City of FRESNO

REPORT TO THE PLANNING COMMISSION

AGENDA ITEM NO. VIII-B COMMISSION MEETING 12-16-15
APPROVED BY
DEPARTMENT DIRECTOR

December 16, 2015

FROM: MIKE SANCHEZ, Assistant Director
Development Services Division

THROUGH: MCKENCIE CONTRERAS, Supervising Planner
Development Services Division

BY: LAUREN FILICE, Planner III
Development Services Division

SUBJECT

Consider an appeal regarding Conditional Use Permit Application No. C-15-104 approved by the Development and Resource Management Department Director for property located on the northeast corner of East Champlain and North Hickory Hill Drives.

1. **ADOPT** the Mitigated Negative Declaration prepared for Environmental Assessment (EA) No. C-15-104, dated October 20, 2015.

2. **DENY** the appeal and **UPHOLD** the action of the Development and Resource Management Department Director approving Conditional Use Permit Application No. C-15-104, for construction of a new approximately 45,500 square foot fitness center subject to the Conditions of Approval revised on October 29, 2015.

EXECUTIVE SUMMARY

Conditional Use Permit Application No. C-15-104 was filed by Ron Marlette of Marlette Associates, on behalf of Russell G. Smith of Foundry Park Investors LP, and pertains to 5.8 acres of property located on the northeast corner of East Champlain and North Hickory Hill Drives, between East Shepherd and East Greenwich Avenues. GB III Fitness Centers is requesting authorization to construct a new approximately 45,500 square foot fitness center building having a main roof height of 34 feet and towers at 58 feet in height and a parking lot with 419 parking spaces, 10 bicycle racks, and shade trees. Fitness center hours are proposed to be 24 hours per day Monday through Thursday, 12 a.m. to 11 p.m. Friday, and 6 a.m. to 9 p.m. on Saturday and Sunday. Approximately 12 to 15 employees are expected per shift, less during the night shift.

The Fresno General Plan planned land use designation for the project site is Employment, Office. The property is zoned C-P (*Administrative and Professional Offices)*, which allows private fitness centers by conditional use permit per Director's Classification No. 111. The C-P zone district is consistent with the Employment, Office planned land use designation.

PROJECT INFORMATION

PROJECT	Conditional Use Permit Application No. C-15-104 is a request to construct a new approximately 45,500 square foot fitness center building having a main roof height of 34 feet and towers at 58 feet in height and a parking lot with 419 parking spaces, 10 bicycle racks, and shade trees.
APPLICANT	Ron Marlette, Marlette Associates
LOCATION	1460 East Champlain Drive Located near the northeast corner of East Champlain and North Hickory Hill Drives (APN's: 567-030-71 & 567-030-76) **(Council District 6, Councilmember Brand)**
SITE SIZE	± 5.8 acres
LAND USE	Employment Office
ZONING	C-P (*Administrative and Professional Offices*)
PLAN DESIGNATION AND CONSISTENCY	The C-P (*Administrative and Professional Offices*) zone district is consistent with the Employment Office planned land use pursuant to Table 3-3 of the Fresno General Plan. A fitness center is allowed in the C-P zone district pursuant to Director's Classification No. 111 with approval of a Conditional Use Permit. Woodward Park Community Plan policies for design measures for loading, mechanical equipment, landscape setbacks, yards, fences, outdoor advertising and lighting have been applied to the proposed project.
ENVIRONMENTAL FINDING	Staff found the project to be a subsequent project not fully within the scope of the Master Environmental Impact Report SCH No. 2012111015 (MEIR) prepared for the Fresno General Plan, and filed a Mitigated Negative Declaration for the project on October 20, 2015.
PLAN COMMITTEE RECOMMENDATION	The District 6 Implementation Committee approved C-15-104 by a vote of 6-0 (1 absent) on August 17, 2015.
STAFF RECOMMENDATION	Staff recommends approval of Conditional Use Permit Application No. C-15-104 subject to the Conditions of Approval detailed in the revised approval letter dated October 29, 2015.

BORDERING PROPERTY INFORMATION

	Planned Land Use	Existing Zoning	Existing Land Use
North	Residential – Medium Low Density	**R-1** (*Single Family Residential)*	single-family homes
South	Residential – Medium High Density	**R-2** (*Low Density Multiple Family Residential)*	condominiums
East	Community Commercial	**C-1** (*Neighborhood Shopping Center)*	shopping center
West	Residential – Medium Low Density	**R-1** (*Single Family Residential)*	single-family homes

ENVIRONMENTAL FINDING

A Mitigated Negative Declaration was prepared for C-15-104 as a subsequent project that is not fully within the scope of the Master Environmental Impact Report SCH No. 2012111015 (MEIR) prepared for the Fresno General Plan and was filed on October 20, 2015. No further environmental assessment is needed. The California Environmental Quality Act (CEQA) permits a public agency to determine whether a particular project can be mitigated under CEQA. A determination of a Mitigated Negative Declaration, under Section 15070 to 15075 of the CEQA Guidelines was made and Environmental Assessment No. C-15-104 was completed for this project.

BACKGROUND / ANALYSIS

Project Description

Conditional Use Permit Application No. C-15-104 is a request to construct a new approximately 45,500 square foot fitness center building with a roof height at 34 feet and towers at 58 feet. A parking lot with 419 parking spaces, 10 bicycle racks, shade trees and landscaping is also proposed. Fitness center hours are proposed to be 24 hours per day on Monday through Thursday, 12 a.m. to 11 p.m. Friday, and 6 a.m. to 9 p.m. on Saturday and Sunday. Approximately 12 to 15 employees are expected per shift, with fewer during night shifts.

Conditional Use Permit Analysis

Pursuant to Fresno Municipal Code (FMC) Section 12-216.5-D.1.b., the proposed 58-foot building towers exceed the 35-foot height limit of the C-P zone district, thus a Conditional Use Permit is required to allow the increased height.

The location of the proposed fitness center is within the C-P *(Administrative and Professional Offices)* zone district where a fitness center is allowed pursuant to Director's Classification No. 111 with approval of a Conditional Use Permit. Director's Classification No. 111 requires the following conditions for location and operation of a fitness center:

(1) use is limited to sports courts, aerobics, exercise and weights rooms, gymnasium, swimming pool, snack bar and dining area, and business offices;

(2) permitted on sites of 5 or more acres;
(3) off-street parking at a rate of 4 spaces per 1,000 square feet;
(4) exterior design compatible with surrounding structures; and
(5) an outdoor pool must be fenced.

The proposed project includes aerobic, exercise and weight rooms, a snack bar and business offices, is on 5.8 acres, and has no outdoor pool. The proposed building, at 45,579 square feet, includes 419 parking spaces where 183 are required and the design is compatible with the adjacent commercial development. Conditions of approval require improvements to the parking lot and landscaping for the fitness center. The parking lot is designed to allow traffic access to adjacent commercial properties and include accessible parking stalls and walkways. Street trees and additional on-site landscaping will be required to be installed on the site.

Land Use Plans and Policies

The project site is designated for Employment Office planned land use and is zoned C-P *(Administrative and Professional Office)* wherein Director's Classification No. 111 allows a fitness center/gym with approval of a Conditional Use Permit. Additionally, the proposed 58-foot building towers exceed the height limit of 35-feet in the C-P zone district, for which approval of a Conditional Use Permit is required pursuant to Fresno Municipal Code (FMC) Section 12-216.5-D.1.b.

