

## CITY OF PATASKALA BOARD OF ZONING APPEALS

City Hall, Council Chambers 621 West Broad Street Pataskala, Ohio 43062

## **STAFF REPORT**

May 11, 2021

## Appeal Application AP-21-001

Applicant:	TS Tech USA, Corporation
Owner:	TS Tech USA, Corporation
Location:	6330 Taylor Road
Acreage:	21.01 acres
Zoning:	M-1 – Light Manufacturing
Request:	Requesting an appeal pursuant to Section 1211.03 of the Pataskala Code for a driveway permit application.

## **Description of the Request:**

The Applicant is appealing the decision of the Planning and Zoning Department to disapprove a driveway permit application that would remove the conditions/restrictions for use as emergency access only.

## **Staff Summary:**

On September 8, 2016 the Planning and Zoning Department approved a driveway permit application (16-356) for TS Tech to allow a driveway to access Taylor Road with conditions/restrictions that it be used for emergency access only. A copy of the permit and the conditions/restrictions is attached to the staff report.

On June 21, 2019, the Planning and Zoning Department approved a new commercial construction application (19-251) for the cross dock facility with the same conditions/restrictions that the driveway would be emergency access only. A copy of the permit and the conditions/restrictions is attached to the staff report.

The applicant is appealing the Planning and Zoning Department's decision to disapprove a driveway permit application due to traffic and safety concerns.

## Staff Review:

The Board of Zoning Appeals tabled the appeal at the April 13, 2021 hearing to allow for a review of the traffic study by the City's consultant, Mr. Seaman, and discuss with TS Tech's consultant, if necessary. A copy of Mr. Seaman's review is attached.

## **Resolution:**

For your convenience, the following resolution may be considered by the Board of Zoning Appeals when making a motion:

"I move to approve the applicant's appeal pursuant to Section 1211.03 of the Pataskala Code because the Planning and Zoning Department should have approved the driveway permit application removing the restrictions for emergency access only.



April 27, 2021 Job Number 2021056.01

Mr. Alan Haines, P.E. Public Service Director City of Pataskala 621 W. Broad Street, Suite 2B Pataskala, Ohio 43062

# RE: Hazelton Crossing - Traffic Impact Study Review Comments

Project:	TS Tech USA; SR-16 / Limited/TS Tech Driveway
Review Type:	Traffic Impact Study Review #1
Reviewer:	GPD Group – Scott Seaman, PE; Curtis Deibel, PE, RSP

As requested, GPD Group (GPD) has reviewed the referenced study and Memorandum of Understanding document which was submitted with a BZA request to allow the E-W TS Tech Emergency Only access drive to provide unrestricted full access for their main building and parking lot located east of the city and located in Franklin County in Jefferson Township. We offer the following review comments and our recommendation regarding this access request:

### General Comments

It appears that the primary and sole access to the property on Broad Street at the Limited signal is not handling the site's traffic efficiently and requesting access to Taylor Road is an alternate solution to ease congestion when leaving the site. From a traffic perspective, a signalized access provides the best operation if it sized and configured correctly. The following is a list of comments and suggestions to accomplish better access to the site.

- 1. The signal on Broad Street and the site access drive can be improved to provide better capacity and operation. Currently, the north and south approaches appear to be sized to service their respective properties but are not well balanced to work efficiently. As configured, the signal appears to need additional turn lanes to proportionally carry exiting traffic as well as provide additional southbound lane storage.
- 2. At the PM peak hour, southbound exiting traffic from the site is 489 vehicles and northbound exiting traffic from the Limited is 414 vehicles. Pushing more vehicles through fewer approach lanes without sufficient internal lane storage is a bottleneck that can be improved.
- 3. TS Tech was constructed in 1995 with a signalized intersection so this was intended to serve as their main access point. The Limited provides 3 lanes of 500' storage each with each dedicated lane use totaling 1,500 of ready to go vehicle queue. The site provides only two lanes of 150' storage each totally only 300' of ready to go vehicle queue. The results in the site providing only 20% of the opposing signalized approach yet carries 18% more exiting traffic during the P.M. peak hour.
- 4. From this comparison, the site needs to improve their southbound approach to properly accommodate the level of traffic during the P.M. peak hour. Broad Street is a five lane roadway and will properly accommodate dual turning movements from either business campus.

Regarding the request to use an unimproved emergency access driveway for full unrestricted access to Taylor Road, there are several concerns with this request that do not directly involve the traffic study under review. For the reasons listed previously and below, it is my recommendation to not approve this request.

• It does not make sense to bring traffic from a site in an adjacent county into the city of Pataskala when there is a signalized access point on Broad Street that can adequately serve the sites access needs with needed improvements are needed. This is the best solution for the site instead of displacing site traffic from one deficient signalized access point to another unsignalized access point with greater deficiencies. It does not appear that any improvements are offered with this request.

### Traffic Study Review Comments

The following are a couple of specific comments that would require addition information and analysis. Given that the traffic study has little bearing on providing a viable access solution to the site, I am including these for completeness. Updating the traffic study would not provide any additional information to this request.

- 5. Figure 2 Design Year (2038) PM Peak Hour Volumes No-Build Condition GPD Group cannot replicable the EB and WB thru volumes at the SR-16/Limited Brands/TS Tech Drive intersection as shown on this figure. For example, the EB thru movement from the traffic count is shown as 1,052. When multiplied by the DHV Factor (1.25) and the growth rate (1.18) the value should be 1,552. However, the volume is shown as 1,310 in the figure.
- 6. Figure 2 Design Year (2038) PM Peak Hour Volumes No-Build Condition From the traffic count at the SR-16/Limited Brands/TS Tech Drive intersection, the PM peak hour occurs between 4:00 PM and 5:00 PM. The 3:00 PM to 4:00 PM hour has 6 less counted vehicles (2547 vs. 2541) and the amount of traffic exiting TS Tech is much higher during that peak hour (385 vs. 247). Considering that this study was performed to analyze the impacts of rerouting exiting TS Tech traffic onto a City of Pataskala residential street, the 3:00 PM to 4:00 PM to 4:00 PM traffic count should be used.
- 7. Figure 3 Design Year (2038) PM Peak Hour Volume Build Condition This volume redistribution assumes that 70% of the SB left traffic relocates to the driveway on Taylor Road. This percentage appears to be reasonable. However, this figure also shows the assumption that 60% of the traffic that would relocate is currently traveling north on Taylor Road after making a WB left turn movement at the SR-16/Taylor Road intersection. What is the basis for this percentage as it is higher than would be anticipated and is leading to the LOS improvement being discussed at the SR-16/Taylor Road intersection?

Based on our review, it is my recommendation to the City of Pataskala to not approve the request to alter the currently agreed upon access of the Emergency Only Drive that connects the site to Taylor Road.

Should you have any questions or require additional information, please call me at 614.588.8958 or email me at <u>SSeaman@GPDGroup.com</u>.

Sincerely, GPD Group

the

Scott Seaman, P.E. Project Manager / Traffic Engineer

Cc: Curtis J. Deibel, P.E., R.S.P. (GPD Group)

C. Darcy Jalandoni djalandoni@porterwright.com

> Porter Wright Morris & Arthur LLP One South Main Street Suite 1600 Dayton, OH 45402

Direct: 614.227.2024 Fax: 614.227.2100 Main: 614.227.2000

#### www.porterwright.com

# porter wright

CINCINNATI CLEVELAND COLUMBUS DAYTON NAPLES PITTSBURGH WASHINGTON, DC

#### March 9, 2021

### VIA FEDERAL EXPRESS

Board of Zoning Appeals Attn: Clerk of Board of Zoning Appeals 621 W. Broad Street Pataskala, OH 43062

Re: TS Tech Corporation v. City of Pataskala Property Location: 6630 Taylor Road SW, Pataskala, Ohio 43068 Parcel ID: 063-140916-00.00

Dear Sir/Madam:

Enclosed please find an original and two copies of the Notice of Appeal from Administrative Officer Decision for the City of Pataskala to be filed with your office. A return envelope is enclosed for your use in returning a date-stamped copy of the Notice.

Since we were unable to confirm whether there is a filing fee, please include an invoice for any such filing fee.

If you have any questions or need any further information, please do not hesitate to let me know. Thank you.

Very truly yours.

C. Darcy Jalandoni

CDC:car Enclosures

cc: Scott Fulton (via Federal Express) Brian Zets (via Federal Express) Cassandra Rice (via electronic mail) Ryan Sherman (via electronic mail) Jack Beeler (via electronic mail) Erin Wiggins (via electronic mail)

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BOARD OF ZONING APPEALS CITY OF PATASKALA CITY OF PATASKALA 2021 MAR 10 PM 2: 54 621 W. Broad Street, Pataskala, Ohio 43062

### **IN THE MATTER OF:**

## TS TECH USA CORPORATION, 8400 East Broad Street Reynoldsburg, Ohio 43068

Applicant,

VS.

CITY OF PATASKALA 621 W. Broad Street Pataskala, Ohio 43062

Case No.	A	P-21	-001
Application			

NOTICE OF APPEAL FROM ADMINISTRATIVE OFFICER DECISION FOR THE CITY OF PATASKALA

Property Location:6630 Taylor Road SW<br/>Pataskala, Ohio 43068Parcel ID:063-140916-00.00

Date:

March 9, 2021

- 1. Now comes TS TECH USA CORPORATION ("TS Tech" or "Applicant"), by and through undersigned counsel, and files this Notice of Appeal from the denial of its Application for Zoning Permit No. 21-051 (aka, Application for Driveway Permit, hereinafter "Application"). A copy of the Application is attached hereto as **Exhibit A**. The Application is made pursuant to City of Pataskala Permit Application 16-356, and the reservation of right made in Permit No. 19-252 which was approved by the City, specifically to request that the conditions imposed on the driveway as set forth in Permit No. 16-356 be removed and the private driveway be upgraded to provide full access to public roadway Taylor Road SW.
- The foregoing appeal is brought pursuant to the Pataskala Codified Ordinances (PCO), Chapter 1209.02, 1209.05, 1211.01 and 1211.03, which provide as follows:

### **1209.02 ZONING PERMITS REQUIRED**

No owner \* \* \* shall use or permit the use of any structure, building or land or part thereof, hereafter created, erected, changed, converted or altered, wholly or partly, until the Zoning Inspector issues a zoning permit showing that the building, structure, land or part, shall be issued only in conformity with the provisions of this Zoning Ordinance.

## **1209.05 APPROVAL OF ZONING PERMIT**

Within 30 days after the receipt of an application, the Zoning Inspector, or his/her designated agent, shall either approve or disapprove the application in conformance with the provisions of this code.

\* \* \*

In the case of disapproval, the Zoning Inspector shall state on the returned application the specific reasons for disapproval.

\* \* \*

In this case, the applicant may appeal to the Board of Zoning Appeals for a decision regarding the permit application, pursuant to Chapter 1211.

## 1211.01 POWERS OF ZONING INSPECTOR, BOARD OF ZONING APPEALS, AND CITY COUNCIL ON MATTERS OF APPEAL

\* \* \*

The Board of Zoning Appeals shall:

(a) Review and decide appeals on decision or orders made by the Zoning Inspector or other administrative officers governing zoning a building...

Such appeal shall be taken within thirty days after the decision, by filing with the Clerk for the Board of Zoning Appeals a notice of appeal specifying the grounds thereof. The Clerk shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken.

### 1211.03 APPEALS

Appeals to the Board of Zoning Appeals concerning interpretation or administration of this Code may be taken by any person aggrieved including a tenant, or by a governmental officer, department, board, or bureau. Such appeal shall be taken within thirty days after the date of the decision, by filing with the Clerk for the Board of Zoning Appeals, a notice of appeal specifying the decision of the Zoning Inspector upon which the appeal is being taken. The Clerk shall transmit to the Board of Zoning Appeals all the papers constituting the record upon which the action appealed from was taken. The Clerk shall, in addition to transmitting the record to the Board, provide a summary description of the matter to the City Administrator in order for the City to determine whether comment by the City as contemplated by Section 1211.01 is considered appropriate.

- 3. Applicant states that its Application was received by the Zoning Department on January 27, 2021.
- 4. On or about February 25, 2021, the Zoning Inspector returned Applicant's Application marked "Disapproved." A hand-written note in the Conditions section states:
  "Disapproved on 2-25-21. See attached."
- 5. Attached to Applicant's application purports to be an email sent from Alan Haines, the City of Pataskala's Public Service Director, to Scott Fulton, which was sent on or about February 25, 2021 at 2:08pm. It states as follows:

"Good afternoon. Regarding TS Tech's driveway, the attached email sent on November 26, 2019, is a thorough explanation of my observations and concerns with the proposed opening of the TS Tech access point on Taylor Road. My understanding is that neither conditions, nor the proposed usage, has changed substantially; therefore, my concerns still stand as stated. Without TS Tech taking any further action to address these concerns, I am still of the opinion that the drive should remain emergency access only. Let me know if you have any questions."

- 6. Applicant states that on or about December 2, 2020, December 23, 2020 and January 4, 2021, TS Tech attempted to engage in meaningful discussions with City personnel, including Scott Fulton ("Fulton") and Tim Hickin, about the concerns raised in Alan Haines's November 26, 2019 email.
- 7. In his December 23, 2020 email, Fulton stated "it is not necessary to propose a physical change in the existing driveway . . you can use the Driveway Permit Application to request the emergency access designation be altered and upgraded to full access." (*See*, Exhibit A, pg. 56.) Fulton further requested TS Tech to "clearly identify how the drive will be utilized" and to address the "several concerns" raised in Alan Haines's November 26, 2019 email.

- 8. In response, TS Tech specifically identified that the proposed application would remove all conditions imposed by the Application Permit No. 16-356 for unrestricted ingress and egress; that this proposed use did not require trucks to perform any illegal or improper maneuvers pursuant to the Ohio Commercial Driver License Manual and relevant laws and regulations; and the updated 2020 Traffic Study showed that the proposed use does not degrade traffic conditions on Taylor Road. (*See*, Exhibit A, pgs. 55-56.) TS Tech requested that City personnel specifically identify relevant zoning and traffic ordinances which are violated upon the proposed use, or identify improvements that would support the proposed usage.
- 9. Rather than respond to this request or suggest improvements to the driveway, the City directed Applicant to file its application.
- 10. Applicant alleges that the denial is wrongful, is not supported by the Pataskala Codified Ordinances or the Ohio Revised Code, and is unconstitutional, illegal, arbitrary, capricious, unreasonable, and/or unsupported by the preponderance of substantial, reliable, and probative evidence on the record.
- Applicant demands that this matter be set for a hearing, to take place no later than fortyfive (45) days from the date of this Appeal, pursuant to Chapter 1211.09 of the PCO.

WHEREFORE, Applicant APPEALS from the February 25, 2021 denial, and requests the Board set this matter for a hearing pursuant to Pataskala Codified Ordinance Chapter 1211.09.

Respectfully Submitted,

C. Darcy Jalandoni (0086981) PORTER WRIGHT MORRIS & ARTHUR LLP 41 S. High Street, Ste. 2800-3200 Columbus, OH 43215 T: (614) 227-2024 F: (614) 227-2100 E: djalandoni@porterwright.com

-and-

Cassandra Andres Rice (0090102) PORTER WRIGHT MORRIS & ARTHUR LLP One South Main Street, Ste. 1600 Dayton, Ohio 45402 T: (937) 449-6713 F: (937) 449-6820 E: crice@porterwright.com

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# **EXHIBIT A**



## CITY OF PATASKALA PLANNING & ZONING DEPARTMENT

621 West Broad Street, Suite 2A Pataskala, Ohio 43062

## **DRIVEWAY PERMIT APPLICATION**

(Pataskala Codified Ordinances Sections 1121.13 and 1291.02)

Property Information			Staff Use
Address: 6630 Taylor Road SW			Applic tion Number:
Parcel Number: 063-140916-00.000			21-051
Zoning: M-1, Manufacturing	Acres: 21.01		Fee:
			\$30.00
Applicant Information			Filing Date:
Name: TS Tech USA Corporation b	y Erin Wiggins - Genera	l Counsel	1/27/2021
Address: 8400 East Broad Street			Receipt Number:
City: Reynoldsburg	State: Ohio	Zip: 43068	21665
Phone: 614-322-4052	Email: erin.wiggi	ns@tstech.com	
	4	14	Documents
Property Owner Information	24 - K 104 - KC	and the state of the	<b>Application</b>
Name: TS Tech USA Corporation			C Fee
Address: 8400 East Broad Street			🗔 Site Plan
City: Reynoldsburg	State: Ohio	Zip: 43068	
Phone: 614-322-4052	Email: erin.wiggins@tstech.com		

Driveway Information
Describe the Project (Materials, dimensions, distance to property lines, etc.)
Pursuant to Permit Application 16-356 and the reservation of rights in Permit Application 19-252, Applicant
requests full access to and use of the private driveway and public roadway. Please see supplemental attachment.

