




**City Council**  
October 7, 2025

**Item # 6 RTC 25-978**  
**Action on an 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 (PLN25-00362)**

**Afshan Hamid**  
**Community Development Director**

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Stevens Creek Subaru



**City of Santa Clara**  
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## Request

- Appeal of the Planning Commission's denial of a modification to a Conditional Use Permit to Change Existing Conditions of Approval for the Existing Subaru Dealership.

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**POST MEETING MATERIAL**

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## Existing Site

- **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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## 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.
- August 2023: Complaints for non-compliance received from residents. City sent violation letter.
- August 2024: Property rezoned to Regional Commercial by the City.
- August 13, 2025: Planning Commission denied request to amend the CUP.


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## Aerial Imagery



**Today**


**1968**

● Subject Site

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## 2015 CEQA Initial Study with MMRP:

- Limit soundings of horns and vehicles
- Roll up doors shall remain closed at all times between the hours of 10:00 pm and 7:00 am.
- Close roll-up doors when practical during all hours of operation
- Utilize bays farthest from the roll up doors first and locate noisier activities in bays furthest from roll up doors
- Keep exterior door to compressor/tanks closed except while entering and exiting, and
- Limit all exterior activities, including loading and receiving of material and site circulation to the hours of 10:00 pm and 7:00 pm.

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## Request for Modification

- Trash enclosure was not built on site as approved.
- Trash is currently not picked up on site.
- Lincoln Dealership under construction and under same ownership.
  - Waste is currently being transferred to Lincoln site
- Applicant request is to allow for the collection of solid waste from Cecil Avenue which requires modification of the Conditions of Approval.
- City would like to make the Conditions of Approval more enforceable.

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## Conditions of Approval

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.

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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## Conditions of Approval

P8. All employees shall be directed to park on-site, and no employees shall be permitted to park off-site. Employees shall be directed to park within designated parking stalls on-site. The designated parking stalls shall be signed or stenciled "Employee Only". Employees shall be strongly discouraged to park off-site.

P20. The use of portable-generator-powered equipment to wash display vehicles shall not occur before ~~6:00~~ 7:00 A.M. on weekdays, and shall not occur before 8:00 A.M. on weekends.

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## Photos of Project




Subject Site

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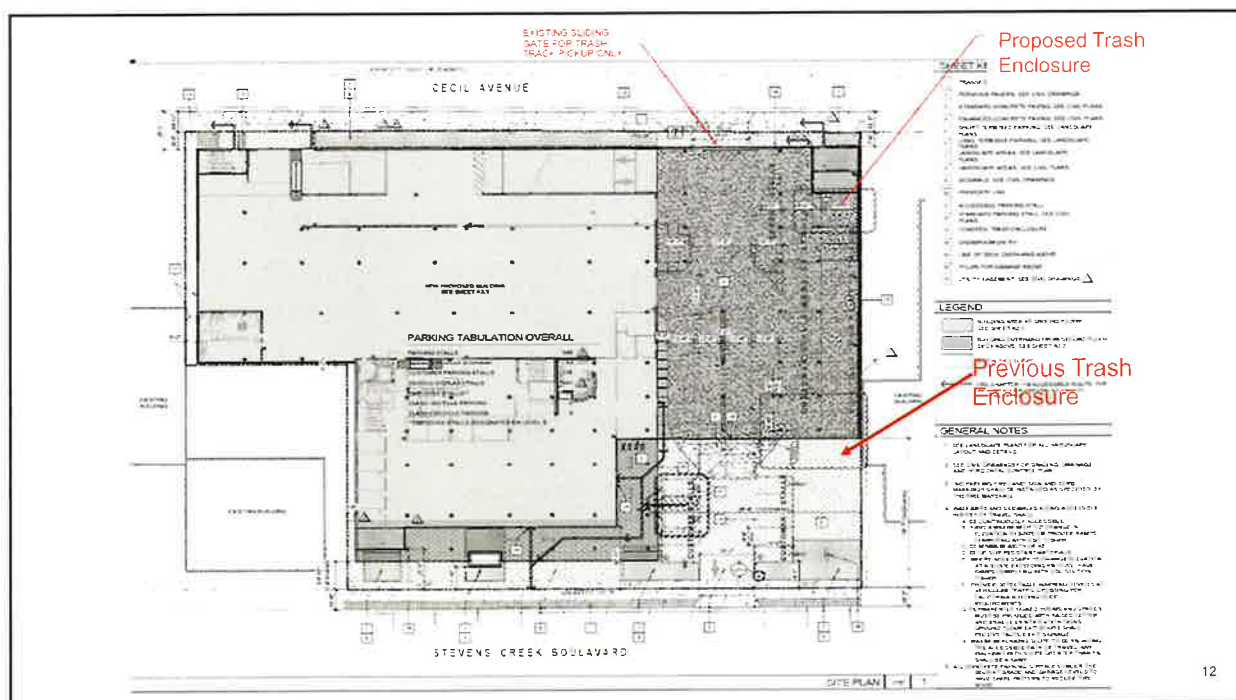
Stevens Creek Subaru