Fresno General Plan, Urban Form Element:

Goal 1: Increase opportunity, economic development, business, and job creation.
Goal 8: Develop complete neighborhoods and districts with an efficient and diverse mix of residential densities, building types, and affordability which are designed to be healthy, attractive, and centered by schools, parks, and public and commercial services to provide a sense of place and that provide as many services as possible within walking distance.

The proposed project is for construction of a fitness center on a vacant parcel located within an established neighborhood of residential and commercial uses. The project will place a fitness center in an area that is currently underrepresented and requires 12 to 15 employees daily. Walking paths are proposed to provide connectivity to the rear and side streets from the proposed development to enable foot traffic to access the project site.

Woodward Park Community Plan: Policy 1-4.4 requires commercial uses to follow design measures when adjacent to land designated for single family residential uses. Design standards include requirements for loading areas not less than 40 feet from residential uses, screening of mechanical equipment and loading and storage areas, a 20-foot landscape setback along property lines abutting streets, a 50-foot yard setback from residential uses, a 6-foot masonry wall along property lines and 3.5-foot wall along local streets, and limits commercial use signage to a single freestanding sign. The intent of the proposed site plan is to meet these requirements, which have been made a condition of project approval.

The project will 'promote' infill in an area developed with predominantly residential uses and develop a vacant site adjacent to existing commercial uses; will 'preserve' the urban nature of the neighborhood and reduce costs of expansion by utilizing existing infrastructure; and will

'protect' the community by establishing an active business with security lighting on a currently vacant parcel.

Circulation Element Plan Policies and Major Street System Traffic Capacity

The "Traffic Impact Study for the Proposed Fitness Center East of the intersection of Champlain and Hickory Hill Drives", dated August 5, 2015 prepared by Peters Engineering Group found that current study intersections operate at Level of Service (LOS) B or better during the a.m. and p.m. peak hours. The study found the proposed project is estimated to generate a maximum of 1,501 average daily trips (65 a.m. and 162 p.m. peak hour trips), with study intersection cumulative with projected project to operate at LOS C during a.m. and LOS E during p.m. peak hours through 2035. Therefore, to mitigate traffic queuing, a traffic signal was required at the intersection of East Champlain and North Hickory Hill Drives. The study concluded that the Project will not cause or contribute to a project-specific or cumulative near-term significant traffic impact based on intersection LOS criteria. Additionally, the applicant shall pay Traffic Signal Mitigation Impact (TSMI) fees, Fresno Major Street Impact (FMSI) fees, and Regional Transportation Mitigation Fees (RTMF).

District 6 Plan Implementation Committee

The project was electronically routed to the District 6 Plan Implementation Committee, who voted 6-0 (1 absent) to approve the project on August 17, 2015.

Analysis of the Appeal Letters

There were two (2) appeal letters received in response to the Notice of Granting issued for the project from surrounding property owners on October 27 and November 6, 2015 (Attachment 3). Residents in the area have objected to the approval of the CUP. The following is an analysis of the issues raised in the appeal letters:

Issue #1: The primary concern is with the high volume of traffic that a 24-hour gym will bring to the area, particularly at the intersection of East Champlain and North Hickory Hill Drives. Appeal letters note that the traffic flows to and from the proposed fitness center, a 24-hour operation from Monday through Thursday, will exceed those anticipated for typical office uses which generally operate during regular business hours.

Response: In accordance with the Traffic Study performed for the project, and required as project mitigation, the applicant will be required to install a traffic signal at the corner of E. Champlain and N. Hickory Hill Drives, make improvements and dedicate right-of-way and public easements, and pay TSMI, FMSI and RTMF fees. Therefore with the required improvements, traffic will be mitigated.

Issue #2: The appellants have concerns regarding the safety of residents and possible increase in crime that may occur from a 24-hour gym.

Response: The applicant's Operational Statement (Attachment 7) for the proposed project indicates that the building will be equipped with normal security measures, including cameras, security alarm, fire alarm, etc. The Fresno Police Department, in comments dated August 4, 2015 required the project to comply with security-

related requirements of the Woodward Park Community Plan which include exterior lighting for security.

Issue #3: The appellants have concerns that the proposed fitness center is located in the midst of a quiet residential area and will disrupt the peace of the neighborhood.

Response: The project site is surrounded on three sides by city streets, East Champlain Drive on the southwest, North Hickory Hill Drive on the west and East Greenwich on the north which provides a separation of 80, 50 and 40 feet respectively from neighboring parcels. The east side of the project site adjoins R-2 zoned properties where a multi-family project was approved but has yet to be constructed. Section 12-216.5-E.3 of the FMC requires a 10 foot side yard setback when commercial or office uses are adjacent to residential uses. Woodward Park Community Plan Policy 1-4.4 requires a building setback of 50 feet from, and a solid masonry wall 6 feet high erected along the property line of adjacent residential uses. The project proposes a 6-foot masonry wall along the property line adjacent to residential uses and building setbacks of 50 feet from the northeast and east property lines (building corner measuring 35 feet from the property line).

Issue #4: The appellants have concerns that a prior approval for Conditional Use Permit (CUP) approval cited as No. C-01-007 required negotiations that led to a master plan acceptable to the developer and neighbors.

Response: Rezone Application No. R-01-33, Conditional Use Permit No. C-01-117 and Variance No. V-01-17 were approved as a master plan for a mixed use development bounded by East Greenwich Avenue, North Hickory Hill Drive, East Champlain Drive, and East Shepherd Avenue. Neighbors objected to the height of a proposed 3-story building located on the northwest side of the master project site, which aligned with the eastern property line of APN 567-030-71. In approving C-01-117, the City Council required "*the 3-story office building to be depressed on the site to visually appear as though it were a 2-story building*" as noted in City Council meeting minutes for March 12, 2002. Variance Application No. V-01-17 approved an over-height tower architectural feature at a height of fifty-five (55) feet.

The proposed fitness center is located at the center rear of the project site (APN's 567-030-71 and 76) with the northeast building corner near the north portion of the east property line, approximately where the 3-story office building for C-01-117 was located. As the previously approved project for C-01-117 was not constructed, the applicant submitted C-15-104 for a proposed 2-story building with a roofline at 34 feet high and towers at 54-feet high. Therefore, the current project C-15-104 was approved through a Conditional Use Permit at the discretion of the Development Director.

Response to Appeals by Project Applicant

In response to the appeal letters received for the project, the applicant understands that a decision by the Planning Commission is now required. The applicant submitted 19 form letters (Attachment 12) with neighbor signatures that state "*Please allow me to express my support for the fitness center proposed to be located in our neighborhood. Such an amenity will enhance*

our community and be especially convenient for those who would otherwise be required to drive elsewhere to enjoy an activity so common and useful to all of us" with the application materials. No additional supporting materials were received as a result of the public notice.

Notice of Planning Commission Hearing

The Development and Resource Management Department Director approved the subject conditional use permit application on October 23, 2015. In accordance with the Special Permit Procedure of the FMC, a notice of granting of the conditional use permit application was mailed to property owners (and others). The public notice was sent to property owners within 465 feet of the subject site (Attachment 4) which exceeds the 350-feet required by FMC Section 12-401-B due to neighborhood concern over height of previously approved projects.

