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**Planning
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STAFF REPORT

Item # 3G

To: Lemoore City Council
From: Nathan Bouvet, Associate Planner
Review Date: September 16, 2008
Subject: Fresh & Easy Dedication, Easements and Deferment Agreement

Discussion:

On February 11, 2008, the Planning Commission approved Site Plan Review No. 2007-11, with fourteen conditions of approval, to construct a 13,969 square foot Fresh and Easy Market. The subject site is located on the north side of Cinnamon Drive east of Lemoore Avenue, known as Assessor Parcel Number 021-330-012-000.

Offers of dedication, easements, and a deferment agreement have been submitted for City Council review and consideration. Documents include an Agreement for Deferment of Development Rights, Storm Drainage and Public Utility Easements, and an Irrevocable Offer of Right-Of-Way Dedication.

A 16.40' right-of-way dedication is proposed north of Cinnamon Drive, immediately east of the subject site. Easements have also been given to accommodate a 10' storm drainage easement and a 10' public utility easement under and across the property. Pursuant to Title 9 (Zoning) of the Lemoore Municipal Code ("Title 9") property owners are required to construct curbs, gutters, sidewalks; make street improvements and other improvements as required by this code. An agreement for deferment of development requirements, if approved, grants the developer a deferment from the provisions of Title 9 (Zoning), and following acquisition of fee title to the property, the right to develop the property in accordance with the terms and conditions referenced within the agreement.

After review by the Planning Department, Public Works Department, City Engineer and City Attorney it has been determined that the aforementioned dedications, easements and deferment agreement are in compliance with the approved site plan and all conditions of approval and City regulations and standards.

Budget Impact:

None.

Recommendation:

By motion, approve and accept the offers of public dedication, proposed easements and deferment agreement attached and authorize the City Manager to execute such documents to certify them and forward to the Kings County Recorder for recordation.