



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

September 10, 2015

TO: Pat Modugno, Chair
Stephanie Pincetti, Vice Chair
Esther L. Valadez, Commissioner
David W. Louie, Commissioner
Curt Pedersen, Commissioner

FROM: Richard Claghorn
Zoning Permits North Section

Project No. R2014-02996 – Conditional Use Permit No. 201400142
RPC Meeting: September 16, 2015 - Agenda Item: 7

The above-mentioned item is a request to authorize the establishment and operation of a Taco Bell restaurant, including drive-through facilities, within the C-2-DP (Neighborhood Business-Development Program) Zone, the Soledad Zoned District and the Acton Community Standards District.

Please find enclosed additional materials for the above referenced item, that were received subsequent to the hearing package submittal to the Regional Planning Commission. The items include a revised letter from the Department of Public Works ("DPW"), a supplemental letter from the Acton Town Council, three letters of opposition from two households in Acton and copies of two emails of support for the project from two members of the Acton community.

The DPW letter of project conditions from August 6, 2015 was modified on September 10, 2015 to delete the requirement for street lights. The revised DPW letter will replace the previous letter in the final project conditions, and the final findings and conditions shall be modified to reflect the date of the new DPW letter.

If you need further information, please contact Richard Claghorn at (213) 974-6435 or rclaghorn@planning.lacounty.gov. Department office hours are Monday through Thursday from 7:00 a.m. to 6:00 p.m. The Department is closed on Fridays.

RG:RC

Enclosure(s): letters from the Acton Town Council, Ray and Elizabeth Billet, and Judy Hoewisch; emails from Kathy Bellenfant and Ron Bird



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

September 10, 2015

IN REPLY PLEASE
REFER TO FILE **LD-2**

TO: Rob Glaser
Zoning Permits North Section
Department of Regional Planning

Attention Richard Claghorn

Matt
David *Fek*
FROM: Art Vander Vis
Land Development Division
Department of Public Works

**TACO BELL ACTON-3771 SIERRA HIGHWAY
CONDITIONAL USE PERMIT (CUP) NO. 201400142
PROJECT NO. R2014-02996
ASSESSOR'S MAP BOOK NO. 3217, PAGE 21, PARCEL NO. 11
UNINCORPORATED COUNTY COMMUNITY OF ACTON**

We reviewed the site plan for the proposed project located at the northeast corner of Sierra Highway and Crown Valley Road in the unincorporated County community of Acton. The proposed project consists of a 2,029-square-foot Taco Bell Restaurant with a drive-thru. The site is located within the Acton Community Standards District.

This memo will supersede our previous memo dated August 6, 2015 (attached), and is being issued to reflect the elimination of our original recommended street lighting conditions. The request to eliminate these conditions came from a member of the Acton Town Council, who indicated they did not feel the street lighting requirement was in keeping with the dark skies ordinance. After further review by Public Works' Traffic and Lighting Division, it was determined that street lights should no longer be a recommended requirement.

- Public Works recommends approval of this CUP.
- Public Works does **NOT** recommend approval of this CUP.

Upon approval of the CUP, we recommend the following conditions:

Road

1. Dedicate an additional 24 feet of right of way along the property frontage of Sierra Highway to achieve an ultimate width of 54 feet from the street centerline, to the satisfaction of Public Works. A processing fee will be required for the dedication.
2. Dedicate an adequate right-of-way corner cut-off, from the beginning-of-curb return to the end-of-curb return, based on a 35-foot curb return radius, at the northeast corner of Sierra Highway and Crown Valley Road to the satisfaction of Public Works. A processing fee will be required for the dedication.
3. Construct standard, rural, major highway improvements on Sierra Highway, easterly of the proposed catch basin. This section shall consist of a 4-foot concrete inverted shoulder located 42 feet from the street centerline to the edge of pavement/edge of gutter to the satisfaction of Public Works. Relocate all affected utilities.
4. Construct a standard, rural section with asphalt concrete inverted shoulders and applicable pavement widening on Crown Valley Road, 14 feet from the centerline to the flow line, to the satisfaction of Public Works.
5. Construct a 35-foot curb return radius consisting of barrier curb and gutter at the northeast corner of Crown Valley Road and Sierra Highway to the satisfaction of Public Works. Additionally, provide adequate curb and gutter transitions from the required asphalt concrete inverted shoulder along Crown Valley Road to the full-curb face around the curb return. The barrier curb and gutter shall then extend easterly along Sierra Highway to the proposed catch basin located approximately 40 feet from the curb return. Adequate curb and gutter transitions shall also be provided from the proposed catch basin to the concrete inverted shoulder along Sierra Highway.
6. Construct a curb ramp at the northeast corner of Crown Valley Road and Sierra Highway to meet current Americans with Disability Act (ADA) guidelines and to the satisfaction of Public Works.
7. Submit street improvement plans and acquire street plan approval before obtaining a grading permit.
8. Execute an Agreement to Improve for the street improvements prior to issuance of a building permit.

Rob Glaser
September 10, 2015
Page 3

9. Comply with all the requirements listed in the attached letter dated August 5, 2015, from Public Works' Traffic and Lighting Division.
10. Submit a detailed signing and striping plan (scale: 1"=40') for review and approval on Sierra Highway and Crown Valley Road in the vicinity of the property location and acquire approval before obtaining a grading permit.

For questions regarding road conditions Nos. 1 through 8, please contact Ed Gerlits of Public Works' Land Development Division at (626) 458-4953 or egerlits@dpw.lacounty.gov.

For questions regarding road conditions Nos. 9 and 10, please contact Jeff Pletyak of Traffic and Lighting Division at (626) 300-4721 or jpletys@dpw.lacounty.gov.

Drainage/Grading

1. Submit a drainage and grading plan for review and approval that complies with the approved hydrology study dated May 28, 2015 (or the latest revision), to the satisfaction of Public Works. The drainage and grading plans must provide for the proper distribution of drainage and for contributory drainage from adjoining properties by eliminating the sheet overflow, ponding, and high-velocity scouring action to protect the lots. The plans need to call out the construction of at least all drainage devices and details and paved driveways; elevation of all pads, water quality devices, Low-Impact Development (LID) features; and any existing easements. Additionally, the applicant is required to obtain the necessary easement holder's approval for the proposed work.
2. Comply with all National Pollutant Discharge Elimination System, Storm Water Management Plan, and Water Quality requirements.
3. Per County Code Section 12.84.440, comply with LID standards in accordance with the LID Standards Manual, which can be found at http://dpw.lacounty.gov/wmd/LA_County_LID_Manual.pdf.
4. Comply with the approved hydrology study dated May 28, 2015 (or latest revision), for the design of all drainage facilities to the satisfaction of Public Works.
5. Provide a maintenance agreement/covenant for any privately maintained drainage devices.
6. Obtain soil/geology approval of the drainage/grading plan from Public Works' Geotechnical and Materials Engineering Division.

7. Provide permits and/or letters of nonjurisdiction from all applicable State and Federal agencies. These agencies may include, but may not be limited to, the State of California Regional Water Quality Control Board; State of California Department of Fish and Wildlife; State of California Department of Conservation, Division of Oil, Gas, and Geothermal Resources; and the Army Corps of Engineers.
8. Provide a concrete liner or other suitable material approved by Public Works within the proposed on-site detention basin to protect the integrity of Sierra Highway.
9. Submit storm drain plans for review and approval for the proposed catch basin and appurtenant storm drain facilities on Sierra Highway.
10. Execute a maintenance agreement/covenant for the overflow pipe from the proposed retention basin to its junction with the proposed storm drain system on Sierra Highway.

For questions regarding the drainage/grading conditions, please contact Mr. Gerlits at (626) 458-4953 or egerlits@dpw.lacounty.gov.

Water

1. Comply with all the requirements stipulated by the local water purveyor. The attached Will Serve letter issued by the Los Angeles County Waterworks District No. 37 will expire on April 13, 2016. It shall be the sole responsibility of the applicant to renew the aforementioned Will Serve letter upon expiration and abide by all requirements of the water purveyor.

For questions regarding the water condition, please contact Tony Khalkhali of Land Development Division at (626) 458-4921 or tkhalkhal@dpw.lacounty.gov.

If you have any other questions or require additional information, please contact Mr. Gerlits at (626) 458-4953 or egerlits@dpw.lacounty.gov.

ECG:tb



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ADDRESS ALL CORRESPONDENCE TO:
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August 6, 2015

IN REPLY PLEASE

REFER TO FILE: LD-2

TO: Rob Glaser
Zoning Permits North Section
Department of Regional Planning

Attention Richard Claghorn

FROM: Art Vander Vis 
Land Development Division
Department of Public Works

**TACO BELL ACTON-3771 SIERRA HIGHWAY
CONDITIONAL USE PERMIT (CUP) NO. 201400142
PROJECT NO. R 2014-02996
ASSESSOR'S MAP BOOK NO. 3217, PAGE 21, PARCEL NO. 11
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6. Construct a curb ramp at the northeast corner of Crown Valley Road and Sierra Highway to meet current Americans with Disability Act (ADA) guidelines and to the satisfaction of Public Works.
7. Submit street improvement plans and acquire street plan approval before obtaining a grading permit.
8. Execute an Agreement to Improve for the street improvements prior to issuance of a building permit.
9. Comply with all the requirements listed in the attached Public Works' Traffic and Lighting Division letter dated August 5, 2015.
10. Submit a detailed signing and striping plan (scale: 1"=40') for review and approval on Sierra Highway and Crown Valley Road in the vicinity of the property location and acquire approval before obtaining a grading permit.
11. Provide street lights on wood poles with overhead wiring at driveways and intersections along the property frontage on Sierra Highway and Crown Valley Road to the satisfaction of Public Works. Where curb and gutter is present, concrete poles with underground wiring may be required. Submit street lighting plans showing all existing lights along with existing and/or proposed underground utilities plans as soon as possible to Traffic and Lighting Division's Street Lighting Section to allow the maximum time for processing and approval.