CONDITIONAL USE PERMIT FINDINGS

No special permit may be issued unless it is found that the privilege exercised under the permit, as it may be conditioned, conforms to the findings of Section 12-405-A-2 of the Fresno Municipal Code. Based upon analysis of the conditional use permit application, staff concludes that all of the required findings can be made for this conditional use permit application as follows:

Findings per Fresno Municipal Code Section 12-405-A-2	
a. *All applicable provisions of this Code are complied with and the site of the proposed use is adequate in size and shape to accommodate said use, and accommodate all yards, spaces, walls and fences, parking, loading, recycling areas, landscaping, and other required features; and,*	
Finding a:	Conditional Use Permit Application No. C-15-104 will involve construction of a new fitness center that will conform to the lot size and coverage, yard and setback requirements of the C-P zone district. Adequate space on the project site exists to accommodate the required parking for the proposed fitness center use, as well as yards, walls, fences, and recycling areas. Landscaping is required as a condition of project approval. The proposed project is consistent with uses allowed within the Employment Office planned land use designation and the C-P zone district. Further, the proposed use is consistent with the Office zone district of the newly adopted Development Code.
b. *The site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use; and,*	
Finding b:	The subject site is bordered by East Champlain Avenue an arterial street, and East Greenwich and North Hickory Hill Drive, collector streets. Adjacent streets have been previously assessed to ensure that permitted uses would not have significant impacts on traffic.

c. *The proposed use will not be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located. The third finding shall not apply to uses which are subject to the provision of Section 12-306-N-30 of the FMC.*	
Finding c:	Approval of Conditional Use Permit Application No. C-15-104 would not be detrimental to those properties in the vicinity or detrimental to public welfare, with Conditions of Approval imposed. All plan policies and standards required by the Fresno Municipal Code have been applied to the proposed project as applicable to ensure compatibility with those surrounding land uses and to prevent any detriment to public welfare. Approval of a Conditional Use Permit is required for structures over 35-feet in height.

Conclusion

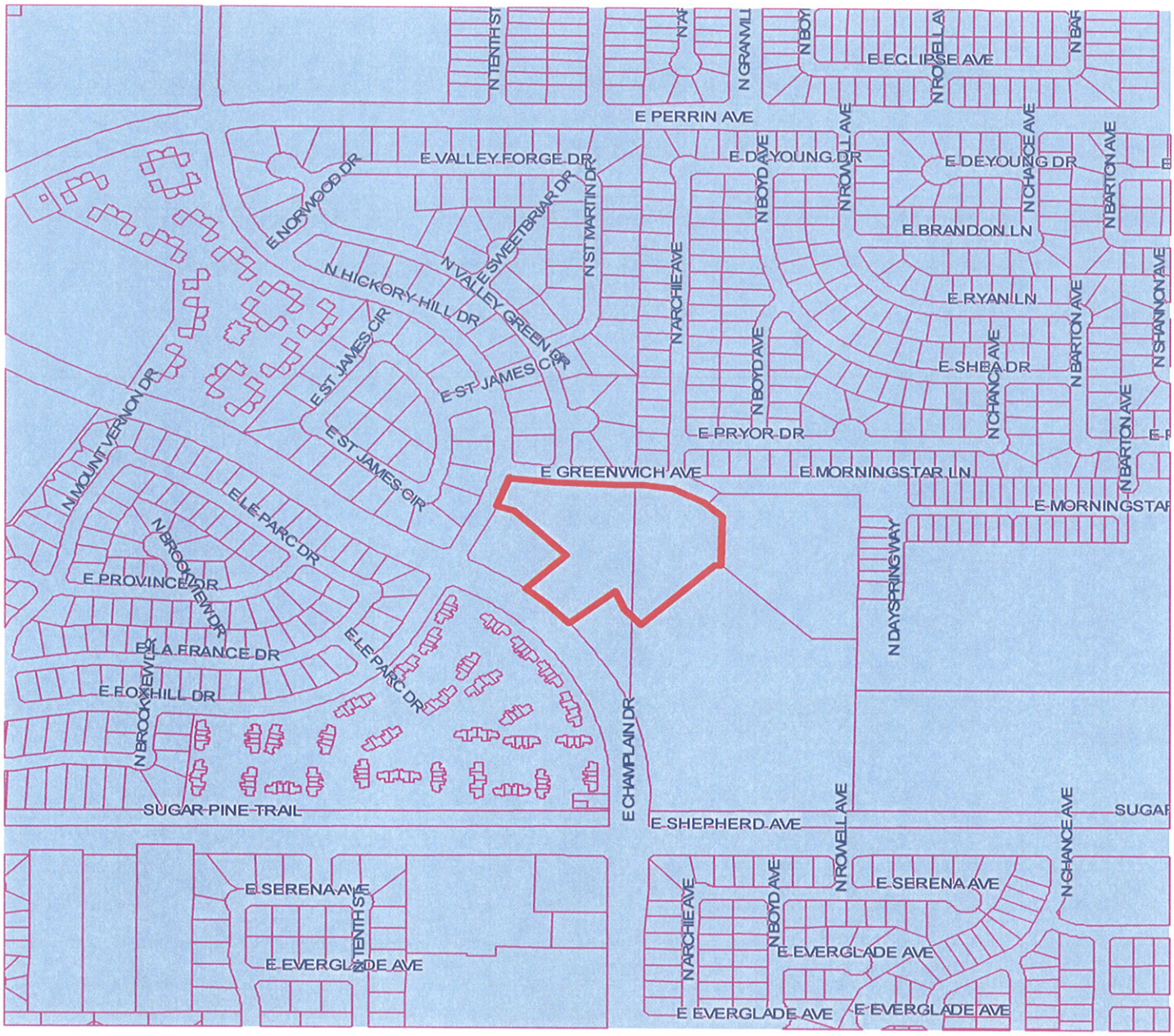
In conclusion, given that all mandated conditional use permit findings required pursuant to Section 12-405-A-2 of the Fresno Municipal Code can be made for Conditional Use Permit Application No. C-15-104, and given that the project meets all requirements of a Mitigated Negative Declaration for a project identified in but not fully within the scope of the MEIR (SCH 2012111015) for the Fresno General Plan, staff recommends that the Planning Commission deny the appeal and uphold the action of the Director as previously described in this staff report.

Attachments:

1. Vicinity Map
2. 2015 Aerial Photograph of site
3. Zone District Map
4. Noticing Map (465-foot radius)
5. Appeal Letters
6. Approval Letter/Conditions of Approval, revised October 29, 2015
7. Operational Statement dated July 23, 2015
8. Site Plan (Exhibit A)
9. Elevations (Exhibit E)
10. Comments from Responsible Agencies
11. Environmental Assessment No. C-15-104, dated October 20, 2015
12. Form Letter List of Signatures of Neighbors in Support of Project

Attachment 1

Vicinity Map



VICINITY MAP

CONDITIONAL USE PERMIT
APPLICATION NO.
C-15-104

PROPERTY ADDRESS

1460 East Champlain Drive

N
NW NE
W E
SW SE
S
Not To Scale

DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT

Subject Properties

APN: 567-030-71 and 76
Plan Areas: Employment-Office
By: Lauren Filice, October 9, 2015

