



CITY OF FOWLER
PLANNING COMMISSION MEETING
December 4, 2014
MINUTES

Meeting called to order at 6:31 p.m.

Commissioners Present Craig Mellon, Henry Fernandez, Juan Mejia, Gary Mukai

Commissioners Absent: Mark Rodriguez

City Staff Present: City Attorney, David Wolf, City Manager, David Elias, Planning Consultant, Bruce O'Neal and Administrative Assistant, Karen Mukai

Approval of Minutes:

Commissioner Fernandez moved to approve the minutes for November 6, 2014 this was second by Commissioner Mejia and passed by a roll call vote of 4-0-0-1.

Public Presentation:

There were no public presentations (Public Presentation closed at 6:32 p.m.)

Agenda Item No. 5:

Set the next Planning Commission meeting date – the 1st Thursday in January is New Year's Day. Recommended meeting date: January 8, 2015.

Commissioner Mukai moved to schedule next Planning Commission date to January 8, 2015, second by Commissioner Fernandez

Agenda Item No. 6:

Public Hearing to Consider Variance No. 14-01 (Dollar General) requesting to enlarge the allowed sign area for the proposed Dollar General store now under construction at 130 N. 8th Street in Fowler – Request by Applicant to Continue to January Meeting.

Mr. O'Neal presented to the Commission that a request from Fresno Neon Sign, applicant for the Variance, to continue the item in which she could not attend the hearing tonight, so it is recommended that the Item be continued for January 8, 2015.

Commissioner Mejia moved to continue Agenda Item No. 6 Public hearing to consider Variance No. 14-01 second by Commissioner Fernandez, passed by roll call vote of 4-0-0-1

Agenda Item No. 7:

Public Hearing to Consider a One-year extension of Conditional Use Permit No. 13-02, a proposal to extend St. Lucy's Catholic Church at the Southwest corner of 5th and Tulare Streets

On October 3, 2013 the Commission approved CUP No. 13-02 for expansion of St. Lucy's church, the expansion is approximately 1320 square feet which would accommodate 100 additional people; the zoning ordinance stipulates that a Conditional Use Permit is valid for one year unless subsidies progress is being made or unless there is a request to continue to extend the Conditional Use Permit. A request was received; Theo Bluhm who is representing the

church is here tonight to provide an update for you on where the process is and the reason for the extension request.

Theo Bluhm, representing St. Lucy's approached the lectern stated that they realized that they were about to lose their CUP so he decided to file for an extension now that they have the funds to do so. The plans should be submitted by mid next week. Commissioner Mukai asked if there were any changes in the plans. No changes have been made to the plans.

There were no other public presentations pertaining to Conditional Use Permit No. 13-02.
(Public hearing closed at 6:49 p.m.)

Commissioner Mukai moved to approve extension for Conditional Use Permit No. 13-02, second by Commissioner Fernandez passed on a roll call vote of 4-0-0-1

Agenda Item No. 8:

Public Hearing to Consider Conditional Use Permit No. 14-01 for the Dollar General Store at 130 N. 8th Street (Dolgen California, LLC) – Zoning Ordinance CUP requirements for uses selling alcohol

Dollar General has submitted a CUP application for a Type 20 Beer and Wine License; Dollar General is transferring a license from a Fresh and Easy Store that is now closed. ABC has preliminarily approved the license transfer and the action of the Planning Commission to approve the CUP is the final step in granting of the license, should you decide to approve the CUP. As you know the zoning ordinance requires a conditional use permit for any use of selling alcohol either for onsite or off site consumption, the applicant is complying with that provision. The Commission is charged with a conditional use permit of making several findings and those findings are listed in the Staff Report. Approval is recommended, this has been discussed with the ABC as well as with staff members including the Chief of Police there are no concerns. A condition has been added by the Chief of Police requesting that he work directly with Dollar General to locate surveillance cameras in the parking lot to make sure that there are no onsite consumption of alcohol and that there is no excessive shoplifting. A new resolution was provided with that condition. When a license is authorized by ABC following action by the City they have a form that's called "Convenience and Necessity" which is one of their findings. The revised resolution handed to you tonight has that additional finding. Approval is recommended with those changes and additions, the applicant is here to make a brief presentation and answer any questions.

Steve Rawlings, from Marietta CA, representing the Dollar General Stores, for the record he like to say that they concur with the Staff Report and agree with all the conditions of approval as proposed to the Commission this evening with addition of the surveillance cameras. A power point presentation was prepared but hard copy has been provided instead. Dollar General Stores is relatively new to the State of California; it's been about three years since the first store opened up in California. Dollar General is one of the largest retailers in the United States, a company that was started on the east coast back in the 1950's; there are about 11,000 stores nationwide, 250 stores here in the state of California. Dollar General Stocks the leading manufactures major selling products; items can be purchases on a day to day basis at a reasonable price. The reason here today is to offer beer and wine to our customers. Three shelving sections and well as two coolers for beer and wine products, less than 5% of the floor area is dedicated to the display of alcoholic beverages. All employees go through an internal corporate training, all point of sales systems require that an ID is scanned whenever an alcoholic beverage is scanned in order to complete the transaction. The company goes to some great lengths to ensure that there are no illegal alcohol beverages' sold to underage individuals.

Public Presentation

Public Presentation opened

John Kahanian, Fowler resident since 1946 approached the lectern, his is father purchased a grocery store here in Fowler across from where the new Dollar General will be located. The grocery store has always been in business, this has always been a mom and pop operation throughout the years in which it became a liquor store in the 1960's. He took over the store in the early 70's from his father. Mr. Kahanian is all for the Dollar General Store except for the sale of beer and wine from across the street from his business. Mr. Kahanian may have potential buyers for his business.

Argin Gill, Fowler resident, opposes the project because he feels that there are too many licenses to sell beer and liquor in the area and feels that it's too close to the Liquor Cabinet to be selling beer and wine.

Public Presentation:

There were no other public presentations (Public Presentation closed at 7:11 p.m.)

Commissioner Mukai moved to Approve CUP 14-01 with the addition of adding surveillance cameras, Item No. 5 on the original resolution, this was second by Commissioner Fernandez, passed by roll call vote of 3-1-0-1

The Commission's action is final unless appealed to the City Council; any person may appeal this within 10 days of the Commission's action.

Communications:

City Manager, David Elias wanted to remind the Commission the Planners Institute will be taking place March 4th – 6th, 2015 in Newport Beach. Please take the time to look at your schedules and let the City know in order to make arraignments for reserving your spot and booking a hotel.

No other business was discussed and the meeting was adjourned at 7:17 p.m.