12. The proposed project, or portions of the proposed project, are not within an existing lighting district. Annexation to a street lighting district is required.

The applicant shall comply with the conditions of annexation listed below (12.1 and 12.2) in order for the lighting districts to pay for the future operation and maintenance of the street lights. The annexation and the levy of assessment require the approval of the Board of Supervisors prior to Public Works approving street lighting plans. It is the sole responsibility of the owner/developer of the project to have all street lighting plans approved prior to the issuance of building permits or road construction permits, whichever occurs first. The required street lighting improvements must be accepted, per approved plans, prior to the issuance of a Certificate of Occupancy.

- 12.1 Provide the business/property owner name, mailing address, site address, Assessor's parcel number, and parcel boundaries in either Micro Station or Auto CADD format of territory to be developed to the Street Lighting Section.
- 12.2 Submit a map of the proposed project, including any roadways conditioned for street lights, to the Street Lighting Section.

The annexation and assessment balloting process takes approximately 12 months or more to complete once the above information is received and approved. Untimely compliance with the above conditions will result in delay in the annexation of street lighting.

13. The following are conditions of acceptance for street light transfer of billing:
- 13.1 All street lights in the project, or current project phase, must be constructed according to Public Works-approved plans.
- 13.2 The contractor shall submit one complete set of As-built plans.

The lighting district can assume responsibility for the operation and maintenance of the street lights by July 1 of any given year provided the above conditions have been met; all street lights in the project, or approved project phase, have been energized; and the developer has requested a transfer of billing at least by January 1 of the previous year. The transfer of billing could be delayed one or more years if the above conditions are not met.

For questions regarding road conditions 1 through 8, please contact Ed Gerlits of Public Works' Land Development Division at (626) 458-4953 or egerlits@dpw.lacounty.gov.

For questions regarding road conditions 9 through 10, please contact Jeff Pletyak of Traffic and Lighting Division at (626) 300-4721 or jplet@dpw.lacounty.gov.

For questions regarding road conditions 11 through 13, please contact Jeff Chow of Traffic and Lighting Division at (626) 300-4753 or jchow@dpw.lacounty.gov.

Drainage/Grading

1. Submit a drainage and grading plan for review and approval that complies with the approved hydrology study dated May 28, 2015 (or the latest revision), to the satisfaction of Public Works. The drainage and grading plans must provide for the proper distribution of drainage and for contributory drainage from adjoining properties by eliminating the sheet overflow, ponding, and high-velocity scouring action to protect the lots. The plans need to call out the construction of at least all drainage devices and details, paved driveways, elevation of all pads, water quality devices, Low-Impact Development (LID) features, and existing easements. Additionally, the applicant is required to obtain the necessary easement holder's approval for the proposed work.
2. Comply with all National Pollutant Discharge Elimination System, Storm Water Management Plan, and Water Quality requirements.
3. Per County Code Section 12.84.440, comply with LID standards in accordance with the LID Standards Manual, which can be found at http://dpw.lacounty.gov/wmd/LA_County_LID_Manual.pdf.
4. Comply with the approved hydrology study dated May 28, 2015 (or latest revision), for the design of all drainage facilities to the satisfaction of Public Works.
5. Provide a maintenance agreement/covenant for any privately maintained drainage devices.
6. Obtain soil/geology approval of the drainage/grading plan from Public Works' Geotechnical and Materials Engineering Division.
7. Provide permits and/or letters of non-jurisdiction from all applicable State and Federal agencies. These agencies may include, but may not be limited to, the State of California Regional Water Quality Control Board; State of California Department of Fish and Wildlife; State of California Department of Conservation, Division of Oil, Gas, and Geothermal Resources; and the Army Corps of Engineers.

Rob Glaser
August 6, 2015
Page 5

8. Provide a concrete liner or other suitable material approved by Public Works within the proposed on-site detention basin to protect the integrity of Sierra Highway.
9. Submit storm drain plans for review and approval for the proposed catch basin and appurtenant storm drain facilities on Sierra Highway.
10. Execute a maintenance agreement/covenant for the overflow pipe from the proposed retention basin to its junction with the proposed storm drain system on Sierra Highway.

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Water

1. Comply with all the requirements stipulated by the local water purveyor. The attached Will Serve letter issued by the Los Angeles County Waterworks District No. 37 will expire on April 13, 2016. It shall be the sole responsibility of the applicant to renew the aforementioned Will Serve letter upon expiration and abide by all requirements of the water purveyor.

For questions regarding the water condition, please contact Tony Khalkhali of Public Works' Land Development Division at (626) 458-4921 or tkhalkhal@dpw.lacounty.gov.

If you have any other questions or require additional information, please contact Ed Gerlits at (626) 458-4953 or egerlits@dpw.lacounty.gov.

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GAIL FARBER, Director

COUNTY OF LOS ANGELES

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P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE: **T-4**

August 5, 2015

Mr. Scott Sato, P.E.
Trames Solutions Inc.
Suite 400
100 East San Marcos Boulevard
San Marcos, CA 92069

Dear Mr. Sato:

**ACTON TACO BELL PROJECT
CROWN VALLEY ROAD AT SIERRA HIGHWAY
TRAFFIC IMPACT ANALYSIS (MARCH 2, 2015)
UNINCORPORATED ACTON AREA**

As requested, we reviewed your Traffic Impact Analysis (TIA) for the proposed Acton Taco Bell project located at 3771 Sierra Highway in the unincorporated Acton area.

According to the TIA the traffic generated by the project alone, as well as cumulatively with other related projects will not have a significant transportation impact to County roadways or intersections in the area based on our TIA Guidelines. We generally agree with the findings of your TIA.

Currently, the existing painted median at the proposed project driveway on Crown Valley Road would prohibit left-turn ingress and egress movements. Therefore, the project shall modify the roadway striping at this location to accommodate full site access. Accordingly, the project shall submit detailed signing and striping plans to Public Works for review and approval.

We recommend the applicant consult with the State of California Department of Transportation to obtain concurrence with any potential California Environmental Quality Act impacts within its jurisdiction.

Mr. Scott Sato
August 5, 2015
Page 2

If you have any questions regarding the review of this document, please contact Mr. Kent Tsujii of Traffic and Lighting Division, Traffic Studies Section, at (626) 300-4776.

Very truly yours,

GAIL FARBER
Director of Public Works


for DEAN R. LEHMAN
Assistant Deputy Director
Traffic and Lighting Division

MD:mrh
P:\TLPUB\STUDIES\EIR 14-0275 Acton Taco Bell.docx

LOS ANGELES COUNTY WATERWORKS DISTRICTS *

P. O. Box 1460
Alhambra, CA 91802
Telephone: (626) 300-3306

260 East Avenue K-8
Lancaster, CA 93535
Telephone: (661) 942-1157

23533 Civic Center Way
Malibu, CA 90265
Telephone: (310) 317-1388

TO:

Los Angeles County
Department of Health Services
Environmental Health: Mtn. & Rural/
Water, Sewage & Subdivision Program
5050 Commerce Drive
Baldwin Park, CA 91706-1423

Los Angeles County
Department of Public Works
Building & Safety Division

Los Angeles County
Fire Department

RE: 3771 W Sierra Hwy Acton, CA 93510
Address City Zip Code
3127-021-011
Assessor's Parcel Number

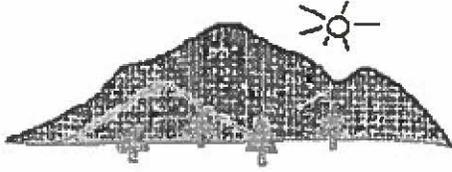
Los Angeles County Waterworks District No. 37, Acton
Conditional Will serve water to the above *single lot* property subject to the following:

- Annexation of the property into Los Angeles County Waterworks District is required. Water service to this property will not be issued until the annexation is completed.
- The appropriate fees must be paid to the District and other related water agencies.
- The appropriate connection fees have been paid to Waterworks Districts.
- Water system improvements will be required to be installed by the developer subject to the requirements set by the Fire Department and the District, **which at this time have not been specifically set.** As a condition of receiving water service, the developer shall install such facilities at his expense, pay the District's applicable charges and fees, and dedicate/transfer any necessary right of way to the Waterworks District for ownership upon satisfactory completion of construction.
- Owner may be required to participate in an existing water system improvement per Specs WWD 37-243(PC) installed by others.
- The service connection and water meter serving the property must be installed in accordance with Waterwork's District standards.
- The property has an existing service connection and water meter.
- Public water system and sewage disposal system must be in compliance with Health Department separation requirements.
- A portion of the existing fronting water main may be required to be replaced if the water service tap cannot be made or if damage occurs to the water main.
- Property may experience low water pressure and / or shortage in high demand periods.
- The District **CAN NOT** serve water to this property at this time.