Attachment 2

2015 Aerial Photograph

City of Fresno

User Drawn Redlines

Parcels

Parcels

Aerials

City Limits

Fresno County

SCALE 1 : 4,529

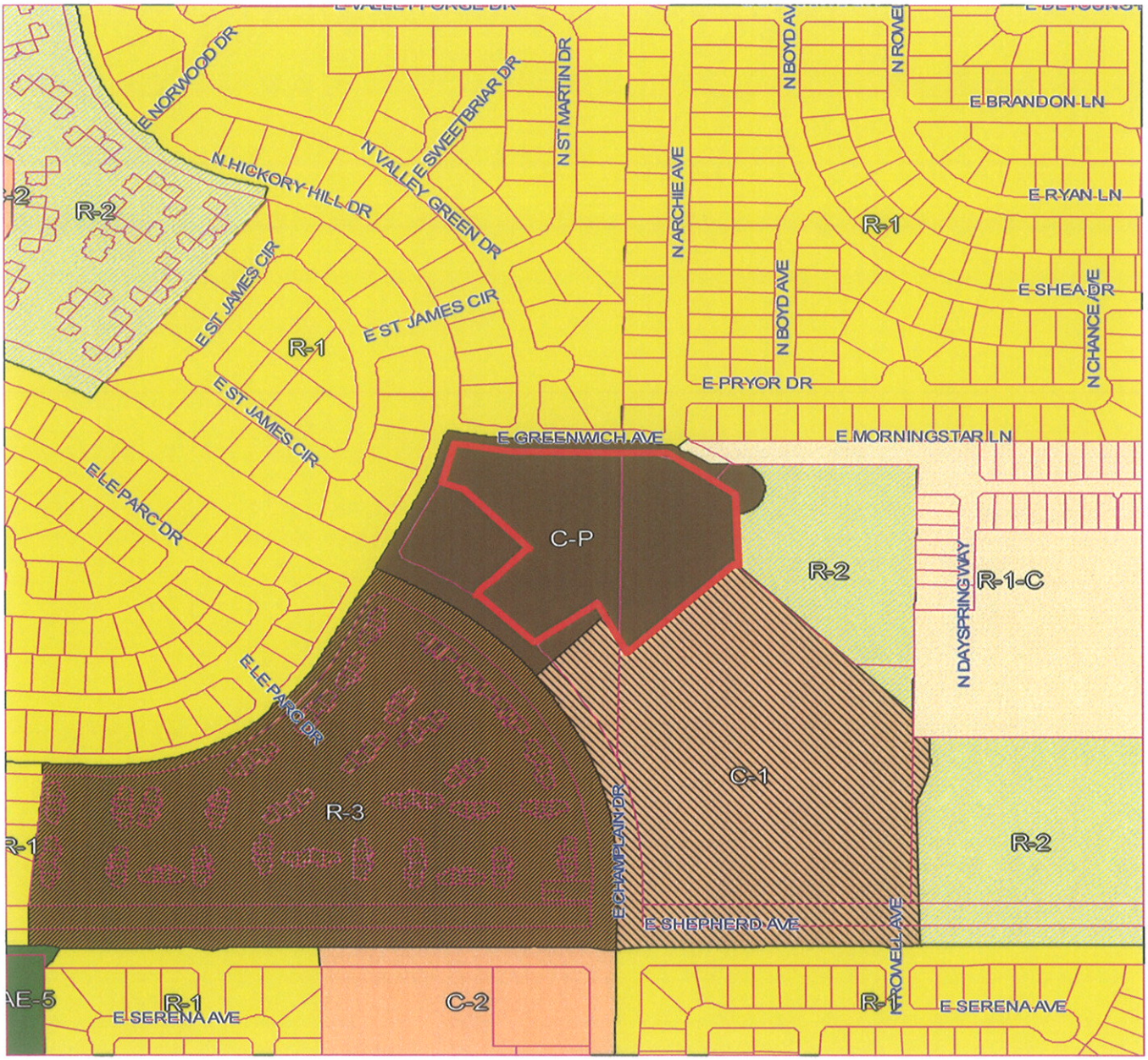
200 0 200 400 600

FEET

N

Attachment 3

Zone District Map



Zone District Map

DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT

Subject Properties

CONDITIONAL USE PERMIT NO.
C-15-104

PROPERTY ADDRESS

1460 East Champlain Drive

N
NW NE
W E
SW SE
S
Not To Scale

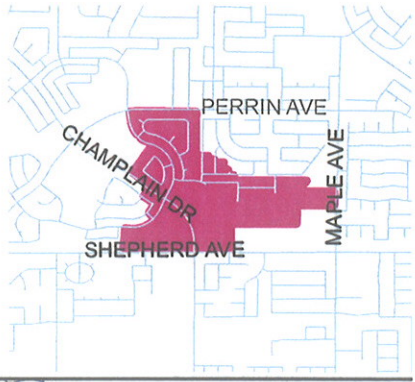
APN: 567-030-71
Plan Areas: Employment-Office
By: Lauren Filice, October 9, 2015

Attachment 4

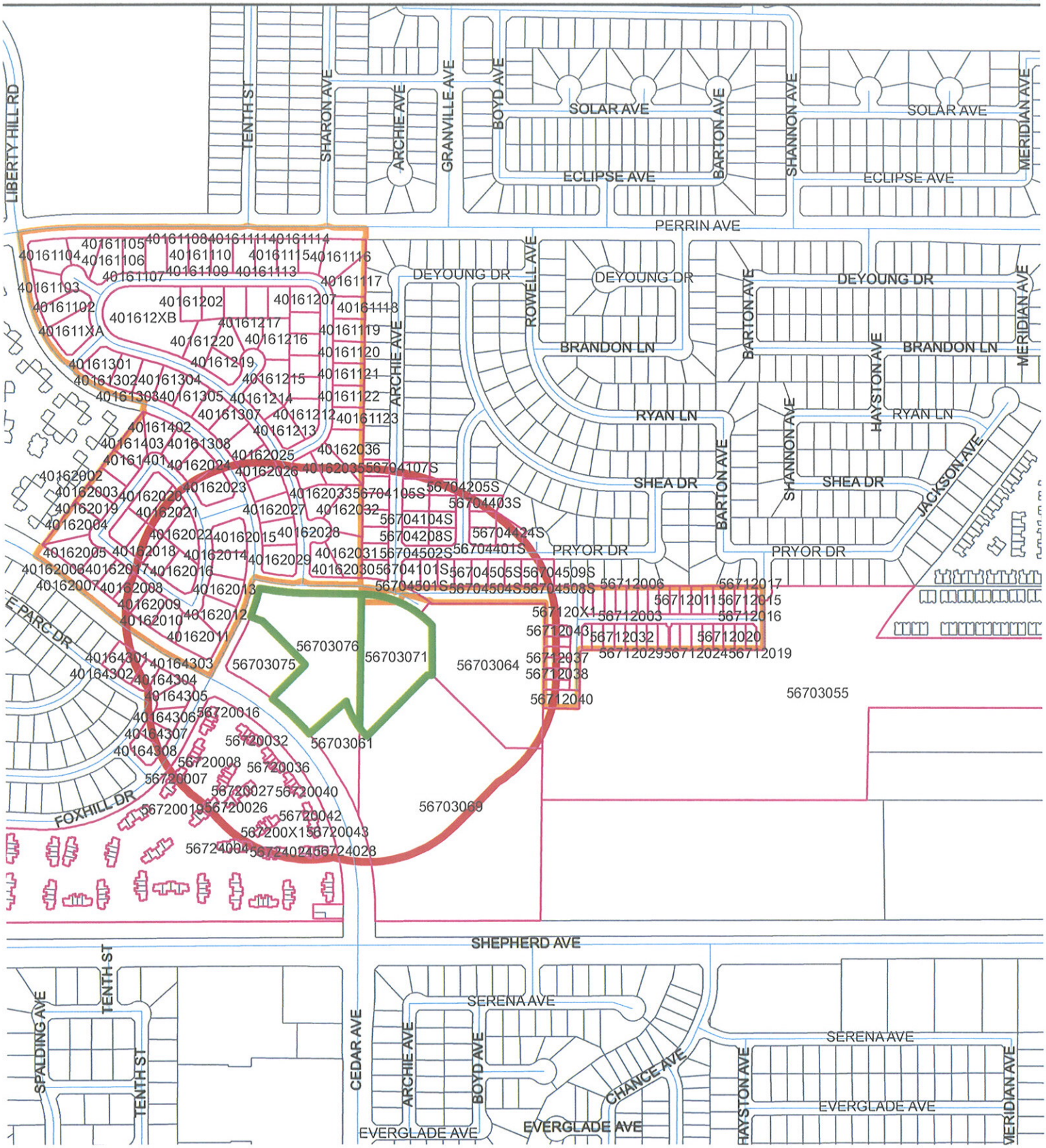
Public Hearing Notice Map

)99393 AddrList

uffered at:465 Feet, Legal Notices, Owners
6703071
6703076



\ddress List Map, c:\gisdm5\automap\adrlist.mxd, Fri Oct 23 11:45:09 2015



Attachment 5

Appeal Letters

THE VINCENT COMPANY
ARCHITECTS, INC.
1500 West Shaw, Suite 304 • Fresno, California 93711 • Phone 559 225-2602 • Fax 559 225-2702

