



## Agenda Report

20-171

Agenda Date: 3/17/2020

### REPORT TO COUNCIL

#### SUBJECT

Action on a request for a Special Permit to allow a temporary sales trailer at 3305 Kifer Road from April 2020 to April 2021 (File No. PLN2020-14281) (Council Pillar: Deliver and Enhance High Quality Efficient Services and Infrastructure)

#### BACKGROUND

The applicant, Toll Brothers Inc., is requesting a Special Permit pursuant to Zoning Code Section 18.60.030 for a temporary sales trailer at 3305 Kifer Road for a period of one year. The purpose of the trailer is to provide an office space for the sale of townhomes currently under construction at the project site. The property is zoned Lawrence Station Area Plan (LSAP). City Code Section 18.60.030 requires issuance of a Special Permit by the City Council in non-industrial zones for any temporary use not otherwise regulated within the Zoning Code.

Architectural Review and Vesting Tentative Subdivision Map approval was granted in 2016 for the subdivision of the 1.91-acre site into condominium lots and development of 45 attached residential units. The units are nearing completion and ready for sale.

#### DISCUSSION

Placement of the temporary sales trailer includes temporary paving, parking, and landscaping. The temporary parking includes four standard spaces and one ADA parking space. The sales are proposed to begin in April 2020 and end in April 2021. The hours of operation will be from 11 a.m. to 6 p.m. daily. Once the first 38 townhomes are constructed and sold, the temporary sales trailer would be removed for the construction of the remainder of the approved townhomes at the site.

The Special Permit articulates the required findings per Zoning Code Section 18.60.030 that the City Council must make to approve the subject request (Attachment 1). The permit also contains a series of permit conditions that address allowable hours of operation, additional permit requirements, cleaning of the lot, nuisance criteria, and various other criteria that are included with the Special Permit attached.

#### ENVIRONMENTAL REVIEW

The action being considered is categorically exempt from formal environmental review under the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15304(e) (Class 4 - "Minor Alterations to Land") as it consists of "minor temporary use of land having negligible or no permanent effects on the environment, including carnivals, sales of Christmas trees, etc."

#### FISCAL IMPACT

There is no cost to the City other than administrative staff time and expense. The applicant paid for the necessary permit fees.

**COORDINATION**

This report has been coordinated with the City Attorney's Office.

**PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email [clerk@santaclaraca.gov](mailto:clerk@santaclaraca.gov) <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

**RECOMMENDATION**

Approve the request of a Special Permit to allow a temporary sales trailer at 3305 Kifer Road from April 1, 2020 to April 30, 2021 (PLN2020-14281), subject to conditions.

Reviewed by: Andrew Crabtree, Director of Community Development

Approved by: Deanna J. Santana, City Manager

**ATTACHMENTS**

1. Special Permit 3305 Kifer Road
2. Development Plans