



City Council
February 24, 2026

Item # 5: RTC 26-32
Reconsideration of the Council Action
for the Appeal of the Planning
Commission's Denial of a Modification
to a Conditional Use Permit for
Stevens Creek Subaru Dealership at
3225 Stevens Creek Blvd

Afshan Hamid
Community Development Director

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Stevens Creek Subaru



City of Santa Clara
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Agenda

1. Background
2. Modification Request
3. Photos of Project Site
4. Mission Trail Coordination
5. Analysis
6. Public Outreach
7. Recommendation

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Stevens Creek Subaru



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1. Background:

October 21, 2025 City Council Action:

Reconsideration of the Council "No-Action" on the Appeal of the Planning Commission's Denial of a Modification to a Conditional Use Permit to Modify Existing Conditions of Approval for the Existing Subaru Dealership.

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1. Background

Property:

- **Acreage:** 1.57 Acres
- **Surrounding Uses:**
 - N: Single Family Residential (R1-6L)
 - S: Mixed Use Commercial (San Jose City Limits)
 - E: Regional Commercial (C-R)
 - W: Regional Commercial (C-R)
- **General Plan Designation:** Regional Commercial
- **Zoning:** Regional Commercial (C-R)



- Single Family Residential
- Commercial

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1. Background: Timeline

- 1960s: Developed as a car dealership with surface parking lot
- July 27, 2016: Approved by Planning Commission with CUP
- August 13, 2016: Rezone approved through City Council
- May 2022: Final Certificate of Occupancy issued for the new building
- August 2023: Complaints for non-compliance received from residents. Violation letter sent to the property owner & dealership.
- September 2024: Applicant filed an application to modify the approved CUP
- May 21 & August 13, 2025: Planning Commission denied request to amend the CUP
- October 7, 2025: City Council heard the appeal to Planning Commission Denial
- October 21, 2025: Applicant requested reconsideration of Council "non-action".

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1. Background: Planning Commission

- May 21, 2025: Planning Commission public hearing to modify CUP.
- Staff supported the applicant's request to service bins from Cecil Ave and recommended approval based on information available.
- Four members of the Public attended the Hearing and shared concerns.
- The Planning Commission concerned regarding potential increase of traffic and noise on Cecil Avenue.
- The Planning Commission voted to deny the request (5-2-0).
- August 13, 2025: Resolution of denial approved by Planning Commission.
- Applicant appealed Planning Commission's decision to City Council.

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2. Modification Request

- Applicant request is to allow for the collection of solid waste from Cecil Avenue which requires modification of the Conditions of Approval.
- The trash enclosure required under the approved CUP was not built on site.
- Since construction completion of Subaru, waste was/is being transferred to the adjacent Lincoln Dealership site.
- Adjacent Lincoln Dealership is currently under construction.

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2. Modification Request - COAs

P6. Pedestrian and roll-up doors opening onto Cecil Avenue should remain closed during operation, and be used for emergency ingress/egress, and to facilitate the collection of waste only and shall not be used as a primary entrance to or exit from the site, except as allowed for oil/fluid removal and supply, consistent with Condition P19 below. The roll-up door between the service area and Cecil Avenue should remain closed at all times, except in the event of emergency ingress/egress needs and to facilitate the collection of waste. The roll-up door for the service area that faces east should remain closed except for vehicle ingress/egress in order to minimize noise disturbance to nearby neighbors, consistent with the Illingworth & Rodkin noise study recommendations dated July 18, 2016. Prior to approval of plans for Architectural Review, plans shall be revised to label doors opening to Cecil Avenue consistent with this condition, and plans shall note that signage will be posted on-site to inform employees and other users which doors are to remain closed during operations.

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2. Modification Request - COAs

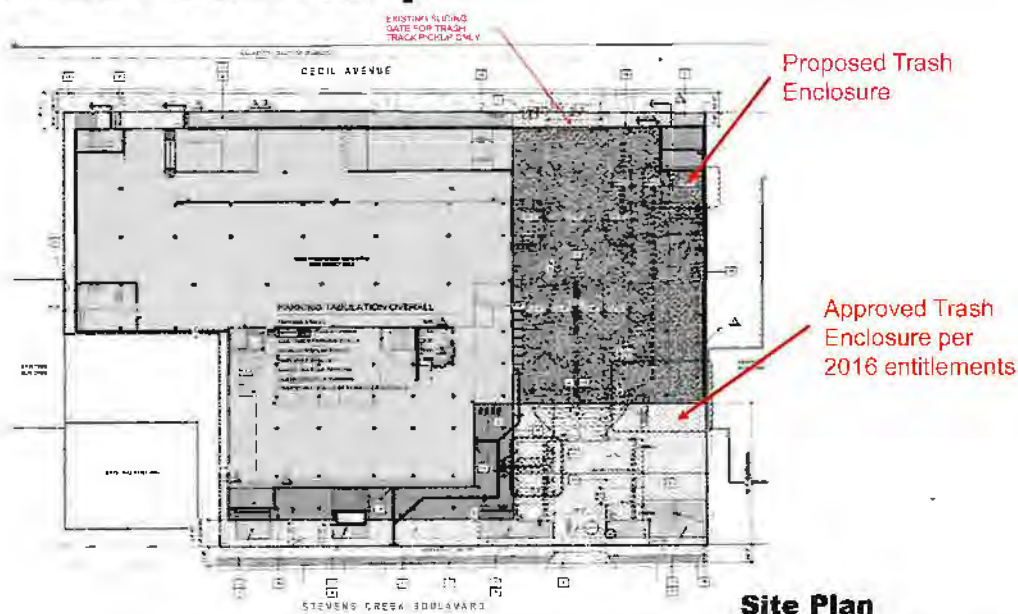
P13. Use of the 26-foot wide driveway exit to Cecil Avenue shall be minimized. Test drives shall use the Stevens Creek Boulevard driveway for ingress and egress. The solid gate across the 26-foot driveway to Cecil Avenue shall be closed at all times, except in the event of an emergency or in order to facilitate trash/recycling pick-up or egress from the site by delivery or service trucks for which egress from the Stevens Creek Boulevard exit is problematic.