November 6, 2015

Ms. Jennifer Clark, AICP, Director
CITY OF FRESNO DEVELOPMENT & RESOURCE MANAGEMENT
2600 Fresno Street, Room 3065
Fresno, California 93721

Sent via email

Subject: Appeal of Conditional Use Permit Application C-15-104
PROPOSED 45,500 SF FITNESS CENTER
1460 East Champlain Drive
Fresno, California
Assessor's Parcel 567-030-71, 76

Dear Ms. Clark:

Please allow this letter to serve as my appeal of the approval of Conditional Use Permit C-15-104 as referenced in the Development and Resource Management Department notice dated October 23, 2015. The proposed project is a 45,500 square foot fitness center to be constructed on a parcel that was previously rezoned and designated for professional office use under Master Conditional Use Permit C-01-007. As a resident of Tract 4171 "Madison Ridge East" Subdivision which is located directly adjacent to the proposed fitness center, it is my professional opinion that the project, as proposed, is inconsistent with prior conditions that were placed on the subject parcel and that the development proposed under this Use Permit will have negative environmental impacts on our adjacent residential neighborhood.

Having moved into the subdivision in 1995, I was present during the negotiations that led to the approval of Master Conditional Use Permit C-01-007. These negotiations between Scott Ellis Enterprises, Inc. and the neighboring residents led to a master plan that was acceptable to both developer and the adjacent families. A major component of the negotiations was a separation of retail / commercial and residential developments that preserved the integrity of the existing subdivision. Professional offices were used as a low-intensity use that provided the desired separation. Vehicular access to Greenwich Avenue was prohibited under the Conditions of Approval, and North Valley Green Drive was gated at Greenwich Avenue in order to mitigate the impacts of increased traffic flows due to the commercial development. In an effort to keep the overall mass of the office buildings consistent with the

adjacent neighborhood, a proposed three-story building was required to be "designed so that only two stories shall rise above the elevation of a point of the finished curb grade of East Greenwich Avenue which is closest to the mid-point of the three-story building" (C-01-007 Conditions of Approval, Part D- Planning / Zoning Requirements, Item 3.e). This requirement was specifically imposed due to the increasing elevations at the rear of the site and in an effort to keep the scale of the office building proportional to the existing adjacent residences.

The original Site Plan presented in C-01-007 also located the office buildings between the residences and the parking lot, providing a visual buffer of both the parking and commercial development to the south. The office uses were considered an acceptable transition between residential and commercial projects as they we less intensive than the proposed retail uses, and generally maintained hours of operation of 8:00 am to 5:00 pm, Monday through Friday, with minimal use on the weekends. This reduced potential conflicts between the residents and the office uses.

Anticipated vehicular trips to the site for the office complex were considered far less intensive than the retail uses, with virtually no traffic generated on weekends and evenings. On the other hand, the current project (C-15-104) proposes a use that is intended to operate 24 hours per day for most of the week, with an estimated 2,000 "members" utilizing the facility each day. The traffic study prepared for the project indicates that the 45,500 square foot fitness center will generate 1,501 trips per day (33 trips per 1,000 square feet of building area), and does not include any trips for the adjacent office building proposed at the corner of Hickory Hill and Champlain which is likely to create an additional 83 trips based upon a 7,500 square foot building (11 trips per 1,000 square feet). In contrast, the original 100,400 square foot office development was expected to generate only 1,104 trips. This forty four percent (44%) increase in expected traffic (for the fitness center and office) is not consistent with the low-intensity use that the neighborhood originally agreed to.

There are significant concerns over the amount and timing of traffic generated by the proposed development. While the signalization of Hickory Hill and Champlain will have a positive impact on the safety and functioning of this intersection, the impact of the project on the remainder of North Hickory Hill Drive does not appear to be addressed. At this time, traffic already races along this street and often runs the stop signs at East St. James Circle and East Norwood Avenues creating hazardous situations. During the original review of C-01-007, residents expressed concerns over these traffic hazards, and the proposed fitness center will only increase those issues. Mitigation measures which were included in Master Conditional Use Permit, which included posting North Hickory Hill Drive and East Greenwich Avenue for "No Commercial / Truck Traffic Permitted" and "No Parking" appear to no longer be included in the Conditions of Approval for this project.

The building as proposed includes two (2) fifty eight foot (58'-0") tall "towers" that will be completely out-of-scale with the residences located directly across East

Greenwich Avenue. As this project may be considered an "infill development" under the proposed Citywide Development Code, this disparity of scale would not appear to meet the requirement of fitting into the existing neighborhood under the new Code.

In reviewing the Conditions of Approval, the Fresno Police Department has commented that the fitness center should comply with the "hours of operation" noted in the Woodward Park Community Plan. Upon reviewing the Specific Plan, I could not find restrictions on hours of operation and have asked Planning staff for clarification of what this comment means. My first inclination is that the Police Department is also concerned with a 24 hour per day operation, and is trying to place limits on it consistent with other fitness centers in the area (Fort Washington Fitness and GB3 at Cedar and Nees Avenues currently are open from 5:00 am until 11:00 pm, and not 24 hours per day). Concerns arise over the noise generated (mostly traffic along Hickory Hill and directly adjacent to residents of our subdivision) and the potential for increased crime in the area that may arise due to the 24 hour operation of the facility.

Unlike the original office design, the building will not be placed so that it acts as a buffer to the existing residences, but rather to the rear of the parcel, with a sea of parking extending for Champlain Drive to the facility. While I have the opinion that the on-site circulation is cumbersome and inefficient in an apparent effort to maximize the number of parking stalls (as required for facilities of this nature), the Development Code does not require "efficient" circulation. On the other hand, the new General Plan and Citywide Development Code discourage large masses of parking for commercial projects, of which this design clearly does not comply with.

The proposed Site Plan also seems to include a substantial grade differential between itself and the proposed multi-family residential development to the east (the 4th Phase of the Dominion Courtyard Apartments). This is evidenced by the stairway shown on the site plan that include enough treads to provide a 5 to 6 foot grade differential between the properties assuming that 6 inch risers are provided. The net result would be a large retaining wall to be installed between the properties, with a 6 foot high wrought iron fence to be installed above the wall. No comment is provided in the Conditions of Approval regarding the impacts of the substantial cut to the grade, nor the visual impact of the retaining wall. Additionally, the accessibility issues created by such a grade differential have not been addressed at this time.

