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To: Firouzeh Tirandazi, Development Project Manager

: Mara W. Elliott, San Diego City Attorney

From: Torrey Pines Community Planning Board (TPCPB) **DRAFT ONLY**

Re: Access Analysis Study - Addendum to Negative Declaration Section 15164
Project No. 527802 10715 Sorrento Valley - Marijuana Outlet

Historic Perspective

The most recent traffic regional Level Of Service (LOS) and Average Daily Trips (ADTs) analysis was prepared for the Kilroy One Paseo project in Carmel Valley along the I-5 corridor. Under CEQA guidelines not only the project's direct environmental impacts are addressed but also the regional and adjoining community's involvement in the project. One Paseo addressed these issue and what could be done to mitigate impacts. ALL new projects in the region were analyzed for traffic intensification of land use. All planned, anticipated or forecasted project's data was included in regards to both short-term and more distant, environmental traffic impacts. A qualitative study of how combining all new growth was presented. Traffic analysis included, 5 year projections with and without the project.

Current Situation regarding Retail Marijuana sales within Sorrento Valley

On January 2, 2018, Torrey Holistics, at 10671 Roselle St, started sales of retail marijuana with 90 minutes waiting times to enter the 1,100 square foot dispensary. Another proposed retail outlet located at 10715 Sorrento Valley Road, is before the City Council on final CEQA appeal. A proposed retail outlet, at 10150 Sorrento Valley Road, has been denied by the Torrey Pines Community Planning Board (TPCPB) at a August, 2017 meeting and is still being process by Development

Services with additional uses within the building complex for cultivation and distribution being examined. A fourth retail outlet, at 11189 Sorrento Valley Road, is still in Cycle review and has not come before the TPCPB for a vote. San Diego Releaf at 10170 Sorrento Valley Road, project number 575936 and 585472 is under review but has not been presented to Project Review Committee.

Access Analysis Study by Darnell & Associates

On page 16, Section V – **Cumulative Projects**, the **City of San Diego** has identified **only** three (3) projects to be analyzed with the “Near Term 2018 Opening Day Conditions”. There appear to be no ‘Long-term’ analysis of any traffic concerns beyond Opening Day or how other known or forecasted development would impact traffic congestion within Torrey Pines portion of Sorrento Valley borders or the southern boundary with Mira Mesa.

Table 6 –Cumulative Projects location and Trip Generation lists the 3 selected projects.

San Diego Releaf, 10170 Sorrento Valley Road, project # 575936, is a 2013.8 square foot Medical Dispensary. Table 6 fails to mention that **project # 585472** is scheduled to be part of the operation as a MFP of 36,476 sq. ft.. No daily traffic input is provided.

Sorrento Valley Marijuana Outlet at 10150 Sorrento Valley Road, project # 545299 is a 5,370 sq. ft. Marijuana Retail Outlet. Additional plans have been submitted for office and packaging. Building square footage is listed as 50,284. There is over **41,000 vacant** sq. ft. in the building. The additional vacant space needs to be included in the future trip generation even if only considered as commercial.

The Pacific Sorrento Technology Park is 110, 400 sq. ft. with build # 10130 including Scripps 3,991 sf and **17,802** sf listed as vacant. The additional vacant area should be included in future trip generation. 10110 Sorrento Valley Road is **40,271** vacant space and not included in details. To get a cleared picture of Trip Generation the 99,073 SF need to be addressed, at a minimum use level of commercial.

City of San Diego’s final selection is Mira Sorrento Office Park located but not let build near north Mira Mesa Blvd, east of 805. At best, this location is a far distance from the marijuana outlet project on 10715 Sorrento Valley Rd. This selection is a head scratcher as to why it is relevance to Trip Generation.

Adjacent complexes Not Included in Trip Generation data

Wateridge Insurance Services is directly adjacent to 10715 Sorrento Valley Road retail marijuana store and **Sycamore Creek Science Center** is directly across Arbutus Street. No analysis is provided about ease of access to Arbutus Street. Driving south on Sorrento Valley Road, vehicles must make a left hand turn through a concrete divider in order to access Arbutus Street or a driveway into 10715 Sorrento Valley Road. Furthermore, when vehicles exit the retail marijuana facility, they must drive north to the Sorrento Blvd. intersection and make a U-turn to continue south on Sorrento Valley Road. This issue of safely entering Arbutus St. or leaving the dispensary is not addressed. Have Traffic Studies been performed that would support a traffic light at this site?

