



**CITY OF FOWLER**  
**SPECIAL PLANNING COMMISSION MEETING**  
**May 7, 2015**  
**MINUTES**

Meeting called to order at 6:30 p.m.

**Commissioners Present** Craig Mellon, Mark Rodriquez, Henry Fernandez,  
Gary Mukai

**Commissioners Absent:** Juan Mejia

**City Staff Present:** City Attorney, Gary Bell, City Manager, David Elias,  
Planning Consultant, Bruce O'Neal and Planning  
Secretary, Corina Burrola

**Approval of Minutes:**

Commissioner Fernandez moved to approve the minutes for February 5, 2015; this was second by Commissioner Mukai and passed by a roll call vote of 4-0-0-1

Vice Chair Rodriquez moved to approve the minutes for April 2, 2015; this was second by Commissioner Fernandez and passed be 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:**

**Public Hearing to Consider Conditional Use Permit No. 15-01, a Proposal to Allow Alcohol Sales Type 48 – On Sale General for Public Premises) for an Existing Bar located at 206 N. 8<sup>th</sup> Street (Miramontes/Kahaian)**

Mr. O'Neal corrected the verbiage that the bar does not exist but is a currently vacant; it has been used in the past as a bar/nightclub. The Applicant is Mr. Miramontes but the site is owned by John Kahaian, any CUP that is approved runs with the land so the land owner is also responsible for complying with the conditions of approval. The applicant has not yet applied for an ABC license but will wait the decision of the Commission; the type of license will be type 48 – on sale general for public premises. The bar has been closed for several years pending a new operator and license for the establishment and as mention if approved the CUP will be binding on the property owner as well as Mr. Miramontes. Over the last decade or so this has been a subject of several public hearings with both Planning Commission and City Council. The building has been vacant since 2011. We have reviewed the previous conditions of Approval for CUP 406 and 08-03 and have considered the comments of our Police Chief as well in developing a new set of Conditions of Approval. A summary of different ABC Licenses have been provided for your review. There are 15 active licenses in Fowler issued by ABC.

Rafael Miramontes, applicant approached the lectern reminded Mr. O'Neal that he is applying for a Type 42 License not a Type 48 in which would require a separate dance permit. Mr. Miramontes has almost 20 years' experience in the bar business owning several in Selma and in Fresno unfortunately due to an accident and theft of property he has had to close the businesses down.

**Public Presentation:**

There were no public presentations (Public Presentation closed at 6:47 p.m.)

Chairman Mellon expressed his concerns for the well-being of the City regarding the proposed bar and its location. The location doesn't seem to be the right area for a bar, there have been previous bars at this location and many problems have arisen concerning the bars. 8<sup>th</sup> street may be turning into the main Corridor and with the new Dollar General Store open it's become a family oriented area where families and children are present.

Vice Chair Rodriguez moved to deny Conditional Use Permit No. 15-01; this was second by Commissioner Fernandez, passed by roll call vote of 3-1-0-1

Mr. Miramontes was advised of the denial and has 10-day to file an appeal with City Council.

**Agenda Item No. 6:**

**Public Hearing to Consider Conditional Use Permit No. 15-02 for El Mexicano Restaurant at 2833 E. Manning Avenue (Camacho) – Zoning Ordinance CUP Requirement for Uses Selling Alcohol**

Mr. O'Neal presented a brief staff report pertaining to this project. El Mexicano Restaurant has been in business for the last 10-years, the applicant proposes to transfer a license from the restaurant in Selma, and they currently have a Type 41 license which allows the sale of beer and wine and the proposed would be to transfer the Type 47 license (On sale general) to El Mexicano Restaurant. Within the restaurant a liquor cabinet will in installed to store bottles and glasses and drinks which would be made by employees for orders requested by customers. According to the applicant all employees are trained within ABC requirements.

Jovita, the owner's daughter and manager of the restaurant explained that the liquor cabinet will be placed behind the counter for displaying the liquor for the sale of mixed drinks. No intentions to open a bar, business hours would remain the same.

**Public Presentation:**

There were no other public presentations (Public Presentation closed at 7:09 p.m.)

Commissioner Fernandez made a motion to approve Conditional Use Permit No. 15-02; this was second by Vice Chair Rodriguez, passed by roll call vote of 4-0-0-1

**Agenda Item No. 7:**

**Public Hearing to Consider Conditional Use Permit No. 15-03, Filed by National Raisin Company, to Construct a Solar Installation on 9.01 acres on S. Harris Avenue (Portions of APN 348-031-23).**

National Raisin Company processes to construct and maintain a solar installation to provide electric power to its processing facility located on S. Harris Street. The solar installation would be located on approximately 9.01 acres of a 14.95 acre parcel and would include 5,989 panels with a rated capacity of 1,828 KW. The Fowler Zoning Ordinance requires approval of a Conditional Use Permit for "electrical generating facilities" in the M-2 Zone District. National Raisin has submitted CUP 15-03 and associated site plan to implement the project. In addition, National Raisin is installing roof-mounted solar panels on a portion of their plant to supplement the ground mounted panels subject to CUP No. 15-03.

**Public Presentation:**

(There were no public presentations (Public Presentation Closed at 7:24 p.m.)

Commissioner Mukai made a motion to approve Conditional Use Permit No. 15-03; this was second by Vice Chair Rodriguez, passed by roll call vote of 4-0-0-1

**Agenda Item No. 8:**

Public Hearing to Consider the 4<sup>th</sup> Amendment to Conditional Use Permit No. 02-01, a Proposal Filed by Sunny Truck Wash to Allow Tire Sales within a Recently Construction of a 25' x 90' Steel Building at the existing Star Truck Wash Located at 2713 Vineyard Place (APN 348-031-08)

Applicant not present and was also reminded of tonight's meeting. The Commission has decided to present this Item for the next meeting in June. June 4<sup>th</sup> meeting will be cancelled and will have a special meeting for June 11<sup>th</sup>.

Chairman Mellon made a motion to continue this Item to the special meeting for June 11<sup>th</sup>, passed by roll call vote of 4-0-0-1

**Communications:**

Mayors Breakfast at the Vineyard Worship Centre, Friday, May 22, 2015 please RSVP by May 15<sup>th</sup> and also the 4<sup>th</sup> CITIPAC Golf Tournament, Friday, May 29, 2015 at Ridge Creek Golf Course in Dinuba.

No other business was discussed and the meeting was adjourned at 7:27 p.m.



Craig Mellon



Corina Rodriguez