Documents to Submit	1. ····································
Driveway Application: Submit one (1) copy of the Driveway Permit Application	on.
Fee: Application fee of \$30.00	
Site Plan: Submit one (1) copy of a site plan showing the following:	·····
<ul> <li>Location of all existing buildings and structures</li> </ul>	Ohio Utilities Protection Service
Driveway location and dimensions	
Driveway distance to property lines	
<ul> <li>Property lines, easements and right-of-way</li> </ul>	before you dig

Revised September 20, 2018

Phone: 614-322-4052

Additional Information on Back of Page

Important Information	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	
Applicability: A Driveway Permit is require	for new driveways or the expansion	of an existing driveway.
<ul> <li>Driveway Regulations: All driveways must</li> <li>Driveways must be graded and mage</li> <li>Driveways cannot encroach onto a</li> <li>Driveways must have a minimum</li> <li>Additional regulations for driveway</li> <li>The driveway must have</li> <li>The driveway and apron</li> <li>The apron must be three</li> <li>The driveway must hard-</li> <li>A concrete driveway must</li> </ul>	neet the following regulations: intained so water does not accumulat n adjacent property. vidth of 10 feet as measured from the rs in <u>Platted Subdivisions</u> : maximum grade of 10 percent. hust be located at least three (3) feet (3) feet wider than the driveway on ea urfaced with asphalt, concrete or pav have a minimum depth of four (4) In- ibility to determine property lines an	e or drain onto an adjacent property. e curb to the nearest portion of the garage. from the side lot line. ach side. rers.
setbacks at the time of installation	n or construction.	
they may have.	ighborhood Home Owners Associatio	on, if applicable, for any driveway requirements or to construction.
Public Service Department:		
<ul> <li>A Right-of-Way permit may be rec way.</li> </ul>	uired by the Public Service Departmen	nt if work is to be done within the public right-of- ional information.
twice: 1. First inspection once the 2. Second inspection upon All other driveways will be inspect driveway complies with the approx	driveway forms are placed. ompletion to ensure that the drivewa ed by the Pataskala Planning and Zoni	onstructed of concrete in platted subdivisions by complies with the approved permit. ing Department upon completion to ensure that the 27-3885.
Signatures		
Leartify the facts statements and informat	on provided on and attached to this a ts for a driveway. Also, I authorize Cil	application are true and correct to the best of my ty of Pataskala staff to inspect the property as
Applicant (Required):	s	Date: 1/29/2021
Property Owner (Required):	June	Date: 1 / 2 8 / 2 0 2 1

## **Scott Fulton**

From: Sent: To: Subject: Attachments: Alan Haines Thursday, February 25, 2021 2:08 PM Scott Fulton TS Tech TS Tech - Taylor Road and Cypress St.

Scott,

Good afternoon. Regarding TS Tech's driveway, the attached email sent on November 26, 2019, is a thorough explanation of my observations and concerns with the proposed opening of the TS Tech access point on Taylor Road. My understanding is that neither conditions, nor the proposed usage, has changed substantially; therefore, my concerns still stand as stated. Without TS Tech taking any further action to address these concerns, I am still of the opinion that the drive should remain emergency access only. Let me know if you have any questions.

Regards,

Alan W. Haines, P.E. Public Service Director City of Pataskala

621 W. Broad St. Suite 2B Pataskala, Ohio 43062

Office: 740-927-0145 Cell: 614-746-5365 Fax: 740-927-0228

:

## **Scott Fulton**

From: Sent:	Alan Haines Tuesday, November 26, 2019 4:50 PM
To:	erin.wiggins@tstech.com
Cc:	BJ King; Scott Haines; Scott Fulton; Jim Roberts; Brian M. Zets (bzets@isaacwiles.com); crice@porterwright.com; Melissa Carter; Michael Powell; Suzanne Hayes
Subject:	TS Tech - Taylor Road and Cypress St.

### Erin,

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Good afternoon. I did go out last week to review the area with regard to the request to open this entrance for trucks and/or commuters. I have made the following observations:

- 1. Truck Traffic
  - a. Dimensions
    - i. 120' = Distance between centerline of Cypress St. and TS Tech Drive
    - ii. 70-80' = Average length of a Semi and trailer
    - iii. 11' = Taylor Road lane width
  - b. Turning radius
    - i. Cypress St.
      - 1. Inbound
        - a. Cypress St. has a large radius on the SE corner allowing truck traffic to stay inlane through the turn from Taylor Road northbound to Cypress St. eastbound.
        - b. No truck traffic from the north.
        - 2. Outbound
          - a. All existing truck traffic must turn left (south)
            - i. No radius issues.
          - b. Proposed truck traffic would turn right (north)
            - i. Turning radius combined with roadway width does not appear to be adequate for trucks to make a right-turn from Cypress St. onto Taylor Road and stay in their own lane.
    - ii. TS Tech Drive
      - 1. Inbound
        - a. All truck traffic from the south.
        - b. No radius issues
      - 2. Outbound
        - a. Turning radius combined with roadway width does not appear to be adequate for trucks to make a right-turn out of this drive onto Taylor Road and stay in their own lane.

#### c. Concerns

- i. Trucks will not be able to enter Taylor Road south from the TS Tech Drive without crossing into the northbound lane.
- ii. Trucks will not be able to enter Taylor Road north from the Cypress St. without crossing into the southbound lane.
- iii. Trucks trying to make this maneuver will block normal traffic flow on Taylor Road.
- d. Potential Solutions
  - i. TS Tech Drive
    - 1. Increase turning radius on TS Tech Drive
      - a. Driveway is near property line, so extending the radius might not be an option.
    - 2. Stripe the driveway to channel trucks over far enough from the edge of the drive, so that they have an adequate radius to maintain their lane, and not cross into opposing traffic on Taylor Road.

- ii. Cypress St.
  - 1. Increase turning radius on Cypress St. to Taylor Road (north)
    - a. Existing public and private utilities would likely need relocated.
- iii. Taylor Road
  - 1. Install a two-way left-turn lane
    - a. With the short distance between the TS Tech drive and Cypress St, it does not appear that there will be enough distance for a truck to make it completely into a center lane; therefore, this option does not appear to address the issue.
- e. Conclusions
  - i. With the short distance between the TS Tech drive and Cypress St., it is clear that the existing conditions will not allow for trucks to safely enter/exit Taylor Road to go from TS Tech to Cypress St. and back.
  - ii. While a combination of the above solutions may enable trucks to stay within their lane while making the proposed movement, none of them adequately address the interruption to existing traffic that will be caused by the proposed truck movement; unless,
  - iii. If it can be shown that a truck can fully enter into a two-way left-turn lane between the drives, such that a truck can sit entirely in this lane without blocking north and southbound traffic while waiting to turn left, details of this option could be considered.
  - iv. Note that if any of the above options are shown to be acceptable to the City, any required improvements would be at the cost of TS Tech.

## 2. Commuter Traffic

- a. Traffic Study/Gap Analysis
  - i. While the traffic study shows that there will not be a reduced level of service, I still have a concern about available gaps in existing traffic that I do not believe has been addressed.
  - ii. Per the traffic study, 51 vehicles will be making this left-hand turn during the pm peak, with an average delay of 17 seconds. This delay accounts for all of these cars exiting over the course of the peak hour; however, if all of these vehicles are leaving at once, which is presumed to be true since it will be at shift change, the actual delay will be significantly larger than is represented in the study.
- b. Concerns
  - i. The concern is that with several vehicles using this exit for a left-turn onto Taylor Road all at once, and during times of peak traffic, that there will not be adequate gaps in the existing traffic to allow these vehicles to enter Taylor Road in a safe and timely manner. Essentially, my estimation is that this exit will stack up with vehicles waiting to get onto Taylor Road, wait times in the queue to get out will be long, and drivers will accept smaller gaps in traffic than what is safe due to being impatient, and accidents will result.

## c. Potential Solutions

- i. Taylor Road
  - 1. Install a two-way left-turn lane
    - a. I had previously offered that this would allow drivers making a left-turn to cross southbound traffic when space is available, enter the center lane, and merge with northbound traffic when space is available; however, I have since been informed that this is not a legal movement.
  - 2. Install flashing yellow lights
    - a. I believe that this was suggested by TS Tech representation, but studies have shown that these are not effective; therefore, <u>this is not a viable option</u>.
- d. Conclusion
  - i. Without some traffic control, or other measure, to address this concern, opening this exit to outbound traffic is not in the best interest of the City.

As discussed, this topic will be on the agenda for the Street Committee meeting that will be held on December  $2^{nd}$  at 5:30. Let me know if questions.

Regards,

Alan W. Haines, P.E. Public Service Director City of Pataskala

621 W. Broad Street Suite 2B Pataskala, Ohio 43062

Office: 740-927-0145 Cell: 614-746-5365 Fax: 740-927-0228

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## SUPPLEMENT to Driveway Permit Application City of Pataskala, Ohio Planning & Zoning Department

### IN THE MATTER OF:

APPLICATION NO:

### TS TECH USA CORPORATION Applicant

Address:6630 Taylor Road SWParcel Number:063-140916-00.000

### Introduction and Summary

This Supplement to Driveway Permit Application is being provided in support of the Driveway Permit Application (the Application together with all supporting materials filed in connection therewith is referred to as the "Application") filed by TS Tech USA Corporation, as Applicant (the "Applicant" or "TS Tech"), pertaining to the 21.01 acres of land West of and adjacent to Taylor Road SW (the "Property"). The Property is in the M-1, Light Manufacturing zoning district, and it consists of developed land upon which sits a facility supporting operations of a manufacturing facility located in Jefferson Township.

Pursuant to Pataskala Codified Ordinances ("PCO") Chapters 1251 and 1291, the Application seeks the removal of conditions placed by City of Pataskala Permit No. 16-356 on a private drive (the "Private Drive") located on the Property. There is no rezoning or variance required with this application, as the proposed use of the Private Drive is permitted under the applicable sections or articles of the Zoning Code.

### **Permitted Uses**

The Property is located in a M-1, Light Manufacturing zoning district. PCO Chapter 1251 governing Light Manufacturing districts generally permits development of manufacturing establishments which are clean and quiet. The uses identified below are permitted under the Chapter:

- (1) Manufacturing operations within the M-1 District which operate entirely within enclosed structures and generate minimum industrial traffic. See PCO 1251.01.
- (2) Parking and loading, as regulated in Chapter 1291. See PCO 1251.05(E)
- (3) Clearly marked entrances and exits to parking areas meeting the requirements of PCO 1291.15.

The City of Pataskala has already approved the construction of a cross-dock facility located on the Property, and has determined that the manufacturing operations proposed with such application fall within the Permitted Uses of the property, as a M-1 district. As a result, TS Tech requests the conditions imposed by Permit No. 16-356 be removed without improvements, and the Private Drive upgraded to full access.

### **Basis of Application**

An elemental right of ownership of a parcel of real property is the right of the owner to access abutting public roadways. "An owner of property abutting on a public highway possesses, as a matter of law, not only the right to the use of the highway in common with other members of the public, but also a private *right or easement* for the purpose of ingress and egress to and from his property, which latter right may not be taken away or destroyed or substantially impaired without compensation therefor." (Emphasis added.) *State ex rel. Merritt v. Linzell*, 163 Ohio St. 97, 56 Ohio Op. 166, 126 N.E. 2d 53 (1955); *State ex rel. New Wen, Inc. v. Marchbanks*, 2020-Ohio-63, ¶ 16.

TS Tech, being the owner of the Property, is entitled to access Taylor Road SW by way of the Private Drive; indeed, if TS Tech did not own the adjacent parcel of land, this would be the only means of accessing public roadways from the Property. See State ex rel. McKay v. Kauer, 156 Ohio St. 347, 46 Ohio Op. 204, 102 N.E.2d 703 (1951) (finding that depriving a property owner of access to one of two abutting public roadways constituted an taking); State ex rel. OTR v. City of Columbus, 76 Ohio St.3d 203, 211 (1996) ("The law in Ohio is clear. An owner of a parcel of real property has a right to access public streets or highways on which the property abuts.") The drawings demonstrate that the Property complies with Chapters 1251.01, et seq., and further demonstrates that the width of the private drive exceeds the minimum requirements set by PCO 1291.15. Indeed, TS Tech agrees to assist the City of Pataskala with installation of additional traffic regulatory measures analogous to the needs of the intersection.

In support of this Application, TS Tech is also including an updated traffic study conducted by MS Consultants. The traffic study demonstrates that lifting the conditions of the permit will not degrade traffic operations on Taylor Road SW, and would provide an improvement in traffic operations for traffic signals on Broad Street, especially the Broad Street/Taylor Road SW intersection. Further, TS Tech notes that the Board of Zoning Appeals very recently approved Conditional Use Application CU-20-003, allowing the nearby property at 6747 Taylor Road SW to be used as a semi-truck storage facility—a use which would likely cause a greater increase in traffic operations than those at issue here.

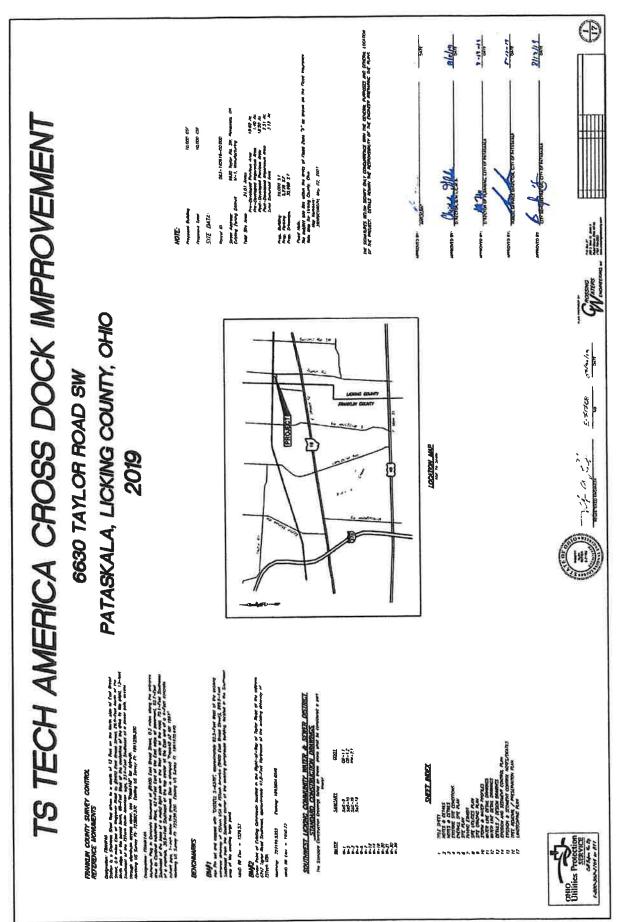
Upgrading the Private Drive to full access is also a permitted use, since the Private Drive complies with the minimum requirements for access drives set by Pataskala Codified Ordinance section 1291.15. The Cross-Dock will continue to meet all requirements of section 1251.01, *et seq.*, including side and front yard setbacks. Additionally, since the City of Pataskala awarded Permit No. 16-356 and approved construction of the cross-dock facility on the Property, the Private Drive has been paved with a hard-surfaced material (asphalt) that will not generate dust or dirt when in use.

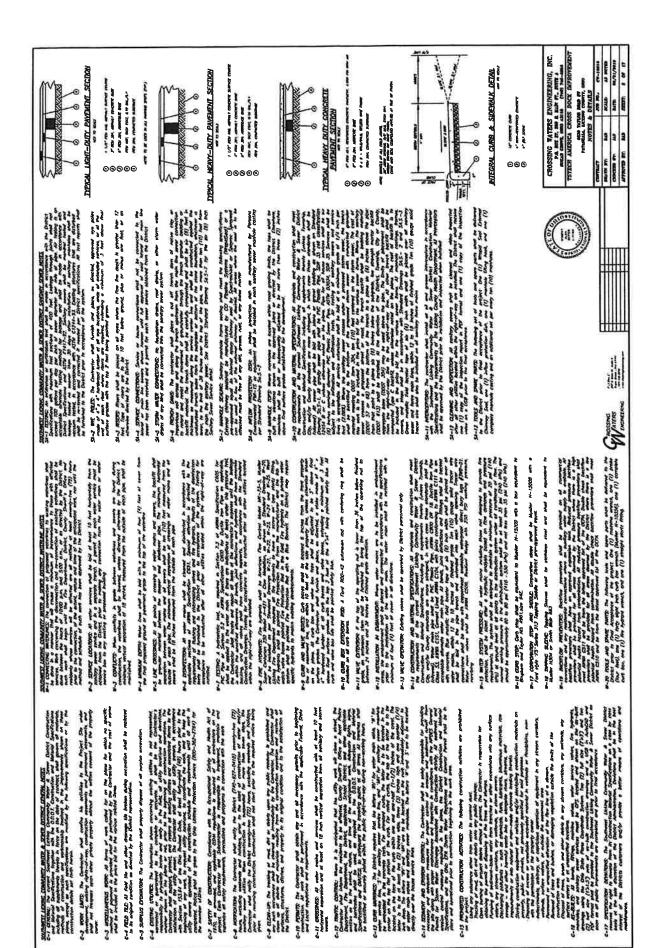
### **Previous Application**

In September 2020, TS Tech submitted a Driveway Permit Application seeking the same relief as sought in the present application. The City of Pataskala returned the Application, stating it was improperly submitted. TS Tech appealed that denial to the Pataskala Board of Zoning Appeals ("BZA"). A hearing was held by the BZA on November 11, 2020. During the hearing, the City of Pataskala asserted that TS Tech waived its right to change and/or appeal the conditions imposed by Permit No. 16-356, and further argued that a Driveway Permit Application was not the appropriate avenue for the relief sought by TS Tech but asserted that other avenues were available. The BZA confirmed that TS Tech could seek a change in the conditions imposed and instructed TS Tech and the City of Pataskala to work together on the appropriate avenue. Subsequent to the BZA hearing, TS Tech and the City of Pataskala exchanged multiple emails on these topics. The City of Pataskala ultimately instructed TS Tech to file a new Driveway Permit Application requesting relief which is the reason for this filing. A copy of that email correspondence is included in this supplement.

