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Sean M. Sherlock
714-427-7036
ssherlock@swlaw.com

February 11, 2016

VIA EXPRESS MAIL

Executive Director
California Transportation Commission
Post Office Box 942873
Mail Station 52
Sacramento, California 94273-0001

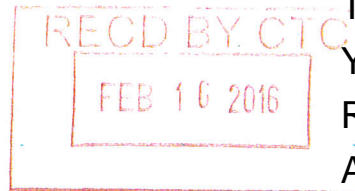
Re: Resolution of Necessity; Roscoe Moss Manufacturing; 06-Ker-99-PM 44.23;
Project #0612000105; Parcel 87216-1, 2, 3

Dear Madam or Sir:

This firm represents Roscoe Moss Manufacturing Company ("Owner") in the above-referenced matter. This letter shall serve as Owner's request to appear, and its written objections contesting the adoption of a resolution of necessity in connection with the above-referenced project.

Owner contests the resolution of necessity on the ground that the project is not planned or located in the manner that will be most compatible with the greatest public good and the least private injury. Cal. Code Civ. Proc., §1240.030(b).

Owner's objection is based on the fact that the project will require alteration of the existing access drive providing ingress and egress to and from Owner's property, and the design proposed by the Department of Transportation ("CalTrans") for the altered access drive does not accommodate the heavy duty, big rig flatbed trucks that must access Owner's property. The details are discussed in the attached e-mail and drawing. We have brought this issue to the attention of the CalTrans agent, who assures us that CalTrans engineers are working on a solution, but to date the issue is not resolved.



TAB 3
Yellow Replacement Item
Reference No. 2.4a
ATTACHMENT A

DENVER
SACRAMENTO
LOS ANGELES
ORANGE COUNTY
PHOENIX
RENO
SALT LAKE CITY
TUCSON

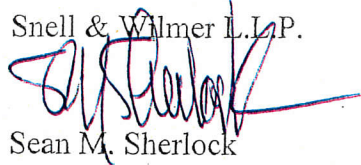
*2/16/16
Forwarded To:
Right of way
Copied To:
Stephen Moller*

Executive Director
February 11, 2016
Page 2

Please contact me with any questions regarding this matter, and with information about the date, time, and location of the Commission's hearing on this matter. Please include this letter in the administrative record for this matter.

Best regards,

Snell & Wilmer LLP.

A handwritten signature in blue ink, appearing to read 'S. Sherlock', is written over the typed name 'Sean M. Sherlock'.

Sean M. Sherlock

SMS:wjm

cc: Robert Van Valer
Ted Caldwell
Steven T. Graham, Esq.

Sherlock, Sean

From: Sherlock, Sean
Sent: Monday, January 25, 2016 8:59 AM
To: Turney, Keith K@DOT
Cc: tcaldwell@roscoemoss.com; rvanvaler@roscoemoss.com; Graham, Steve
Subject: RE: Caltrans KER 99 (Project EA 0K4609) - Parcels 87216-1 and 87216-2
Attachments: Roscoe Moss Truck Turn.pdf

Keith, We consulted a civil engineer about CalTrans' plans for addressing Roscoe Moss's site access. The engineer informs us that there will likely be problems with ingress and egress. See the comments below and attached drawing. I would like to speak with you to determine how we can resolve these issues. Please call me. Thanks.

Sean M. Sherlock
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Costa Mesa, California 92626
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ssherlock@swlaw.com www.swlaw.com/sean_sherlock/

Sean,

Sorry that this took so long. It was not as simple as I had hoped.

I don't know all the ranges of truck sizes that come and go, but when I looked on Google, I saw a 65' flatbed parked on site. That is what we based our analysis on.

Looking at the data Caltrans sent, Sheet C-4 and C-7 appear to show the new driveway, but the horizontal and vertical ayout are different. This needs to be verified with them.

