

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, APPROVING A VARIANCE TO THE SIGN ORDINANCE TO ALLOW TWO WALL SIGNS ON ONE SIDE OF A BUILDING AT A HEIGHT OVER 35 FEET AND INCREASED SIGN AREA AT 3975 FREEDOM CIRCLE, SANTA CLARA (PLN2019-14129)**

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

**WHEREAS**, on September 24, 2019, Corporate Sign Systems, on behalf of the property owner, 3975 Freedom Circle LLC (“Property Owner”) filed a Planning Application (PLN2019-14129) requesting a Variance for the property located at 3975 Freedom Circle (APN: 104-40-034) (“Project Site”) in the City of Santa Clara;

**WHEREAS**, the Project Site is zoned Planned Development (PD);

**WHEREAS**, the General Plan land use designation for the Project Site is High Intensity Office/R&D;

**WHEREAS**, the Property Owner has submitted an application for a Variance to the City’s sign requirements in order to two wall signs, 297 and 265 square feet in size, on one side of a building at a height of over 35 feet where only one sign would typically be allowed and to increase the total sign area permitted;

**WHEREAS**, the Project is Categorically Exempt from formal environmental review per Section 15311(a), Class 11 “Accessory Structures,” of the Guidelines of the California Environmental Quality Act (“CEQA”), which exempts on-premise signs;

**WHEREAS**, on November 1, 2019, the notice of meeting date for this item was posted in three conspicuous locations within 300 feet of the Project Site and mailed to property owners within a 300 foot radius of the Project Site for the Planning Commission hearing on November 13, 2019; and,

**WHEREAS**, on November 13, 2019, the Planning Commission held a duly noticed public hearing to consider the Variance application, 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 proposed Variance.

**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 the Variance to the sign regulations to allow two wall signs on one side of a building at a height of over 35 feet where only one sign would typically be allowed and to increase the total sign area permitted, as depicted on the attached Development Plans and subject to the attached Conditions of Approval, all of which are incorporated herein by this reference.

3. That pursuant to SCCC Section 18.108.040, 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 property structure was built speculatively and does not provide equal signage to all tenants in terms of visibility and size. In addition, for the Great America Parkway frontage, the most prominent views to the structure are obscured by the parking garage, necessitating signage at higher elevations.

B. That the granting of the Variance is necessary for the preservation and enjoyment of substantial property rights of the Property Owner, in that all of the building tenants will have equal opportunity to adequately and visibly advertise their location in the building.

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 of the applicant's property, and will not be materially

detrimental to the public welfare or injurious to property or improvements in said neighborhood, in that the proposal would allow the development of as proposed, two new signs 297 square feet and 265 square feet in size on the western façade of the existing building. The western building façade is 265 feet in length, while the total street frontage on Great America Parkway for both towers and parking garage is approximately 986 feet. The building and overall site are substantial in size and the signs are in scale with the structure. By locating the signs on opposite sides of the façade, the visual impact is limited, and visual clutter is avoided.

D. That the granting of the variance is in keeping with the purpose and intent of the Zoning Ordinance, in that because of the unusual configuration of the building and parking garage, strict application of the sign regulations would cause unnecessary hardship..

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 \_\_\_ DAY OF \_\_\_\_\_, 2019, BY THE FOLLOWING VOTE:

AYES:	COMMISSIONERS:
NOES:	COMMISSIONERS:
ABSENT:	COMMISSIONERS:
ABSTAINED:	COMMISSIONERS:

ATTEST: \_\_\_\_\_  
ANDREW CRABTREE  
DIRECTOR OF COMMUNITY DEVELOPMENT  
CITY OF SANTA CLARA

Attachments Incorporated by Reference:  
1. Conditions of Approval  
2. Development Plans

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