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## Coordination with Mission Trail

- Staff received a statement from Mission Trail stating their preference to collect trash from Cecil Avenue as:
  - It is dangerous for their workers to collect waste from Stevens Creek Blvd.
  - They are currently picking up waste from the other commercial properties on Cecil Avenue

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## 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 rehearing.

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## Consistency with Zoning Code

- A CUP may be modified or revoked pursuant to Santa Clara City Code Chapter 18.150.
  - “Circumstances under which the permit or approval was granted have been changed to an extent that one or more of the findings that justified the original approval can no longer be made, and the public health, safety, and general welfare require the modification or revocation”
  - Finding “D” of the 2016 Resolution can’t be made due to:
    - The solid waste and recycling collection restriction under Planning Division conditions 6 and 19 creates an unreasonable constraint to the site’s waste management.
    - The constraint is unique to this site as similar development abutting Cecil Avenue has been allowed to get their solid waste and recycling collected from this street for recent projects.
    - The waste management company (Mission Trail) operates their collection trucks on Cecil Avenue currently and modifying these conditions will not generate additional noise pollution.
    - Mission Trail states that waste collections on Stevens Creek will pose a safety hazard.
    - These conditions are no longer necessary due to the conditions on the ground.

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## Consistency with General Plan

*The request abides with the following General Plan Policies:*

- 5.5.2-P12: Screen loading and trash areas to preclude visibility from off-site and public streets.
- 5.8.2-P7: Concentrate through traffic on major streets and encourage traffic distribution that maximizes the efficiency of the existing roadway network.
- 5.8.2-P8: Minimize disruption of traffic flow resulting from truck traffic and deliveries, particularly during commute hours.

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## Planning Commission Hearing Recap

- This item was heard on the May 21, 2025, Planning Commission.
- Staff supported the applicant's request and recommended approval.
- Four members of the Public attended the Hearing and shared concerns.
- The Planning Commission was concerned about the potential increase of traffic and noise on Cecil Avenue.
- The Planning Commission voted to deny the request (5-2-0)
- Resolution of denial approved by the Planning Commission after pulling from consent from the August 13, 2025, agenda.

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## Public Outreach

- 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.
- 197 notices of public hearing for the Planning Commission and City Council Hearings were mailed within 500 feet of the project site.
- On-site notice was placed on Cecil Avenue and Stevens Creek Boulevard.
- Staff received one public comment in opposition.

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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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Stevens Creek Subaru



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## Recommendation

- Sustain the Appeal and Adopt a Resolution approving the Modification to the Conditional Use Permit to change existing Conditions of Approval for the existing Subaru Dealership at 3225 Stevens Creek Boulevard to allow trash pick-up on Cecil Avenue, subject to Findings and Conditions of Approval.