By: Aracely Jaramillo Aracely Jaramillo 626-300-3353 4/13/15
Signature Print Name Phone Number Date

Rev. 04/15

*** THIS CONDITIONAL WILL SERVE LETTER WILL EXPIRE ONE YEAR AFTER THE DATE OF ISSUANCE.**



**ACTON TOWN COUNCIL
P.O. BOX 810, ACTON CA. 93510**

**Richard Claghorn, Planner
Los Angeles County Department of Regional Planning
Electronic Submittal of twenty (20) pages
(sent to RClaghorn@planning.lacounty.gov)**

August 27, 2015

and

**The Regional Planning Commission
320 West Temple Street
Los Angeles, CA 90012
Electronic Submittal of twenty (20) pages
(sent to Commission Secretary rruiz@planning.lacounty.gov)**

Subject: Taco Bell/First Street development proposal in Acton

**Reference: Project Number R2014-02996; RCUP # T2014-00142
Assessor Parcel No: 3217-021-11**

Dear Commissioners and Mr. Claghorn;

The Developer pursuing the referenced project recently provided the Acton Town Council with copies of revised signage plans and project site/elevation drawings as well as a complete copy of the Project traffic study that was approved by the County's Department of Public Works. With this more complete information, the Acton Town Council was able to conduct a more thorough analysis of the proposed project, the results of which are provided herein. Please note, this letter is intended to supplement (and not replace) prior comments submitted previously by the Acton Town Council on July 23, 2015 and in 2014. The following paragraphs summarize the issues of concern; details are provided in various attachments.

The Acton Town Council notes that several elements of the proposed project violate the adopted Acton Community Standards District as well as other portions of the County Zoning Code. These violations will prevent the Department of Regional Planning ("DRP") from approving the project without first processing and approving multiple variance requests. These violations are described more fully in Attachment 1.

The Acton Town Council has also identified a number of substantial problems and significant omissions in the developer's traffic impact analysis. These deficiencies (described more fully in Attachment 2) call into question the developer's conclusion that

the proposed project will not create any traffic impacts on the community of Acton. Based on the information provided in Attachment 2, the Acton Town Council has concluded that less than 10 percent of Taco Bell's customers will come from Acton residences. Even more importantly, the majority of Taco Bell's customers (as much as 68%, depending on the time of day) will use the "drive-through" window and at least 80% will be freeway commuters.

The developer has informed the Acton Town Council that the proposed project is being permitted under the previous Antelope Valley ("AV") Area Plan (adopted in 1986), which applies a "Community Commercial" land use designation to the project site. The project is also being processed under the C-2 "Neighborhood Serving" zoning standards with a DP designation. Notably, the 1986 AV Plan, the underlying "C-Community Commercial" land use designation, and the underlying C-2 zoning designation impose a number of limitations and restrictions which are violated by the proposed Taco Bell project. Details are provided in Attachment 3, but it is clarified specifically here that the 1986 AV Plan recognizes three types of commercial land uses: 1) C-Community Commercial; 2) Highway Oriented Commercial; and 3) Neighborhood Oriented Commercial. The "C-Community Commercial" land use designation is intended to serve local neighborhoods, while "Highway Oriented Commercial" uses consist of "highway or roadside facilities of a minor nature such as gas stations, cafes, motels, and other uses providing a service to the traveling public" [See page VI-6]. There is no doubt that the proposed Taco Bell project is indeed a roadside facility that serves the traveling public, thus it falls squarely within the "Highway Oriented Commercial" land use category established by the 1986 AV Plan. However, the proposed project site does not have, *and has never had*, a "Highway Oriented Commercial" land use designation [as evidenced in the record established for Case No. 90-638]. It is also noted that the applicant does not seek, and has never sought, project approval under the "highway oriented commercial" provisions of the 1986 AV Plan. To the contrary, DRP's "Project Summary" posted in advance of the hearing designates the project site as having a "C-Community Commercial" land use designation, which is intrinsically inconsistent with the "highway-oriented" Taco Bell project that is proposed. Simply put, the project site lacks the necessary "Highway Oriented Commercial" land use designation that is required before DRP can approve the proposed Taco Bell "drive through" project.

Additionally, the Acton Town Council points out that the existing C-2 (Neighborhood Business) zoning designation on the property was actually established by *downgrading* the previously established C-3 (Unlimited Commercial) zoning designation. This downgrade from C3 to C2 was specifically and intentionally implemented because C3 development was deemed to allow "uses that were inconsistent with the long range land use goals and objectives of the community" [see page 3 of Staff Analysis of Case No. 90-638]. This underlying aspect of the existing zoning designation on the project site has not washed away over time, nor has the attendant requirement that future development on the site be consistent with Acton's long range land use goals and objectives. To the contrary, these factors are every bit as relevant and crucial to the planning decisions of today as they were when they were first established decades ago. The Acton Town Council *will not* allow these overriding factors to be either ignored or forgotten.

Finally, DRP is reminded that it cannot approve any commercial project along Sierra Highway or Crown Valley Road that would ultimately lead to the installation of traffic signals. On numerous occasions over the last 10 years, The Acton Town Council has pointed out all the various provisions of the 1981 County General Plan and the 1986 AV Area Plan and the Acton Community Standards District which preclude development that expands the use of urban infrastructure such as curbs, gutters, sidewalks, streetlights, and traffic signals. These provisions were reiterated and reinforced in the recently adopted "Town and Country" Plan, and they apply to the proposed Taco Bell drive-through project as well as the proposed Primo Burger drive-through project as well as the proposed Rite Aid drive-through project. If any of these projects (either individually or cumulatively) create traffic impacts to the extent that traffic signals are deemed appropriate, then they cannot be approved (either individually or cumulatively).

The Acton Town Council has voted unanimously (9-0) to oppose the Taco Bell "Drive-Through" project as proposed, and respectfully requests that the County's Departments of Regional Planning, Public Works, and Parks and Recreation respond to the various concerns presented in this letter and included attachments.

Sincerely;

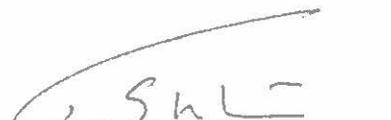

Christopher Croisdale, President

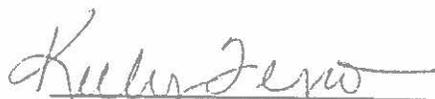

Tom Costan, Vice President


Jacqueline Ayer, Member

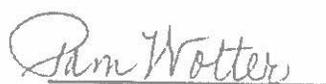

Ray Billet, Member


Michael Hughes, Member


Thor Merich, Member


Kelly Teng, Member


Katherine Tucker, Member


Pam Wolter, Member

ATTACHMENT 1

**THE ACTON TOWN COUNCIL'S CONCERNS WITH THE DESIGN OF, AND VARIANCES
REQUIRED BY, THE PROPOSED TACO BELL PROJECT "DRIVE-THROUGH".**

1) According to the Signage Plan submitted to the community in July, 2015 (and included at the end of this attachment), the project includes a 9 foot monument sign, which violates the following provision of the Acton CSD and requires a variance:

"Freestanding business signs, typically monument style, as provided for in section 22.52.890, except that roof business signs shall be prohibited, the height of such signs shall be limited to 5 feet measured from the natural grade at street level, and the maximum area of combined faces on such signs shall be limited to 100 square feet."

2) According to the Signage Plan, the monument sign is internally lit with multiple led lights and/or "Halo" illumination which violates the following provision of the Acton CSD and requires a variance:

"Signage shall be unobtrusive and shall promote the style of the Western frontier architectural guidelines. Lighting shall be external, using fixtures designed to focus all light directly on sign, and internal illumination shall be prohibited."

3) According to the Signage Plan, all wall signs are internally lit with multiple led lights and/or "Halo" illumination which violates the following provision of the Acton CSD and requires a variance:

"Signage shall be unobtrusive and shall promote the style of the Western frontier architectural guidelines. Lighting shall be external, using fixtures designed to focus all light directly on sign, and internal illumination shall be prohibited."

4) According to the Signage Plan, all signs are in garish neon pink and bright purple colors with a non-western style which violates the following provisions of the Acton CSD and requires a variance:

"Notwithstanding any other provision of this title, all signs permitted by this subsection shall conform to the following: Signage shall be unobtrusive and shall promote the style of the Western frontier architectural guidelines"..... Signage controls can "make or break" the visual image of a commercial community. This feature of the Acton community is so important that Section C.6 of the Acton Community Standards District contains specific regulations designed to prevent the use of modern signs. The primary function of signs in Acton is to effectively identify business locations. Signs should not be used for advertising, unless based on verifiable authentic Western designs. Even then they must either conform to Section C.6 or undergo appropriate variance approvals..... If there is a single "Western town" color, it would be earthtone. This color—or range of colors from beige to gray—is natural appearing in many of the materials used in constructing the old West. Brick, made from adobe clay, was often used in early Acton and is also an appropriate color. Brighter primary paint colors were available and were often used for signs and on metal surfaces to prevent rust. "Pastels" and "neons" are inappropriate colors in the Western palette."

