

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Planning & Community Development *RC*

Urgent _____ Routine X

CEO Concurs with Recommendation YES _____ NO _____
(Information Attached)

BOARD AGENDA # 9:25 a.m.

AGENDA DATE: February 13, 2001

4/5 Vote Required YES _____ NO X

SUBJECT:

APPEAL OF PLANNING COMMISSION AND PLANNING DIRECTOR'S DENIAL OF ROOF-MOUNTED ADVERTISING SIGNS - GERRY HUGHES/PLANNED INDUSTRIAL ZONE #12 - PIRRONE ROAD - SALIDA.

PLANNING COMMISSION RECOMMENDATION:

THE PLANNING COMMISSION, AT ITS MEETING OF JANUARY 4, 2001, UPHELD AN EARLIER DECISION BY THE PLANNING DIRECTOR NOT TO APPROVE ROOF-MOUNTED ADVERTISING SIGNS FOR A PLANNED INDUSTRIAL BUILDING. BOTH STAFF AND THE COMMISSION RECOMMENDED THAT THE BOARD OF SUPERVISORS DENY THIS APPEAL ON THE COMMISSION'S DECISION.

FISCAL IMPACT:

None.

BOARD ACTION

No. 2001-108

On motion of Supervisor Caruso, Seconded by Supervisor Blom

and approved by the following vote,

Ayes: Supervisors: Mayfield, Blom, Simon, Caruso, and Chair Paul

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

Motion: The Board denied the appeal and upheld the Planning Commission and Planning Director's decision to deny the roof-mounted advertising signs.

ATTEST: REAGAN M. WILSON, Clerk By: Christine Ferraro Deputy File No.

SUBJECT: APPEAL OF PLANNING COMMISSION AND PLANNING DIRECTOR'S DENIAL OF ROOF-MOUNTED ADVERTISING SIGNS - GERRY HUGHES/PLANNED INDUSTRIAL ZONE #12 - PIRRONE ROAD - SALIDA.

PAGE 2

DISCUSSION: This item is an appeal by applicant Gerry Hughes regarding roof signs on property located along Highway 99 at 5351 and 5321 Pirrone Road in Salida. That location is a 2.49 acre parcel which was zoned Planned Industrial in August of 1999. As is the case with all similar approvals, PI #12 contains the following development standards/conditions of approval:

11. *A plan for any proposed signs indicating the location, height, area of the sign, and message, must be approved by the Planning Director before installation.*

In October of 2000, the applicant sought and was thereafter granted permission to construct large wall-mounted signs on the buildings in question. Each building was approved for an illuminated, wall-mounted sign below the roof line and clearly facing Highway 99. At the time these signs were approved, the Planning Director did not approve two proposed roof signs of 240 square feet each. The reasoning was that the already approved wall signs already provided adequate identification for the planned industrial uses being proposed and the fact another similar development at "Greenleaf Park" does not have roof signs. He also based his decision on the precedent that would be set by allowing roof signs for planned industrial uses.

The County does not have a specific sign ordinance. Each project is reviewed on a case-by-case basis. In reaching the decision on this project, concerns included the generally unpleasing effect of roof signs and the precedent that would be set by approving these two proposed signs as this is the "entrance" to Stanislaus County. The County has not approved roof signs.

At the Planning Commission hearing of January 4, the Commission considered this matter. Following a presentation by applicant Gerry Hughes, the Commission echoed the Director's concerns about precedent. It was noted that there are a great many buildings fronting Highway 99, and that none of them have been allowed roof signs such as are being requested here. Commissioners did not want to approve these signs, feeling they could very easily lead to other requests for the same type of signage both on this building and others in the vicinity.

Applicant, Mr. Hughes, felt that a precedent had already been set via a hand full of freestanding pole signs in the Salida/North Modesto area. It was explained that these signs, such as the one for McDonald's he mentions in his appeal letter, were allowed only for highway oriented commercial uses. Staff noted that this is a planned industrial project, where retail sales are not even permitted. There are very few, if any, industrial facilities which use pole signs for identification.

SUBJECT: APPEAL OF PLANNING COMMISSION AND PLANNING DIRECTOR'S DENIAL OF ROOF-MOUNTED ADVERTISING SIGNS - GERRY HUGHES/PLANNED INDUSTRIAL ZONE #12 - PIRRONE ROAD - SALIDA.

PAGE 3

**DISCUSSION
CONTINUED:**

It was also discussed that one of the concerns raised by Salida's residents during the recent community plan update was a desire to maintain an attractive image for the community. Both the Director and the Planning Commission felt that these proposed roof signs would not be consistent with that desire. Following the close of discussion, the Commission voted 6-1 (Wetherbee) to uphold the decision of the Planning Director and deny the appeal by Mr. Gerry Hughes.

Please refer to the attached staff report to the Planning Commission, the appeal letter from Mr. Hughes and the accompanying images of the site for additional information about this appeal.

**POLICY
ISSUES:**

None.

**STAFFING
IMPACT:**

None.

ATTACHMENTS:

Planning Commission Staff Report, January 4, 2001
Planning Commission Minutes, January 4, 2001
Applicant's Letter of Appeal



January 4, 2001

TO: Planning Commission

FROM: Planning Department

SUBJECT: Appeal of Planning Director denial of roofing signs - Gerry Hughes, Planned Industrial Zone #12.

As the Commission is likely aware, discretionary decisions by staff are appealable to the Planning Commission under provisions of Zoning Ordinance Section 21.112.020. Such an appeal is the subject of this staff report.

BACKGROUND

In August of 1999, the Board of Supervisors approved Planned Industrial zone #12. PI #12 covered 2.49 acres along Highway 99 on a triangular shaped property located at the intersection of Pirrone Road and Pirrone Court, in Salida. The plan approved by the Board called for creation of eight parcels to house a variety of uses consistent with the PI zone. As required by PI zoning regulations, building elevations of the proposed uses were also made a part of the approval. A copy of those elevations are included in this report.

It must be noted however, that the approved elevations did not illustrate the exact final building plan approved by the Board of Supervisors. Between the time the Planning Commission considered the project, and recommended approval, the applicant requested a change in the plot plan. The purpose of the change was to move the buildings, and reduce their size somewhat to avoid having to relocate a PG & E gas line that runs in an easement under the property. Copies of both the original and final plot plans are attached.

As is standard for virtually all use permits, PD and PI zones, a condition of approval was placed on this project which reads as follows.

11. A plan for any proposed signs indicating the location, height, area of the sign, and message, must be approved by the Planning Director before installation.

Prior to the applicant changing the shape of the building, he had submitted on one of his building elevations a drawing of a triangular roof sign to be located at the northerly and

southerly ends of the building along the highway. This sign was not a part of the project package that was approved by the Board of Supervisors, as it was rendered moot when the applicant eliminated the "squared-off" building entrances at the north and south ends and replaced them with the triangular buildings as approved by the Board. Please refer Exhibits A-3 (Plot plan) and A-4 (Revised July 19, 1999) to see the originally proposed and finally approved building layouts. No revised elevations showing signs were submitted prior to Board approval.

CURRENT APPEAL

In October of 2000, the applicant submitted plans to construct signs on the buildings located in PI(12) adjacent to Highway 99. These plans showed two large signs for each building. Each building was to have a wall-mounted, illuminated sign below the roof line, facing and clearly oriented to Highway 99. The one on the northern most building is 141 square feet in area, while the one on the southerly building is 120 square feet. These building permit plans were approved and issued by the County on November 15, 2000.

At the same time, staff withheld any final decision on approval or denial to proposed rectangular roof signs proposed at the north end of the northerly building and the south end of the southerly building. Planning Director Ron Freitas had already approved the wall signs believing them adequate to identify the businesses. He did not support approval of the roof signs, which were to be mounted on 240 square foot structures. Part of those structures would be below false fronts on the building, leaving a visible sign area of approximately 160 square feet each.

Staff concern centered on the fact that adequate signage had already been approved, and that the new roof signs created rather unsightly projections above the building's roof lines. Where the original buildings had triangular projections, which could be considered as carrying out the architectural design of the structures, the new ones do not. The Planning Director did, however, approve even that earlier plan, as it was changed prior to Board approval.

The newly proposed signs are, as stated, projecting roof signs. While the County does not have a formal sign ordinance, it is worth noting that the Director generally does not approve such signs. Wall mounted signs below the roof line are in Staff's opinion, more aesthetically pleasing. And, in this instance, the approved wall signs do indeed very adequately identify the businesses in question.

On November 22, 2000, a letter was sent to Gerry Hughes, informing him that the roof signs would not be approved. Mr. Hughes has filed a timely appeal of that decision, as spelled out in this letter attached hereto.

RECOMMENDATION

PI (12) contains a condition deferring approval of signs to the Planning Director. On November 15, 2000, the Director approved wall signs which clearly identify the proposed businesses.

Staff recommends that the Commission find that there is no substantial evidence to support the need for the additional roof signs, and denial the appeal.

Attachments:

- | | |
|------------|---------------------------------------|
| Exhibit A- | Maps |
| Exhibit B- | Original, pre B-5 approved elevations |
| Exhibit C- | Approved wall signs |
| Exhibit D- | Signs recommend for denial |
| Exhibit E- | Denial letter |
| Exhibit F- | Applicant's appeal letter |

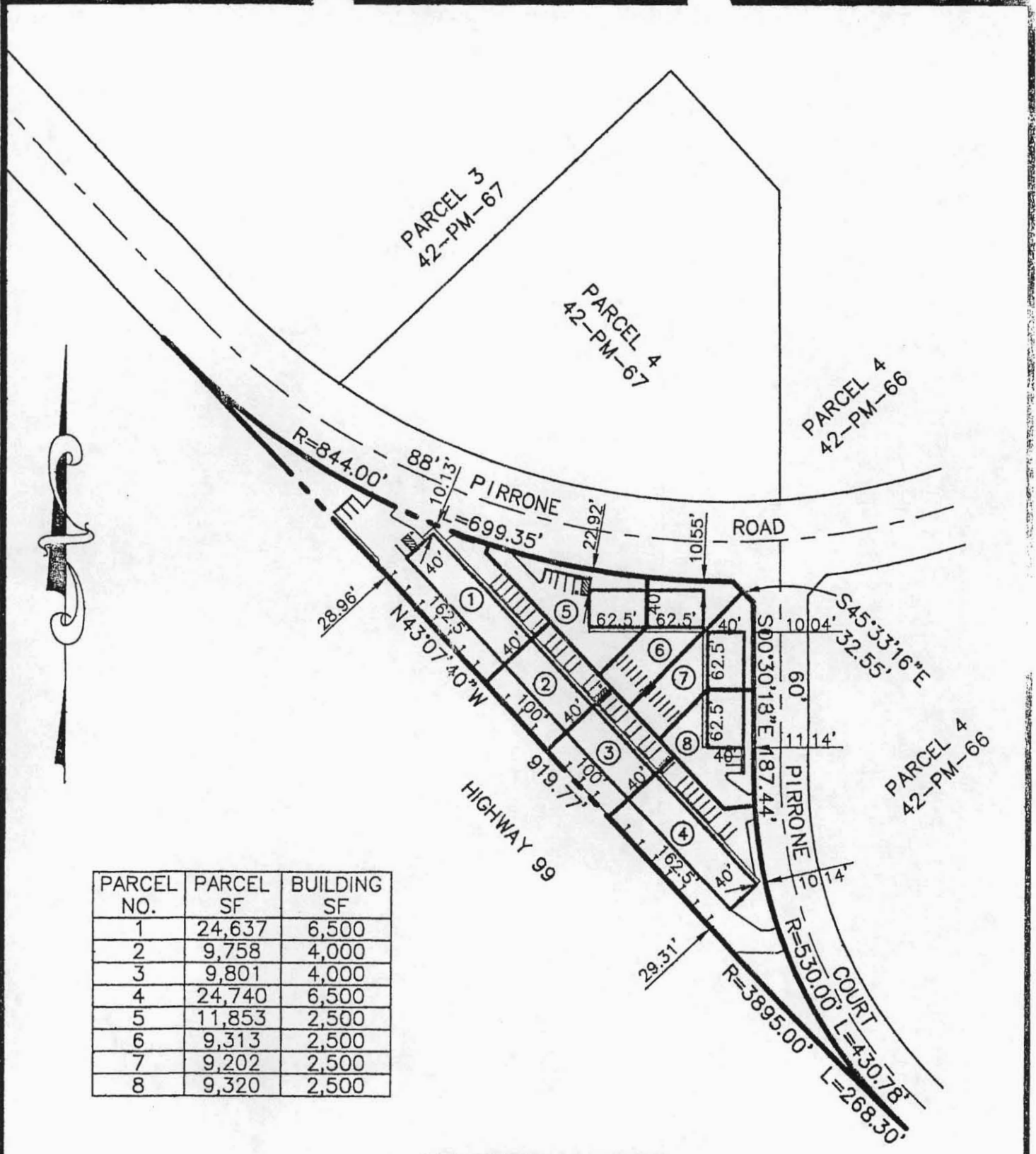
**REZ. NO.99-08 \ P.M. NO.99-20
BY: GERRY HUGHES**



