



## Agenda Report

18-1393

Agenda Date: 11/13/2018

### REPORT TO COUNCIL

#### SUBJECT

Action on a Special Permit to allow JW House, located at 3850 Homestead Road, to conduct a Remembrance Dinner Celebration from 5:00 p.m. to 7:00 p.m. on December 16, 2018 (File No. PLN2018-13561)

#### BACKGROUND

The applicant, Bettina Kohlbrenner on behalf of JW House, is requesting a Special Permit pursuant to Zoning Code Section 18.60.030 to allow for a single day outdoor event, a Remembrance Dinner Celebration, in the parking lot of the JW House located at 3850 Homestead Road. Zoning Code Section 18.60.030 requires issuance of a Special Permit by the City Council in non-industrial zones for any use not otherwise regulated within the Zoning Code.

The property is currently zoned PD - Planned Development consistent with the current use of the subject site as the Kaiser Permanente Medical Center. The surrounding area is comprised of properties designated with planned development and residential zoning districts, which uses include a swim and racquet club to the south, office uses to the east, west, and south, and single-family detached residences across Homestead Road to the north.

#### DISCUSSION

The Remembrance Dinner Celebration will include the installation of a 20 by 40 foot outdoor tent for 57 guests and will occupy 38 parking spaces. The event is a private event and is not open to the public. The Remembrance Dinner will occur on December 16, 2018, from 5:00 p.m. to 7:00 p.m.

The below conditions of approval will be included in the permit and articulates the required findings that the Director of Community Development must make to approve the subject request. The draft permit contains a series of permit conditions that address allowable hours of operation, additional permit requirements, cleaning of the lot, and nuisance criteria. The following are the conditions of approval:

1. The permit shall be valid for one day on December 16, 2018, from 5:00 p.m. to 7:00 p.m.;
2. The applicant shall comply with all Zoning Ordinance regulations regarding temporary and permanent structures and obtain all necessary Building and/or Fire Department permits;
3. The applicant shall comply with Fire Department directives and requirements;
4. The applicant shall obtain amplified music permit and shall comply with City section 9.10.040, noise and sound regulation;
5. No other structures shall be erected in conjunction with this Special Permit;
6. The applicant shall obtain temporary sign permits for all temporary signs advertising the event;
7. There shall be no "searchlight" beams, streamers, or roof-mounted balloons during the event;
8. The use shall be conducted in a manner that does not create a public or private nuisance;

9. This permit is subject to revocation by the Planning Division for violation of any of its conditions of approval; and
10. Upon conclusion of the event celebration, the parking lot shall be cleaned and returned to its prior condition.

The proposed temporary use, with limited duration, is not anticipated to adversely impact the aforementioned surrounding land uses in that the event will occur for one day and will be subject to conditions which mitigate any potential negative impact. Conditions of approval will require that the use be conducted in a manner that does not create a public or private nuisance. Additionally, this Special Permit is subject to revocation should problems arise.

### **ENVIRONMENTAL REVIEW**

The action being considered does not constitute a "project" under 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**

There is no cost to the City other than administrative staff time and expense.

### **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 a Special Permit to allow JW House, located at 3850 Homestead Road, to conduct a Remembrance Dinner Celebration on December 16, 2018, File No. PLN2018-13561, subject to conditions.

Reviewed by: Andrew Crabtree, Director of Community Development

Approved by: Deanna J. Santana, City Manager

### **ATTACHMENTS**

1. Planning Application
2. Site Plan