

MITIGATED NEGATIVE DECLARATION

TO: Office of Planning & Research
 P. O. Box 3044
 Sacramento, California 95812-3044

 County Clerk, County of San Joaquin

FROM: San Joaquin County Community Development Department
 1810 East Hazelton Avenue
 Stockton, California 95205

PROJECT TITLE: Site Approval application No. PA-1800043

PROPONENT: Janet Blincoe

PROJECT LOCATION: The project site is located on the east side of South State Route 99 West Frontage Road, 800 feet west of South Mariposa Road, Stockton (APN: 171-300-24/2510 South State Route 99 West Frontage Road, Stockton) (Supervisorial District 1).

PROJECT DESCRIPTION: A Site Approval application for a 3,180 square foot mini-mart, two (2) covered canopies, eight (8) gasoline pumps, carwash, and three (3) diesel pumps. This parcel is not under a Williamson Act contract.

The Property is zoned I-L (Limited Industrial) and the General Plan designation is I/L (Limited Industrial).

Based on the attached Initial Study, it has been found that the project will not have a significant effect on the environment.

Date: 2/6/2019

Contact Person: Giuseppe Sanfilippo

Phone: (209) 468-0227

Governor's Office of Planning & Research

FEB 07 2019

STATE CLEARINGHOUSE

SAN JOAQUIN COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT
INITIAL STUDY

FILE NO: PA-1800043 (SA)

PROJECT/APPLICANT: Blincoe/ BP West Coast Products, LLC

PROJECT DESCRIPTION: A Site Approval application for gas station and convenience store to include the construction of a 3,180 square foot convenience store, a 1,152 square foot carwash, a 4,408 square foot fuel canopy, and a 1,355 square foot diesel canopy. (Use Type: Gasoline Sales and Service-Combination). The project site is located on the corner of South State Route 99 Frontage Road and South Mariposa Road, Stockton

RECOMMENDED ENVIRONMENTAL DETERMINATION:

The proposed project could not have a significant effect on the environment, and a Negative Declaration will be prepared. _____

Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A Mitigated Negative Declaration will be prepared. **X**

The proposed project may have a significant effect on the environment, an Environmental Impact Report is required. _____

ASSESSOR PARCEL NO: 171-300-24

ACRES: 2.0 acres

GENERAL PLAN: I/L

ZONING: I-L

CURRENT SITE CONDITIONS (topography, uses): Relatively flat vacant parcel

POTENTIAL POPULATION, NUMBER OF DWELLING UNITS, OR SQUARE FOOTAGE OF USE(S): A gasoline station, convenience store, two fueling canopies, and a car wash totaling 10,095 square feet.

SURROUNDING LAND USES:

North: City of Stockton/ Mormon Slough

South: Industrial/Residential/ Agricultural/ Duck Creek

East: Industrial/ City of Stockton/ Residential

West: Industrial, City of Stockton/ Hamilton School

GENERAL CONSIDERATIONS:

1. Does it appear that any environmental feature of the project will generate significant public concern or controversy?

Yes No Nature of concern(s): _____

2. Will the project require approval or permits by agencies other than the County?

Yes No Agency name(s): _____

3. Is the project within the Sphere of Influence, or within two miles, of any city?

Yes No City: **STOCKTON**

ENVIRONMENTAL IMPACTS:

"Yes" may only be checked in situations where there is substantial evidence to indicate that there may be a significant adverse impact on the environment if there is no change in the project description. (CEQA Guidelines, Sec. 15064)

See the "Discussion" section at the end of the Initial Study for explanation of any impacts checked "Yes", or any "No" answer marked with an asterisk (*).

Sources: The following sources of information have been used in determining environmental impacts:

Original source materials and maps on file in the Community Development Department including: all County and City general plans and community plans; assessor parcel books; various local and FEMA flood zone maps; service district maps; maps of geologic instability; maps and reports on endangered species such as the Natural Diversity Data Base; noise contour maps; specific roadway plans; maps and/or records of archeological/historic resources; soil reports and maps; etc. Many of these original source materials have been collected from other public agencies or from previously prepared EIR's and other technical studies. Copies of these reports can be found by contacting the Community Development Department.