Looking at the horizontal design, the curb returns at the driveway are too small for trucks entering or leaving the site. For trucks turning westbound onto SR 46, the truck will have to swing into the eastbound lanes (head on traffic), which is unacceptable. If there is a raised median, then this would further prevent movement. For trucks traveling westbound trying to turn right into the site, the truck would be forced to the far side of the driveway. This is probably not a concern as long as there isn't a truck trying to enter the site at the same time. In order to mitigate these concerns, we would recommend using 50 foot radius curb returns. This is quite common for truck entrances. In some jurisdictions, they require 70 foot radius, but we analyzed 50 foot radius and found that it works for this site.

The vertical design concerns us as well. For industrial trucks, the steepest driveway slope used throughout the industry is 8%. Depending on which design drawing is used, the proposed slope ranges from 6.4% to 8.6%. Furthermore, the vertical curve transitions are too short as well. We ran the vertical analysis and found that at the bottom of the driveway approach, the grade break creates a vertical displacement at the back wheels of the tractor of about 1.3'. We know that there is some allowance where the flatbed connects to the tractor, but not that much. We would recommend that the driveway length be extended using a 5% maximum slope and 100' minimum vertical curves. For the purposes of the design, we estimated that the existing driveway slope was around 0.5%

As for the material design of the driveway, with the steeper slopes, we tend to the asphalt shove in the area where the tractor is starting from. In order to prevent long term maintenance problems, we would recommend that the driveway be constructed with concrete for a distance of 75 feet from the edge of SR 46. This would typically be 6" thick PCC with a strength of 3500psi on compacted native soil.

If either your client or Caltrans has any questions, just let me know.

Thank you,

Scott R. Hildebrandt, PE - Senior Vice President
Albert A. Webb Associates
3788 McCray Street, Riverside, CA 92506
t: 951.686.1070
e: scott.hildebrandt@webbassociates.com w: www.webbassociates.com
[LinkedIn](#) | [Twitter](#) | [Facebook](#) | [YouTube](#)

From: Turney, Keith K@DOT [mailto:keith.turney@dot.ca.gov]
Sent: Wednesday, December 16, 2015 2:35 PM
To: Sherlock, Sean
Subject: RE: Caltrans KER 99 (Project EA 0K4609) - Parcels 87216-1 and 87216-2

Hello Sean

Here is copy of the Construction Detail C-4 sheet.

Keith Turney
Associate Right of Way Agent
Central Region-District 6
855 M Street, Suite 200
Fresno, CA 93721
(559) 445-6178

From: Graham, Steve [mailto:sgraham@swlaw.com]
Sent: Tuesday, December 15, 2015 5:17 PM
To: Turney, Keith K@DOT <keith.turney@dot.ca.gov>; tcaldwell@roscoemoss.com
Cc: Sherlock, Sean <ssherlock@swlaw.com>
Subject: RE: Caltrans KER 99 (Project EA 0K4609) - Parcels 87216-1 and 87216-2

Sean, FYI as you handle this.

Thanks.

