into the residential neighborhood to find a place to turn around which could impact the residential neighborhoods.

The conclusion of the preliminary analysis is that the proposed car wash has a significant potential to exceed the trip generation levels that would require a traffic study under City of Chula Vista and Caltrans' criteria. The fact that this preliminary analysis demonstrates that the Hillcrest driveway will be blocked 20% of the time during the peak hour demonstrates there is a reasonable possibility of a significant effect on the environment.

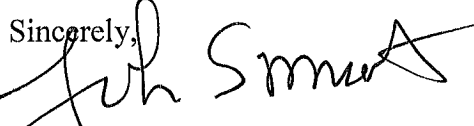
Mr. Rasa and I are willing to meet with you, Mr. Rivera, Mr. Shirey and anyone else you feel is appropriate to go over his preliminary review in advance of a presentation at a public hearing as



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we believe a traffic study and some CEQUA analysis should be done before this matter is considered by the City Council.

Sincerely,


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of
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cc

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