4
RD

EXHIBIT A





| PARCEL NO. | PARCEL SF | BUILDING SF |
|------------|-----------|-------------|
| 1 | 24,637 | 6,500 |
| 2 | 9,758 | 4,000 |
| 3 | 9,801 | 4,000 |
| 4 | 24,740 | 6,500 |
| 5 | 11,853 | 2,500 |
| 6 | 9,313 | 2,500 |
| 7 | 9,202 | 2,500 |
| 8 | 9,320 | 2,500 |

PLOT PLAN

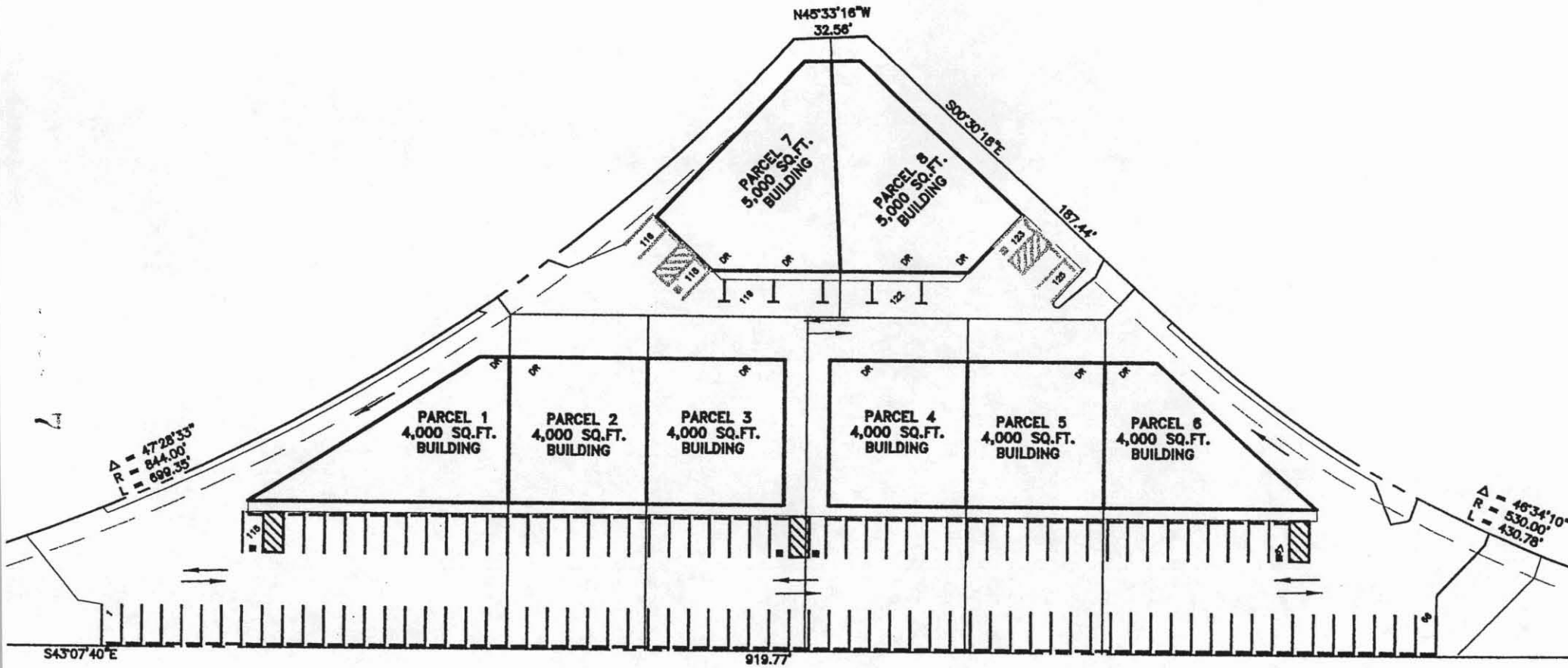
1 OF 1

GK Giuliani & Kull, Inc.
 Engineers • Planners • Surveyors
 460 N. Yosemite Avenue Suite 9 Oakdale, CA 95361
 (209) 847-8726 Fax (209) 847-7323
 Auburn • Oakdale • San Jose

SCALE: 1"=150'
 DATE: 06/08/99 10:01
 DRAWN: WDM
 CHECKED: WFK
 FILE: 99131PLT3.DWG
 p: \1999\99131\

HUGHES COMMERCIAL REAL ESTATE
PIRRONE ROAD - PIRRONE COURT
SALIDA, CALIFORNIA

PROPOSED RECONFIGURATION
TO ACCOMMODATE P.G.&E.
EASEMENT



REVISED JULY 19, 1999

WESTERN DRYWALL



9

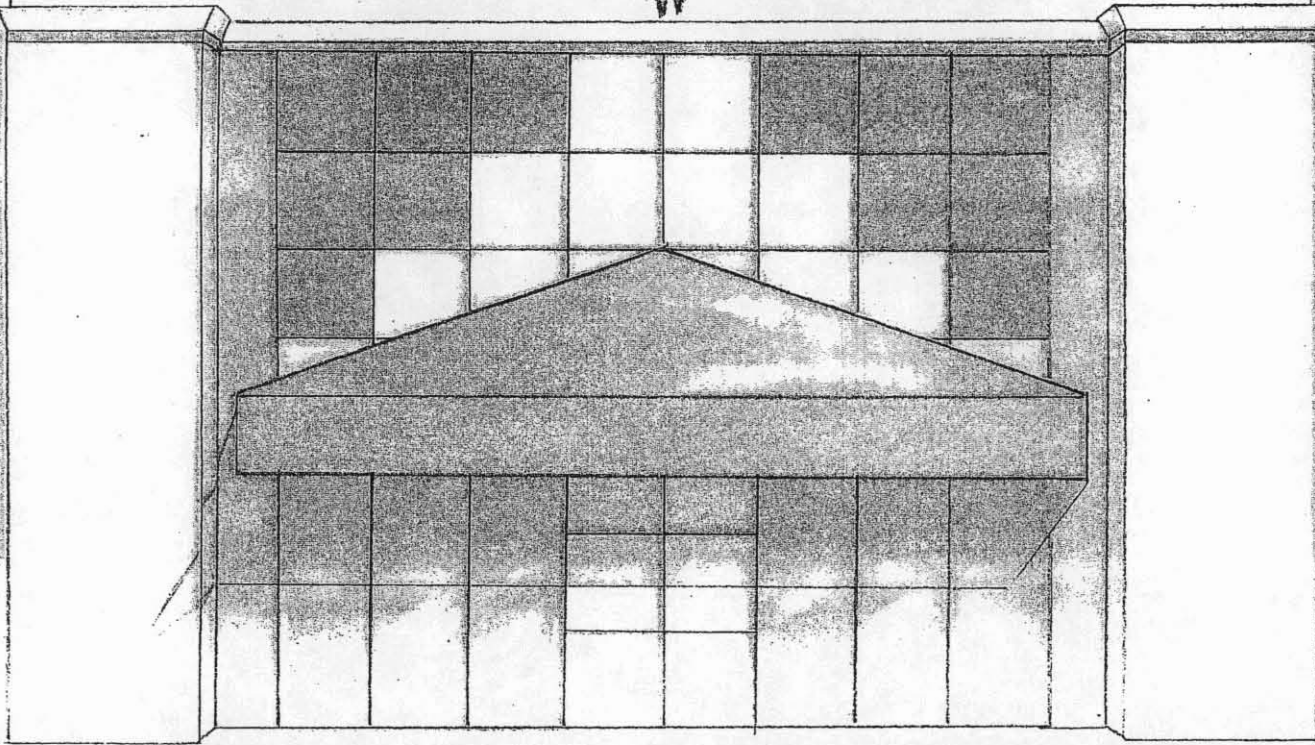
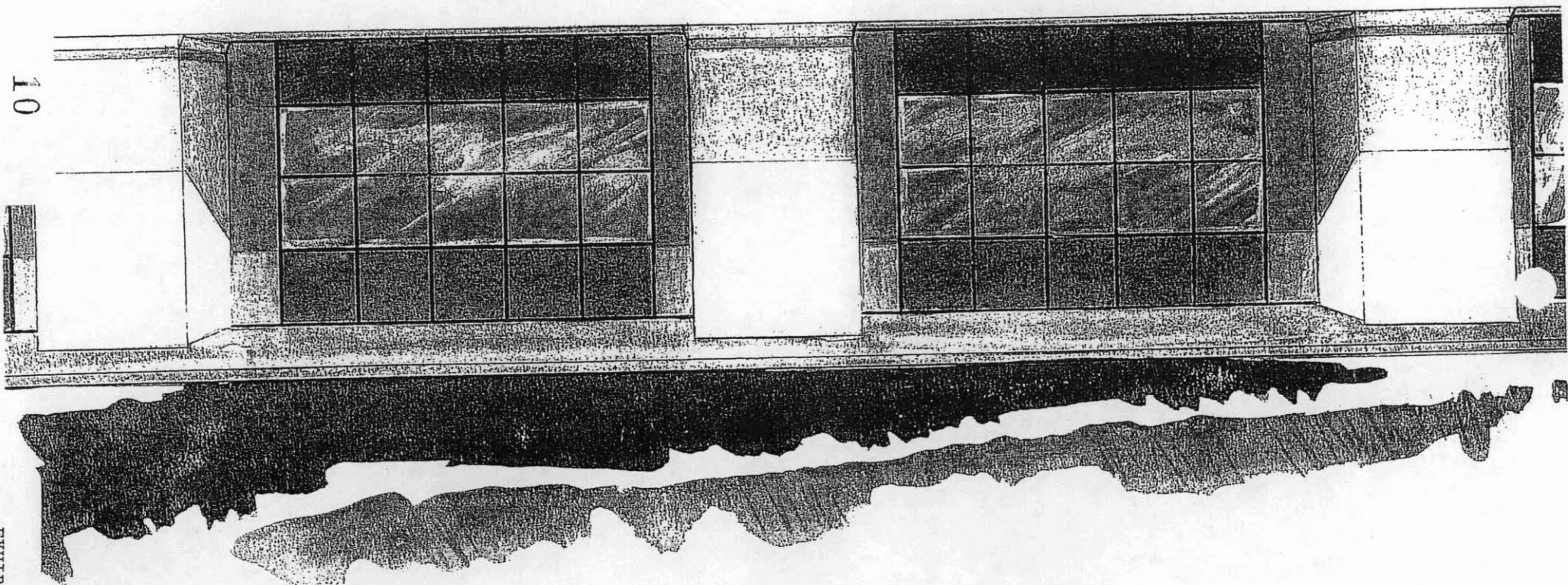


EXHIBIT B-1

North and South Elevation

DENIS PROPERTIES

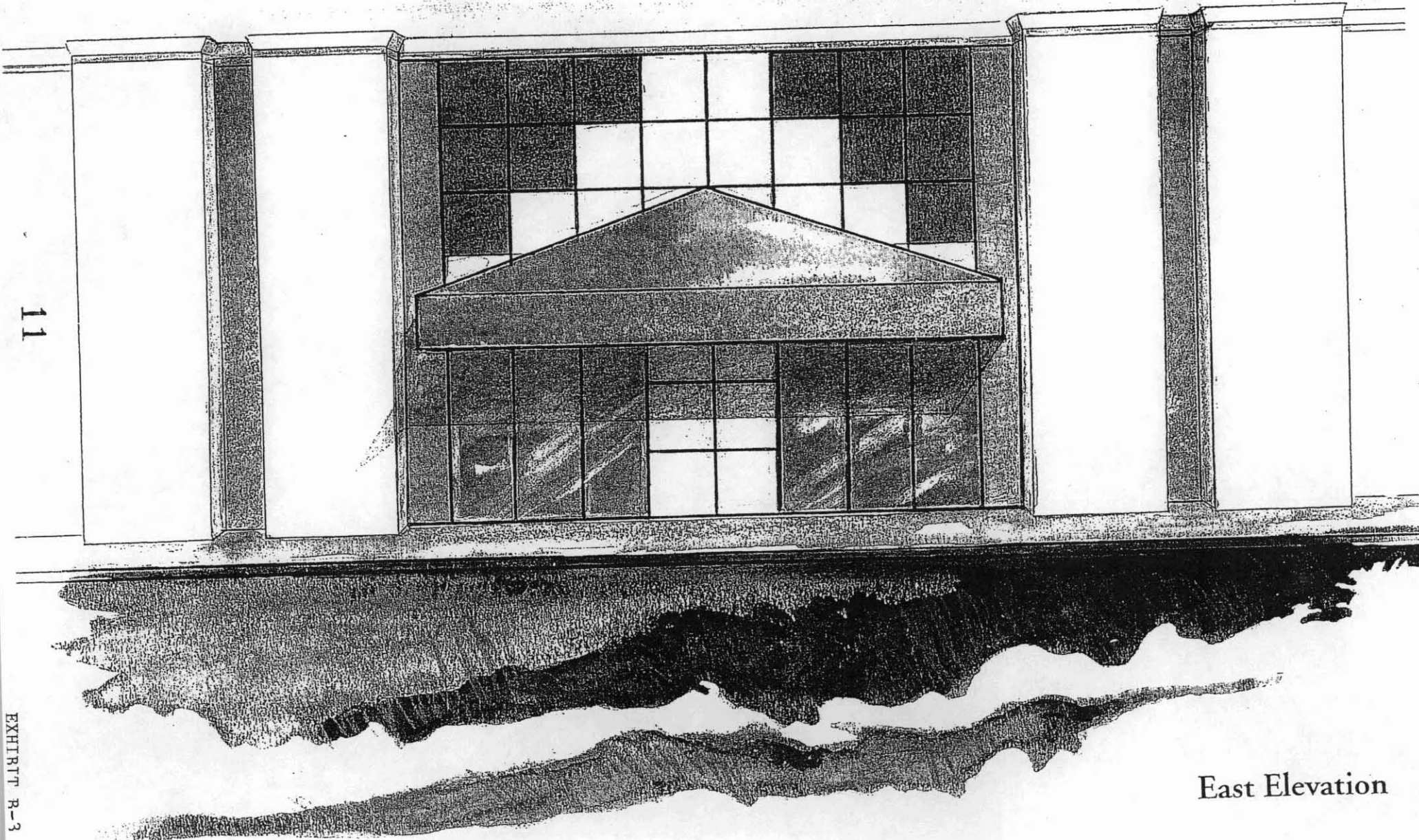


10

EXHIBIT B-2

West Elevation

11



East Elevation



OFFICE COPY

PROPOSAL

Date: September 5, 2000
 New Proof: October 19, 2000

STANISLAUS COUNTY
 DEPARTMENT OF BUILDING INSPECTIONS



12

Curtis Graphics
 4836 Stratos Way, Suite H
 Modesto, CA 95356
 (209) 576-0877 Phone
 (209) 557-2928 Fax