5) According to the Plan and Elevation Drawings submitted to the community in July, 2015 (provided at the end of this attachment), the east façade includes a brightly colored, internally lit wall sign that advertises the business, will be highly visible from the freeway, and is intended to pull customers from the freeway. It therefore meets the definition of a “freeway oriented sign”. The east façade is not a frontage face and though there is an entrance on this side of the building, the sign is not intended to identify the entrance, rather it is intended to advertise to commuters on the freeway. Therefore, the placement of any such sign on the east façade does not comply with either the Acton CSD or zoning code section 22.52.880, and requires a variance.

6) According to the Site Plan submitted to the community in July, 2015, the south façade is 27 feet 4 inches long; therefore 41 sq. ft. of sign area is allowed according to the following provision of the Acton CSD. It is not clear from the Signage Plan provided to the community in July 2015 that the signage proposed for the south façade meets these CSD provisions; if it does not, then a variance is required to comply with the following requirement:

“Wall business signs are subject to 22.52.880 as modified by the Acton CSD: Each ground-floor business establishment fronting on one or more public streets shall be permitted 1.5 square feet of wall sign area per foot of building frontage up to a maximum of 100 square feet.”

7) The Site Plan provided by the developer indicates that a propane tank will be maintained on site. Propane service is not a permitted use on C-2 lands even with a CUP. The applicant has told the community that they do not intend to sell propane or use propane. Nonetheless, the propane sales infrastructure remains on the site plan, and therefore requires a variance.

8) The conditions imposed by DPW on this project include multiple streetlights constructed on wooden poles, which were established without analyzing whether or not such streetlights were necessary for public health and safety (which is inconsistent with the County’s Dark Skies Ordinance). The ATC has discussed this DPW, and based on staff’s consideration of the community’s concerns, it was determined that additional streetlights would not be required. The ATC is grateful for DPW’s reconsideration of this requirement, and anticipates that the applicant will modify the project plans accordingly.

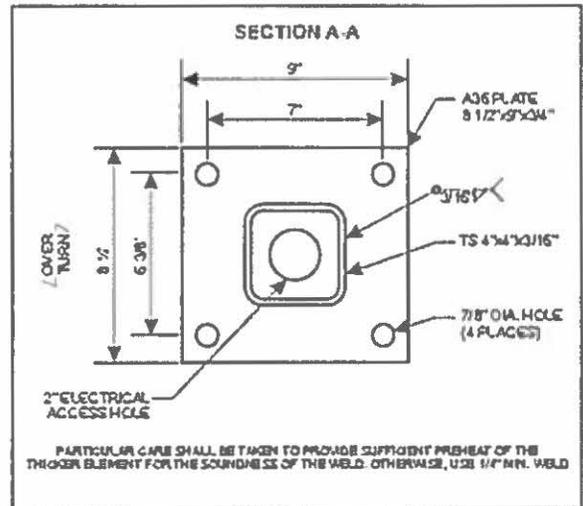
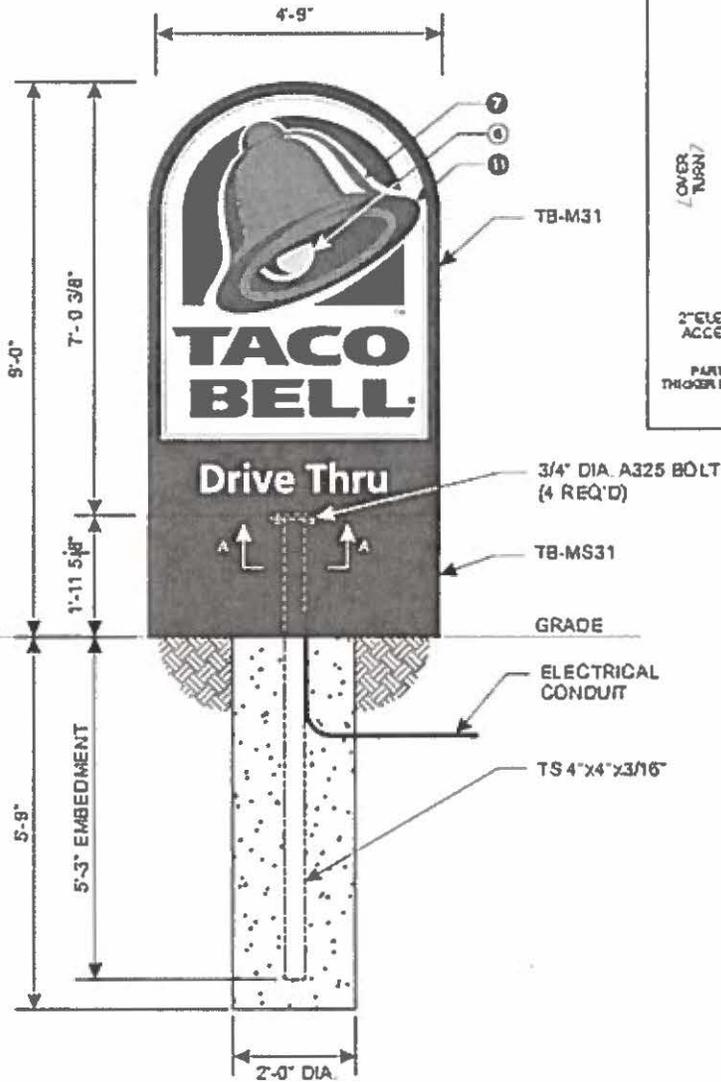
9) The Site Plan depicts 10 foot and 12 foot trail easements, but the actual trail bed itself is as narrow as 7 feet or less, which is inconsistent with the 12-foot trail bed width required by the “County of Los Angeles Trails Manual” dated July 15, 2010.

Note: At the ATC meeting on August 17, the developer stated that a project sign plan had not been prepared and that the Taco Bell Development would be “externally lit”. These statements are inconsistent with the plans that the developer provided, as seen on the following pages.



Taco Bell - Monument Sign - 32sf

V-304



SPECIFICATIONS

DESIGN PARAMETERS

- Structural adequacy shall be the manufacturer's responsibility using the following criteria:
- 100 MPH 3 second gust wind speed, Exposure C, Category II.
- 300 PSF per foot of depth allowable lateral soil bearing pressure.
- Compliant with national building codes and standards (IBC 2009, AISC 13th Edition, ASCE 7-05, ACI & Aluminum Design Manual).
- Refer to written documentation for material specifications.

DIRECTIONAL:

- Excluded aluminum frame, 10" deep with 1 1/2" retainers
- Aluminum painted fillers
- .125 pan-formed and embossed SG polycarbonate face with retention strips
- Approximate weight: 325 lbs.

ELECTRICAL SPECIFICATIONS

UL & NEC approval required.

Lamp(s): (4) F48T12DSGN50/HO

(2) F42T12DSGN50/HO

(2) F36T12DSGN50/HO

Ballast(s): (2) 4-amp electronic ballast (1.7 amps each)

Total Load: 3.4 amps

Circuit(s): (1) 20 amp-120V

GRAPHIC & COLOR SPECIFICATIONS:

- TB Bronze Tiger Drylac 4966220 C30
- Fluon FMS 269U
- Amber Wave SW-6667 FMS 138U
- FMS 131U
- FMS 139U
- Yellow FMS 108U
- Pantone Process Magenta U
- Pantone Violet U
- Pantone Black
- Benjamin Moore Bavarian Creme White #2146-70
- Violet 3M Vinyl 3630-9126
- White Matte - Cabinet Inzeon

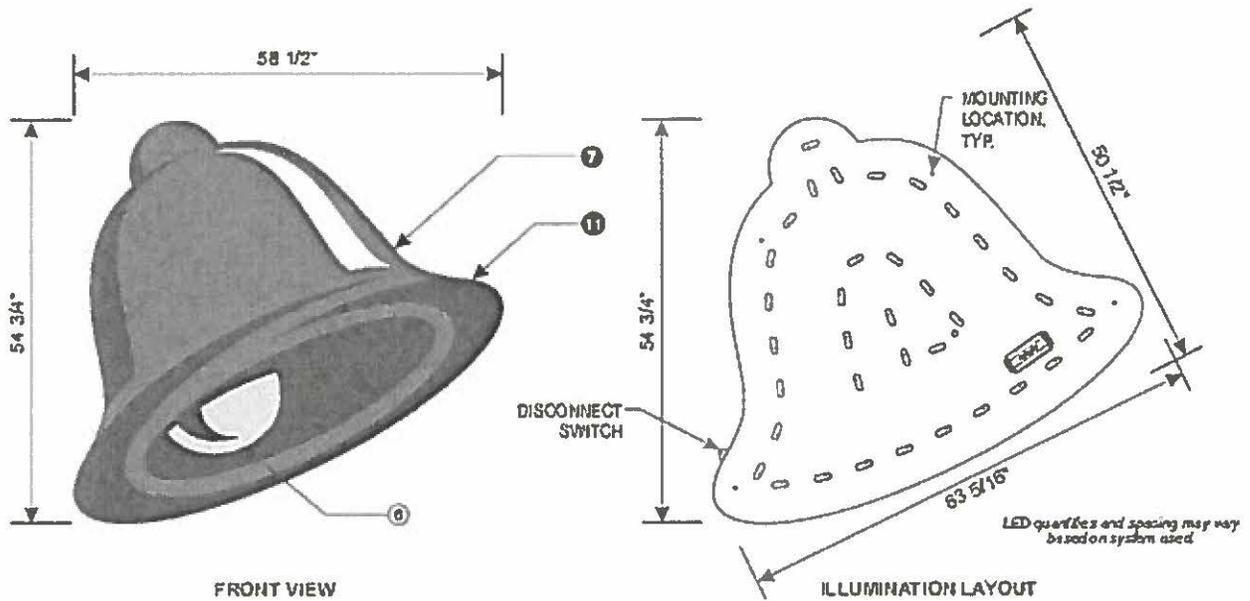
NOTE FOR LOCAL DELIVERY
DECEMBER 3, 2012





