



Agenda Report

21-1304

Agenda Date: 2/9/2021

REPORT TO COUNCIL

SUBJECT

Public Hearing: Action on the Comprehensive Sign Program for Parcels 4 and 5 for the Related Santa Clara Project

COUNCIL PILLAR

Promote and Enhance Economic, Housing and Transportation Development

BACKGROUND

The Related Santa Clara project (Project) is planned as a dynamic, mixed use, pedestrian friendly district located on an approximately 240-acre site north of Tasman Drive. As required by the Master Community Plan (MCP), the Project developer is now requesting approval of a Comprehensive Sign Program (CSP) for Parcels 4 and 5 (the first four phases of) the Project (Attachment #5).

On June 28, 2016, in addition to certifying the Project Environmental Impact Report (EIR) prepared for the Project, the City Council adopted the following entitlements:

- General Plan Text and Map Amendments, approved to reflect a new Urban Center/Entertainment designation and to amend the City's Climate Action Plan to address the new designation and establish respective minimum vehicle miles traveled (VMT) reduction requirements.
- Rezoning of the 240-acre Project site from Public/Quasi-Public (B) and Commercial Park (CP) to Planned Development - Master Community (PD-MC), and approval of an accompanying Master Community Plan (MCP) and conditions of approval as the implementing zoning documents for the Project.
- A Disposition and Development Agreement (DDA) between the City and Related Santa Clara, LLC, as the Master Developer. The DDA contains lease conveyance terms, including ground lease conveyances that may begin following approval of the first Development Area Plan (DAP) and each DAP thereafter. The schedule of performance for commencement and timing of construction are captured in the DDA.
- A Development Agreement between the City and Related Santa Clara, LLC, establishing the terms and obligations of development as well as the order and timing of these obligations.

In accordance with the procedures set forth in Appendix C of the MCP, Development Area Plans (DAP) were submitted and approved by the City Council for the first two phases of the Project. To date, the City Council approved Addendums to the previously-certified Project EIR and approved the

DAP for Phase I, addressing development in Parcel 5, on March 24, 2020 and the DAP for Phase II, addressing development in Parcel 4, on July 13, 2020.

Master Community Plan (MCP):

As noted above, the City Council adopted the MCP on June 28, 2016 (Attachment #3). The MCP was updated on April 5, 2017 as required by the conditions of approval to reflect the City's other final approvals. The MCP is intended to ensure a) that development within the planning area will be consistent with the General Plan; and b) that development of the planning area's private and public realms will be in accord with the MCP's vision and design intent. The MCP provides a comprehensive program to govern the use of land and provides for orderly development of the Project site. As such, it incorporates a conceptual development framework, and other development regulations in the form of standards and guidelines; it also identifies and coordinates necessary infrastructure improvements, addresses public and private financing for infrastructure improvements and describes development phasing. The Development Agreement that the City Council approved vests the MCP, which means that the terms, conditions, and requirements of the MCP cannot be changed without mutual agreement between the City and the Project developer. Under the terms of the Development Agreement, the City Council may only evaluate subsequent approvals such as the CSP for consistency with the MCP.

Section 7 of the MCP calls out the vision and sign typologies for project, tenant, and advertising/sponsorship signage within Related Santa Clara. MCP Section 7 also creates specific, limited exceptions to the City's general prohibition on adding new billboards or other forms of large-format off-site advertising. Specifically, the MCP authorizes the Project developer to install outdoor off-site advertising for advertising within the Project that faces inward into the Project site and large-format signs along Tasman Drive, facing toward Levi's Stadium, that may be used in part for off-site advertising.

The authorization for certain signage types granted by the MCP requires further refinement and implementing regulations. In particular, the MCP requires that specific design, placement, and numerical standards for signage be developed through subsequent Comprehensive Sign Programs (CSPs), including one CSP for Parcels 4 and 5 (portions of the project site west of Lafayette), which constitute the City Center and is the subject of this Council report and hearing, and subsequent CSPs for Parcels 1 and 2 (portions of the project site east of Lafayette).

