

RESOLUTION NO. 2006- 46

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMOORE APPROVING CONDITIONAL USE PERMIT NO. 2006-05/ SITE PLAN REVIEW NO. 2006-13 FOR DASSEL'S PETROLEUM, INC.

At a Regular Meeting of the City Council of the City of Lemoore duly called and held on December 5, 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 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 and will provide two (2) hoses for dispensing fuel with dimensions of 10 feet high by 39 feet long; and

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

WHEREAS, the Planning Commission of the City of Lemoore recommended approval of Conditional Use Permit No. 2006-05 / Site Plan Review No. 2006-13

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lemoore does hereby a Mitigated Negative Declaration and approve Conditional Use Permit No. 2006-05 / Site Plan Review No. 2006-13 to expire on December 5, 2007 with the following conditions of approval pertaining thereto:

1. The project shall be developed as per approved plans as shown on the redlined Exhibit A, and any deviation from the approved plans will require to be resubmitted to the Planning Commission.
2. A ten foot (10') block wall shall be constructed on three full sides surrounding the tank's west, south and east sides, and protective bollards shall be placed on the remaining side. A triangular landscape area shall be constructed on the east side of the tank outside the block wall, as generally shown on Exhibit A.1.
3. A twenty-five foot (25') easement at the northern property line of Parcel No. B of Parcel Map No. 7-99 for building setback shall be provided and recorded as shown in Exhibit A, unless the Public Works Director determines that an engineered block wall may be able to serve additional safety to allow the reduction of the this setback requirement.
4. The existing cross access easement shall be expanded and recorded to provide access to Parcel No. B of Parcel Map No. 7-99 as generally shown on Exhibit B.
5. The proposed raising of the existing sign should be approved and the sign cleaned up.
6. Repairs to the existing site and any other general maintenance issues will need to be made., such as repairing the damaged bollards and renovating the existing landscape areas, shall be made
7. The developer shall comply with the Fugitive Dust Control Standards of the San Joaquin Valley Unified Air Pollution Control District at all times.

Passed and adopted at a Regular Meeting of the City Council of the City of Lemoore held on December 5, 2007, by the following votes:

**AYES:
NOES:
ABSTAINING:
ABSENT:**

APPROVED:

, Mayor

ATTEST:

Nanci C.O. Lima, City Clerk

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 5, 2007.

DATED: _____, 2007

Nanci C.O. Lima, City Clerk