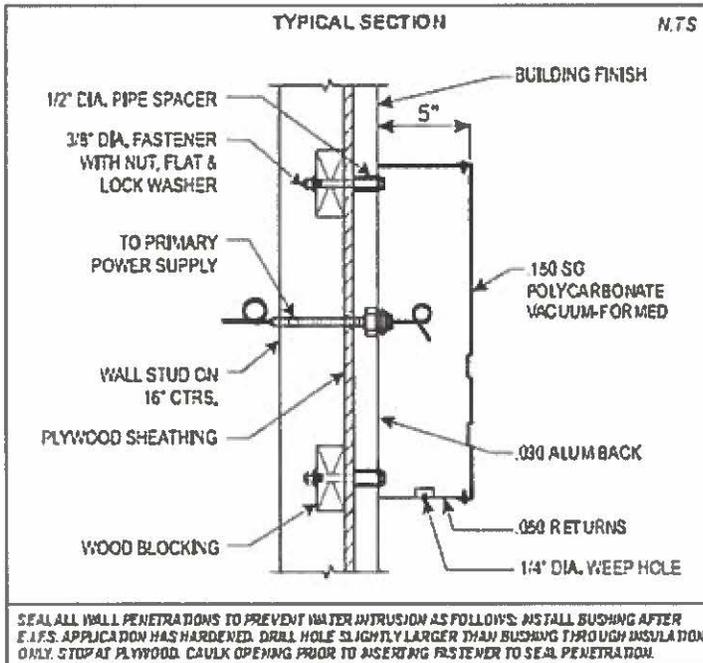
Taco Bell - Swinging Bell - Formed Face

V-322



FRONT VIEW

ILLUMINATION LAYOUT



SPECIFICATIONS

DESIGN PARAMETERS

- Structural adequacy shall be the manufacturer's responsibility using the following criteria:
- 110 MPH 3 second gust wind speed, Exposure C, Category II, Components & Cladding, Zone 3.
- Attachment may vary based on wall conditions.
- Compliant with national building codes and standards (IBC 2009, AISC 13th Edition, ASCE 7-05, ACI & Aluminum Design Manual).
- Refer to written documentation for material specifications.

Materials

- Cabinet: .050 aluminum returns w/ violet finish and .090 aluminum back
- Face: .150 SG polycarbonate vacuum formed
- Second surface decoration
- Removable face for service

Area

- Squared: 22.24 sf
- Actual: 14.19 sf

Weight (Est)

- 100 lbs

ELECTRICAL/ PERFORMANCE SPECIFICATIONS

- NEC approval required.
- 12V, Class II UL approved system.
- 50,000 hour system where no greater than 30% lumen degradation is experienced at 50K hours.
- Thermally managed surface mount devices (SMD).

LED(s): (36) Agilight LS-APEX-60K-G2 White (5000K) LEDs (18 1/2) or equivalent - pre-approval required

Power Supply: (1) General LED PS 12-60V-100-277V @ 0.8 amps or equivalent

Total Load: 0.8 amps

Circuit(s): (1) 20 amp-120V

GRAPHIC & COLOR SPECIFICATIONS:

- 1 TB Bronze Tiger Drylac 49-6220 C33
- 2 Plum FMS 2698U
- 3 Amber/Violet SW-667 FMS 138U
- 4 FMS 131U
- 5 FMS 139U
- 6 Yellow FMS 108U
- 7 Pantone Process Magenta U
- 8 Pantone Violet U
- 9 Pantone Black
- 10 Benjamin Moore Bavarian Cream White #2146-70
- 11 Violet CM Vinyl 3650-9126
- 12 White Matte - Cabinet Interior

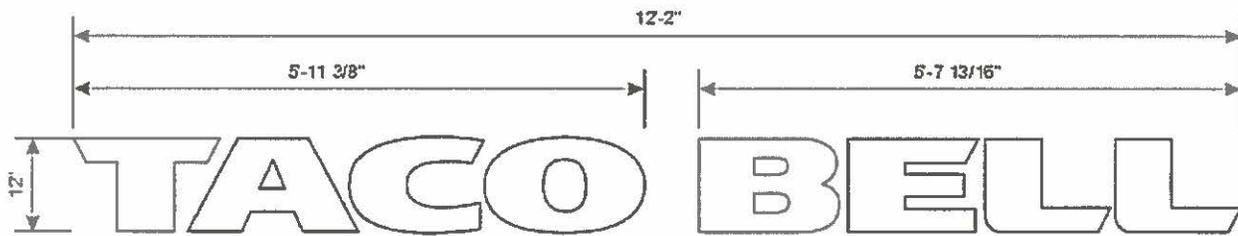
NOT FOR CONSTRUCTION
December 2012



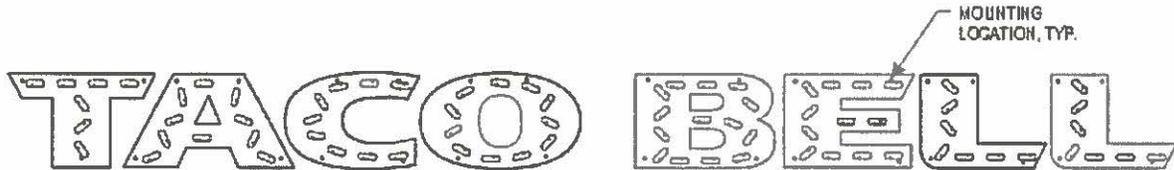


Taco Bell - 12" Channel Letter

V-349

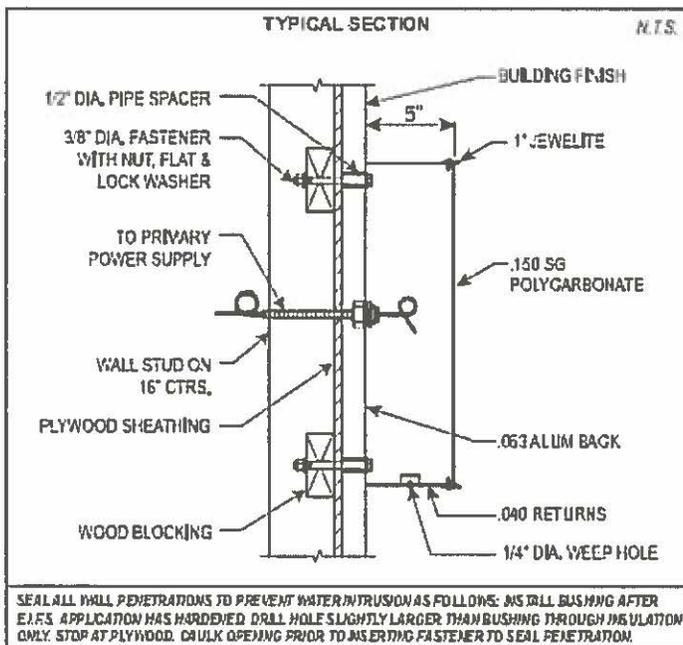


FRONT VIEW



ILLUMINATION LAYOUT

LED quantity and spacing may vary based on system used.



SPECIFICATIONS

DESIGN PARAMETERS

- Structural adequacy shall be the manufacturer's responsibility using the following criteria:
- 110 MPH 3 second gust wind speed, Exposure C, Category II Components & Cladding, Zone 5.
- Attachment may vary based on wall conditions.
- Compliant with national building codes and standards (IEC 2009, AISI 13th Edition, ASCE 7-05, AGI & Aluminum Design Manual).
- Refer to written documentation for material specifications.

