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January 18, 2019

VIA U.S. MAIL AND EMAIL

Honorable Mayor Mary Salas and Members of the Chula Vista City Council c/o City Clerk, Kerry Bigelow 276 Fourth Avenue Chula Vista, CA 91910 Email <u>KBigelow@chulavistaca.gov</u>

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

Honorable Mayor and Members of the City Council:

Appellant Rod Bisharat, does hereby submit for your consideration this supplemental information and evidence for the currently scheduled City Council hearing on the appeal of the Planning Commission's decision regarding the Wash N Go carwash.

1. Procedural Status

At the Council hearing on November 27, 2018, a motion was made to adopt the City Staff's recommendation to deny the appeal. The vote failed, with two members of the Council voting to support the Staff recommendation to reject the appeal and with three members voting not to adopt the staff recommendation. Pursuant to Chula Vista Municipal Code Section 19.14.130, the decision by the City Council on an appeal from the Planning Commission is final. The City of Chula Vista Charter at section 2.04.570 proscribed reconsideration or rescission of prior actions in only two ways: a motion to set aside a vote to consider action on a main motion shall always be in order at the same meeting, or, a motion to rescind (repeal, cancel, nullify) prior Council action on a main motion shall be in order at any meeting of the Council.

Since there was no motion to set aside or reconsider the main motion at the Council meeting, that decision is final. A motion may be made at another meeting of the Council, but under the *Brown Act*, a notice to rescind, repeal, cancel or nullify the prior Council action must be noticed in advance or the matter cannot be considered. The record of the prior Council action reflects three votes not to adopt the staff recommendation which, in effect, constitutes three votes

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to grant the appeal. This action is final until notice to the public is given that the City Council will consider rescinding its prior action.

2. <u>The Records of the Planning Commission Hearing Does Not Support the Findings Which</u> the Development Services Department Indicated Were Required

Prior to the last Council hearing, Appellant, on August 17, 2018, made a Public Records Act ("PRA") Request, requesting in pertinent part:

"Any analysis of the safety of allowing such an exit and any historical evidence regarding the original do not enter signs that were on the site and who asked that they be installed and if any permission was granted to have them removed."

The PRA request also specifically asked for any traffic study regarding the intersection of Halecrest and Telegraph Canyon Road and "the ability to safely exit the site based on current conditions." <u>See</u> Exhibit 1. Following the Council hearing, a member of the public who was involved in the project when it was being handled by Associate Planner Rich Zumwaldt, provided Appellant with documents that were not produced in response to the PRA request for the Council hearing. In fact, the existence of these documents was never brought to the attention of the Planning Commission. The documents referenced relevant evidence and standards not presented and/or considered by the Planning Commission or City Council.

In a letter dated February 15, 2016, to the project Applicant, (hereinafter "Applicant") the Development Services Department ("DSD") advised the Applicant of certain Required Approval/Finding which included the following:

- A. That the proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood or community;
- B. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or interest to property or improvements in the vicinity; ... See Exhibit 2, p. 2.

After the deficient response to the PRA request was brought to the attention of the City, the response was supplemented. In the supplemental response was another letter July 7, 2016, sent to the Applicant by DSD, which, in 'Attachment 1", confirmed the findings required for a conditional use permit as set forth in the previous February 15, 2016 letter. These findings came

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from a different project manager who apparently took over the project after Mr. Zumwaldt passed away.

The Applicant presented insufficient evidence at the Planning Commission hearing to establish that **the use** at this location is **necessary or desirable** and will contribute to the general well-being of the neighborhood, and that it will **not be detrimental to the health, safety or general** welfare of persons residing or working in the vicinity **or injurious to property in the vicinity**. The Applicant did not offer evidence that there was a shortage of car washes in the area. In fact, there is a car wash at the very next freeway exit. The Applicant did not establish the use was desirable because it generated significant tax revenue because it does not. The findings required by DSD as to necessity or desirability of a car wash were not supported by the evidence presented at the Planning Commission hearing or at the City Council hearing.

3. The CEQA Finding

The CEQA exemption relied on by the Planning Commission was for In-Fill Development Projects and is found in section 15332 of the *California Code of Regulations*. In order for this exemption to apply, under section (d) the Planning Commission would need to find that the "Approval of the project would not result in any significant effects relating to traffic, noise, air quality or water quality." Among the documents that were left out of the PRA response and not acknowledged at the Planning Commission or available at the City Council hearing, was a February 11, 2016, memo from Mr. Zumwaldt to Senior Planner Miguel Tapia, stating:

"There is a **potential traffic hazard from project traffic merging with freeway on-ramp traffic** directly onto Telegraph Canyon Road. The Land Development Division recommends that the driveway access Telegraph Canyon Road be reviewed and approved by Caltrans and the City Traffic Engineer." <u>See</u>, Exhibit 3, pg 2, #12.

The memo goes on to state: "Because the site is adjacent to the on-ramp to I–805, and the driveway opens onto the freeway on-ramp, **Caltrans review is required.** See, Exhibit 3, pg 2, #13.

The record before the Planning Commission does not reflect any examination, much less a finding as to this "potential traffic hazard." Since the Applicant presented no traffic study analyzing this potential traffic hazard, nor is there any evidence in the record that Caltrans reviewed the project for the potential traffic hazard identified by Mr. Zumwaldt, the Planning Commission could not have made, based on the evidence presented, a finding that the exception applied and there were no significant effects relating to traffic, or that "under the circumstances

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of the particular case", the use will not be "detrimental to the health, safety or welfare" to persons or property in the vicinity as required by DSD. Certainly, a traffic hazard relating to cars merging with freeway on-ramp traffic from a driveway where a "no entry" sign previously prohibited it would constitute a significant effect on traffic.

4. <u>The Evidence Presented to the City Council Identifies Two Significant Traffic Safety</u> <u>Issues That Precluded Proceeding Under a CEQA Exception</u>

The first potential traffic hazard is identified in the Zumwaldt memo (Exhibit 3) and was a matter of some discussion at the Council hearing prompting a request for Caltrans to review the traffic issues, which the Zumwaldt memo indicates "is required". Caltrans has declined to comment on the issued requested but would have if the City had invoked the CEQA process. As an affected jurisdiction, once the City decides the CEQA review is necessary, as opposed to proceeding under an exception, then Caltrans has jurisdiction to provide comments. If the City wants Caltrans inputs on traffic safety issues, the solutions is simple – proceed under CEQA.

The record before the Planning Commission and City Council reflects only an analysis of whether the project driveway was in the Caltrans right-of-away by way of with a letter with a project map, apparently sent by the City, showing arrows exiting the driveway. Since the driveway is not in the Caltrans right-of-way, the "do not enter" sign, which apparently had been knocked down, falls solely within the City's jurisdiction. If the City were to proceed under CEQA and not an exception, Caltrans would, like any other affected agency, provide its comments.

In addition to the traffic hazard from merging car wash traffic with the freeway on-ramp, Appellant's data establishes a second potential traffic hazard relating to spill back. A traffic count at the project site conducted by LOS Engineering establishes that the driveway onto Halecrest Drive (the second driveway) is blocked 20% of the time to inbound Wash n Go patrons. This creates a situation where spill back occurs onto Telegraph Canyon Road, leaving cars stuck in the path of ongoing westbound traffic. This spill back is demonstrated by the attached Exhibit 4, which shows the actual data causing the spill back condition and evidence of the spill back already occurring without the additional trip generation of the project. At the Applicant's existing car wash at Rosecrans and Cobby Street, there is also spill back. See Exhibit 5. Given that two separate potential traffic safety hazards have been identified, proceeding under the CEQA exemption can no longer be justified.

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5. The Project Applicant Has Failed to Conduct a Traffic Study Mandated by The Santec/ITE Guidelines for Traffic Impact Studies in the San Diego Region.

LOS Engineering presented at the City Council hearing the guidelines for conducting traffic studies in the San Diego region. Under section IV, Need for Study, the Santec guidelines state that a traffic impact study "should be prepared for all projects which generate traffic greater than 1,000 total average daily trips (ADT) or 100 peak-hour trips." The report goes on to state that the geographical area examined in a traffic impact study must include all local roadway segments, intersections, and mainline freeway locations where the proposed project will add 50 or more peak-hour trips in either direction to the existing roadway traffic. See Exhibit 6, pg 4.

The Applicant did not conduct any study to verify by actual site-specific data the number of peak hour trips. Instead, Applicant took a book number from the SANDAG and manipulated it based on the size of the site in attempt to come within Santec Guidelines. However, Applicant actually operates another car wash in San Diego County that has a 60-foot car wash tunnel, whereas the current project proposes an 80-foot tunnel as documented in the Planning Commission Report. Based on materials provided by the manufacturer who Applicant purchased the Rosecans car wash tunnel from, an 80-foot tunnel processes up to 90 cars per hour. See, Exhibit 7.

LOS Engineering went out and performed an actual traffic count at Applicant's similar car wash, with a smaller 60-foot tunnel, and presented data that established 144 peak hour trips - 69 inbound and 75 outbound. These 144 peak hour trips exceeds the Santec Guidelines of 100 peak hour trips, yet Applicant failed to prepare a traffic study, which should have been prepared given the similarity with his other site. Without the traffic study called for in the guidelines, the findings necessary to bring the project under CEQA exemption simply do not exist. Hypothetical manipulation of numbers in a book is no substitute for actual traffic counts based on objective, verifiable data which is evidence.

6. The Unusual Circumstances Exception "to Categorical Exemptions".

Even if the Applicant could rely on the categorical exemption for in-fill development, such an exemption does not apply where there are "unusual circumstances". This "unusual circumstances" exception is discussed in numerous reported opinions the most recent of which is <u>World Business Academy v. States Land Commission</u>, decided on June 13, 2018. A categorical exemption may not be used "where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances". A project may have a

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environment..." In the context of the unusual circumstance exception, it typically requires a two-part showing" (1) that the project has some feature that distinguishes it from others in the exempt class, such as size or location and (2) there is a reasonable possibility of a significant effect on the environment due to the unusual circumstances."

First, this project has distinct features to distinguish it from other in-fill developments based on its location. The project is right next to a freeway on-ramp and an intersection that is projected to operate in the near-term at level of service "D" in the a.m. peak hours and level of service "E" in the p.m. peak hours. <u>See</u>, Exhibit 8. LOS's objective data shows peak hour trip generation for a car wash occurs in the evening, which is also when the Halecrest driveway is blocked 20% of the time, causing spillback. The evidence reflects a reasonable possibility of a significant effect on the environment due to those unusual circumstances. The impacts are the potential traffic hazard identified in the Zumwaldt memo (Exhibit 3)and the spill back identified in the LOS study. Even if it were appropriate for Applicant to rely on the infill exemption to begin with, applying the unusual circumstances exception, a CEQA analysis is required.

