



CITY OF SUNNYVALE REPORT ZONING ADMINISTRATOR HEARING

April 11, 2012

File Number: 2012-7135

Permit Type: Use Permit

Location: 1055 Dunford Way (APN:313-10-004)

Applicant/Owner: Festival Theatre Ensemble/Santa Clara Unified School District

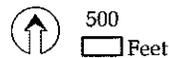
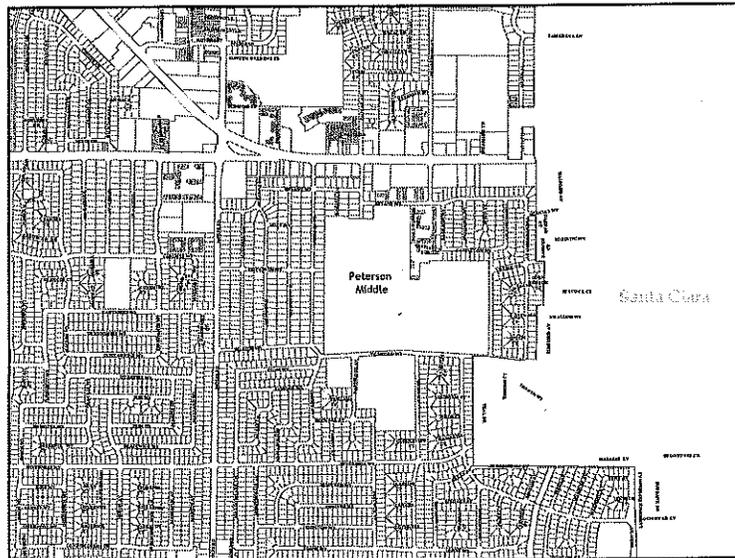
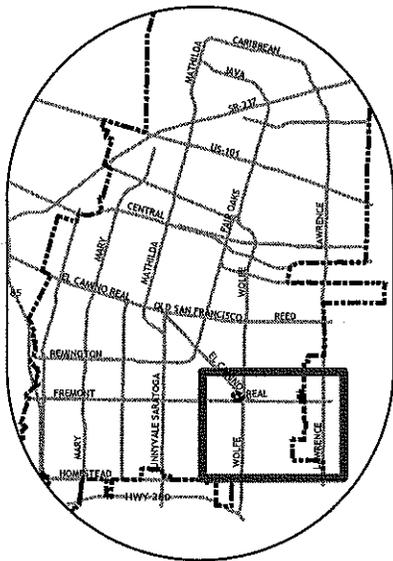
Staff Contact: Gerri Caruso, 408-730-7591, gcaruso@ci.sunnyvale.ca.us

Project Description: Use Permit to allow an annual three month theater festival at Full Circle Farm including temporary structures such as a stage and audience seating area within a P-F (Public Facility) Zoning District.

Environmental Review: Categorically Exempt Class 1

Issues: Neighborhood compatibility, hours of operation, noise and parking

Recommendation: Approve with Conditions



PROJECT DESCRIPTION

Previous Planning Projects related to Subject Application: 2007-0408 Use Permit: Full Circle Farm, an organic privately run educational farm was approved by the Planning Commission for the 11-acre Peterson Middle School site. (7/23/2007) 2011-7270 Temporary Unenclosed Use: Festival Theatre Ensemble, a one-time temporary permit for evening theater performances.	Yes
Neighborhood Preservation Complaints	No
Deviations from Standard Zoning Requirements	No

Use Description: The applicants are requesting a Use Permit to allow a three-month theater festival to occur annually at the Full Circle Farm site on Dunford Way. The Farm site is located on surplus school grounds owned by Santa Clara Unified School District.

In 2012, the applicants would use the site from May 1, 2012 through July 6, 2012. A site plan is located in Attachment B. The theater would be set up in the center of the farm near Dunford Way. The stage would face west. A seating area for approximately 250 people would be fenced in in front of the stage.

