

MINUTES

TURLOCK CITY PLANNING COMMISSION
THURSDAY, MARCH 7, 2013
7:00 PM

YOSEMITE COMMUNITY ROOM
TURLOCK CITY HALL, 156 SOUTH BROADWAY

COMMISSIONERS PRESENT: Salcedo, Hillberg, Bean, Fregosi, Dias

ALTERNATE COMMISSIONERS PRESENT: Pedroza, Williams

COMMISSIONERS ABSENT: Brem, Hackler

STAFF PRESENT: Debra Whitmore, Deputy Director of Development Services; Katie Melson, Associate Planner; Adrienne Werner, Planning Technician; Dorinda Soiseth, Staff Services Technician

A. CALL TO ORDER The meeting was called to order at 7:00 p.m.

B. APPROVAL OF MINUTES

Vice Chair Fregosi noted the green sheet amending the minutes, and asked for corrections or a motion to approve the minutes of the regular February 7, 2013 Planning Commission meeting. Motion and second (Pedroza/Hillberg) to approve the minutes as submitted. Carried unanimously with Commissioners Brem and Hackler absent, and Commissioner Williams abstaining.

Vice Chair Fregosi asked for corrections or a motion to approve the minutes of the February 7, 2013 Special Planning Commission meeting. Motion and second (Hillberg/Pedroza) to approve the minutes as submitted. Carried unanimously with Commissioners Brem and Hackler absent, and Commissioner Williams abstaining.

C. ANNOUNCEMENTS

Debbie Whitmore noted the Sign Workshop materials that had been provided to the Commission.

D. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS

There were none.

E. PUBLIC PARTICIPATION

None

F. CONSENT CALENDAR

None

G. PUBLIC HEARINGS

CONSENT ITEMS*:

* None

NONCONSENT ITEMS:

1. **CONDITIONAL USE PERMIT 2013-01 (DAYS INN MULTI-TENANT SIGN)** To authorize the removal of the existing freeway sign to be replaced with a new 85' tall 38' wide multi-tenant freeway sign, and the removal and replacement of the cabinet of the Days Inn pole sign. The project is located at 185 N. Tully Road and 1601 W. Main Street, more particularly described as Stanislaus County Assessor's Parcel Nos. 089-015-007 and 089-015-006 respectively.

Katie Melson presented the staff report and provided information on City sign standards including the prohibition of off-premises signs; standards for freeway signs; sign design guidelines; and sign height limits in the Community Commercial zoning district. She outlined the issues related to non-conforming signs and noted that any deviation from the standards would require a conditional use permit. She provided a comparison of this request to existing freeway signs in Turlock.

Katie noted that the Days Inn sign located on West Main Street is considered an off-premises sign as it is not located on the hotel property. She said the applicant is requesting improvements to this sign that may require a building permit, but these improvements cannot be authorized without written permission from that property owner. Attempts to contact this property owner have been unsuccessful so far. Staff has suggested that a three foot tall monument sign replace the existing pole sign, but this would also require the signature of the property owner.

Katie provided details on the requested freeway sign and the alternative design recommended by staff. She said that the proposed design and features of the sign comply with City standards; it is the size of the sign that is the issue. The staff recommendation is to allow approximately 1,000 square feet of sign area, a minimum of six tenant panels, a maximum of 100 square feet per tenant, and a maximum sign width of twenty feet. Staff is requesting the Planning Commission provide the applicant direction for a re-design of their sign.

The Commission discussed the size of the Countryside Plaza sign in relation to the proposed freeway sign.

Reed Onate, representing NUCP Turlock LLC, owners of 1300 W. Main Street, said that they had approached the owners of Days Inn about utilizing the freeway sign to help attract tenants to their center. He compared the proposed freeway sign to existing freeway signs near Turlock shopping centers. Mr. Onate said their preference would be 1,774 square feet of signage with panels for six tenants, which is comparable to the Countryside Plaza sign. He asked that the process for the freeway sign not be delayed because of problems with the West Main sign. Debbie Whitmore advised that the freeway sign would be processed separately.

James Woo, representing both Days Inn and Comfort Inn, said he agrees that the West Main Street sign needs to be improved, but he has not been able to get approval from property owner where this sign is located.

PUBLIC HEARING:

Vice Chair Fregosi opened the public hearing.

Carl Camp, a resident in the area of the freeway sign, spoke against this project. He was concerned that the proposed freeway sign would become a sounding board for the existing traffic noise, making the noise louder. He requested that a sound wall be installed along the freeway, and asked that the proposed sign be denied until a sound wall was constructed. He asked for the City's help to work

with CalTrans to get a sound wall built.

Hearing no additional comments, Vice Chair Fregosi closed the public hearing.

Commissioner Salcedo asked if a sign this size could affect the traffic noise in the area. Debbie Whitmore responded that this question would require research by an acoustic expert, and that since the traffic noise is an existing condition it is not something that a new project would be expected to correct or mitigate. She said that a sound study is not typically required for this type of project.

Commissioner Dias stated that he would like to see consistency in the City while driving down Highway 99 in relation to sign size, and said he favors six panels total; two 12-foot and four nine-foot.

