

A. CALL TO ORDER – Chairman Pedroza called the meeting to order at 6:03 p.m.

PRESENT: Commissioners Jeanine Bean, Elvis Dias, Nick Hackler, Soraya Fregosi
Eric Gonsalves, and Chairman Pedroza

ABSENT: None

B. APPROVAL OF MINUTES:

1. Accepting minutes of regular Planning Commission meeting of May 19, 2016.

Motion by Commissioner Fregosi, seconded by Commissioner Bean, to accept the minutes as submitted. Motion carried with Commissioners Hackler, Dias, and Powers unable to vote.

C. ANNOUNCEMENTS:

Deputy Director of Development Services/Planning Manager Debbie Whitmore announced the upcoming joint City Council/Planning Commission Workshop on the Downtown Parking Study on Tuesday, June 28, 2016 at 5:00 p.m. in the Yosemite Conference Room. Ms. Whitmore also introduced the new assistant planner, Scott Quyle.

D. 1. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS

DISCLOSURE OF EX PARTE COMMUNICATIONS

Commissioner Gonsalves declared a conflict of interest for item G.1 CUP 2016-05 Hauck's Grill Sign as he is the applicant and property manager.

Commissioner Pedroza stated he had a discussion about size of sign with some friends but not in detail.

E. PUBLIC PARTICIPATION

Milt Trieweiler expressed the importance of the position of a Planning Commissioners and the City's future is in their hands.

F. CONSENT CALENDAR

None

**G. PUBLIC HEARINGS
*CONSENT ITEMS**

NONCONSENT ITEMS

To avoid the appearance of a conflict of interest, Commissioner Gonzales steps down at 6:09 p.m.

1. CONDITIONAL USE PERMIT NO. 2016-05 HAUCK'S GRILL SIGN – 142 W. MAIN STREET (BROWNSTONE EQUITIES): Deputy Director of Development

Services/Planning Manager Debbie Whitmore explained that the applicant is requesting the approval of a variance to the master sign program for the Hauck's Grill consisting of one projecting blade sign and one wall sign. The proposed blade sign is an exposed neon cabinet. This source of illumination is not allowed in the design guidelines and the applicant is seeking several deviations, including total signage area, from the standards established in the Turlock Municipal Code.

Scott Elia stated he designed the logo and sign for Hauk's Grill. They are not pursuing the wall sign anymore and will revisit it at another time. For now, they are only concerned with the blade sign. His interest was in preserving the history of Turlock with the sign showing a retro modern design. They had City Signs put a mock six (6) foot sign on the building but felt it was too small so they increased to seven (7) foot sign. With the one (1) foot difference they felt it married the building much better. There was no space on the overhang to put signage on.

Public Hearing:

Michael Puffer expressed concern that the City continues to allow exceptions to its sign ordinance and had expressed this concern when the conditional use permit for Dust Bowl was approved. He asked what the point was of having a sign ordinance if the City was going to continue to allow exceptions to it on a case-by-case basis and asked the Planning Commission to carefully consider its action on the request.

Gil urged the Planning Commission to follow the existing rules on the books that others have followed. He was wondering why the business wasn't considering the wall sign and whether that would be installed later. He was not supportive of the historic look in this case because he felt that the Downtown area had moved on to a new standard with much smaller signs. He advised the Planning Commission to stick with the current rules and not allow a deviation from the current standard.

Milt Treweiler stated that he was a member of historical society. He noted that the building was built in 1914, at the beginning in World War 1. Neon did not come into existence until 1923 and were first used by auto sales businesses in Los Angeles. So neon signs did not even exist when the building was constructed. He advised the Planning Commission to select Option 3 (disapprove the sign program). He felt that the sign would create an eye sore in a beautiful downtown. He felt that the findings approval could not be made as stated in the resolution for disapproval. In the past 15 years, businesses in the Downtown have played by the rules in the Downtown Design Guidelines. He asked the Planning Commission to keep Downtown Turlock historical.

