

RESOLUTION NO. XX-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA APPROVING A CONDITIONAL USE PERMIT TO ALLOW AN ADDITION OF A CAR WASH TO A SERVICE STATION AT 2455 LAWRENCE EXPRESSWAY, SANTA CLARA

PLN23-00513 (Conditional Use Permit, Variance)

WHEREAS, on November 06, 2023, Muthana Ibrahim (“Applicant”), on behalf of Gadri Corporation (“Owner”) made an application for the redevelopment of a 18,544 square foot parcel (Assessor’s Parcel Number: 220-18-005) located at 2455 Lawrence Expressway in Santa Clara (“Project Site”);

WHEREAS, the Project Site has a General Plan designation of Neighborhood Commercial and was zoned Neighborhood Commercial (CN) when the application was “deemed complete”, and is now currently zoned Commercial-Neighborhood (C-N);

WHEREAS, the Project Site is currently developed with an approximately 5,485 square-foot fuel canopy, six fuel dispensers, a 502 square-foot service kiosk, and site landscaping;

WHEREAS, the Applicant proposes to remove two fuel dispensers, the service kiosk, and 2,929 square-feet of fuel canopy, in order to construct a 1,605 square-foot convenience store, a 692 square-foot self-serve carwash, a 248 square-foot carwash equipment room, and retain 1,556 square feet of fuel canopy and four fuel dispensers (“Project”);

WHEREAS, the Project requires a Conditional Use Permit, Variances, and Architectural Review by the City for which the Applicant has simultaneously applied;

WHEREAS, pursuant to Section 18.34.040 of the Classic Santa Clara City Code (“SCCC”) , a Conditional Use Permit is required in order to allow an automobile service station in the CN zoning district;

WHEREAS, the Project is categorically exempt from formal environmental review under the California Environmental Quality Act (“CEQA”) pursuant to Guidelines Section 15303(e) (Class 3

- New Construction or Conversion of Small Structures), which allows for the construction of limited numbers of new, small facilities or structures including “[a]ccessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences”;

WHEREAS, pursuant to SCCC Section 18.114.050, the Planning Commission cannot grant a Conditional Use Permit without first making specific findings related to the effect of the project on public convenience, health, interest, safety, and general welfare, among other factors, based upon substantial evidence in the record;

WHEREAS, on January 2, 2025, notices of the public meeting for the Planning Commission Hearing of January 15, 2025, were mailed to all property owners within 500 feet of the Project Site boundaries; and

WHEREAS, on January 15, 2025, the Planning Commission held a duly noticed public hearing to consider the Project, at the conclusion of which, the Planning Commission voted to reopen the public hearing and continue the Project to the March 19, 2025 Planning Commission hearing to allow for the applicant to work with staff to resolve issues related to noise, landscaping, setbacks, hours of operations, and screening; and

WHEREAS, on March 19, 2025, the Planning Commission reconvened the public hearing to consider the Project, during which the Planning Commission invited and considered any and all verbal and written testimony and evidence offered in favor of and in opposition to the Project. The Planning Commission voted to unanimously approve the project.

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the Planning Commission hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.
2. That the Planning Commission hereby approves the Conditional Use Permit, to allow the redevelopment of an existing service station to construct a self-serve carwash tunnel at the rear

of the property, as depicted on Exhibit “Development Plans,” attached hereto and incorporated herein by this reference.

3. That based upon substantial evidence in the record of the hearing, including the facts stated in this resolution, the Planning Commission hereby finds that:

- A. The proposed use is consistent with the General Plan and any applicable specific plan;
 - a. The proposed property is not a part of any specific plan and the proposed use allows the business to expand their business, and the ability to maintain their business within the City of Santa Clara without relocating or severely limiting the ability to grow their customer base. Furthermore, the project complies with the intent of the Neighborhood Commercial General Plan Designation by maintaining the existing local-serving retail use and allowing the expansion to further meet neighborhood needs.
- 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;
 - a. The property is currently used as a Service Station and would expand as a service station with an automated self-serve carwash, and with the variances approved, the proposed use would meet all provisions in the zoning code and City Code.
- C. The design, location, size, and operating characteristics of the proposed use are compatible with the allowed uses in the vicinity;
 - a. The proposed use is near Lawrence Expressway, a large volume arterial street which adds a significant amount of noise to the surrounding area, the proposed project would not exceed the sound generated by Lawrence Expressway and would be subject to all other City Code regulations for noise, odor, dust, vibration, etc.

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

a. The proposed use is subject to all City Code regulations for noise, odor, dust, vibration, etc. and would not be detrimental to the harmonious and orderly growth of the City.

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

a. The site is on the corner of Monroe Street and Lawrence Expressway which provide ingress and egress on either side of the property for any emergency vehicles, public service and utility vehicles, and any other maintenance required at the property.

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.

a. The site is on the corner of Monroe Street and Lawrence Expressway which provide adequate in width and improvement to carry the type and quantity of traffic the proposed use would likely generate

4. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 16th DAY OF APRIL 2025, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAINED: COMMISSIONERS:

ATTEST: _____
AFSHAN HAMID
DIRECTOR OF COMMUNITY DEVELOPMENT

Attachments Incorporated by Reference:
None