### **Conclusion**

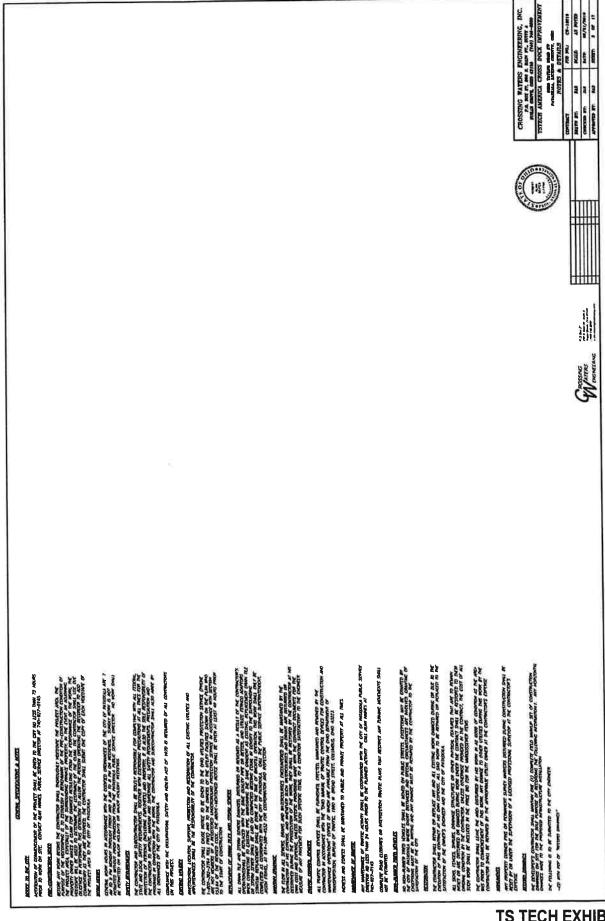
TS Tech seeks termination of all Conditions of Approval imposed by City of Pataskala Permit No. 16-356 and upgrade of the Private Drive to full access.

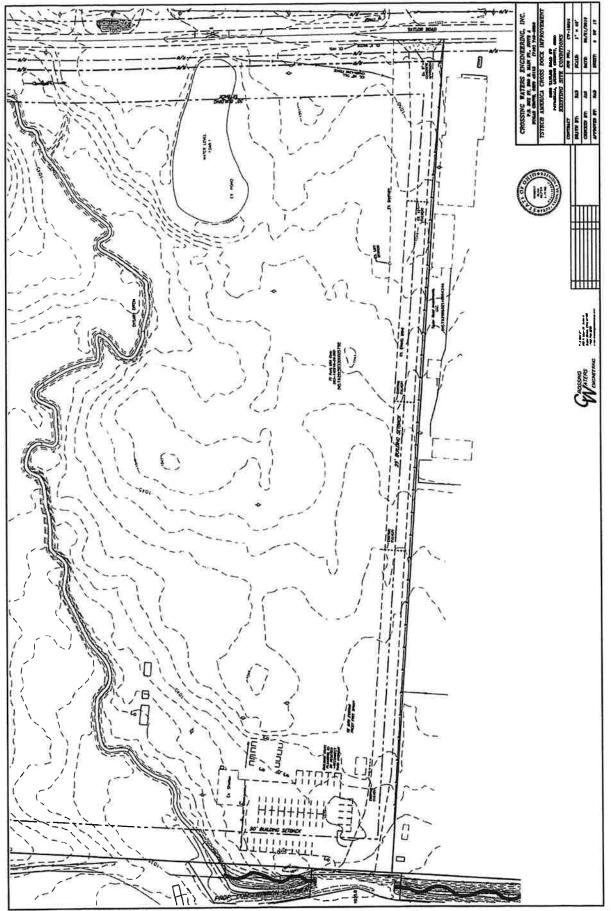


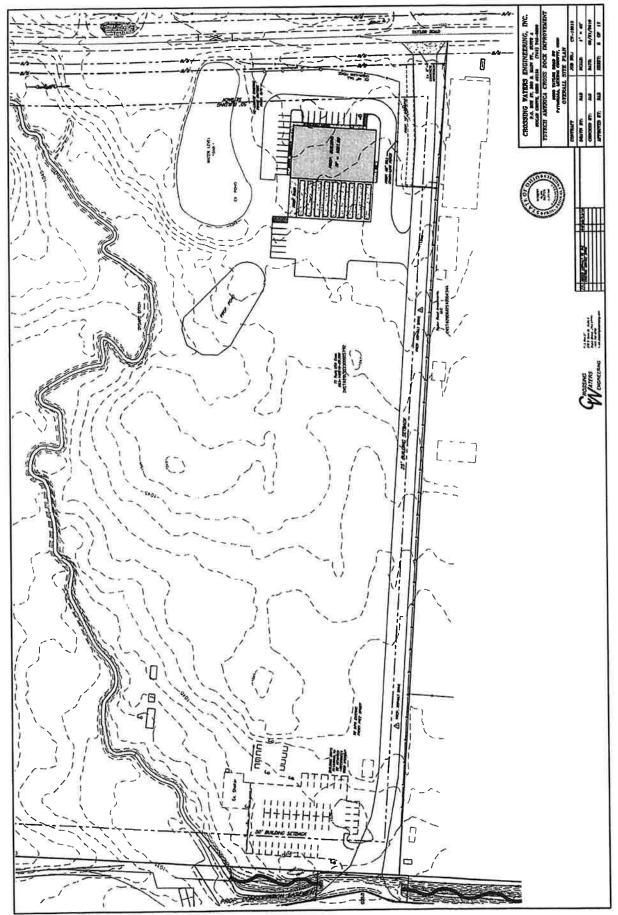


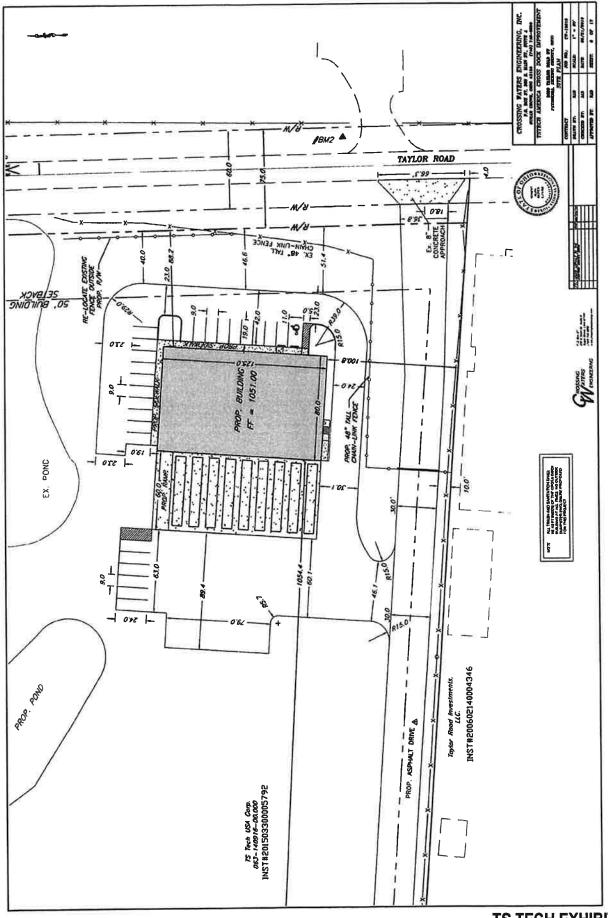
TS TECH EXHIBIT A

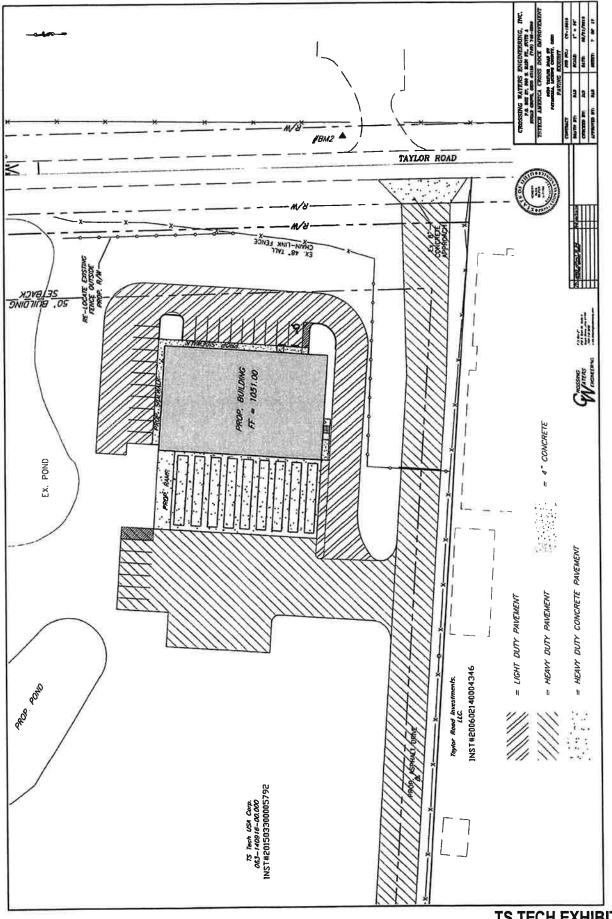
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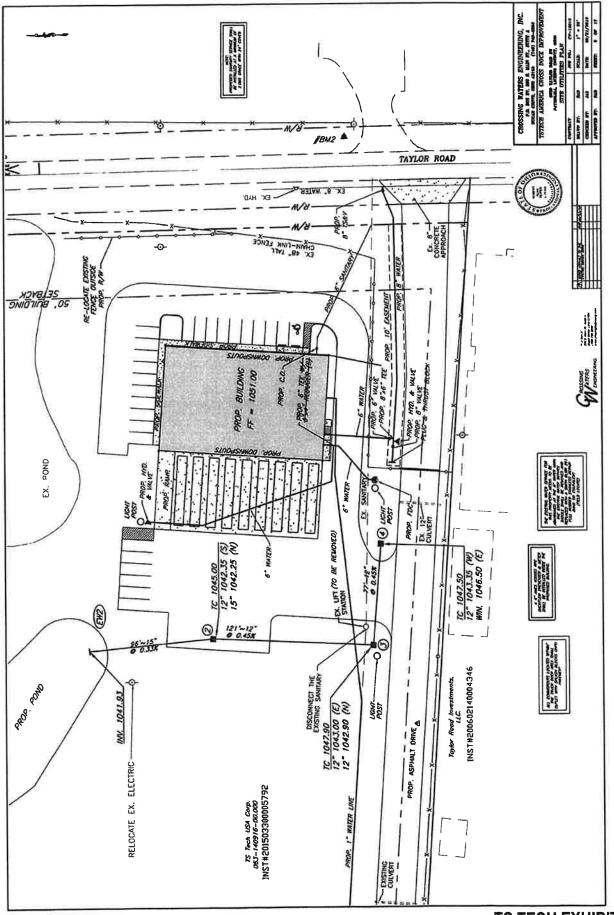