7. <u>Under the Unusual Circumstances Exception, the Existence and Significance of an Environmental Effect Must be Measured From the "Baseline", or State of the Environment Absent the Project.</u>

The aforementioned <u>World Business Academy</u> case makes clear that "the relevant baseline consists of the existing conditions at the time the agency considers the project." The analysis presented by the Traffic Engineer is not the baseline condition existing at the time the Planning Commission considered the project. The May 9, 2018, memo tries to establish a baseline based on the project site being used as a gas station, which has not operated as a gas station for over 10 years. Further, the project site is not in the same condition as it was when it operated as a gas station. A portion of the property was taken by eminent domain to construct the dedicated lanes to the freeway on-ramp. Enough of the property was taken such that the operator, Arco, shut down the station, in part due to the previous determination that traffic could not exit the driveway onto the dedicated lanes. The potential danger that exists can easily be visualized. See, Exhibit 9.

Using a 10-year-old use on a significantly altered site is not "the existing conditions at the time the agency is considering the carwash project." Even then, there were fatal flaws in the analysis. The memo states that the 10-year-old gasoline station use (without citing to the data), was 160 vehicles per fueling station per day, totaling 1,280 trips per day. The 1,280 trips, however, is in and out, so the actual vehicles entering, and exiting is 600. The gasoline station operated 24 hours a day, whereas the car wash operates only 12 hours per day. As will be

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testified to by Mr. Bisharat, one-third of the vehicle trips for a 24-hour gas station which he currently operates, occurs between 8 p.m. and 8 a.m.

The analysis presented by the Principal Civil Engineer, relying on a representation by the Applicant, again without any backup data, then states the car wash is expected to generate between 350 to 450 vehicles in a 12-hour schedule. The Applicant represented to the Civil Engineer that the maximum rate that the car wash tunnel can process vehicles is at 40 to 50 vehicles per hour. This representation by the Applicant, however, is false. An 80-foot carwash tunnel, as the Appellant demonstrated at the Council hearing, can in fact process up to 90 cars per hour. See, Exhibit 7. Taking the average of 400 vehicles per 12-hour schedule stated in the analysis and utilizing the actual maximum rate of 90 cars per hour, not 40 to 50, one in fact gets close to 800 vehicles per 12 hours. Accepting Civil Engineers data that the 10-year-old gas station generated 600 cars, when the analysis is carefully scrutinized and the correct maximum rate which is almost double, is used, the car wash produces more vehicles in 12 hours of operation than the 10-year-old gas station produced in 24 hours. Not only is the Civil Engineer's analysis not based on a baseline of the project as it exists today, when accounting for the inaccurate information provided by the Applicant, the proposed carwash actually generates more vehicle trips, not less.

8. <u>Should One Project Potentially Put at Risk the Health and Safety of the Occupants of 61,271 Vehicles That Utilize Telegraph Canyon Road Every Day?</u>

The principal Civil Engineer states that as of April 2015, 61,271 vehicles per day use Telegraph Canyon Road. As demonstrated by LOS and due to the current blockage of the driveway 20% of the time at peak hours, there is the potential spill back of traffic into the travel lanes of Telegraph Canyon Road from cars attempting to enter the carwash. The question for the Council to decide is whether one project, with the potential to endanger the health and safety of the drivers and passengers of the 61,000 daily vehicles using Telegraph Canyon Road, should be approved without requiring an independent traffic study to analyze this safety hazard. Compounding this problem, governmental agencies have design immunity for their roadways and streets. However, if the Applicant convinces the City they do not have to do a traffic study to analyze both potential traffic safety hazards and a serious accident occurs, the City could potentially lose its design immunity should the injured party learn that the City failed to require a traffic study to show that the condition and design it allowed was safe. Is it really worth it? Is the Applicant prepared to indemnify the City for damages if they proceed without a traffic study?

CEQA exists to ensure transparency and openness in the approval of projects. Its purpose is to identify potential project impacts such as noise and safety. The openness and transparency

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promoted by CEQA allows agencies in other affected jurisdictions to examine potential impacts on the environment and the City to consider appropriate mitigating measures that might alleviate the environmental impacts. Common sense dictates that the City should not allow the Applicant to proceed under an exception to CEQA, but instead go through the process of doing a sitespecific data-driven traffic study that actually analysis the project impacts examines the potential safety hazards, and ensures that the 61,271 daily users of Telegraph Canyon Road will not be at risk for an accident that could have been avoided.

Respectfully submitted. John S. Moot

of Schwartz Semerdjian Cauley & Moot llp

JSM\deg Enclosure(s)

EXHIBIT '1'

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OFFICE OF THE CITY CLERK CITY OF CHULA VISTA **REQUEST FOR PUBLIC RECORDS**

276 Fourth Avenue, Chula Vista, CA 91910 Phone: (619) 691-5041 Fax: (619) 585-5774

cityclerk@chulavistaca.gov (mailto:cityclerk@chulavistaca.gov)

PURSUANT TO THE CALIFORNIA PUBLIC RECORDS ACT (GOVERNMENT CODE § 6250 ET. SEQ) YOU WILL BE NOTIFIED WITHIN 10-DAYS OF THE STATUS OF YOUR REQUEST,

To expedite your request and to eliminate opportunities for error, please complete this form with as much detail as possible and identify specifically the records you are requesting, Requests should reasonably describe identifiable records prepared, owned, used or retained by the City of Chula Vista. If you need assistance with identifying a specific type of record we would be happy to help (Government Code § 6253.1).

REQUESTOR INFORMATION

Name:*

Date

Rod Bisharat

Company/Organization:

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RT Bish Inc.

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New Submission

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619.236.8821	619.23	6.8827
	REQUESTED RECOR	DS .
J Fire Inspection/Incident Records J Police Records	 E) Code Enforcement Records (x) Planning Records (i.e. Zoning) 	 Copy of Business License Financial Records
Animal Control Records	Building Records (i.e. Permits)	
	Inspections)	
ESCRIPTION OF RECORDS:		
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8/17/2018

New Submission

Attorney for Mr. Bisharat

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Signature:

sign JohSmut

PRA Exceptions: Requests requiring computer programming will be charged a fee of the full cost including overhead for the time to create such document or program. Requestor will be required to provide a deposit to cover estimated costs, as calculated by City Staff. Requests for these services must be made in writing.

Submit

EXHIBIT A

I would like to review any information or environmental document that addresses the issues raised by my appeal, a copy of which is attached to this Exhibit A. Specifically, any traffic study regarding the intersection at Halecrest and Telegraph and the ability to safely exit the site based on current conditions. Communication with Caltrans re exiting the car wash onto the dedicate freeway lane onto 805. Any analysis of the safety of allowing such an exit and any historical evidence regarding the original do not enter signs that were on the site and who asked that they be installed and if any permission was granted to have them removed. Any proposed redesign to address the noise issues effecting the neighbors directly adjacent to the proposed blowers and any noise study of the actual blower systems to be used. Soil testing locations and results and if any notification given to the County Department of Environmental Health regarding a change in land use of the site as well as any on site capture or discharge system for water on the site of proposed car wash. Lastly, any communications with the car wash applicant regarding the issues identified above. Please let me know when this information is available for our review.



Development Services Department Planning Division | Development Processing

APPEAL APPLICATION FORM

Appeal the decision of the:

- Zoning Administrator
- Planning Commission

STAFF USE ONLY Date Röcelved; Fee: Rocelpt#______ Cose #_____

from contaminated soils.

Application Information

Name of Appellant Rod Bishart	Phone	
Address		
Business Address 501 Telegraph Canyon Road, Chula Vista, CA 91910		
Project Address 495 Telegraph Canyon Road, Chula Vista, CA 91910	·	
Project Description STP Wash "N" Go Car Wash CUP 15-0023		
(Example: variance; conditional use permit, design revi	lew, etc.)	
Please use the space below to provide a response to the decision you are appealing.	Attach additional	sheets, If necessary,
Grounds for an appeal must be based on at least one of the following:		

(1) Factual Error. The statements or evidence relied upon by the decision maker when approving, conditionally approving, or denying a permit, map, or other matter was inaccurate;

(2) New Information. New Information is available to the applicant or the interested person that was not available through that person's reasonable efforts or due diligence at the time of the decision; or

(3) Findings Not Supported. The decision maker's stated findings to approve, conditionally approve, or deny the permit, map, or other matter are not supported by the information provided to the decision maker.

In order for an appeal to be valid, detailed responses must be included which cite at least one of the above reasons for the appeal along with substantiation of the facts and circumstances on which the claim of theappeal is based. If an appeal is filed within the time limit specified, and determined to be valid, it automaticallystays proceedings in the matter until a determination is made by the City Council.

 Factual error - applicant permitted an exit onto Telegraph Canyon Road. Calirans/City previously precluded this when new entrance lane onto highway #805 was constructed. Commission accepted closure letter as evidence soil at former gas station not contaminated.
 Findings NOT supported. No CEQUA analysis done. Project permitted without traffic analysis or traffic study at an impacted

Intersection at Halorest and Telegraph Canyon Road, Planning commission failed to address, resolve issues, or make findings

regarding issues set forth in attached Exhibits A and B and how handling of on site water would not contribute to off site migration

Appeal Form Directions

Pursuant to the Chula Vista Zoning Ordinance Chapter 19.14, an interested party may appeal the decision of the Zoning Administrator, or Planning Commission to the City Council. The appellant must be an interested party. An interested party means a person who was present at a public hearing from which an appeal arose and who had filed a speaker slip with the decision maker at that public hearing, or a person who expressed an interest in the project in writing to that decision maker before the close of the public hearing or a decision on an action from which an appeal may be filed. The appellant must file a complete appeal application form within the specified appeal period (10 business days after the decision has been made), complete the Disclosure Statement, and pay the required fee. Once a valid appeal form is filed, the appeal will be scheduled for a hearing by the City Council within 30 days.

<u></u>	Signature of Appel	ant Date.	•	
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	Development Services Depa	rtment		Clty Clerk
1of1	276 Fourth Avenue Chula Vista Call	fornia 91910	(619) 691,5101	APPEAL Roy 5.14

EXHIBIT '2'

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Development Services Department

February 15, 2016

Jorge Gonzalez

Dear Jorge,

Subject: Wash 'N Go, CUP-15-0023/DR15-0037; Account # DQ-3107

The Development Services Department has completed the first review of the project referenced above. The application requests approval of a Design Review and Conditional Use Permit to construct a 2,860 sq. ft. automated carwash building with an office and 15 parking spaces. The Project site is located at 495 Telegraph Canyon Road in Chula Vista. The Project site is designated Professional Office/Commercial (CO) by the City's General Plan, and is zoned Central Commercial-Design District (CCD).