36" Pan Channel Neon Letters
 Red Trans. Plexiglass Faces
 with 3/4" Gold Trim
 5" Deep Bronze Returns

4' x 8' Lighted Logo
 w/ Translucent Vinyl Overlay

Wired & Installed

CA. Lic. #691463
 Proposal for: United Spas
 5321 Pirrone Road
 Salida, CA 95368

Tim Kelly, Owner
 4941 Cloutier Rd.
 Salida, CA 95368
 (209) 631-5588
 (209) 545-9300 Off.

| | |
|---------------------------|--------------|
| Store Frontage: | 76' - 0" |
| Max Sign Allowed: | 252 sq. ft. |
| Actual Sign Area: | 146 sq. ft. |
| Height to Top of Sign: | 19' - 7 1/2" |
| Height to Bottom of Sign: | 16' - 0" |
| Zone: | |
| U.I. #'s | BL- thru BL- |

PROOF

Please review carefully. Your signature indicates your approval and releases CURTIS GRAPHICS of ALL responsibility. Any changes in composition or layout / design may require additional charges.

- Acceptable
- New proof requested
- Acceptable with changes

Signature of Tenant _____ Date _____

Signature of Building Owner / Property Mgt. _____ Date _____

Terms: 50% Deposit and Signed Agreement,
 Balance Due Upon Completion.

Note: This estimate includes all operations and materials to complete the work as specified based on standard trade customs. This proposal/estimate may be withdrawn by us if not accepted within 30 days. If charges are needed we will notify you.

EXHIBIT C

OFFICE COPY



PROPOSAL

November 13, 2000

Cross section Drawing of Pan Channel Mounted on Exterior Stucco Facia

3/4" Gold Trim Cap Plexiglass Faces

Nylon Nail-In to Mount Letters to Building

Roof & Rafters

STANISLAUS COUNTY

Neon Tube on Glass Stand

DEPARTMENT OF BUILDING INSPECTIONS

Eletro Bits Housings

Conduit with GTO Cable Through Exterior Wall into Transformer Can

Pan Channel Letter to be manufactured with 24 ga. Sheet Metal and Painted to protect from corrosion

Raceway with Transformers & Service Switch to Time Clock

110 volt Service for Sign

Service to Time Clock

5" Bronze

Design by: Curtis Graphics
4836 Stratos Way, Suite H
Modesto, CA 95356
(209) 576-0877
(209) 557-2928 Fax
CA. Lic. #691463

Design for: United Spas
5321 Pirrone Road
Salida, CA 95368

Attn: Tim Kelly, Owner
4941 Cloutier Rd.
Salida, CA 95368
(209) 543-9300
(209) 631-5588

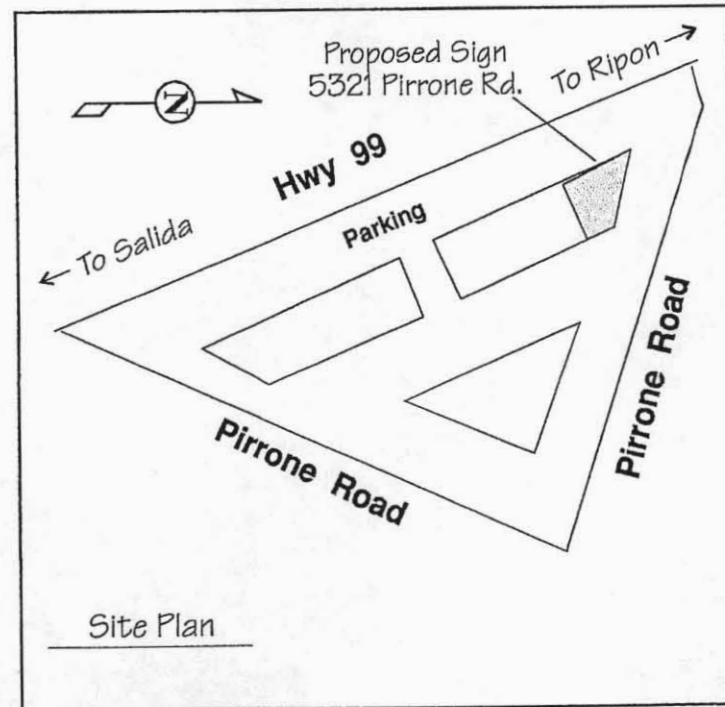
PROOF

Please review carefully. Your signature indicates your approval and relieves CURTIS GRAPHICS of ALL responsibility. Any changes in composition or layout / design may require additional charges.

- Acceptable Acceptable with corrections
- New proof requested

Tenant Signature _____ Date _____

Owner _____ Date _____



Note: This estimate includes all operations and materials to complete the work as specified based on standard trade customs. This proposal/estimate may be withdrawn by us if not accepted within 30 days. If charges are needed we will notify you.

13

EXHIBIT C-1

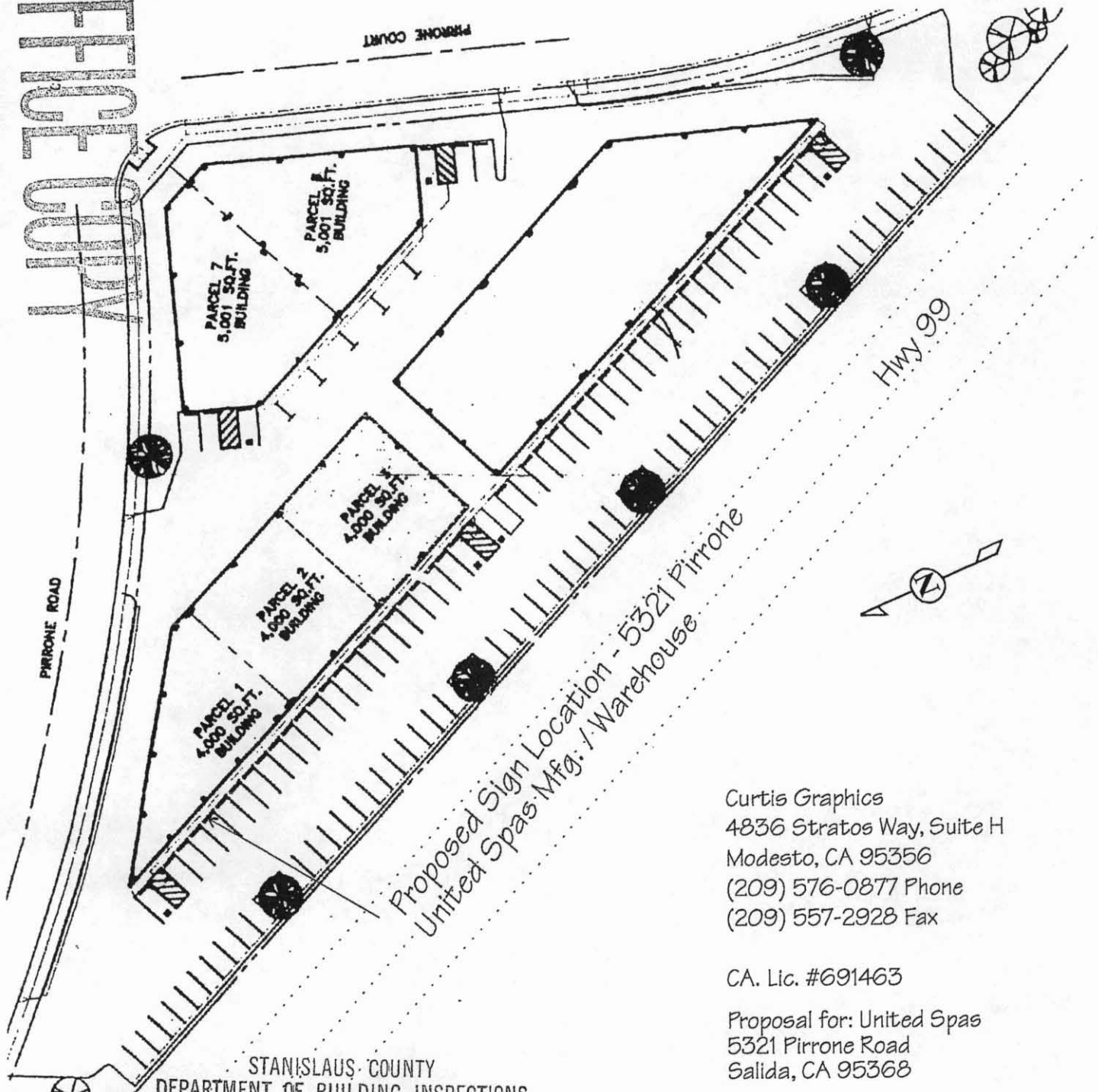
PROPOSAL

Date: September 5, 2000

New Proof: October 19, 2000

STANISLAUS COUNTY
DEPARTMENT OF BUILDING INSPECTIONS

OFFICE ONLY



STANISLAUS COUNTY
DEPARTMENT OF BUILDING INSPECTIONS

This set of plans and specifications MUST be kept on the job site at all times. No changes or alterations may be made on these plans and or specifications without written permission from the Building Inspections Department.

Job Address: 5321 PIRRONE RD Occ. Use: SIGN

APPROVED: Date: 11-15-00 By: [Signature] Permit No: BLD 2000-03047

Occupancy of structure is NOT permitted until final inspection and or issuance of Certificate of Occupancy.

Curtis Graphics
4836 Stratos Way, Suite H
Modesto, CA 95356
(209) 576-0877 Phone
(209) 557-2928 Fax

CA. Lic. #691463

Proposal for: United Spas
5321 Pirrone Road
Salida, CA 95368

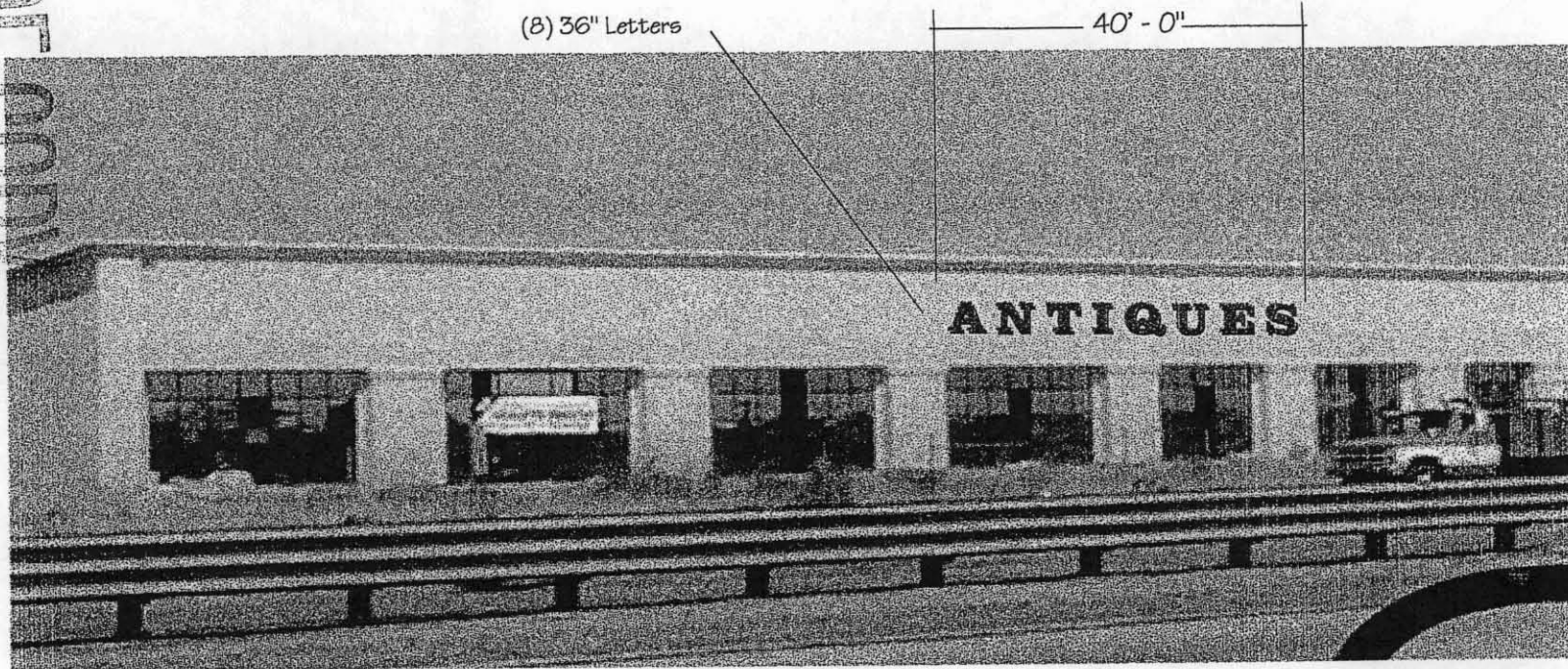
Tim Kelly, Owner
4941 Cloutier Rd.
Salida, CA 95368
(209) 631-5588
(209) 545-9300 Off.