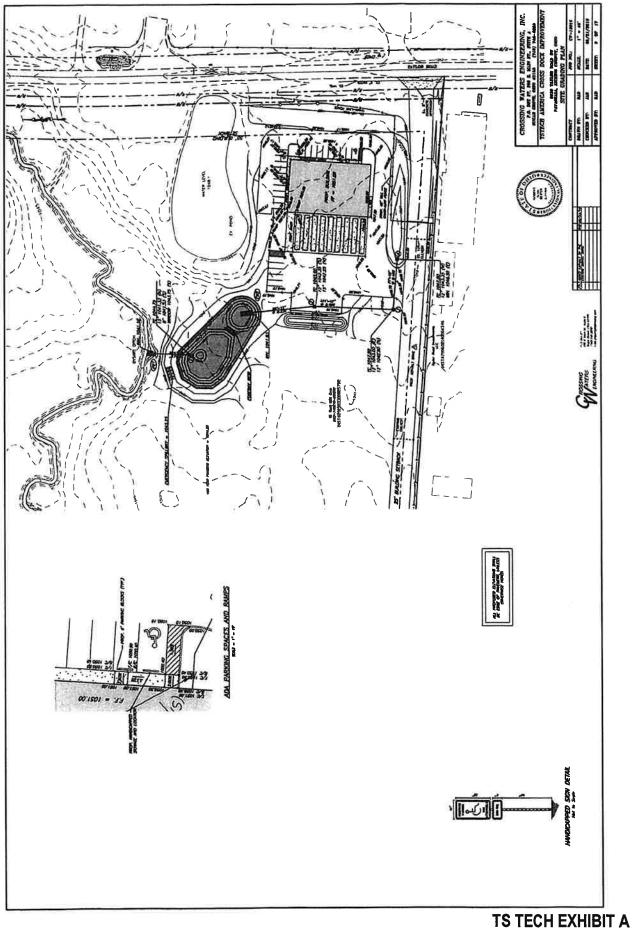


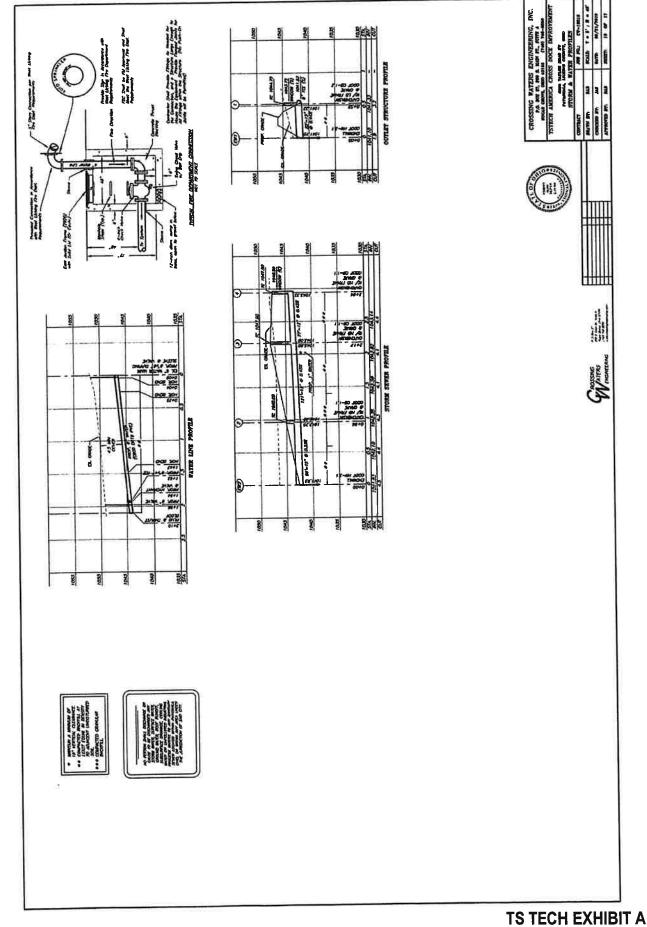


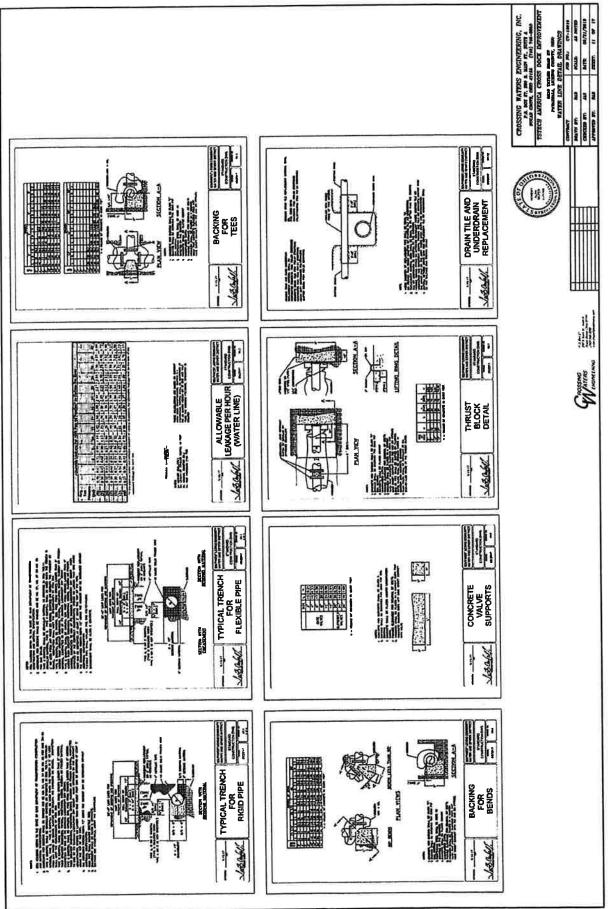




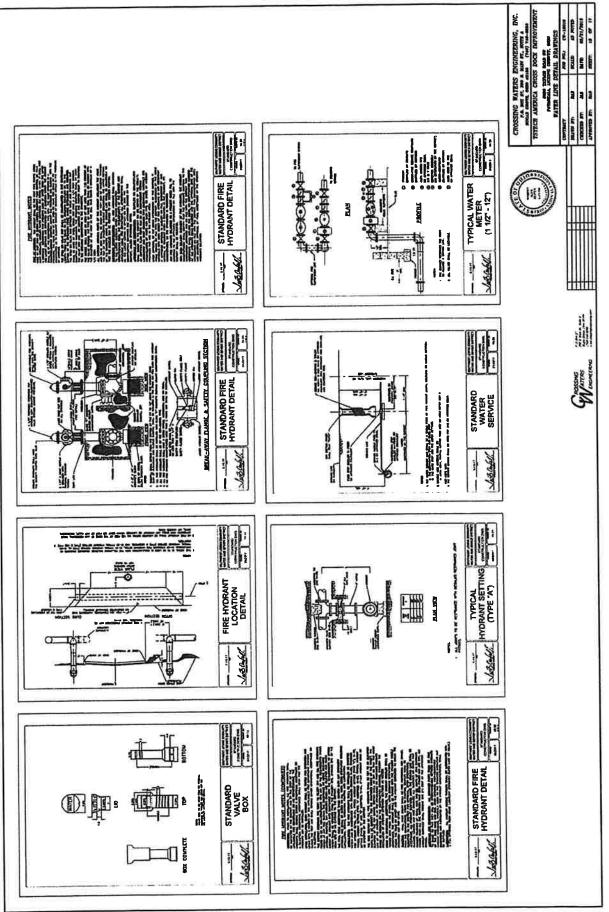


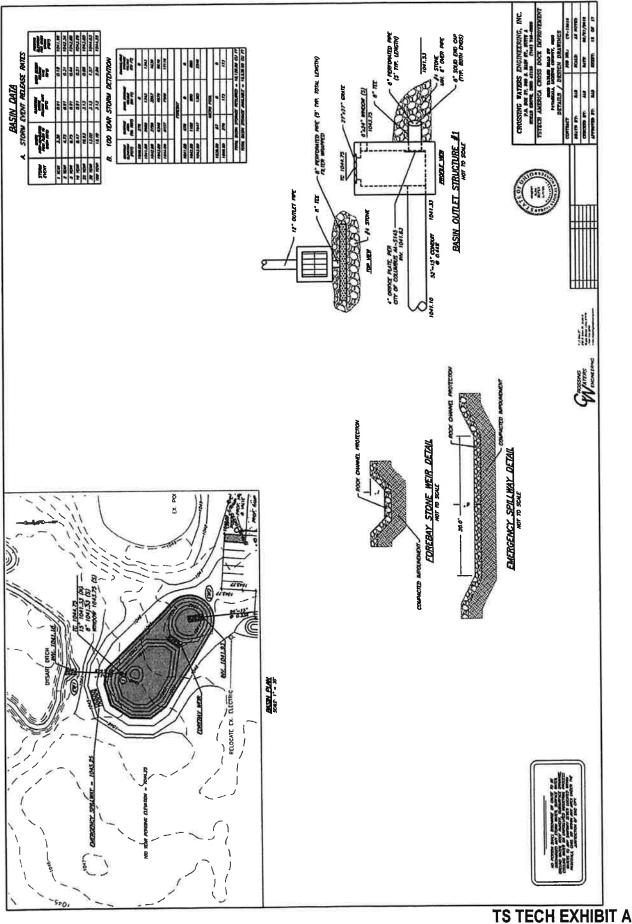


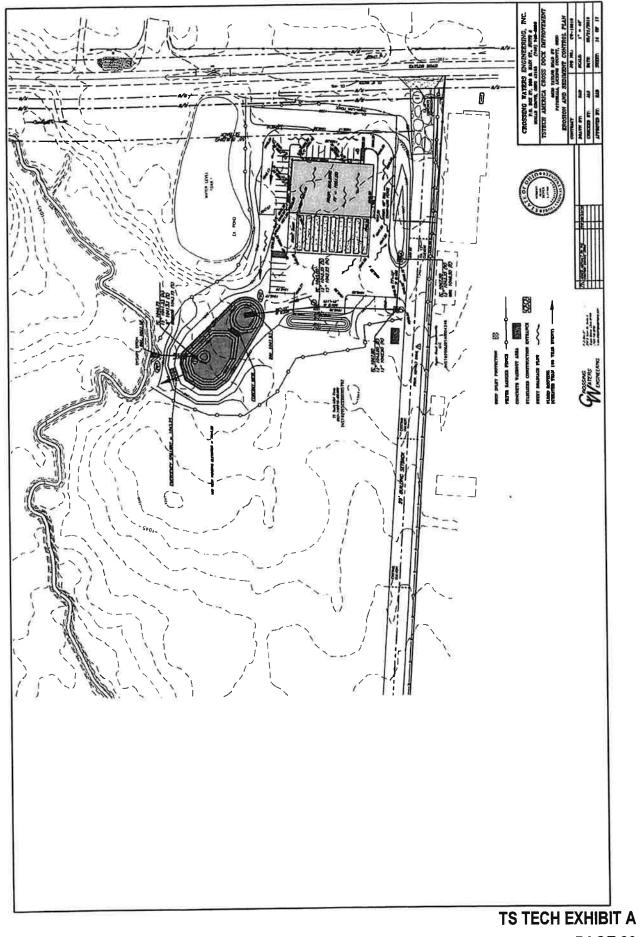


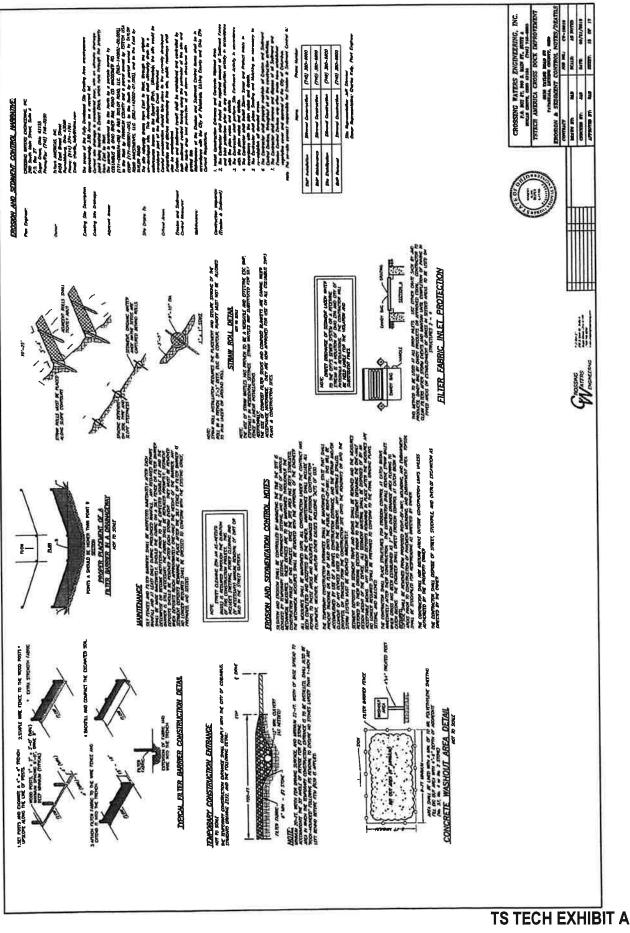


TS TECH EXHIBIT A PAGE 20

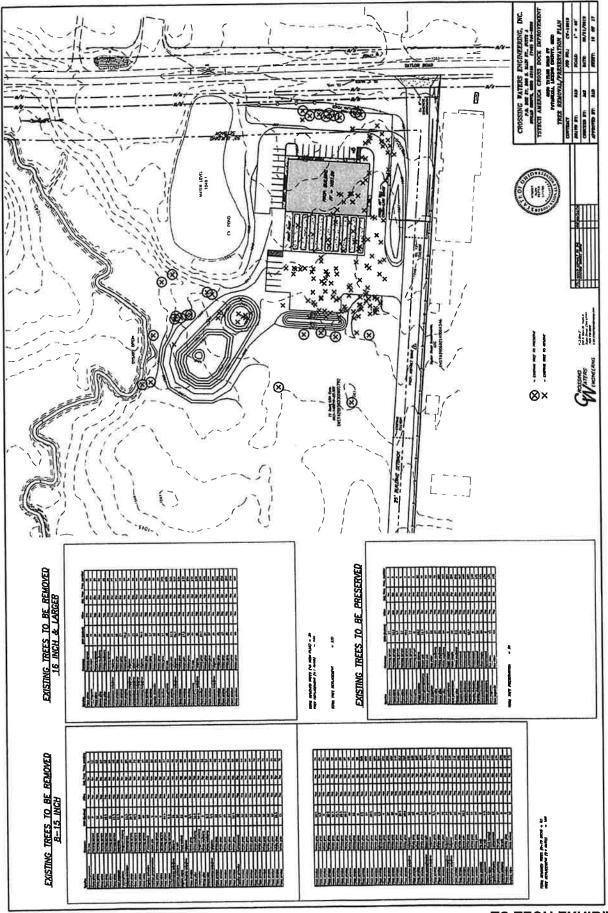


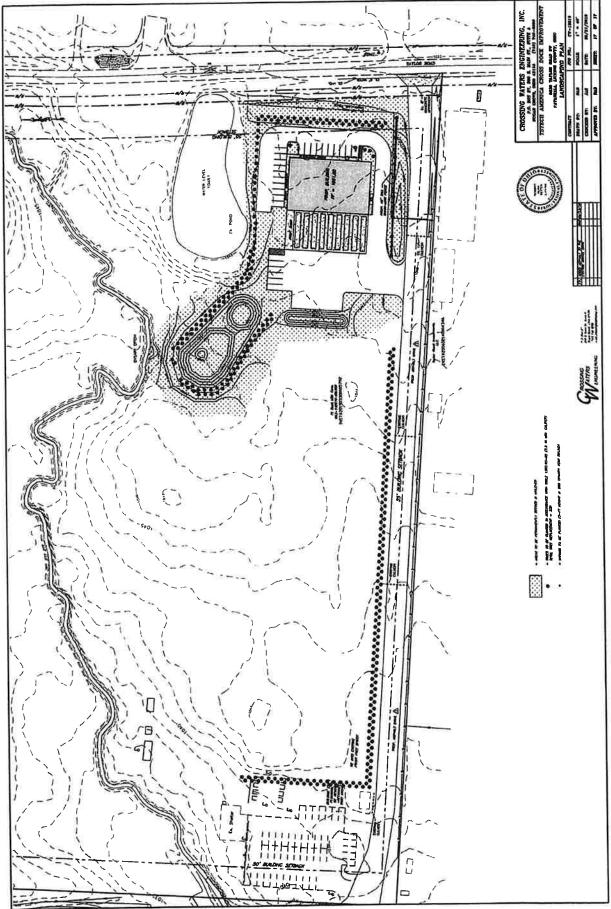






PAGE 24



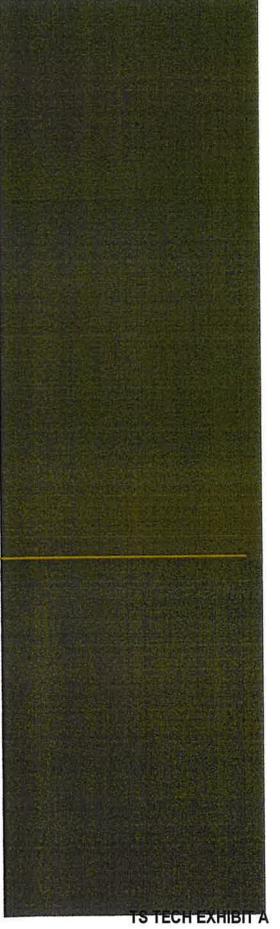


### TS Tech USA Traffic Access Study

Franklin County & Pataskala, Ohio

March 20, 2020





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#### **INTRODUCTION**

**ms consultants** has performed a traffic access study for the Taylor Road driveway at the TS Tech USA facility in Pataskala, Ohio. The purpose of this study is to determine the impact of allowing the TS Tech driveway onto Taylor Road to be used for exiting employee traffic during the PM peak hour. **Figure 1** shows the study area and the TS Tech driveway.

#### **EXISTING CONDITIONS**

TS Tech, USA is a manufacturing and assembly facility located on East Broad Street (SR 16) in Jefferson Township, Franklin County, Ohio. There is one access point, off E. Broad Street, for employees and visitors to enter and exit the site. This access point also serves an AT&T office facility. The access point intersects E. Broad Street at a signal, directly across from a Limited Brands corporate facility. The existing access point has a security checkpoint with guardhouse.

A driveway has been constructed between the TS Tech USA parking lot and Taylor Road. However, this driveway is gated and locked. Employee vehicles are not able to enter or exit the facility via this Taylor Road driveway. A small number of trucks per day use this driveway to cross Taylor Road, travelling between the TS Tech's new Cross Dock facility to a staging area on Cypress Lane. These are the only vehicles currently permitted to use the gated Taylor Road access point.

While the TS Tech, USA building is located in Jefferson Township, Franklin County, Ohio, the proposed eastern access driveway is located in the City of Pataskala. Taylor Road is a 2-lane collector roadway in the City of Pataskala, with a 35mph posted speed limit. No turn lanes are present on Taylor Road within the vicinity of the driveway. The Broad Street/Taylor Road intersection is signalized.

#### **PROPOSED CONDITIONS**

TS Tech, USA has proposed to improve the eastern driveway to Taylor Road, such that employees could exit the site onto Taylor Road. Because of security concerns, only outbound/eastbound traffic would be permitted on the Taylor Road driveway. Because all vehicles are required to pass through security, allowing inbound traffic from Taylor Road would require a new guardhouse, gates, and security staff. Thus, TS Tech USA only desires to have outbound traffic onto Taylor Road.

If granted, the new outbound driveway to Taylor Road would only be open during the afternoon shift change period, approximately 3:00-4:30 PM. During the remainder of the day, the driveway would be gated and locked.

The proposed driveway location has adequate sight distance to meet the requirements specified in the Ohio Department of Transportation (ODOT) Location & Design Manual, Volume One. For a 35mph roadway like Taylor Road, a sight distance of 390' is necessary. Well over 500' of sight distance exists in both directions on Taylor Road.



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#### **TRAFFIC VOLUMES**

Turning movement counts were performed at the study area intersections on a typical weekday in March 2018 from 3:00-4:00 PM. This hour represents the PM peak dismissal hour of TS Tech USA employees at the end of first shift. At the E. Broad Street/TS Tech driveway, EMH&T conducted a turning movement count in February 2020, in conjunction with a future traffic impact study for a residential development. Thus, the 2020 count data for this intersection was used instead. The turning movement counts can be found in the Appendix.

- E. Broad Street & Limited/TS Tech driveway
- E. Broad Street & Taylor Road
- Taylor Road & Cypress Street SW (used to determine the volume on Taylor Road at the proposed TS Tech USA driveway)

The traffic count volumes were increased to a Design Year (2038) by applying a 1.0% annual linear growth rate to the Broad Street and Taylor Road volumes. A 1.25 DHV factor was also applied to obtain design dourly volumes for the 2038 PM peak hour. It was also assumed that two trucks cross Taylor Road between the Cross Dock facility during the PM peak hour.