A detailed schedule is provided in Attachment C. The following is a brief version:

Dates	Activity
May 1- May 13	Set design/installation
May 14 – June 14	Rehearsals: 6 days a week from 6:30 – 10:00
June 2 – June 30	Performances: Thurs & Sun. 7:30-10:00 Fri. & Sat. 8:00 – 10-30
July 1 – July 6	Break down

The applicants also requested permission to hold a number of fund raisers for local organizations. In order to reduce impacts to the surrounding neighborhood, staff discouraged this and the applicants have agreed. However, the applicants would like to conduct one fund raiser for Full Circle Farm in appreciation for using the site. A date has not been determined but the event would consist of an hour and a half theatrical show called "Fight for the Farm – Stage Combat Show" on the stage. Staff considers this one brief fund raiser to be acceptable. The Farm organization would invite patrons to attend. The attendance would be limited to the seating of the theater performance area of

approximately 250 people. The parking management plan would be required to be in effect for the fund raiser. If held on a weekday, the fund raiser would be required to be completed by 9:00 p.m.

Expected Customers: The applicants expect approximately 200-250 people to attend each performance.

Parking: Approximately 250 parking spaces are provided on the Santa Clara Unified School District property. Thirty (30) additional parking spaces are available on the farm. As a condition of approval the applicant is required to prepare a parking management plan that would include web-site instructions with maps and signage to discourage parking in the surrounding neighborhood and at Raynor Park. The parking management plan would also include signage and theater personnel would also be present to help direct patrons to appropriate parking.

Public Contact: 113 notices were sent to surrounding property owners and residents within 300 feet of the school property in addition to standard noticing practice. No letters or comments were received prior preparation of this report.

Environmental Determination: A Categorical Exemption Class 1 (minor changes in use) relieves this project from CEQA provisions.

FINDINGS

In order to approve the Use Permit the following findings must be made:

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale.

Policy LT-2.2 Encourage nodes of interest and activity, such as parks, public open spaces, well planned development, mixed use projects and other desirable uses, locations and physical attractions.

Policy LT-4.1 Protect the integrity of the City's neighborhoods, whether residential, industrial or commercial.

LT-4.1a Limit the intrusion of incompatible uses and inappropriate development into city neighborhoods.

Staff was able to make the findings as the temporary use of the site design provides an interesting and desirable activity for the community with minimal impacts to the surrounding neighborhood.

2. The proposed use ensures that the general appearance of proposed structures, or the uses to be made of the property to which the

application refers, will not impair the orderly development of, or the existing uses being made of, adjacent properties.

Staff was able to make this finding. Based on the City's experience in 2011, the project is expected to have a temporary impact on surrounding properties with some audible sound from the amplified performance that is below the City's noise thresholds. There will likely be some minimal performance-related parking in the surrounding neighborhood, but a parking management plan is required as a condition of approval and ample parking is provided on the performance site. Performances are over by 10:00-10:30 each evening.

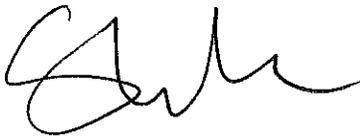
ALTERNATIVES:

1. Approve the Use Permit with recommended Conditions in Attachment A.
2. Approve the Use Permit with modifications.
3. Deny the Use Permit.

RECOMMENDATION

Alternative 1. Approve the Use Permit with recommended Conditions in Attachment A.

Reviewed by:



Shaunn Mendrin
Senior Planner

Prepared By: Gerri Caruso, Principal Planner

Attachments:

- A. Standard Requirements and Recommended Conditions of Approval
- B. Site Plans
- C. Detailed festival schedule and description of activities

**RECOMMENDED
CONDITIONS OF APPROVAL AND
STANDARD DEVELOPMENT REQUIREMENTS
April 11, 2012
2012-7135**

1055 Dunford Way
Use Permit for Annual Theater Festival from May to July

The following Conditions of Approval [COA] and Standard Development Requirements [SDR] apply to the project referenced above. The COAs are specific conditions applicable to the proposed project. The SDRs are items which are codified or adopted by resolution and have been included for ease of reference, they may not be appealed or changed. The COAs and SDRs are grouped under specific headings that relate to the timing of required compliance. Additional language within a condition may further define the timing of required compliance. Applicable mitigation measures are noted with "Mitigation Measure" and placed in the applicable phase of the project.