P19. No loading, unloading, deliveries, trash/recycling pick-up, vehicle staging, vehicle parking, vehicle/site service, or other site function shall occur on Cecil Avenue or other nearby residential streets, with the exception of oil and other fluid extraction and supply to the business may occur on Cecil Avenue between the hours of 8:00 a.m. to 5:00 p.m. Oil and other fluid extraction and supply on Cecil Avenue shall occur no more than one time per week. The business operator shall maintain a log of activity for the oil and other fluid extraction and supply. Said log shall be furnished to the City upon request.

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2. Modification Request



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3. Photos of Project Site



Stevens Creek Boulevard



Cecil Ave Lincoln Dealership in foreground

Cecil Ave - rear of Subaru Dealership

Stevens Creek entrance to Subaru Dealership

Access to Subaru Dealership off Stevens Creek

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4. Coordination with Mission Trail

- July 16, 2016: Entitlements with Trash pick up on site with access from Stevens Creek Boulevard
 - Only Oil removal and supply from Cecil Avenue; and
 - Provide on site, turnaround and access for Mission Trail
 - Mission Trail requires: service bins 4 days a week, 7 am to 7 pm
 - Unblocked
 - Bins must be out
 - Bins must be accessible and ready for service
- Unclear as to why the trash was not constructed in approved location

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4. Coordination with Mission Trail

- May 21, 2025: Trash pick up on Cecil Avenue was the **temporary** location until CUP was resolved
 - Mission Trail: Temporary trash pick up at Lincoln site; and
 - Any CUP final location must be coordinated with Mission Trail
- After October 2025: Subsequent coordination and site visit determined waste bins are not serviceable from Cecil Avenue
 - Not enough clearance for Mission Trail's commercial waste vehicles to enter the parking garage
 - Due to liability issues, only Mission Trail can forklift to move the bins onto Cecil Avenue
 - Reduction of service not recommended

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5. Analysis: trash enclosure



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5. Options Evaluated with Mission Trail

- **Option 1:** Service on property off Cecil Avenue, not viable due to access issues for Mission Trail and overhead lines.
- **Option 2:** Service placed on Cecil Avenue, not viable due to bike lane and bins need to be serviceable 4 days a week from 7 am to 7 pm.
- **Option 3:** Bins rolled onto Stevens Creek Boulevard, not viable due to safety concerns for Mission Trail employees.
- **Option 4:** Service on project site at Subaru per the entitlements. Applicant to reconfigure to allow Mission Trail access, turnaround and vehicles which are being serviced to have access.

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5. Analysis

- Pursuant to the City Code, the City Council hears appeals of Planning Commission decisions *de novo*, which means the matter is heard anew, as if no prior hearing or decision had occurred. It is not a review or reconsideration of the previous hearing, but rather a complete new hearing.
- Based on the additional information from Mission Trail, staff recommends that the dealership obtain their waste service picked up on-site from the uncovered portion of the area fronting Stevens Creek Boulevard where it was originally approved.

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6. Public Outreach for Planning Commission

- On November 18, 2024: the applicant held a virtual community meeting. No members of the public attended.
- Staff has conducted outreach to the South of Forest Neighborhood Association's President to understand their concerns and worked with the applicant to remedy them.
- May 21, 2025 Planning Commission: 197 notices of public hearing were mailed within 500 feet of the project site.
- On-site notice was placed on Cecil Avenue and Stevens Creek Blvd.
- Staff received one public comment in opposition.

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6. Public Outreach for City Council

For both the October 7 and February 24 City Council meetings the following public outreach was conducted:

- 197 notices of public hearing for the City Council were mailed within 500 feet of the project site.
- On-site notice was placed on Cecil Avenue and Stevens Creek Boulevard.

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CEQA Evaluation

The proposed request is categorically exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15305 (Class 5 – Minor Alterations in Land Use Limitations), which applies to minor alterations in the land use limitations if it does not change the density or land use. The proposal involves changing a condition in the Conditions of Approval of the CUP.

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7. Recommendation

Affirm the Planning Commission's decision and adopt a Resolution denying the Modification to the Conditional Use Permit to change existing Conditions of Approval for the existing Subaru Dealership at 3225 Stevens Creek Boulevard that would have allowed trash pick-up on Cecil Avenue, subject to Findings and Conditions of Approval.

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Questions & Comments



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City Council

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Aerial Imagery



Today

1968

 Subject Site

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Street View



Today

2011

← **Former Location**

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Business Trash/Recycling along Stevens Creek

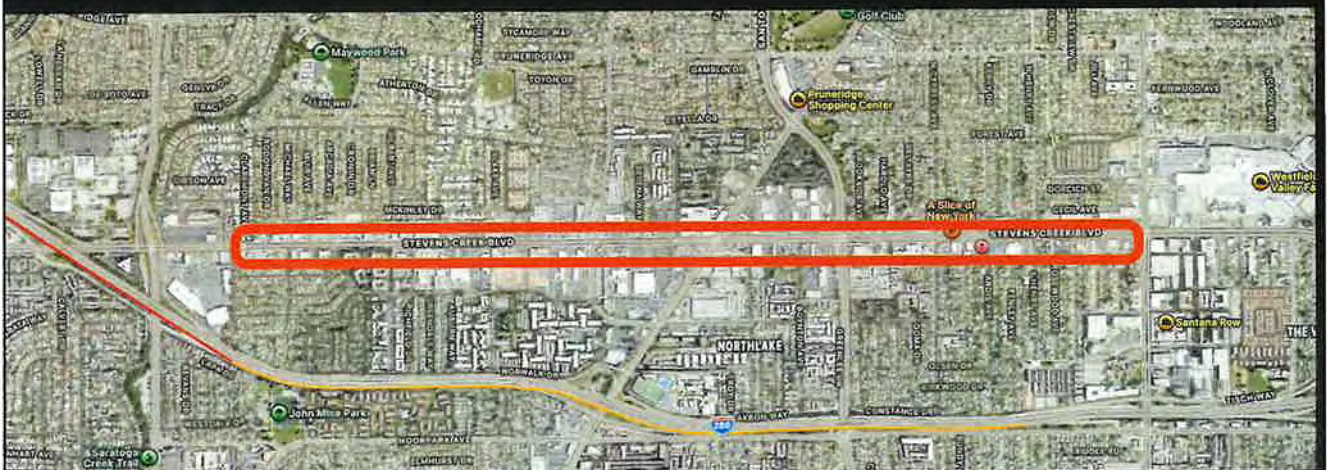
Informal Survey – East to West, North and South

