

**Minutes of the Regular Meeting of
the Lemoore Planning Commission
November 13, 2006**

Chairperson Clement called the meeting to order at 6:00 p.m.

Attendance: Chairperson Clement, Commissioners Moss, Kendall, Elgin, Norgaard, LeRoy, and Planning Director Smyth.

Absent: Commissioner Ormonde

Public Comments and Inquiries: No public comments.

Approval of October 9, 2006 Minutes:

It was moved by Commissioner Moss, and seconded by Commissioner LeRoy to approve the minutes of the October 9, 2006 meeting as submitted.

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

Conditional Use Permit No. 2006-05 / Site Plan Review No. 2006-13 / Environmental Impact Assessment No. 2006-20 / Application by Dassel's Petroleum Inc. Proposing to install an above ground diesel fuel tank on an existing cardlock facility.

Assistant Planner Mendiola stated that the project consists of a 34,975 sq-ft. site area, located at 1735 West D. Street north of Bush Street and south of the railroad. The applicant proposes to install an above ground diesel fuel tank on an existing cardlock facility. The proposed tank will be 20,000 gallons in size and will provide two (2) hoses for dispensing fuel. The tank dimensions are ten feet (10') high by thirty-nine feet (39') long. There were three options City staff reviewed for helping to improve the aesthetics of the tank with the preferred alternative including the construction of a split-faced block wall on three full sides of the tank and a triangular shaped landscape planter to the eastside of the block wall.

Planning Director Smyth stated that the new City Attorney stated that Conditional Use Permits require a resolution approved by Planning Commission instead of just a recommendation being made to the City Council. A revised resolution was handed out.

Commissioner Clement asked if there was any questions for staff, then opened the public hearing at 6:10 p.m.

Graham Mackie, 65 Ewen Drive in Hollister, with Dassel's Petroleum, stated that the onsite tanks plus the new tank would allow them to provide 1 bio-diesel tank, 1 clear-diesel tank and 1 dyed diesel tank .

Bill Bowen, 1440 Linda Lane in Lemoore stated that above ground tanks may have rupture issues, therefore the Commission might want to consider having a containment wall.

Commissioner Nogaard, stated that tankers go up & down Highway 99 all the time and have single walled tanks without any additional containment therefore he does not see why it should be required here because the tank is already double-walled.

Graham Mackie stated that the double wall of the tank provide additional 2 hours of fire resistance.

Mike Montejano questioned where the standards come from. Mr. Mackie replied that they were State standards.

Mr. Mackie stated that the current code allows Fire Chief to determine adequate "protection". Fire Marshall and Public Works Director has determined adequate protection for the proposed above ground diesel fuel tank.

Commissioner Clement asked for anymore comments or concerns. The public hearing was closed at 6:15 p.m.

Brian Castadillo stated that he is only 400 feet across the street and had asked for above ground tanks and they wouldn't accept vaulted tanks ½ underground and ½ above ground. Commissioner Elgin asked Mr. Castadillo how many gallons were his proposed tanks. Castadillo replied a 15,000 gallon diesel tank and a 30,000 gallon gas tank.

Commissioner Elgin then asked what type of fuel was proposed. Mr. Castadillo stated diesel and gasoline. Ms. Smyth stated that regular gasoline tanks above ground would not be allowed in any case in any part of town. Mr. Castadillo then stated that the above ground tanks at his site really did not matter as Chevron would not allow the above ground tanks.

Commissioner Elgin stated that she would like staff to look into why Brian Castadillo was rejected.

Commissioner Clement stated that Brian Castadillo might have a valid point and made a recommendation that the Dassel item be tabled.

It was moved by Commissioner Elgin, seconded by Commissioner Kendall to table agenda item #4 to the next meeting.

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

Determine Lemoore's General Plan conformity with Government Code Section 65402 regarding the disposal of Lemoore Union High School District property.

Smyth stated that the Lemoore Union High School submitted correspondence advising that a total of 8.20 acres are being offered for sale. The property is located at the southeast corner of Cinnamon Drive and Fox Street, described as Assessor Parcel Number 021-500-003 & 021-500-004. The District is asking that the Planning Commission determine that the sale of the land would be in conformity with the Lemoore General Plan. Because the school site is not shown on any maps as being needed for a high school or elementary school district site and the general plan update does not show a need for a school site at this location, the sale of the property would not be out of conformity with the general plan.

It was moved by Commissioner Moss, seconded by Commissioner Elgin to adopt Resolution No. 2006-10 , determining that the property sale by the school is in conformance with the current Lemoore General Plan.

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

Planning Director's Report:

Smyth stated that the Community Meeting on the General Plan Update will be held this evening after the Planning Commission meeting at 7:00 p.m. and the General Plan Steering Committee would be meeting at 7:00 am tomorrow morning, November 14, 2006, to discuss information gathered at the Community meeting and begin discussing a preferred alternative for the land use map.

Adjournment: The meeting was adjourned at 6:50 p.m.