

DATE ISSUED: March 30, 2006

REPORT NO. PC-06-091

ATTENTION: Planning Commission, Agenda of April 6, 2006

SUBJECT: USA GAS STATION 855. PROJECT NO. 2956. PROCESS 5.

OWNER/

APPLICANT: Palisades Gas & Wash, Inc. (Attachment 12)

SUMMARY

Issue(s): Should the Planning Commission recommend approval to the City Council of a Planned Development Permit, Conditional Use Permit, Site Development Permit and a Rezone for the construction of a gasoline station with six multi-product dispensers, a weather canopy and a 1,939-square-foot mini-market on a 0.48-acre vacant lot located at 3481 National Avenue?

Staff Recommendations:

1. **RECOMMEND CERTIFICATION** to the City Council of Mitigated Negative Declaration Project No. 2956 and **ADOPTION** of the Mitigation, Monitoring and Reporting Program; and
2. **RECOMMEND APPROVAL** to the City Council of Planned Development Permit No. 323465, Conditional Use Permit No. 6267, Site Development Permit No. 6266 and Rezone No. 6268.

Community Planning Group Recommendation: On March 16, 2006, the Southeastern San Diego Planning Committee voted in support of the project 10:0:0 with no conditions (Attachment 11).

Environmental Review: Mitigated Negative Declaration Project No. 2956 has been prepared for this project in accordance with the California Environmental Quality Act (CEQA) Guidelines. A Mitigation, Monitoring and Reporting Program (MMRP) has

been prepared and will be implemented to reduce all potential impacts to below a level of significance. The MMRP addressed the issue areas of human health and public safety (hazardous material).

Fiscal Impact Statement: None with this action. All costs associated with the processing of this project are paid by the applicant.

Code Enforcement Impact: In 2003, Neighborhood Code Compliance determined that the vacant buildings on the site were a threat to human health and public safety and a Notice of Public Nuisance was filed and as a result, the structures were demolished.

Housing Impact Statement: The 0.48 acre site is currently vacant and is zoned CT-2 and MF-1500. Only about 1/5 of the parcel is zoned for residential use. If this area were to be developed residentially, 3 units could have been developed on the portion of the site on which residential use is allowed.

BACKGROUND

The project is located at 3481 National Avenue in the Southcrest Neighborhood of the Southeastern San Diego Community Plan area and is designated for general commercial uses (Attachments 1). The property is currently zoned CT-2 and MR-1500. The site is located on the south side of National Avenue at the southeast corner of National Avenue and 35th Street (Attachment 2). The topography of the project area is relatively flat, with a slight decline to the south and west. The project site is currently vacant (Attachment 3). Surrounding land uses include single and multi-family residences, as well as, commercial uses. The site is not located within or adjacent to the Multi-Habitat Planning Area (MHPA).

Several structures were previously on the site, however, in 2003, a Notice of Public Nuisance Abatement of Vacant and Boarded Structures was issued by the Neighborhood Code Compliance Department. As a result, the structures were demolished. As part of the California Environmental Quality Act (CEQA) process an evaluation of the potential historicity of buildings was required. Subsequently, a report was prepared, *Historical Documentation Survey of the Antiseptic Wet Wash/Snow White Laundry Company Site 3481-3493, National Avenue San Diego, California 2005* (Moonjian, 2005). The report was based on photographs taken between 2001-2003 and Miscellaneous Building Record Forms from the San Diego County Assessors Office. The report concluded that the 3481-3493 National Avenue property was first developed as the Antiseptic Wet Wash Laundry in 1916. Sometime , between 1941-1942, the Antiseptic Laundry facility changed its name to Snow White Laundry. The business continued to operate as Snow White Laundry until around the late 1970's. Beginning around 1980, the property was listed as "Vacant."

When originally constructed in 1916, the Antiseptic Wet Wash/Snow White Laundry Company building covered the entire length and width of the site. The building was one-story and rectangular in shape with wood posts, concrete flooring, and originally featured post steam oil

and gas, and electric lights. The building is clearly depicted on 1921 and 1940 Sanborn Fire Insurance Maps. However, 1956 Sanborn maps show that the original building had been removed. Therefore, the subject site does not possess any potential historical significance due to the fact that the Antiseptic Wet Wash/Snow White Laundry Company, as originally configured, was altered many times from 1922 to the 1980's. Original components, such as the bricked-in boiler appear to have been replaced over the years.