Additional standard sources which should be specifically cited below include on-site visits by staff (note date); staff knowledge or experience; and independent environmental studies submitted to the County as part of the project application (note report title, date, and consultant).

1. Water:

- a. Is any portion of the project subject to flood hazard?
Flood zone: X(500) Yes No*
- b. Will the project result in reduction of surface or ground water quality or quantity? Yes No
- c. Will the project result in increases to surface, channel or stream volumes, or alterations to drainage patterns and streams? Yes No
- d. Will the project result in erosion of or sedimentation to a channel, river, or body of water? Yes No

Other sources used: _____

2. Earth:

- a. Will the project result in or be subject to potentially hazardous geologic or soils conditions on or immediately adjoining the site (slides, springs, erosion, liquefaction, earthquake faults; steep slopes, septic tank limitations)? Yes No
- b. Will the project involve substantial grading which could result in secondary impacts (consider amount, steepness, and visibility of proposed slopes; consider effect of grading on trees and creek channels)? Yes No
- c. Will there be conversion of prime farmland (over 40 acres and not shown for development in the General Plan)? Yes No

Other sources used: San Joaquin County Soil Survey

3. Plant/Animal Life:

- a. Will there be a reduction or disturbance to any habitat for plants and animals (including removal or disturbance of trees, riparian areas, or migration routes)? Yes No *
- b. Will the project impact any rare, endangered, threatened, or recreational species located on or near the site? (Check the Natural Diversity Data Base) Yes No *

Other sources used: Natural Diversity Database

4. Air/Climate:

- a. Will the project make a significant contribution to the deterioration of existing air quality, including creation of objectionable odors; will future project residents be subjected to significant pollution levels? Yes No*
- b. Will the project result in any impact to current climatic conditions? (Consider the introduction of water features, loss of wetland, etc.) Yes No

Other sources used: _____

5. Noise:

- a. Will the project expose people to high noise or vibration levels (over 65db/Ldn for residential uses or 75db/Ldn for industrial uses at the property line)? (Check 2010 projected noise contours.) Yes No*
- b. Will the project result in increased noise or vibration levels? Yes No

Other sources used: _____

6. Energy/Natural Resources:

- a. Will the project use substantial amounts of fuel or energy, require a substantial increase in demand upon existing sources, or require the development of new sources of energy? Yes No
- b. Will the project affect the potential use, extraction, conservation, or depletion of a natural resource (other than agricultural land)? Yes No

Other sources used: _____

7. Hazards:

- a. Will the project create a risk of explosion; release, generate or store Any hazardous substances; or cause other dangers to public health and safety? Yes No
- b. Are there any known hazardous substances located within 500 feet of the boundaries of this project, if in an existing or proposed residential area (this could include possible groundwater contamination)? Yes No
- c. Will the project result in interference with, or need, for emergency plans? Yes No

Other sources used: _____

8. Utilities and Public Service:

- a. **Will the project require alteration of, addition to, or the need for new utility systems (water, sewer, drainage, solid waste), including a sphere of Influence or district boundary change? Yes No*
- b. **Will the project result in the need for or the expansion of the following services: fire and police protection, schools, parks and recreation, libraries, roads, flood control, solid waste or other public works facilities, public transit, or governmental services? Yes No
- c. Will the project adversely impact existing recreational/park opportunities or require new park/recreation opportunities? Yes No

Note: ** "Yes" answers to these two questions and 9 (b) below will require additional discussion, but do not necessarily indicate a potentially significant impact.

Other sources used: _____

9. Transportation/Circulation:

- a. Will the project generate significant traffic volumes and/or make a significant contribution to an existing circulation problem (consider existing LOS on nearby arterials and highways, road design, access, parking, accident potential)? Yes No*
- b. **Will the project cause special transportation considerations (consider water-borne, rail, air, pedestrian, and bicycle traffic, and public transportation systems and parking facilities)? Yes No

- c. Will the project result in a significant increase in commuting to and from the local community? Yes No
- d. Will the project be impacted by or interfere with an airport flight path? Yes No
- e. Will the project restrict access to the surrounding area? Yes No

Other sources used (note traffic studies): _____

10. Cultural Resources:

- a. Will the proposal result in an alteration of a significant archeological, or historical site, structure, or building? Yes No

