

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, APPROVING A USE PERMIT TO ALLOW FOR THE RENOVATION AND ADDITION FOR A NEW LINCOLN AUTO DEALERSHIP WITH OUTDOOR STORAGE OF VEHICLES FOR SALE AT 3155 STEVENS CREEK BOULEVARD, SANTA CLARA, CALIFORNIA

PLN21-15129 (Use Permit)

WHEREAS, on August 19, 2021, Myron Schlager (“Applicant”) submitted an application for a Use Permit and Architectural Review to renovate an existing showroom and construct a new service center facility and automated stacker parking for a new Lincoln Dealership at 3155 Stevens Creek Boulevard (“Project Site”);

WHEREAS, the Project Site is currently zoned Thoroughfare Commercial (CT) and has a General Plan land use designation of Regional Commercial;

WHEREAS, the proposal includes the interior and exterior remodel of the showroom and demolition of the existing service center to construct a new 12,138 square foot service center and a new automated stacker parking for 27 parking spaces;

WHEREAS, in order to implement the proposed activity, a Use Permit is required to allow outdoor vehicle storage, display and sales activity in a CT Zoning District (“Proposal”) as shown on the Development Plans, attached by reference herein as Exhibit “Development Plans”;

WHEREAS, the proposed hours of operation for sales are from 9:00 AM until 9:00 PM, Monday through Saturday and Sunday 10:00 AM to 8:00 PM. The service center will be open from 7:00 AM until 7:00 PM, Monday through Saturday and closed on Sundays;

WHEREAS, the California Environmental Quality Act (“CEQA”), Public Resources Code § 21000 *et seq.*, requires a public agency to evaluate the environmental impacts of a proposed project;

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), and the regulations implementing the Act, specifically 14 Cal. Code of Regs § 15070, this project was determined

after an Initial Study to identify potentially significant effects on the environment which could be avoided with the implementation of mitigation measures, resulting in the preparation of a Mitigated Negative Declaration (“MND”);

WHEREAS, in conformance with CEQA, on June 20, 2022, the City posted a Notice of Availability of the MND at the Santa Clara County Clerk’s Office, and mailed the notice to property owners within 500 feet of the project site and other interested parties for public review from June 20, 2022 to July 20, 2022;

WHEREAS, the Use Permit process enables a municipality to exercise control over the extent of certain uses, which, although desirable in limited numbers and specific locations, could have a detrimental effect on the community in specific instances;

WHEREAS, pursuant to Santa Clara City Code (SCCC) Section 18.38.040 for Thoroughfare Commercial zoning districts, outdoor display and storage are conditionally permissible uses subject to Planning Commission review and approval of a Use Permit;

WHEREAS, pursuant to SCCC Section 18.110.040, the Planning Commission cannot grant a Use Permit without first making specific findings related to the effect of the project on health, safety, peace, comfort, and general welfare, based upon substantial evidence in the record;

WHEREAS, on November 22, 2023, a notice of public hearing on this item was posted in three conspicuous locations within 300 feet of the project site and mailed to property owners within 500 feet of the project site; and

WHEREAS, on December 6, 2023, the Planning Commission held a duly noticed public hearing, at which time all interested persons were given an opportunity to present evidence and give testimony, both in support of and in opposition to the proposed Use Permit.

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 finds that approving a Use Permit to allow the renovation of an existing auto dealership with outdoor storage of vehicles for sale is consistent with the commercial uses contemplated in the Regional Commercial land use designation for the Project Site and CT zoning district with approval of a Use Permit.

3. That the Planning Commission hereby finds as follows:

A. The establishment or operation of the use of building applied for, under the circumstances of the particular case, is essential or desirable to the public convenience or welfare, in that the proposal would continue to allow auto sales, rentals, and displays that meet the interests of local residents and customers from the greater region.

B. Said use will not be detrimental to any of the following:

1. The health, safety, peace, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, in that the proposed use is consistent with adjacent commercial land uses and auto dealerships located along Stevens Creek Boulevard. The project includes site improvements to the sidewalk, landscape, and driveways.

2. Property or improvements in the neighborhood of such property use, in that the applicant proposes a new quality commercial use for local and regional patrons. The site improvement includes complete street landscape design along Stevens Creek Boulevard and upgrades of driveways and sidewalk. There are sufficient number of parking spaces available onsite.

3. The general welfare of the City, in that the proposed use expands the options available to the local and regional population patrons by providing a commercial along a primary auto row on Stevens Creek Boulevard.

C. That said use will not impair the integrity and character of the zoning district, in that the project proposes adequate parking onsite and development that is compatible with the surrounding area. Development of auto-oriented uses are suitable along Stevens Creek Boulevard corridor.

D. That said use is keeping with the purposes and intent of the Zoning Code, in that auto sales and services, including vehicle prep are permitted uses in the Thoroughfare Commercial zoning district. Outdoor display and storage not contained wholly within a completely enclosed building, such as auto sales, are conditionally permissible with Use Permit approval, and the proposed outdoor sales area is designed such that it does not adversely impact the surrounding areas.

4. That the Planning Commission hereby approves Use Permit PLN21-15129 to allow the renovation of an existing auto dealership with outdoor storage of vehicles for sale at 3155 Stevens Creek Boulevard, subject to the Conditions of Approval, attached hereto and incorporated herein by this reference.

5. 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 6TH DAY OF DECEMBER, 2023, BY THE FOLLOWING VOTE:

AYES:	COMMISSIONERS:
NOES:	COMMISSIONERS:
ABSENT:	COMMISSIONERS:
ABSTAINED:	COMMISSIONERS:

ATTEST: _____
ANDREW CRABTREE
DIRECTOR OF COMMUNITY DEVELOPMENT
CITY OF SANTA CLARA

Attachments Incorporated by Reference:
1. Development Plans
2. Conditions of Approval