Materials

- Cabinet: .040 aluminum returns w/white finish and .063 aluminum back
- 1" white Jewelite trim
- Face: .150 SG polycarbonate
- Removable face

Area

- Squared: 12.17 sf
- Actual: 8.18 sf

ELECTRICAL/ PERFORMANCE SPECIFICATIONS

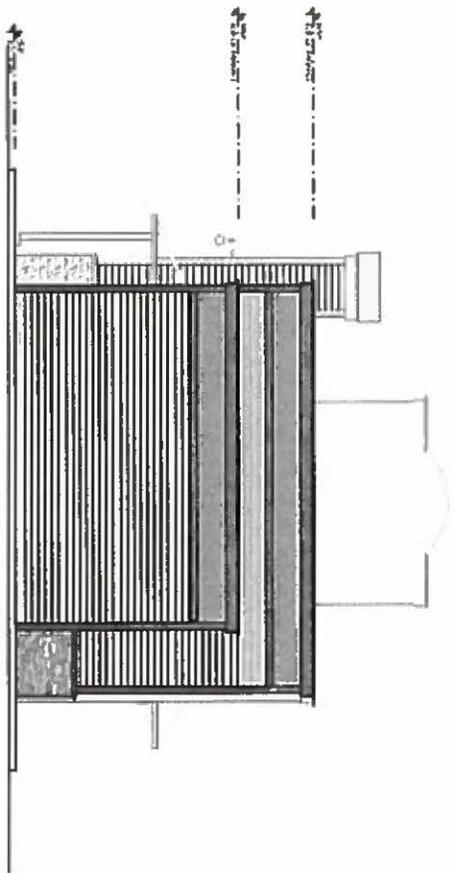
- NEG approval required.
 - 12V, Class II UL approved system.
 - 50,000 hour system where no greater than 30% lumen depreciation is experienced at 50K hours.
 - Thermally managed surface mount devices (SMD)
- LED(s): (77) AgiLight LS-CORE-65K-G2 White (6500K) LEDs (26 ft) or equivalent - *pre-approval required*
- Power Supply: (1) General LED PS12-60W-100-277V @ 0.8 amps or equivalent - *Remotely Located*
- Total Load: 0.8 amps
- Circuit(s): (1) 30 amp-120V

GRAPHIC & COLOR SPECIFICATIONS:

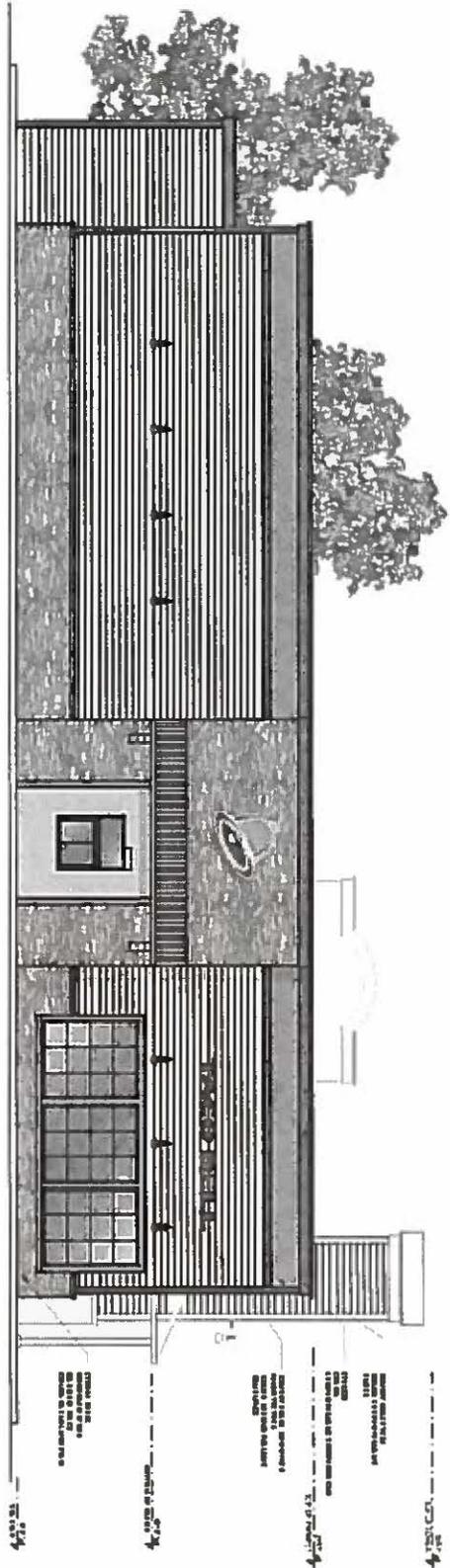
- 18 Bronze Tiger Drylac 49-66230 C33
- Pum FMS 2665U
- Amber Wave 3M-6557 FMS 106U
- FMS 131U
- FMS 135U
- Yellow FMS 106U
- Pantone Process Magenta U
- Pantone Violet U
- Pantone Black
- Benjamin Moore Barafan Creme White #2145-70
- Violet 3M Vinyl 3630-9125
- White Matte - Cabinet Interior

NOT FOR CONSTRUCTION
DECEMBER 2012





NORTH ELEVATION
SCALE 1/4" = 1'-0"



WEST ELEVATION (FACING CROWN VALLEY RD)
SCALE 1/4" = 1'-0"

MARKS ARCHITECTS
 1000 S. GARDEN AVENUE
 SUITE 100
 ANAHEIM, CA 92805
 (714) 771-1111
 WWW.MARKSARCHITECTS.COM



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TRACI BELL
 ARCHITECT
 1000 S. GARDEN AVENUE
 SUITE 100
 ANAHEIM, CA 92805

EXTERIOR
 ELEVATIONS
A4.1

ATTACHMENT 2

**THE ACTON TOWN COUNCIL'S CONCERNS WITH THE TRAFFIC IMPACT ANALYSIS
DEVELOPED FOR THE PROPOSED TACO BELL "DRIVE-THROUGH" PROJECT.**

The Analysis Method Used to Establish Traffic Impacts of the Proposed Project is Inaccurate, Inappropriate and Unreliable.

All of the intersections considered in the Taco Bell project traffic study are unsignalized, and should therefore be analyzed using the “vehicle delay” methodology set forth in the adopted “Highway Capacity Manual” (“HCM”). Despite this, the developer relied on a “volume to capacity” (or “v/c”) analysis method to conclude that the proposed project will not impact traffic in Acton. For the record, the v/c method is completely inappropriate for non-signalized intersections, and in fact the HCM does not permit its use for analyzing unsignalized intersections (see Chapter 17 specifically). Jurisdictions throughout Southern California mandate the use of the “vehicle delay” methodology at unsignalized intersections rather than the v/c methodology, including the County of Riverside¹, the County of San Bernardino² and the City of Los Angeles³. In fact, the County of Los Angeles recently commented to the State’s Office of Public Research that all agencies in Southern California should adopt a consistent and uniform approach for analyzing traffic impacts in the region, and even cited the HCM as the primary method that is predominantly used. Yet, the developer did not follow HCM methodologies at all in the Taco Bell traffic study, despite clearly established local and area wide protocols requiring the use of HCM methodologies.

To demonstrate that the HCM “vehicle delay” methodology is the more appropriate method for assessing traffic impacts in Acton, one need only look at Table 4-2 of the developer’s traffic study, which summarizes the cumulative traffic impacts which will occur at the 4 intersections that were studied. Two of these intersections involve freeway ramps, so CalTrans required the use of the HCM vehicle delay methodology. So, at these locations, the developer used both the “v/c” methodology and the HCM “vehicle delay” methodology (though the developer did not cite or otherwise use the HCM results at all; they were simply summarized in the report and then ignored). According to the “v/c” method, existing traffic conditions at the intersection of Crown Valley and the East Bound 14 Freeway ramps are “Category A” (which is “excellent”), and will remain “Category A” even after the cumulative proposed projects are constructed. However, according to the HCM “vehicle delay” method, existing traffic conditions at this intersection are “Category C” (poor), and will worsen to Category “D” conditions after the cumulative projects are constructed. **Clearly**, use of the v/c method to determine traffic impacts at unsignalized intersections in Acton (or anywhere) yields artificially optimistic and entirely unreliable results which fail to properly model projected traffic impacts. It is the ATC’s opinion that the entire traffic study should be redone using the HCM “vehicle delay” methodology. Furthermore, the ATC recommends a “significance threshold” of a 5% change in any existing HCM Level of Service that is less than “Category B”.

¹ See Page 3 at: <https://www.riversideca.gov/traffic/pdf/traffic-impact-analysis.pdf>

² See page 5 at <https://www.ci.san-bernardino.ca.us/pdf/DevSvcs/Traffic%20Study%20Guidelines%202.pdf>

³ See page 15 at <http://cityplanning.lacity.org/EIR/8150%20Sunset/References/4.I.%20Transportation%20and%20Circulation/TRAF.03.LADOT%20Policies%20and%20Procedures.2013.pdf>

Even if it is Determined that the “V/C” Method is Appropriate, the Traffic Impact Analysis is Still Unrealistic and Mathematically Incorrect.