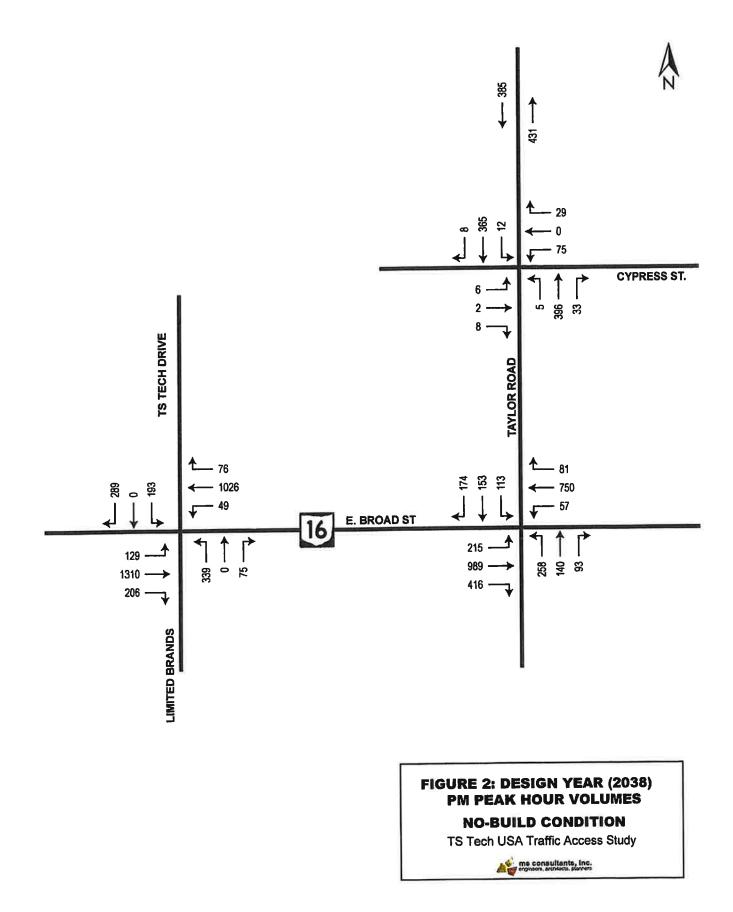
Traffic using the proposed Taylor Road driveway was estimated based on the outbound (southbound) left turns onto Broad Street from the traffic counts and information provided by TS Tech USA staff. It was assumed that 70% of the southbound left turns onto Broad Street would divert to the new driveway, if constructed. Drivers could avoid the congested signals on Broad Street by using the Taylor Road access point. The projected traffic volumes are shown on **Figure 2** and **Figure 3**.

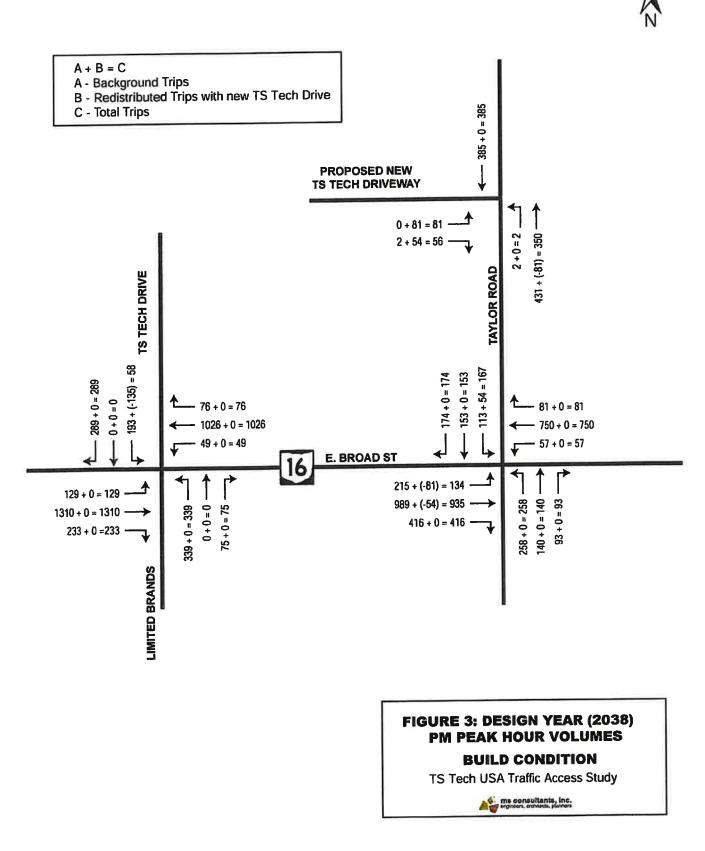
#### **CAPACITY ANALYSIS**

Capacity analyses of the study area intersections were performed using Synchro traffic modeling software (version 10). Appropriate peak hour factors were applied to the TS Tech hourly volumes, to account for the fact that the vast majority of the existing shift traffic exits the facility during a 30-minute window. For a suburban area such as this, a Level-of-Service (LOS) of D or better is typically considered acceptable. The results of the analysis are shown in **Table 1**:



March 20, 2020 Page 4





#### **Traffic Access Study**

TS Tech USA Franklin County & Pataskala, Ohio

Table 1:	Design Year PM Peak Capac	ity Analysis
	Existing Configuration (No-Build condition)	With Taylor Road driveway (Build condition)
Taylor Road & TS Tech driveway	):	C* 18.7
E. Broad Street & Limited/TS Tech	F 102.9	F 103.7
E. Broad Street & Taylor Road	F 81.0	E 69.0

\*Unsignalized intersection. Delay reported is for the stopped approach.

The capacity analysis shows that the proposed Taylor Road access point would operate at an acceptable level-of-service. Taylor Road through traffic would not be affected or delayed, as it would remain a free-flow movement. The proposed driveway would help to reduce delays at the Broad Street/Taylor Road signal, which have significant delays and queuing today and will continue to worsen. The analysis indicates that this signal operations could improve from LOS F to LOS E with the use of the driveway by employees.

#### **TURN LANE WARRANTS**

Because the proposed Taylor Road driveway would operate as outbound (eastbound) only, no vehicles shall turn into the TS Tech USA property from this location. Therefore, no turn lanes on Taylor Road would be warranted.

An exercise was performed to determine how many inbound turning vehicles would trigger turn lanes on Taylor Road, if TS Tech USA ever elected to construct a security gate and allow inbound traffic from Taylor Road. Turn lane warrants were performed in accordance with the ODOT State Highway Access Management Manual, section 4.5.

The turn lane warrant graphs show that turn lanes would not likely be warranted on Taylor Road until the following two conditions occurred:

- Inbound traffic was permitted at this driveway (which would require a new security guardhouse)
- Current employment increased by 50%

A copy of the warrant graphs can be found in the Appendix.

#### **TRUCK TRAFFIC**

An AutoTurn analysis was performed for the truck traffic that moves across Taylor Road from the CrossDock facility and Cypress Lane. These trucks (WB-53 vehicles) turn right onto Taylor Road and then left into the facility and vice-versa.



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The AutoTurn analysis indicates that right-turning trucks do intrude across the Taylor Road centerline. However, sufficient gaps in both directions of traffic exist for drivers to make these turns without conflicting or interfering with Taylor Road traffic. Based on a 12-second gap time for a tractor-trailer to make a right turn and equations provided in Section 402-3 of the ODOT Traffic Engineering Manual (TEM), there would be 56 two-way gaps long enough for a truck to complete a right-turning maneuver during the PM peak hour. In short, trucks would wait for an average of one minute to complete a right turn – which is very reasonable given the limited truck volume.

#### **SUMMARY**

In summary, the proposed TS Tech USA driveway onto Taylor Road will not degrade traffic operations on Taylor Road. The proposed driveway would provide an improvement in traffic operations for traffic signals on Broad Street – notably the Broad Street/Taylor Road intersection. Adequate sight distance exists at the proposed driveway. No turn lanes are necessary for the driveway, as inbound TS Tech USA traffic will be prohibited from this location with the exception of a small number of trucks per day.

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March 20, 2020 Page 8

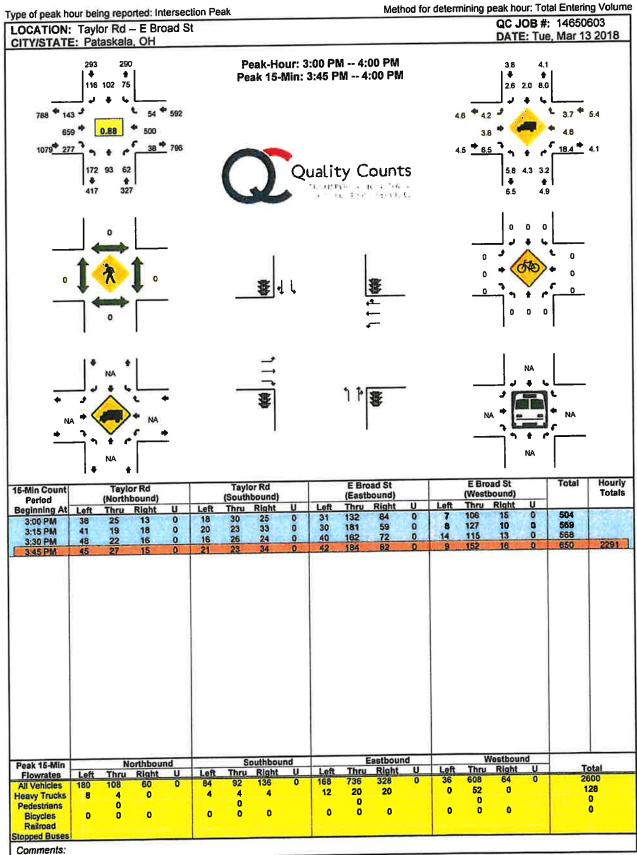
## Appendix



#### EMH&T 5500 New Albany Road Columbus, OH 43054 emht.com

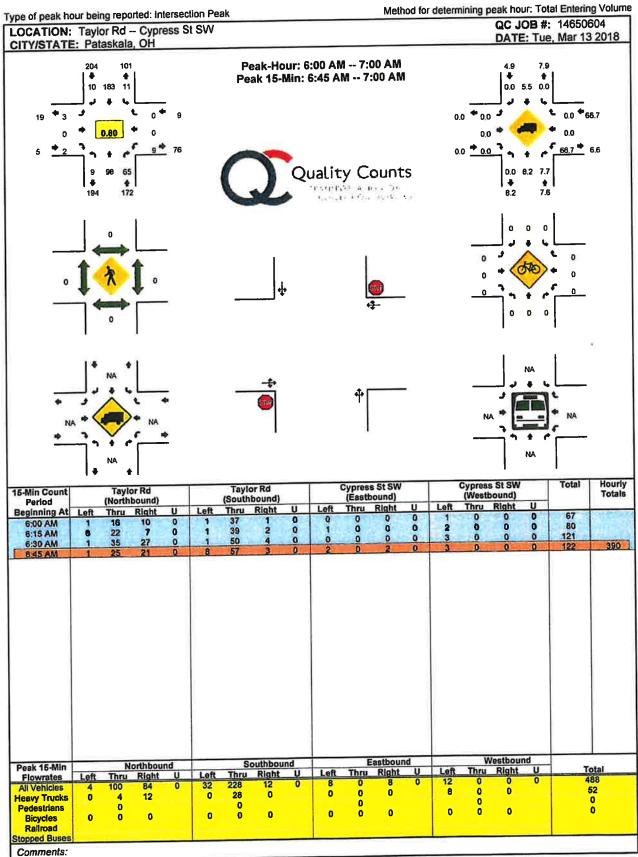
File Name : E Broad St - TS Tech Drive Site Code : 00000000 Start Date : 2/4/2020 Page No : 1

		TSTE	CH uthbo	und			ROA			ars - T		L-BR	ANDS rthbo	und				stbo			
Start Time	Left	Thru	Right	Peds	Aco. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Tetal	Int. Total
02:45 PM	17	0	26	0	43	5	201	2	0	208	12	0	0	0	12	10	220	35	0_	265	528
Total	17	0	26	0	43	5	201	2	0	208	12	0	0	0	12	10	220	35	0	265	528
							400	2	•	151	58	0	22	0	80	9	186	61	0	256	611
03:00 PM	58	0	66	0	124	12	136	3	0		32	ŏ	6	ŏ	38	22	246	61	ŏ	329	692
03:15 PM	62	0	95	0	157	17	141	9	1	168		ŏ	25	ŏ	144	27	229	35	ŏ	291	664
03:30 PM	20	0	39	0	59	8	161	21	0	190	119	ŏ	7	Ö	69	45	212	8	ō	265	555
03:45 PM	14	0	31_	0	45	2	146	28	0	176	62		60	0	331	103	873	165	Ő	1141	2542
Total	154	0	231	0	385	39	584	61	1	685	271	0	00	v	331	105	0/5	100	v		
	00	~	51	0	79	2	174	27	0	203	43	0	8	0	51	64	263	1	D	328	661
04:00 PM	28	0		-	61	2	169	23	ŏ	194	65	Ō	11	0	76	58	261	6	0	325	656
04:15 PM	26	0	35	0	62		142	20	ŏ	144	80	ō	16	Ō	96	8	284	9	0	301	603
04:30 PM	22	0	40	0		1 2	196	5	0	202	113	Ő	16	Ō	129	2	244	5	0	251	627
04:45 PM	15	0	30	0	45		681	56	0	743	301	Ő	51	0	352	132	1052	21	0	1205	2547
Total	91	0	156	0	247	6	001	90	U	145	1 301	v									
05:00 PM	14	0	24	0	38	2	163	1	0	166	175	0	30	0	205	2	238	6	0	246	
Grand Total	276	ŏ	437	ŏ	713	52	1629	120	1	1802	759	0	141	0	900	247	2383	227	0	2857	6272
	38.7	ŏ	61.3	ŏ		2.9	90.4	6.7	0.1		84.3	0	15.7	0		8.6	83.4	7.9	0		
Apprch %	4.4	0	7	Ő	11.4	0.8	26	1.9	0	28.7	12.1	0	2.2	0	14.3	3.9	38	3.6		45.6	
Total %	275	Ö	426	0	701	52	1544	119	1	1716	758	0	141	0	899	235	2320	227	0	2782	
Cars	99.6	ő	97.5	ŏ	98.3	100	94.8	99.2	100	95.2	99.9	0	100	0	99.9	95.1	97.4	100	0	97.4	
% Cars	99.0	0	11	0	12	0	54	1	0	55	1	0	0	0	1	12	63	0	0	75	
Trucks		0	2.5	ŏ	1.7	ŏ	3.3	0.8	Ō	3.1	0.1	0	0	0	0.1	4.9	2.6	0	0	2.6	
% Trucks	0.4	0	2.5	0	0	0	31	0.0	Ō	31	0	0	0	0	0	0	0	0	0	0	
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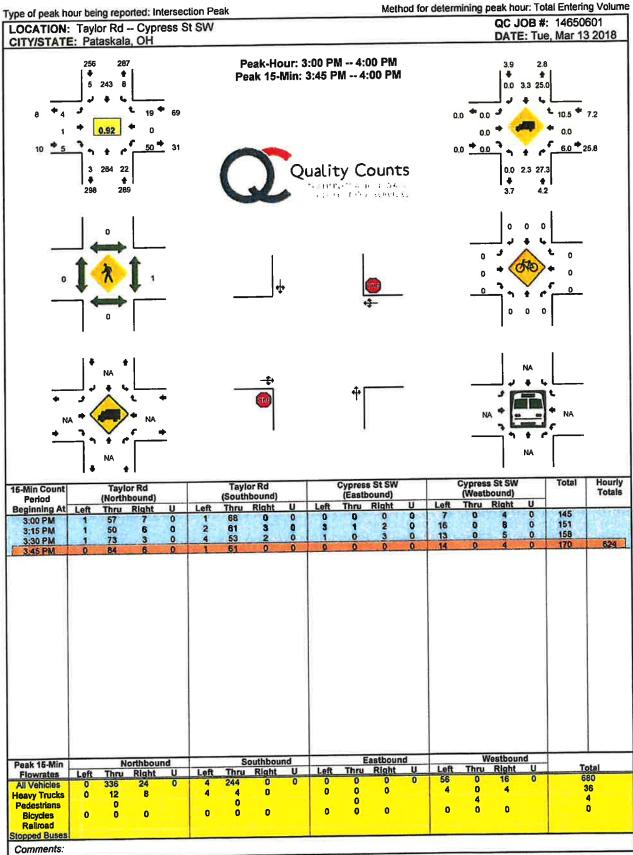
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Report generated on 3/15/2018 12:02 PM

SOURCE: Quality Counts, LLC (http://www.qualitycounts.net) 1-877-580-2212



Report generated on 3/15/2018 12:02 PM

SOURCE: Quality Counts, LLC (http://www.qualitycounts.net) 1-877-580-2212

OHIO DEPARTMENT OF TRANSPORTATION	Transportation Data Management System
Home TMC TCLS TTDS PMS PMDS	RSMS NMDS PMMS WOTS RTTV
Login	Email This