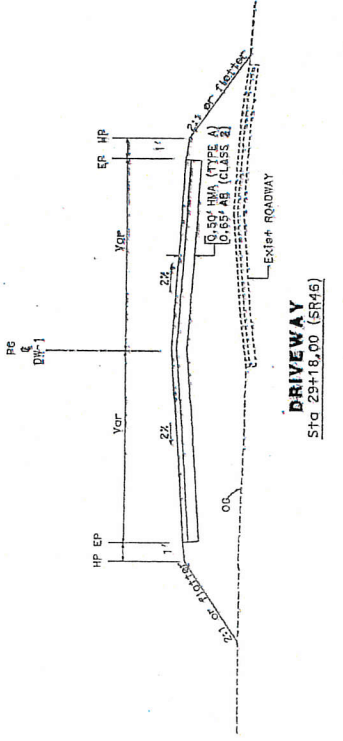
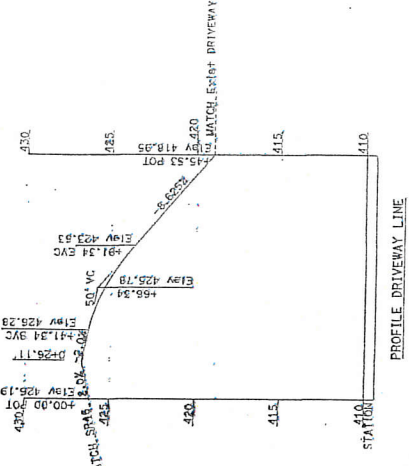
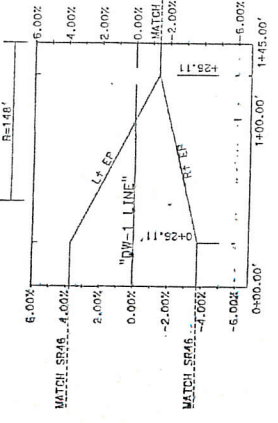
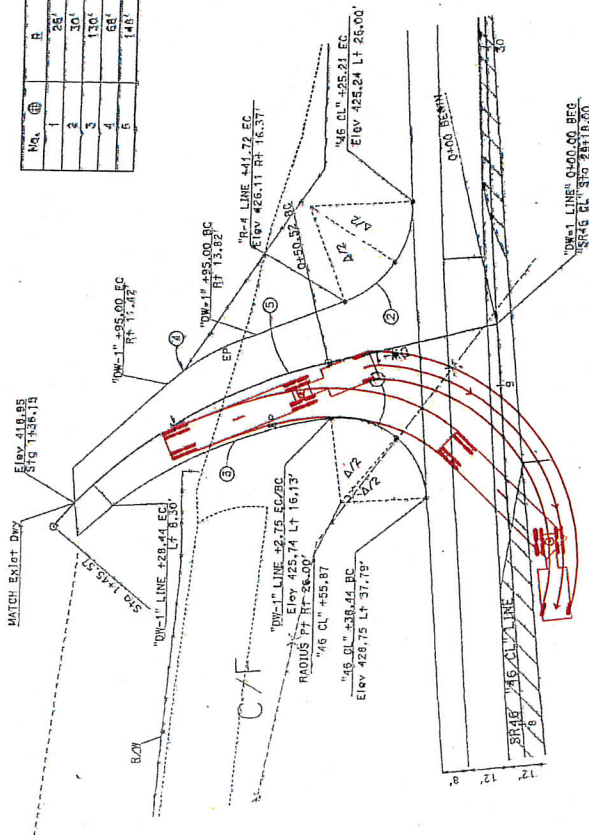
Steven T. Graham, Esq.
Snell & Wilmer L.L.P.
100 Anton Boulevard, Suite 1400
Costa Mesa, CA 92626

DATE	COUNTY	LOCALITY	PROJECT NO.	SHEET NO.
06	06	46, 99	21, 57, 41, 6	1

REGISTERED CIVIL ENGINEER DATE: 11/11/11
 PLANS APPROVAL DATE: 06/20/15
 THE STATE OF CALIFORNIA
 DEPARTMENT OF TRANSPORTATION
 DIVISION OF HIGHWAYS
 COUNTY OF SAN DIEGO

CURVE DATA

Sta.	PC	PT	PI	EC	Length
1	28	26.07	28.07	40.09	12.02
2	30	31.07	32.04	37.04	7.07
3	130	30.28	35.42	63.15	33.07
4	68	25.14	15.04	30.03	6.03
5	146	36.42	49.11	94.04	57.62



CONSTRUCTION DETAILS
C-7

NO SCALE
 PROJECT NUMBER & PHASE
 UNIT 1466
 06120001051

DESIGNED BY	REVISIONS	DATE REVISION
DESIGNED BY	TAREN CHENBERY	
CHECKED BY		
APPROVED BY		
DESIGNED BY	MICHAEL R LIM	

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
 PRINCIPAL SUPERVISOR
 MICHAEL R LIM
 DRAWING NO. 2124488
 DATE 7/2/2019
 REVISIONS: 1/2/2019

BOND: LAST REVISED 7/2/2010
 DRAWING NO: 13248
 DWG FILE: P:\2009\13248.dwg

RELATIVE HORIZONTAL SCALE
 1" = 400'