Commissioner Bean said she agrees with the alternative proposed by staff of 1,000 square feet of total sign area to accommodate six tenants, with a maximum width of 20 feet.

Commissioners Fregosi and Hillberg also prefer the staff recommendation for this freeway sign.

Commissioner Pedroza said he would prefer to have consistency with freeway signs, and expressed concern that the proposed freeway sign could have vacant tenant spaces.

Commissioner Salcedo said he would support 1,200 square feet of sign area as this size is comparable with the approved freeway sign at Countryside Plaza.

Reed Oate said their preference would be for 1,200 square feet of sign area to accommodate up to 6 six panels, and addressed Mr. Camp's comments about noise.

The Commission asked staff to return with two freeway sign alternatives of 1,000 to 1,200 square feet of sign area and six panels configured in a way to give prominence to the hotels with a maximum of 100 square feet per sign face, and a maximum width of 20 – 25 feet, similar to the Monte Vista Crossings sign.

MOTION: Commissioner Dias moved, Commissioner Pedroza seconded, that the Planning Commission continue the public hearing for Conditional Use Permit 2013-01 (Days Inn Multi-Tenant Freeway Sign and the West Main Sign) to April 4, 2013 and direct staff to work with the applicant to revise the proposal consistent with the Planning Commission direction.

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|---------------------------|---|
| AYES: | Salcedo, Hillberg, Bean, Fregosi, Dias and Williams |
| NOES: | None |
| ABSTAIN: | None |
| ABSENT: | Brem, Hackler |
| NOT PARTICIPATING: | None |
| NON-VOTING: | None |

Katie noted that if the improvements to the West Main Street sign can be classified in the re-face category, a permit can be issued at staff level. She advised that consultation with the City Attorney would be needed to determine if a property owner signature would be required in this case. If the scope of the improvements is structural in nature, any work done will need property owner permission. A three foot tall monument sign would also require the property owner's signature.

Commissioner Pedroza stated that he is sympathetic with the concerns expressed by Mr. Camp. Debbie Whitmore said that she will follow up with the Engineering Division about the feasibility of constructing a sound wall.

H. OTHER MATTERS

1. WORKSHOP ON POTENTIAL AMENDMENTS TO TITLE 9 OF THE TURLOCK MUNICIPAL CODE (ZONING ORDINANCE) TO ADDRESS SIGN DESIGN

Debbie Whitmore provided information on temporary and promotional signs; animated and off-premises signs; sign allowances for car sales lots and the related standards for each. She said specific enforcement issues include feather signs, human signs, vehicle mounted signs, snipe signs, balloons, awning signs and banners. She reported how other cities are regulating "sign spinners" and temporary banners, and also reviewed the recently revised Rancho Cucamonga sign ordinance.

Debbie noted that this workshop will be continued to April 4, and asked the Commission to review the material provided prior to the next meeting.

Carl Camp commented about business owner liability in the event of an accident as a result of a sign spinner, and about limiting the location of sign spinners closer to the area of the business they are advertising.

Jim Reape asked for a legal opinion related to the City's liability for accidents related to sign spinners. Debbie Whitmore advised that if "sign spinning" were allowed, the City Attorney would probably require insurance and indemnification to address the City's potential liability.

Commissioner Fregosi stated that the City has ordinances in place that are not being enforced and asked what would keep the City from being sued by a parent of a minor employed as a sign spinner in the event of an accident. She requested that staff respond to this issue at the next Planning Commission meeting.

Commissioner Hillberg asked if sign code enforcement could be tied to the property owner. Debbie Whitmore advised that the property owner is always contacted in an enforcement situation.

I. COMMISSIONER'S CONSIDERATION

None

J. STANISLAUS COUNTY PLANNING REFERRAL ITEMS

None

K. COMMISSIONER'S COMMENTS

Commissioner Dias commented on the status of the Mi Pueblo project.

Commissioner Pedroza commented on the size of the Avena Bella project in relation to the development on the adjacent properties.

Commissioner Fregosi commented about the status of a building located on West Main Street which was recently destroyed by fire.

L. STAFF UPDATES

Debbie Whitmore updated the Commission on the following items:

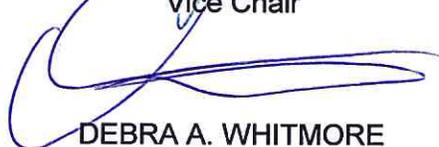
- The starting time for City Council meetings has been changed to 6:00PM, effective April 1st. The Commissioners asked about changing the start time of their meetings to 6:00PM, and requested this issue be placed on the April 4 agenda for discussion and action.
- The Highway 165 Project Study Report has been approved and will be presented at the next City Council meeting.
- The Central Valley Regional Rail Committee discussed the possibility of extending commuter rail service into Stanislaus County – to Modesto by 2015 and to Turlock/Merced by 2022. This is the first time that short-term dates have been mentioned for the commuter service.

M. ADJOURNMENT: Having no further business Vice Chair Fregosi adjourned the meeting at 9:14PM.

Respectfully Submitted,



SORAYA FREGOSI
Vice Chair



DEBRA A. WHITMORE
Deputy Director of Development Services,
Secretary of the Turlock Planning Commission