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## City Council

October 7, 2025

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# Cecil Avenue Waste Pickup

Agenda Item No. 6

File No. 25-978

Appeal No. PLN25-00362

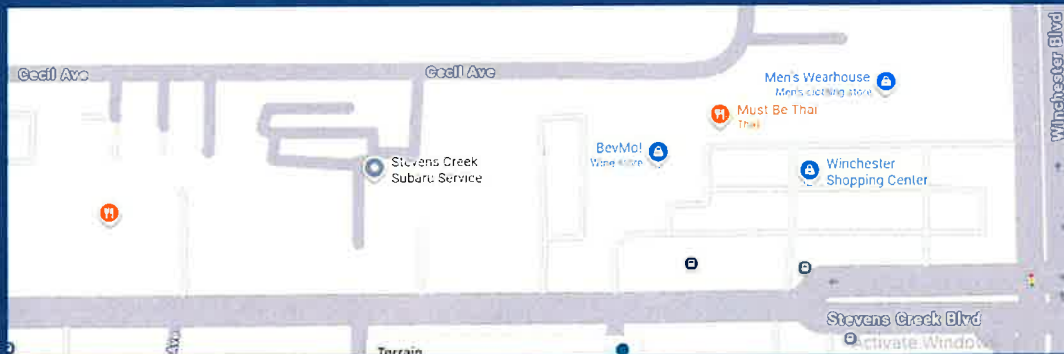
**The Request:** Modification of the existing Conditions of Approval (P6, P13 and P19) given to Subaru (owned by Monar LLC) for its active CUP (File No. PLN2015-11350) to allow the operation of the existing roll-up doors during business hours to facilitate solid waste and recycling collection from Cecil Avenue.



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## Background

Subaru has been operating on Stevens Creek Boulevard under the current ownership for over a decade. The dealership sits between Stevens Creek and Cecil Avenue.



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POST MEETING MATERIAL

## Background

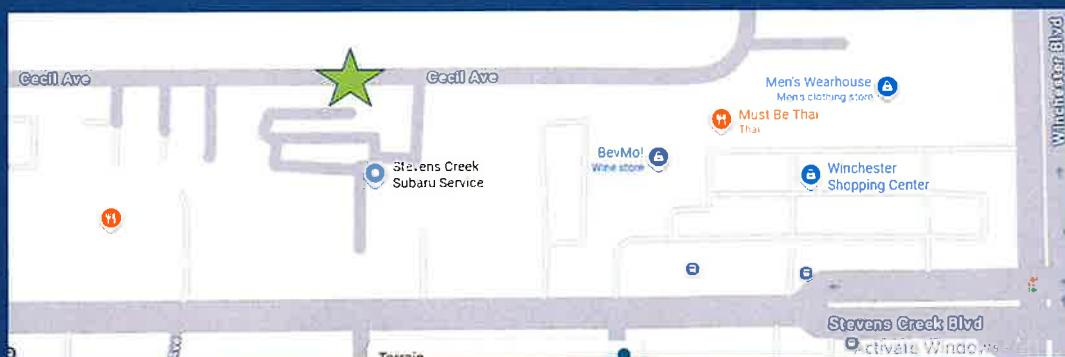
In 2016, the City Council approved Subaru's plan to remodel...



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## Background

Before the remodel, waste pickup was happening on Cecil Avenue.

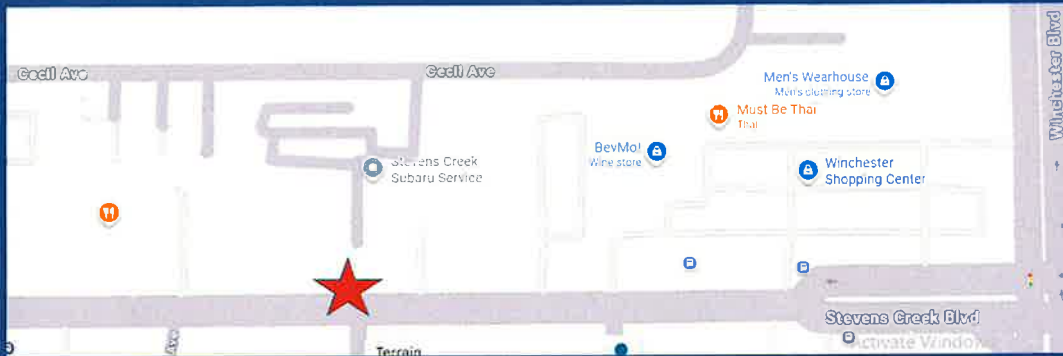


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## Background

In the approval for the new dealership building, there were conditions of approval, including P6 and P19, to require trash removal on Stevens Creek Boulevard.