20 October 2025 through ??? 2026

1

Stretch of Stevens Creek surveyed

East-West, North and South



2

Notes about Stevens Creek businesses

- North of Stevens Creek is generally Santa Clara
 - Trash and Recycling pickup by Mission Trail
- South of Stevens Creek is generally San Jose
 - Trash and Recycling pickup by Republic
- There are parking and bicycle lanes along both North and South curbs of Stevens Creek
 - Generally, anything that applies to the north side applies to the south side as well

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Bicycle Lanes + Parking on both sides



Parking.

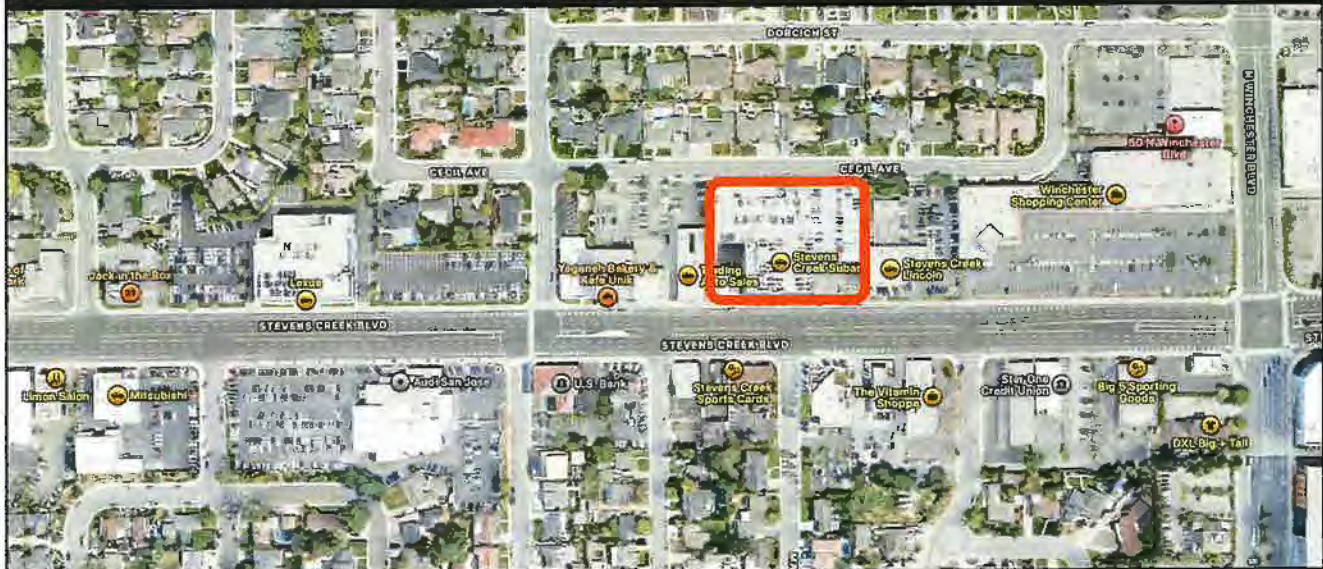


Bicycle Lanes.



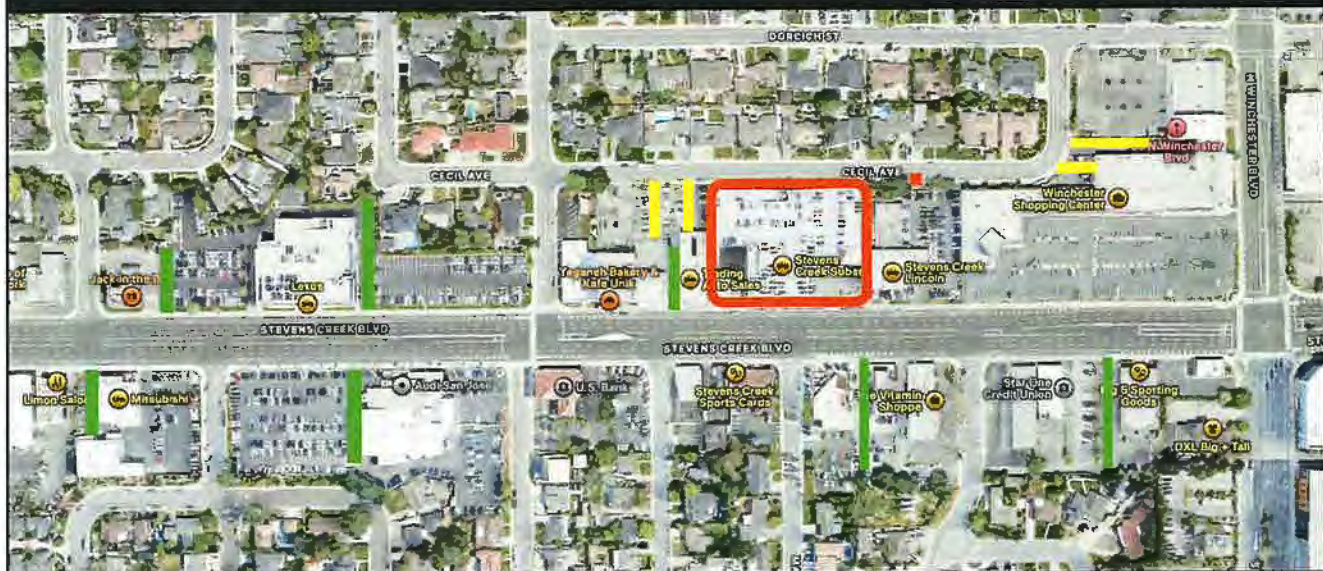
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Businesses Along Stevens Creek



