



CITY OF FOWLER
PLANNING COMMISSION MEETING
September 6, 2012
MINUTES

Chairman Mukai called the meeting to order at 6:31 p.m.

Commissioners Present: Gary Mukai, Sandie Monis and Henry Fernandez

Commissioners Absent: Craig Mellon and Mark Rodriguez

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

Approval of Minutes:

Commissioner Fernandez moved to approve the minutes for June 7, 2012 and was second by Commissioner Monis and passed by a roll call vote of 3-0-0-2.

Public Presentation:

There were no public presentations (Public Presentation closed at 6:33 p.m.).

Agenda Item No. 5:

Public Hearing to Consider 2nd Extension of Time- Conditional Use Permit No. 10-02, Filed by National Raisin Company, to operate an Anaerobic Digester for Processing Agricultural Wastewater on a portion of APN No. 343-053-23.

Consultant, Bruce O' Neal presented to the Commission on July 15, 2010 the Planning Commission approved CUP No. 10-02 for National Raisin, the site is a 5 acre parcel located on Harris Avenue which is an extension of 5th Street on the South end of Fowler, the Conditions of Approval were valid for one year. On July 7, 2011 the Commission approved a one year extension of CUP No. 10-02, although progress is being made on improvement plans, the applicant doubts that construction and occupancy could take place in a reasonable period of time therefore has requested a two year extension to the Conditional Use Permit. Should the Commission grant the request the CUP would be extended until July 15, 2014. The Conditions of Approval are the original conditions previously approved.

Applicant John Minnazzoli and Mike Bedrosian of National Raisin Company took the podium to answer any questions from the Commission. Commissioner Fernandez asked the Applicants where the water goes, Mr. Minnazzoli said the water goes to SKF. All permits and Plans have been submitted to the City but there have been issues with Air Pollution Board.

There were no other public presentations pertaining to Conditional Use Permit No. 10-02, (Public hearing closed at 6:40 pm)

A motion was made by Commissioner Monis to approve 2nd Extension of Time - Conditional Use Permit No. 10-02, this was second by Commissioner Fernandez and passed on a roll call vote of 3-0-0-2.

Agenda Item No. 6:

Public Hearing to Consider Conditional Use Permit No. 12-02, a Proposal Filed by Crown Castle to permit Co-Location of Two 6-foot Microwave Dish Antennas on the Existing Crown Castle Lattice Tower located at 114 N. Sumner Avenue, APN No. 343-340-01.

Mr. O'Neal presented to the Commission, in May 2011 the Commission approved CUP No. 11-01 approving co-location of one 6-foot dish antenna to be placed 90-feet above grade on the lattice tower the most northerly tower, that dish antenna was not constructed and the CUP expired. Crown Castle has now submitted CUP Application No. 12-02 to permit the co-location of two 6-foot dish antennas, one at 85-feet and the other at 60-feet above grade. The applicants' submittal package of the last page shows the lattice tower and the location of the two 6-foot dish antennas they would become the fourth co-location on this tower something that the City strongly encourages rather than the construction of new towers. On the Wright Oil property there are two active cell towers and an abandon tower. On page two of the Staff Report an extensive history of the CUP on the Wright Oil site of the various cell towers that have been approved and some have not been constructed. Code Enforcement issued have been addressed on the larger Wright Oil site, Mike Koch and Mr. O'Neal have begun the proceedings in which there are two separate code enforcement issues, 1: Is the removal of the cell tower which was a condition of approval of a previous CUP, 2nd is general code enforcement issues in Highway Commercial Zone District that relate to outdoor storage and the required shielding of that storage from street view. An update will be provided at a later hearing regarding the status of the code enforcement issues. Commissioner Monis asked about the landscaping in the area and about the last time they were told the whole area was going to be re-landscaped. Mr. O'Neal advised the Commission that the City of Fowler if waiting for funding for the landscaping and sidewalk on street improvements. Grant applications have been submitted.

Applicant Tricia Knight representing Crown Castle approached the podium and presented a brief description summary of the proposed project. Building plans have been submitted assuming no appeals concerning the project; the project should be able to move forward right away.

There were no other public presentations pertaining to Conditional Use Permit No. 12-02, (Public hearing closed at 6:50 p.m.)

A motion was made by Chairman Mukai to approve Conditional Use Permit No. 12-02, this was second my Commissioner Monis and passed on a roll call vote of 3-0-0-2.

Agenda Item No. 7

Public Hearing to consider the 3rd Amendment to Conditional Use Permit No. 02-01, a Proposal Filed by Sunny Truck Wash to allow construction of a 25' x 90' Steel Building for Truck Lube and Oil Service at the existing Star Truck Wash located at 2713 Vineyard Place, APN No. 348-031-08.

Mr. O'Neal presented to the Commission a briefing of the staff report. On June 13, 2002 the Commission approved CUP No. 02-01 to construct a truck/RV wash and retail store located at subject location, the matter was appealed to the City Council on August 6, 2002, the Council approved the CUP with conditions. The project site is approximately 1.6 acres and is located on the west side of Vineyard Place south of Manning Avenue between Highway 99 and Golden State Boulevard. On two different occasions the applicant has come before the Commission to amend conditional use permit, the first time was in June 2004 when the hours of operation were adjusted, prior to granting extended hours, the Commission was concerned that the applicant had not complied with the original conditions of approval, specifically prohibiting left turns on Vineyard Place. On June 5, 2005 the Commission approved Amendment No. 2 allowing expansion of the sandwich shop within the existing building.

The applicant now proposes the 3rd amendment to the CUP to construct a 25' x 90' steel building for truck lube and oil service. It would be built along the property line, leaving a 28.5 foot travel lane between the existing building and new structure. A condition of approval would restrict truck movement to one-way only (south) through the truck wash, oil and lube service, or the fuel pumps. Additional fill and AC paving will be required for the truck transition lane into the oil and lube service. Additional conditions have been added to the original conditions.

Applicant and co-owner, Jaspir, one of the co-owners of Sunny Truck wash took over ownership in 2005; there was some concern on the landscaping, which has been taken care of since they took over ownership. The restaurant is no longer located in the building; business is good in the area since it is a high traffic area for travelers stopping for coffee and food. They have been in compliance with the conditions that the Council approved and hope to bring in the business of having the truck oil and lube shop.

There were no other public presentations pertaining to 3rd Amendment to Conditional Use Permit No. 02-01, (Public hearing closed at 7:24 p.m.)

A motion was made by Chairman Mukai to approve 3rd Amendment to Conditional Use Permit No. 02-01, this was second my Commissioner Fernandez and passed on a roll call vote of 3-0-0-2.

Communications:

City Attorney, Scott Cross, mentioned the updated Brown Act with a few amendments, which is updated every year.

Design Review committee has not met in some time due to lack of activity.

No other business was discussed and the meeting was adjourned at 7:30 p.m.

Gary Mukai
Chairman

Corina Burrola
Planning Secretary