UNIT 1:666

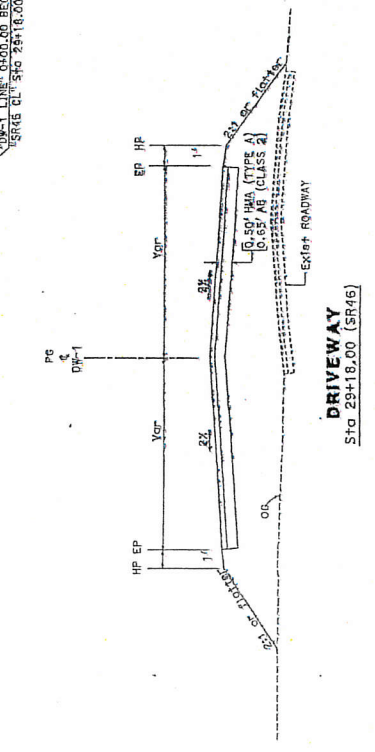
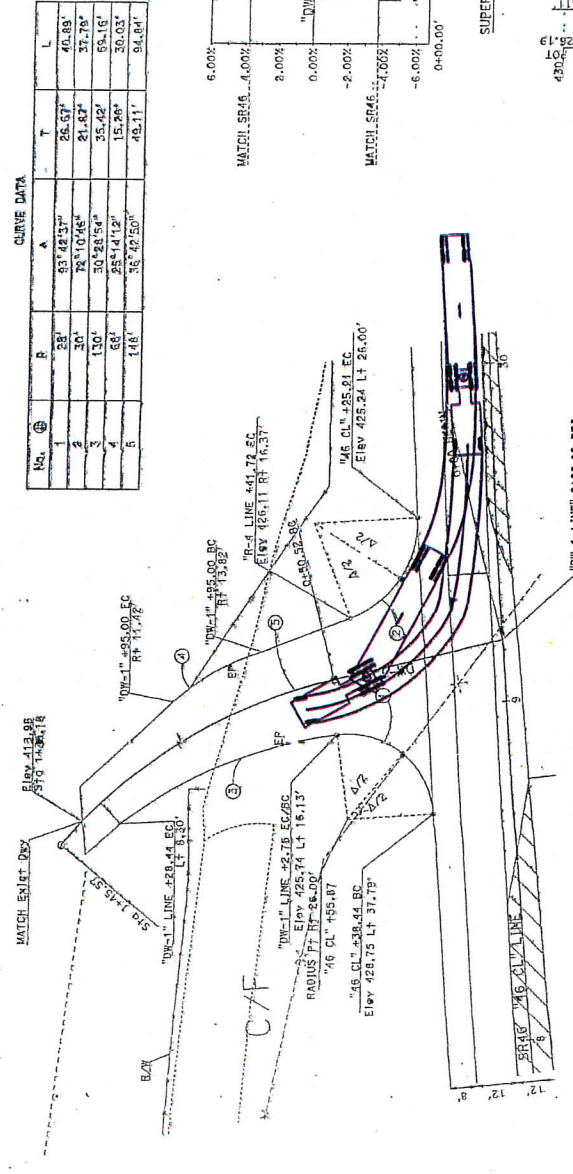
PROJECT NUMBER & PHASE
 06120001051

CONSTRUCTION DETAILS
 C-7

NO SCALE

CITY	COUNTY	LEAVES CODE	DATE PROJECT	SHEET NO.	TOTAL SHEETS
		45-98	03.13.2010	18	25

No.	R	A	T	L
1	25'	83' 42.57"	26.537'	40.88'
2	30'	78' 10.46"	21.827'	37.78'
3	130'	30' 28.52"	5.427'	55.16'
4	60'	25' 4.11"	3.803'	30.03'
5	148'	35' 42.50"	48.11'	94.84'



REGISTERED CIVIL ENGINEER TARIK CHOKHATA
 LICENSE NO. 45988
 EXPIRES 12/31/2012
 REGISTERED CIVIL ENGINEER MICHAEL X LIM
 LICENSE NO. 45988
 EXPIRES 12/31/2012

