



# **Planning Commission**

**Item # 3 (24-1216)**

**2455 Lawrence Expressway**

**January 15, 2025**



# 2455 Lawrence Expressway

## Request

- **Variance:** To allow reduced rear setbacks, reduced landscaping planter depth along the street frontages, reduced required landscape screening depth, reduced required tree planter depth, and reduced required shrub planter depth in connection with a proposed expansion of an existing service station
- **Conditional Use Permit:** allow expansion of an existing service station for removing a portion of fuel canopy and two fuel dispensers, and adding a 1,605 square foot convenience store and a self-service carwash within the rear setbacks



# 2455 Lawrence Expressway

## Background

- On 11/18/2022, the applicant submitted application PRE22-00128 for the removal of a portion of an existing fuel canopy and the installation of a convenience store and self-serve car wash.
  - Staff informed the applicant staff could not recommend approval for the application due to City Codes and would not be able to make the findings.
- On 11/06/2023, the applicant submitted PLN23-00513
  - The applications of PRE22-00128 and PLN23-00513 are mostly identical, Staff's recommendation remains the same for PRE22-00128 and PLN23-00513
- Application was deemed complete 08/13/2024
  - Staff reviewed the Classic Code for the CN zoning district and Updated Zoning Code for all other requirements



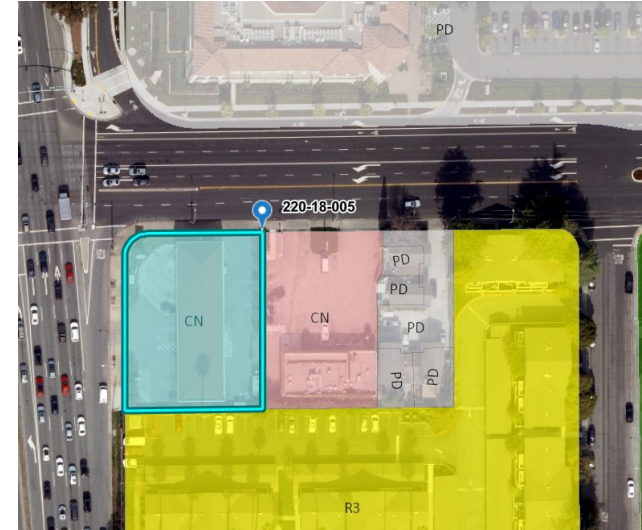
# 2455 Lawrence Expressway

## Project Site

- **Site Area:** .42 acres
- **General Plan:** Neighborhood Commercial
- **Classic Zoning:** CN - Neighborhood Commercial
- **Updated Zoning:** C-N - Commercial-Neighborhood
- **Site:** Service station with six fuel dispensers and sales kiosk



**General Plan Map**



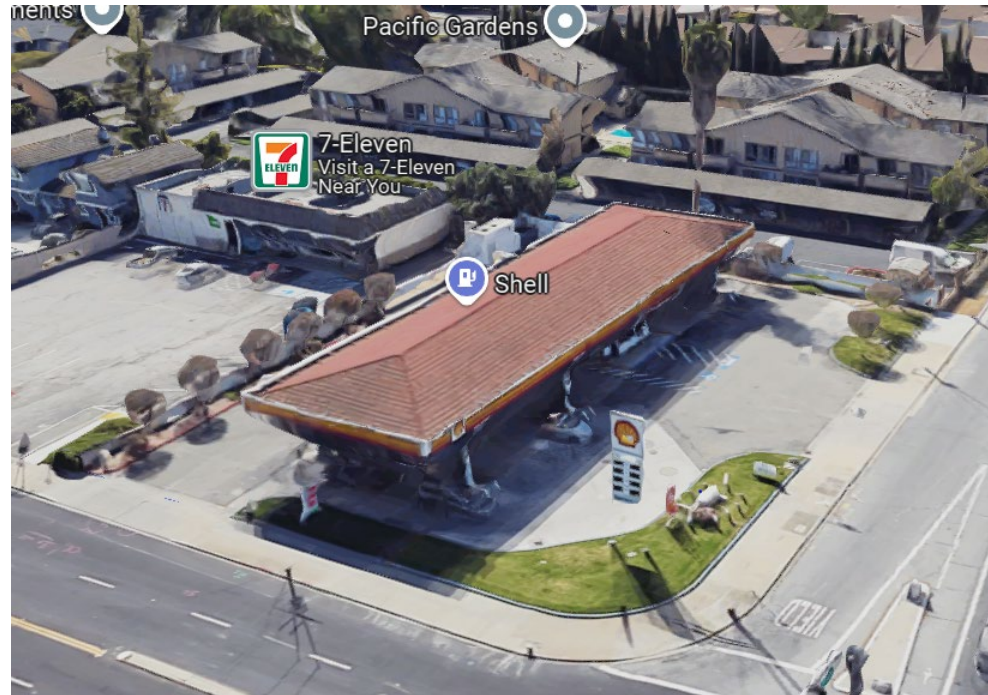
**Zoning Map**



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## Zoning:

- C-N Commercial-Neighborhood - provide areas for a broad range of neighborhood-serving commercial uses such as grocery stores, coffee shops, cafes, local-serving offices, and drug stores.
  - Updated Zoning Code: C-N zoning district prohibits service stations and drive-through services
  - Classic Code: CN allows service stations with a Conditional Use Permit





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## Variances

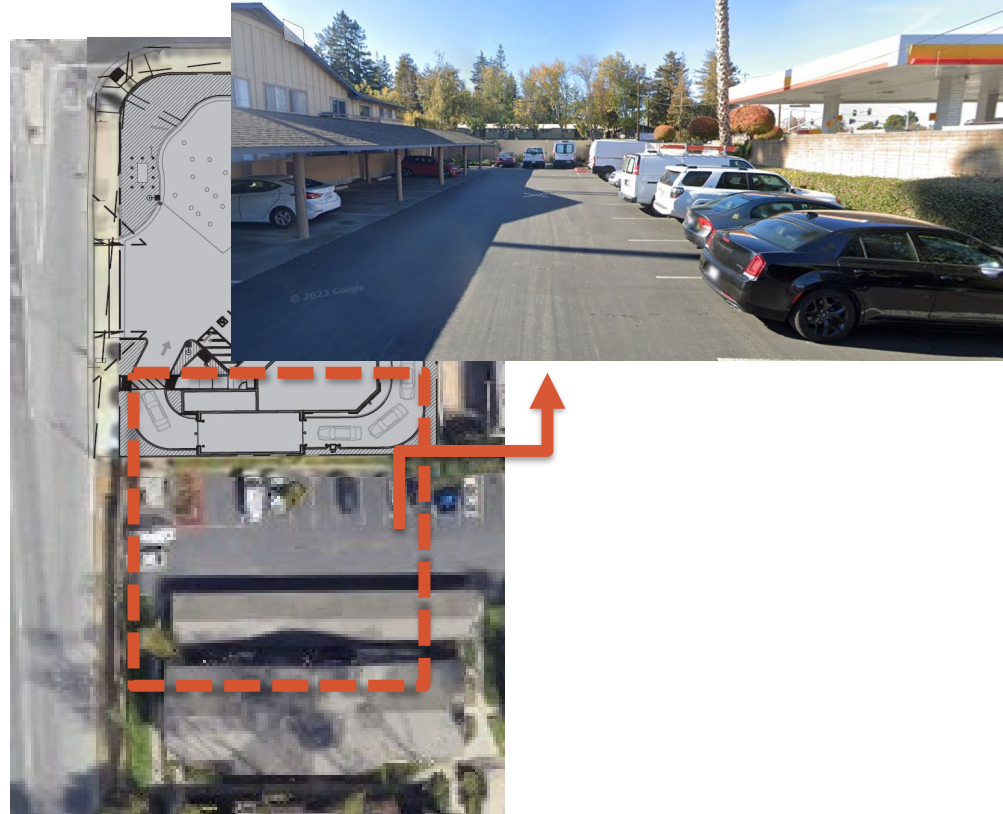
1. Reduced rear setbacks
  - 20-foot setback required - reduced to seven inches
2. Reduced landscaping planter depth along the street frontages
  - 15-feet required – reduced to 10-feet
3. Reduced required landscape screening depth
  - 5-feet depth required – reduced to 0'0" behind carwash and 2'2" along other areas
4. Reduced required tree planter depth
  - 5-10-feet depth required – reduced to 2'2"
5. Reduced required shrub planter depth
  - 4-feet depth required – reduced to 2'2"s



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## Rear setback variance:

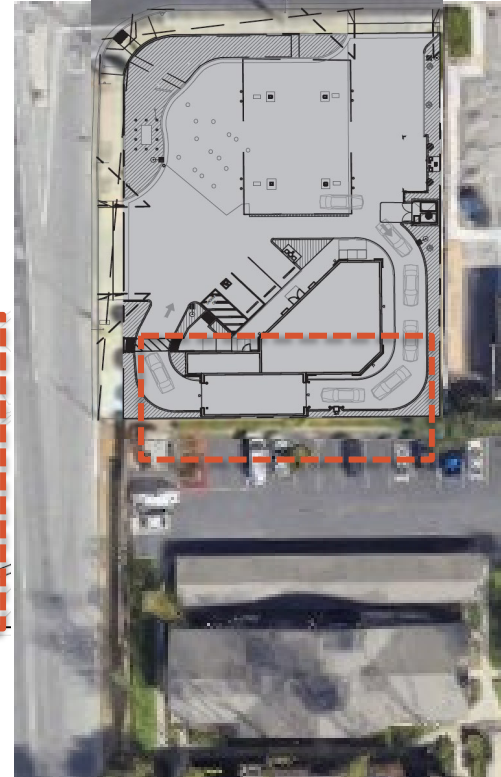
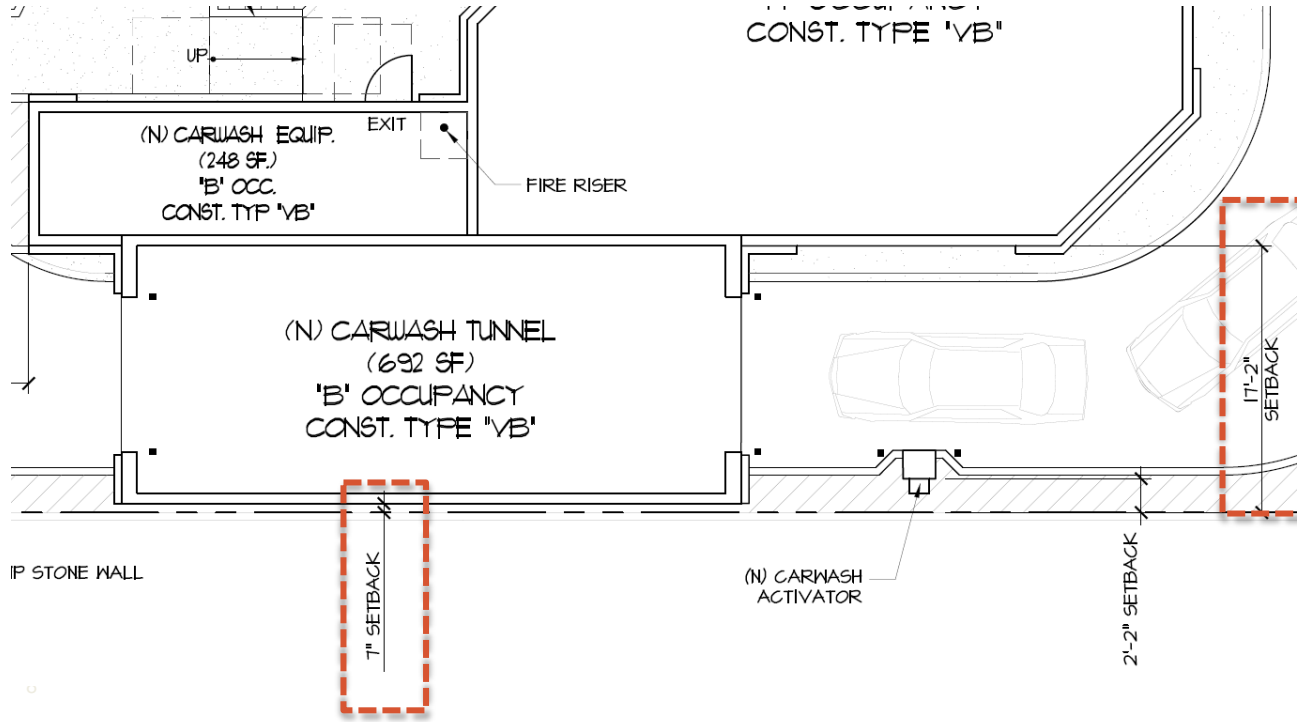
- Classic Code
  - CN Requires a 20-foot rear setback adjacent to residential properties
- Proposed Setbacks Requiring Variances
  - Car Wash – 7 – inches
  - Convenience Store – 17-feet
  - Carwash Equipment Building – 17-feet





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Rear setback variance:



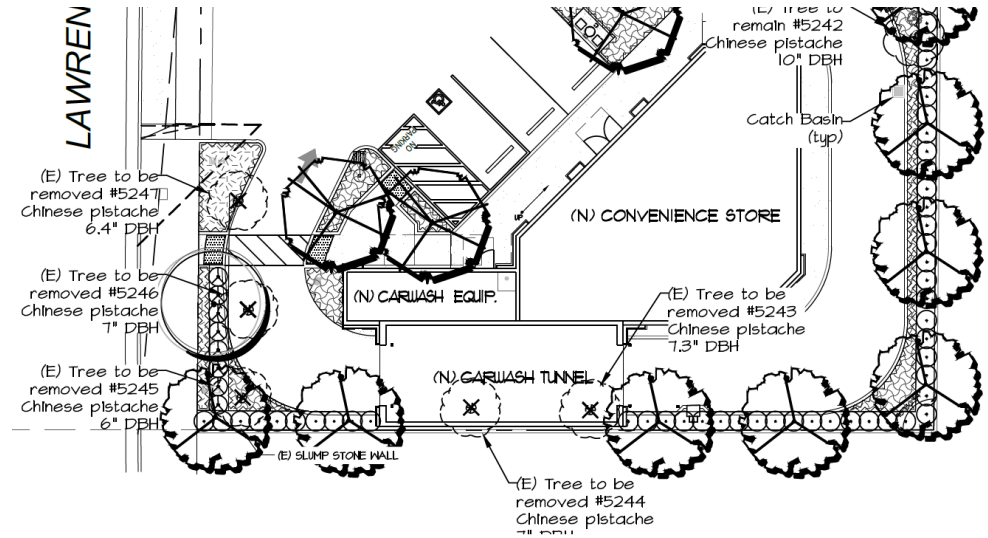




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Landscaping variances:

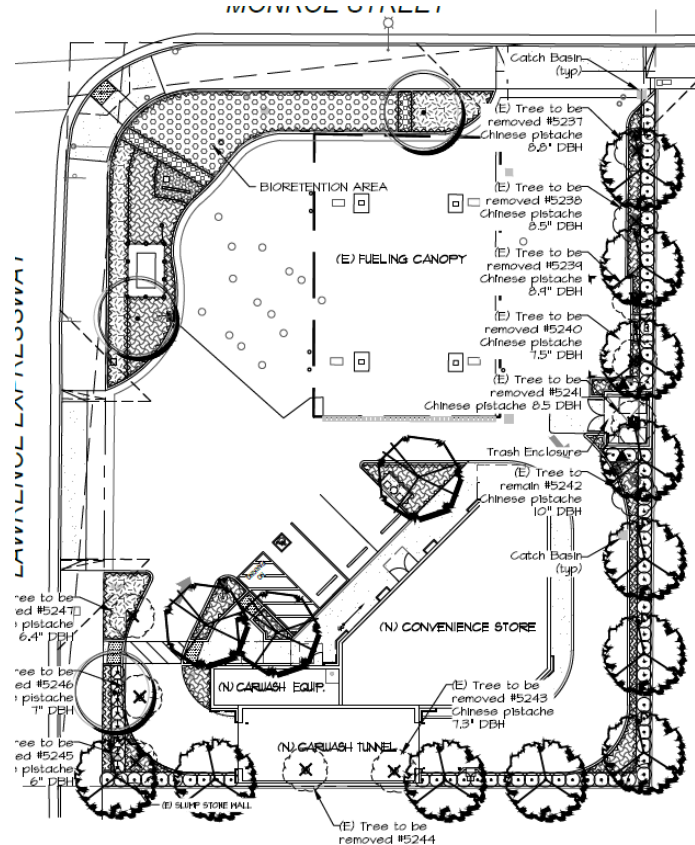
1. Reduced landscaping planter depth along the street frontages
2. Reduced required landscape screening depth
3. Reduced required tree planter depth
4. Reduced required shrub planter depth





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## GALLON SIZING TREE DIAGRAM



Tree

*Tilia tomentosa* 'Sterling' Sterling Silver Linden L 24" Box 3

*Laurus* 'Saratoga' Saratoga Sweet Bay L 24" Box 11

*Lagerstroemia indica* x *fauvelii* 'Tuscarora' Tuscarora L 24" Box 3



|| Existing tree to be removed

Shrubs and Vines

○ *Pittosporum tobira* 'Variegata' Variegated Mock Orange L 5 Gallon 76

⊗ *Xylosma congestum* Shiny Xylosma L 5 Gallon 10

▲ *Parthenocissus tricuspidata* Boston Ivy L 1 Gallon 2



Container Size: 24" Box

Total Weight: 75-100 lbs  
Trunk Caliper Size: 1.75"-2"  
Container Height: 19"  
Container Width: 23"

