

**CITY OF TAFT  
PLANNING COMMISSION  
MINUTES  
March 10, 2009**

The March 10, 2009, Regular Meeting of the Taft City Planning Commission, held in the Civic Center Council Chamber, 209 E. Kern Street, Taft, California, was called to order at [6:29:52 PM](#). Commissioner Thompson led the Pledge of Allegiance, followed by a moment of silence.

PRESENT: Chairman Barry Jameson, Vice Chairman Curtis Walchock;  
Planning Commissioners Craig Laurin, Shawn Sutherland and Robert Thompson;  
Acting Community Development Director Paul Gorte, Assistant Planner Eddie Quintero,  
City Attorney John Gibson and Acting Secretary Alina Megerdom.

**PUBLIC HEARINGS**

- 1. CONDITIONAL USE PERMIT NO. 09-01 [6:31:25 PM](#)  
Request to permit the use of a church in a Medium Density Zone District "R-2"  
Applicant: Leo Fisher on behalf of The United Pentecostal Church of Taft  
P.O. Box 1566, Taft, CA 93268**

Assistant Planner Quintero presented the staff report.

The duly noticed Public Hearing was opened to receive testimony from proponents and opponents.

Applicant Pastor Leo Fisher on behalf of The United Pentecostal Church spoke for the project. The church has been looking for a new location. Pastor Fisher found this abandoned building, where there have been a lot of break-ins. Their goal is to have not only a Church but also small day care, if possible, and a special dinner at least once a month for the elderly community. They want to be an asset to the community and not a detriment. He is looking forward to getting this project going.

Virginia Kelley and Willie E. Shelton spoke against the project. They had some concerns about the project. The main concern was that they live next door to the property and asked if the Church can build a solid wall to separate the two properties. They want to make sure there is no trespassing and people looking or jumping over the fence. They would like more privacy. They also requested that the Church do not have bells. Bells are really loud and go off all day and all night.

Susie Harmer spoke on behalf of the Sitting 12 Homeowner Association. The Association is for the project. They have two requests: removal of all of the overgrown cactus on their property which has grown over their fence and obedience to the noise ordinance.

Pastor Fisher added: there will be no bells, parking will be taken care of, and the cactus plant will be the first thing they will remove. They are going to work very hard on upgrading and maintaining everything. They will do their up most best to work with and please everyone in the community.

There being no further testimony, the Public Hearing was closed. [6:44:58 PM](#)

Motion: Moved by Walchock, seconded by Laurin, to adopt a resolution entitled A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TAFT APPROVING CONDITIONAL USE PERMIT NO. 09-01, SUBJECT TO THE CONDITIONS OF APPROVAL.  
*(Resolution No. 2009-04)*

Commissioner Walchock asked Pastor Fisher if he would be willing to work with Ms. Kelley and Mr. Shelton on their notion of the fence. He also wanted to know the timeline on when Pastor Fisher was going to get this project started?

Pastor Fisher stated he is willing to put a six foot cedar fence. A block wall will be too costly. Pastor Fisher also stated that they would like to get started on this project as soon as possible. He would get rid of the unsightly cactus right away and work on improving the parking lot. The structural engineer will be presenting the drawings right away to the department. He will work with the Sheltons to get their fence put up. He hopes to have his first Sunday service in three months.

Commissioner Thompson inquired if there was enough parking. Is that the bare minimum for parking?

Quintero responded that it is the minimum amount required by City Codes.

All Commissioners are looking forward to this project. It is going to clean up the area and be good for the community.

AYES: Sutherland, Thompson, Walchock, Laurin, Jameson  
NOES: None  
ABSTAIN: None  
ABSENT: None  
APPROVED: 5-0.

2. **CONDITIONAL USE PERMIT NO. 09-02 [6:53:00 PM](#)  
Request to permit the sale of alcoholic beverages (beer and wine only) at an existing convenience store in a Commercial Zone District "C"  
Applicant: Feras Haydaer, Fred's Cigarette Store  
1006 6<sup>th</sup> Street, Taft, CA 93268**

Assistant Planner Quintero presented the staff report. Quintero stated that Council Member Cliff Thompson contacted him this afternoon to discuss some concerns about alcoholic beverage sales near a church or school. Quintero contacted the California Department of Alcoholic Beverage Control (ABC) who provided the following information: the California Business and Professional Code, Section 2395 does provide restrictions on distances from schools or churches in some cases (100 to 600 feet), but the Department has discretion to take those distances into account when evaluating the approval of the license. They look at every license at a one-by-one basis, but they do take into consideration protests from individuals. City of Taft does not regulate the setbacks of sales of alcoholic beverages from a church or school.

The duly noticed Public Hearing was opened to receive testimony from proponents and opponents.

Denise Cater from Caters Cycle Center spoke in the favor of the store selling alcohol.

Feras Haydaer from Fred Cigarette Store spoke for the favor of the store. He has all his papers ready and is just waiting for the City to approve it.

No one spoke in opposition to the proposal.

There being no further testimony, the Public Hearing was closed.

Motion: Moved by Sutherland, seconded by Thompson, to adopt a resolution entitled A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TAFT APPROVING CONDITIONAL USE PERMIT NO. 09-02, SUBJECT TO THE CONDITIONS OF APPROVAL.  
(Resolution No. 2009-05)

Commissioner Sutherland stated that it would have been different if the 7-11 store were not around the corner. He would have looked at it differently but because it already exists he is for having the store sell alcohol.