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, Permittee expressly accepts and agrees to comply with the following Conditions of Approval and Standard Development Requirements of this Permit:

GC: THE FOLLOWING GENERAL CONDITIONS OF APPROVAL AND STANDARD DEVELOPMENT REQUIREMENTS SHALL APPLY TO THE APPROVED PROJECT.

- GC-1. CONFORMANCE WITH APPROVED PLANNING APPLICATION:
All building permit drawings and subsequent construction and operation shall substantially conform to the approved planning application, including: drawings/plans, materials samples, building colors, and other items submitted as part of the approved application. Any proposed amendments to the approved plans or Conditions of Approval, including relocation of the festival location on the farm site, are subject to review and approval by the City. The Director of Community Development shall determine whether revisions are considered major or minor. Minor changes are subject to review and approval by the Director of Community Development. Major changes are subject to review at a public hearing. [COA] [PLANNING]

- GC-2. USE EXPIRATION:
The approved use Permit for the use shall expire if the use is discontinued for a period of one year or more. [SDR] (PLANNING)
- GC-3. PERMIT EXPIRATION:
The permit shall be null and void two years from the date of approval by the final review authority at a public hearing if the approval is not exercised, unless a written request for an extension is received prior to expiration date and is approved by the Director of Community Development. [SDR] (PLANNING)
- GC-4. ALL APPLICABLE CODES:
As applicable, comply with the Sunnyvale Municipal Code, California Fire Code and Title 19 California code of regulations. [SDR] (PLANNING)

PC: THE FOLLOWING CONDITIONS OF APPROVAL AND STANDARD DEVELOPMENT REQUIREMENTS SHALL BE SATISFIED ANNUALLY PRIOR TO THE COMMENCEMENT OF THE APPROVED USE.

- PC-1. DATES OF OPERATION:
A minimum of 60 days prior to occupancy of the site, theater organization shall submit a schedule of occupancy, construction, rehearsals and performances, not to exceed 5 weeks of performances and 10 weeks total each year between May and July. [COA] [PLANNING]
- PC-2. TRAFFIC/PARKING MANAGEMENT:
- a) Submit a parking management plan to the Planning Division for review and approval by the Director of Community Development a minimum of 30 days prior to commencement of performances. On-site parking management shall conform to the approved parking management plan. Plan may be adjusted by the City as problems arise or conditions change.
 - b) Maintain a minimum of 250 on-site parking spaces at the Santa Clara School District site and 30 spaces on the Full Circle Farm site.
 - c) No traffic/parking management signs shall be placed in roadways or on sidewalks. [COA] [PLANNING]
- PC-3. BUILDING INSPECTION:

Prior to commencement of rehearsals, arrange a courtesy building inspection to ensure life-safety and disabled access standards are met.

PC-3. CARNIVAL PERMIT:

Obtain a carnival/fair permit for review of facility design and organization and to assist with placement of fire extinguishers, fire department access and emergency exiting including review of activities utilizing tents/canopies and cooking/heating food.

AT: THE FOLLOWING CONDITIONS OF APPROVAL AND STANDARD DEVELOPMENT REQUIREMENTS SHALL BE COMPLIED WITH AT ALL TIMES THAT THE TEMPORARY SEASONAL THEATER FESTIVAL PERMITTED BY THIS PLANNING APPLICATION CONTINUES ANNUAL USE.