DISCUSSION

The proposed project is for a gasoline station with six multi-product dispensers, a weather canopy and a 1,939-square-foot mini-market on a 0.48-acre vacant lot located at 3481 National Avenue. The project requires approvals of a rezone, a Site Development Permit, Planned Development Permit and a Conditional Use Permit. A portion of the site will be rezoned from MF-1500 to CT-2 to permit commercial use on the entire site. A Site Development Permit and Conditional Use Permit are required to permit the gasoline station and mini-market. A Planned Development Permit is required for the deviation to the CT-2 front yard setback requirement.

Community Plan Analysis:

The Southeastern San Diego Community Plan designates the site for General Commercial Use. The Southcrest Neighborhood Element of the community plan recommends that the southwest corner of 35th and National (location of this project) be enlarged to shift 2.5 acres from residential to commercial use. This redesignation has already been made and the proposed project implements this recommendation.

The Urban Design Element recommends that along pedestrian oriented streets where existing buildings are close to the property line, new buildings should be required to be up to or within ten feet of the property line. Although the Southeastern San Diego Community Plan does not explicitly designate individual street segments as "pedestrian oriented", the street does fit the definition of a "transit corridor" in the draft Land Use and Community Planning Element of the General Plan. The site plan has been revised to incorporate this recommendation.

Rezone

The project is zoned both CT-2 and MF-1500. The project is proposing to rezone the entire site to CT-2 (Attachment 10). The rezone is supported because it is consistent with the Recommended Land Use Map designation for General Commercial Use (Page. 243 of the Southeast San Diego Community Plan.) The Plan specifically calls for "an enlargement of commercial-designated areas on the south side of National Avenue at 35th Street... (Page 237). It goes on to specifically address this particular 0.48 acre site by stating that, "Approximately 0.5 acres on the southwest corner of 35th Street and National Avenue is recommended for commercial uses."

Project Description:

The project proposes to grade 10 percent of the site with 150 cubic yards of cut and 50 cubic yards of fill in order to level the site. The proposed 1,939 square foot mini market would be constructed using a California Mediterranean Style. Spanish style tiles would be used on the roof and several colors of stucco would be employed on the façade (Attachment 5). Landscaping is proposed around the perimeter of the property, which would create a visual buffer between the street and the paved areas on site and would include, but is not limited to, a combination of trees

(Red Iron Bark, Ornamental Pear, and Brisbane Box) shrubs (Lily-of-the-Nile, Natal Plum, and Star of Jasmine) and vines (Royal Trumpet Vine and Boston Ivy) (Attachment 6).

Pursuant to Section 141.0801.(g) of the Land Development Code gas stations abutting residentially zoned property are permitted to operate between the hours of 6:00 a.m. and 12:00 midnight, and signage may be lighted only between the hours of 6:00 a.m. and 12:00 midnight.

Deviation:

The CT-2 zone requires a 15-foot front yard setback. The community plan (page 126) states that along pedestrian orientated streets, new buildings should be up to or within 10-feet of the property line. The proposed building is 5 -feet from the property line (Attachment 5). To implement the community plan a deviation to permit a 5-foot front yard setback where 15-feet is required is proposed. Staff supports this deviation because it will implement the community plan's recommendations for pedestrian orientated streets.

Environmental Analysis :

Human Health and Public Safety (Hazardous Materials)

A Phase I Environmental Site Assessment (ESA) was performed by ATV Associates (October, 2003) for the project. The scope of the ESA researched past and current uses of the site and adjacent properties. The research also included observations and interviews regarding: the use, treatment, storage, disposal or generation of hazardous materials. The report determined that there were two possible *recognized environmental conditions* (RECs) at the project site. One of the RECs was associated with three underground storage tanks on site, two of which had been removed, and the other was closed in place. The storage tanks were used by the American Forklift Company. A closure letter was issued on October 17, 2000, for the closed tank from the County of San Diego Department of Environmental Health (DEH). However, the closure letter states if land use changes the file could be reopened. The re-opening of the file could potentially result in a REC. The other possible REC resulted from a Leaking Underground Storage Tank (LUST) from a gas station located at 3502 National Avenue. The ESA determined that since the gas station is located uphill from the project site there was a potential for contamination from the

LUST to migrate into the subject property. ATC Associates performed a Health Risk Assessment Study (May, 2004) to evaluate any potential human health risks associated with the LUST at 3502 National Avenue.

The Health Risk Assessment identified benzene as the compound of most concern. In order to conduct the exposure assessment for benzene at the future commercial site a soil vapor survey study was conducted. Four soil borings were used to collect the data. The results indicate that there is a cancer risk from subsurface benzene exposure of one in a population of 53,475,935 people and cancer risk from subsurface naphthalene exposure of one in a population of 66,225,165. Both of these risk results for the site represent an acceptable risk. However, the status of the closure of the remaining LUST and the toxicity assessment report are currently being reviewed by the County of San Diego DEH. Therefore, a significant impact to Human Health and Public Safety may result with the implementation of the project.