The purpose of this letter is to summarize the significant project issues and identify a course of action for the processing of your project. This letter contains detailed review comments from staff representing various disciplines and outside agencies, which are included as attachments to this letter. These agencies include the Planning Division, Building Division, Land Development Division, Landscape Architecture Division, Public Works-Recycling and Solid Waste, and Sweetwater Authority. The Plans are also in the process of being reviewed by Caltrans and the City Traffic Engineer, and staff will forward those comments to you as soon as possible

If any additional requirements should arise during the subsequent review of your project, we will identify the issue and the reason for the additional requirement. To resolve any outstanding issues, please provide the information that is requested in this Issues letter and attachments. If you choose not to provide the requested additional information or make the requested revisions, processing may continue. However, the project may be recommended for denial if the remaining issues cannot be satisfactorily resolved and the appropriate findings for approval cannot be made.

As your Project Manager, I will coordinate all correspondence, e-mails, phone calls, and meetings directly with the applicant's assigned "Point of Contact". The addressee on this letter has been designated as the Point of Contact for your project. Please notify me if you should decide to change your Point of Contact while I am managing this project.

I. REQUIRED APPROVALS/FINDINGS

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The project proposes construction of a 2,860 sq. ft. automated carwash building which requires approval of a Conditional Use Permit and Design Review (DRC) Application, pursuant to Zoning Ordinance requirements. Because the project requires construction of a new building, the Municipal Code requires that the Planning Commission consider the Conditional Use Permit at a public hearing. Because the project proposes less than 20,000 square feet of floor area, processing of an Administrative Design Review Application is permitted. The Municipal Code also requires that the consideration of both permits be consolidated for processing and reviewed by one hearing body for the permit at the highest level, which for this project is the Conditional Use Permit. Therefore, a public hearing before the Planning Commission is required for both permits.

In order to recommend approval of your Design Review permit, certain Design Review findings must be substantiated in the record:

- 1. That the proposed development is consistent with the development regulations of the Chula Vista Municipal Code, and other applicable regulatory documents;
- 2. The design features of the proposed development are consistent with, and are a cost effective method of satisfying the City of Chula Vista Design and Landscape Manuals.

In order to recommend approval of the Conditional Use Permit, the following four findings must be made and substantiated in the record:

- A. That the proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood or the community;
- B. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity;
- C. That the proposed use will comply with the regulations and conditions specified in this title for such use;
- D. That the granting of this conditional use will not adversely affect the General Plan of the City or the adopted plan of any governmental agency.
- **II. SIGNIFICANT PROJECT ISSUES:** The significant project issues are summarized below. Resolution of these issues could affect your project.

Key Issues:

Development Services Department/Planning Division Comments:

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1. The Project requires preparation of a noise study by a City.-qualified acoustical consultant addressing potential noise impacts to the adjacent single-family residential and commercial properties to the north, generated by car wash equipment. The study shall also consider the ambient noise from the I-805 Freeway and Telegraph Canyon Road traffic. See the attached list of qualified acoustical consultants (Attachment 7).

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- 2. The Project also requires preparation of a Phase I Environmental Assessment of the site to determine if previous car repair use and demolition of the existing commercial building would have potential environmental impacts. See the attached list of qualified acoustical consultants (Attachment 8).
- 3. Submittal of a Preliminary Environmental Review application and fee of \$2,800 is required to process the above technical studies. See the attached application (Attachment 9).
- 4. See the memo dated February 11, 2016 for other Planning Division comments (Attachment 1).

Land Development Division:

5. The Land Development Division recommends that the driveway opening directly onto Telegraph Canyon Road be reviewed and approved by Caltrans and the City Traffic Engineer prior to project approval, and the plans are in the process of being reviewed. Staff will forward those comments to you as soon as possible. See the attached checklist date 1/5/16 for other Engineering comments. Please contact Associate Engineer Chester Bautista 619-476-5332 if you have any questions.

See the Issues letter Attachments for additional comments and corrections from the Building Division, Landscape Architecture Division, Public Works-Recycling and Solid Waste, and Sweetwater Authority.

III. TIMELINE:

Please review this letter and attached memos carefully prior to correcting and resubmitting the revised plans. Upon your review of the Issues letter, you may wish to schedule a meeting with staff and your consultants prior to resubmitting the project. Please contact me if you wish to schedule a meeting with staff. During the meeting, we will also focus on key milestones that must be met in order to facilitate the review of your proposal and to project a potential timeline for a hearing date. If no meeting is required, please submit a letter of response including the requested information. Your next review cycle should take approximately 21-30 days to complete.

In order to continue the timely processing of your project, please submit any requested information and/or materials no later than 90 days from the date of this letter. Please note that CVMC 19.14.700 requires that a development permit application be closed if you

Page 4 Jorge Gonzalez 2/15/16

fail to submit or resubmit requested materials, information, fees, or deposits within 90 calendar days. Once closed, the application, plans and other data submitted for roview may be returned to you or destroyed. To reapply, you are required to submit a new development permit application with required submittal materials, and will be subject to all applicable fees and regulations in effect on the date the new application is deemed complete.

If you wish to continue processing this project, any delays in resubmitting projects and/or responding to City staff's inquiries negatively impact this Department's ability to effectively manage workload, which can lead to both higher processing costs and longer timelines for your project.

IV. PROJECT ACCOUNT STATUS: Our current accounting system does not provide for real-time information regarding account status, however, our records show that there was a positive balance of \$14,891,00 in your account as of December 31, 2015. Work on the project is on-going and additional charges to the account incurred after the above date will be included on the next statement, which will further reduce the balance. Your attention to keeping the account balance positive is critical to continue processing of the project and is greatly appreciated. You can expect monthly statements with the break-down of staff charges to your account. Should you have questions about those charges, please feel free to contact me directly.

V. RESUBMITTALS/NEXT STEPS:

When you are ready to resubmit, please contact me to schedule an appointment for a resubmittal. Re-submittals may also be done on a walk-in basis, however you may experience a longer than desirable wait time. In either case, please check in at the Development Services Department Counter to be placed on the customer service list. At your appointment, provide the following:

A. <u>Plans and Reports</u>: Provide 4 sets of revised plans. The plans should be folded to an approximate $8 \frac{1}{2} \times 11$ - inch size.

B. <u>Issues response letter</u>: Prepare a cover letter that specifically describes how you have addressed each of the issues identified in this letter and the attached memorandums. You may choose to format the responses in matrix form with the issues identified in the Issues Report and a written response as to how you have addressed the issue. If the issue is addressed on one or more sheets of the plans or the reports, please reference the plan, sheet number, report or page number as appropriate. If it is not feasible to address a particular issue, please indicate the reason. <u>Include a copy of this Issues Letter and your response letter if applicable</u>, with each set of plans.

VI. STAFF REVIEW TEAM: Should you require clarification about specific comments from the staff reviewing team, please contact me, or feel free to contact the reviewer directly.

Page 5 Jorge Gonzalez 2/15/16

For modifications to the project scope, submittal requirements or questions regarding any of the above, please contact me prior to resubmittal. I may be reached by telephone at (619) 691-5255 or via e-mail at <u>rzumwalt@ci.chula-vista.ca.us</u>. If I am not available, please contact Senior Planner Miguel Tapia at (619) 691-5291 or by e-mail at <u>mtapia@ci.chula-vista.ca.us</u>

Sincerely,

Richard Zumwalt, AICP, Associate Planner Development Services Project Manager

Enclosures:

- 1. Planning Division Memo dated 2/11/16
- 2. Building Division Memo dated 2/2/16.
- 3. Land Development Division Checklist dated 1/5/16
- 4. Landscape Architecture Division memo dated 1/21/16
- 5. Public Works-Recycling and Solid Waste comments dated 1/13/16
- 6. Sweetwater Authority Letter dated 12/30/15.
- 7. Qualified Acoustical Consultant List
- 8. Qualified Hazardous Materials Consultant List
- 9. Preliminary Environmental Review Application
- cc: Neil Capin, 1835 Palm Ave., San Diego, CA. 92154 Miguel Tapia, Senior Planner



Development Services Department

July 7, 2016

Gene Cipparone Architect, Inc. Attn: Gene Cipparone

Subject: Wash 'N Go Carwash Issues Report; 495 Telegraph Canyon Road Project No. DR15-0037, CUP-15-0023, & PER16-0003 Second Review

Dear Gene,

The Development Services Department has completed the second review of the project referenced above, and described as:

Proposed 2,860 square-foot automated carwash building with vacuum stations on a .55 acre site.

Attached is an Issues Report (Attachment 1) that contains detailed review comments from staff representing various disciplines and outside agencies. The purpose of this letter is to summarize the significant project issues and identify a course of action for the processing of your project.

If any additional requirements should arise during the subsequent review of your project, we will identify the issue and the reason for the additional requirement. To resolve any outstanding issues, please provide the information that is requested in the Issues Report. If you choose not to provide the requested additional information or make the requested revisions, processing may continue. However, the project may be recommended for denial if the remaining issues cannot be satisfactorily resolved and the appropriate findings for approval cannot be made.

As your Project Manager, I will coordinate all correspondence, emails, phone calls, and meetings directly with the applicant's assigned "Point of Contact". The addressee on this letter has been designated as the Point of Contact for your project. Please notify me if you should decide to change your Point of Contact while I am managing this project.

I. **REQUIRED APPROVALS/FINDINGS** - Your project as currently proposed requires the processing of:

Required Approvals:

 Design Review Permit (Admin) to construct a 2,860 square-foot automated carwash building with vacuum stations on a .55 acre site. Page 2 Wash 'N Go Carwash July 7, 2016

> Conditional Use Permit (Hearing) to allow the use of a 2,860 square-foot automated carwash building with vacuum stations on a .55 acre site.

Required Findings: In order to recommend approval of your project, certain findings must be substantiated in the record. Attachment 1 contains the standard findings required for the project.

II. SIGNIFICANT PROJECT ISSUES: The significant project issues are summarized below. Resolution of these issues could affect your project. Additional explanation is provided in the Issues Report (Attachment 1).

KEY ISSUES:

- Issue #1: Revise the Noise Study to comply with the Chula Vista Municipal Code.
- Issue #2: Submit the necessary technical studies, such as, the Geotechnical Report, Drainage Study, Storm Water Quality Management Plan for the review and approval by the Land Development Division.
- Issue #3: Due to the site being located at a prominent location, the architecture and landscaping should be upgraded.

TIMELINE:

III.

Upon your review of the attached Issues Report, you may wish to schedule a meeting with staff and your consultants prior to resubmitting the project. Please contact me if you wish to schedule a meeting with staff. During the meeting, we will also focus on key milestones that must be met in order to facilitate the review of your proposal and to project a potential timeline for a hearing date. Your next review cycle should take approximately 30 days to complete.

In order to continue the timely processing of your project, please submit the requested information and/or materials no later than 90 days from the date of this letter. Please note that CVMC 19.14.700 requires that a development permit application be closed if you fail to submit or resubmit requested materials, information, fees, or deposits within 90 calendar days. Once closed, the application, plans and other data submitted for review may be returned to you or destroyed. To reapply, you are required to submit a new development permit application with required submittal materials, and will be subject to all applicable fees and regulations in effect on the date the new application is deemed complete.