Under the “v/c” method, each lane is assumed to have a maximum capacity of 1,600 cars per hour, and the County’s traffic manual considers a reasonable (Category “C” or better) level of service at a signalized intersection to be approximately 1,100 cars per hour or less. In Acton, every road that feeds the intersections considered in the developer’s traffic study has one lane running in each direction, therefore, the “v/c” traffic analysis approach should reasonably assume a 1,600 car per hour project capacity limit in each direction. But this is not the case. In fact, the developer’s analysis assumes a project capacity limit that is three times higher (or 4,800 car/hour) *in each direction* along Sierra Highway because Sierra Highway splits into 3 directional lanes just before it reaches the intersection with Crown Valley. By *tripling* the vehicle capacity limit of Sierra Highway to 4,800 cars per hour, the threshold for determining whether traffic impacts are significant is increased substantially. In other words, the developer’s traffic study assumes that Sierra Highway can “tolerate” 4,800 cars per hour at the intersection with Crown Valley, when in reality it can’t even “tolerate” 1,600 cars per hour because it is not signalized and is fed by only one lane. The highly inflated capacity assumption that is implicit in the developer’s traffic study fails to properly consider the road configurations in the area of the project, and is absurd and entirely insupportable from a technical and engineering perspective.

The “Trip Generation Rates” Assumed in the Developer’s Study are Too Low.

The Traffic Study was developed based on trip rate factors published by the Institute of Traffic Engineers (“ITE”) which assume that peak customer loads occur in the morning and evening, and are based on the area (square footage) of the development. For several reasons, these trip rate assumptions are flawed because they do not represent the unique circumstances associated with the proposed Taco Bell project in Acton. Specifically:

1. The proposed Taco Bell project is oriented toward, highly visible from, intended to serve, and located adjacent to, a major commuter freeway which carries 100,0000 vehicles per day. None of these factors are reflected in the ITE trip rate factors.
2. Traffic counts were conducted in the late afternoon and early evening on August 17, 2015 at the existing “McDonald’s” fast food business located across the street from the proposed project site. The results indicate the following:
 - Customer loads do not peak after 5 PM; in fact, the customer load recorded between 4 and 5 PM was higher than that recorded between 5 and 6 PM and between 6 and 7 PM.
 - More than half the customers use the “drive through” service window, the existence of which is entirely independent of the size (or square footage) of the restaurant. Therefore, the determining factor which drives a majority of the customer load is NOT the square footage of the restaurant.

- Nearly 10% of the customers parked off-premises and did not drive into the “McDonald’s” lot; these customers constitute “traffic generators” that would be improperly omitted from any actual traffic counts that would be taken.
 - The peak customer count that was observed (NOT counting customers who parked off-premises) occurred between 4-5 PM, with 81 vehicles going “in”.
 - The peak “drive through” usage rate occurred between 6 PM and 7 PM, with 56% of customers using the “drive-through” window.
3. The developer was informed of these results at the ATC meeting on August 17, 2015. The developer asserted that these results were invalid because a typical “McDonald’s” operation experiences a much higher customer load than a typical Taco Bell operation. The developer stated that the “Jack in the Box” business located down the street from the “McDonald’s” business appropriately represents Taco Bell operations because it properly reflects Taco Bell’s lower customer load.
4. Traffic counts were conducted in the early morning and midday on August 18, 2015 at the existing “Jack in the Box” fast food business located adjacent to the freeway and just down the road from the proposed project site. These results indicate:
- Customer loads do not peak in the morning. In fact, the early morning customer load was half that of the midday customer load.
 - More than half the customers use the “drive through” service window, the existence of which is entirely independent of the size (or square footage) of the restaurant. Therefore, the determining factor which drives a majority of the customer load is NOT the square footage of the restaurant.
 - Depending on the time of day, more than 15% of the customers park off-premises and do not drive into the “Jack in the Box” driveway; these customers constitute “traffic generators” that would be improperly omitted from any actual traffic counts that would be taken.
 - The peak customer count (which does NOT include customers who parked off-premises) occurred between 12-1 PM, with 73 vehicles going “in”.
 - The peak “drive through” usage rate was 68%, and it occurred between 6-7 AM and again between 11:15 AM to 12 PM.
 - According to the ITE manual, for AM peak hours, the traffic impacts created by fast food restaurants with a “drive-through” (Use Code 934) are similar to the traffic impacts created by fast food restaurants without a “drive-through” (Use Code 933). The ITE Manual also projects that fast food restaurants with a “drive through” generate only 25% more total daily trip rates than equally

sized fast food restaurants without a “drive-through”. These assumptions are disproved based on the data summarized above, which clearly demonstrates that the “drive-through” configuration is what draws the majority of customers to the fast-food businesses in Acton.

Based on these results, it seems clear that the published ITE trip rate factors which were relied upon in the Developer’s traffic study do not properly reflect the actual traffic conditions that will be created in Acton by the proposed Taco Bell project. The traffic study should be re-done based on actual traffic counts conducted at the “Jack in the Box” business which (according to the developer) accurately reflects Taco Bell facility operations.

The Traffic Study Does Not Address School Impacts or Student Safety.

The proposed project is located between the local middle school and the local library, in an area where children are frequently found walking after school is out. When school is in session, traffic jams always occur between 7:15 and 8:15 AM as well as between 1:30 PM and 2:30 PM as a result of student drop-off and pick-up activities. The Developer’s study does not address any of these issues and it fails to consider additional traffic delays that will occur in the vicinity of the school as a result of the proposed project.

The 10% Pass-By Rate Assumed is Too High

Implicit in the Developer’s traffic study is a 10% “Pass-By” assumption. “Pass-by” trips are made by traffic already using Sierra Highway or Crown Valley (i.e. locals using Crown Valley and/or Sierra Highway to get home or to access local small businesses). The problem is, the 10% “pass-by” assumption is unrealistic for Acton because there are simply not enough locals available to justify such a high percentage “Pass-by” rate. Virtually every household in Acton would have to eat at the proposed Taco Bell at least once per month to achieve the projected 10% “pass-by” rate of 100 cars per day. To ensure conservative results, the “pass-by” assumption should completely eliminated from the Developer’s traffic impact analysis.

The Traffic Study Does Not Address Required Two-Lane Road Impacts.

The Los Angeles County Traffic Impact Analysis Guidelines document requires developers to assess traffic impacts on adjacent two-lane roadways in accordance with adopted HCM methods if the development relies on two-lane roadways for access. There is no question that access to the proposed Taco Bell development relies entirely on two-lane roads (specifically Sierra Highway and Crown Valley Road) However, the developer failed to conduct any traffic analysis of these roadways at all. This omission must be corrected.

The Traffic Impact Analysis Does Not Consider the 120 Lot Recorded Subdivision Map Located Just South of the Proposed Development.

The Developer's traffic study fails to account for the 120+ home subdivision for which grading and infrastructure development was started in 2008, but then halted due to the economic slowdown. The tract map was recorded as 43526 (MB 1143/26) and grading began after some revisions were approved by DPW to address drainage concerns. This subdivision is accessed via Crown Valley and the northern boundary lies about half a mile south of the Freeway. The projected traffic loads associated with this approved and partially constructed project must be considered in the Taco Bell traffic impact study. A second large residential subdivision project (approved Tentative Map 42883) that is located just north of the proposed Taco Bell project on Crown Valley Road was also omitted.

Traffic Counts Reported in the Traffic Impact Analysis Appear Low.

The traffic counts reported by the Developer are substantially lower (25-40%) than what was measured at the same intersections several years ago for the proposed United Growth/Panda project. The population of Acton has not decreased substantially since that time, and even freeway counts have only dipped less than 9%. This previous study calls into question the traffic counts reported in the Developer's traffic study.

ATTACHMENT 3

THE ACTON TOWN COUNCIL'S CONCERNS WITH THE ZONING AND LAND USE DESIGNATIONS OF THE PROPOSED TACO BELL "DRIVE-THROUGH" PROJECT.

1. As indicated in several locations within the 1986 AV Plan, Acton has, for more than 35 years, expressed concerns that inappropriate development threatens Acton's rural character, natural settings, and existing public facilities (including roads and schools). The 1986 AV Plan sets forth the following specific measures to ensure that development on the proposed project site proceeds in a manner which preserves Acton's rural character:

The 1986 AV Plan recognizes three types of commercial land uses: 1) C-Community Commercial; 2) Highway Oriented Commercial; and 3) Neighborhood Oriented Commercial. The land use designation established for the proposed project site is "Community Commercial", the intent of which (as clearly established by the 1986 AV Plan) is to serve local neighborhoods [see page VI-6]. Notably, the proposed project site was NEVER designated as, or even considered to be, "Highway Oriented Commercial" as evidenced in the record established for Case No. 90-638. This fact is crucial, because the 1986 AV Plan clearly identifies that "Highway Oriented Commercial" land use designations are appropriate for "highway or roadside facilities of a minor nature such as gas stations, cafes, motels, and other uses providing a service to the traveling public" [See page VI-6]. Obviously, the proposed Taco Bell "Drive-Through" project is intended to be a roadside facility that serves the traveling public, and therefore requires a "Highway Oriented Commercial" land use designation, not a "Community Commercial" land use designation. It is also noted that the applicant does not seek, and has never sought, project approval under the "highway oriented commercial" provisions of the 1986 AV Plan. To the contrary, DRP's "Project Summary" posted in advance of the hearing designates the project site as having a "C-Community Commercial" land use designation, which is intrinsically inconsistent with the "highway-oriented" Taco Bell project that is proposed. Simply put, the project site lacks the necessary "Highway Oriented Commercial" land use designation that is required for DRP to approve the proposed project. ***There is no doubt*** that an approval of the "Taco Bell Drive-Through" project on the proposed site under a "C-Community Commercial" Land use designation is wholly inconsistent with, and utterly contrary to, the AV Plan.