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Trash pickup for area businesses



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Subaru Trash Area

Extends into public right of way

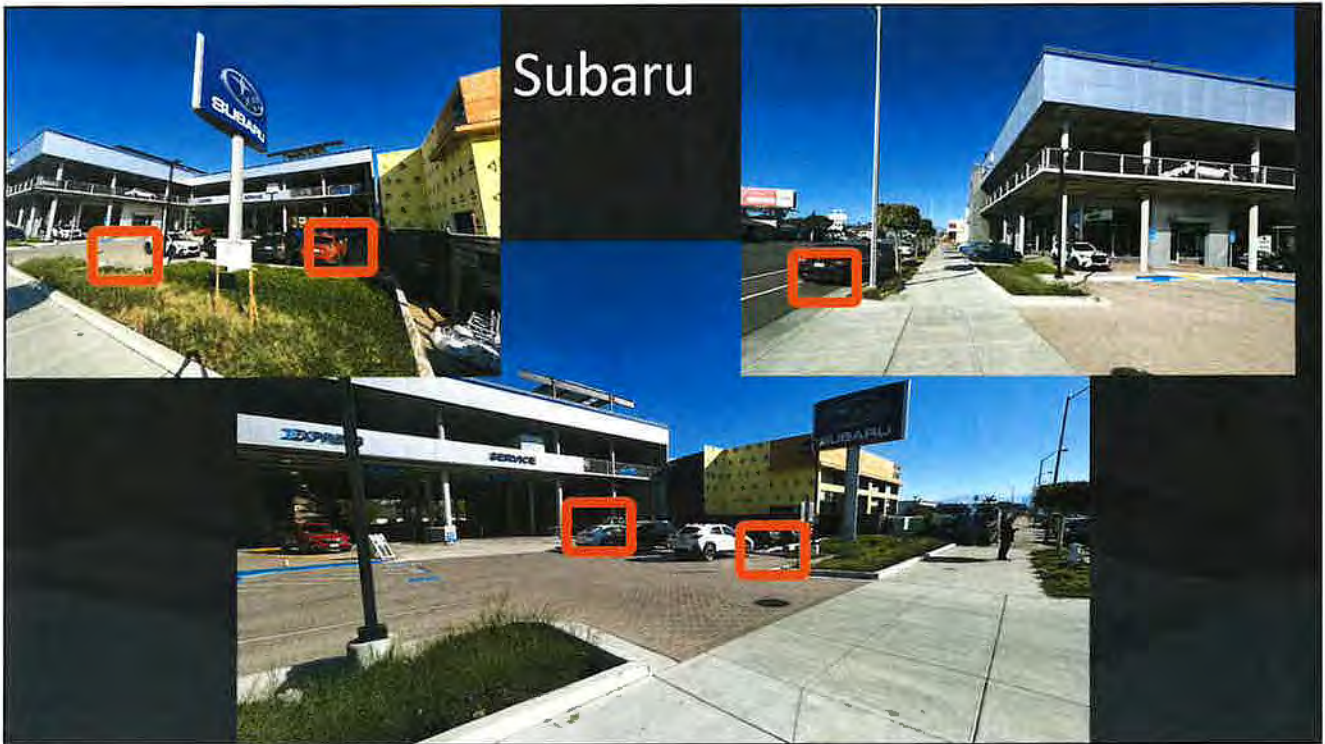


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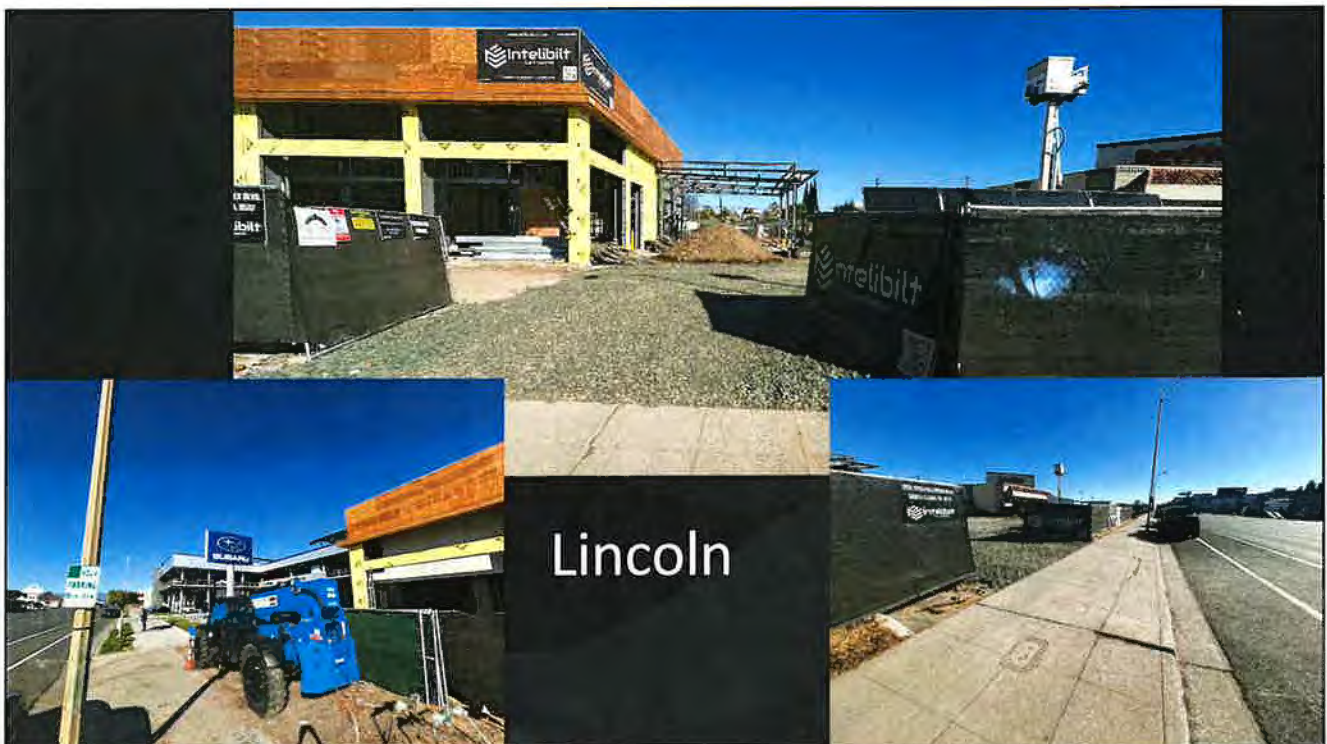
Trash pickup for area businesses