If you wish to continue processing this project, any delays in resubmitting projects and/or responding to City staff's inquiries negatively impact this Department's ability to

City of Chula Vista

Page 3 Wash 'N Go Carwash July 7, 2016

effectively manage workload, which can lead to both higher processing costs and longer timelines for your project.

IV. RESUBMITTALS/NEXT STEPS: When you are ready to resubmit, please contact me to schedule an appointment for a resubmittal. Resubmitals may also be done on a walk-in basis, however you may experience a longer than desirable wait time. In either case, please check in at the Development Services Department Counter to be placed on the customer service list. At your appointment, provide the following:

A. <u>Plans and Reports</u>: Provide four (4) sets of plans. The plans should be folded to an approximate $8\frac{1}{2} \times 11$ inch size.

B. <u>Issues Report response letter</u>: Prepare a cover letter that specifically describes how you have addressed each of the issues identified in the Issues Report and any issues identified in this cover letter, if applicable. You may choose to format the responses in matrix form with the issues identified in the Issues Report and a written response as to how you have addressed the issue. If the issue is addressed on one or more sheets of the plans or the reports, please reference the plan, sheet number, report or page number as appropriate. If it is not feasible to address a particular issue, please indicate the reason. <u>Include a copy of this Issues Letter</u>. <u>Issues Report and your response letter if applicable</u>, with each set of plans.

V. STAFF REVIEW TEAM: Should you require clarification about specific comments from the staff reviewing team, please contact me, or feel free to contact the reviewer directly. The names and telephone numbers of each reviewer can be found on the enclosed Issues Report.

For modifications to the project scope, submittal requirements or questions regarding any of the above, please contact me prior to resubmittal. I may be reached by telephone at (619) 409-5883 or via e-mail at cyoung@chulavistaca.gov.

Sincerel

Caroline Young Development Services Project Manager

Enclosures:

- 1. Standard Findings Required for Permit
- 2. First Review Issues Report
- cc: Review Team (Issues Letter and Issues Report only) Steve Power, Planning Division (Issues Letter only) File

Page 4 Wash 'N Go Carwash July 7, 2016

ATTACHMENT 1: Findings for Design Review Permit

- 1. That the proposed development will be consistent with the City of Chula Vista's General Plan, Title 19 of the Chula Vista Municipal Code, and the Otay Ranch Planned Community District regulations.
- 2. The design features of the proposed development are consistent with, and are a cost-effective method of satisfying, the City of Chula Vista Design Manual and Landscape Manual.

Findings for Conditional Use Permit

- 1. That the proposed use at this location is necessary or desirable to provide a service or facility that will contribute to the general well being of the neighborhood or community.
- 2. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.
- 3. That the use will comply with the regulations and conditions specified in the code for such use.
- 4. That the granting of the Conditional Use Permit will not adversely affect the General Plan of the City or the adopted plan of any governmental agency.

EXHIBIT '3'



Development Services Department Memorandum

Date: February 11, 2016

To: Miguel Tapia, Senior Planner

From: Rich Zumwalt, AICP, Associate Planner

Subject: Planning Comments on Wash 'N Go, CUP-15-0023/DR15-0037:

To complete the review of the project, the Applicant shall provide the following materials, information, or revised plans:

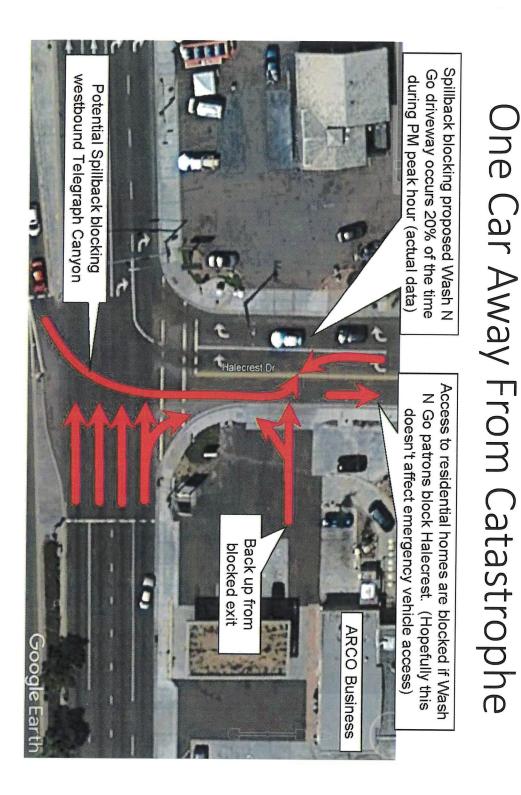
- 1. The Project requires preparation of a noise study by a City –qualified acoustical consultant addressing potential noise impacts to the adjacent single-family residential and commercial properties to the north, generated by car wash equipment. The study shall also consider the ambient noise from the I-805 Freeway and Telegraph Canyon Road traffic. See the attached list of qualified acoustical consultants.
- 2. The Project requires preparation of a Phase I Environmental Assessment of the site to determine if previous car repair use and demolition of the existing commercial building would have potential environmental impacts.
- 3. Clarify that this is a self-serve car wash, or if drivers exit their cars and wait. There is no waiting area or seating provided.
- 4. Clarify hours of operations and number of employees on duty during peak periods.
- 5. Widen 1-way internal driveway on west side to 15 feet minimum for 1-way driveway. Ensure that internal driveway intersection is designed to allow vehicles to make a right turn. If fire truck access is required through this driveway, it must meet minimum Fire Department driveway width, turning radius and other fire access requirements.
- 6. Identify the location and clearly label the vacuums, pay booth, car drying area, car wash equipment location including washer and dryer, and any other facilities or equipment on the site plan or floor plan, as applicable.
- 7. If the car wash is automated and customers do not exit their vehicles, the required parking should include a minimum of 4 spaces for the office, 1 space per on-duty employee, and one space for each vacuum, if proposed. In lieu of parking for customers, the queuing area should be extended to 100 feet. Vehicle stacking cannot obstruct driveway access and adjacent streets. The plans show 15 parking

ATTACUMENT

spaces, which should be reduced as much as possible while complying with parking standards.

- 8. The trash enclosure is undersized. Trash enclosures shall comply with City standard drawing already included on Sheet A-2. Also, see the comments from the Public Works Recycling/Solid Waste Division for details.
- 9. Provide upgraded decorative fences along the westerly property line and a zoning wall (solid masonry wall or stucco fence) along the northerly property line.
- 10. Clarify how the car wash water will be recycled.
- 11. The site is located at a prominent location, so the architecture and landscaping should be upgraded. Consider adding additional articulation to the long car-wash tunnel wall facing Telegraph Canyon Road, such as, but not limited to, a variable wall plane that includes vertical elements such as pop-outs, inset planters, a roof cornice, and variety of colors and textures. In addition, please provide landscaping at the base of the building to soften the transition from the walkway to the building wall.
- 12. There is a potential traffic hazard from project traffic merging with freeway onramp traffic directly onto Telegraph Canyon Road. The Land Development Division recommends that the driveway access to Telegraph Canyon Road be reviewed and approved by Caltrans and the City Traffic Engineer.
- 13. Because the site is adjacent to the on-ramp to I-805, and the driveway opens onto the freeway on-ramp, Caltrans review is required. As of the date of this letter, Caltrans has not completed their review of the plans. Staff will provide their comments once they are available.

EXHIBIT '4'



10S Engineering, Inc. Traffic and Transportation

HALECREST DRIVE

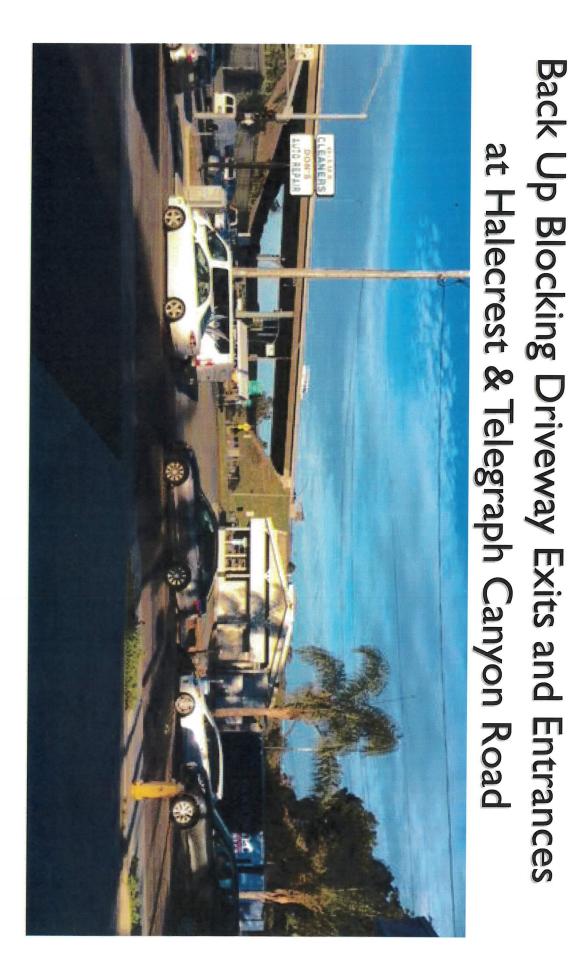
City of Chula Vista. if this would be 100% effective (without a proper analysis) and it will require approval by the Drive with the documented blockage can be striped with "Keep Clear"; however, it is unknown to turn left, they will block the sole northbound travel lane creating a potential spillback to seconds - this is about 19% of study period. The PM peak hour (4:45 to 5:45 PM) had about and duration of when the blockage started, ended, and duration of blockage (Attachment D) collected from 4 to 6 PM on Tuesday, September 11, 2018. The data recorded the frequency will have to travel into the residential neighborhood to the north to find a place to turn around cross two oncoming lanes of traffic. If southbound cars block the proposed car wash driveway The area in question was blocked 37 times between 4-6 PM for a total of 23 minutes and 11 To get an idea of how much the proposed car wash driveway would be blocked, traffic data was then the vehicle will either stop in the travel lane and hope someone will let them turn left, or Access to the proposed car wash driveway on Halecrest Drive requires northbound vehicles to 12 minutes of blockage or about 20% of the peak hour. If one car wash patron stops and waits Telegraph Canyon Road and create additional delay to your patrons. The area on Halecrest

Halecrest Dr Blockage and Spill Back

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100:41:20:00 20:42:24:00

- On Sept 11, 2018, applicant's driveway was blocked 37 times between 4-6 PM (total of 23 minutes and 11 second)
- Blocked 20% of the time during PM Pk Hr
- Blockage creates spillback to Telegraph