#### List View All DiRs

Location ID	754598	MPO ID	
	SPOT	HPMS ID	
On NHS		On HPMS	_
	TLICTR00169**C	LRS Loc Pt.	1.685
	Urban Minor Arterial (4);Collector(5-6);Local(7)	Route Type	TR
	URBAN_MINOR_ARTERIAL	Route	00169
GF Group	URBAN_MINOR_ARTERIAL	Active	Yes
Class Dist Grp	► International	Category	Local
Seas Clas Gip	Urban Minor Arterial (4):Collector(5-6);Local(7)		
WIM Group	•		
QC Group	Default		
	Minor Arterial	Milepost	
Located On			
Loc On Alins			
More Detail			

Directions: 2-WAY

AADT C	Year	AADT	DHV-30	K %	D%	PA	BC	Src
	2017	6,646 <sup>3</sup>						Grown from 2016
	2016	6,471 <sup>3</sup>						Grown from 2015
:	2015	6,210 <sup>3</sup>						Grown from 2014
	2014	6,144 <sup>3</sup>						Grown from 2013
- :	2013	6,302						

Traval Domand Modal

OHIO DEPARTMENT OF TRANSPORTATION	Transportation Data Management System
Home TMC TCLS TTDS PMS PMDS	RSMS NMDS PMMS WOTS RTTV
Login	Email This

#### List View All DIRs

Record H	1 🕨 💓 of 1 Goto Record	go	
Location ID	31925	MPO ID	
	SPOT	HPMS ID	000016011430
On NHS		On HPMS	Yes
	SFRASR00D16**C	LRS Loc Pt.	12.3
	URBAN_OTHER_PRINCIPAL_ARTERIAL	Route Type	SR
	URBAN_OTHER_PRINCIPAL_ARTERIAL	Route	00016
GF Group	URBAN_OTHER_PRINCIPAL_ARTERIAL	Active	Yes
Class Dist Grp	•	Category	State Program
Sees Clas Grp	URBAN_OTHER_PRINCIPAL_ARTERIAL		
WIM Group	•		
QC Group	Default	Starbuderbi	
Fnct'l Class	Other Principal Arterial	Milepost	
Located On	E BROAD ST		
Loc On Alias			
	SR16 E OF WAGGONER RD, IN COLUMBUS		
More Detail			

STATION DATA

Directions: 23WAY EB WB ()

AADT	Year	AADT	DHV-30	K%	D%	PA	BC	Src
	2017	26,205 <sup>3</sup>	2111 33	9	60	24,577 (94%)	1,627 (6%)	Grown from 2016
	2016	26,205	2,262	9	60	24,577 (94%)	1,627 (6%)	·
	2015	29,976 <sup>3</sup>		10	56	28,123 (94%)	1,853 (6%)	Grown from 2014
	2014	29,429 <sup>3</sup>		10	56	27,610 (94%)	1,819 (6%)	Grown from 2013
	2013	29,224	2,852	10	56	27,417 (94%)	1,807 (6%)	

 Model
 Model
 AM PHV
 AM PHV
 MD PHV
 PM PHV
 PM PPV
 NT PHV
 NT PHV

VOLUM	IE COUNT			VOLUME TR	END
	Date	trit	Total	Year	Annual Growth
	Thu 12/1/2016	15	27,579	2017	0%
1	Wed 11/30/2016	15	27,531	2016	-13%
-	Thu 5/2/2013	60	34,723	2015	2%
-	Wed 5/1/2013	60	35,338	2014	1%
				<b>1</b> . ————————————————————————————————————	



OHIO DEPARTMENT OF TRANSPORTATION



#### Transportation Data Management System

Home TMC TCLS TTDS PMS PMDS RSMS NMDS PMMS WOTS RTTV

**Volume Count Report** 

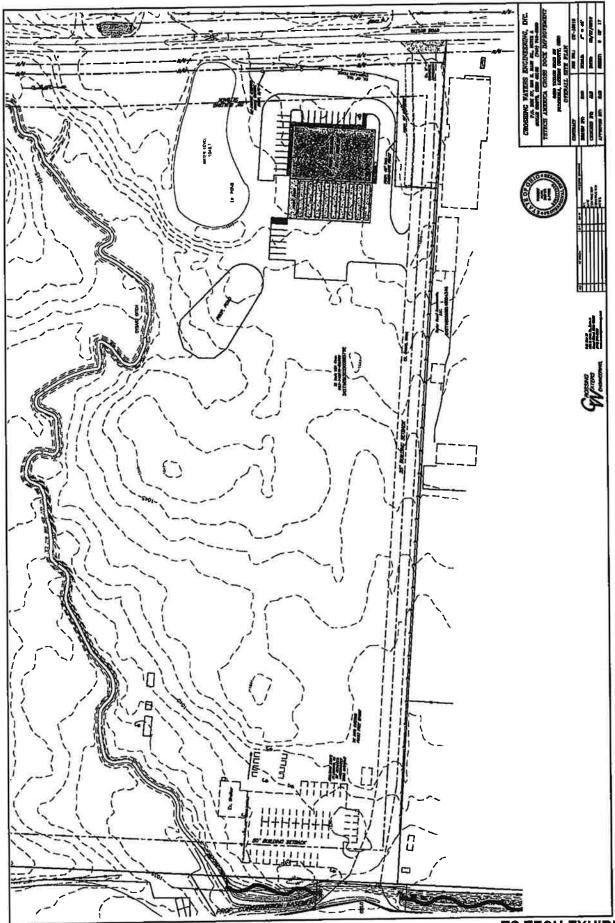
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Туре	SPOT
Fnct'l Class	3
Located On	E BROAD ST
Direction	2-WAY
County	FRANKLIN
Community	COLUMBUS
MPO ID	
HPMS ID	000016011430
Agency	ODOT

COUNT DATA	INFO
Count Statua	Accepted
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End Date	Thu 12/1/2016
Start Time	12:00:00 AM
End Time	12:00:00 AM
Direction	
Notes	
Station	000319257200
Study	
Speed Limit	
Description	
Sensor Type	Tube Class

	15	Hourty			
Time	1st	2nd	3rd	4th	Count
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1:00-2:00	57	25	54	39	175
2:00-3:00	70	47	43	42	202
3:00-4:00	61	55	86	74	276
4:00-5:00	43	52	71	96	262
5:00-6:00	91	149	204	223	667
6:00-7:00	261	371	356	381	1,369
7:00-8:00	457	457	441	436	1,791
8:00-9:00	420	423	422	415	1,680
9:00-10:00	407	318	298	301	1,324
10:00-11:00	322	298	323	326	1,269
11:00-12:00	342	355	357	352	1,406
12:00-13:00	389	365	390	428	1,572
13:00-14:00	388	362	403	427	1,580
14:00-15:00	451	420	506	464	1,841
15:00-16:00	473	481	538	555	2,047
16:00-17:00	503	555	543	552	2,153
17:00-18:00	536	536	527	511	2,110
18:00-19:00	449	486	436	398	1,769
19:00-20:00	348	337	329	320	1,334
20:00-21:00	317	232	241	231	1,021
21:00-22:00	222	200	155	129	706
22:00-23:00	139	92	310	92	433
23:00-24:00	90	75	57	85	30
Total					27,531
AADT					26,01
AM Peak					2:00-08:0 1,79
PM Peak				16	5:15-17:1: 2,18

Count Navigation: |<< < > >>| Count Type: VOLUME \*





TS TECH EXHIBIT A PAGE 43

## TS Tech USA - Revised Study (2020) 1: Limited/TS Tech & E Broad Street

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Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	ሻ	**	1	٦	<b>A</b> Þ		ሻሻ	Þ	-	٦	4	000
Traffic Volume (veh/h)	129	1310	206	49	1026	76	339	0	75	193	0	289
Future Volume (veh/h)	129	1310	206	49	1026	76	339	0	75	193	0	289
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	Tion to the	No			No			No			No	
Adj Sat Flow, veh/h/ln	1856	1856	1856	1856	1856	1856	1856	1856	1856	1856	1856	1856
Adj Flow Rate, veh/h	152	1394	0	65	1091	99	547	0	123	371	0	545
Peak Hour Factor	0.85	0.94	1.00	0.75	0.94	0.77	0.62	0.92	0.61	0.52	0.92	0.53
Percent Heavy Veh, %	3	3	3	3	3	3	3	3	3	3	3	3
Cap, veh/h	192	1214	17.40	154	1055	96	495	0	324	401	0	454
Arrive On Green	0.07	0.34	0.00	0.05	0.32	0.32	0.14	0.00	0.21	0.23	0.00	0.29
	1767	3526	1572	1767	3269	296	3428	0	1572	1767	0	1572
Sat Flow, veh/h	152	1394	0	65	588	602	547	0	123	371	0	545
Grp Volume(v), veh/h			1572	1767	1763	1802	1714	Ő	1572	1767	0	1572
Grp Sat Flow(s),veh/h/ln	1767	1763		2.8	38.0	38.0	17.0	0.0	7.9	24.2	0.0	34.0
Q Serve(g_s), s	6.7	40.5	0.0		38.0	38.0	17.0	0.0	7.9	24.2	0.0	34.0
Cycle Q Clear(g_c), s	6.7	40.5	0.0	2.8	30.0	0.16	1.00	0.0	1.00	1.00	0.0	1.00
Prop In Lane	1.00		1.00	1.00	500		495	0	324	401	0	454
Lane Grp Cap(c), veh/h	192	1214		154	569	582		0.00	0.38	0.92	0.00	1.20
V/C Ratio(X)	0.79	1.15		0.42	1.03	1.03	1.10		324	465	0.00	454
Avail Cap(c_a), veh/h	226	1214	S. North	226	569	582	495	0		1.00	1.00	1.00
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00		0.00	1.00
Upstream Filter(I)	1.00	1.00	0.00	1.00	1.00	1.00	1.00	0.00	1.00	1.00		41.8
Uniform Delay (d), s/veh	29.6	38.6	0.0	30.0	39.8	39.8	50.3	0.0	40.2	44.5	0.0	
Incr Delay (d2), s/veh	15.0	76.7	0.0	1.8	46.5	46.5	72.1	0.0	0.7	22.5	0.0	109.4
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/In	3.4	29.3	0.0	1.2	22.8	23.3	12.3	0.0	3.2	13.1	0.0	27.0
Unsig. Movement Delay, s/veh	ř											
LnGrp Delay(d),s/veh	44.6	115.2	0.0	31.8	86.4	86.4	122.5	0.0	41.0	67.0	0.0	151.
LnGrp LOS	D	F		C	F	F	F	A	D	E	A	1
Approach Vol, veh/h	1211	1546	A	SOLA	1255	Server .	<b>MARY</b>	670	6917183	6 18 3	916	
Approach Delay, s/veh		108.3	and the second s		83.6			107.5			117.2	
Approach LOS	BRSS	F			F		104	F	市谷口	A HE L	F	994 (
Timer - Assigned Phs	1	2	3	4	5	6	1	8	(Cardel)	din 1	10-1002	2.0 2
Construction of the second sec	11.2	45.5	22.0	39.0	13.7	43.0	31.7	29.3	< 7 S 9	20 m - 1 m		a serva
Phs Duration (G+Y+Rc), s	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0				
Change Period (Y+Rc), s	11.0	38.0	17.0	34.0	11.0	38.0	31.0	20.0	255	2110 20		CO. P.C
Max Green Setting (Gmax), s	4.8	42.5	19.0	36.0	8.7	40.0	26.2	9.9		Contraction of the		
Max Q Clear Time (g_c+11), s		42.5	0.0	0.0	0.1	0.0	0.6	0.4	132.3/5			
Green Ext Time (p_c), s	0.0	0.0	U,U	U,U	Vil	Viv	0.0	VIT	110000	Ideal and	Anna	STAR.
Intersection Summary	CTRL-		100 0		and the second			100		12-1220112	Store	
HCM 6th Ctrl Delay			102.9	en en en en		W SELDS						
HCM 6th LOS			F									
Notes	Clark Co	1.323	d Taylor	ERM		1000	27 545	1 Hanty and		7,37,1		1-24
LANS OF THE SECOND SECONDO SECOND SECOND SECOND SECOND SECOND SECOND SECOND SECOND SEC								allon dala				

Unsignalized Delay for [EBR] is excluded from calculations of the approach delay and intersection delay.

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#### TS Tech USA - Revised Study (2020) 2: Taylor Road & E Broad Street

	۶	-	$\mathbf{r}$	4	-	*	4	t	1	\$	ŧ.	∢		
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR		je.
ane Configurations	7	1	7	٦	11		٦	Þ		٦	ħ	4814		
Traffic Volume (veh/h)	215	989	416	57	750	81	258	140	93	113	153	174		
future Volume (veh/h)	215	989	416	57	750	81	258	140	93	113	153	174		
nitial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0		
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00		
arking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00		
Vork Zone On Approact	h	No			No			No			No			
	1856	1856	1856	1856	1856	1856	1856	1856	1856	1856	1856	1856	AND ALL AND	
dj Flow Rate, veh/h	299	1099	452	62	815	88	280	152	101	123	166	189		
Peak Hour Factor	0.72	0.90	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92		
Percent Heavy Veh, %	3	3	3	3	3	3	3	3	3	3	3	3		
Cap, veh/h	394	879	745	154	1320	142	245	240	159	298	157	179		
Arrive On Green	0.11	0.47	0.47	0.05	0.41	0.41	0.10	0.23	0.23	0.07	0.20	0.20		
Sat Flow, veh/h	1767	1856	1572	1767	3209	347	1767	1040	691	1767	792	901	Street and a little	114
	299	1099	452	62	448	455	280	0	253	123	0	355		
Grp Volume(v), veh/h		1856	1572	1767	1763	1793	1767	Ō	1731	1767	0	1693		
Grp Sat Flow(s), veh/h/lr			24.6	2.3	23.3	23.3	12.0	0.0	15.3	6.3	0.0	23.0		
2 Serve(g_s), s	10.8	55.0		2.3	23.3	23.3	12.0	0.0	15.3	6.3	0.0	23.0		
Cycle Q Clear(g_c), s	10.8	55.0	24.6		23.3	0.19	1.00	0.0	0.40	1.00	4.0	0.53		
Prop In Lane	1.00	070	1.00	1.00	700	737	245	0	399	298	0	336		
ane Grp Cap(c), veh/h	394	879	745	154	725	0.62	1.14	0.00	0.63	0.41	0.00	1.06		
//C Ratio(X)	0.76	1.25	0.61	0.40	0.62			0.00	399	355	0.00	336	CHICKEN DECKING	
Avail Cap(c_a), veh/h	511	879	745	214	725	737	245	10 M M M	1.00	1.00	1.00	1.00	and the second second	
ICM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	1.00	and the second sec	5.00
Jpstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00			0.0	46.5		
Uniform Delay (d), s/vel		30.5	22.5	27.1	27.0	27.0	35.8	0.0	40.3	33.9			and the second second	
ncr Delay (d2), s/veh	4.8	121.8	3.6	1.7	3.9	3.9		0.0	3,3	0.9	0.0	65.2	Harrish Mark	1.20
nitial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Checker Street Street P.	
%ile BackOfQ(50%),vel	n/in4.5	51.8	9.5	0.9	9.9	10.1	12.4	0.0	6.8	2.8	0:0	15,6	DAUGE STOCK	hte
Unsig. Movement Delay		1												
InGrp Delay(d),s/veh	24.8	152.4	26.2	28,8	30.9	30.8	137.7	0.0	43,5	34.8	0.0	111.7		
nGrp LOS	C	F	C	C	C	C	F	Α	D	С	A	F		
Approach Vol, veh/h	1243	1850	0		965	1.4	TICE	533			478		N SEALEY NOT	
Approach Delay, s/veh		100.9	1702.2		30.7			93.0			91.9			
Approach LOS		F		10.1	C	1363	Lenne .	F	139	11-11	F		ALEANT [F 17]	
and the second se	1	2	3	4	5	6	7	8	-	-	TH.		A STATISTICS	515
Fimer - Assigned Phs Phs Duration (G+Y+Rc	611	60.0	17.0	28.0				31.7	1016	of the second	199	111	Statistics in the	124
TIS DURAUON (G+T+RC	, 51.1	5.0						5.0						
Change Period (Y+Rc),	5 0.0		12.0					23.0	Statut	Street S			683300000	
Max Green Setting (Gr		55.0						17.3		100				
Max Q Clear Time (g_c								0.7		DUST			Sherry Carolinatio	
Green Ext Time (p_c), I	s 0.0	0.0	0.0	0.0	0.0	4.9	Uti	0.7		No.	CO. CO. CO.	Conception of the local division of the loca		1 11
Intersection Summary	0.0	the se		1.646	110		NEAL ST							Sec. 21
HCM 6th Ctrl Delay	1.30		81.0		Sec. 1	1.72					San Rin	1. 17		
HCM 6th LOS			F											