- Under the 1986 AV Plan, Acton is designated as a "Rural Community" [pg IV-1]. This special designation imbues Acton with specific rural (non-urban) protections secured the Los Angeles County General Plan adopted in 1981 [page IV-13]. Applicable rural and general protections provided to Acton under the 1981 County General Plan include:

- Page III-35: "The scale of local service commercial uses in terms of acreage and floor area must be ***limited to that which can be justified by local community and neighborhood needs.***" Approving freeway-oriented drive-through development that serves thousands of non-local commuters within a designated rural community and on land that is designated for Community Commercial development is utterly contrary to this General Plan provision.

- Page III-36: The overall scale and intensity of local commercial service uses should be "in keeping with the surrounding neighborhood or community setting". The placement of freeway-oriented development that serves thousands of non-local commuters within a designated rural residential community and on land that is designated for Community Commercial development is utterly contrary to this General Plan provision.

- GP Policy 23: “Ensure that development in non-urban areas is compatible with rural lifestyles, does not necessitate expansion of urban service systems and does not cause significant negative environmental impacts or subject people and property to serious hazards”. The placement of heavily trafficked, urban style development in an area where school children congregate within a rural community is utterly contrary to this General Plan provision,

- LU Policy 9: Promote neighborhood commercial facilities which provide convenience, goods and services and complement the community character through appropriate scale, design and locational controls.” The placement of a freeway-oriented drive-through development that provides service and convenience to thousands of non-local commuters within a designated rural residential community is utterly contrary to this General Plan provision.

- LU Policy 7: “Assure that new development is compatible with the natural and man-made environment by implementing appropriate locational controls and high quality design standards”. The placement of heavily trafficked, urban style development that is associated with high customer loads within a designated rural residential community is utterly contrary to this General Plan provision.

- LU Policy 8: “Protect the character of residential neighborhoods by preventing the intrusion of incompatible uses that would cause environmental degradation such as excessive noise and traffic”. Freeway-oriented, drive-through development that serves thousands of non-local commuters is highly incompatible with Acton’s rural residential community, and will degrade the traffic, noise, and public safety conditions. Therefore, approving such development is is utterly contrary to this General Plan provision.

The 1986 AV Plan establishes the formation of an advisory council consisting of local residents and property owners to advise DRP and the BOS on important planning matters [See Page VII-3]. The Advisory Council is intended to ensure that development proceeds in a manner consistent with community objectives. The Acton Town Council fills this role, and considers the decision on the proposed Taco Bell Project to be a *very* important planning matter that will substantially affect the Community of Acton. As such, the Acton Town Council respectfully requests that significant weight be accorded to the input we provide regarding the proposed project in accordance with 1986 AV Plan provisions.

2. The existing C-2 (Neighborhood Business) zoning designation on the project site was actually established by *downgrading* the previously established C-3 (Unlimited Commercial) zoning designation. This downgrade from C3 to C2 was specifically and intentionally implemented because C3 development was deemed to allow “uses that were inconsistent with the long range land use goals and objectives of the community” [see page 3 of Staff Analysis of Case No. 90- 638]. This underlying aspect of the existing zoning designation on the site has not washed away over time, nor has the attendant requirement that future development on the site be consistent with Acton’s long range land use goals and objectives. To the contrary, these factors are every bit as relevant and crucial to the planning decisions of today as they were when they were first established decades ago.

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

Reference: Project R2014-02996; RCUP # T2014-00142; Hearing Date Sept. 16, 2015.

Dear Regional Planning Commissioners and Assigned Hearing Officer;

I oppose the new drive thru development proposed for the community of Acton:

- It will generate more than 1,000 new cars trips into our rural town.
- DRIVE THRU DEVELOPMENT IS AN EYE SORE BLIGHT.
- The traffic study shows that the cumulative project will reduce the traffic level of service at an intersection within our town from C (which is fairly bad) to D (which is quite bad).
- DRIVE THRU DEVELOPMENT DISRUPTS OUR PEACEFUL, RURAL COMMUNITY
- The traffic study indicates that at least 80% of the customers will come from the freeway.
- DRIVE THRU DEVELOPMENT BRINGS MORE NOISE + TRAFFIC THAT HURTS OUR EARS + EYES. IT FORCES US TO TOLERATE + ACCEPT.
- The increased traffic will occur in an area where our children are often found walking from the local Middle School to the County Library.
- The cars coming off the freeway will enter an established equestrian area and even cross a mapped equestrian trail.
- The zoning on this project requires that any development be in accordance with the Needs and Desires of the community, and such Needs and Desires were recently established by a community survey that showed 85% of residents oppose freeway oriented "drive-through" development.
- The project is inconsistent with the newly adopted AV ("Town and Country") Plan, which precludes freeway-oriented development in Acton and provides for restrictions on drive-through development within the community.
- The project signage and lighting violates the Acton Community Standards District and the County Zoning Code, and is intended solely to pull customers off the freeway that passes through our community.
- DRIVE THRU DEVELOPMENT IS EVERYWHERE ELSE! PLEASE US BE!

For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

Judy Hoewisch

JUDY HOEWISCH

Address: 4565 Red Rover Trail

Acton, CA 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

Reference: Project R2014-02996; RCUP # T2014-00142; Hearing Date Sept. 16, 2015.

Dear Regional Planning Commissioners and Assigned Hearing Officer:

I oppose the new drive thru development proposed for the community of Acton:

- It will generate more than 1,000 new cars trips into our rural town.
- The traffic study shows that the cumulative project will reduce the traffic level of service at an intersection within our town from C (which is fairly bad) to D (which is quite bad).
- The traffic study indicates that at least 80% of the customers will come from the freeway.
- The increased traffic will occur in an area where our children are often found walking from the local Middle School to the County Library.
- The cars coming off the freeway will enter an established equestrian area and even cross a mapped equestrian trail.
- The zoning on this project requires that any development be in accordance with the Needs and Desires of the community, and such Needs and Desires were recently established by a community survey that showed 85% of residents oppose freeway oriented "drive-through" development.
- The project is inconsistent with the newly adopted AV ("Town and Country") Plan, which precludes freeway-oriented development in Acton and provides for restrictions on drive-through development within the community.
- The project signage and lighting violates the Acton Community Standards District and the County Zoning Code, and is intended solely to pull customers off the freeway that passes through our community.

For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely,

Elizabeth M. Billet

Address:

31570 Aliso Cyn. Rd -

Elizabeth M. Billet

Acton, CA 92550

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

Reference: Project R2014-02996; RCUP # T2014-00142; Hearing Date Sept. 16, 2015.

Dear Regional Planning Commissioners and Assigned Hearing Officer;

I oppose the new drive thru development proposed for the community of Acton:

- It will generate more than 1,000 new cars trips into our rural town.
- The traffic study shows that the cumulative project will reduce the traffic level of service at an intersection within our town from C (which is fairly bad) to D (which is quite bad).
- The traffic study indicates that at least 80% of the customers will come from the freeway.
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- The cars coming off the freeway will enter an established equestrian area and even cross a mapped equestrian trail.
- The zoning on this project requires that any development be in accordance with the Needs and Desires of the community, and such Needs and Desires were recently established by a community survey that showed 85% of residents oppose freeway oriented "drive-through" development.
- The project is inconsistent with the newly adopted AV ("Town and Country") Plan, which precludes freeway-oriented development in Acton and provides for restrictions on drive-through development within the community.
- The project signage and lighting violates the Acton Community Standards District and the County Zoning Code, and is intended solely to pull customers off the freeway that passes through our community.

For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

Ray F. Rillett

Ray F. Rillett

Address: 31880 Aliso Cyn. Rd.

Acton, CA 92510

Richard Claghorn

From: Ron Bird [ronbird83@gmail.com]
Sent: Sunday, August 23, 2015 3:43 PM
To: Richard Claghorn
Subject: I support Project R2014-02996

I support the Acton Taco Bell project (R2014-02996) and it's associated conditional use permit. I am a member of the Acton community and look forward to patronizing this new restaurant. It will create much needed jobs in our area and will offer us a much needed additional food choice.

The property has the appropriate commercial zoning and its addition will be of great service to our rural community. Yes, Acton needs to remain rural, but our residents need to eat! I urge the Planning Commission to approve this project.

Richard Claghorn

From: Kathy Bell [kathyofacton@gmail.com]
Sent: Friday, September 04, 2015 7:07 AM
To: Richard Claghorn
Subject: I support Taco Bell Project in Acton R2014-02996

I support the Acton Taco Bell project (R2014-02996) and it's associated conditional use permit. I am a member of the Acton community and look forward to patronizing this new restaurant. It will create much needed jobs in our area and will offer us a much needed additional food choice.

The property has the appropriate commercial zoning and its addition will be of great service to our rural community. I support the drive-thru also. Yes, Acton needs to remain rural, but our residents need to eat! I urge the Planning Commission to approve this project.

Thank you.

Kathy Bellenfant