Other sources used: _____

11. Housing:

- a. Will the proposal adversely affect the existing housing stock or create a demand for additional housing (more than 50 units)? Yes No

Other sources used: _____

12. Aesthetics:

- a. Will the project obstruct any public scenic vista or view, create an aesthetically offensive site open to public view, or produce new light or glare? Yes No*

Other sources used: _____

13. Land Use:

- a. Is this project a growth-inducing action: Will it encourage additional requests for related uses, or will it set a significant land use precedent in the area? Yes No*
- b. Will the project conflict with existing or planned land uses; is the project in conflict with any adopted plans? Yes No*
- c. Will the project disrupt a natural or recreation area, impact access to waterways, or allow trespass onto surrounding land? Yes No

14. Cumulative:

- a. Will the project create any impacts which may not be significant for the project alone, but may be significant when combined with other anticipated development of similar type and or location? Yes No

Other sources used: _____

15. Other Impacts: Identify any other impact(s) not noted above which may be significant, and cite source(s). NONE KNOWN.

16. Mandatory Findings of Significance:

(A "Yes" answer to any of the following questions requires preparation of an EIR.)


- a. Does the project have the potential to degrade the quality of the environment or curtail the diversity in the environment? Yes No
- b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? Yes No
- c. Does the project have impacts which are individually limited but cumulatively considerable? Yes No
- d. Does the project have environmental impacts which will cause substantial, adverse effects on human beings, either directly or indirectly? Yes No

17. DISCUSSION OF ANY ENVIRONMENTAL IMPACTS NOTED ABOVE.

(Discuss any questions answered "Yes" above, as well as any "No" answers marked with an asterisk (*). Discuss any changes to the project which could mitigate the identified impacts. Discuss any proposed mitigation monitoring program submitted by the project applicant. Use additional attached pages if necessary.)

PLEASE SEE INITIAL STUDY ATTACHMENT PA-1800043(SA).

Prepared by: Giuseppe Sanfilippo



Title: Associate Planner

Date: February 6, 2019

**INITIAL STUDY (ATTACHMENT)
PA-1800043 (SA)
BLINCOE/BP WEST COAST PRODUCTS, LLC**

PROJECT DESCRIPTION: A Site Approval application for gas station and convenience store to include the construction of a 3,180 square foot convenience store, a 1,152 square foot carwash, a 4,408 square foot fuel canopy, and a 1,355 square foot diesel canopy. (Use Type: Gasoline Sales and Service-Combination). The project site has a General Plan designation of Limited Industrial (I/L) and a zoning designation of Limited Industrial (I-L). The project site is located on the corner of South State Route 99 Frontage Road and South Mariposa Road, Stockton

Environmental Issues

1. Water

1.a.& b. The project site is located in the Flood Zone X, 0.2 percent annual chance of flood designations. A referral has been sent to the Department of Public Works, Flood Control Division for comments. If approved, any new developments will have to comply with Development Title Section 9-1605 regarding flood hazards.

The project proposes three (3) underground tanks for the storage of motor vehicle fuel. Pursuant to Conditions of Approval from the Environmental Health Department, this project is subject to the Underground Storage Tank Program. As a result, the effects to ground water supply are expected to be less than significant.

3. Plant/Animal Life

3. a. & b. The Natural Diversity Database lists the Swainson's hawk (*Buteo swainsoni*), burrowing owl (*Athene cucularia*), and the white-tailed kite (*Elanus leveyurus*) as rare, endangered, or threatened species or habitat located on or near the site. Referrals have been sent to the San Joaquin Council of Governments (SJCOC) for review. If SJCOC determines that the applicant may participate in the San Joaquin Multi-Species Habitat Conservation and Open Space Plan (SJMSCP), and if the applicant chooses to participate, then the proposed project is consistent with the SJMSCP, as amended, as reflected in the conditions of project approval for this proposal. Pursuant to the *Final EIR/EIS for San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP)*, dated November 15, 2000, and certified by SJCOC on December 7, 2000, implementation of the SJMSCP is expected to reduce impacts to biological resources resulting from the proposed project to a level of less-than-significant. If the applicant chooses not to participate, then the applicant will be required to participate in a similar mechanism that provides the same level of mitigation.

