

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, APPROVING A USE PERMIT TO ALLOW A NEW CAR/TRUCK RENTAL FACILITY FOR THE PROPERTY LOCATED AT 2390 LAFAYETTE STREET, SANTA CLARA, CA**

PLN2019-1707 (Use Permit)

**BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA AS FOLLOWS:**

**WHEREAS**, on January 22, 2019, Francisco Valdes for Avis Budget Group (“Applicant”) applied for a Use Permit to allow a new car/truck rental facility located at 2390 Lafayette Street (“Site Location”);

**WHEREAS**, the Site Location is currently zoned Heavy Industrial (MH) and has the General Plan land use designation of Heavy Industrial;

**WHEREAS**, pursuant to Santa Clara City Code (“SCCC”) Section 18.50.040(e), uses that are not permitted by right but that are appropriate for an industrial area, such as lodges and bingo halls, can be conditionally permitted in the MH zoning district, provided that the proposed use and structure would not be objectionable or detrimental to adjacent properties or to the industrial area in general by reason of traffic, parking, noise, inappropriate design or signs, if the Planning Commission approves a Use Permit;

**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. The proposed project is categorically exempt from the California Environmental Quality Act (CEQA) per Section 15303(c), New Construction or Conversion of Small Structures, in that the project proposes conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The existing commercial building is less than 10,000 square feet and does not involve the use of significant amounts of hazardous substances.

**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 5, 2019, the notice of public hearing for the November 13, 2019 meeting date for this item was posted in three conspicuous locations within 300 feet of the Site Location and mailed to all property owners located within 300 feet of the Site Location in accordance with the City Code; and,

**WHEREAS**, on November 13, 2019, the Planning Commission conducted a public hearing, at which 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 FURTHER 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 a 5,011 square foot car/truck rental facility at the Site Location, as depicted on Exhibit "Development Plans", attached hereto and incorporated herein by reference, is consistent with the uses contemplated under the Heavy Industrial Zoning District.

3. That the Planning Commission hereby finds as follows:

A. The establishment or operation of the use or building applied for, under the circumstances of the particular case, are essential or desirable to the public convenience or welfare in that the proposal contributes to the variety of service uses available in the industrial area;

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 use is compatible with

the surrounding auto-oriented and commercial properties and is unlikely to adversely impact the adjacent uses;

2) The property or improvements in the neighborhood of such proposed use, in that the proposal utilizes the currently vacant lot, there is no proposed expansion of the building, and the proposed project provides adequate on-site parking;

3) The general welfare of the City, in that the proposed use contributes to the variety of service uses available in the industrial area of the City, provides on-site improvements including new landscaping, and provides sufficient parking to support the proposed use;

C. That said use will not impair the integrity and character of the zoning district, in that no changes are proposed to the exterior of the existing one-story building and the proposed use is compatible with the surrounding land uses; and,

D. That said use is in keeping with the purposes and intent of the Zoning Code, in that a non-industrial use may be conditionally permitted when the use would not be objectionable or detrimental to the adjacent properties in the Heavy Industrial zoning district.

4. That the Planning Commission hereby approves Use Permit PLN2019-13707 to allow a new car/truck rental facility located at 2390 Lafayette Street, subject to the Conditions of Approval and development plans, 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 13<sup>th</sup> DAY OF NOVEMBER 2019, 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

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