OFFICE COPY



PROPOSAL

Date: August 23, 2000



Curtis Graphics
 4836 Stratos Way, Suite H
 Modesto, CA 95356
 (209) 576-0877 Phone
 (209) 557-2928 Fax

CA. Lic. #691463

Proposal for: Antique Hunters
 5351 Pirrone Road
 Salida, CA 95368

Kent Mitchell
 (209) 765-1309 Cell
 (209) 545-4987 Off.
 (209) 545-0007 Hm.

36" Pan Channel Neon Letters
 #506 Trans. Green Plexiglass
 with 3/4" Gold Trim
 5" Deep Bronze Returns

Wired & Installed

| | | |
|-----------------------------------|----|----------|
| Project: | | |
| (16) 36" Pan Channel Neon Letters | \$ | 3337.60 |
| Sales Tax: | \$ | 246.15 |
| Patterns & Installation: | \$ | 400.00 |
| Total Price: | \$ | 3,983.75 |

PROOF

Please review carefully. Your signature indicates your approval and releases CURTIS GRAPHICS of ALL responsibility. Any changes in composition or layout / design may require additional charges.

- Acceptable
- New proof requested
- Acceptable with changes

OK Seal's 9-15-2000

 Signatures of Tenant Date

 Signatures of Building Owner / Property Mgt. Date

Terms: 50% Deposit and Signed Agreement,
 Balance Upon Completion.

Note: This estimate includes all operations and materials to complete the work as specified based on standard trade customs. This proposal/estimate may be withdrawn by us if not accepted within 30 days. If charges are needed we will notify you.

Cross section Drawing of Pan Channel
Mounted on Exterior Stucco Facia

3/4" Gold Trim Cap
#506 Green Ple Faces

Pan Channel Letter to be
manufactured with 24 ga.
Sheet Metal and Painted
to protect from corrosion

5" Bronze Return

Nylon Nail-Ins to Mount
Letters to Building

Roof & Rafters

Neon Tube on Glass Stands

Eletro Bite Housings

Conduit with GTO Cable Through Exterior Wall
into Transformer Can

Raceway with Transformers & Service Switch
to Time Clock

110 volt Service for Sign

Service to Time Clock



PROPOSAL

Date: September 15, 2000

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STANISLAUS COUNTY
DEPARTMENT OF BUILDING INSPECTIONS

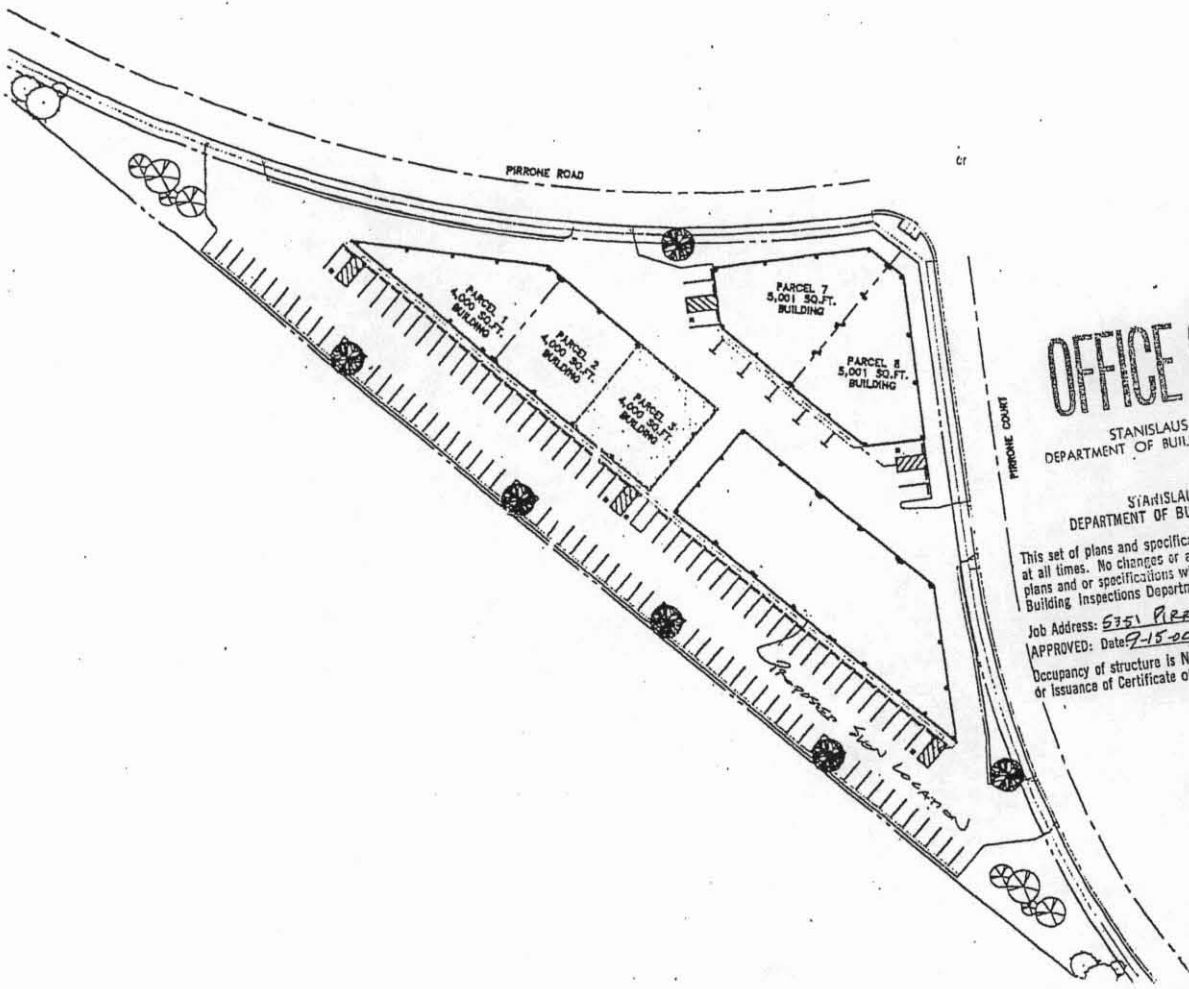
36" Pan Channel Neon Letters
#506 Trans. Green Plexiglass
with 3/4" Gold Trim
5" Deep Bronze Returns

Curtis Graphics
4836 Stratos Way, Suite H
Modesto, CA 95356
(209) 576-0877 Phone
(209) 557-2928 Fax

CA. Lic. #691463

Proposal for: Antique Hunters
5351 Pirrone Road
Salida, CA 95368

Kent Mitchell
(209) 765-1309 Cell
(209) 545-4987 Off.
(209) 545-0007 Hm.



OFFICE COPY

STANISLAUS COUNTY
DEPARTMENT OF BUILDING INSPECTIONS

STANISLAUS COUNTY
DEPARTMENT OF BUILDING INSPECTIONS

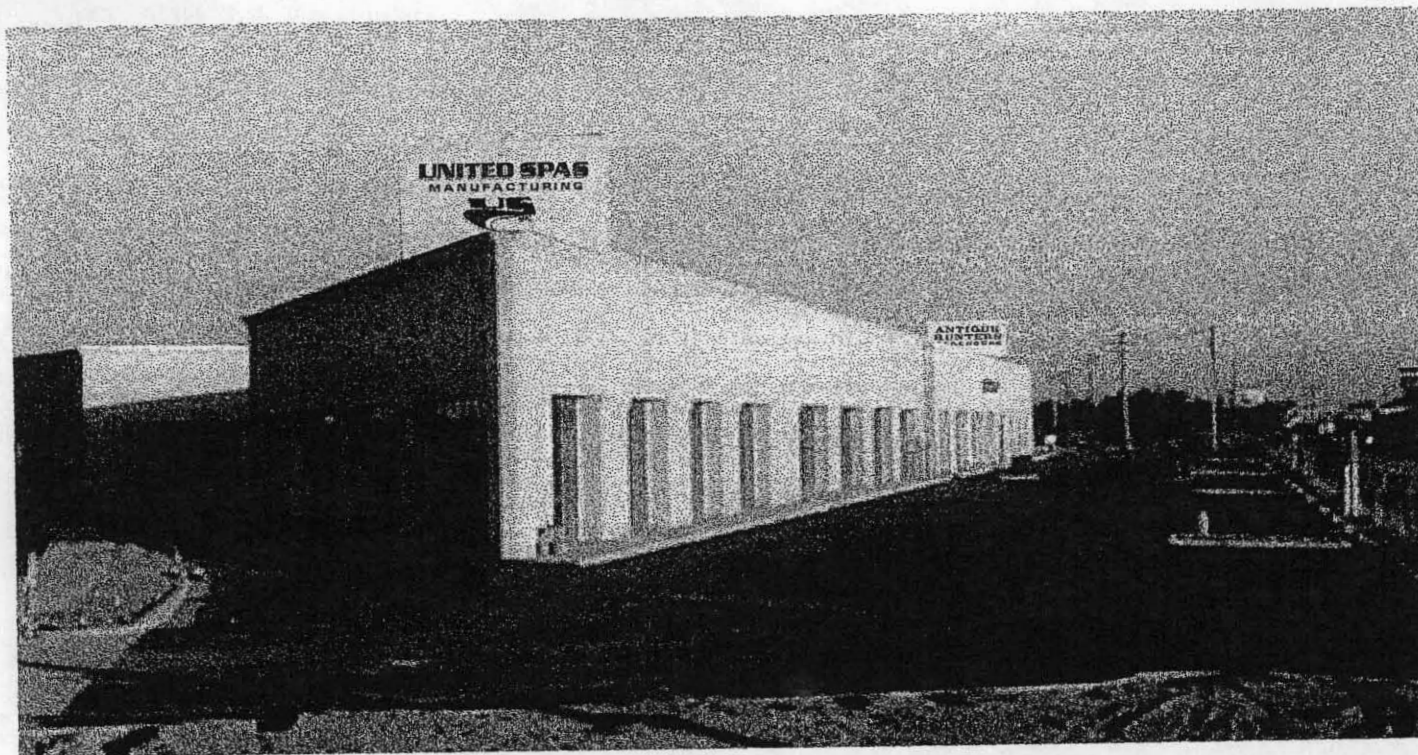
This set of plans and specifications MUST be kept on the job site at all times. No changes or alterations may be made on these plans and or specifications without written permission from the Building Inspections Department.

Job Address: 575 PIRRONE RD Occ. Use: SIGN
 APPROVED: Date 7-15-00 By: KA Permit No: 0472000-0245
 Occupancy of structure is NOT permitted until final inspection and or issuance of Certificate of Occupancy.



PROPOSAL

Date: October 18, 2000



18

Curtis Graphics
4836 Stratos Way, Suite H
Modesto, CA 95356
(209) 576-0877 Phone
(209) 557-2928 Fax

Proposal for: Hughes Commercial Real Estate
5300 Pirrone Road
Salida, CA 95368

CA. Lic. #691463

PROOF

Please review carefully. Your signature indicates your approval and releases CURTIS GRAPHICS of ALL responsibility. Any changes in composition or layout / design may require additional charges.

