



Planning Commission

May 21, 2025

**Item #3: PLN24- 00392
Stevens Creek Subaru CUP**

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Request

- Conditional Use Permit to modify existing conditions of approval (conditions P6, P8, P13 P16, & P20) to allow solid waste and recycling to be collected from Cecil Avenue for the existing Subaru dealership.

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)



Context - Surrounding Uses

Legend: Adjacent
Surrounding Land Uses

- Single Family Residential
- Commercial

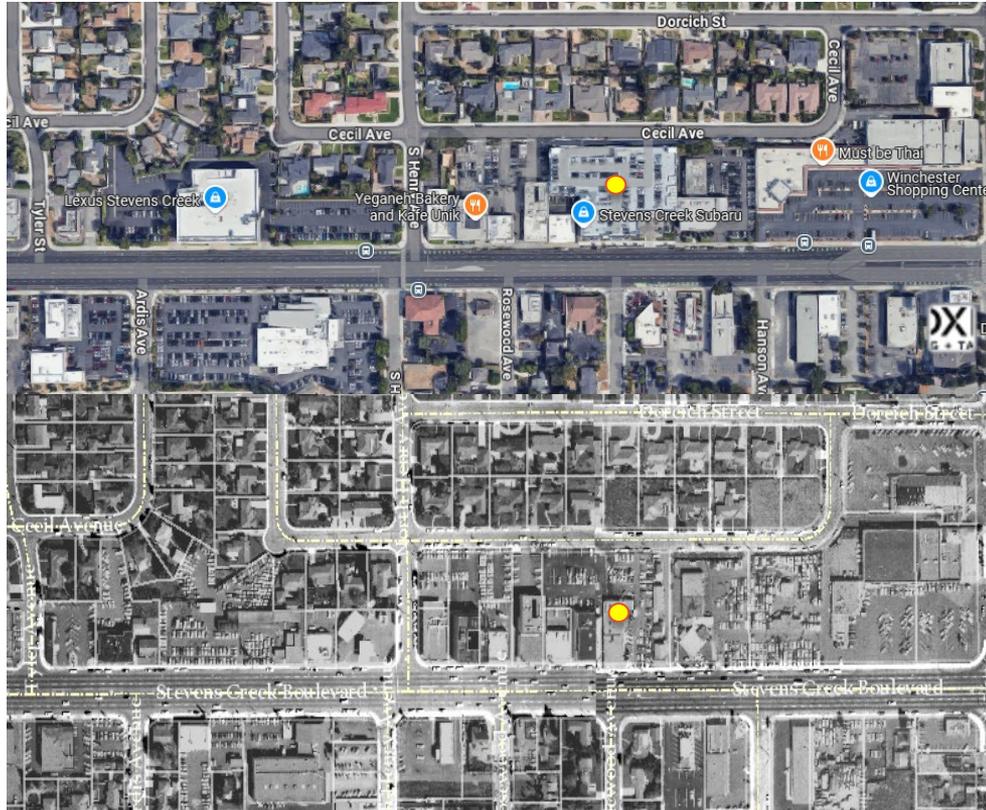




CUP Scope

- Modify conditions of approval: P6, P8, P13, P19, and P20
- Intent is to allow for the collection of solid waste onsite and to make the Conditions of Approval more enforceable.
 - 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
- The proposed “track changes” are found in the staff report.

Aerial Imagery



Today

● Subject Site

1968



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.

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.