AT-1. PERFORMANCE HOURS:

- a) Thursdays and Sundays 7:30 p.m. -10:00 p.m.
- b) Fridays and Saturdays 8:00 p.m. -10:30 p.m. [COA] [PLANNING]

AT-2. AMPLIFIED SOUND:

- a) Amplified voices and theater sound effects are permitted not to exceed the City's adopted noise thresholds.
- b) Arrange for an evening sound check with City staff a minimum of two weeks prior to commencement of performances.
- c) A temporary generator may be used in conjunction with the rehearsals and performances. [COA] [PLANNING]

AT-3. EXTERIOR EQUIPMENT:

All unenclosed materials, equipment and/or supplies of any kind shall be maintained within approved enclosure area. [COA] [PLANNING]

AT-4. RECYCLING AND SOLID WASTE MANAGEMENT:

- a) Provide a minimum of two 95-gallon commercial garbage carts (service once per week).
- b) All recycling and solid waste containers shall be metal or State Fire Marshall listed non-metallic.
- c) In addition to the immediate vicinity, theater personnel are responsible for cleaning trash and debris from the event on

adjacent pathways, parking areas and streets including Dunford, Teal, Quail, Peacock and Oriole. [COA] [PUBLIC WORKS]

AT-5. EXTERIOR LIGHTING PLAN:

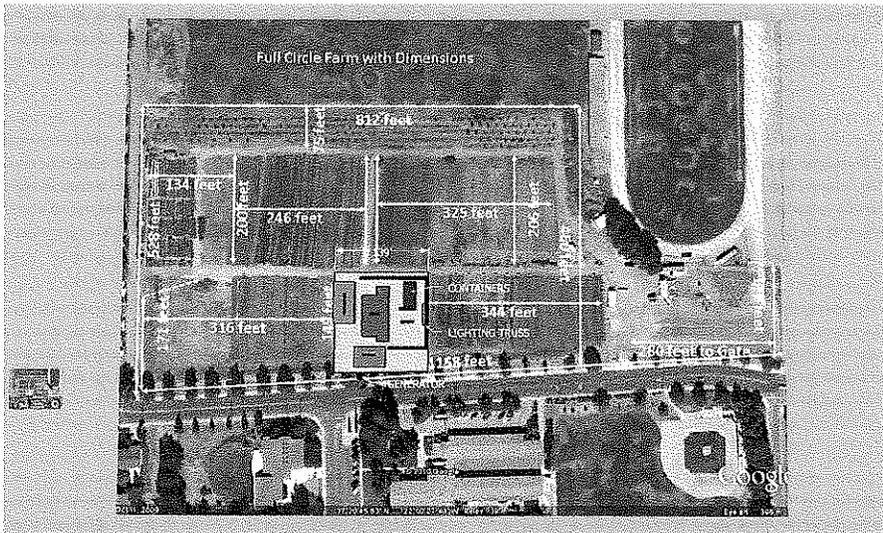
All theater lighting shall be designed and placed to prevent glare and illumination on adjacent properties. Submit a lighting plan to the Planning Division for review and approval by the Director of Community Development a minimum of 30 days before performances commence. Arrange for field verification with Planning Division staff after installation. [COA] [PLANNING]

SECTION 3: SITE MAP

Please complete all sections. Incomplete applications will not be processed.

Please provide a site plan/route map for your event. Attach additional sheets as necessary. The map should include:

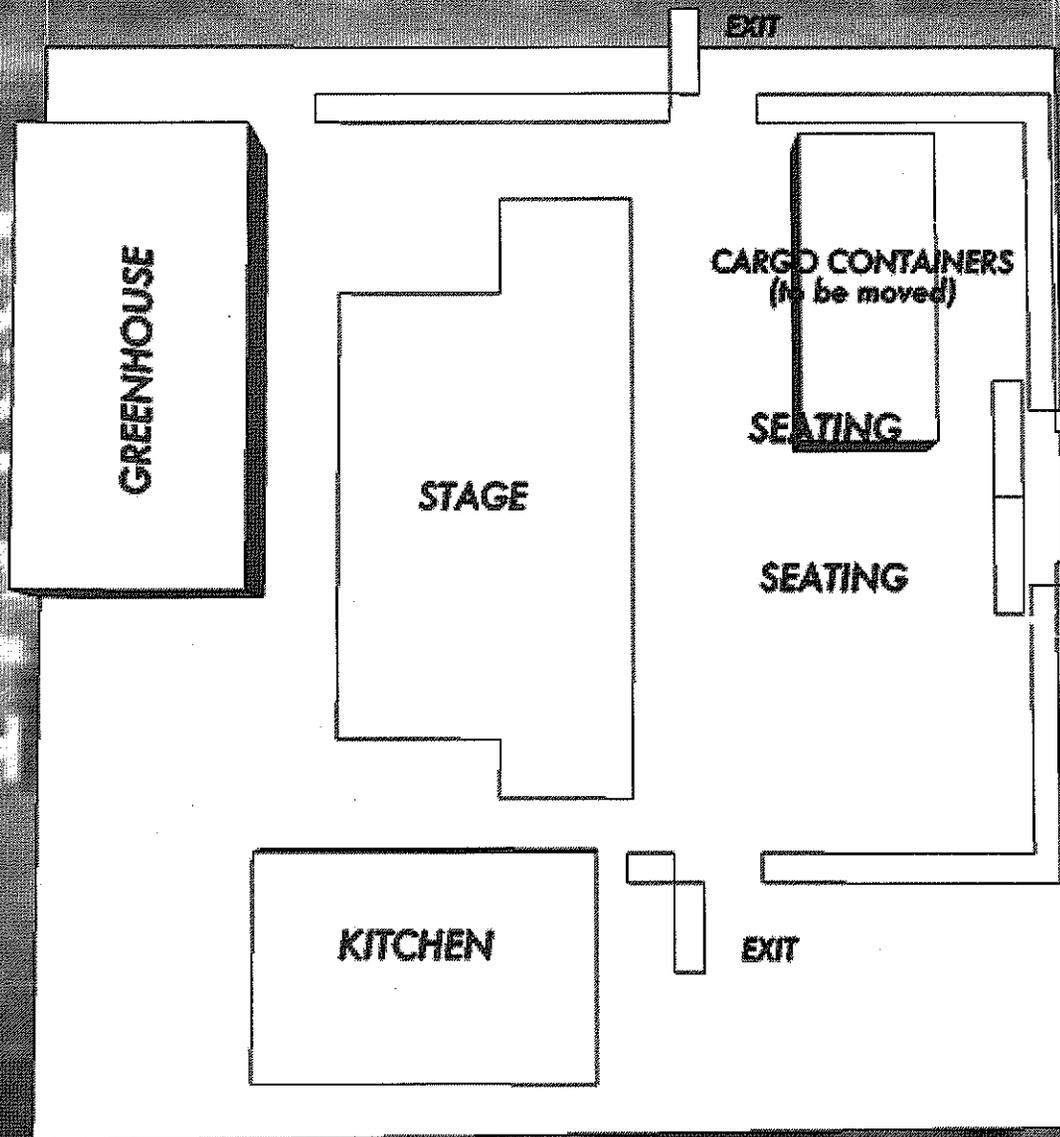
- An outline of the event site including the names of streets or areas that are part of the venue and the surrounding area. If the event involves a moving route of any kind (such as a parade), indicate the direction of travel, including the starting location and ending destination.
- Any street or lane closures and parking tow zones.
- The locations of fencing, barriers or barricades. Include any removable fencing for emergency access.
- The location of first-aid facilities.
- The location of all stages, platforms, booths, cooking areas, trash containers, tents/canopies, etc.
- Food booths and cooking area configuration, including all vendors cooking with flammable gases or barbecue grills.
- Generator locations and/or source of electricity.
- Placement of vehicles or trailers used for the event.
- Anticipated parking locations.
- Placement of promotional signs or banners.
- Placement of portable toilets/rest room facilities.
- Exit locations for outdoor events that have fences.
- Locations of all other event activities.



This map shows a photo of Full Circle Farm. The lavender square shows the location for the stage that we settled on last year in conjunction with Full Circle Farm / Sunnyvale Planning. Our entire footprint would be app. 80 feet x 100 feet. The brown object shows the size of our stage (app. 30 feet deep x 70 feet wide). The grey rectangle shows the truss for lighting.