- Acceptable
- New proof requested
- Acceptable with changes

Signature of Tenant _____ Date _____

Signature of Building Owner / Property Mgt. _____ Date _____

OFFICE COPY

STANISLAUS COUNTY
DEPARTMENT OF BUILDING INSPECTIONS

EXHIBIT D



PROPOSAL

Date: October 18, 2000

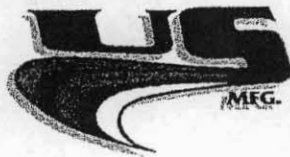
ANTIQUE HUNTERS WAREHOUSE

Sign #1 (2) Sets of Trim Cap Plexiglass Letters
Non-Illuminated - Stud Mounted
1 Set for each side of Stucco Decorated Pinnacle.

Tenant: Antique Hunters Warehouse

Note: Sign Area Not To Exceed 16' - 0" Length
and 6' - 0" in Height

UNITED SPAS MANUFACTURING



Sign #2 (2) Sets of Trim Cap Plexiglass Letters
Non-Illuminated - Stud Mounted
1 Set for each side of Stucco Decorated Pinnacle.

Tenant: United Spas Warehouse

Note: Sign Area Not To Exceed 16' - 0" Length
and 6' - 0" in Height

Curtis Graphics
4836 Stratos Way, Suite H
Modesto, CA 95356
(209) 576-0877 Phone
(209) 557-2928 Fax

CA. Lic. #691463

Proposal for:
Hughes Commercial Real Estate
5300 Pirrone Road
Salida, CA 95368

OFFICE COPY

STANISLAUS COUNTY
DEPARTMENT OF BUILDING INSPECTIONS

PROOF

Please review carefully. Your signature indicates your approval and releases CURTIS GRAPHICS of ALL responsibility. Any changes in composition or layout / design may require additional charges.

- Acceptable
- New proof requested
- Acceptable with changes

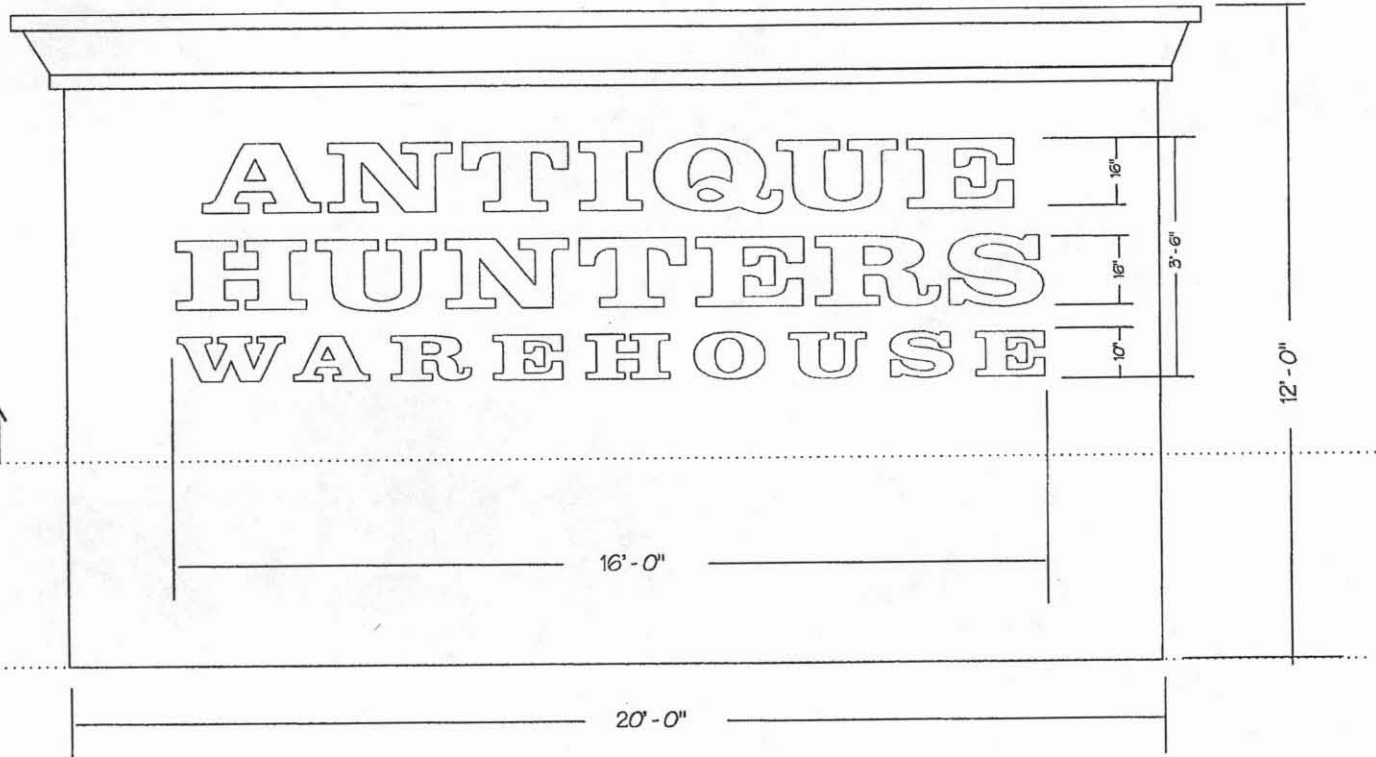
Signature of Tenant _____ Date _____

Signature of Building Owner / Property Mgt. _____ Date _____



PROPOSAL

Date: August 22, 2000



20

Visuable Area Above False Front

Top of Structure

16' - 0"

20' - 0"

12' - 0"

16"

16"

10"

3' - 6"

Curtis Graphics
4836 Stratos Way, Suite H
Modesto, CA 95356
(209) 576-0877 Phone
(209) 557-2928 Fax

CA. Lic. #691463

Proposal for: ANTIQUE HUNTERS
5351 Pirrone Road
Salida, CA 95368

Kent Mitchell
(209) 765-1309 Cell
(209) 545-4987 Off.
(209) 545-0007 Hm.

(2) Sets of Plexiglass Trim Cap Letters
Stud Mounted on to Decorated Stucco Pinnacle.

Note: This estimate includes all operations and materials to complete the work as specified based on standard trade customs. This proposal/estimate may be withdrawn by us if not accepted within 30 days. If charges are needed we will notify you.

PROOF

Please review carefully. Your signature indicates your approval and releases CURTIS GRAPHICS of ALL responsibility. Any changes in composition or layout / design may require additional charges.

- Acceptable
- Now proof requested
- Acceptable with changes

Signature of Tenant _____ Date _____

Signature of Building Owner / Property Mgt. _____ Date _____

OFFICE COPY

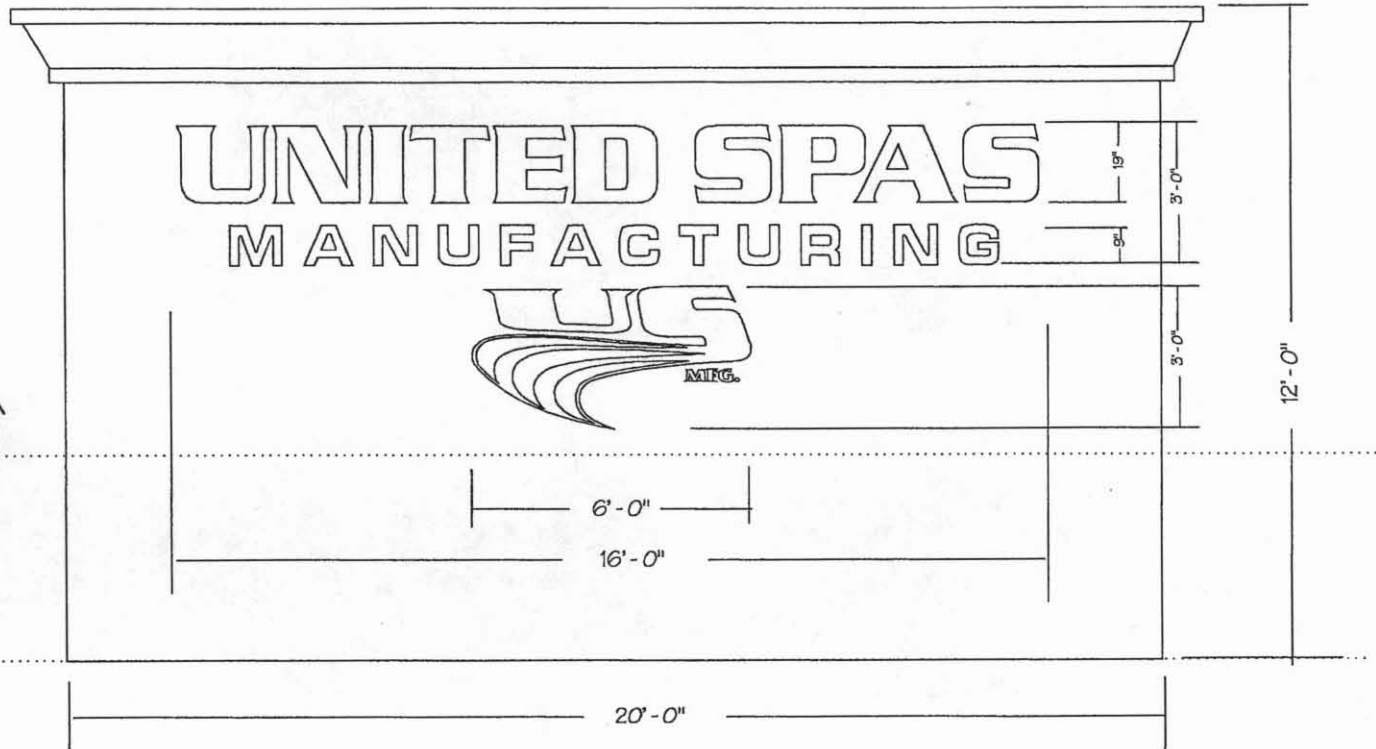
STANISLAUS COUNTY
DEPARTMENT OF BUILDING

EXHIBIT D-2



PROPOSAL

Date: August 27, 2000



21

DEPARTMENT OF BUILDING

EXHIBIT D-3

ORIGINAL COPY

Visible Area Above False Front ↑

Top of Structure

Curtis Graphics
4836 Stratos Way, Suite H
Modesto, CA 95356
(209) 576-0877 Phone
(209) 557-2928 Fax

CA. Lic. #691463

Proposal for: United Spas Warehouse

Attn: Tim Kelly, Owner
613-5588

(2) Sets of Plexiglass Trim Cap Letters
Stud Mounted on to Decorated Stucco Pinnacle.

Note: This estimate includes all operations and materials to complete the work as specified based on standard trade customs. This proposal/estimate may be withdrawn by us if not accepted within 30 days. If charges are needed we will notify you.

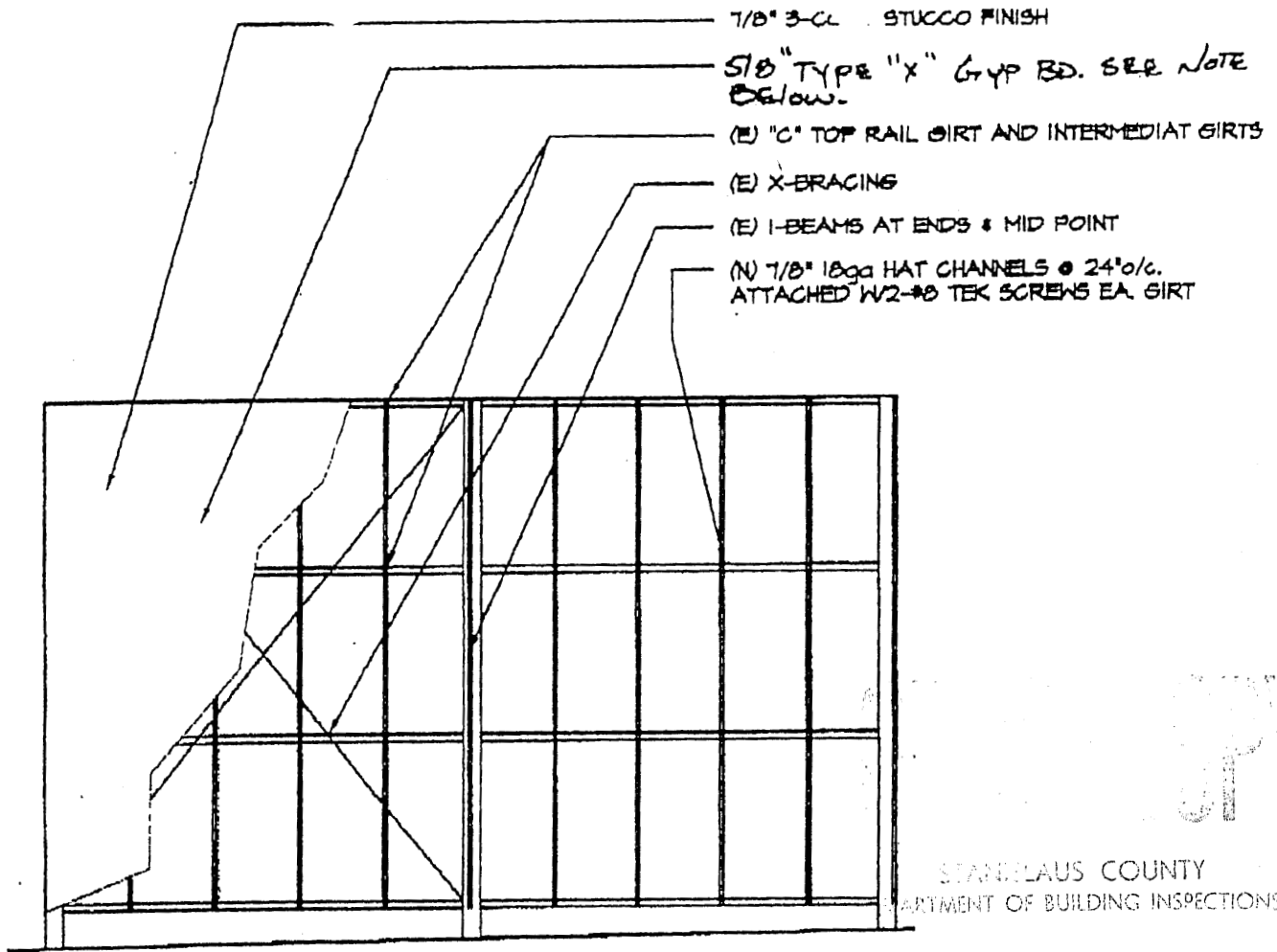
PROOF

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- Acceptable
- New proof requested
- Acceptable with changes