Scott Elia approached the Planning Commission again expressing his appreciation for the opportunity to speak on this issue. He stated that the owners of Hauck's Grill do respect the rules but understood that they could request a deviation from the sign ordinance through the conditional use permit process. He reiterated that the owners are very interested in beautifying that space, it has been vacant for some time and Hauck's Grill respects the rules of the city but felt that the request was not asking for any special favors. He stated the goal of the sign is to present the business from four different sides and the placement of this sign on the corner is unique.

Michael Puffer responded that no one was saying that Hauck's Grill is a rule breaker. The permit process allows for variances but he was requesting that the Planning Commission not allow it.

Milt Treweiler also responded that perhaps he didn't choose the best words. He was simply saying that Hauck's Grill knew the sign rules when they decided to move into the Downtown. He further reiterated that the sign would destroy the historic look of downtown and open a Pandora's Box to further changes.

Michael Goularte, executive chef for Hauck's Grill, thanked Turlock for welcoming them and stated that the owners take a lot of pride in Turlock and are giving back to the community. Galletto Ristorante in Modesto has been open for 16 years.

Gil added a final comment that Hauck's Grill should be required to follow the rules and that people will find their restaurant because of their good food.

Elvis Dias asked staff whether the sign ordinance would allow for signs on both walls. Debbie responded that only a sign permit would be required for the proposed wall signs on two side if the signs fell within the allowed sign area.

Soraya Fregosi reminded the audience that the Planning Commission tries to balance the needs of businesses with the needs of the community, and has always done a good job of achieving that balance. Further she stated that the conditional use permit is a variance process that allows for deviations from the standards to be requested. In this case, she felt that adding this type of sign to a relatively simple brick building did not maintain the historic look of Turlock. She pointed to the Memo's sign as being in proportion to the building and the architecture. She felt that the Hauk's Grill is proposing almost too much bling on such a simple building. She added that most businesses want more and more signage and she was concerned that this would set a precedence in Downtown of business asking for more and more signage. She noted that Dust Bowl was different in that it was located next to the freeway. This isn't a freeway but a Downtown.

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MOTION: Motion by Commissioner Fregosi, to accept the 2nd option, Resolution 2016-19 accepting a smaller neon blade sign. Motion was seconded by Commissioner Bean. Motion was carried 5-1 with Commissioner Pedroza opposing.

Ms. Whitmore explained to the applicant the option to appeal within 10 days to City Council.

Commissioner Gonzales is reseated at 7:02

H. OTHER MATTERS

None

I. COMMISSIONERS CONSIDERATION

None

J. STANISLAUS COUNTY PLANNING REFERRAL ITEMS

1. **Stanislaus County General Plan, Airport Land Use Compatibility Plan, and Environment Impact Report:** Senior Planner Katie Quintero updated the commission regarding the comments the City is planning is to provide to the County. Most of the comments came from the Municipal Services Department regarding the ground water and storm waters urban vs agriculture usage. The County has not updated their general plan since mid-1980's and is using information from 2004 Comments are due tomorrow.

2. **PLN2016-0029 Grewal Truck Parking – 515 E. Greenway Avenue-** Deputy Director Debbie Whitmore explained that the County referred the project to the City for comment. The applicant wants to operate a truck parking operation. This location is outside the City Limit so the City has no direct control over the project. Ms. Whitmore informed the Planning Commission they will not take any action on this item, but may offer comments to the staff. No comments were made by the Commissioners.

K. COMMISSIONERS COMMENTS

Several Commissioners inquired about street trees and sidewalk repair. City Engineer Mike Pitcock stated it is the homeowner's responsibility to fix the sidewalk if the tree roots create damage.

Commissioner Dias inquired about the temporary structure on RAM farms. Ms. Whitmore told him it was located outside the City and she understood that the owners were intending to apply for a permanent agricultural-related structure.

L. STAFF UPDATES

None

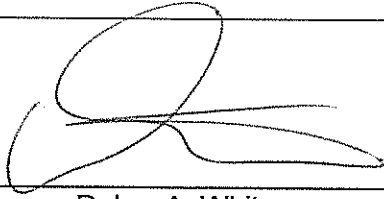
M. ADJOURNMENT

Chairman Pedroza adjourned the meeting at 7:16 p.m.

RESPECTFULLY SUBMITTED



Victor Pedroza
Chair



Debra A. Whitmore
Deputy Director of Development Services