



Legislation Details (With Text)

**File #:** 23-034      **Version:** 1      **Name:**

**Type:** Public Hearing Item      **Status:** Agenda Ready

**File created:** 12/28/2022      **In control:** Planning Commission

**On agenda:** 1/18/2023      **Final action:** 1/18/2023

**Title:** SUBJECT: Conditional Use Permit #1269, initiated by Robert Dylina, on behalf of Golden State Realty Association, Inc., property owner. This application involves a request for a master sign program with a double-sided changeable copy sign (63 inches by 137.5 inches) for Auto Resources at 1500 W. 16th Street, generally located at the southwest corner of V Street and 16th Street, within a Zoning classification of General Commercial (C-G), with a General Plan Designation of General Commercial (CG). \*PUBLIC HEARING\*

**ACTION:** Approve/Disapprove/Modify  
 1) Environmental Review #22-46 (Categorical Exemption)  
 2) Conditional Use Permit #1269

**SUMMARY**

Robert Dylina is requesting approval for a master sign program that includes a double-sided changeable copy sign at 1500 W. 16th Street. The subject site is an existing used automotive dealership and will remain an automotive dealership. The automotive dealership is considered a principally permitted use within the General Commercial (C-G) Zone; however, a changeable copy sign for an automotive dealership requires approval of a master sign program from the Planning Commission, per Merced Municipal Code 17.36.072 - Changeable Copy Sign. The proposed changeable copy sign (63 inches by 137.5 inches) would be installed on the existing freeway pylon sign for this site (without adding additional height). Staff is recommending approval of this application subject to conditions.

**RECOMMENDATION**

Planning staff recommends that the Planning Commission approve Environmental Review #22-46 [Categorical Exemption] including the adoption of the Draft Resolution at Attachment A subject to the conditions in Exhibit A and the findings/considerations in Exhibit B.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Attachment A - Draft PC Resolution.pdf, 2. Attachment B - Location Map.pdf, 3. Attachment C - Master Sign Program.pdf, 4. Attachment D - Exterior Site Images.pdf, 5. Attachment E - Standards for Changeable Copy Signs.pdf, 6. Attachment F - Design Review Ordinance.pdf, 7. Attachment G - Categorical Exemption.pdf

Date	Ver.	Action By	Action	Result
1/18/2023	1	Planning Commission	approved	Pass

**Planning Commission Staff Report**

*Report Prepared by: Francisco Mendoza-Gonzalez, Associate Planner, Development Services Department*

**SUBJECT:** Conditional Use Permit #1269, initiated by Robert Dylina, on behalf of Golden State Realty Association, Inc., property owner. This application involves a request for a master sign program with a double-sided changeable copy sign (63 inches by 137.5 inches) for Auto Resources at 1500 W. 16<sup>th</sup> Street, generally located at the southwest corner of V Street and 16<sup>th</sup> Street, within a Zoning classification of General Commercial (C-G), with a General Plan Designation of General Commercial (CG). \*PUBLIC HEARING\*

**ACTION:** Approve/Disapprove/Modify

- 1) Environmental Review #22-46 (*Categorical Exemption*)
- 2) Conditional Use Permit #1269

## SUMMARY

Robert Dylina is requesting approval for a master sign program that includes a double-sided changeable copy sign at 1500 W. 16<sup>th</sup> Street. The subject site is an existing used automotive dealership and will remain an automotive dealership. The automotive dealership is considered a principally permitted use within the General Commercial (C-G) Zone; however, a changeable copy sign for an automotive dealership requires approval of a master sign program from the Planning Commission, per Merced Municipal Code 17.36.072 - Changeable Copy Sign. The proposed changeable copy sign (63 inches by 137.5 inches) would be installed on the existing freeway pylon sign for this site (without adding additional height). Staff is recommending approval of this application subject to conditions.

## RECOMMENDATION

Planning staff recommends that the Planning Commission approve Environmental Review #22-46 [*Categorical Exemption*] including the adoption of the Draft Resolution at Attachment A subject to the conditions in Exhibit A and the findings/considerations in Exhibit B.