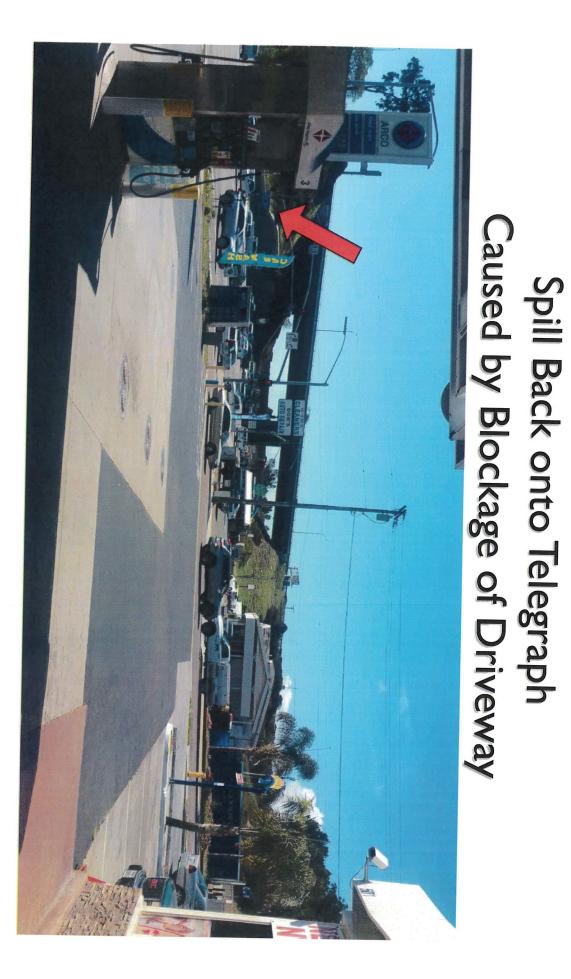
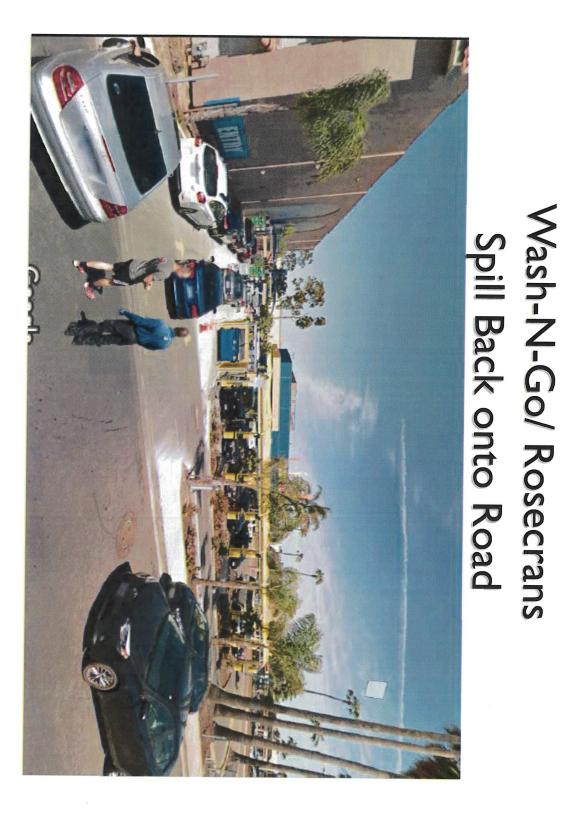


EXHIBIT '5'

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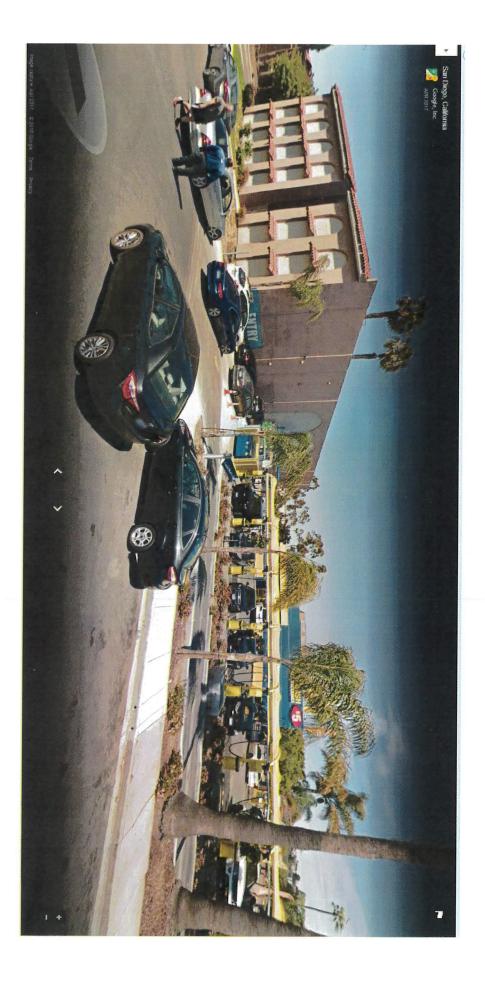


EXHIBIT '6'

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SANTEC / ITE GUIDELINES FOR TRAFFIC IMPACT STUDIES [TIS] IN THE SAN DIEGO REGION

1

MARCH 2, 2000 FINAL DRAFT

PREFACE

These guidelines are subject to continual update, as future technology and documentation become available. Always check with local jurisdictions for their preferred or applicable procedures.

Committee Compilation by Kent A. Whitson

Reviewed by committee members: Hank Morris (co-chair), Tom Parry (co-chair), Arnold Torma (co-chair), Susan O'Rourke, Bill Darnell, Labib Qasem, John Boarman, Ralph Leyva, and Erik Ruehr

Additional review by: Ann French Gonsalves, Bill Figge, Bob Goralka, and Gary Halbert

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SANTEC / ITE GUIDELINES FOR TRAFFIC IMPACT STUDIES [TIS] IN THE SAN DIEGO REGION

SANTEC / ITE GUIDELINES FOR TRAFFIC IMPACT STUDIES [TIS] IN THE SAN DIEGO REGION

I. BACKGROUND

In September 1998, the San Diego Regional Traffic Standards Task Force gathered for the first time to promote "cooperation among the Cities, Caltrans, and the County of San Diego to create a region-wide standard for determining traffic impacts in environmental reports." Ultimately the San Diego Traffic Engineers' Council (SANTEC) and the Institute of Transportation Engineers (ITE – California Border Section) were requested to prepare guidelines for traffic impact studies [TIS] that could be reviewed by the Task Force and other appropriate groups. The primary documents used to help prepare these guidelines were SANDAG's <u>Congestion Management Program</u> and <u>Traffic Generators</u> manual, City of San Diego's <u>Traffic Impact Study Manual</u> and <u>Trip Generation Manual</u>, and Caltrans' Draft <u>Guide for the Preparation of Traffic Impact Studies</u>.

II. PURPOSE OF TRAFFIC IMPACT STUDIES [TIS]

Traffic impact studies forecast, describe, and analyze the traffic and transit effects a development will have on the existing and future circulation infrastructure. The purpose of the TIS is to assist engineers in both the development community and public agencies when making land use and other development decisions. A TIS quantifies the changes in traffic levels and translates these changes into transportation system impacts in the vicinity of a project.

TIS requirements are usually outlined as part of any environmental (CEQA) project review process; and, in order to monitor effects by these requirements, Notices of Preparation must be submitted to all affected agencies.

III. OBJECTIVES OF TIS GUIDELINES

The following guidelines were prepared to assist local agencies throughout the San Diego Region in promoting consistency and uniformity in traffic impact studies. All Circulation/Community Element roadways, all State routes and freeways (including metered and unmetered ramps), and all transit facilities that are impacted should be included in each study.

In general, the region-wide goal for an acceptable level-of-service (LOS) on all freeways, roadway segments, and intersections is "D." For undeveloped or not densely developed locations, as determined by any local jurisdiction, the goal may be to achieve a level-of-service of "C." Individual local jurisdictions, as well as Caltrans, have slightly different

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LOS objectives. For example, the Regional Growth Management Strategy for San Diego has a level-of-service objective of "D;" while the Congestion Management Program has established a minimum level-of-service of "E", or "F" if that is the existing 1990 base year LOS. In other words, if the existing LOS is "D" or worse, preservation of the existing LOS must be maintained or acceptable mitigation must be identified.

These guidelines do not establish a legal standard for these functions, but are intended to supplement any individual TIS manuals or level-of-service objectives for the various jurisdictions. These guidelines attempt to consolidate regional efforts to identify when a TIS is needed, what professional procedures should be followed, and what constitutes a significant traffic impact.

The instructions outlined in these guidelines are subject to update as future conditions and experience become available. Special situations may call for variation from these guidelines. Caltrans and lead agencies should agree on the specific methods used in traffic impact studies involving any State Route facilities, including metered and unmetered freeway ramps.

IV. NEED FOR A STUDY

A TIS should be prepared for all projects which generate traffic greater than 1,000 total average daily trips (ADT) or 100 peak-hour trips. If a proposed project is not in conformance with the land use and/or transportation element of the general or community plan, use threshold rates of 500 ADT or 50 peak-hour trips. Early consultation with any affected jurisdictions is strongly encouraged since a "focused" or "abbreviated" TIS may still be required – even if the above threshold rates are not met.

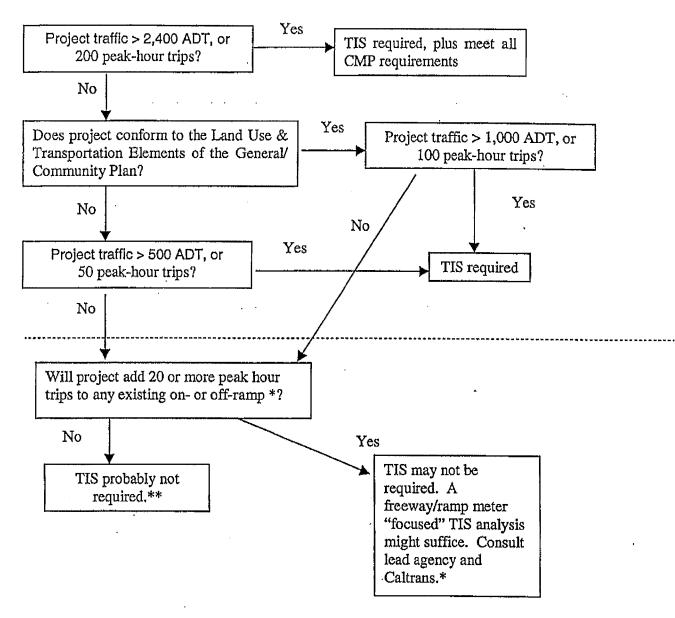
Currently, a Congestion Management Program (CMP) analysis is required for all large projects, which are defined as generating 2,400 or more average daily trips or 200 or more peak-hour trips. This size of study would usually include computerized long-range forecasts and select zone assignments. Please refer to the following flow chart (Figure 1) for TIS requirements.