- Most trash pickup for businesses on Stevens Creek is along Stevens Creek
- Cecil Avenue is used to access trash pickup areas
 - **No** trash pickup requires trucks to be on Cecil Avenue
 - Except Subaru; only Subaru and Lincoln have trash pickup on Cecil Avenue
- Trash containers for Subaru and Lincoln extend into the public right of way
- Containers are angled because Cecil Avenue is too narrow for trucks to turn well
- Trucks leave tire marks on pavement as they have to drive over the sidewalk

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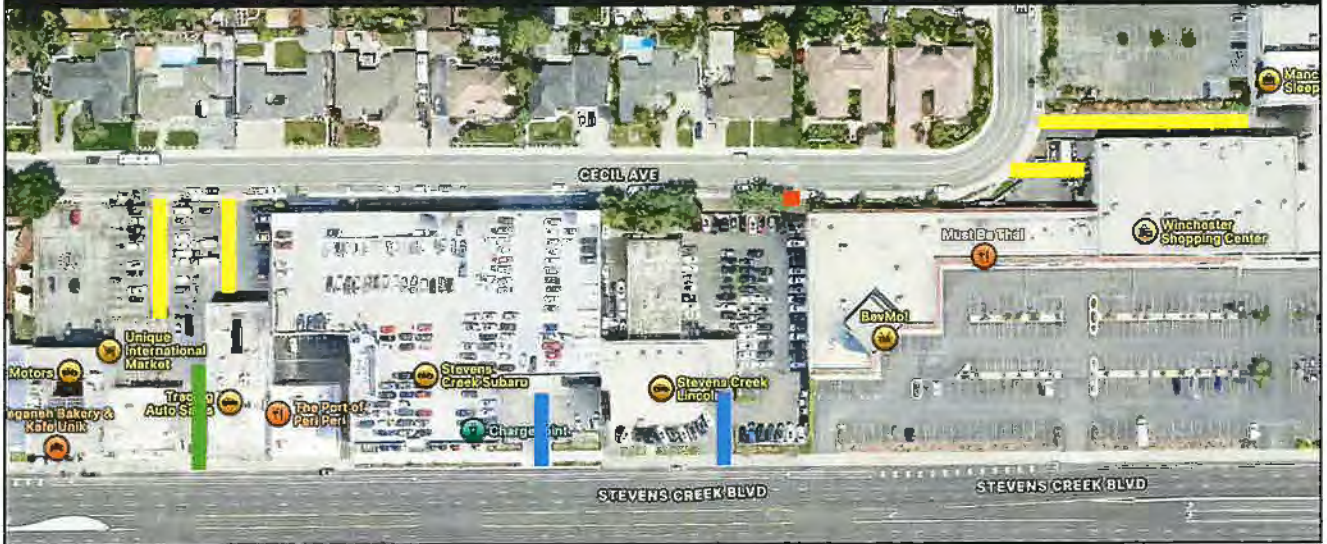
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Trash pickup areas

And possibilities for both Subaru and Lincoln



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Rolling Gate



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Auto Dealerships along Stevens Creek

Trash pickup varies: on Stevens Creek, from side streets, from back

- Mitsubishi
- Lexus
- Stevens Creek Kia
- Stevens Creek Chevrolet
- Frontier Ford
- Crown Vic
- Land Rover Stevens Creek
- Chrysler/Jeep/Dodge/Ram
- Porsche Stevens Creek
- MINI of Stevens Creek
- Stevens Creek Mazda
- Stevens Creek BMW
- Stevens Creek Cadillac
- Saint Claire Cadillac
- Stevens Creek Hyundai
- Stevens Creek Volkswagen
- Mercedes-Benz of Stevens Creek
- Honda of Stevens Creek
- AutoNation Volvo Cars San Jose
- AutoNation Acura Stevens Creek
- Stevens Creek Infiniti
- Stevens Creek Nissan
- Alfa Romeo of San Jose
- Stevens Creek Showcase

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Businesses with Trash pickup; North

Streets highlighted in BOLD

Winchester Blvd

- Winchester Shopping Center
- Men's Wearhouse
- Tony & Alba's Pizza & Pasta
- Must Be Thai
- BevMo!
- Eduardo's Custom Tailor
- The Port of Peri Peri
- San Jose Motors
- Smoke Shop & Vape
- Unique International Market
- Dalfay Motors
- Pride Motors LLC
- Yeganeh Bakery & Kafe Unik
- Daily Motors
- Scuttlebugs Child Center

N. Henry Ave

- Lexus Stevens Creek
- Jack In The Box

Tyler Ave

Cypress Ave

- (Old) Stevens Creek Lincoln

Harold Ave

- Fast Lane European

Brookside Ave

San Tomas Expressway

- Frontier Ford

Breech Ave

- Central Computers

Saratoga

Buckingham Drive

Serena Way

- Porsche Stevens Creek

Kiely Blvd

- MINI of Stevens Creek
- AutoNation Collision Center
- Stevens Creek BMW
- Stevens Creek Cadillac/Hertz
- Saint Claire Cadillac
- Stevens Creek Hyundai
- Enterprise Rent-A-Car

Woodhams Road

- AutoNation Acura Stevens Creek
- Stevens Creek Infiniti

Cronin Drive

- Stevens Creek Nissan
- Bright Horizons

Rodonovan Drive

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Tony and Alba's

North of Stevens Creek; entrance on Cecil



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BevMo!