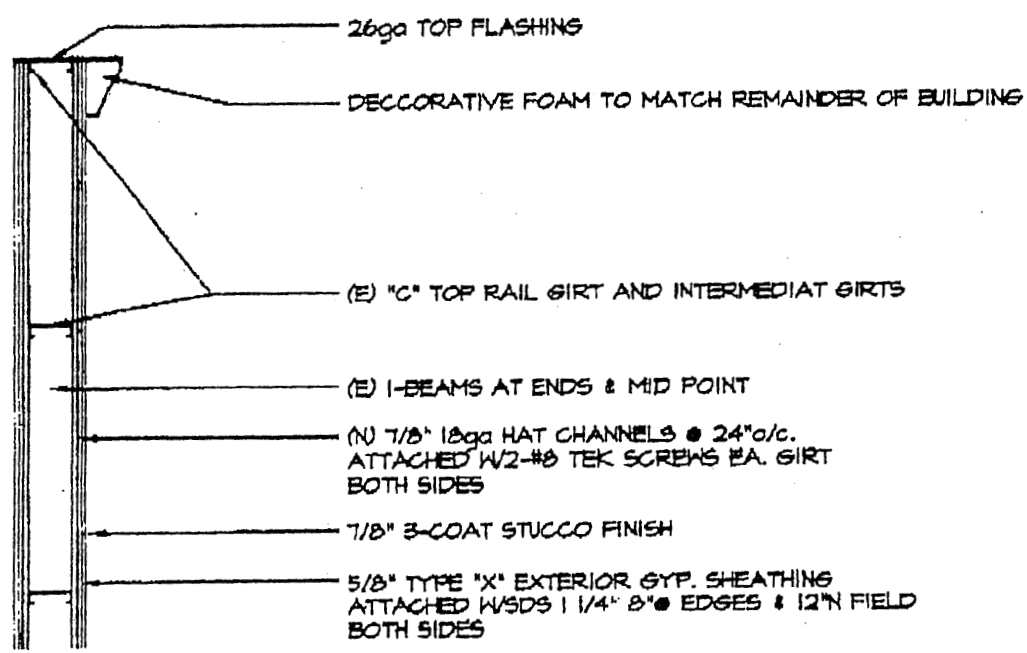
Signature of Tenant _____ Date _____

Signature of Building Owner / Property Mgt. _____ Date _____



COPY

STANISLAUS COUNTY
DEPARTMENT OF BUILDING INSPECTIONS



| | | |
|--|--|--|
| <p>DRAFTING SERVICE</p>  <p>20 CLEANDER LANE TURLOCK, CALIF. 95000</p> | <p>HUGHES COMMERCIAL</p> <p>PIRRONE ROAD SALIDA, CALIFORNIA</p> | <p>PARCEL 1&B ROOF SIGNAGE</p> |
|--|--|--|



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

1010 10th Street, Suite 3400, Modesto, CA 95354

Phone: 209.525.6330 Fax: 209.525.5911

November 22, 2000

Gerry Hughes
Hughes Construction
P.O. Box 97
Salida CA 95368

Re: Roof signs for 5351 and 5321 Pirrone Road, Salida.

Dear Mr. Hughes,

The purpose of this letter is to notify you that the Planning Director, Ron Freitas, has determined that two roof-mounted signs (Building Permits Numbers BLD2000-02910 and BLD2000-02911) shall not be approved by this office.

The building constructed on the property is not the same design as the one originally proposed for which a sign program was reviewed. In the earlier plan, proposed signs were a different shape and design, clearly integrated in to the architecture of the building. However, the building which has since been constructed is significantly different from that one, hence the need to change the sign program.

As you are aware, this office has already approved a sign program and building permits to place large wall signs on the west side of the building. These signs were designed for and are in position to be clearly visible from adjacent Highway 99. With those wall signs approved the two roof-mounted signs are no longer needed to identify the uses. This, plus the fact that they do not conform to the original approved plans and appear much more as add-ons than the previous plan's integration into the building design itself, lead us to this decision not to approve these signs.

A drive by review of the site reveals that at least a portion of the support structures for the signs has already been installed. We respectfully request that these improvements be removed as soon as possible.

As is the case with any discretionary staff decision, this determination not to approve these signs is appealable to the Stanislaus County Planning Commission. Such an appeal must be in writing, spelling out specific reasons why the decision as being appealed. It must be filed no later than 10 days from the postmark date of this letter. The appeal fee is \$315.00.

November 22, 2000
5351 and 5321 Pirrone Road, Salida
Page 2

Please feel free to call if you have any questions. Thank you for your consideration and understanding of our concerns.

Sincerely,

A handwritten signature in cursive script that reads "Bob Kachel".

Bob Kachel
Senior Planner

cc: Ron Freitas
Rick Rodriguez

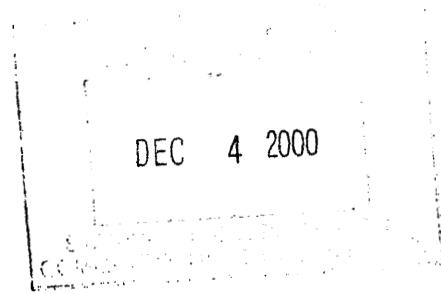
I:\DANISE\Bob\11-22-00.hughes.wpd

HUGHES

COMMERCIAL REAL ESTATE

December 1, 2000

Stanislaus County Planning Commission
1010 10th Street, Suite 3400
Modesto, CA 95354



Dear Commissioners:

The decision made by Ron Freitas, the Planning Director, to disapprove the "two roof-mounted signs" on the property at 5351 and 5321 Pirrone Road was a discretionary staff decision and I wish to appeal it.

My original approval included a sign face that extended twelve feet above the roofline and was just over sixty feet wide. The total square footage was approximately 600. The signs I am proposing are only 240 sq. ft. (12 ft high and 20 ft. wide.) The framework that is already installed is a part of the steel structure and not an add on. It was included in the original plans for the building but due to an error on the part of the steel builder there were two sets of plans submitted for approval by the Stanislaus County Building Department. One that included the sign face and one that did not. As luck would have it, the Building Department checked the set without the sign faces.

Assuming that we had approval by virtue of the fact that we received a building permit, we built the sign faces as per the plan. It was not until the building inspector caught the mistake that we were aware of the problem. The framework that now exists needs to be completed by applying a layer of sheetrock and then adding the stucco and trim cap to match the building. Please see Ms. Sutton Berardi for computer-generated drawings of the completed sign faces.

In the letter I received from Mr. Kachel, he states that the "building constructed on the property is not the same design as the one originally proposed for which a sign program was reviewed." The original approval included the 600 sq. ft. signs on the north and south ends of the project as well as signage along the freeway side. We were forced to change the design due to easements that affected the placement of the buildings. When we moved the buildings back away from the freeway because of the easements, it became necessary to bring the north and south ends of the project to a point. When we were forced to bring the buildings to a point, the original signs at either end had to be modified. In that process I made them smaller and moved them back away from the point. And as I have

already stated, the sign faces were a part of the plans we submitted. They just happened to be omitted on the one set the Building Department checked.

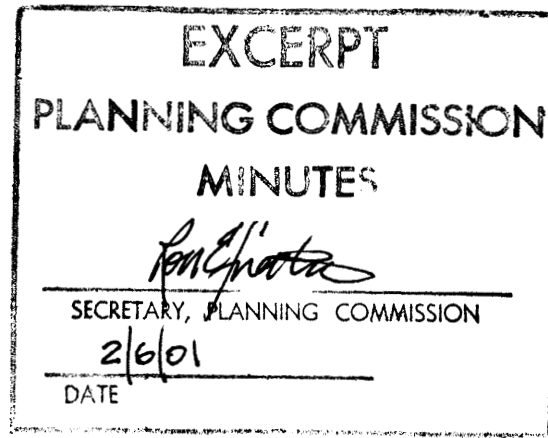
Signage is very important, even critical to most businesses. The tenants that have agreed to occupy the buildings involved in this misunderstanding were counting on those signs. So far I have been very fortunate to find good tenants for the properties I've developed in the County. It is important to me and my future developments in this county that I provide businesses with good exposure.

Please consider my request to allow the sign faces to remain and permit me to complete them in an attractive way.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gerry Hughes".

Gerry Hughes



- C. **APPEAL OF STAFF DENIAL ON SIGNS - GERRY HUGHES**
Request to place two (2) roof-mounted signs located at 5351 and 5321
Pirrone Road, in the Salida area.
APN: 136-08-33
Staff report: Bob Kachel Recommends **DENIAL**.
Public hearing opened.
OPPOSITION: Gerry Hughes, the applicant, 7440 Del Cielo Way,
Modesto.
FAVOR: No one spoke.
Public hearing closed.
Cusenza/McWilliams, 6-1(Wetherbee), **DENIED**.

HUGHES

COMMERCIAL REAL ESTATE

B.M
1-16-01
Rec # E-1206

January 10, 2001

Stanislaus County Board of Supervisors
1010 10th Street
Modesto, California 95354

Dear Supervisors:

On the evening of January 4, 2001, I appeared before the Planning Commission to appeal a decision by Ron Freitas to disallow roof signs on the property that Frank Denis and I developed on Pirrone Road in Salida. I have enclosed a copy of the letter I wrote to appeal this decision. As you are probably aware, I was turned down in my appeal. But that was not the worst thing that happened, at least in my opinion.

To begin with, I feel that Mr. Freitas in his opening remarks portrayed me more as a criminal than a real estate developer who made an effort to correct a problem and a misunderstanding. I tried to explain that what now appears on the building is a part of the building's steel structure, not an "add on" and that the sign frames were part of the building design. I was chastised by the chairperson of the commission for not building the building that she put her stamp of approval on.

The Commissioners expressed their dislike of the "unsightly sign frames." One commissioner made it clear that he was not going to set a precedent for "roof signs". That comment came after my question regarding all of the "pole signs" in the Salida area such as McDonalds. Mr. Freitas reiterated that each individual situation and application called for his approval. At that point it seemed to me it would have been useless to ask if the McDonald's sign didn't set a precedent, why would approval of my signs set a precedent.

January 10, 2001
Board of Supervisors
Page 2 of 3

Both my letter of appeal and my explanation that evening of why the building design had to be changed from the original design seemed to fall on deaf ears.

I have earned a living developing property in Salida for eleven years and believe that my record for creating attractive buildings is well established with buildings such as 4306 Sisk Road (Computer Tutor), 4260 Sisk Road (Verizon Wireless), 4400 Sisk road (Apria Health Care), 4731 Greenleaf Circle, 4718 Greenleaf Circle, 4911-4901 Cloutier Drive, and the building of discussion at 5301-5351 Pirrone Road.

I have always spent more money than I probably should have to create attractive as well as functional buildings so when criticized for creating something that is "unsightly" I take issue with that opinion.

I fear that perhaps my letter of appeal and verbal explanation to the commission of why the site plan had to be changed was not clear. After the plan was approved we found out that the cost to move the PG&E high-pressure gas line on the property would cost a staggering \$500,000.00. At this point our choice was either to abandon the project or redesign the site plan to work around the pipeline.

We finally came up with a design that could work but would no longer include the approved signs facing north on the one end and south on the other end of the building. Ms. Sutton-Berardi advised me that I would need to submit a new site plan to the planning staff but that there would be no problem with the change. We did not discuss the exterior design or roof signs. Our new site plan was approved and eventually the building plans. We had already committed for sale the building to the south and to the north. The buyers liked the end exposure because of the roof signs so it was necessary to modify the roof signs to fit the redesigned buildings. The sign faces were designed to serve only the one tenant on the north end and the one on the south.