The geographic area examined in the TIS must include the following:

- All local roadway segments (including all State surface routes), intersections, and mainline freeway locations where the proposed project will add 50 or more peak-hour trips in either direction to the existing roadway traffic.
- All freeway entrance and exit ramps where the proposed project will add a significant number of peak-hour trips to cause any traffic queues to exceed ramp storage capacities (see Figure 1). (NOTE: Care must be taken to include <u>other</u> ramps and intersections that may receive project traffic <u>diverted</u> as a result of already existing, or project causing congestion at freeway entrances and exits.)

Figure 1

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FLOW CHART FOR TRAFFIC IMPACT STUDY REQUIREMENTS

- * Check with Caltrans for current ramp metering rates and ramp storage capacities. (See Attachment B Ramp Metering Analysis)
- ** However, for health and safety reasons, and/or local and residential street issues, an "abbreviated" or "focused" TIS may still be requested by a local agency. (For example, this may include traffic backed up beyond an off-ramp's storage capacity, or may include diverted traffic through an existing neighborhood.)

The data used in the TIS should generally not be more than 2 years old, and should not reflect a temporary interruption (special events, construction detour, etc.) in the normal traffic patterns unless that is the nature of the project itself. If recent traffic data is not available, current counts must be made by the project applicant/consultant.

V. PROJECT COORDINATION VIA STAFF CONSULTATION

Early consultation between the development community, local and lead agencies, and Caltrans is strongly recommended to establish the base input parameters, assumptions, and analysis methodologies for the TIS.

It is critical that the TIS preparer discuss the project with the lead reviewing agency's staff engineer/planner at an early stage in the planning process. An understanding of the level of detail and the assumptions required for the analysis should be reached. While a pre-submittal conference is highly encouraged, it may not be a requirement. For straightforward studies prepared by consultants familiar with these TIS procedures, a telephone call or e-mail, followed by a fax verifying key assumptions, may suffice. Always check with the local jurisdictions for their concerns.

VI. SCENARIOS TO BE STUDIED

After documenting existing conditions, both near-term (within approximately the next five years) and long-term (usually for a 20-year planning horizon or build-out of the area), analyses are needed.

All of the following scenarios should be addressed in the TIS (unless there is concurrence with the lead agency[ies] that one or more of these scenarios may be omitted):

- Existing {roadway infrastructure}
- Existing + Near-term Cumulative Projects {approved and pending}
- Existing + Near-term Cumulative Projects + Proposed Project {each phase when applicable}
- Horizon Year {typically Year 2020 or twenty years in the future}
- Horizon Year + Proposed Project {if different from General/Community Plan}

Scenario definitions:

Existing conditions – Document existing traffic volumes and peak-hour levels of service in the study area. The existing deficiencies and potential mitigation should be identified.

<u>Existing + Near-term</u> – Analyze the cumulative condition impacts from "other" approved and "reasonably foreseeable" pending projects (application on file or definitely in the pipeline) that are expected to influence the study area. This is the baseline against which project impacts are assessed. The lead agency should provide copies of the traffic studies for the "other" projects. If data is not available for near-term cumulative projects, an ambient growth factor should be used. Existing + Near-term + Proposed Project – Analyze the impacts of the proposed project on top of existing conditions and near-term projects (along with their committed or funded mitigation measures, if any).

<u>Horizon Year</u> – Identify Year 2020 traffic forecasts or 20-year future conditions through the output of a SANDAG model forecast (currently TRANPLAN) or other computer model approved by the local agency. If the proposed project is consistent with the land uses represented in the model, the TIS may only need to use this condition.

<u>Horizon Year + Proposed Project</u> – If the project land uses are more traffic intense than what was assumed in the horizon year model forecasts, analyze the additional project traffic impacts to the horizon year condition. When justified, and particularly in the case of very large developments or new general/community plans, a transportation model should be run with, and without, the additional development to show the net impacts on all parts of the area's transportation system.

In order to use LOS criteria to measure traffic impact significance (see Table 1), proposed model or manual forecast adjustments must be made to address scenarios both with and without the project. Model data should be carefully verified to ensure accurate project and "other" cumulative project representation. In these cases, regional or subregional models conducted by SANDAG need to be reviewed for appropriateness.

Note: Project trips can be assigned and distributed either manually or by the computer model based upon review and approval of the local agency Traffic Engineer. The magnitude of the proposed project will usually determine which method is employed.

If the manual method is used, the trip distribution percentages should be derived from a computer generated "select zone assignment" or optionally (local agency approval) by professional judgement.

If the computer model is used, the centroid connectors should accurately represent project access to the street network. Preferably the project would be represented by its own traffic zone. Some adjustments to the output volumes may be needed (especially at intersections) to smooth out volumes, quantify peak volumes, adjust for pass-by and diverted trips, and correct illogical output.

VII. TRAFFIC GENERATION

Use of SANDAG [Traffic Generators manual and (Not So) Brief Guide....]or City of San Diego [both of the City's Traffic Impact Study Manual and Trip Generation Manual] rates should first be considered. Next, consider rates from ITE's latest Trip Generation manual or ITE Journal articles. If local and sufficient national data do not exist, conduct trip generation studies at sites with characteristics similar to those of the proposed project. If this is not feasible due to the uniqueness of the land use, it may be acceptable to estimate defensible trip rates – only if appropriate documentation is provided.

Reasonable reductions to trip rates may also be considered: (a) with proper analysis of pass-by and diverted traffic on adjacent roadways, (b) for developments near transit stations, and (c) for mixed-use developments. (Note: Caltrans and local agencies may use different trip reduction rates. Early consultation with the reviewing agencies is strongly recommended.)

Site traffic distribution, assignment, necessary model adjustments, and Congestion Management Program (CMP) concerns should all follow current SANDAG and City of San Diego procedures.

VIII. TIS ANALYSIS

The TIS analysis shall determine the effect that a project will have for each of the previously outlined study scenarios. Peak-hour capacity analyses for freeways, roadway segments (ADTs may be used here to estimate V/C ratios), intersections, and freeway ramps must be conducted for both the near-term and long-term conditions. The methodologies used in determining the traffic impact are not only critical to the validity of the analysis, they are pertinent to the credibility and confidence the decision-makers have in the resulting findings, conclusions, and recommendations.

The following methodologies for TIS analysis should be used (unless early consultation with the lead agency and Caltrans has established other methods), along with some suggested software packages and options:

- 1. <u>Arterials, Multi-lane and Two-lane Highways, and all other Local Streets</u> current Highway Capacity Manual [HCM]: w/Highway Capacity Software [HCS]
- 2. <u>Signalized Intersections</u> HCM: w/HCS, TRAFFIX, SigCinema, and SYNCHRO acceptable to Caltrans; and, HCS, TRAFFIX, SIGNAL 94, and NCAP acceptable to local jurisdictions
- 3. Unsignalized Intersections HCM
- 4. <u>Freeway Segments</u> HCM or Caltrans District 11 freeway LOS definitions (see Attachment C): w/HCS
- 5. Freeway Weaving Areas Caltrans Highway Design Manual (Chapter 500)
- 6. <u>Freeway Ramps</u> Caltrans District 11 Ramp Metering Analysis (Attachment B), and Caltrans Ramp Meter Design Guidelines (August 1995), HCS (for ramp design only)
- 7. <u>Freeway Interchanges</u> HCM: for diamond interchanges where the timing and phasing of the two signals must be coordinated to ensure queue clearances, consider Passer III-90
- 8. <u>Transit, Pedestrians, and Bicycles</u> HCM
- 9. <u>Warrants for Traffic Signals, Stop Signs, School Crossings, Freeway Lighting, etc.</u> – Caltrans' Traffic Manual

- 10. <u>Channelization and Intersection Geometry</u> Caltrans' Traffic Manual and Guidelines for Reconstruction of Intersections, City of San Diego's Traffic Impact Study Manual - Appendix 4
- Note: Neither local jurisdictions nor Caltrans officially advocate the use of any special software packages, especially since new ones are being developed all the time. However, consistency with the Highway Capacity Manual (HCM) is advocated in most cases. The above-mentioned software packages have been utilized locally. Because it is so important to have consistent end results, always consult with all affected jurisdictions, including Caltrans, regarding the analytical techniques and software being considered (especially if they differ from above) for the TIS.

IX. SIGNIFICANCE OF TRAFFIC IMPACTS TO CONSIDER MITIGATION

The following Table 1 indicates when a project's impact is significant – and mitigation measures are to be identified. That is, if a project's traffic impact causes the values in this table to be exceeded, it is determined to be a significant project impact. (Mitigation for all identified significant impacts should be provided for any project requiring CEQA analysis.)

Note: It is the responsibility of Caltrans, on Caltrans initiated projects, to mitigate the effect of ramp metering, for initial as well as future operational impacts, on local streets that intersect and feed entrance ramps to the freeway. Developers and/or local agencies, however, should be required to mitigate any impact to existing ramp meter facilities, future ramp meter installations, or local streets, when those impacts are attributable to new development and/or local agency roadway improvement projects.

Not all mitigation measures can feasibly be "hard" (new lanes or new capacity) improvements. A sample mitigation measure might include financing toward a regional ITS [Intelligent Transportation System] project, such as improved or "dynamic" ramp metering with real-time delay information available to motorists. The information can be accessed on either home or in-vehicle computers, or even by telephone (each ramp could have its own phone number with delay information) so the motorist can make a driving decision long before she or he arrives at a congested on-ramp. This sample mitigation would allow a project applicant (especially with a relatively small project) to meet mitigation by paying into a regional ramp meter fee, providing the fee can be established in the near future.

Other mitigation measures may include Transportation Demand Management recommendations – transit facilities, bike facilities, walkability, telecommuting, traffic rideshare programs, flex-time, carpool incentives, parking cash-out, etc. Additional mitigation measures may become acceptable as future technologies and policies evolve.

Table 1

Level of		Allo	wable Cl	hange due to Pro	ject Impact**	<u> </u>
Service with Project*		Freeways	Road	way Segments	Intersections	Ramp*** Metering
	V/C	Speed (mph)	V/C	Speed (mph)	Delay (sec.)	Delay(min.)
D, E, & F (or ramp meter delays above 15 min.)	0.01	1	0.02	1	2	2

MEASURE OF SIGNIFICANT PROJECT TRAFFIC IMPACTS

NOTES:

All level of service measurements are based upon HCM procedures for peak-hour conditions. However, V/C ratios for Roadway Segments may be estimated on an ADT/24-hour traffic volume basis (using Table 2 or a similar LOS chart for each jurisdiction). The acceptable LOS for freeways, roadways, and intersections is generally "D" ("C" for undeveloped or not densely developed locations per jurisdiction definitions). For metered freeway ramps, LOS does not apply. However, ramp meter delays above 15 minutes are considered excessive.