Under the *Summary and Other Conditions / Requirements* for C-15-104, the project planner states under Item B - Local Plans and Policies, Urban Form Element, that the "project will place a fitness center in an area that is currently under represented". I am not sure what is meant by this statement based upon the normal radius from which these facilities draw from coupled with the existing facilities located at Cedar and Nees, Friant and Fort Washington, Palm and Nees, First and Herndon, and a proposed facility at Shepherd and Willow (based upon signs recently placed on the property), I would not consider this neighborhood "under represented". If rumors are correct, the proposed project is simply a relocation of the facility at Cedar and Nees,

and a large single user building will be left vacant. This, in my opinion, is not good for the community in general or the Woodward Park area. While I am not one to restrict commerce nor development, I do believe that the benefit to the community and neighborhoods must be analyzed before this type of development is approved.

As a design professional, I understand the challengers faced with a development of this nature - it is difficult when you have a square peg and a round hole. As an adjacent resident, I am deeply concerned with the change in the nature of development of this parcel from that which was originally negotiated with the Ellis family and the impact the project will have on my neighborhood. On this basis, I must express my deep concerns over this proposed development and request that the approval of this Use Permit be appealed to the Planning Commission.

Should you have any questions or comments, please feel free to give me a call at 225-2602.

Kindest Regards,
THE VINCENT COMPANY ARCHITECTS, INC.

Scott A. Vincent,
Architect C-15290

10-27-15

Re: Conditional Use Permit Application No. C-15-104

I am submitting a protest to the proposed development at the property located on the northeast side of East Champlain Drive, between East Shepherd Avenue and North Hickory Hill Drive.

I live on St. Martin Drive which is only a short distance from the proposed development.

There are currently two other large fitness centers within 1 mile of my location and I do not see a need for another so close to this residential area.

We are already experiencing a significant increase in crime throughout this area and a 24 hour gym will only make matters worse. The parking lots in the area are drawing more and more vehicle break ins which are spreading into the neighborhoods. A business such as this does not fit into the residential, peaceful atmosphere of the area. The original plan for that property was for condominium or high end apartments.

I think this proposal is a bad idea for the area and does not fit into the overall development of the area.

Thank you,

Gary Morrow

9355 N. St. Martin Dr.

Fresno, CA 93720

Lauren Filice

From: Jenelle Jess <jessandjenelle@gmail.com>
Sent: Tuesday, November 03, 2015 7:23 PM
To: Lauren Filice
Subject: How to formally protest Conditional Use Permit Application No. C-15-104

Hello there,

I was curious as to what would be the avenue to formally protest this property in question being developed in the way that it is set to be developed. Based on the information provided, I am concerned about a large number of problems regarding this proposal.

1. Increased flow of traffic near my home. This may result in an increase in environmental noise that will disrupt my children's ability to sleep at night, especially with the late business hours.
2. Increased number of pedestrians roaming my neighborhood. This is a concern due to the potential for a decrease in the safety of my neighborhood, meaning my children will not be safe.
3. Potential for increased crime due to placement of this establishment and the number of people expected to visit the site.
4. Light pollution expected from the large parking lot.
5. Potential for decrease in property values as a result of the property's location.

Any information that you can provide will be greatly appreciated. I know that there is a due date of November 9th.

Thank you,

Jess Rodela

Attachment 6

Approval Letter/Conditions of Approval

City of
FRESNO

2600 Fresno Street, Third Floor
Fresno, California 93721-3604
(559) 621-8277 FAX (559) 498-1012

Development and Resource Management Department
Jennifer K. Clark, AICP, Director

October 29, 2015

Please reply to:
Lauren Filice
(559) 621-8070

Ron Marlette
Marlette Associates
romnm@marletteassociates.com
sent via email only

SUBJECT: CORRECTED APPROVAL - CONDITIONAL USE PERMIT APPLICATION NO. C-15-104 FOR PROPERTY LOCATED AT 1460 EAST CHAMPLAIN DRIVE (APN: 567-030-71 & 76)

Mr. Marlette:

The Development and Resource Management Director, on October 23, 2015, approved Conditional Use Permit Application No. **C-15-104,** which proposed to construct a new 45,500 square foot fitness center with building height at 34-feet and up to 58-foot tower features. Up to 2,000 members are expected to visit the site per day. Parking is planned for 417 vehicle stalls with 8 accessible and 10 bicycle racks. The fitness center will be open to members 24 hours per day Monday thru Thursday, 6 a.m. to 9 p.m. Saturday and Sunday, and from midnight to 11 p.m. on Fridays. Approximately 12 to 15 employees are anticipated per shift, less during nighttime hours. A mitigated negative declaration was filed on October 20, 2015 pursuant to the California Environmental Quality Act (CEQA) by the Development and Resource Management Department. The approval of this project is subject to compliance with the following Conditions of Approval:

CONDITIONS OF APPROVAL

PART A – ITEMS TO BE COMPLETED

The following items are required prior to issuance of building permits and/or commencement of land use activity:

Planner to check when completed	
☐	1. Development shall take place in accordance with Exhibits A-1, A-2, A-3, E-1, E-2, L-1 and L-2, dated July 23, 2015. Transfer all applicable comments and conditions on Exhibits to the corrected exhibit(s) and **submit to planner *at least* 15 days prior to issuance of building permits**.

2. Landscaping must be in place **before issuance of the certificate of occupancy**. A Hold on Occupancy shall be placed on the proposed development until such time that landscaping has been approved and verified for proper installation by the Development Services Division.

3. **Prior to final inspection**, a written certification, signed by a landscape professional approved by the Director, shall be submitted stating that the required landscaping and irrigation system was installed in accordance with the landscaping and irrigation plans approved by the Development Services Division, Development and Resource Management Department (see form, attached).

4. The project shall comply with policies of the Woodward Park Community Plan, particularly the design measures of Policy 1-4.4 which includes requirements for loading and storage areas, roof-mounted mechanical equipment, landscape setbacks, berms and walls, outdoor advertising and exterior lighting.

5. Construction shall comply with the requirements of Section 12-321 for Mid Rise and High Rise Buildings, particularly the Development Standards of Section 12-231 D. Provide evidence of compliance and revisions to Site Plan and **submit to planner at least 15 days prior to issuance of building permits.**

6. For long term maintenance and operating costs of public improvements associated with new development the property owner shall annex to Community Facilities District (CFD) No. 9, and/or provide for services privately through a maintenance covenant. **Submit to planner at least 15 days prior to issuance of building permits.**

7. Construct an underground street lighting system to Public Works Standards E-1 and E-7 within the limits of the application. Construct a traffic signal at the intersection of Champlain and Hickory Hill Drives as noted in Public Works Department comments dated September 10, 2015. Submit evidence of completion to planner **at least 15 days prior to issuance of building permits.**

8. Installation of water service and meter boxes is required. On-site sewer facilities shall be private. Seal and abandon any existing on-site well. Submit evidence/s to planner **at least 15 days prior to issuance of building permits.**

9. Install a sewer house branch. On-site sanitary sewer facilities shall be private. Abandon any existing septic system/s. A 'Cross Access Agreement' is required for sewer service(s) crossing parcels. Submit a copy of the agreement to planner **at least 15 days prior to issuance of building permits.**

10. Developer shall provide evidence that drainage, review and grading plan review fees have been paid to the Fresno Metropolitan Flood Control District. Obtain a 'Drainage Covenant' from APN 567-030-69 to allow surface runoff to reach existing Storm Drainage facilities located on APN 567-030-69. Submit a copy of the covenant to planner **at least 15 days prior to issuance of building permits.**

