



CITY OF FOWLER
PLANNING COMMISSION MEETING
October 8, 2015
MINUTES

Meeting called to order at 6:32 p.m.

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

Commissioners Absent: None

City Staff Present: City Attorney, Roy Santos, City Manager, David Elias, Planning Consultant, Bruce O'Neal, Planning Secretary Corina Burrola

Approval of Minutes:

Commissioner Mukai noted the corrections to June 11th were not identified; he moved to postpone the vote for approval to be continued for the next hearing, this was second by Commissioner Mejia and passed on roll call vote 5-0-0-0

Public Presentation:

There were no public presentations (Closed at 6:34 pm)

Agenda Item No. 5:

Public Hearing to Consider the Revocation of Conditional Use Permit No. (CUP) 92-3 at 130 W. Merced Street (Martin Aguilar)

Mr. O'Neal presented to the Commission that CUP 92-3 which was approved by the Commission in 1992 for an automobile, body repair and paint shop located at 130 W. Merced Street. The City has worked with Mr. Aguilar over the last several years notifying him of the violations of the use permit, he has also been notified of a work program to comply with the conditions of the CUP. September 23rd a notice of violation was sent to Mr. Aguilar. The action that the Commission can act upon is to revoke the CUP, to modify or add to the conditions, the decision of the Planning Commission is finalized unless appealed to the City Council. If the CUP is revoked then all business on the site must stop and a new Site Plan or Conditional Use Permit must be submitted and approved prior to beginning a new business. The Staff Report lays out in detail the rationale for revoking a Conditional Use Permit, also the Conditions are listed within the staff report as well with the letter of violation.

Martin Aguilar, owner of Aguilar's Truck and Auto Painting, stated he has a truck painting business which is basically what is done there. As for the conditions mentioned today, there is someone interested in possibly purchasing the property but will have an answer possibly in December of this year, there is another potential buyer but not until March of 2016. If neither of these potential buyers decide to buy then it will be put up for sale by a realtor. Mr. Aguilar is asking the City until the end of 2016 to finish his current projects and time to clean up the property.

Public Presentation:

There were no public presentations (Closed 7:01 pm)

Chair Mellon feels it's not unreasonable to give the applicant more time to clean up the property however there should be datelines that apply to doing so:

December 31st: Site should be completely clear and sign removed
48 hours to remove graffiti

Chair Mellon made a motion to continue item to Commission hearing of February 4, 2016, for consideration of revocation, graffiti to be removed within 48 hours of Commission action, or no later than Saturday, October 10th at 7:30 pm, this was second by Commissioner Mukai, passed by roll call vote of 5-0-0-0.

Chair Mellon made a second motion to add the requirement deadline of December 31, 2015 to remove all on-site storage of vehicles and equipment and remove all illegal signs; this was second by Commissioner Mukai, passed by roll call vote of 5-0-0-0.

Agenda Item No. 6:
Public Hearing to Consider Conditional Use Permit No. 15-04, Filed by Ire Pallets Co. to Operate a Wood Pallet Storage, Recycling and Sales Business at 2396 S. Golden State Boulevard 9an approximate 1.80 acre portion of APN 345-011-90)

Mr. O'Neal presented to the Commission that the Pallet Company has submitted a Conditional Use Permit for a wooden pallet storage, recycling and sales business which it has been operating for several months. The business came to the attention of code enforcement and fire department due to the height of stalked pallets and inadequate driveway widths. Subsequent site visits verified these hazardous site conditions. As a result of these factors, a letter of violation was issued to Ire Pallet Co. on August 18, 2015, informing the company of existing code violations and of the requirement for a CUP.

Fernando Caxisto, Manager of Ire Pallet Co. approached the lectern, who is also the caretaker and has minor children living on site was asked if he read and understood all of the conditions and if he is aware of No. 29 which states "No children to reside on site". Commissioner Mukai asked if the company has a fire drill safety plan.

Public Presentation:

There were no other public presentation (Closed 7:29 pm)

Discussion among the Commissioners is to review a fire safety and evacuation plan and a second emergency access to be enforced by the Fire Chief

Vice-Chair Rodriguez made a motion to adopt the recommendation to add Conditions of Approval:
#31: "The applicant shall prepare a Safety Evacuation Plan for view and approval by the Fire Chief"
#32: "The applicant shall provide a second means of emergency access." This was second by Commissioner Mejia, passed by roll call vote of 4-1-0-0.

Communications:

Mr. O'Neal presented that there are no new items for the November meeting.

Chair Mellon mentioned Condition Use Permit regulations and noticed that the Liquor Cabinet has numerous beer signs up and the Dollar General Store has not yet replaced the broken glass, they are also using the isles to place stocked merchandise which is not ADA compliance.

No other business was discussed and the meeting was adjourned at 7:43 pm