To reduce this impact to below a level of significance, the proposal shall comply with the Mitigation Monitoring and Reporting Program (MMRP) in Section V. of this Mitigated Negative Declaration (MND) which requires that prior to the issuance of the grading permit, the applicant shall provide verification, in letter form, to the Mitigation Monitoring and Coordination Section (MMC) that the County of San Diego, Department of Environmental Health has reviewed and approved the proposed Health and Safety Work Plan for the treatment and disposal of hazardous materials or contaminated soils that may be encountered within the project site. The work plan would contain specific procedures for encountering both expected and unexpected contaminants. The plan would prescribe safe work practices, contaminant monitoring, personal protective equipment, emergency response procedures, and safety training requirements for the protection of construction workers and third parties. The health and safety plan would meet the requirements of 29 CFR 1910 and 1926 and all other applicable federal, state, and local requirements.

Transportation/Circulation

The expected trip generation for the proposed gas station and food mart store of 1,939 square feet is 1,997 daily trips with 168 A.M. and 152 P.M. peak hour trips. The trip generation exceeds the City of San Diego's circulation threshold and a traffic study was required. A traffic impact analysis report was prepared by Willdan (December, 2005). The study area in this report includes key intersections and segments along National Avenue and 35th Street. The traffic analysis has shown that under the near-term and build out conditions, some roadway segments are expected to operate at below acceptable levels of service. However, the addition of the project is not significant on these road segments except on National Avenue between 32nd Street and 35th Street. Furthermore, an arterial analysis along National Avenue was conducted in order to analyze the operation along this road segment. This study determined that the roadway segment along National Avenue between 32nd Street and 35th Street would operate at LOS C or better during all scenarios in either direction of travel. This study also analyzed two project driveways and four intersections, National Avenue at 35th Street, National Avenue, at 36th Street, National Ave. at 32nd Street, and Ocean View Boulevard at 35th Street. The two driveways and

all intersections would operate at LOS D or better in near term and built out conditions with the exception of 35th Street and Ocean Boulevard. However, the project increase is below the allowable increase and is not significant at this intersection.

The report provided the recommendation that the applicant shall install a Right Turn Only sign at the project driveway to prohibit the left turn movement from the site onto National Avenue. The project was designed to incorporate the recommendation from the report.

Water Quality

Water quality is affected by sedimentation caused by erosion, runoff carrying contaminants, and direct discharge of pollutants (point-source pollution). As land is developed, impervious surfaces send an increased volume of runoff containing oils, heavy metals, pesticides, fertilizers and other contaminants (non-point source pollution) into the stormwater drain system. Comprehensive permanent post construction water quality Best Management Practices (BMPs), consistent with those shown on Exhibit "A," and detailed in the water quality technical report titled, *Water Quality Technical Report and Hydrology and Drainage Study Development of Lots 25-30 of Block 5 of South Chollas Addition to the City of San Diego According to Map 579 3481 National Avenue* (October 5, 2005) would be incorporated into the project plans to reduce the amount of pollutants (e.g., oil, grease, heavy metals) and sediments discharged from the site, satisfactory to the City Engineer. The structural treatment for permanent BMPs will consist of Flow-Guard+ Plus catch basin filter inserts in 18"X 18" catch basins and 8" trench drains. Compliance with the City of San Diego's Storm Water Standards would preclude direct and cumulatively considerable water quality impacts.

Conclusion:

Staff recommends that the Planning Commission recommend to the City Council approval of the requested actions by the project. This recommendation is made because the proposed project is consistent with the General Plan and Progress Guide, the Southeastern San Diego Community Plan and the Southeast San Diego Planned District to provide commercial uses on the site.

ALTERNATIVES:

1. **Approve** Planned Development Permit No. 323465, Conditional Use Permit No. 6267, Site Development Permit No. 6266 and Rezone No. 6268, with modifications.
2. **Deny** Planned Development Permit No. 323465, Conditional Use Permit No. 6267, Site Development Permit No. 6266 and Rezone No. 6268, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

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HALBERT/PXG

Attachments:

1. Community Plan Land Use Map
2. Aerial Photograph
3. Site Photos
4. Project Data Sheet
5. Project Site Plan(s)
6. Landscape Concept Plan
7. Draft Permit with Conditions
8. Draft Resolution with Findings
9. Draft Ordinance
10. Rezone Sheet
11. Community Planning Group Recommendation
12. Ownership Disclosure Statement