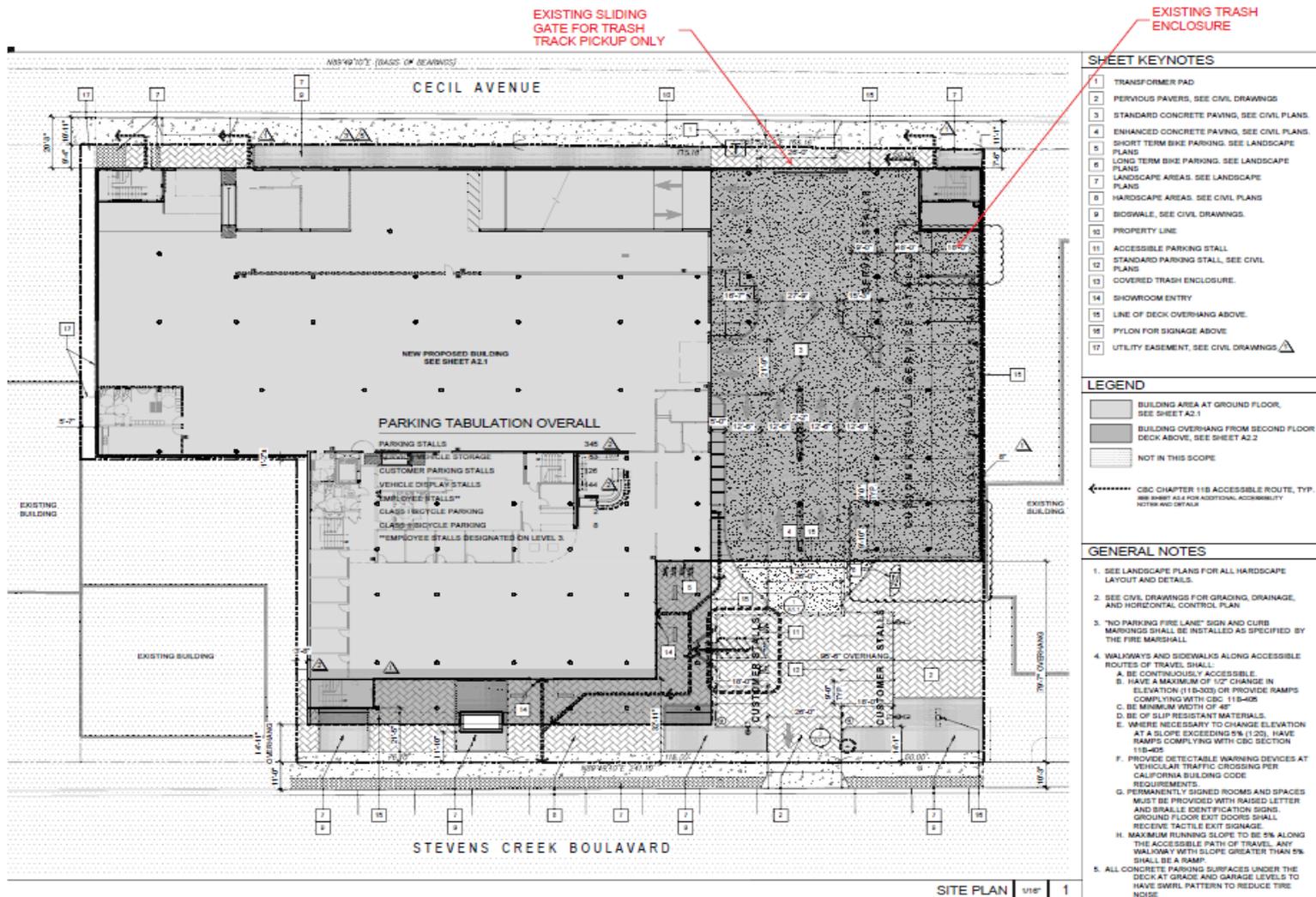
P13. Use of the 26-foot wide driveway exit to Cecil Avenue shall be minimized. Test drives shall use the Stevens Creek Boulevard driveway for ingress and egress. The solid gate across the 26-foot driveway to Cecil Avenue shall be closed at all times, except in the event of an emergency or in order to 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. Prior to approval of the plans for Architectural Review, the on-site circulation expected for vehicles and delivery trucks shall be identified.



Conditions of Approval

P 19. 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.~~

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.





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.



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.



Public Outreach

- On November 18, 2024, the applicant held a virtual community meeting.
 - Staff was present in the meeting to hear the community's feedback.
 - The applicant's presentation was recorded and posted on the City's website.
- 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.
- On May 8, 2025, a notice of public hearing on this item mailed to property owners within 500 feet of the project site and an on-site notice was placed at the front & back of the property.
 - Staff received one public comment in opposition before the agenda was posted.



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.



Recommendation

1. Determine the request is exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15305 (Class 5 – Minor Alterations in Land Use Limitations);
2. Adopt a resolution approving a Conditional Use Permit to modify existing conditions of approval (Condition P6, P8, P19, & P20) to allow solid waste and recycling to be collected along Cecil Avenue for the existing Subaru dealership located at 3225 Stevens Creek Boulevard, subject to findings and the revised conditions of approval.



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