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## Current Mission Trails Route

Current Mission Trails trash/recycle pickup route for **ALL businesses along Cecil** to Henry Ave.



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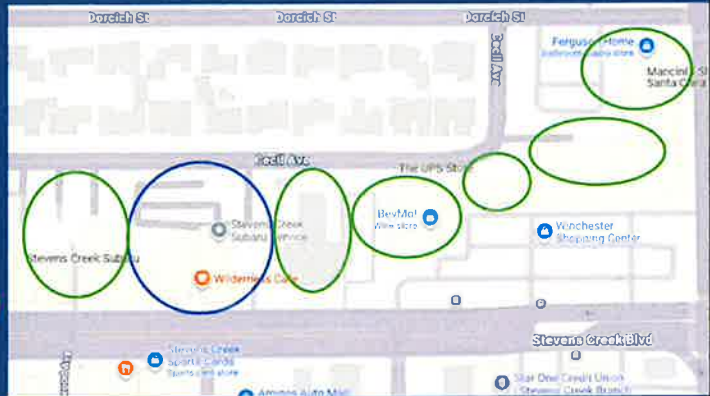
## Businesses on Current Pickup Route

**Alteration of the current, approved conditions.**

Current Approved Pickup Locations:

- Ferguson Home Bathroom Supply Store
- Mancini's Sleepworld
- Tony & Alba's Restaurant
- Must Be Thai Restaurant
- BevMo!
- **Lincoln Dealership (some 50 feet away)**

New Pickup: Subaru (blue circle)



**R Rossi Domingue**

**STEVENS CREEK**  
**SUBARU**

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## Impact on Cecil Residents

Mission Trails Field Supervisor  
(Will Navarez)

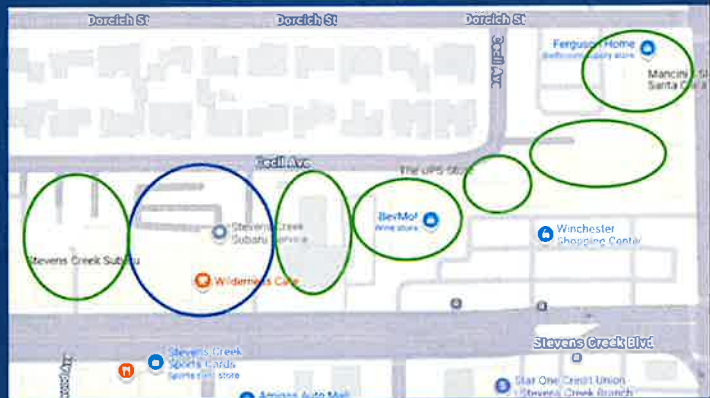
- No change in current route
- No additional traffic

Changes:

- 7 stops versus 6 stops on Cecil
- Adding negligible time

Cecil Ave Complaints With Status Quo

- None



**R Rossi Domingue**

**STEVENS CREEK**  
**SUBARU**

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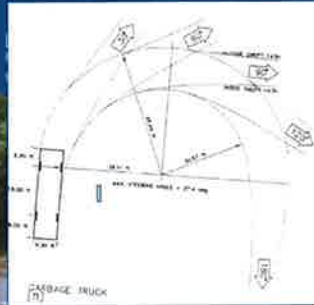
# Complications for Stevens Creek Pickup

Information obtained by interviews with Mission Trails Employees

- Field Supervisor, Will Navarez,
- Environmental Program Manager (who handles field problems), Vanessa Loop



Mission  
Trails  
Truck



Inside diameter of the  
turning radius on this  
diagram from Mission  
Trails is 39 feet



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## Mission Trails Concerns

- This would be the **ONLY** business along this route section to have service on Stevens Creek requiring a service alteration
- This would require the truck to pull in and back up
- This type of service is hazardous, and Mission Trails avoids it—there is only one business (of the many in the area) that has pull-in and back-out service
- At that location, there was recently an auto accident during the back up
- The truck would need to back up onto Stevens Creek during traffic and through a bike lane
- Mission Trails recently hit a bicyclist in the bike lane and foresees that risk here
- Subaru employees also have some risk



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## Modest Request

CUP change to allow waste pickup like the other nearby Cecil Ave businesses, including:

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