



## Agenda Report

18-688

Agenda Date: 5/22/2018

### REPORT TO COUNCIL

#### SUBJECT

Action on a Special Permit to Allow a Car Show at 958 Homestead Road

#### BACKGROUND

The applicant, Rick Gundo, of the American Legion Post 419, a non-profit organization, is requesting a Special Permit to allow two car shows open to the public at 958 Homestead Road. The first car show would be held on June 9, 2018, from 10:00 a.m. to 3:00 p.m. The second car show would be held prior to June 30, 2019. Both events will be subject to the same permit conditions.

The event is planned to utilize the subject property currently developed with an office building and parking lot used by the American Legion Post 419, as well as the adjacent street public right-of-way. A Special Permit is required in order for the event on private property involving a land use not otherwise permitted by right for the subject property under the City's Zoning Code. The applicant has obtained a required encroachment permit from the Public Works Department for the closure of Washington Street between Lexington and Homestead Road.

#### DISCUSSION

The property is zoned Downtown Commercial (CD) which supports commercial and office use. The surrounding properties are zoned Downtown Commercial, Historical Combining Lot, Public / Quasi Public, or Single Family and are developed with a mix of commercial, institutional and residential uses. The proposed temporary use, with limited duration and operations, is not anticipated to adversely impact the surrounding land uses beyond a temporary disruption of traffic flow during the limited hours of the event. The proposed use could also increase foot traffic in nearby commercial and residential area. However, given the site context and limited time frame of the proposed use, the benefit of providing entertainment to the community outweigh the potential disadvantage, and conditions of approval help protect the surrounding community from adverse impacts.

Approval of the permit would be subject to the following conditions:

- 1) Special Permit shall be valid from June 9, 2018 through June 30, 2019;
- 2) The car show will be for one-day and held on-site at 958 Homestead Road;
- 3) An encroachment permit has been obtained from the Public Works Department for the closure of Washington Street between Lexington and Homestead;
- 4) The Special Permit shall be valid between the hours of 9:00 a.m. and 5:00 p.m. on Saturday June 9, 2018 and Saturday, June 10, 2019;
- 5) The applicant shall obtain necessary permits from the Santa Clara Building Division and/or Fire Department as required;
- 6) The applicant shall comply with Fire Department and Police Department directives and

requirements;

7) The applicant shall comply with City Code Section 9.10.040, noise and sound regulation, if applicable;

8) Amplified music permit shall be obtained for the event, if applicable;

9) The applicant shall obtain sign permits for all temporary associated signs;

10) There shall be no “searchlight” beams, streamers, or roof-mounted balloons associated with this temporary use;

11) The use shall be conducted in a manner that does not create a public or private nuisance;

12) This Permit is subject to revocation by the City Council for violation of any of its conditions of approval; and

13) Upon conclusion of the event allowed under this Special Permit, the project site shall be cleaned and returned to its prior condition.

A condition of approval indicates that the use shall be conducted in a manner that does not create a public nuisance or private nuisance, and the Special Permit would be subject to revocation.

### **ENVIRONMENTAL REVIEW**

The action being considered does not constitute a “project” within the meaning of the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines section 15378(a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

### **FISCAL IMPACT**

On May 15, 2018, the City Council unanimously voted to sponsor this event. The cost of the Special Permit fee is \$246. Sufficient funding is available in the City Manager’s 2017/18 departmental budget to cover this expense. The event is expected to foster commercial activity in the Downtown area that contributes to the City’s economic vitality.

### **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 a Special Permit to allow two car shows at 958 Homestead Road (PLN2018-13240), to be held prior to June 30, 2019 subject to conditions.

Reviewed by: Andrew Crabtree, Director of Community Development

Approved by: Deanna J. Santana, City Manager

### **ATTACHMENTS**

1. Application
2. Site Plan