



CITY OF FOWLER
PLANNING COMMISSION MEETING
March 1, 2012
MINUTES

Chairman Mukai called the meeting to order at 6:34 p.m.

Commissioners Present: Gary Mukai, Sandie Monis, Henry Fernandez and Mark Rodriguez

Commissioners Absent: Craig Mellon

City Staff Present: City Attorney, Scott Cross, Planning Consultant, Bruce O'Neal, and Planning Secretary Corina Burrola

Approval of Minutes:

Commissioner Rodriguez moved to approve the minutes for January 5; 2012 and was second by Commissioner Monis and passed by a roll call vote of 4-0-0-1.

Public Presentation:

There were no public presentations (Public Presentation closed at 6:36 p.m.).

Agenda Item No. 5:

Public Hearing to Consider Conditional Use Permit No. 12-01 to Amend Previously Approved CUP No. 05-08 by Permitting General Automotive Repair at Fowler Car Connection in the C-3 Zone District – 2708 Vineyard Place (Castillo / Villalobos)

Planning Consultant, Bruce O' Neal presented to the Commission a brief summary of the Staff Report. Mr. O' Neal opened by saying that on December 15, 2005, the Commission approved CUP 05-08 to permit auto sales with incidental repair and service for Sierra Auto Sales which specifically limited auto repair to incidental repair as was proposed by the applicant at the time, incidental repair was for inspection of automobiles that were to be sold and warranty work performed on those automobiles, Approval Condition No. 1 states "Incidental repair and service shall be permitted only for vehicles intended for sales on the premises and shall not include the general public". In March of 2011, the owner, George Villalobos, changed the name to Fowler Car Connection and approached the City about a separate business operator for the repair portion of the business. Ben Castillo submitted an application with the understanding that the auto repair business shall be only for warranty work and other repairs of the autos sold by Fowler Car Connection. In keeping the conditions of approval for CUP No. 05-08, no auto repairs for the general public is permitted. In November of 2011 during a site inspection it became clear that the general automobile repair was taking place in violation of conditional use permit. The applicant was advised that he could submit a new CUP to amend the old one. We are not recommending approval of the amendment because we would rather see the use as it was originally approved that is automotive sales with incidental repair, we don't believe that there is adequate room on the site, parking for customers, the general auto repair would only create issues for heavy truck traffic in the area and so forth. An additional concern mentioned in the Staff Report is that last year the city approved the Lot Line Adjustment for subject site and Vermeer Equipment, just located to the South of the subject site. The Lot Line Adjustment transferred about 8,000 ft to Vermeer including the southern most driveway approach which reduced the size of subject site. If the Commission decides to approve the CUP we have provided a Resolution that would allow you to approve the CUP but recommendation of a Site Plan would be needed to demonstrate how the general automotive repair would work on the subject property.

George Villalobos, who was originally with Sierra Auto Sales, is now owner of Fowler Car Connection; took the podium to answer any questions of the Commission and Staff. Mr. Villalobos stated that about a year ago his former partner opened another lot on Merced & 8th Street. Five years ago business was great, selling 50 to 60 cars a month, during that time he retained his own mechanic. A Bar license (Bureau of Automotive Repair) has been granted to the applicant, Ben Castillo, of Ben's Automotive Repair, auto repairs and service are provided only for vehicles intended for warranty repair of autos sold at the dealership. Oil changes are not performed in the auto shop, the automobiles will be taken to another auto repair shop for these services, the only auto repairs that are performed on the vehicles are brakes, alternators, window regulators nothing that includes major repairs. Commissioner Fernandez asked the applicant how many cars he has on the lot as of now for auto repair. In a weeks time there would be around 4 to 5 vehicles at the most. Mr. Villalobos use to stock 80 to 100 cars; now that business is slow he has about 12 cars on the lot. There is plenty of room for the cars that need to be maintained because of limited cars on the lot. When transporters deliver cars they park outside the lot in order to avoid damage to the vehicles for sale on the lot.

There were no other public presentations pertaining to Conditional Use Permit No. 12-01, (Public hearing closed at 7:24 pm).

A motion was made by Commissioner Fernandez to approve Conditional Use Permit No. 12-01 to include the Conditions of Approval that were discussed, this was second my Commissioner Rodriquez and passed on a roll call vote of 4-0-0-1.

Communications:

City Manager, David Elias, mentioned to the Commissioners the Planners Institute which will take place on March 20 – 22, 2012, please contact Karen Mukai she will make the arrangements on registration and transportation.

Chairman Mukai asked about the status of the Motel 6 and the appeal to City Council. Bruce mentioned that the appeal hearing to the City Council is scheduled for Tuesday night March 6th. The notification to property owners was expanded to 1000 ft. at the direction of the Council; a CTY call notification will go out to all Fowler residents.

No other business was discussed and the meeting was adjourned at 7:02 pm.

Gary Mukai
Chairman

Corina Burrola
Planning Secretary