Commissioner Thompson asked for clarification, whether it is an ABC issue that could be 1000 feet from the church.

Quintero clarified that it is actually 100-600 feet from a church. It is discretionary; sometimes they do, and sometimes they do not.

Commissioner Walchock had a question regarding the 10,000 square foot standard for a Conditional Use Permit (CUP).

Quintero clarified that because this particular store has 4,095 square feet, they need a CUP.

Commissioner Walchock wanted to add that based on the location and existing land uses which are the public schools, he did not feel confident with approving the CUP.

Commissioner Laurin stated that it is close to the church, and they share a common wall. He feels uncomfortable approving it.

Commissioner Jameson commented that he is torn. He is thinking about the businesses that are nearby. The 7-11 is right around the corner, and they sell the same alcohol. It is in a commercial shopping area, and it is not a bar. He is thinking in favor of it himself. It is the discretion of the ABC, and they should be able to determine that on their own.

AYES: Sutherland, Jameson  
NOES: Walchock, Laurin, Thompson  
ABSTAIN: None  
ABSENT: None  
REJECTED: 3-2.

#### **CITIZEN REQUESTS/PUBLIC COMMENTS 7:06:32 PM**

Denise Cater from Cater Cycle Center stated that Cater Cycle Center and the Ice House both have a septic tank. Is there anything that can be done to change it?

Gorte stated that they will take this information to Public Works Director who will contact her.

#### **APPROVAL OF MINUTES**

January 13, 2009 Regular Meeting (AMENDED MINUTES DISTRIBUTED AT MEETING)  
Recommendation – Approve as submitted.

Motion: Moved by, Laurin seconded by Thompson, to approve the minutes.

AYES: Thompson, Sutherland, Laurin and Jameson  
NOES: None  
ABSTAIN: Jameson  
ABSENT: None  
APPROVED: 4-0

#### **MANAGEMENT REPORTS 7:9:15 PM**

There were none.

#### **PLANNING DIRECTOR STATEMENTS 7:11:23 PM**

Gorte asked the Commissioners if they were interested in receiving an e-mail on the latest edition of the General Plan which includes the maps. Some of the Commissioners did receive them via e-mail because they are part of the subcommittees.

The Commissioners agreed that they would wait for the hard copy.

Gorte also included that he has the results from the charette. He gave each a disc copy.

Quintero stated that the Airport Feasibility Study will be starting soon for the Taft Kern County Airport.

On April 1<sup>st</sup> at 5:00 pm, the Planning Advisory Committee (PAC) will be holding their first meeting at a location not yet confirmed. This is a committee through the County which will have two representatives from the City, Council Member Linder and Council Member Miller. The PAC will have three public workshops to receive feedback on the issues with the airport. After the studies have been done, they will put a report together and present it to our Council Members and the Kern County Board of Supervisors.

#### **CITY ATTORNEY STATEMENTS 7:13:15 PM**

There were none.

#### **COMMISSIONER COMMENTS 7:15:16 PM**

Commissioners thanked the Planning Department for a great presentation. They liked the pictures that were included with the staff reports. It makes it easier to get a visual on the location, and they do not have to make a road trip to the location.

Commissioner Walchock commented that some of the decisions made in the Planning Commission meetings are not always easy. Some are not cut and dry. Commissioners make decisions that are for the City as a whole. He also wanted to mention that on February 5<sup>th</sup> he attended a Kern COG meeting at Petroleum Club with Quintero to discuss AB32 and SB375. The objective was to assist Kern COG and its member agencies to meet the goals and objectives of Senate Bill 375 within the required time frame. In summary he would like Quintero to add what was discussed at the meeting.

Quintero added that this goes back to AB32, the reduction of Green House Gas Emissions. The Assembly Bill addresses the regional transportation agency role in reducing Green House Gas Emissions by relating regional transportation with land uses to reduce vehicle miles traveled. The time line runs into 2012, and they would like all local municipalities to work with Kern COG.

Commissioner Jameson inquired about the charette. He attended the first charette and he really enjoyed it. It was a great process. They asked the attendees to work with the Rails to Trails map to come up with different scenarios on what they would like to see at the site. Everyone was very involved and the feedback was great. He wanted to know if it was continuing and if there was going to be another meeting.

Gorte replied that the consultant has done his work. That was at no cost to the City. It was paid for with a grant. The City has sent out an RFQ for the developer. We had a response; the developer is expecting to use that as a foundation to go forward from. There will be some projects coming forth in the future that will actually grow out of what happened at the charette process. Gorte also included that the Chamber has the replica of the Oil Workers Monument if anyone is interested to see it. At the next Council meeting they will be picking the location of the monument on that 46-acre site.

Commissioner Jameson also added that he is the logistics coordinator for the California division of Relay for Life that is taking place in Taft on May 15, 2009. He is looking for volunteers to help that weekend. If anyone is interested, they can sign up with him. It starts the 15<sup>th</sup> of May and ends 17<sup>th</sup> of May. It's a 24-hour relay at the Taft Union High School Track Field.

Commissioner Thompson volunteered to do the report at the Council Meeting for March 17, 2009.

#### **ADJOURNMENT**

Motion: Moved by Laurin, seconded by Sutherland and unanimously approved, to adjourn the meeting at [7:24:11 PM](#)

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Alina Megerdom, Acting Secretary

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Barry M. Jameson, Chairperson