The Planning Commission considered the proposed CSP for Parcels 4 and 5 at its November 18, 2020 meeting. The staff report to the Planning Commission (Attachment #1) discusses the types of signs included in the proposed CSP and its conformance to the MCP. The Discussion section below summarizes the Planning Commission consideration of the item at their November hearing.

DISCUSSION

After the staff presentation, Planning Commissioners Biagini, Cherukuru, Jain, and Chair Saleme asked clarifying questions and staff provided responses related to:

- the types and symbology used for wayfinding signs;
- the definition of off-site signage/digital billboards (which include messages for activities, services, or products that occur outside of the Project); and
- methods to ensure illumination of signs would conform to mitigation measures called out in the EIR.

Commissioner Jain also expressed an interest, based on his recollection of previous off-site sign proposals that came before the Planning Commission's consideration, to include a requirement for a percentage of the time on the project's large-format digital signs with off-site content be made available to program with Public Service Announcements (PSA).

The applicant then provided a presentation displaying examples that exemplified signs that could be achieved through the CSP. In the presentation, the applicant also addressed a question received in advance of the hearing from Commissioner Jain, regarding concerns of potential bird strike from digital signs. The applicant explained that LED digital signs have a built in baffle at the top to prevent sun from hitting the signage and that prevents the light from the sign going upwards into the sky, thereby providing protection to reduce the potential for birds flying into the signage.

Planning Commissioners Cherukuru, Biagini, Jain, Ikezi, and Chair Saleme made various requests, including:

- the use of universal symbology for wayfinding signs;
- public art that includes local artists that connects to the identity of the City of Santa Clara; and
- time on the programmable signs for public service announcements.

The applicant responded that they would consider prior to the City Council hearing how to address the questions on wayfinding, and that the CSP will govern signage and not art, but that the Project would include significant art installations and programming that would utilize and promote local artists.

Commissioner Jain also had a clarifying question on what was depicted as Digital Art/Landmark along Avenue C on Exhibit 03d of the CSP. The applicant explained that that was proposed as a digital mesh screen of parking structures that would be art, and not signage, to provide a point of arrival for those arriving to the Project by car.

The Planning Commission unanimously approved a motion (7-0-0) made by Commissioner Jain, which was seconded by Commissioner Ikezi, to adopt a resolution to recommend the City Council adopt the CSP for Parcels 4 and 5, with an additional recommendation that Council consider requiring up to 10% per hour of screen time of the large format signs on Tasman to play Public Service Announcements from the City or nonprofits within the City. Commissioner Cherukuru moved to include a friendly amendment, which was accepted and included in the motion, for the applicant to work with staff for the CSP to include wayfinding signs with universal symbols and information in up to three languages, and to incorporate solar power and biophilic design elements.

Following the Planning Commission meeting, the applicant has addressed requests made by the Planning Commission and outlined those changes in a Memorandum dated December 23, 2020 (Attachment #4) and updated the draft CSP (Attachment #5) as described in the December 23, 2020 Memorandum.

Regarding the request to require time be made available for Public Service Announcements, the City has previously required time allocated for Public Service Announcements under the City's 2011 Billboard relocation policy. Under that policy, billboard relocation agreements allow for new digital billboards to be sited in exchange for the removal of existing billboards; however, the context for the

CSP is different. First, as part of the MCP approval in 2016, the City Council already approved the digital large format signs along Tasman Drive under discussion in the proposed CSP, and the developer's rights to those signs is vested. Second, while the digital signs on Tasman are allowed to contain off-site advertising, they will very likely also include a substantial component of advertising for on-site uses, businesses and events. These signs are thus different than those addressed in the billboard relocation agreements, since all advertising on such billboards is inherently of an off-site nature. The Billboard Relocation policy is not applicable or directly comparable to the new off-site digital billboards.

