



Legislation Details (With Text)

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**Type:** Land Use Regular Agenda      **Status:** Agenda Ready

**File created:** 10/6/2017      **In control:** Planning, Building and Code Enforcement Department

**On agenda:** 1/23/2018      **Final action:**

**Title:** Appeal Hearing on Conditional Use Permit and Site Development Permit for the Real Property Located at 3702 South Bascom Avenue.

**Sponsors:** City Council

**Indexes:**

**Code sections:**

**Attachments:** 1. Memorandum, 2. Dec 8 Supplemental Memorandum, 3. Jan 19 Supplemental Memorandum, 4. Oct 23 Memorandum from Councilmember Rocha, 5. Dec 12 Memorandum from Councilmember Rocha, 6. Jan 19 Memorandum from Councilmember Rocha, 7. Attachment A - Permit Appeal, 8. Attachment B - Project Petition, 9. Attachment C - Planning Commission Packet, 10. Attachment D - Signed Planning Commission Resolution, 11. Attachment E - Mitigation Management Plan, 12. Attachment F - Noise Study, 13. Attachment G - Plan Set, 14. Letters from the Public 1, 15. Letters from the Public 2, 16. Letters from the Public 3, 17. Illingworth & Rodkin, Inc's (I&R) Environmental Noise Assessment, 18. Letters from the Public 4, 19. Appellant-Onsite Traffic Report, 20. Appellant-Traffic images and video link, 21. Supplemental Memorandum, 22. Noise Report Rebuttal, 23. Letter from Law Office of Benjamin R. Levinson.pdf, 24. Letter from Smith Engineering & Management, 25. Letter from The Silicon Valley Organization, 26. Resolution - Part (b), 27. Letter(s) from the Public 5, 28. Letters from the Office of Benjamin R. Levinson 2, 29. Letter(s) from the Public 6, 30. Letter from Smith Engineering & Management, 31. Letter from Andarys Enterprise

| Date       | Ver. | Action By    | Action | Result |
|------------|------|--------------|--------|--------|
| 12/19/2017 | 1    | City Council |        |        |
| 12/12/2017 | 1    | City Council |        |        |
| 11/28/2017 | 1    | City Council |        |        |
| 10/24/2017 | 1    | City Council |        |        |

**Appeal Hearing on Conditional Use Permit and Site Development Permit for the Real Property Located at 3702 South Bascom Avenue.**

- (a) Conduct an Administrative Hearing and consider the Permit Appeal of the Planning Commission’s approval of the Conditional Use Permit and Site Development Permit to allow the demolition of an existing 1,276-square foot gas station convenience store with incidental service and vehicle repair, and the construction of a new 5,754-square foot convenience store and fully automated car wash, and early morning use for the gas station and convenience store only (one hour extension between 5:00 a.m. and 6:00 a.m.), a temporary use trailer, and an exceedance of the Zoning Ordinance noise performance standards by two decibels.
- (b) Adopt a resolution denying the permit appeal and approving the Conditional Use Permit and Site Development Permit, subject to conditions, to allow the demolition of an existing 1,276-square foot gas station convenience store with incidental service and vehicle repair, and the construction of a new 5,754-square foot convenience store and fully automated car wash, and early morning use for the gas station and convenience store only (one hour extension between 5:00 a.m. and 6:00 a.m.), a temporary use trailer, and an exceedance of the Zoning Ordinance noise performance standards by two decibels on an approximately on a 0.81-gross acre site located at 3702 South Bascom Avenue (southeast corner of South Bascom Avenue and Woodard Road).

CEQA: Exempt per CEQA Guidelines Section 15302 for Replacement or Reconstruction and 15332 for Infill Development Projects. Planning Commission approved the Conditional Use Permit and Site Development Permit (4-3-0; Phan, Bit-Badal opposed). (Planning, Building and Code Enforcement)

CP16-035 - Council District 9

(Deferred from 10/24/17 - Item 10.4 and 11/28/17 - Item 10.2)

(Continued from 12/12/17 - Item 10.2 and 12/19/17 - Item 10.1)