1. The street in front of the farm is Dunford Way. There is no moving route for our event.
2. There would be no street or lane closures or parking tow zones.
3. The lavender square shows our footprint; we would have cyclone fencing in this area. The Farm itself is surrounded by fencing.
4. We use a small pop-up canopy as a base for our Site Manager and ushers. This is also our first aid station.
5. We offer coffee and hot water (for tea and hot chocolate) along with cookies in our pop-up canopy. We would have trash and recycling containers placed in this area.
6. We would have no cooking that involves gas or barbecue grills.
7. The generator can be placed anywhere up to 200 feet from the light truss (grey rectangle). We would decide on generator placement in conjunction with Farm personnel and Sunnyvale planning.
8. We would coordinate with Farm personnel for the trucks that will drop off our stage (in pieces) and then load it back up again. These trucks will only be on site for set up and tear down of the stage.
9. Santa Clara Unified has offered for us to use their 250-space parking lot for patrons and actors / technical crew. We also have app. 30 parking spaces in the gravel parking area inside the Farm fence. There is also on-street public parking on Dunford.
10. Any promotional signs or banners will be placed in conjunction with Farm / City personnel.
11. The porta-potties will be situated as directed by Farm personnel.

149 feet



1158 feet

GENERATOR

Festival Theatre Ensemble – Calendar for Mid-Pen Festival 2012 at Full Circle Farm (Attachment # 1)

Contact: Vicki Alexander at 408-507-6050 (see legend at bottom of page)

ATTACHMENT C
Page L of 2

May 2012

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1 Unload	2 Assemble	3 Assemble	4 Assemble	5 Assemble
6 Day	7 Day	8 Day	9 Day	10 Day	11 Day	12 Day
13	14 7:00	15 7:00	16 7:00	17 7:00	18 7:00	19 7:00
20	21 7:00	22 7:00	23 7:00	24 7:00	25 7:00	26 7:00
27	28 6:30	29 6:30	30 6:30	31 6:30		

June 2012

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1 6:30	2 8:00
3 7:30	4 6:30	5 6:30	6 6:30	7 6:30	8 8:00	9 8:00
10 7:30	11 6:00	12 6:00	13 6:00	14 6:00	15 8:00	16 8:00
17 7:30	18	19	20	21 7:30	22 8:00	23 8:00
24 7:30	25	26	27	28 7:30	29 8:00	30 8:00

July 2012

Sun	Mon	Tue	Wed	Thu 5	Fri	Sat
				Move Out		
1 Day	2 Tear Down	3 Tear Down	4	5 Move Out	6 Move Out	

Attachment # 1 (continued) Festival Theatre Ensemble – Calendar for 2012 Page 2 of 2
Festival 2012 at Full Circle Farm

Contact: Vicki Alexander at 408-507-6050

Black = actual performance dates; performances start at 8 p.m. and end by 10:00 or 10:30 p.m. Thursday and Sunday performances could start earlier (7:30?) and end earlier

Yellow = Up to 5 or 6 crew on site during the day for set up and tear down. The majority of the re-assembly is done during the first few days. (May 1 unloading trucks; July 5 (and possibly 6th) re-loading trucks).

Blue = Rehearsals in the evening from app. 7 p.m. to 9 or 9:30 p.m. No amplified sound

Green = Technical rehearsals in the evening from app. 6:30 p.m. to 10 p.m.

White (June 18, 19, 20, 25, 26, 27) – no rehearsals or performances; we would like to offer the stage to several community groups for evening fundraisers during these evenings. We will see if the Sunnyvale Chamber would like to have a Chamber mixer on stage (this has been successful in Los Gatos), we will see if a local opera company would like to use the stage for a fundraiser, and we would like to provide about an hour / hour-and-a-half program called "Fight for the Farm – Stage Combat Show" one evening to help raise funds for Full Circle Farm.

White (May 6, 13, 20, 27) = no presence (or minimal presence by Artistic or Technical Director)

Performances: 15, starting at 8 p.m. The six of these that are on Thursdays and Sundays could start at 7:30 and thus end earlier.

Rehearsals without amplification: 12 (May 14th through 26th), 6:30 arrival, 7 p.m. start

Tech Rehearsals with amplification: 13 (May 28 through June 14th), 6:00 arrival, 6:30 p.m. start time