



City of Sunnyvale

Agenda Item-No Attachments (PDF)

File #: 15-1001, Version: 1

REPORT TO THE ZONING ADMINISTRATOR

File #: 2015-7701

Location: 1173 Borregas Avenue (APN: 110-35-017)

Applicant / Owner: Kate Keading Associates (applicant) / Moffett Place, LLC (owner)

Proposed Project:

VARIANCE to allow a ground sign to extend five (5) feet into the required extended driveway vision triangle.

Reason for Permit: A Variance is required to allow encroachment into the required vision triangle as it is a deviation from the Sunnyvale Municipal Code.

Project Planner: Amber El-Hajj, (408) 730-2723, ael-hajj@sunnyvale.ca.gov

Issues: Safety and visibility.

Recommendation: Approve with conditions

PROJECT DESCRIPTION

	Existing	Proposed
General Plan:	Moffett Park Specific Plan	Same
Zoning District:	MP-TOD (Moffett Park - Transit Oriented Development)	Same
Ground Sign Setback:	n/a	6 feet from property line

Previous Planning Projects related to Subject Application: 2012-7854 Major Moffett Park Design Review for 1.77 million s.f. office campus (currently under construction)	Yes
Neighborhood Preservation Complaint	No
Deviations from Standard Zoning Requirements: The applicant is requesting a variance from Sunnyvale Municipal Code (SMC) Section 19.34.060 requiring an extended driveway vision triangle at this location. A ground sign would not typically be allowed within this space.	Yes

Background: In December 2012, the Moffett Place development project (2012-7854) was approved by the City Council. The project included a General Plan Amendment, Rezoning, a Major Moffett Park Design Review and an Environmental Impact Report to allow the development of six office buildings, three parking structures and an amenities building totaling 1.77 million square feet. Building permits

were issued for the project in 2013, and the project is currently under construction.

In October 2014, the Moffett Place Master Sign Program was approved. The master sign program included multiple ground signs proposed along the perimeter of the project site.

Vision Triangle: Keeping vision triangles free of obstruction promotes safety by providing drivers a better view of pedestrians and vehicular traffic while exiting a driveway. SMC 19.34.060 requires an extended driveway vision triangle for project sites with over 100 parking spaces.

The subject ground sign was approved outside of the required vision triangle in the Master Sign Program; however, it was discovered recently that a public utility line runs underground in the location where the ground sign was previously approved. Therefore, the Department of Public Works recommended that the applicants relocate the sign away from the utility line and made the assessment that moving this ground sign five feet into the required vision triangle would not be a safety hazard to pedestrians or other drivers at this specific driveway location.

Applicant's Justifications: The applicant has provided justification to support the Variance request (see Attachment 4). The following is the summary of their justification:

- With the proposed monument location, a driver of an average sized vehicle (as shown on sheet 2 of the project plans) still completely passes the sign before the front of the vehicle enters the pedestrian path, as the vehicle exits.
- A driver can still see 30 feet of the pedestrian path to the right as the vehicle approaches the intersection with Borregas, as shown in the project plans.
- The signage Master Plan was designed with the intent that each building would receive a similar ground sign; however, to design around the utility line and vision triangle would result in a reduced (or eliminated) ground sign in this location.

Neighborhood Impacts / Compatibility

The Department of Public Works has determined that allowing this ground sign within the extended driveway vision triangle will not be a safety concern to pedestrians or other motorists based on the existing road conditions in this location and the distance the sign will be from the street (there is a sidewalk located in between the street and subject site).

Public Contact: 15 notices were sent to surrounding property owners and residents within 300 feet of the subject site in addition to standard noticing practices, including advertisement in the Sunnyvale Sun Newspaper and on-site posting. Notification was also sent to the Morse Park Neighborhood Association. No letters or calls were received from the public by staff.

Environmental Determination: This sign project is not considered a project under CEQA.

FINDINGS

In order to approve the Variance the following findings must be made:

1. Because of exceptional or extraordinary circumstances or conditions applicable to the property, or use, including size, shape, topography, location or surroundings, the strict application of the ordinance is found to deprive the property owner of privileges enjoyed by other properties in the vicinity and within the same zoning district. **(Finding Made)**

Due to the location of the public utility line adjacent to the driveway an unusual circumstance is created when the boundaries of the extended driveway vision triangle are created. Trying to build the sign outside of the utility area and vision triangle would require a significantly reduced sign because of the space constraints the triangle, utility easement and adjacent parking lot would create. If the sign was built within those constraints it would be smaller than other ground signs proposed on adjacent properties or that could be allowed within the zoning district.

2. The granting of the Variance will not be materially detrimental to the public welfare or injurious to the property, improvements or uses within the immediate vicinity and within the same zoning district. **(Finding Made)**

Staff has determined, based on site visits and diagrams, that locating the ground sign partially into the vision triangle will not create an unsafe environment for pedestrians or other motorists due to the existing street configuration at that that is around that driveway and the presence of wide sidewalks beyond the property line.

3. Upon granting of the Variance, the intent and purpose of the ordinance will still be served and the recipient of the Variance will not be granted special privileges not enjoyed by other surrounding property owners within the same zoning district. **(Finding Made)**

This sign has a special and unique circumstance due to the utility easement. Location of this individual ground sign in the vision triangle would not set a precedent for other ground signs on the site since they would not all be located next to utility easements. Allowing the tenant to have a ground sign is giving the same allowances as other surrounding property owners within the same zoning district.

ALTERNATIVES

1. Approve the Variance with recommended Conditions in Attachment 2.
2. Approve the Variance with modifications.
3. Deny the Variance.

RECOMMENDATION

Alternative 1. Approve the Variance with recommended Conditions in Attachment 2.

Prepared by: Amber El-Hajj, Senior Planner

Approved by: Gerri Caruso, Principal Planner

ATTACHMENTS

1. Vicinity and Noticing Maps
2. Recommended Conditions of Approval
3. Site and Architectural Plans
4. Applicant's Variance Justification