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- ** If a proposed project's traffic causes the values shown in the table to be exceeded, the impacts are determined to be significant. These impact changes may be measured from appropriate computer programs or expanded manual spread-sheets. The project applicant shall then identify feasible mitigation (within the Traffic Impact Study [TIS] report) that will maintain the traffic facility at an acceptable LOS. If the LOS with the proposed project becomes unacceptable (see above * note), or if the project adds a significant amount of peak-hour trips to cause any traffic queues to exceed on- or off-ramp storage capacities, the project applicant shall be responsible for mitigating significant impact changes.
- *** See Attachment B for ramp metering analysis.
 - KEY: V/C = Volume to Capacity ratio

Speed = Speed measured in miles per hour

Delay = Average stopped delay per vehicle measured in seconds for intersections, or minutes for ramp meters

LOS = Level of Service

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Table 2

	·····			LEVEL	OF SERVICE	EW/ADT**	
STREET CLASSIFICATION	LANES	CROSS SECTIONS* (APPROX.)	A	В	с	D	E
Expressway	6 lanes	102-160/122-200	30,000	42,000	60,000	70,000	80,000
Prime Arterial	6 lanes	102-108/122-128	25,000	35,000	50,000	55,000	60,000
Major Arterial	6 lanes	102/122	20,000	28,000	40,000	45,000	50,000
Major Arterial	4 lanes	78-82/98-102	15,000	21,000	30,000	35,000	40,000
Secondary Arterial/ Collector	4 lanes	64-72/84-92	10,000	14,000	20,000	25,000	30,000
Collector (no center lane) (continuous left- tum lane)	4 lanes 2 lanes	64/84 50/70	5,000	7,000	10,000	13,000	15,000
Collector (no fronting property)	2 lanes	40/60	4,000	5,500	7,500	9,000	10,000
Collector (commercial- Industrial fronting)	2 lanes	50/70	2,500	3,500	5,000	6,500	8,000
Collector (multi-family)	2 lanes	40/60	2,500	3,500	5,000	6,500	8,000
Sub-Collector (single-family)	2 lanes	36/56			2,200	****	

ROADWAY CLASSIFICATIONS, LEVELS OF SERVICE (LOS) AND AVERAGE DAILY TRAFFIC (ADT)

LEGEND;

- * Curb to curb width (feet)/right of way width (feet): based upon the City of San Diego Street Design Manual and other jurisdictions within the San Diego region.
- ** Approximate recommended ADT based upon the City of San Diego Street Design Manual.

NOTES:

- 1. The volumes and the average daily level of service listed above are only intended as a general planning guideline.
- 2. Levels of service are not applied to residential streets since their primary purpose is to serve abutting lots, not carry through traffic. Levels of service normally apply to roads carrying through traffic between major trip generators and attractors.

X. SCREEN CHECK

As part of the first draft of a TIS, the preparer must ensure that all required elements have been included. This screen check procedure will help reduce the number of submittals, and will encourage early dialog between the reviewer and the preparer. The local agency reviewer will check the study for completeness, and strive to return all incomplete submittals within seven working days. A presubmittal conference is encouraged to determine which elements are not required for the TIS.

Attachment A contains the TIS Screen Check.

ATTACHMENT A

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TRAFFIC IMPACT STUDY SCREEN CHECK

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To be completed by Staff: Date Received

Reviewer

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Bate Screen Check

To be completed	by consultant (including page #):
Name of Traffic S	Study
Consultant	
Date Submitted	warman and a second

		Satisf	actory ·	
Indicate Page #		YES	NO	NOT REQUIRED
pg 1.	Table of contents, list of figures and list of tables.			
pg 2.	Executive summary.			
pg 3.	Map of the proposed project location.			
4.	General project description and background information:			
pg pg pg pg	 a. Proposed project description (acres, dwelling units) b. Total trip generation of proposed project. c. Community plan assumption for the proposed site. d. Discuss how project affects the Congestion Management Program, if applicable 			
pg 5.	Parking, transit and on-site circulation discussions are included.			
pg 6.	Map of the Transportation Impact Study Area and specific intersections studied in the traffic report.			
pg 7.	 Existing Transportation Conditions: a. Figure identifying roadway conditions including raised medians, median openings, separate left and right turn lanes, roadway and intersection 			
	 dimensions, bike lanes, parking, number of travel lanes, posted speed, intersection controls, turn restrictions and intersection lane configurations. b. Figure indicating the daily (ADT) and peak-hour volumes. c. Figure or table showing level of service (LOS) for intersections during peak hours and roadway sections within the study area (include analysis sheets in an appendix). 			
8.	Project Trip Generation:			
pg	Table showing the calculated project generated daily (ADT) and peak hour volumes.			
pg 9.	Project Trip Distribution using the current TRANPLAN Computer Traffic Model (provide a computer plot) or manual assignment if previously approved. (Iden- tify which method was used.)			
10.	Project Traffic Assignment:			
pg pg	 a. Figure indicating the daily (ADT) and peak-hour volumes. b. Figure showing pass-by-trip adjustments, and, if cumulative trip rates are used. 			
11.	Existing Near-term Cumulative Conditions:			
pg pg	 a. Figure indicating the daily (ADT) and peak-hour volumes. b. Figure or table showing the projected LOS for intersections during peak hours and roadway sections within the study area (analysis sheets included in the appendix). 			
pg	 Traffic signal warrant analysis (Caltrans Traffic Manual), for appropriate locations. 			
12.	Existing Near-term Cumulative Conditions + Proposed Project (each phase			

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			Satisf	actory	
Indicate Pa	-	report: vhen applicable)	YES	NO	NOT REQUIRED
pg				_	
P9		 Figure or table showing the projected LOS for intersections during peak hours and roadway sections with the project (analysis sheets included in the appendix). 			
pg	b	 Figure showing other projects that were included in the study, and the assignment of their site traffic. 			
pg,	c	. Traffic signal warrant analysis for appropriate locations.			
	13. H C	lorizon Year Transportation Conditions (if project conforms to the General/ Community Plan):			
pg pg	a b	 Figure or table showing the horizon LOS for intersections during peak hours and roadway sections with and without the project (analysis sheets included in the appendix). 			
pg	C.				
	14. H o	lorizon Year Transportation Conditions + Proposed Project (if project does not onform to the General/Community Plan):			
pg	a	Plan.			
pg	b	 Horizon Year ADT and street classification for two scenarios: with the proposed project and with the land use assumed in the Community Plan. 			
pg	C.	Figure or table showing the horizon LOS for intersections during peak hours and roadway sections for two scenarios: with and without the pro- posed project and with the land use assumed in the Community Plan (analysis sheets included in the appendix).		D	
pg	d.	 Traffic signal warrant analysis at appropriate locations with the land use assumed in the General/Community Plan. 			
pg	C ai	summary table showing the comparison of Existing, Existing + Near-term umulative, Existing + Near-term Cumulative + Proposed Project, Horizon Year, and Horizon Year + Proposed Project (if different from General/Community Ian), LOS on roadway sections and intersections during peak hours.			
pg	16. A	summary table showing the project's "significant traffic impacts."			
		ransportation Mitigation Measures:			
pg	а.	Table Identifying the mitigations required that are the responsibility of the developer and others. A phasing plan is required if mitigations are proposed in phases.			
pg	b.				
pg	18. Ti us	ne Highway Capacity Manual Operation Method or other approved method is sed at appropriate locations within the study area.			
рg	19. Ai	nalysis complies with Congestion Management Program requirements.			
pg		opropriate freeway analysis is included.			
pg		opropriate freeway ramp metering analysis is included.			
pg		ne traffic study is signed by a California Registered Traffic Engineer.			الغنيية
		RAFFIC STUDY SCREEN CHECK FOR THE SUBJECT PROJECT IS: Approved Not approved because the following items are missing:			

RAMP METERING ANALYSIS

Ramp metering analysis should be performed for each horizon year scenario in which ramp metering is expected. The following table shows relevant information that should be included in the ramp meter analysis "Summary of Freeway Ramp Metering Impacts."

LOCATION	DEMAND (veh/hr) ¹	METER RATE (veh/hr) ²	EXCESS DEMAND (veh/hr) ³	DELAY (min)⁴	QUEUE (feet)⁵

NOTES:

¹ DEMAND is the peak hour demand expected to use the on-ramp.

² METER RATE is the peak hour capacity expected to be processed through the ramp meter. This value should be obtained from Caltrans. Contact Carolyn Rumsey at (619) 467-3029.

³ EXCESS DEMAND = (DEMAND) - (METER RATE) or zero, whichever is greater.

EXCESS DEMAND

⁴ DELAY = ----- X 60 MINUTES/HOUR METER RATE

NOTE: Delay will be less at the beginning of metering. However, since peaks will almost always be more than one hour, delay will be greater after the first hour of metering. (See discussion on next page.)

LOCATION(S)	PEAK HOUR	PEAK HOUR DEMAND D	FLOW (METER RATE) F	EXCESS DEMAND E	DELAY (MINUTES)	QUEUE Q (feet)
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	AM PM					
<u></u>	AM PM					

SUMMARY OF FREEWAY RAMP METERING IMPACTS

⁵ QUEUE = (EXCESS DEMAND) X 29 feet/vehicle

CAUTION: The ramp metering analysis shown in Attachment B may lead to grossly understated results for delay and queue length, since important aspects of queue growth are ignored. Also, the draft guidelines method derives <u>average</u> values instead of <u>maximum</u> values for delay and queue length. Utilizing average values instead of maximum values can lead to obscuring important effects, particularly in regard to queue length.

Predicting ramp meter delays and queues requires a storage-discharge type of analysis, where a pattern of arriving traffic at the meter is estimated by the analyst, and the discharge, or meter rate, is a somewhat fixed value set by Caltrans for each individual metered ramp.

Since a ramp meter queue continues to grow longer during all times that the arrival rate exceeds the discharge rate, the maximum queue length (and hence, the maximum delay) usually occurs after the end of the peak (or highest) one hour. This leads to the need for an analysis for the entire time period during which the arrival rate exceeds the meter rate, not just the peak hour. For a similar reason, the analysis needs to consider that a substantial queue may have already formed by the beginning of the "peak hour." Traffic arriving during the peak hour is then stacked onto an existing queue, not just starting from zero as the draft analysis suggests.

Experience shows that the theoretical queue length derived by this analysis often does not materialize. Motorists, after a brief time of adjustment, seek alternate travel paths or alternate times of arrival at the meter. The effect is to approximately minimize total trip time by seeking out the best combinations of route and departure time at the beginning of the trip. This causes at least two important changes in the pattern or arriving traffic at ramp meters. First, the peak period is spread out, with some traffic arriving earlier and some traffic arriving later than predicted. Second, a significant proportion of the predicted arriving traffic will use another ramp, use another freeway, or stay on surface streets.

It is acceptable to make reasonable estimates of these temporal and spatial (time and occupying space) diversions as long as all assumptions are stated and that the unmodified, or theoretical values are shown for comparison.

Additional areas for study include being able to define acceptable levels of service (LOS) and "significant" thresholds (e.g., a maximum ramp meter delay of 15 minutes) for metered freeway entrance ramps.