11. Should a food facility/snack bar be proposed, the developer shall obtain a permit to operate a food facility **prior to issuance of building permits.** The developer shall obtain a permit to operate a public swimming pool and spa **prior to issuance of building permits.** Submit permits to planner **at least 15 days prior to issuance of building permits.**

12. Developer shall work with the San Joaquin Valley Air Pollution Control District (SJVAPCD) to perform an Independent Source Review and/or comply with other SJVAPCD regulations applicable to project. Contact the SJVAPCD's Small Business Assistance Office at (559) 230-5888 to determine if an Authority to Construct (ATC) is required. **Submit evidence that SJVAPCD requirements have been met to planner at least 15 days prior to issuance of building permits.**

13. Add applicable notes from the attached document titled "Notes and Requirements for Entitlement Applications".

PART B – OTHER REQUIREMENTS

1) Planning/Zoning/Environmental Compliance Requirements

a) Property development standards and the complete list of planning requirements/conditions for this project are contained in the "Initial Project Comments from Planning" prepared for C-15-104, attached to this document for reference.

b) Development and operation shall take place in accordance with the attached "Notes and Requirements for Entitlement Applications" as applicable.

c) Development shall take place in accordance with the policies of the Fresno General Plan, the Woodward Park Community Plan, and with the *employment-office* planned land use designation.

d) Development shall take place in accordance with the C-P/UGM *(Administrative and Professional Offices/Urban Growth Management)* zone district and all other applicable sections of the Fresno Municipal Code.

e) Comply with the project description in the application submitted for the proposed project dated July 23, 2015.

2) City and Other Services

a) Development shall take place in accordance with the attached memoranda and letters from City of Fresno Departments and partner agencies (Building and Safety dated July 30, 2015; Public Works Department dated September 1, 2015, Traffic and Engineering Services dated September 10, 2015, and CFD dated July 30, 2015; Department of Public Utilities, Sewer dated August 14, 2015, Solid Waste dated August 17, 2015, and Water dated August 5, 2015; Fresno Fire Department dated July 31, 2015; Fresno Police Department dated August 8, 2015; Fresno Irrigation District dated August 13, 2015; Fresno Metropolitan Flood Control District dated September 14, 2015; County Environmental Health Department dated July 31, 2015; and the San Joaquin Valley Air Pollution Control District dated September 2, 2015).

3) Miscellaneous Requirements

a) Approval of this special permit shall be considered null and void in the event of failure by the applicant and/or the authorized representative, architect, engineer, or designer to disclose and delineate all facts and information relating to the subject property and the proposed development including, but not limited to, the following:

i) All existing and proposed improvements including but not limited to buildings and structures, signs and their uses, trees, walls, driveways, outdoor storage, and open land use areas on the subject property and all of the preceding which are located on adjoining property and may encroach on the subject property;

ii) All public and private easements, rights-of-way and any actual or potential prescriptive easements or uses of the subject property; and,

iii) Existing and proposed grade differentials between the subject property and adjoining property zoned or planned for residential use.

b) Approval of this special permit may become null and void in the event that development is not completed in accordance with all the conditions and requirements imposed on this special permit, the Zoning Ordinance, and all Public Works Standards and Specifications. The Development and Resource Management Department shall not assume responsibility for any deletions or omissions resulting from the special permit review process or for additions or alterations to construction plans not specifically submitted and reviewed and approved pursuant to this special permit or subsequent amendments or revisions.

APPEALS

Please be advised that this project may be subject to a variety of discretionary conditions of approval. These conditions based on adopted City plans and policies, those determined through conditional use permit review and environmental assessment essential to mitigate adverse effects on the health, safety and welfare of the community, and recommend conditions for development that would on the whole enhance the project and its relationship to the neighborhood and environment.

Discretionary conditions of approval may be appealed. All code requirements, however, are mandatory and may only be modified by variance, provided the findings pursuant to Section 12-405 can be made. Discretionary conditions of approval will ultimately be deemed mandatory unless appealed in writing to the Director within 15 days. In the event you wish to appeal the Director's decision, you may do so by filing a written appeal with the Director. The appeal shall include the appellant's interest in or relationship to the subject property, the decision or action appealed and specific reasons why the applicant believes the decision or action appealed should not be upheld.

If you wish to appeal the decision, a written request must be received at the Development and Resource Management Department by **November 9, 2015**. The written request should be addressed to Jennifer Clark, Director, and include the application number referenced above.

BACKCHECK PROCESS

Please Note: To complete the back-check process for building permits relative to planning and zoning issues, submit four copies of this corrected, final site plan, together with three copies of the elevations, landscape, and irrigation plans, any fees and title reports for required covenants, and any required studies or analyses to Lauren Filice in the Development Services Division for final review and approval, at least 15 days before applying for building permits.

It may be necessary to resubmit these "corrected exhibits" a second time if not all the conditions have been complied with or are not shown on the exhibits. Once the "corrected exhibits" are approved by the Development Services Division, please place these exhibits in the plan check set and contact the Development Services Division, along with Traffic Planning, to set up an appointment to signoff and stamp these exhibits. Please bring one additional copy of the site plan exhibit(s) to this appointment so that the Development Services Division has a final signed-off copy of the site plan.

Copies of the final approved site plan, elevations, landscaping, and irrigation plans stamped by the Development Services Division must be submitted for unstamped copies of the same in each of the sets of construction plans submitted for plan check prior to the issuance of building permits.

The exercise of rights granted by this special permit must be commenced by **October 23, 2019**, (four years from the date of approval). There is no extension. All improvements must be installed prior to the operation of the proposed use.

If you have any questions regarding this letter, feel free to give me a call at the number listed above.

Sincerely,

Lauren Filice

Lauren Filice, Planner
Development Services Division

Enclosures: Exhibits
Comments from Partner Agencies & Departments
Initial Project Comments/Conditions Prepared for C-15-104
Notes and Requirements for Entitlement Applications
Landscape Certification Form

C: Russell G. Smith, owner
JAF

Attachment 7

Operational Statement

MARLETTE ASSOCIATES
ARCHITECTURE

Operational Statement
Fresno City Planning and Development Dept.
Development Partnership Center (DPC)
2600 Fresno St. Third Floor
Fresno, CA. 93721

July 23, 2015

Project Site Address: 1460 E. Champlain Ave.
Assessor's Parcel Number (APN): 567-030-71 & 567-030-71
Existing General Plan land use designation: Office Commercial
Exsiting zone district: C-P/UGM/CZ
Community Plan: Woodward Park Community Plan
Specific Plan: None identified
Redevelopment Plan: None identified

C-15-104

Describe efforts that have been made to discuss the proposal with neighbors:
Informal discussions have been had with several neighbors.

Describe how the proposal is complementary to the surrounding neighborhood, describe how the proposal helps implement the 2025 Fresno General Plan and Describe in detail, the proposed use(s):

The proposed fitness center will contribute to the "Complete Neighborhood" concept by further enhancing the efficient and diverse mix of residential densities, building types, and affordability which are designed to be healthy, attractive, and centered by schools, parks, and public and commercial services to provide a sense of place and that provide as many services as possible within walking distance.

Detail the hours of operation and the number of employees:

We anticipate the club will be open for members 24 hours a day Monday – Thursday, 6AM – 9PM Saturday and Sunday. Approximately 12-15 employees per shift (less during night shift).

Detail the expected daily visitors/users/guests:

We expect approximately 2,000 member visits per day.