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		-	distant.	-	and the state of the	IN COLUMN
Intersection		5.07	14 Japan	Aug /		
Int Delay, s/veh	0					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
ane Configurations	¥		_	ų	Þ	
Traffic Vol, veh/h	Ö	0	0	437	390	0
Future Vol, veh/h	0	0	0	437	390	0
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	100	None	1976	None	112	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage	,# O	1	1.11	0	0	
Grade, %	0		-	0	Ó	-
Peak Hour Factor	92	92	92		92	92
Heavy Vehicles, %	3	3	3		3	3
Mymt Flow	0	0	0	475	424	0
Major/Minor	Minor2	14 17 1	Major1	C COST	Major2	a 13
Conflicting Flow All	899	424	424	0	-	0
Stage 1	424		424		10-12	000
Stage 2	475	19.12	17.01		-	
	6.43	6.23	4.13			2.5%
Critical Howy Critical Howy Stg 1	5.43	0.20	4.10		-	
	5.43	1			100	our s
Critical Howy Stg 2	3.527		2.227			
Follow-up Hdwy	3.527		1130		10-1-14	T-sec
Pot Cap-1 Maneuver		020	1100	11 C 1 S	3118	1000
Stage 1	658 624		11.10	-	1001.1	-
Stage 2	024	1.2	$\gamma < \epsilon$	1.1.1	109 8	6- F P
Platoon blocked, %	000	000	4420	and a state	2.00	Salaria
Mov Cap-1 Maneuver	308	628	1130	11. 2	101/25	
Mov Cap-2 Maneuver	308	-	-	130	de las	
Stage 1	658		900 <del>-</del>		1 AL	
Stage 2	624		-	-	-	-
and part of the light of the li		5-1-1-			194	
Approach	EB	185	NB		SB	
HCM Control Delay, s	0	1.1565	0	Martan.	0	ME AN
HCM LOS	Ä					
120575-Cabler			4.16	22		
		LIDI	NIDT	COLot	SBT	SBR
Minor Lane/Major Mvn	nt	NBL		EBLn1	_	
Capacity (veh/h)		1130		S.E.W.H	Card e	
HCM Lane V/C Ratio		•		-		
HCM Control Delay (s		0				
HCM Lane LOS	_	A		. A		
HCM 95th %tile Q(veh	1)	0	12.3	1011	1.23	

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#### TS Tech US - Revised Study (2020) 1: Limited/TS Tech & E Broad Street

	٠		$\mathbf{r}$	1	-	۰.	1	1	1	4	ŧ	4
Vovement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBP
ane Configurations	٦	<b>††</b>	1	5	<b>≜</b> î≽		ሻሻ	f.		7	ħ	-00/
Traffic Volume (veh/h)	129	1310	206	49	1026	76	339	0	75	58	0	28
Future Volume (veh/h)	129	1310	206	49	1026	76	339	0	75	58	0	28
nifial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	25.09
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.0
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.0
Work Zone On Approach		No	1000		No			No			No	
Adj Sat Flow, veh/h/in	1856	1856	1856	1856	1856	1856	1856	1856	1856	1856	1856	185
Adj Flow Rate, veh/h	152	1394	0	65	1091	99	547	0	123	112	0	54
Peak Hour Factor	0.85	0.94	1.00	0.75	0.94	0.77	0.62	0.92	0.61	0.52	0.92	0.5
	3	3	3	3	3	3	3	3	3	3	3	
Percent Heavy Veh, %	190	1233		153	1074	97	462	0	543	149	0	46
Cap, veh/h	0.07	0.35	0.00	0.05	0.33	0.33	0.13	0.00	0.35	0.08	0.00	0.2
Arrive On Green			1572	1767	3269	296	3428	0	1572	1767	0	157
Sat Flow, veh/h	1767	3526		65	588	602	547	0	123	112	0	54
Grp Volume(v), veh/h	152	1394	0			1802	1714	0	1572	1767	Ő	157
Grp Sat Flow(s), veh/h/ln	1767	1763	1572	1767	1763		16.0	0.0	6.6	7.4	0.0	35
Q Serve(g_s), s	6.7	41.5	0.0	2.8	39.0	39.0				7.4	0.0	35
Cycle Q Clear(g_c), s	6.7	41.5	0.0	2.8	39.0	39.0	16.0	0.0	6.6		0.0	1.0
Prop In Lane	1.00		1.00	1.00		0.16	1.00		1.00	1.00	•	
Lane Grp Cap(c), veh/h	190	1233		153	579	592	462	0	543	149	0	46
V/C Ratio(X)	0.80	1.13		0.43	1.01	1.02	1.18	0.00	0.23	0.75	0.00	1.1
Avail Cap(c_a), veh/h	210	1233		210	579	592	462	0	543	313	0	46
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.0
Upstream Filter(I)	1.00	1.00	0.00	1.00	1.00	1.00	1.00	0.00	1.00	1.00	0.00	1.0
Uniform Delay (d), s/veh	29.6	38.6	0.0	30.0	39.8	39.8	51.3	0.0	27.6	53.1	0.0	41
Incr Delay (d2), s/veh	18.1	69.6	0.0	1.9	41.2	41.2	102.7	0.0	0.2	7.4	0.0	99
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0
	3.6	28.6	0.0	1.2	22.4	22.9	13.5	0.0	2.6	3.6	0.0	26
%ile BackOfQ(50%),veh/In Unsig. Movement Delay, s/veh	0.0	2.0.0	0.0									
LnGrp Delay(d),s/veh	47.7	108.2	0.0	31.9	81.0	81.0	154.0	0.0	27.8	60.6	0.0	141
LnGrp LOS	D	F		С	F	F	F	Α	C	E	A	_
Approach Vol, veh/h	Design of the	1546	A	P.V.ST	1255	- 191. g	1.46	670	Ser C	9.2×4	657	4117
		102.2			78.5		and the second	130.9			127.5	
Approach Delay, s/veh Approach LOS	01.110	102.2 F			E	Plan as	energe a	F		A SECTION	F	139
Timer - Assigned Phs	1	2	3	4	5	6	7	8	La contrata	i ne	da in	1
Phs Duration (G+Y+Rc), s	11.2	46.5	21.0	40.0	13.7	44.0	15.0	46.0		Sec. 1	Port of the local division of the local divi	
Change Period (Y+Rc), s	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0				
Max Green Setting (Gmax), s	10.0	39.0	16.0	35.0	10.0	39.0	21.0	30.0		2 3 6 3		
Max Q Clear Time (g_c+11), s	4.8	43.5	18.0	37.0	8.7	41.0	9.4	8.6				
Green Ext Time (p_c), s	0.0	0.0	0,0	0.0	0.0	0.0	0.2	0.7	15b2	- 1 E B	AL PA	24
Intersection Summary	in the	0.44								f. 21	1202	
HCM 6th Ctrl Delay	(CALLER	122	103.7	ALC: Y	Yor The	TOME	Carlos Carlos	2/12/28	and have	and the second	1212	100
HCM 6th LOS	eta vilta a	1.12.16	F									
									the second second	-	at all and the	-

Notes Unsignalized Delay for [EBR] is excluded from calculations of the approach delay and intersection delay.

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#### TS Tech US - Revised Study (2020) 2: Taylor Road & E Broad Street

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lovement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	36 이번원, 고리한보이오
ane Configurations	5	1	1	٦	<b>1</b>		٦	1		٦	4	171	
raffic Volume (veh/h)	134	935	416	57	750	81	258	140	93	167	153	174	
uture Volume (veh/h)	134	935	416	57	750	81	258	140	93	167	153	174	
nitial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0	
ed-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00	
arking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	
Vork Zone On Approac	and sense of the sense	No			No			No			No		
dj Sat Flow, veh/h/in	1856	1856	1856	1856	1856	1856	1856	1856	1856	1856	1856	1856	
dj Flow Rate, veh/h	146	1016	452	62	815	88	280	152	101	217	166	189	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.77	0.92	0.92	
Percent Heavy Veh, %	3	3	3	3	3	3	3	3	3	3	3	3	
	338	872	739	153	1480	160	258	213	142	320	156	177	
Cap, veh/h Arrive On Green	0.06	0.47	0.47	0.05	0.46	0.46	0.11	0.21	0.21	0.10	0.20	0.20	
	1767	1856	1572	1767	3209	347	1767	1040	691	1767	792	901	C. S. C. S. C. S. C.
Sat Flow, veh/h		1016	452	62	448	455	280	0	253	217	0	355	
Grp Volume(v), veh/h	146			1767	1763	1793	1767	Ő	1731	1767	0	1693	
Srp Sat Flow(s), veh/h/lr	11/6/	1856	1572	1.000	21.5	21.5	13.0	0.0	15.9	11.5	0.0	23.0	
Serve(g_s), s	5.0	55.0	25.0	2.1		21.5	13.0	0.0	15.9	11.5	0.0	23.0	PROMINENT AND PLA
Cycle Q Clear(g_c), s	5.0	55.0	25.0	2.1	21.5		1.00	0.0	0.40	1.00	0.0	0.53	
Prop In Lane	1.00		1.00	1.00	010	0.19	258	0	355	320	0	333	Not ALL CONTRACTOR AND
ane Grp Cap(c), veh/h	338	872	739	153	813	827	AL COLUMN	0.00	0.71	0.68	0.00	1.07	
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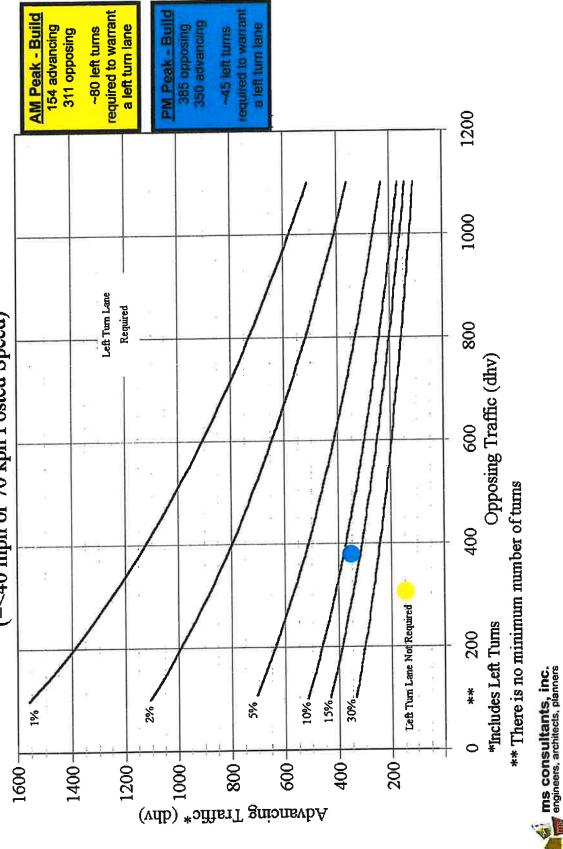
Synchro 11 Report Page 2

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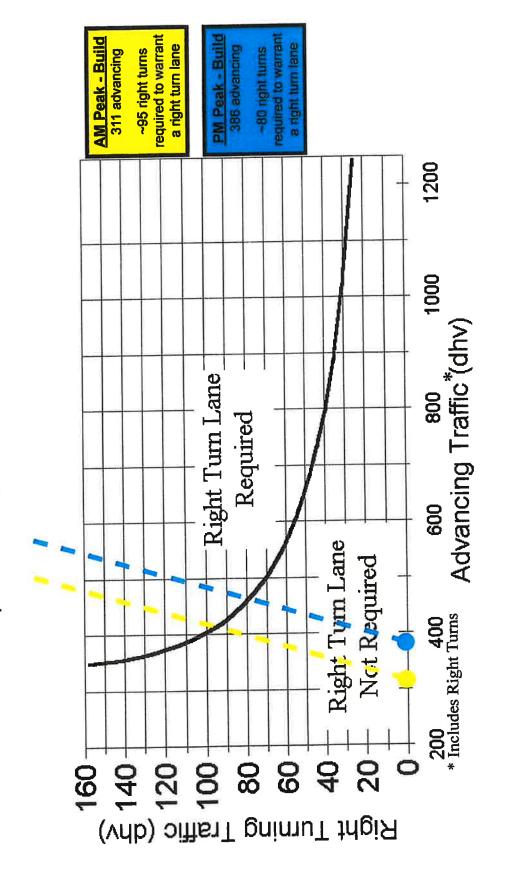
Synchro 11 Report Page 4

TS TECH EXHIBIT A PAGE 50

# **2-Lane Highway Left Turn Lane Warrant** Taylor Road @ TS Tech Driveway Northbound Left Turn Lane (=<40 mph or 70 kph Posted Speed)



Taylor Road @ TS Tech Driveway Southbound Right Turn Lane 2-Lane Highway Right Turn Lane Warrant =< 40 mph or 70 kph Posted Speed



TS TECH EXHIBIT A PAGE 51

a ms consultants, inc.





From: Sent: To: Cc: Subject: Scott Fulton <sfulton@ci.pataskala.oh.us> Friday, January 15, 2021 10:51 AM Erin Wiggins Tim Hickin; Scott Hepner RE: TS Tech Drive

Erin,

Thank you for your patience. Feel free to submit a driveway permit application and any additional information on what improvements, if any, are needed:

Thanks,

SCOTT FULTON Director of Planning City of Pataskala 621 West Broad Street, Suite 2-A Pataskala, Ohio 43062 Phone: 740-927-2168 Cell: 614-440-5222

From: erin.wiggins@tstech.com <erin.wiggins@tstech.com> Sent: Tuesday, January 12, 2021 12:26 PM To: Scott Fulton <sfulton@ci.pataskala.oh.us> Cc: Tim Hlckin <thickin@ci.pataskala.oh.us>; scott.hepner@tstech.com Subject: RE: TS Tech Drive

Thank you, Scott. We look forward to hearing from you hopefully this week.

Erin Wiggins General Counsel/Chief Compliance Manager TS Tech Americas, Inc. 8458 E. Broad St. Reynoldsburg, OH 43068 Direct – 614-322-4052 Cell – 614-282-9214 erin.wiggins@tstech.com

From: Scott Fulton <<u>sfulton@ci.pataskala.oh.us</u>> Sent: Tuesday, January 12, 2021 11:21 AM To: Erin Wiggins <<u>erin.wiggins@tstech.com</u>> Cc: Tim Hickin <<u>thickin@ci.pataskala.oh.us</u>>; Scott Hepner <<u>scott.hepner@tstech.com</u>> Subject: RE: TS Tech Drive

Erin,

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We are meeting this Thursday to discuss and hope to have you a response following the meeting.

Thanks,

SCOTT FULTON Director of Planning City of Pataskala 621 West Broad Street, Suite 2-A Pataskala, Ohio 43062 Phone: 740-927-2168 Cell: 614-440-5222

From: <u>erin.wiggins@tstech.com</u> <<u>erin.wiggins@tstech.com</u>> Sent: Tuesday, January 12, 2021 10:20 AM To: Scott Fulton <<u>sfulton@ci.pataskala.oh.us</u>> Cc: Tim Hickin <<u>thickin@ci.pataskala.oh.us</u>>; <u>scott.hepner@tstech.com</u> Subject: RE: TS Tech Drive

#### Scott,

Following up on the below email. We would very much like to have Pataskala's thoughts on our questions below so that we can move forward together.

Thank you.

Erin Wiggins General Counsel/Chief Compliance Manager TS Tech Americas, Inc. 8458 E. Broad St. Reynoldsburg, OH 43068 Direct – 614-322-4052 Cell – 614-282-9214 erin.wiggins@tstech.com

From: Erin Wiggins Sent: Monday, January 4, 2021 10:40 AM To: Scott Fulton <<u>sfulton@ci.pataskala.oh.us</u>> Cc: Tim Hickin <<u>thickin@ci.pataskala.oh.us</u>>; Scott Hepner <<u>scott.hepner@tstech.com</u>> Subject: RE: TS Tech Drive

Scott,

I hope you had a relaxing holiday season. Thank you very much for your response below. I think we are making some progress. TS Tech has a few follow-up questions/responses to your responses so that we can make sure we are following the path Pataskala is proposing. I would appreciate your responses as soon as possible so we can continue to move forward.

- You wrote that the Permit Application should clearly identify how the drive will be utilized if the emergency-only designation is removed.
  - o The Permit Application will seek the removal of all conditions imposed by Application Permit No. 16-356. TS Tech will not propose any restrictions other than those imposed by traffic laws and ordinances. The access TS Tech is seeking will allow all traffic to enter and exit the driveway at all times in accordance with other traffic laws and ordinances.