Currently there are no acceptable software programs for measuring project impacts on metered freeway ramps nor does the Highway Capacity Manual (HCM) adequately address this issue. Hopefully in the near future a regionwide study will be initiated to determine what metering rate (at each metered ramp) would be required in order to guarantee that traffic will flow (even at LOS "E") on the entire freeway system during peak-hour conditions. From this, the ramp delays and resultant queue lengths might then be calculated. Overall, this is a very complex issue that needs considerable research and refinement in cooperation with Caltrans.

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ATTACHMENT C

LEVEL OF SERVICE (LOS) DEFINITIONS (generally used by Caltrans)

The concept of Level of Service (LOS) is defined as a gualitative measure describing operational conditions within a traffic stream, and their perception by motorists and/or passengers. A Level of Service^s definition generally describes these conditions in terms of such factors as speed, travel time, freedom to maneuver, comfort and convenience, and safety. Levels of Service definitions can generally be categorized as follows:

LOS	D/C*	Congestion/Delay	Traffic Description
	(Used t	or freeways, expressways an	d conventional highways ^A)
"A"	<0.41	None	Free flow.
" B"	0.42-0.62	None	Free to stable flow, light to moderate volumes.
"C"	0.63-0.79	None to minimal	Stable flow, moderate volumes, freedom to maneuver noticeably restricted.
"D"	0.80-0.92	Minimal to substantial	Approaches unstable flow, heavy volumes, very limited freedom to maneuver.
"E"	0.93-1.00	Significant	Extremely unstable flow, maneuverability and psychological comfort extremely poor.
		(Used for conventiona	l highways)
"F"	>1.00	Considerable	Forced or breakdown. Delay measured in average flow, travel speed (MPH). Signal- ized segments experience delays >60.0 seconds/vehicle.
		(Used for freeways and	expressways)
"F0"	1.01-1.25	Considerable 0-1 hour delay	Forced flow, heavy congestion, long queues form behind breakdown points, stop and go.
"F1"	1.26-1.35	Severe 1-2 hour delay	Very heavy congestion, very long queues.
"F2"	1.36-1.45	Very severe 2-3 hour delay	Extremely heavy congestion, longer queues, more numerous breakdown points, longer stop periods.
"F3"	·>1.46	Extremely severe 3+ hours of delay	Gridlock.

- ^s Level of Service can generally be calculated using "Table 3.1. LOS Criteria for Basic Freeway Sections" from the latest <u>Highway Capacity Manual</u>. However, contact Caltrans for more specific * Demand/Capacity ratio used for forecasts (V/C ratio used for operational analysis, where V = volume)
 * Arterial LOS is based upon average "free-flow" travel speeds, and should refer to definitions in

Table 11.1 in the HGM.

EXHIBIT '7'

Site Layouts Full-Serve Car Wash

Definitions

used in express and flex-service operations to other detailing services. Although popular with or convenience store. While the customer is of profit opportunities yielding higher revenue per Full-service car washing offers a robust number increasingly use automated equipment normally in some markets are leading full-service washes to customers, it is labor intensive, and rising wages car. Greeted by a live attendant, the customer replace manual labor. waiting, attendants take the vehicle through the selects their wash level and extra services ash, vacuum, clean windows, and perform fore exiting the vehicle to a retail waiting area

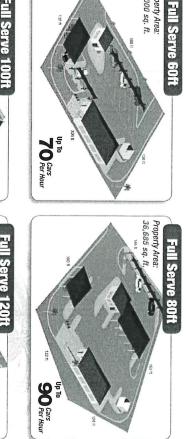


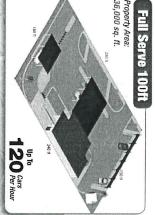
26,000 sq. ft. Property Area:

priced right. delivery, chances are we'll have everything you need -With over 12,000 car wash items in stock for immediate package. Want to customize it - give us a call or go online. most popular items ordered with a new full-serve tunnel parts, tools, and supply requirements, depending on the Every full-serve car wash represents different start-up services offered. Sonny's offers convenient lists of the

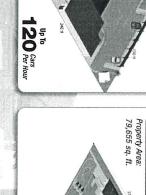


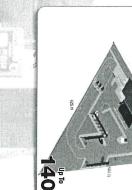
Start Your Planning at SonnysDirect.com SampleFull-Serve Layouts











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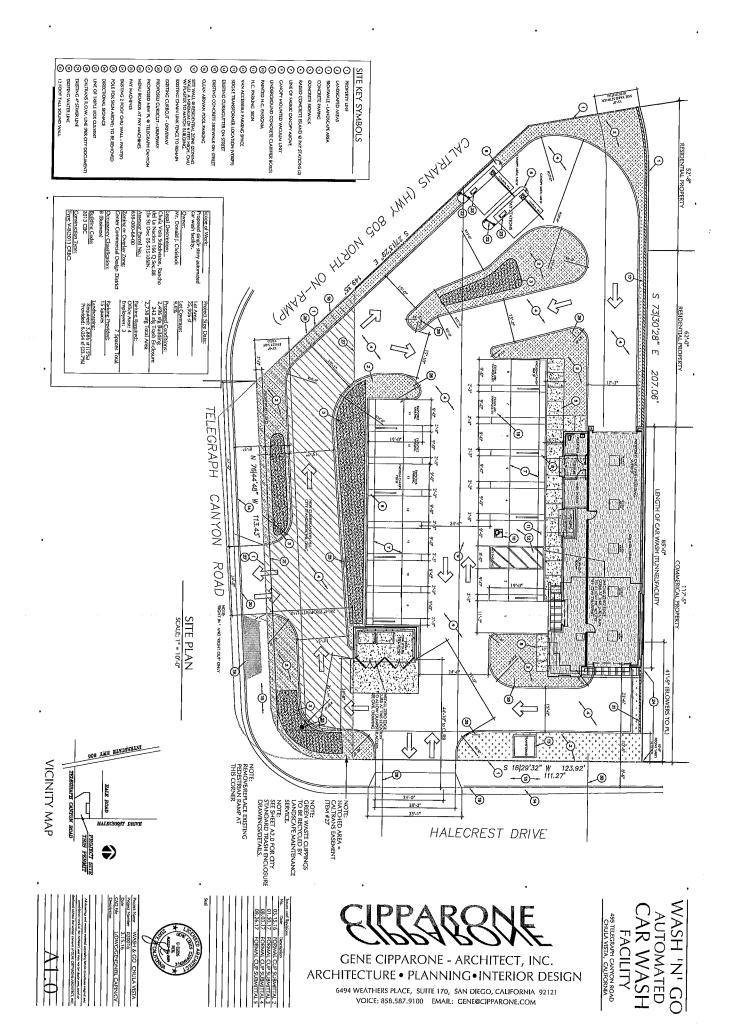


EXHIBIT '8'

LLCI Ref. 3-15-2536 Sharp Chula Visin Medical Center Ocean View Tewer

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LINSCOTT, LAW & GREENSPAN, anglhaons

Olympic Parkway / I-805 SB Ramps

Signal

PM

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A D

64.0

7 17

0%

Cuml

E Palomar Street / Heritage Road

Signal

AM

97.3 51.2

D R

97.7 51.8

0 7

1%

Cuml

11, E Palomur Street / Medical Center Court

Signal ^d

AM

9.0

BA

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00 >>

3%

None

E Palomar Street / Medical Center Drive

Signal

AM

33.2

00

33.4 52.0

00

4%

None

9

Medical Center Court / Main Hospital Dwy

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AM

15.3 11.4

80

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3 0

18%

None

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Medical Center Court / Loop Road Access East

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Medical Center Court / Loop Road Access West

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None

6

Medical Center Court / Medical Center Drive

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Telegraph Canyon Road / Heritage Road

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None

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Telegraph Canyon Road / Medical Center Drive

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2%

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Telegraph Canyon Road / Oleander Avenue

Signal

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1%

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Tolegraph Canyon Road / 1-805 NB Ramps

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Telegraph Canyon Road / I-805 SB Ramps

Signal

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1%

None

Intersection

Control Type

Peak Hour

Near Term

Near Term + Project

Delaya

LOS

Delay

LOS

Project % of Entering Volume (>5%)

Impact Type

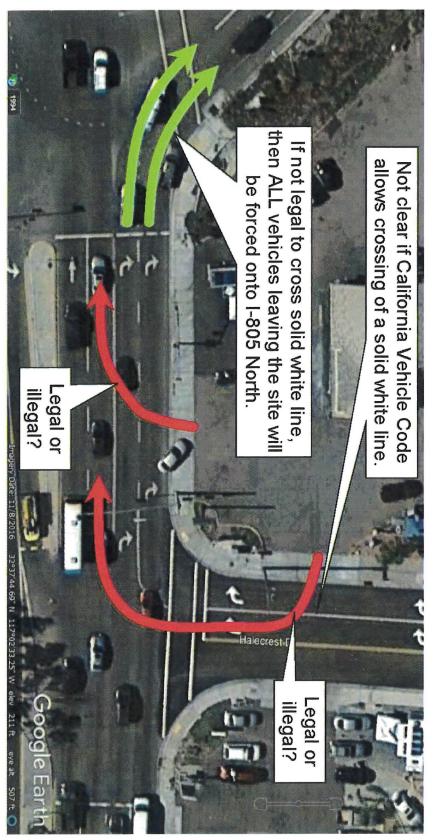
NEAR TERM INTERSECTION OPERATIONS

TABLE 10-1

None	1%	276	0	48,800	50,000	6-Lane Prime Arterial	Oleander Avenue to Brandywine Avenue
None	1%	331	0	46,300	50,000	6-Lane Prime Arterial	I-\$05 Ramps to Oleander Avenue
							Olympic Parkway
None	4%	497	A	14,100	30,000	4-Lane Major Road	Medical Center Court to Heritage Road
None	0%	a	A	17,900	30,000	4-Lane Major Road	Medical Center Drive to Medical Center Court
None	2%	359	A	17,800	30,000	4-Lane Major Road	Oleander Avenue to Medical Center Drive
							E. Palomar Street
None	3%6	497	Α	5,600	12,000	Class II Collector	North of E. Palomar Street
Direct	16%	2,263	F	14,400	12,000	Class II Collector	East of Medical Center Drive
							Medical Center Court
None	7%	773	A	11,800	22,000	Class I Collector	Medical Center Court to E. Palomar Street
None	6%	1,490	А	24,400	22,000	Class I Collector	Medical Center Drive Telegraph Canyon Road to Medical Center Court
None	1%	524	Ð	52,500	50,000	6-Lane Prime Arterial	Medical Center Drive to Heritage Road
Cum	1%	828	F	65,800	50,000	6-Lane Prime Arterial	Oleander Avenue to Medical Center Drive
Cuml	196	635	R	70,900	61,250	7-Lane Expressway	Halecrest Drive to Oleander Avenue
							Telegraph Canyon Road
Type	Project % of Entering Volume (>5%)	Project ADT > 800	LOS	ADT	Capacity ^a	Classification	Street Segment
•	Significance Criteria	Significan	roject	with Project	TOSC		

EXHIBIT '9'

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How Will Vehicles Leave?