4. Air/Climate:

4.a. The project is for a gas station and convenience store to include the construction of a 3,180 square foot convenience store, 1,152 square foot carwash, a 4,408 square foot fuel canopy, and a 1,355 square foot diesel canopy. The San Joaquin Valley Unified Air Pollution Control District (SJVAPCD) has been established by the State in an effort to control and minimize air pollution. The applicant will be required to meet existing requirements for emissions and dust control as established by SJVAPCD. The project was referred to the SJVAPCD for review. As a condition of approval the project will be subject to the Districts rule and regulations. As a result, any impacts to air quality will be reduced to less-than-significant.

5. Noise

5.a. The nearest single family residence is located approximately 670 feet west of the project site. Development Title Section 9-1025.9 lists the Residential use type as a noise sensitive land use. Development Title Section Table 9-1025.9 Part II states that the maximum sound level for stationary noise sources during the daytime is 70 dB and 65dB for nighttime. This applies to outdoor activity areas of the receiving use, or applies at the lot line if no activity area is known. The proposed project would be subject to these Development Title standards. Therefore, noise impacts from the proposed project are expected to be less than significant.

8. Utilities and Public Services

8. a. This project will be served by public services for water and sewer services. The applicant has provided will serve letters to the parcel for the following services: City of Stockton for public sewer and California Water for public water. These agencies have the capacity to serve this parcel. Storm drainage will be retained on site. The Department of Public Works will determine the feasibility of the proposed storm drainage. Therefore, the impact on public services will be less than significant.

9. Transportation/Circulation

9.a. The proposed gas station and convenience store is located on the southeast corner of South State Route 99 West Frontage Road and South Mariposa Road, and will operate 24-hours per day, seven days a week, with twenty-five (25) employees per shift. A traffic impact analysis was prepared by Kimley Horn dated November 12, 2018. The analysis concluded that the operation of the proposed gas station and convenience store would not result in significant traffic impacts under San Joaquin County guidelines and would not result in an appreciable safety impact. However, the traffic impact analysis recommended limiting access to the north west driveway along South State Route 99 Frontage Road to right in/right out movements only. The traffic impact analysis also recommended constructing a raised median at that location. The Department of Public Works Conditions of Approval have incorporated these recommendations and are as follows:

1. The northwest driveway with access on South State Route 99 Frontage Road shall be limited to right in/right out movements.
2. The northwest driveway design shall include a channelizing raised median island to facilitate right in/right out movements.
3. The northwest driveway shall include signage indicating "right turn only" viewable to traffic exiting the site, and the portion of the sign viewable to the roadway shall indicate no left turns into the site.

The project site falls within Zone 8 of the Airport Influence Area the comprehensive Airport Land Use Plan boundaries for the Stockton Metropolitan Airport. The project site is located approximately 2.28 miles southwest of the nearest runway. The project shall abide by the applicable Airport Land Use Plan for the Stockton Metropolitan Airport. A referral was sent to the Airport Land Use Commission and the Stockton Metropolitan Airport on April 13, 2018 for review. As a Condition of Approval, the project will be subject to the Airport Land Use Commission's rules and regulations. As a result, impacts to airport flight paths will be reduced to less than significant.

12. Aesthetics

12.a. The proposed project site is a vacant, relatively flat parcel. The site is surrounded by a mixture of uses: To the north is the residential and industrial, to the south is industrial, residential, and agricultural, to the east is industrial and residential, and to the west is industrial and residential. The proposed structures and all improvements will be required to meet all building setbacks and Development Title requirements. This project will be conditioned with requirements for landscaping along roadways bordering the project parcel, and screening will be required for all outdoor storage areas. As such, the impact from the project on the existing visual character or quality of the site and its surroundings will be less than significant.

13. Land Use

13. a. & b. The project is for a gas station and convenience store to include the construction of a 3,180 square foot convenience store, 1,152 square foot carwash, a 4,408 square foot fuel canopy, and a 1,355 square foot diesel canopy. The Gasoline Sales and Service-Combination, and Truck Sales and Services-Truck Stop use types may be conditionally permitted in the I-L zone with an approved Site Approval application. The project is not a growth-inducing action nor is it in conflict with any existing or planned uses. The project will not set a significant land use precedent in the area. There are no applicable Master Plans, Special Purpose Plans, or Specific Plans in the vicinity.