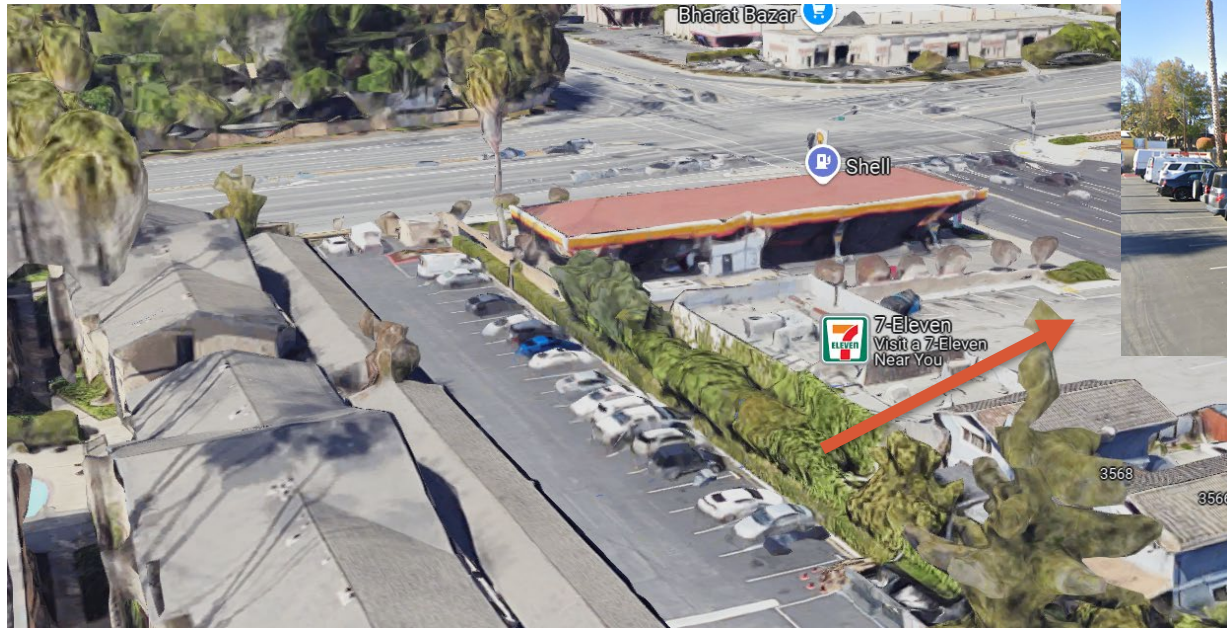


5 Gallon

10-15 lbs  
.25"-.5"  
10.5"  
11.5"



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24" Box



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## Use Permit

- A. The proposed use is consistent with the General Plan and any applicable specific plan;
- B. The proposed use is allowed within the subject zone and complies with all other applicable provisions of this Zoning Code and the City Code;
- C. The design, location, size, and operating characteristics of the proposed use are compatible with the allowed uses in the vicinity;
- D. Operation of the use at the location proposed would not be detrimental to the harmonious and orderly growth of the City, or endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare; and
- E. The subject site is:
  - 1. Physically suitable in terms of design, location, operating characteristics, shape, size, topography, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities; and
  - 2. Served by highways and streets adequate in width and improvement to carry the type and quantity of traffic the proposed use would likely generate.



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## General Plan

- The proposed project is not consistent with the General Plan, namely the policies below:
  - 5.3.3-G4 New commercial uses that respect surrounding neighborhoods and are sited to reduce potential land use conflicts.
  - 5.3.3-P7 Encourage adequate protection of adjacent residential uses from incompatible commercial activities, such as loading, unloading and trash storage areas.
  - 5.3.3-P15 Discourage auto-oriented uses, such as repair shops and service stations, from properties abutting residential uses and in areas with a pedestrian or mixed-use emphasis.
  - 5.5.2-P4 Provide adequate separation between incompatible land uses in order to minimize negative effects on surrounding existing and planned development.



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## Other Use Permit Requirements

B. The proposed use is allowed within the subject zone and complies with all other applicable provisions of this Zoning Code and the City Code;

- Applicant requesting variances and proposed project would not be compatible with the Updated Code

C. The design, location, size, and operating characteristics of the proposed use are compatible with the allowed uses in the vicinity;

- The surrounding uses are Residential and commercial, the applicant has not mitigated the proposed project for the surrounding residential

D. Operation of the use at the location proposed would not be detrimental to the harmonious and orderly growth of the City, or endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare; and

- The operation of the carwash may be detrimental to the surrounding home-owners



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## Staff Recommendation

- Deny a Variance to allow reduced rear setbacks, reduced landscaping planter depth along the street frontages, reduced required landscape screening depth, reduced required tree planter depth, and reduced required shrub planter depth in connection with a proposed expansion of an existing service station
- Deny a Conditional Use Permit to allow expansion of an existing service station for removing a portion of fuel canopy and two fuel dispensers and adding a 1,605 square foot convenience store and a self-service carwash within the rear setbacks



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