North of Stevens Creek, entrance on Cecil



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BevMo!

North of Stevens Creek; Semi truck accessing front



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Imports Auto Dealer/Port of Peri Peri

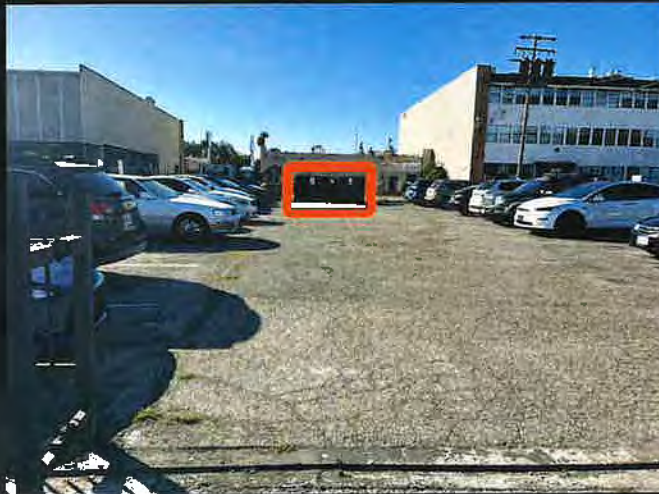
North of Stevens Creek; entrance on Cecil



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Pride Motors/Yageneh/Daily Motors

North of Stevens Creek; entrance on Cecil



19

Smoke Shop

North of Stevens Creek



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Lexus Stevens Creek

North of Stevens Creek



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Jack In The Box

North of Stevens Creek



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Stevens Creek Lincoln (existing)

North of Stevens Creek; trash bin moved to the curb



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Fast Lane European

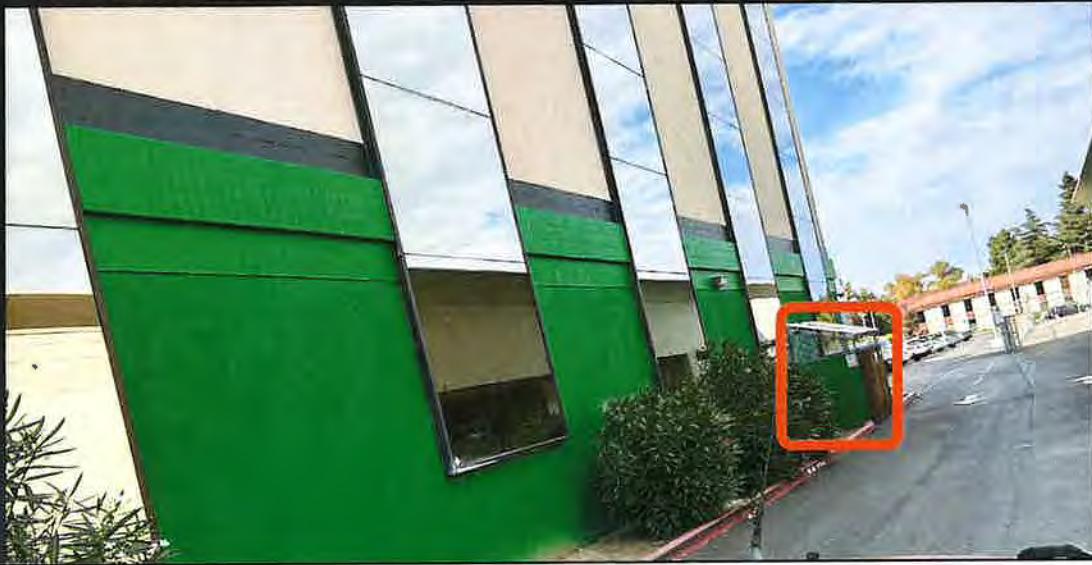
North of Stevens Creek



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Central Computers

North of Stevens Creek



25

MINI of Stevens Creek/AutoNation

North of Stevens Creek; entrance on Kiely



26

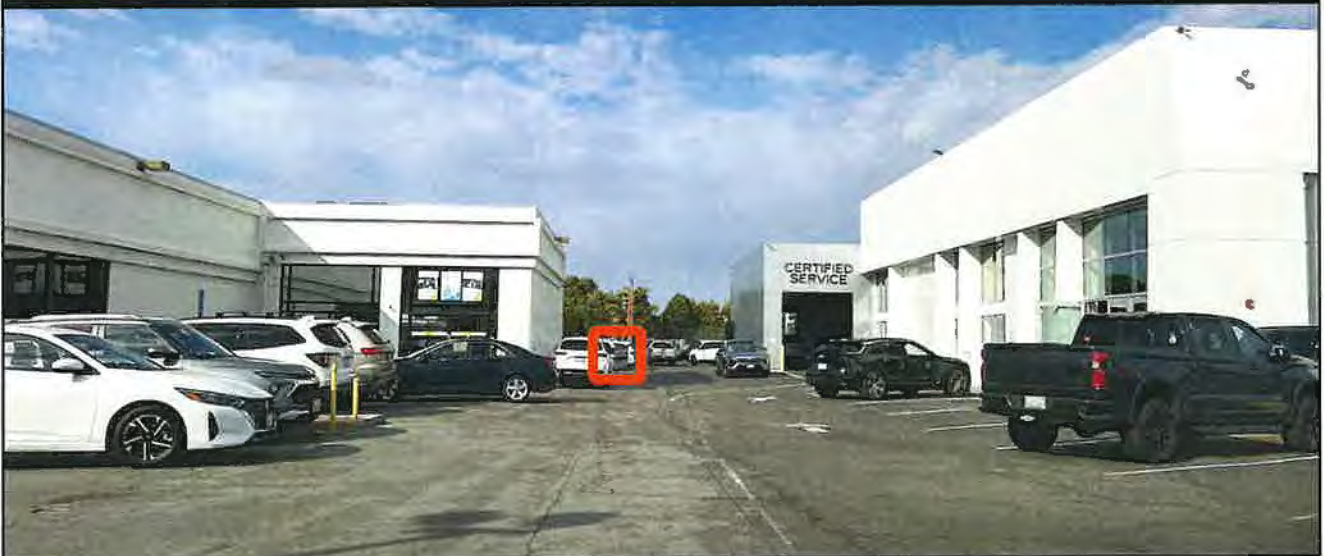
Stevens Creek BMW



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Stevens Creek Cadillac/Hertz