January 10, 2001
Board of Supervisors
Page 3 of 3

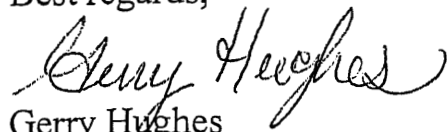
I had incorrectly assumed that my revised plan with the new sign faces had been approved when I received my building permit. However, the plan that I submitted for approval did not include the signs due to an error on the part of Modern Steel, our subcontractor. All the other sets did.

The first reason for Mr. Freitas' denial was that the signs would be "unsightly" and the second reason was they were "unnecessary". It was pointed out more than once in the meeting that signage on the front (freeway side of the buildings) was more than adequate; therefore the signs on the top of the building were not necessary. I mentioned numerous businesses along the freeway in Salida that have plenty of freeway exposure but also opted for large pole signs. Again, I was reminded that we weren't talking about pole signs. My logic was apparently lost. It concerns me when a staff of government employees determine what a business needs, and what they don't. My clients purchased the building to the north and south because of the additional exposure the roof signs offered and I have an obligation to them to pursue this matter.

Please review the enclosed photos of the existing sign frames and computer generated pictures of the finished signs.

Thank you for taking your valuable time to assist me in my decision.

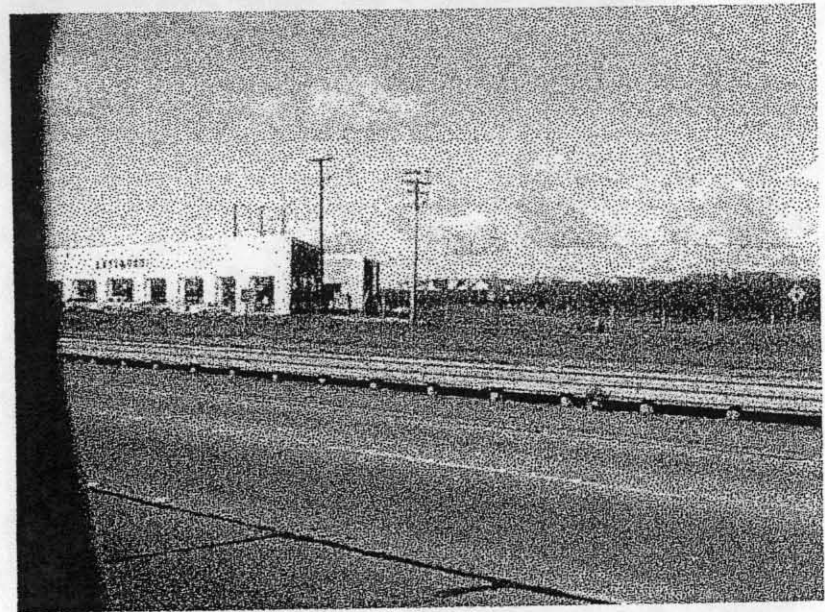
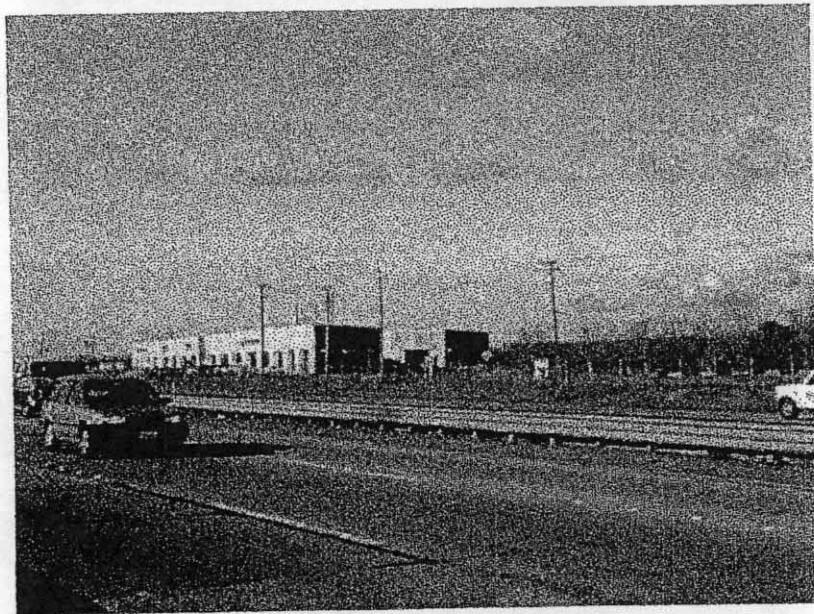
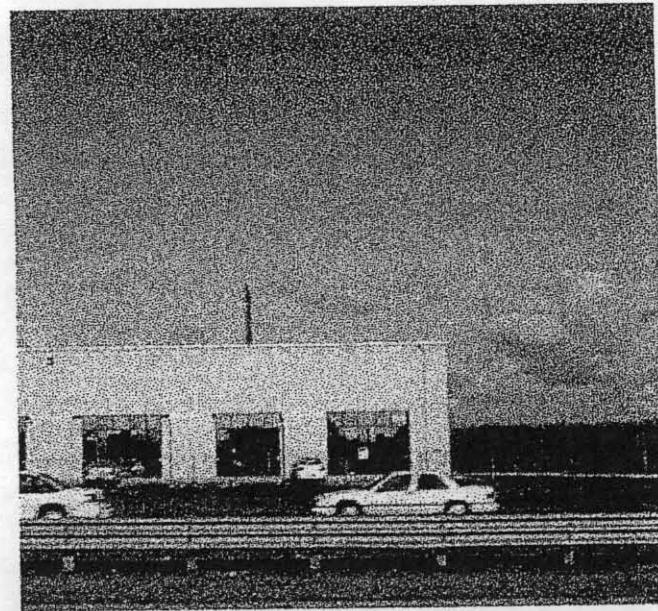
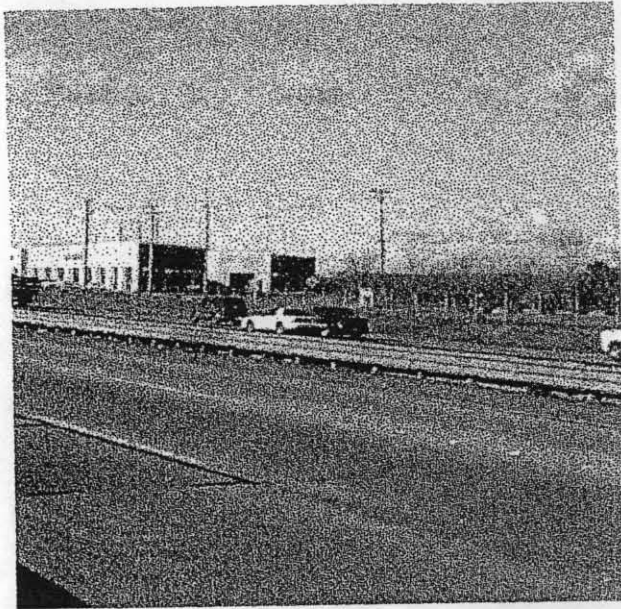
Best regards,

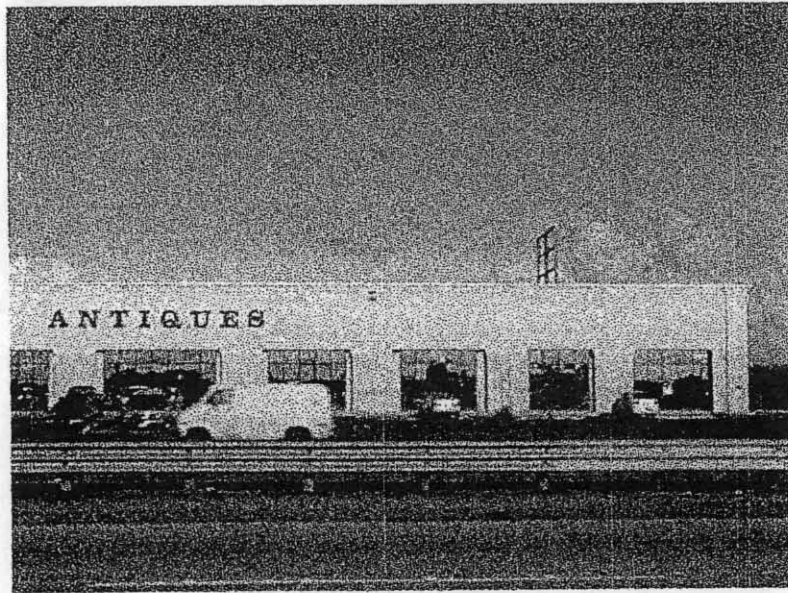
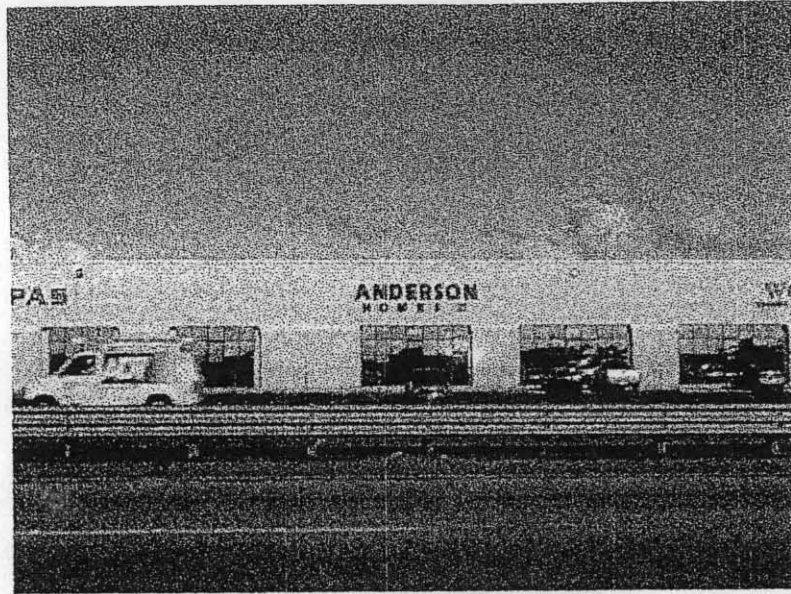


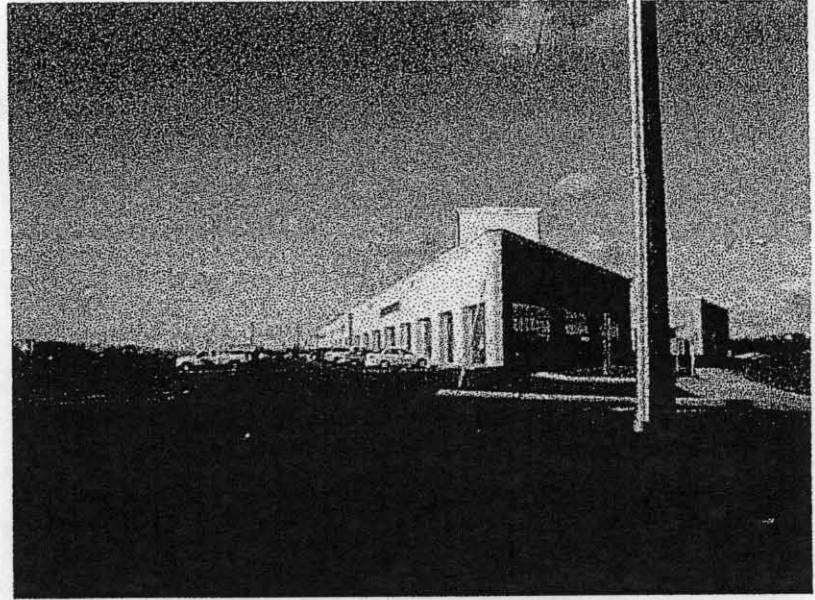
Gerry Hughes

GH:rls

Enclosures: 1) Letter of Appeal
2) Photographs









PROPOSAL

Date: October 18, 2000

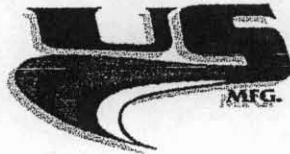
ANTIQUE HUNTERS WAREHOUSE

Sign #1 (2) Sets of Trim Cap Plexiglass Letters
Non-Illuminated - Stud Mounted
1 Set for each side of Stucco Decorated Pinnacle.

Tenant: Antique Hunters Warehouse

Note: Sign Area Not To Exceed 16' - 0" Length
and 6' - 0" in Height

UNITED SPAS MANUFACTURING



Sign #2 (2) Sets of Trim Cap Plexiglass Letters
Non-Illuminated - Stud Mounted
1 Set for each side of Stucco Decorated Pinnacle.

Tenant: United Spas Warehouse

Note: Sign Area Not To Exceed 16' - 0" Length
and 6' - 0" in Height

Curtis Graphics
4836 Stratos Way, Suite H
Modesto, CA 95356
(209) 576-0877 Phone
(209) 557-2928 Fax

CA. Lic. #691463

Proposal for:
Hughes Commercial Real Estate
5300 Pirrone Road
Salida, CA 95368

PROOF

Please review carefully. Your signature indicates your approval and releases CURTIS GRAPHICS of ALL responsibility. Any changes in composition or layout / design may require additional charges.

