

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA APPROVING A VARIANCE REQUEST FROM THE SIGN ORDINANCE FOR THE PROPERTY LOCATED AT 3131 HOMESTEAD ROAD, SANTA CLARA, CALIFORNIA

PLN2024-00343 (Variance)

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, on September 18, 2024, JJ Potasiewicz, on behalf of Equity Residential, (“Owner”) filed an application for a Variance to the Sign Ordinance (“Project”) to increase the maximum height, and area, and illumination type of three of the nine proposed signs for a low-rise apartment complex located at 3131 Homestead Road (“Project Site”);

WHEREAS, the Project Site is currently zoned Medium Residential (R-3) and has a General Plan land use designation of Medium Residential;

WHEREAS, the Project proposes an internally illuminated monument sign with an increased width of four feet and an increased area of 48 square feet where 40 square feet is permitted, a internally illuminated identification wall sign where external illumination is permitted, and an self-halo illuminated real estate wall sign with an increase area of seven and a half square feet where a none illuminated six square feet sign is permitted on the Project Site, and requires a Variance;

WHEREAS, the Owner has also filed an application for Architectural Review of the Signs along with the Variance;

WHEREAS, the Project is categorically exempt from the California Environmental Quality Act per Section 15311 – Accessory Structures (Class 11), which applies to construction, or replacement of minor structures accessory to existing commercial, industrial, or institutional facilities;

WHEREAS, on October 25, 2024, the notice of public hearing for the November 6, 2024 Planning Commission meeting was mailed to property owners within a 500 foot radius of the Project Site boundaries; and

WHEREAS, on November 6, 2024, the Planning Commission held a duly noticed public hearing to consider the Variance application and all pertinent information in the record, during which the Planning Commission invited and considered any and all verbal and written testimony and evidence offered in favor of and in opposition to the Project.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the Planning Commission hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.
2. That the Planning Commission hereby approves a Variance to increase maximum width, area, and illumination type of three of the nine signs as proposed as part of the Project for the Project Site subject to Conditions of Approval, attached hereto by this reference.
3. Pursuant to SCCC Code Section 18.124.010, the Planning Commission hereby makes the following findings related to the Variance request:
 - A. That there are unusual conditions applying to the land or building which do not apply generally in the same district, in that the Project Site consists of a single 12.47 acre parcel with 725 linear feet of street frontage and developed with 447 dwelling units spread between 19 two-story apartments and one four story low-rise, atypical of R-3 zoned properties, and requires site signage that is appropriate for the scale of development and size of the Project Site.
 - B. That granting of the Variance is necessary for the preservation and enjoyment of substantial property rights of the Property Owner, in that allowing an increase in width, area, and illumination of the entry monument sign and the other

two signs (identification and real estate) on the Project Site, as part of Project, would provide the appropriate scale for site identification and visibility by residence and visitors to the Project Site.

C. That the granting of such Variance shall not, under the circumstances of the particular case, materially affect adversely the health, safety, peace, comfort or general welfare of persons residing or working in the neighborhood on the applicant's property, and will not be determinantal to the public welfare or injurious to property or improvements in said neighborhood, in that the Project is created to set forth the size, location, material details and maximum area of the sign types to provide a cohesive design that is compatible in scale and complementary in design of the development.

D. That granting of the Variance is in keeping with the purpose and intent of the Zoning Ordinance, in that allowing an increase in width, area, and illumination of the entry monument sign and the other two signs (identification and real estate) for the Project Site as represented in the Project would provide site identification in a manner that is not detrimental to adjacent properties.

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4. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 6th DAY OF NOVEMBER, 2024, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAINED: COMMISSIONERS:

Attachments Incorporated by Reference:

1. Master Sign Program
2. Conditions of Variance and Architectural Approval

ATTEST:

REENA BRILLIOT
ACTING DIRECTOR OF COMMUNITY
DEVELOPMENT
CITY OF SANTA CLARA