North of Stevens Creek



28

Stevens Creek Hyundai

North of Stevens Creek; forklift to front



29

Enterprise Rent-A-Car

North of Stevens Creek



30

AutoNation Acura

North of Stevens Creek



31

Nissan/Infiniti

North of Stevens Creek; entrance on



32

Bright Horizons on Stevens Creek

North of Stevens Creek



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Businesses with Trash pickup; South

Streets highlighted in BOLD

Winchester Blvd

- Citti's Florist
- Big 5 Sporting Goods
- Star One Credit Union

Hanson Ave

- The Vitamin Shoppe
- (Closed) Arby's
- San Jose Amigos Auto Sales
- Tamales Tamales

Maplewood Ave

- Jenny Beauty Care Nails & Hair
- Allura Aesthetic
- Stevens Creek Sports Cards
- Klubhouse
- Chick N' Bros
- Rock Club Burgers

Rosewood Ave

- San Jose Auto Sales
- US Bank

S. Henry Ave

- Audi San Jose

Ardis Ave

- Mitsubishi

S. Cypress Ave

- Stevens Creek Kia
- Barnes & Noble

San Tomas Expressway

- Stevens Creek Chevrolet

Boynton Ave

- Crown Vic

Northlake Drive

Saratoga Ave

- Jaguar
- Land Rover Stevens Creek
- Stevens Creek Chrysler Jeep Dodge Ram

Kiely Blvd

- Stevens Creek Toyota
- Stevens Creek Mazda

Lopina Way

- Stevens Creek Volkswagen

Palace Drive

- Mercedes-Benz of Stevens Creek
- Honda of Stevens Creek

Richfield Drive

- AutoNation Volvo Cars San Jose

Cronin Drive

- Lamps Plus
- Alfa Romeo of San Jose

Casa View Drive

- Stevens Creek Showcase

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Big 5 Sporting Goods

South of Stevens Creek; Republic



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Arby's (closed)

