

RESOLUTION NO. 2007-09
A RESOLUTION OF THE LEMOORE PLANNING COMMISSION
GRANTING CONDITIONAL USE PERMIT NO.2007-02
BY ASSEMBLY OF GOD CHURCH

At a Regular Meeting of the Planning Commission of the City of Lemoore, duly called and held on May 14, 2007 at 7:30 p.m. on said day, it was moved by Commission member Norgaard seconded by Commission member Elgin and carried that the following resolution be adopted:

WHEREAS, the Assembly of God Church has submitted a Conditional Use Permit application to construct two storage buildings, one is 40' x 40' and the other is 10' x 10'; and

WHEREAS, the subject property is a 3.94 acre parcel located at 501 E. Bush Street east of Lemoore Avenue described as Assessor's Parcel No. 023-040-002, zoned R-1-7; and

WHEREAS, on the basis of the application, staff report, and the evidence submitted the Planning Commission makes the following findings specified in Section 9-15B-2E of the Lemoore Municipal Code:

- a.) That there are circumstances or conditions applicable to the land, structure or use which makes the granting of a use permit necessary for the preservation and enjoyment of a substantial property right.
- b.) That the proposed location of the conditional use is in accordance with the objectives of this Title and the purposes of the district in which the site is located.
- c.) That the proposed use will comply with each of the applicable provisions of this Title. (Ord. 7901 2-6-79 as amended, 1-1986) so long as the following conditions of approval are met;

WHEREAS, a public hearing was held to take public testimony ; and

WHEREAS, it is determined by staff that the project be Categorical Exempt under CEQA Article 19 Section 15301(e)(1); and

NOW, THEREFORE, BE IT RESOLVED that the Lemoore Planning Commission does approve a Categorical Exemption under CEQA and approve the Conditional Use Permit No. 2007-02 / Site Plan Review No. 2007-05 to expire on May 14, 2009 with the following conditions of approval pertaining thereto:

1. The applicant shall comply with Section 9-7B-6:E of the City's Zoning Ordinance for the placement of the storage buildings, where the minimum of 10 foot setbacks are required between the proposed structures and any other existing structures and shall be approved by the Building Department.
2. Street trees, from the City Street Tree list, shall be planted with adequate irrigation along the entire 500' Bush Street frontage no further than 40' apart within 5' of the City Sidewalk with adequate irrigation within two years.
3. City Street lights need to be installed per City Standards, along Bush Street. These improvements may be deferred if the church enters into a deferral agreement, to be installed within 2 years and a copy of such shall be forwarded to the Planning Department.

Passed and adopted at a Regular Meeting of the Planning Commission of the City of Lemoore held on May 14, 2007, by the following votes:

AYES: Norgaard, Elgin, LeRoy, Ormonde, Clement, Kendall
NOES: None
ABSTAINING: None
ABSENT: None

APPROVED:

Kimberly Moss, Chairman

ATTEST:

Holly P. Smyth

This resolution is subject to review by the City Council pursuant to Lemoore Municipal code Section 9-15-B-2G. The City council may affirm, reverse, or modify this resolution.

CERTIFICATE

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

I, Holly P. Smyth, Secretary of the City of Lemoore's Planning Commission, do hereby certify the foregoing Resolution of the Planning Commission of the City of Lemoore was duly passed and adopted at a Regular Meeting of the Planning Commission held on May 14, 2007.

DATED: May 15, 2007

Holly P. Smyth, Secretary
Lemoore Planning Commission