Roselle Street intersection with I-5 north bound exit ramp not examined

On January 2, 2018, Torrey Holistics, at 10671 Roselle St, started sales of retail marijuana. Since that retail opening, MPF project applications, 585605 and 585602, have entered the DSD system. Project 585605 at 10671 Roselle St. is for 7,877 sf of MPF and project 585602 at 16685 Roselle St. is a two story, 35,030 sf MPF.

This intensification of land use directly impacts traffic flow from I-5 north bound freeway exit which must cross Roselle St. intersection left turn onto Sorrento Valley Blvd. across the Sorrento Valley Station train tracks. The same situation occurs when traffic must cross the train tracks to reach the I-5 south bound entrance ramp. No analysis is provided to examine new development on Roselle St. nor train track delays and back-up exiting or entering I-5 Sorrento Valley from I-5.

Sorrento Valley Road Development –Coaster Station Analysis

On January 27, 2016, AECOM in conjunction with SANDAG, QUALCOMM, and the Sorrento Valley business community published research concerning possible relocation of the Sorrento Valley train station. AECOM presents its findings that the Level of Service (LOS) was an F at the Sorrento Valley Rd. and Sorrento Valley Blvd. intersection due to the legal requirements to close this intersections to vehicular traffic while AMTRACK and Coaster trains load and unloaded at the station. Passenger AMTRACK and Coaster trains stop 14 times a day at the Sorrento Valley station during the work week and 7 times on the weekend.

SANDAG, as part of its ballot measure to increase funding for transportation needs, specified that the train intersection with Sorrento Valley road and boulevard, was one of the top 5 most congested intersections in San Diego County with a Level of Service F. The ballot measure was defeated and no changes have been made to this intersection. Darnell & Associates based upon the City's selection of only 3 sites to analyze shows a LOS of D. The only reason for such a vast discrepancy is that the

analysis was based on selection criteria of locations almost a mile from the Sorrento Valley train crossing. This entirely ignores the fact that the marijuana outlet at 10715 Sorrento Valley Rd. is only a few hundred feet from this intersection. Furthermore, the I-5 Sorrento Valley ramps are the most direct access point to the retail marijuana outlet.

City's failure to consider other issues with CEQA Guidelines

Under CEQA Guidelines section 15162, “When a project is initially approved by negative declaration, a major revision to the initial negative declaration will necessarily be required if the proposed modification may produce a significant environmental effect that had not previously been studied. If the project modifications introduces previously unstudied and potentially significant environmental effects that cannot be avoided or mitigated through further revisions to the project plans, then the appropriate environmental documents would no longer be a negative declaration at all, **but an EIR.**”

The negative declaration was based upon a ‘medical marijuana dispensary’ and not a retail marijuana store. Trip Generation for the MMCC was approximately 327 average daily trips (ADT’s). The retail outlet will generate approximately 964 daily trips for this site. DSD has failed to consider that another Retail Marijuana Outlet is operating 354 linear feet away. Plus, as previously indicated, two other retail marijuana outlets are planning to open in Sorrento Valley. These four retail outlets are approximately within a mile and three-quarters of each other. DSD has failed to consider the regional impact of this high concentration of retail marijuana outlets, supporting Marijuana Production Facilities (MPF’s), marijuana delivery services, impact on ADT’s, climate change , water and electric consumption, and non-domestic waste water disposal.

Environmental issues **under CEQA 15064 analysis, require** a ‘regional’ approach to determine “if an indirect change is to be considered if that change is a reasonably **foreseeable impact which may be caused by the project.**”

Action Requested

Upon review of the Darnell & Associates study, the Torrey Pines Community Plan rejects the analysis selection of only three projects as not indicative of the actual LOS within Sorrento Valley. TPCPB requests that a more robust regional study be performed, as required by CEQA. CEQA 15162 (A) “The project will have one or more significant effects not discussed in the negative declaration.” Since DSD is using the incomplete Access Analysis to move forward to declare an Addendum to Negative

Declaration, we request that DSD cease and desist from this maneuver until such time that a revised Access Study can be performed.

Sincerely, Dennis Ridz, Chair Torrey Pines Community Planning Board

CC: Councilmember Barbara Bry

: Bernard Turgeon, Development Services