South of Stevens Creek



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KlubHouse

South of Stevens Creek; Republic



37

Audi San Jose

South of Stevens Creek; Republic



38

Mitsubishi

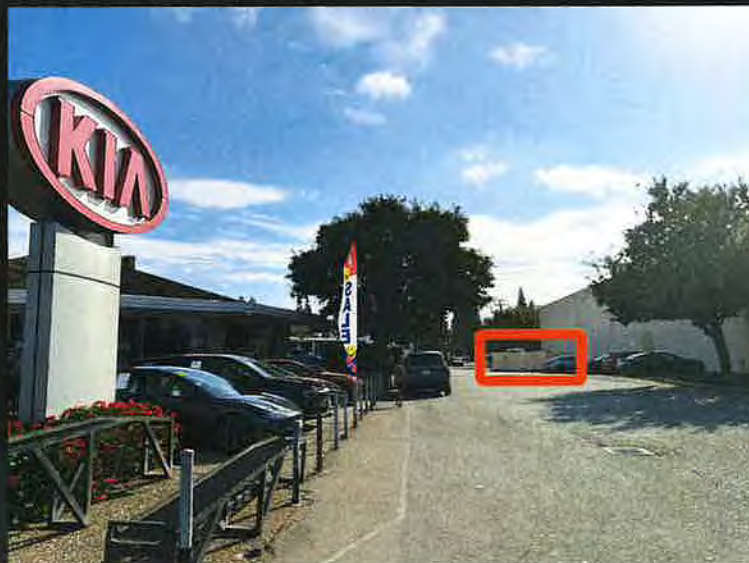
South of Stevens Creek, Republic



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Barnes & Noble

South of Stevens Creek; Republic



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Stevens Creek Mazda

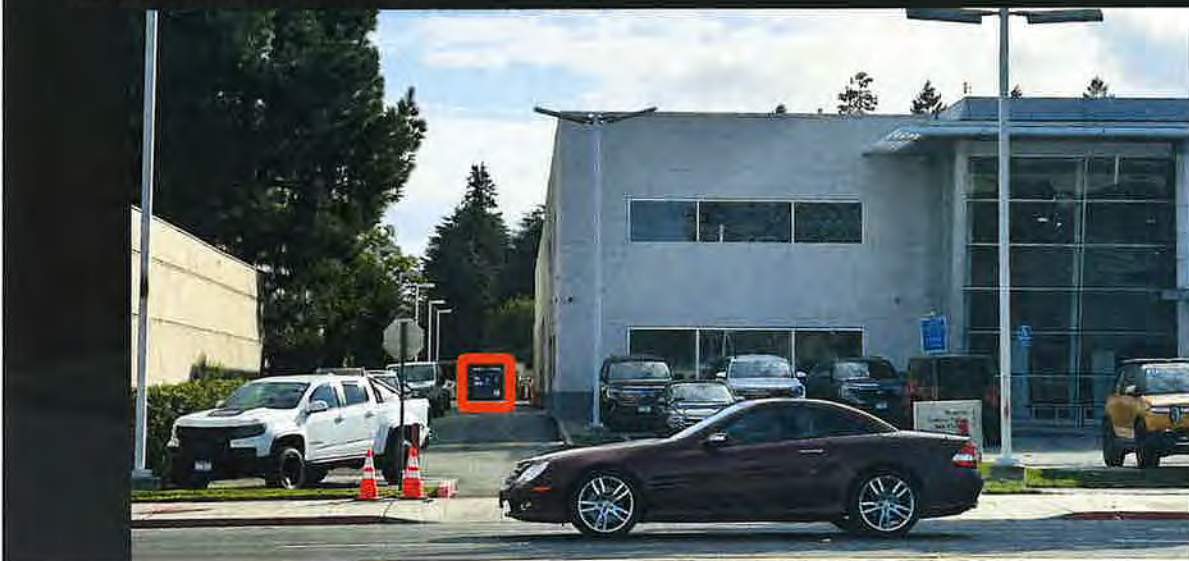
South of Stevens Creek



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Stevens Creek Volkswagen

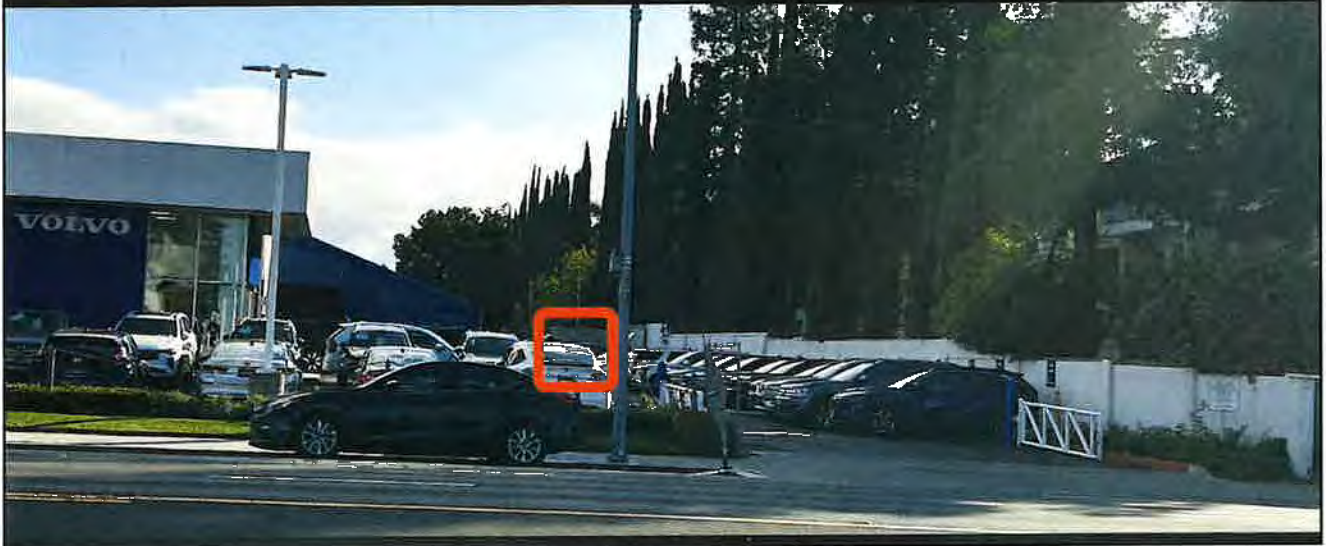
South of Stevens Creek



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AutoNation Volvo San Jose

South of Stevens Creek; Republic



43

Lamps Plus

South of Stevens Creek; Republic



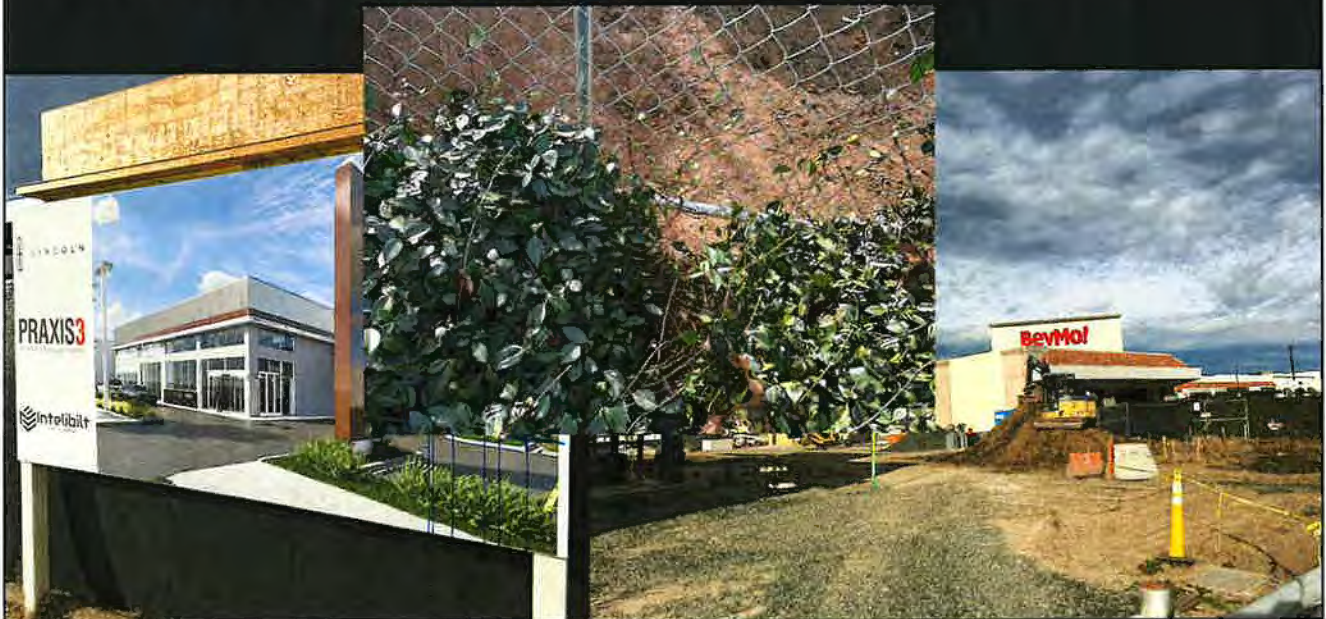
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Current Status of Stevens Creek Lincoln



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Current Status (continued)



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Stevens Creek Subaru, now Lincoln

- No intent to provide garbage collection locations the way other businesses do
- Delaying this item:
 - Allowed Subaru to extend their non-compliance of their contract
 - Further impacts to residents
 - Allowed Subaru to continue building their other business that exacerbates the problem
 - What is the trash collection plan there?
 - Stated reason was availability of Mission Trail