- You wrote that Pataskala had several concerns if the emergency-only designation was removed, per Alan's Nov. 26, 2019 email.
  - o The first concern was that trucks will not be able to enter Taylor Rd. from the driveway without crossing into the northbound lane. TS Tech is not aware of this being an illegal maneuver. The Ohio Commercial Driver License Manual (found here: <u>https://publicsafety.ohio.gov/static/HSY7605.pdf</u>) illustrates trucks doing this maneuver and instructs how to do so safely. Could you please advise us of the relevant safety laws and ordinances that Pataskala is relying on to state that the potential need for such a maneuver would justify denial of the Permit Application?
  - The second concern was that commuter traffic would stack up during shift change potentially leading to drivers risking turns. It was based partially on this concern that TS Tech commissioned the second traffic study. That study shows that commuter traffic leaving TS Tech would not degrade traffic operations on Taylor Rd. Could you please clarify if it is Pataskala's position that TS Tech would have to make some form of modifications even though the traffic study shows the driveway would not degrade traffic conditions on Taylor Rd.?

Again, thank you for helping us move this towards completion. We look forward to your response.

Erin Wiggins General Counsel/Chief Compliance Manager TS Tech Americas, Inc. 8458 E. Broad St. Reynoldsburg, OH 43068 Direct – 614-322-4052 Cell – 614-282-9214 erin.wiggins@tstech.com

From: Scott Fulton <<u>sfulton@ci.pataskala.oh.us</u>> Sent: Wednesday, December 23, 2020 12:30 PM To: Erin Wiggins <<u>erin.wiggins@tstech.com</u>> Cc: Tim Hickin <<u>thickin@ci.pataskala.oh.us</u>>; Scott Hepner <<u>scott.hepner@tstech.com</u>> Subject: TS Tech Drive

Erin,

Please see the responses below:

- At the BZA Hearing, Pataskala's position was that the "Driveway Permit Application" was the incorrect
  application to file for the requested upgraded use of the private driveway. However, in our December 2 meeting
  I understood you to say that the "Driveway Permit Application" was the necessary application. Can you please
  confirm?. If it's not the right application, can you please state which application, permit, or other form should
  be used to request upgraded use of the private driveway? Based upon the BZA's decision and direction, you
  should submit a Driveway Permit Application.
- At our meeting on December 2, you stated that in order for Pataskala to consider a "Driveway Permit Application" there must be some proposed, physical change which would then be the basis for the new permit application. However, I'm not able to locate the ordinance for that requirement. Could you please state the Codified Ordinance section which is the basis for this position? Having thought more about this, it is not necessary to propose a physical change in the existing driveway or emergency driveway – although you could do so if that is your plan. Given the unique situation presented by Condition Number 5 (listed in the approval for Application 16-356), you can use the Driveway Permit Application to request the emergency access designation be altered or upgraded to full access. Section 1209.02 addresses the need for a zoning permit. The Application should clearly identify how the drive will be utilized if the emergency access only designation is removed. And

please remember, when this was discussed last year, the City had several concerns if this designation was removed. Alan Haines's November 26, 2019 email (attached) outlines the City's concerns. Also note, it is your responsibility, not the City's, to engineer and design a solution or solutions to remedy the anticipated traffic issues. These solutions should be addressed in your Driveway Permit Application.

- The BZA's decision states that "TS Tech's driveway access designation can be altered if it meets all other zoning (and traffic) requirements." It does not mention the requirement for any physical upgrade in order for that to happen. Is it Pataskala's position that the current driveway does not meet relevant zoning and traffic requirements? If so, can you please identify the Codified Sections supporting those requirements as well as what changes the City will require for the driveway to meet those relevant zoning and traffic requirements? See answer above.
- At our December 2 meeting you mentioned that even a minimal physical change to the driveway could require a new driveway permit, which in Pataskala's position would start the review process. Are you able to provide us with the minimum amount of change that would need to be proposed to necessitate a new permit application? See answer above.

Happy Holidays,

#### SCOTT FULTON

**Director of Planning** 

City of Pataskala

621 West Broad Street, Suite 2-A

Pataskala, Ohio 43062

Phone: 740-927-2168

Cell: 614-440-5222

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From: Sent: To: Cc: Subject: Erin Wiggins Friday, December 11, 2020 2:32 PM Scott Fulton Scott Hepner RE: TS Tech - Pataskala Meeting

#### Scott,

Thanks to you and your team for meeting with Scott Hepner and I last week. We have now had a chance to discuss that meeting as well as review the BZA written opinion. We would like to move this process forward and, as you had offered, we have some follow-up questions for you. We would appreciate your prompt response to allow us time to draft the needed paperwork.

- At the BZA Hearing, Pataskala's position was that the "Driveway Permit Application" was the incorrect application to file for the requested upgraded use of the private driveway. However, in our December 2 meeting I understood you to say that the "Driveway Permit Application" was the necessary application. Can you please confirm? If it's not the right application, can you please state which application, permit, or other form should be used to request upgraded use of the private driveway?
- At our meeting on December 2, you stated that in order for Pataskala to consider a "Driveway Permit Application" there must be some proposed, physical change which would then be the basis for the new permit application. However, I'm not able to locate the ordinance for that requirement. Could you please state the Codified Ordinance section which is the basis for this position?
- The BZA's decision states that "TS Tech's driveway access designation can be altered if it meets all other zoning (and traffic) requirements." It does not mention the requirement for any physical upgrade in order for that to happen. Is it Pataskala's position that the current driveway does not meet relevant zoning and traffic requirements? If so, can you please identify the Codified Sections supporting those requirements as well as what changes the City will require for the driveway to meet those relevant zoning and traffic requirements?
- At our December 2 meeting you mentioned that even a minimal physical change to the driveway could require a
  new driveway permit, which in Pataskala's position would start the review process. Are you able to provide us
  with the minimum amount of change that would need to be proposed to necessitate a new permit application?

As you know, TS Tech is eager to bring this process to conclusion. Based on our December 2 conversation we understand Pataskala's position to be that a new "Driveway Permit Application" must be filed proposing some minor, physical change. We currently intend to file that permit application during the first week of January 2021 unless we hear differently from you. We ask that you provide us answers to the above questions by <u>December 23, 2020</u> to allow us time to craft the proper application.

Thank you.

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Erin Wiggins General Counsel/Chief Compliance Manager TS Tech Americas, Inc. 8458 E. Broad St. Reynoldsburg, OH 43068 Direct – 614-322-4052 Cell – 614-282-9214 erin.wiggins@tstech.com From: Scott Fulton <sfulton@ci.pataskala.oh.us> Sent: Tuesday, December 1, 2020 3:15 PM To: Erin Wiggins <erin.wiggins@tstech.com> Cc: Scott Hepner <scott.hepner@tstech.com> Subject: RE: TS Tech - Pataskala Meeting

Erin,

I was referring to the conditions placed in 2016 for the emergency access and in 2019 for the cross dock.

Thanks,

SCOTT FULTON Director of Planning City of Pataskala 621 West Broad Street, Suite 2-A Pataskala, Ohio 43062 Phone: 740-927-2168 Cell: 614-440-5222

From: erin.wiggins@tstech.com <erin.wiggins@tstech.com> Sent: Tuesday, December 1, 2020 3:08 PM To: Scott Fulton <<u>sfulton@ci.pataskala.oh.us</u>> Cc: <u>scott.hepner@tstech.com</u> Subject: RE: TS Tech - Pataskala Meeting

Scott,

I want to make sure I understand the argument you made below. Are you referring to TS Tech not appealing the driveway restriction within 30 days of the restriction being originally placed (2016)? Or are you referring to an appeal not being filed within 30 days of the most recent building permits? Or something else entirely?

Thank you.

Erin Wiggins General Counsel/Chief Compliance Manager TS Tech Americas, Inc. 8458 E. Broad St. Reynoldsburg, OH 43068 Direct – 614-322-4052 Cell – 614-282-9214 erin.wiggins@tstech.com

From: Scott Fulton <<u>sfuiton@ci.pataskala.oh.us</u>> Sent: Tuesday, December 1, 2020 2:49 PM To: Erin Wiggins <<u>erin.wiggins@tstech.com</u>> Cc: Scott Hepner <<u>scott.hepner@tstech.com</u>> Subject: RE: TS Tech - Pataskala Meeting

Erin,

Thank you for your patience while we have discussed how to move this forward. Due to the appeals not having been filed within 30 days of the permits being issued, we have had to think outside the box and have had numerous discussions on how to proceed. We do think there is an option; however, we will need TS Tech to identify the exact intended use of the driveway. Our plan for the meeting tomorrow is to present you with this option, discuss the use and continue the process of identifying the traffic concerns and possible solutions.

Thanks,

SCOTT FULTON Director of Planning City of Pataskala 621 West Broad Street, Suite 2-A Pataskala, Ohio 43062 Phone: 740-927-2168 Cell: 614-440-5222

From: erin.wiggins@tstech.com <erin.wiggins@tstech.com> Sent: Monday, November 30, 2020 10:38 AM To: Scott Fulton <<u>sfulton@ci.pataskala.oh.us</u>> Cc: <u>scott.hepner@tstech.com</u> Subject: RE: TS Tech - Pataskala Meeting

Scott,

We look forward to meeting you on Wednesday afternoon at our facility. In advance of that meeting, please provide us with Pataskala's position on the next steps that need to occur to get the driveway restrictions lifted. You mentioned these steps in response to a question at the BZA hearing which is why the BZA instructed us to work together to find a solution. We would appreciate hearing those steps in advance so we can have a more productive discussion on Wednesday.

Thank you.

Erin Wiggins General Counsel/Chief Compliance Manager TS Tech Americas, Inc. 8458 E. Broad St. Reynoldsburg, OH 43068 Direct – 614-322-4052 Cell – 614-282-9214 erin.wiggins@tstech.com

From: Erin Wiggins Sent: Wednesday, November 18, 2020 4:14 PM To: Scott Fulton <<u>sfulton@ci.pataskala.oh.us</u>> Cc: Scott Hepner <<u>scott.hepner@tstech.com</u>> Subject: RE: TS Tech - Pataskala Meeting

Scott,

Let's meet at 2 pm on 12/2. I will send a meeting invite to you and Alan which you can forward as needed. You can come to TS Tech Americas, which is the building to the right as you come north on TS Tech drive. Please tell the guard you are going to TS Tech Americas to meet with me.

Just a reminder, please do not come if you are feeling sick or if you've been around someone who is sick. You will all be asked to fill out an attestation to that effect. Please also remember to bring a mask, but we have spare masks if you forget.

Let's plan to meet in person but if conditions get worse and our counties issue stay at home orders let's keep the meeting time and we will meet virtually.

Regarding your question about the currently-intended use of the Taylor Rd. driveway, Scott Hepner's image is an accurate depiction of that currently-intended use. However, TS Tech's position continues to be that it should have no restrictions so long as the property is used as zoned by Pataskala. Therefore, our statement of currently-intended use is not an agreement that limitations can be placed on the drive. I hope that allows Pataskala enough information to discuss internally before our meeting. Please let me know if you need more information.

At the BZA hearing, you indicated to the BZA that there were a number of steps that would need to happen in order for Pataskala to agree to lift the current restrictions. Could you please provide any information on that to us in advance of the meeting so that we can also internally discuss?

Thank you.

Erin Wiggins General Counsel/Chief Compliance Manager TS Tech Americas, Inc. 8458 E. Broad St. Reynoldsburg, OH 43068 Direct -- 614-322-4052 Cell -- 614-282-9214 <u>erin.wiggins@tstech.com</u>

From: Scott Fulton <<u>sfulton@ci.pataskala.oh.us</u>> Sent: Wednesday, November 18, 2020 2:38 PM To: Erin Wiggins <<u>erin.wiggins@tstech.com</u>> Cc: Scott Hepner <<u>scott.hepner@tstech.com</u>> Subject: RE: TS Tech - Pataskala Meeting

Erin,

I spoke with Tim Hickin and Alan Haines and we are available at 2pm on either 12/2 or 12/3. We're happy to meet at TS Tech.

Following our most recent meeting with Scott, he sent over the attached proposal for usage of the driveway. I just want to confirm that the proposal is still the same so we can provide some comments for the meeting.

Thanks,

SCOTT FULTON Director of Planning City of Pataskala 621 West Broad Street, Suite 2-A Pataskala, Ohio 43062 Phone: 740-927-2168 Cell: 614-440-5222 From: <u>erin.wiggins@tstech.com</u> <<u>erin.wiggins@tstech.com</u>> Sent: Wednesday, November 18, 2020 8:33 AM To: Scott Fulton <<u>sfulton@ci.pataskala.oh.us</u>> Cc: <u>scott.hepner@tstech.com</u> SubJect: RE: TS Tech - Pataskala Meeting

Scott,

We can be available at any of the below times. I'd appreciate if we could select a date/time as soon as possible so that Scott Hepner and I can make sure we block off our schedules. Like before, we propose that TS Tech host this meeting so that we have access to the cross-dock as needed.

11/30 – morning 12/1 – morning 12/2 – all day 12/3 – afternoon

The BZA mentioned that the point of this meeting was to discuss the process you/Pataskala proposes TS Tech needs to use to get the driveway restrictions lifted. If you could send along your thoughts on that in advance of our meeting it will help us make the meeting as productive as possible.

Thank you.

Erin Wiggins General Counsel/Chief Compliance Manager TS Tech Americas, Inc. 8458 E. Broad St. Reynoldsburg, OH 43068 Direct – 614-322-4052 Cell – 614-282-9214 erin.wiggins@tstech.com

From: Scott Fulton <<u>sfulton@ci.pataskala.oh.us</u>> Sent: Tuesday, November 17, 2020 4:18 PM To: Erin Wiggins <<u>erin.wiggins@tstech.com</u>> Cc: Scott Hepner <<u>scott.hepner@tstech.com</u>> Subject: RE: TS Tech - Pataskala Meeting

Erin,

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I've been called into court on Thursday, so unfortunately that day is out. What dates/times work for you gentlemen next week?

Thanks,

SCOTT FULTON Director of Planning City of Pataskala 621 West Broad Street, Suite 2-A Pataskala, Ohio 43062 Phone: 740-927-2168 Cell: 614-440-5222

From: erin.wiggins@tstech.com <erin.wiggins@tstech.com> Sent: Tuesday, November 17, 2020 3:26 PM To: Scott Fulton <<u>sfulton@ci.pataskala.oh.us</u>> Cc: <u>scott.hepner@tstech.com</u> Subject: RE: TS Tech - Pataskala Meeting

Scott,

Will a meeting this Thursday (11/19) afternoon be possible? Have you heard back from the other Pataskala officials who want to join?

Please let us know at your earliest convenience.

Thank you.

Erin Wiggins General Counsel/Chief Compliance Manager TS Tech Americas, Inc. 8458 E. Broad St. Reynoldsburg, OH 43068 Direct – 614-322-4052 Cell – 614-282-9214 <u>erin.wiggins@tstech.com</u>

From: Scott Fulton <<u>sfulton@ci.pataskala.oh.us</u>> Sent: Friday, November 13, 2020 11:17 AM To: Erin Wiggins <<u>erin.wiggins@tstech.com</u>> Cc: Scott Hepner <<u>scott.hepner@tstech.com</u>> Subject: RE: TS Tech - Pataskala Meeting

Erin,

Waiting to hear back from other folks in our office on dates/times. I will let you know once I hear back from them.

Thanks,

SCOTT FULTON Director of Planning City of Pataskala 621 West Broad Street, Suite 2-A Pataskala, Ohio 43062 Phone: 740-927-2168 Cell: 614-440-5222

From: <u>erin.wiggins@tstech.com</u> <<u>erin.wiggins@tstech.com</u>> Sent: Friday, November 13, 2020 10:57 AM To: Scott Fulton <<u>sfulton@ci.pataskala.oh.us</u>> Cc: <u>scott.hepner@tstech.com</u> Subject: RE: TS Tech - Pataskala Meeting Scott,

Following up on my email below. Please let me know which day next week works best for you and who you plan to bring with you. We look forward to moving this process forward.

Erin Wiggins General Counsel/Chief Compliance Manager TS Tech Americas, Inc. 8458 E. Broad St. Reynoldsburg, OH 43068 Direct – 614-322-4052 Cell – 614-282-9214 erin.wiggins@tstech.com

From: Erin Wiggins Sent: Wednesday, November 11, 2020 11:10 AM To: <u>sfulton@ci.pataskala.oh.us</u> Cc: Scott Hepner <<u>scott.hepner@tstech.com</u>> Subject: TS Tech - Pataskala Meeting

Scott,

As discussed last night, TS Tech would like to meet with you in person next week to discuss the restrictions on TS Tech's Taylor Rd. driveway. At that meeting, we would like to finalize the process that Pataskala asserts would be the proper path for TS Tech to take. We can be available the following days:

Monday (11/16): Anytime Thursday (11/19): After 1 pm

Please let me know what times work best for you.

We propose that TS Tech hosts the meeting so that we can examine the cross-dock/driveway as needed. Please feel free to invite anyone else that you feel is necessary but please let me know who is coming so that I can send along our COVID protocol information.

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