

## RESOLUTION NO. 2007-28

### A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LEMOORE GRANTING CONDITIONAL USE PERMIT NO. 2007-04 / SITE PLAN REVIEW 2007-10 BY CHURCH OF THE NAZARENE

At a Regular Meeting of the Planning Commission of the City of Lemoore duly called and held on December 10, 2007 at 7:30 p.m. on said day, it was moved by Commission member \_\_\_\_\_, seconded by Commission member \_\_\_\_\_, and carried that the following Resolution be adopted:

**WHEREAS**, The Church of the Nazarene has submitted a Conditional Use Permit to allow them to place three 24' by 40' portable classroom and one 30' by 42' storage building; and

**WHEREAS**, The subject property is a 5.9 acre parcel located the north side of "D" Street, with the address of 726 East D Street, Assessor's Parcel No. 023-020-005, and 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**, staff has presented information showing that the project should be declared categorically exempt under Section 15301 (e)(2) the California Environmental Quality Act (CEQA), and

**NOW, THEREFORE, BE IT RESOLVED** that the Lemoore Planning Commission does hereby is determined that the project is Categorical Exempt under CEQA Article 19 Section 15301(e)(2); and approve the Conditional Use Permit No. 2007-04 / Site Plan Review No. 2007-10 for the project to be installed by December 10, 2008 or when occupancy is given, whichever occurs first, with the following conditions of approval pertaining thereto:

1. The project shall be developed as per the attached approved redlined plans, and any deviation from the approved plans will require re-submittal, payment of appropriate fee and a new approval by the Planning Department, unless covered in the conditions below.
2. The portable classrooms will meet the setback requirements as determined by the Building Department, and may have to be placed 20' away from each other.
3. Landscape shall be installed in the open area between the portables with taller 5' wide landscape strip around the perimeter of each building. Along the property line due south of the portable, trees shall be planted no further than 20' on center to provide visual buffering to the adjacent single family home. All other landscape originally approved for the site shall be completed.
4. A minimum of 120 finished parking stalls shall be in place on site to accommodate the proposed portables in addition to the main sanctuary prior to occupancy of the structures.
5. The applicant will need to provide grading and drainage plans to the City Engineer for approval. The applicant will also need to provide plans for any utilities that will be provided to the portable units. The proposed portables must be newer than 1978, place on permanent foundation and will be inspected by the City's Building Department to ensure its safety and compliance with the Americans

with Disability Act (ADA), Uniform Building Code and the Health and Safety Code and applicant will obtain a fire clearance from the City Fire Marshall.

6. Lighting will need to be placed in and around the structures, suitable enough to meet and insure the safety of its occupants, and in such a manner as to not glare onto adjacent single-family residential neighborhoods being a nuisance.
7. The fascia on the modules shall be painted to match the main sanctuary metal roof. If there is a crawl space underneath the building, appropriate skirting approved by the Planning Director will need to be added.
8. *In accordance with the findings of City Council Resolutions: 2006-46 adopted on December 5, 2006; 2006-48 and 2006-49 adopted on December 19, 2006; 2007-01 adopted on January 16, 2007; 2007-04 adopted on February 20, 2007 and the Colgan Consulting Corporation Development Impact Fee Study Report, the project will have an impact on the need for new public facilities and improvements in the City. The costs associated with these impacts and the connection between the need for new public facilities and the proposed project are set forth in these five (5) Resolutions listed along with the Colgan Report. As a result, the applicant shall be subject to and shall pay the impact fees as set forth in these five (5) Resolutions.*

Passed and adopted at a Regular Meeting of the Planning Commission of the City of Lemoore held on December 10, 2007, by the following votes:

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

**APPROVED:**

---

**Kimberly Moss, Chairman**

**ATTEST:**

---

**Holly P. Smyth, Secretary**

**\*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 December 10, 2007.

DATED: \_\_\_\_\_, 2007

---

Holly P. Smyth, Secretary  
Lemoore Planning Commission