- Acceptable
- New proof requested
- Acceptable with changes

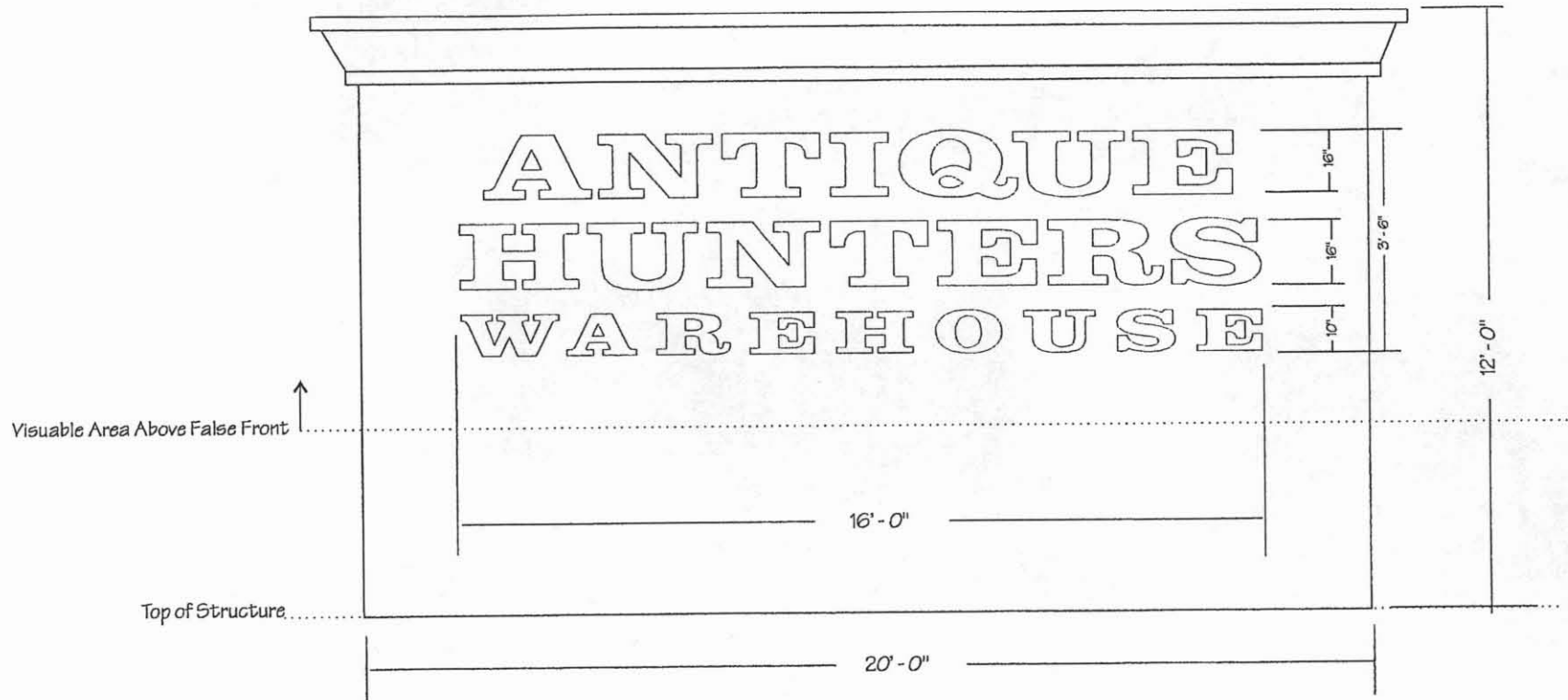
Signature of Tenant _____ Date _____

Signature of Building Owner / Property Mgr. _____ Date _____



PROPOSAL

Date: August 22, 2000



Curtis Graphics
 4836 Stratos Way, Suite H
 Modesto, CA 95356
 (209) 576-0877 Phone
 (209) 557-2928 Fax

CA. Lic. #691463
 Proposal for: ANTIQUE HUNTERS
 5351 Pirrone Road
 Salida, CA 95368

Kent Mitchell
 (209) 765-1309 Cell
 (209) 545-4987 Off.
 (209) 545-0007 Hm.

(2) Sets of Plexiglass Trim Cap Letters
 Stud Mounted on to Decorated Stucco Pinnacle.

Note: This estimate includes all operations and materials to complete the work as specified based on standard trade customs. This proposal/estimate may be withdrawn by us if not accepted within 30 days. If charges are needed we will notify you.

PROOF

Please review carefully. Your signature indicates your approval and relieves CURTIS GRAPHICS of ALL responsibility. Any changes in composition or layout / design may require additional charges.

- Acceptable
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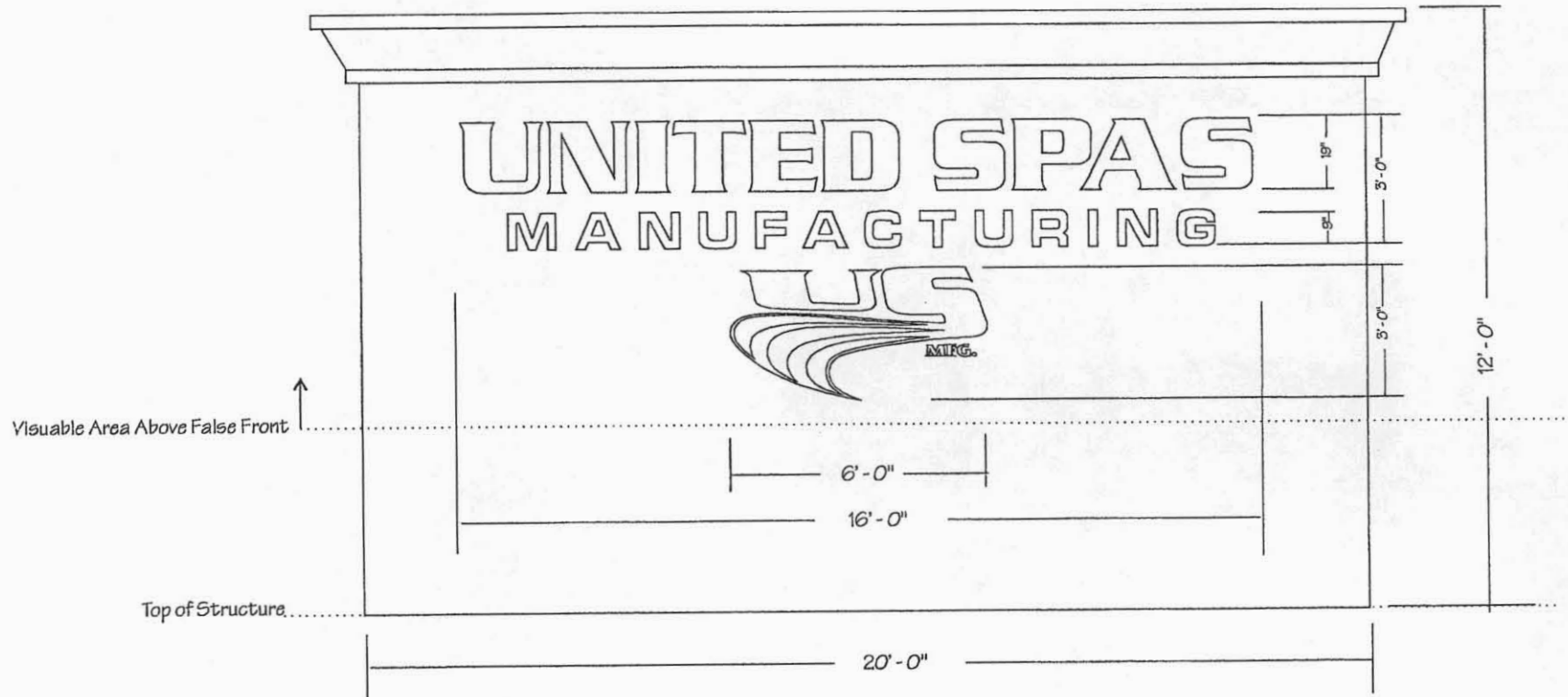
Signature of Tenant _____ Date _____

Signature of Building Owner / Property Mgt. _____ Date _____



PROPOSAL

Date: August 27, 2000



Curtis Graphics
 4836 Stratos Way, Suite H
 Modesto, CA 95356
 (209) 576-0877 Phone
 (209) 557-2928 Fax

CA. Lic. #691463

Proposal for: United Spas Warehouse

Attn: Tim Kelly, Owner
 613-5588

(2) Sets of Plexiglass Trim Cap Letters
 Stud Mounted on to Decorated Stucco Pinnacle.

Note: This estimate includes all operations and materials to complete the work as specified based on standard trade customs. This proposal/estimate may be withdrawn by us if not accepted within 30 days. If charges are needed we will notify you.

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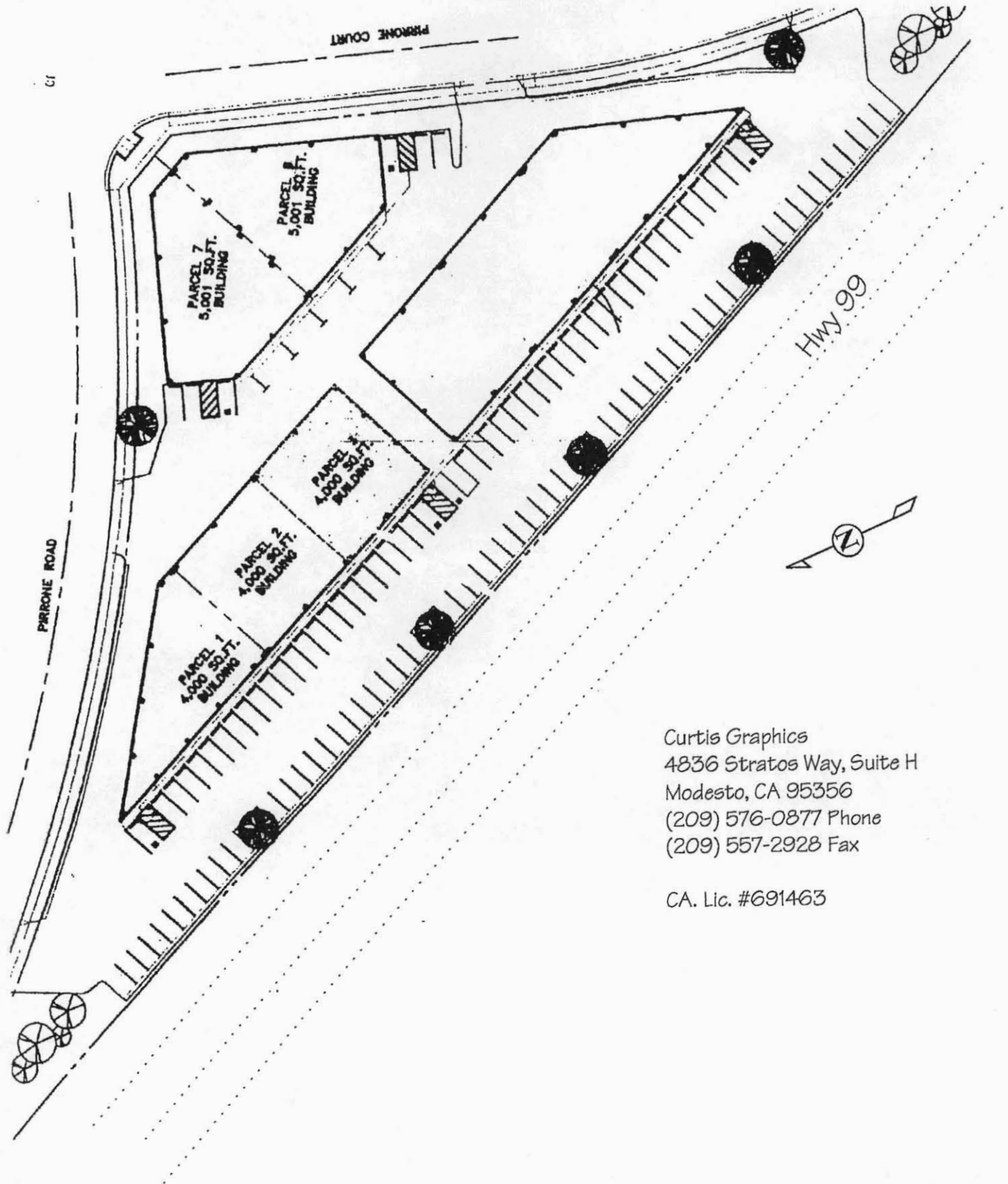
Signature of Tenant _____ Date _____

Signature of Building Owner / Property Mgt. _____ Date _____



PROPOSAL

January 15, 2001



Curtis Graphics
4836 Stratos Way, Suite H
Modesto, CA 95356
(209) 576-0877 Phone
(209) 557-2928 Fax

CA. Lic. #691463

HUGHES

COMMERCIAL REAL ESTATE

December 1, 2000

Stanislaus County Planning Commission
1010 10th Street, Suite 3400
Modesto, CA 95354

Dear Commissioners:

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Sincerely,

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Gerry Hughes