

**MINUTES**  
**TRACY CITY PLANNING COMMISSION**  
**WEDNESDAY, JANUARY 14, 2015**  
**7:00 P.M.**  
**CITY OF TRACY COUNCIL CHAMBERS**  
**333 CIVIC CENTER PLAZA**

**CALL TO ORDER**

Chair Orcutt called the meeting to order at 7:00 p.m.

**ROLL CALL**

Roll Call found Chair Orcutt, Vice Chair Mitracos, Commissioner Sangha, Commissioner Tanner, and Commissioner Ransom present. Also present were staff members Victoria Lombardo, Senior Planner; Kimberly Matlock, Assistant Planner; Bill Sartor, Assistant City Attorney; and Jan Couturier Recording Secretary.

**PLEDGE OF ALLEGIANCE**

Chair Orcutt led the pledge of allegiance

**MINUTES APPROVAL** – None.

**DIRECTOR'S REPORT REGARDING THIS AGENDA** – Victoria Lombardo filled in for Bill Dean and did not have a report. But she indicated that agenda item 2B was being continued due to some changes from the applicant.

**ITEMS FROM THE AUDIENCE** – None

1. **OLD BUSINESS** – None
2. **NEW BUSINESS**
  - A. **PUBLIC HEARING TO CONSIDER AN AMENDMENT TO CONDITIONAL USE PERMIT NUMBER 9-99-CUP FOR AN ELECTRONIC READERBOARD SIGN FOR A PRIVATE SCHOOL LOCATED AT 1635 CHESTER DRIVE - APPLICANT IS CRAIG YESZIN AND PROPERTY OWNER IS ST PAUL'S EVANGELICAL LUTHERAN CHURCH - APPLICATION NUMBER CUP14-0010**

Chair Orcutt reviewed agenda item 2A and called for the staff report. Kimberly Matlock, Assistant Planner, introduced the item. She indicated that on January 12, 2000, the Planning Commission approved a Conditional Use Permit Application Number 9-99-CUP for Bella Vista Christian Academy, a private school affiliated with St. Paul's Evangelical Lutheran Church located at 1635 Chester Drive. There were two monument signs on site whose monochrome messages are changed manually to announce onsite activities.

Ms. Matlock stated that colored electronic readerboards are becoming increasingly popular on school and commercial sites and that the technology made it convenient to

change the sign copy, allowing the sign copy to change frequently or infrequently, and it allows the copy to be displayed in one or multiple colors.

She stated that the proposal before the Commission was to replace the 24 square foot monument sign located closest to the intersection of Lowell Avenue and Chester Drive with a 24 square foot LED electronic readerboard sign. She added that many public schools in Tracy were using electronic readerboards to advertise school activities or messages. But because public schools were regulated by the Department of State Architect, those signs were not reviewed or permitted by the City. This application for a Conditional Use Permit by a private school for an electronic readerboard sign will be the first to be reviewed by the Planning Commission.

Ms. Matlock indicated that the Tracy Municipal Code Section prescribed the requirements for electronic readerboards. One electronic readerboard sign could be permitted upon approval of a Conditional Use Permit by the Planning Commission on the property of a private school if the site is one-half acre or more and the school contains any of grades one through twelve adding that Bella Vista Christian Academy met both of these prerequisites.

She commented that the Commission, in evaluating the conditional use permit amendment application, should consider appropriate hours of illumination, brightness, size, height, and other sign characteristics as they relate to the sign's location and surrounding land uses. She mentioned that the applicant proposed that the sign display be similar to that of several public schools, which have black backgrounds with scrolling colored text.

Ms. Matlock reviewed that the LED display was capable of achieving up to 6,000 nits, where a nit is a unit of luminance equivalent to one candela per square meter and the industry standard for measuring luminance of electronic readerboard signs. She added that in the daytime, the sign is proposed to be illuminated to its maximum brightness so that it can be easily read in the daylight. She mentioned that the applicant had conducted a field test at night to evaluate the brightness of an LED sign in the dark. City staff and neighboring residents were invited to provide feedback on the brightness, although no residents were in attendance and no comments were subsequently received from residents.

Ms. Matlock provided information relative to the colors which were tested at various luminance levels stating that the general consensus between the applicant and staff was that a single color against a non-illuminated black background dimmed to at least 1800 nits (or 30 percent below the maximum luminance capability) was visually appropriate for the site in the darkness.

She then reviewed other possible issues stating that in addition to brightness, another potential objectionable characteristic of electronic readerboard signs could be the speed of change in sign copy adding that according to the applicant, the sign would primarily display worship hours for St. Paul's Church. As school or community events took place, the sign copy could change to post information relating to those events. The applicant anticipates no more than two messages would be displayed per day and did not propose

rapid flashing between messages. She stated that staff recommended Condition of Approval 23 to ensure the change in copy does not change or flash too rapidly.

