



## Agenda Report

19-1130

Agenda Date: 11/13/2019

### REPORT TO PLANNING COMMISSION

#### SUBJECT

Action on a Conditional Use Permit to allow a new Car/Truck Rental Facility at 2390 Lafayette Street

#### REPORT IN BRIEF

Project: Use Permit to allow a New Car/Truck Rental Facility and on-site improvements.

Applicant: Francisco Valdes, KRJ Design Group

General Plan: Heavy Industrial

Zoning: Heavy Industrial (MH)

Site Area: .64 acre (27,812 sq. ft.)

Existing Site Conditions: Existing one-story 5,011 square foot commercial building.

#### Surrounding Land Uses

North: Auto oriented businesses across from Richard Avenue

South: Commercial uses.

East: Commercial Uses across from Lafayette Street

West: Commercial uses.

Issues: Consistency with the City's General Plan and Zoning Ordinance

Staff Recommendation: Adopt a resolution approving the Use Permit, subject to conditions of approval

#### BACKGROUND

The Applicant, Francisco Valdes from KRJ Design Group, filed an application on January 22, 2019 requesting a Use Permit to allow operation of a car and truck rental facility for Avis Budget Group. The project site is located on the south west corner of Richard Avenue and Lafayette Street, and is currently occupied by a one story 5,011 square foot vacant commercial building. The site was previously occupied by a packaging business that moved out in 2016. There is no record of any business license since that time. The surrounding land uses include a truck rental facility to the west and south, auto oriented businesses across from Richard Avenue, and Home Depot across from Lafayette Street.

The site is zoned Heavy Industrial (MH) and the General Plan land use designation is Heavy Industrial. Retail uses are not permitted by right in the Heavy Industrial (MH) zoning district. Pursuant to Section 18.50.040(e) of the Santa Clara City Code, 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.

The Applicant proposes tenant improvements to the existing one story building and site improvements to operate the car and truck rental facility. Proposed site improvements include restriping the existing parking to provide the required 14 parking spaces and landscape improvements including planting seven new trees. On an average, the business would store up to 41 cars and 13 trucks onsite with 2-3 employees present at a given time.

The facility proposes to operate Monday through Friday from 8:00 a.m. to 6:00 p.m., Saturday from 9:00 a.m. to 2 p.m., and Sunday from 9:00 a.m. to 12:00 p.m. The applicant has provided a business operation plan to support the Use Permit request and it is provided with this report as Attachment 2.

## **DISCUSSION**

The primary issues for the project are consistency with the City's General Plan and Zoning Code and parking requirements.

### *Consistency with the General Plan:*

The subject property has a General Plan designation of Heavy Industrial. This classification is intended primarily for manufacturing, refining, and similar activities. It also accommodates warehousing and distribution uses. The project is consistent with the following General Plan policies:

5.3.1 P8 Work with property owners to improve or redevelop underutilized and vacant properties. The project is consistent with this policy as it utilizes and refurbishes the property.

5.3.3 G4 New commercial uses that respect surrounding neighborhoods and are sited to reduce potential land use conflicts. The project would conform to this General Plan policy, in that it is compatible with the existing auto-oriented and commercial land uses surrounding the site.

5.3.3 P1 Provide a mix of retail and commercial uses to meet the needs of local customers and draw patrons from the greater region. The project is consistent with this policy in providing a car rental facility in proximity to the Norman Y. Mineta San Jose International Airport.

### *Zoning Conformance:*

Retail uses are not permitted by right in the Heavy Industrial (MH) zoning district. Pursuant to Section 18.50.040(e) of the Santa Clara City Code, 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.

Per SCCC Chapter 18.110, the Planning Commission cannot grant a Use Permit without first making specific findings related to the effect of the project on the health, safety, peace, comfort and general welfare, based upon substantial evidence in the record. These findings are included in the attached resolution.

### *Circulation and Parking*

Pursuant to Section 18.74.020 (a)(8) of the Santa Clara City Code, an auto service rental requires 1 parking space per 400 square foot and one space for every 2 employees. The project provides the required 14 parking spaces onsite, including an accessible parking space. Given that the existing

building is approximately 5,016 square feet and there are only 2-3 employees present at a given time, there is ample parking supporting the existing use. Additionally, the site serves as a storage site for rental vehicles with limited commercial activity by customers. Delivery of vehicles to customers off-site also occurs as part of the business operations.

The site will continue to be accessed from two existing driveways, one along Lafayette Street and the other along Richard Avenue.

*Conclusion:*

The proposal contributes to the service uses available in the industrial area of the City and is designed to be compatible with the surrounding commercial uses, with sufficient parking to support the proposed use. A non-industrial use, such as a car and truck rental facility, may only be conditionally permitted when the use is appropriate for an industrial area and would not be objectionable or detrimental to the industrial area or adjacent properties. Based on the operational description of the proposed use provided by the applicant, the use would be compatible with the adjacent land uses.

**ENVIRONMENTAL REVIEW**

The action being considered is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines 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.

**FISCAL IMPACT**

There is no cost to the City other than administrative staff time and expense typically covered by processing fees paid by the applicant.

**COORDINATION**

This report was coordinated with the City Attorney's Office.

**PUBLIC CONTACT**

On November 5, 2019 the notice of public hearing of this item was posted in three conspicuous locations within 300 feet of the project site and mailed to property owners within 300 feet of the project site in accordance with the City Code. Planning Staff has not received public comments for this application.

**RECOMMENDATION**

Adopt a Resolution to approve a Use Permit to allow a new car/truck rental facility at 2390 Lafayette Street, subject to conditions of approval.

Prepared by: Nimisha Agrawal, Assistant Planner  
Reviewed by: Alexander Abbe, Assistant City Attorney  
Approved by: Reena Brilliot, Planning Manager

**ATTACHMENTS**

1. Project Data Summary
2. Applicant's Business Operation Plan
3. Resolution Approving the Use Permit

4. Conditions of Approval
5. Development Plans