

Mayor
John Murray
Mayor Pro Tem
John Grego
Council Members
Mary Hornsby
Ed Martin
Willard Rodarmel



**Planning
Department**

210 Fox Street
Lemoore, CA 93245
Phone (559) 924-6740
Fax (559) 924-6743

Item # 7

STAFF REPORT

To: Lemoore City Council
From: Holly Smyth, Planning Director
Date: December 13, 2006
Subject: CUP No. 2006-05 / Site Plan Review No. 2006-013 / E.I.A No. 2006-20 / application by Dassel's Petroleum to install an above ground Diesel Tank

Background:

On November 13th and 27th, the Lemoore Planning Commission considered Conditional Use Permit No. 2006-05, Site Plan Review No. 2006-13 and Environmental Impact Assessment No. 2006-20 applications proposing to install an above ground diesel fuel tank on an existing cardlock facility. The proposed tank is 20,000 gallons in size and would provide two (2) hoses for dispensing fuel. The tank dimensions are ten feet (10') high by thirty-nine feet (39') long.

The site is located at 1735 West D Street north of Bush Avenue and south of the railroad. The site is known as a portion of Assessors Parcel Number 023-450-008 or Parcel No. 2 (34,975.79 square-foot) of Parcel Map (PM) No. 18-13.

After taking public testimony on November 13th, 2006 and having further discussion at the November 27th, 2006 Planning Commission meeting, the attached Planning Commission Resolution 2006-12 was adopted with Exhibits A, A1, and B and seven conditions of approval. The staff report that was submitted to the Planning Commission is also attached for your review.

Pursuant to the Lemoore Municipal Code, Council should pass a resolution affirming, reversing or modifying the Planning Commission approval by Resolution. The attached draft Resolution 2006-50 proposes to affirm Planning Commission's approval and modify the expiration date to December 19, 2007.

Budget Impact:

None.

Recommendation:

Staff recommends that Council pass the attached resolution affirming the Planning Commission adoption of Resolution 2006-12 approving a negative declaration, Conditional Use Permit No. 2006-05 and Site Plan Review No. 2006-13 to construct a 20,000 gallon above ground diesel fuel tank at the existing cardlock facility.

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RESOLUTION NO. 2006 - 50

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF LEMOORE AFFIRMING PLANNING COMMISSION RESOLUTION 2006-12
WHICH APPROVED A NEGATIVE DECLARATION / CONDITIONAL USE PERMIT NO. 2006-05/
SITE PLAN REVIEW NO. 2006-13 FOR DASSEL'S PETROLEUM, INC. FOR AN ABOVE GROUND DIESEL TANK**

At a Regular Meeting of the City Council of the City of Lemoore duly called and held on December 19, 2006 at 7:30 p.m. on said day, it was moved by Council member _____, seconded by Council member _____ and carried that the following Resolution be adopted:

WHEREAS, Dassel's Petroleum Inc. has submitted an application for Environmental Impact Assessment / Conditional Use Permit No. 2006-05 / Site Plan Review No. 2006-13, proposing to install an above ground diesel fuel tank on an existing cardlock facility.

WHEREAS, The proposed tank will be 20,000 gallons in size with dimensions of 10 feet high by 39 feet long and will provide two (2) hoses for dispensing fuel; and

WHEREAS, The site is located at 1735 West D Street, north of Bush Avenue and south of the railroad, known as Assessor's Parcel Number 023-450-008; and

WHEREAS, the Planning Commission of the City of Lemoore on its regular meeting of November 27, 2006 passed Resolution No. 2006-12 approving the above listed applications with attached redlined Exhibits A, A1, and B and conditions of approval; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lemoore does hereby affirm the attached Planning Commission's Resolution No. 2006-12, with attachments labeled Exhibits A, A1, and B, adopted November 27, 2006, approving the Negative Declaration under the California Environmental Quality Act and Conditional Use Permit No. 2006-05 / Site Plan Review No. 2006-13 **but modify the expiration date to December 19, 2007.**

Passed and adopted at a Regular Meeting of the City Council of the City of Lemoore held on December 19, 2006, by the following votes:

AYES:
NOES:
ABSTAINING:
ABSENT:

APPROVED:

John F. Murray, Mayor

ATTEST:

Nanci C.O. Lima, City Clerk

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CERTIFICATE

STATE OF CALIFORNIA
)
COUNTY OF KINGS ss.
)
CITY OF LEMOORE)

I, **NANCI C.O. LIMA**, City Clerk of the City of Lemoore, do hereby certify the foregoing Resolution of the City Council of the City of Lemoore was duly passed and adopted at a Regular Meeting of the City Council held on December 19, 2006.

DATED: December 20, 2006

Nanci C.O. Lima, City Clerk

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