

RESOLUTION NO. 6962

OF THE PLANNING COMMISSION OF THE CITY OF CUPERTINO DENYING A SIGN EXCEPTION ON TWO SEPARATE STORAGE FACILITY BUILDINGS LOCATED AT 20565 VALLEY GREEN DR.

SECTION I: PROJECT DESCRIPTION

Application No.: EXC-2022-003
Applicant: David Ford (All Sign Services)
Location: 20565 Valley Green Dr.; APN: 326-10-044

SECTION II: FINDINGS FOR DENIAL:

WHEREAS, the Planning Commission of the City of Cupertino received an application for a Sign Exception (EXC-2022-003) to allow three (3) wall signs where two (2) are permitted and to further allow two (2) freeway-oriented signs on two separate buildings; and

WHEREAS, the necessary public notices have been given as required by the Procedural Ordinance of the City of Cupertino, and the Planning Commission has held at least one public hearing in regard to the application; and

WHEREAS, the Planning Commission is the approval authority for this project and is granted the authority by the Municipal Code to exercise its independent judgment, based on the record before it, for purposes of the California Environmental Quality Act; and

NOW, THEREFORE, BE IT RESOLVED:

That after careful consideration of maps, facts, exhibits, testimony and other evidence submitted in this matter, the Planning Commission of the City of Cupertino:

1. Denies the Sign Permit (EXC-2022-003) because the following findings pursuant to CMC 19.104 cannot be made:
 - A. That the literal enforcement of the provisions of this title will result in restrictions inconsistent with the spirit and intent of this title;
Although CMC 19.104 Signs in some circumstances allows multiple wall signs, and has adopted standards for freeway-oriented signage, allowing the latter in this specific location, whether illuminated and non-illuminated, would be contrary to the intent and purpose of the adopted regulations. These regulations are adopted with the intent of providing architectural and aesthetic harmony of signs as they relate to building design and surrounding landscaping, as well as regulations of sign dimensions and quantity which will allow for good visibility for the public and the needs of the business while

providing for the safety of the public by minimizing distraction to the motorist and pedestrian. The proposed freeway facing signs, whether illuminated or not, serve only as advertising rather than wayfinding/business identification and, if illuminated, would be a distraction to freeway motorists.

- B. That the granting of the exception will not result in a condition which is materially detrimental to the public health, safety, or welfare; and

The location of Signs Two and Three along the north elevations of Buildings One and Two could result in a situation that is materially detrimental to the public health, safety, or welfare to the community by potentially precluding the City from designating this portion of I-280 as a scenic freeway, while also causing conflict with the Bird-Safe development requirements of CMC 19.102 Glass and Lighting Standards.

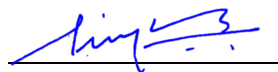
- C. That the exception to be granted is one that will require the least modification of the prescribed regulations and the minimum variance that will accomplish the purpose.

As the application requests are above the number of allowed freeway-oriented signs, the exception would require a greater modification and variance to CMC 19.104 Signs than would typically be supported.

PASSED AND ADOPTED this 11th day of October 2022, at a regular Meeting of the Planning Commission Committee of the City of Cupertino, State of California, by the following roll call vote:

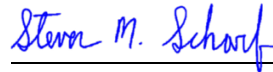
AYES: COMMISSIONERS:	Scharf, Madhhipatla, Kapil, Saxena, Wang
NOES: COMMISSIONERS:	None
ABSTAIN: COMMISSIONERS:	None
ABSENT: COMMISSIONERS:	None

ATTEST:



Piu Ghosh
Planning Manager

APPROVED:



Steven Scharf
Chair, Planning Commission