She advised that the proposed height and size of the sign would be appropriate in scale with the adjacent building, and the sign would be set back such that it did not obstruct vehicular or pedestrian visibility. She concluded by saying that staff recommended that the Planning Commission approve the proposed Conditional Use Permit amendment with the proposed Conditions of Approval.

Vice Chair Mitracos asked about public noticing for this Commission meeting. Ms. Matlock advised that standard noticing had been made for the meeting and that the applicant had personally reached out to local neighbors for the night time test of the sign.

Chair Orcutt asked if the applicant was available. Rob Thompson indicated he was the Church administrator and that he was there to answer any questions. He indicated that the purpose of the sign was to communicate with church members and students due to the number of events that were held at the site.

Vice Chair Mitracos then asked if the school used email or tweets. The applicant indicated they do. Commissioner Mitracos asked why the need for the sign. The applicant indicated it was an additional way to communicate with church members as there are times when people do not read emails.

Commissioner Tanner asked why the Church would not be heading the sign with the Church's name. There was a general discussion during which the applicant advised the Church's name would be included on the sign, but that it would not add to the height of the sign.

Chair Orcutt asked about the location of the sign and was advised that it would be perpendicular to Lowell Avenue.

Chair Orcutt asked how the Church would control illumination of the sign. Staff advised that the system would be controlled by a computer that would be under the control of the Church. There was a general discussion about how to control the brightness and if it was disruptive who would enforce the process. It was indicated that Code Enforcement would be the enforcement agency.

Commissioner Tanner asked if the school left could the sign stay. The applicant advised it would not. Staff added the school was a part of the condition of approval.

Vice Chair Mitracos indicated this was a recent change to the Ordinance. Mr. Sartor indicated that was true and added that if any agency misused the signs they would fall outside the requirements and be subject to enforcement.

Chair Orcutt asked if there was any standardization for these types of signs for future applicants. Staff advised that the ordinance provided a maximum, but added that the Planning Commission would make judgments on a case by case basis, based on the size of the applicant's location and other variables.

Chair Orcutt shared a past experience regarding a disruptive sign along the freeway. He then asked if we could control the time during which an applicant can flash something on the sign. Staff stated that the time for "flashing" a new statement would be 15 seconds. She indicated some testing had been done and staff had determined 15 seconds was appropriate and would be a part of the conditions of approval.

Vice Chair Mitracos mentioned a sign at Monte Vista and indicated it was a distraction. The applicant indicated they do not want to rotate messages too quickly.

Commissioner Ransom added she felt the staff recommendation made sense and commended staff on their research.

Chair Orcutt opened the public hearing. There were no audience members; therefore no comments.

Vice Chair Mitracos indicated he was opposed to and did not like these types of signs.

Chair Orcutt asked if staff had a sense of how many private schools are in the City and could this become an epidemic. Ms. Lombardo indicated they did not have that information as that was not a part of the research they had done.

Commissioner Ransom began to enumerate the schools adding that public schools were an exception.

Commissioner Tanner asked if the sign was two sided. Applicant added that was correct.

Commissioner Ransom added that West High had a sign just a few blocks from where the reader sign is proposed and that it did not present any problems.

Chair Orcutt closed the public comment and returned the meeting to the Commission.

Commissioner Ransom indicated that this was the way people communicate. She added she felt staff had done a lot of extra work. She felt the safety aspects had been addressed. She indicated the Conditional Use Permit addressed most issues and that the Ordinance only applied to private schools. She indicated that she supported the request.

Chair Orcutt expressed his only concern was whether too many schools would jump on the band wagon. He complimented staff on their thoroughness. He felt this was the way of the future and requested a motion.

Commissioner Ransom moved that the Planning Commission approve the Conditional Use Permit amendment application to CUP Number 9-99-CUP to install an electronic readerboard sign at 1635 Chester Drive, based on the findings and subject to the conditions as stated in the Planning Commission Resolution dated January 14, 2015.

Commissioner Sangha seconded the motion. Roll call vote found Commissioners Ransom, Sangha, Tanner and Chair Orcutt in favor; Vice Chair Mitracos opposed.

3. ITEMS FROM THE AUDIENCE – None
4. DIRECTOR'S REPORT – None
5. ITEMS FROM THE COMMISSION – Chair Orcutt congratulated Commissioner Mitracos.
6. ADJOURNMENT – Chair Orcutt moved to adjourn at 7:35, seconded by Commissioner Ransom. All in favor; none opposed.

  
\_\_\_\_\_  
STAFF LIAISON

  
\_\_\_\_\_  
CHAIR