## DISCUSSION

### Project Description

The subject site has been a used car dealership for many decades. The car dealership is a principally permitted use within the General Commercial (C-G) Zone. The existing pylon sign on the southeast corner of the parcel has also been on the subject site for several decades. A conditional use permit is required to install a changeable copy sign on the pylon sign. In 2022, the subject site received land use approval to replace the existing building with a new (albeit smaller) pre-manufactured building at the same location. No other modifications are proposed for the site plan. The applicant is not proposing additional signs beyond the signage on the pylon structure, such as wall mounted signs or pylon signs. The changeable copy sign would be installed on the pylon structure and used to advertise vehicles and financing options offered onsite. Per conditions in the staff report, advertisements would rotate every 15 seconds, the screen would be on between 7:00 a.m. and 11:00 p.m., and an illumination study would be required to ensure the lighting on the screen is not a nuisance to adjacent properties or drivers traveling in the area (Conditions #18, #21, and #22).

Surrounding uses as noted in Attachment B.

Surrounding Land	Existing Use of Land	City Zoning Designation	City General Plan Land Use Designation
North	Carquest Auto Parts (across 16 <sup>th</sup> Street)	Thoroughfare Commercial (C-T)	Thoroughfare Commercial (CT)
South	Ron Smith Pre-Owned Vehicles (across railroad tracks)	General Commercial (C-G)	General Commercial (CG)
East	Smiley's Gas (across V Street)	Thoroughfare Commercial (C-T)	Thoroughfare Commercial (CT)
West	Western Motors	General Commercial (C-G)	General Commercial (CG)

Background

Subject Site:

The subject site is located within the western portion of Downtown. Vehicle access is available through a driveway along V Street and another along 16<sup>th</sup> Street. The 0.82-acre parcel is mostly under-developed, containing an approximate 1,000 square foot building within the southwest quadrant of the parcel. The remainder of the parcel would be used for displaying vehicles and customer parking. The existing large freeway pylon sign is located on the southeast quadrant of the parcel. The Union Pacific Railroad is located adjacent south of the subject site. These tracks are used for freight purposes.

The Building Department did not have building permit records indicating when the office or pylon sign were constructed. However, there several permits from the 1990's regarding electrical work to the pylon sign, and a land use permit from 2002 to refinish the exterior of the pylon sign. Earlier in 2022, the subject site received land use approval to replace the existing building with a new manufactured office. The manufactured building would be smaller than the existing building and installed on the same location so that the utilities do not have to be re-routed. The manufactured building requires building permits and inspections to ensure that it satisfies building code requirements, including being installed to a fixed foundation.

Ordinance:

Per MMC 17.36.072 - Changeable Copy Signs, changeable copy signs are limited to time and temperature signs, gasoline price signs, performing arts theatres, motion picture theatres, or any other use deemed appropriate by the Planning Commission through a Master Sign Program. Since an automotive dealership is not a listed use, the approval of a changeable copy sign is considered a subjective request review by the Planning Commission to consider the appropriateness for the site and compatibility with the neighborhood. There are no standards for changeable copy signs in terms of size, rotation between advertisements, lumens, or sign location.

The subject site is located within different overlay districts beyond the General Commercial Zone,

and this includes the Design Review District, the Freeway District, and the Vehicle Sales District. The proposed changeable copy sign would be installed within an existing double-sided pylon sign on two poles. The existing sign and poles would be repainted with a fresh coat of exterior paint. The Freeway District (MMC 17.36.810) allows for pylon signs that 75-feet above the crown of the freeway, and the Vehicle Sales District (MMC 17.36.820) allows a free-standing sign up to 200-square-feet. The subject site is adjacent to automotive dealerships along 16<sup>th</sup> Street and Auto Center Drive and several restaurants near the freeway. A large portion of these businesses have existing large freestanding signs, many of which are illuminated.

#### Findings/Considerations

Please refer to Exhibit B of the Draft Planning Commission Resolution at Attachment A.

#### **ATTACHMENTS**

- A) Draft Planning Commission Resolution
- B) Location Map with Sign Location
- C) Proposed Sign
- D) Exterior Photographs of Site
- E) MMC 17.36.667.L.2.C - Free-Standing or Wall Mounted Signs
- F) MMC 20.68.030 - Design Review Permit
- G) Categorical Exemption
- H) Presentation