However, after hearing the Planning Commission's recommendation for PSAs, the applicant worked with City Staff to address the Commission's recommendation, and the draft CSP has now been updated accordingly. Specifically, pages 10 and 24 of the CSP now provide that the Tasman-oriented large format sign faces will, in the aggregate, provide the opportunity for up to 10% Public Service Announcement use, free of charge to the City, of one full face of copy exposure based on daily use (e.g. 36.5 days per year), and at least 50% of such Public Service Announcement use shall occur during the hours of 6:00 a.m. and 9:00 p.m. daily. The PSAs would be coordinated and provided to the applicant through the City Manager's Office in accordance with a policy concerning PSAs for broader applicability that the City staff intends to bring forward for Council consideration/adoption later this year, and scheduled and coordinated through an agreement to be agreed upon by the City Manager and the applicable ground lessee.

Regarding the Planning Commission's recommendation to address universal symbology, accessibility of wayfinding signs and the incorporation of biophilic design within the wayfinding system, the CSP has been updated on page 19 to change the heading of Section 3.5 to "Directional/Wayfinding Standards and Typology" and add as a new Subsection 3.5.1 (Overall Standards for Wayfinding Signs). New standards for wayfinding signs were added so that the Project's wayfinding system follows national and state accessibility standards to provide ease-of-use to all visitors across multiple languages through the use of internationally recognized symbols. Digital screen content programmability will also allow for multiple languages to be linked to wayfinding digital display maps by touch and by voice. In addition, a requirement was added so that the majority of static and digital wayfinding components be located within the public realm and integrated into the public realm landscape environment, using biophilic design principles, as appropriate.

Regarding the Planning Commission's recommendation to incorporate solar power in the design guidelines, Paragraph 5 of CSP Section 2.3 requires illuminated signs to incorporate energy-efficient fixtures to the greatest extent possible, including deriving energy from solar power where practicable.

ENVIRONMENTAL REVIEW

The EIR certified for the Project on July 28, 2016 (PLN2014 10554/ CEQ 2014 01180/ SCH 2014072078) analyzed the impacts associated with the implementation of the Master Community Plan, including signage, and thus the EIR addresses any impacts associated with the Comprehensive Signage Program (Attachment #3). Light and glare from signage was considered a significant impact under the category of Aesthetics in the EIR (Impact AES-2) because the Project would add exterior lighting to the project site, where there currently is little or no lighting. With mitigation measure AES-2.1 (installation of low-profile, low-intensity lighting directed downward to minimize light and glare), the impact was reduced to less than significant. The CSP implements the

MCP and was sufficiently analyzed through the EIR.

FISCAL IMPACT

There is no fiscal impact to the City for processing the requested application other than administrative staff time and expense.

As was previously considered by the Council in the decisions to offer development of the project site and subsequent approval of the initial land use entitlements, it was noted there will be social and economic benefits that will accrue to the City and region in terms of new retail and entertainment opportunities not readily found in the South Bay area, as well as creation of jobs, property tax and sales tax revenues, and land lease revenues. Development of the Project will provide substantial land lease revenues to the City. Development fees and other exactions paid for and provided by the Project will also benefit the City.

COORDINATION

The report was coordinated with the City Attorney's Office and City Manager's Office.

PUBLIC CONTACT

A notice of this hearing was mailed to properties within 1,000 feet and posted in three conspicuous locations within 300 feet of the project. 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>>.

ALTERNATIVES

1. Adopt a resolution approving the Comprehensive Signage Program for Parcels 4 & 5.
2. Adopt a resolution approving the Comprehensive Signage Program for Parcels 4 & 5 with minor modifications.
3. Any other alternative as directed by Council.

RECOMMENDATION

Alternative 1: Adopt a resolution approving the Comprehensive Signage Program for Parcels 4 & 5.

Reviewed by: Andrew Crabtree, Director of Community Development

Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. November 18, 2020 Planning Commission Report
2. Web Link Slip Sheet - 5155 Stars and Stripes Drive City Place FEIR and MMRP
3. Web Link Slip Sheet - Master Community Plan (MCP) Volume I
4. December 23, 2020 Memorandum from Related Santa Clara addressing Planning Commission recommendation
5. Draft Comprehensive Sign Program for Parcels 4 and 5
6. Resolution to approve Comprehensive Sign Program for Parcels 4 and 5