Describe any reasonably foreseeable effects from construction and/or operation of the site that may impact the neighbors:

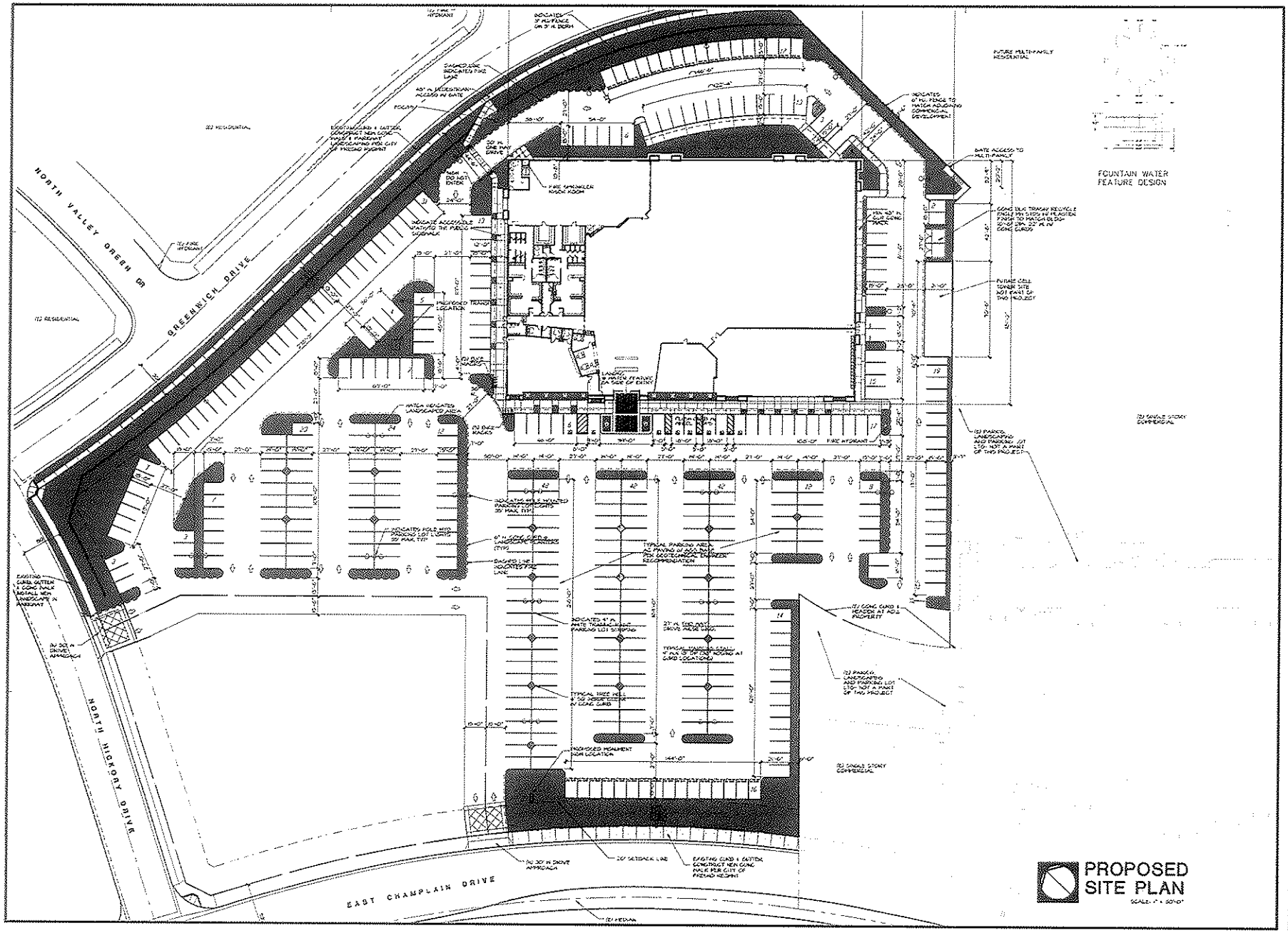
During construction the neighbors will notice construction activity. During operation the neighbors will have an attractive full service fitness center within walking distance.

Detail all security measures:

During construction the site will be enclosed with a construction fence. Once built, the building will be equipped with normal security measures, cameras, security alarm, fire alarm, etc.

Attachment 8

Site Plan (Exhibit A)



C015786

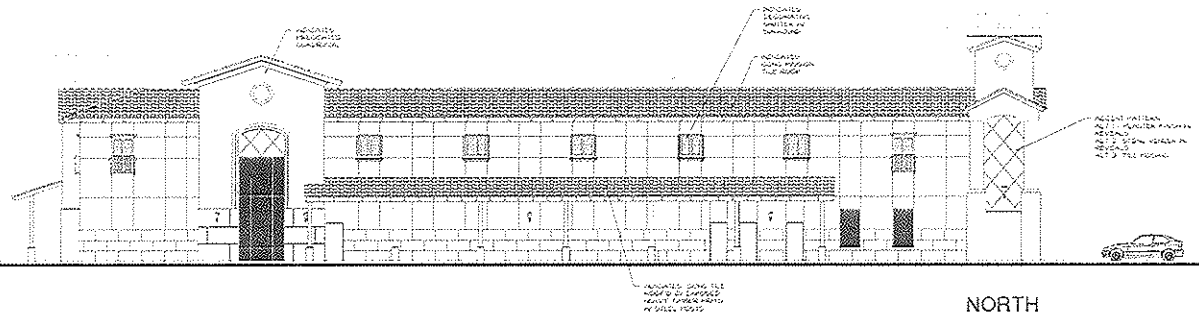
project
FITNESS CENTER
1460 E. CHAMPLAIN DRIVE
FRESNO, CALIFORNIA

PROJECT NUMBER -

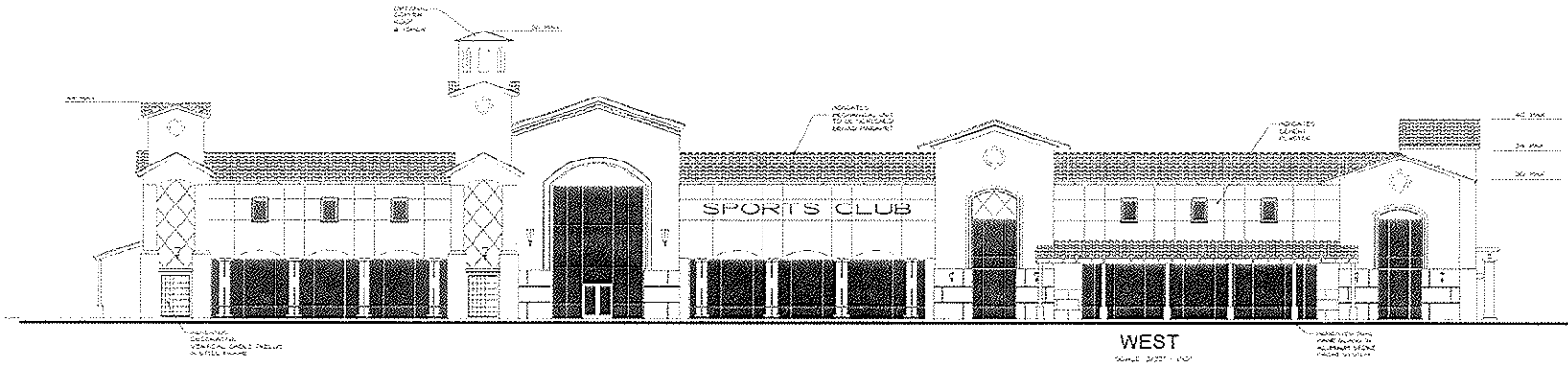
SHEET NUMBER
CUP-2

Attachment 9

Elevations (Exhibit E)



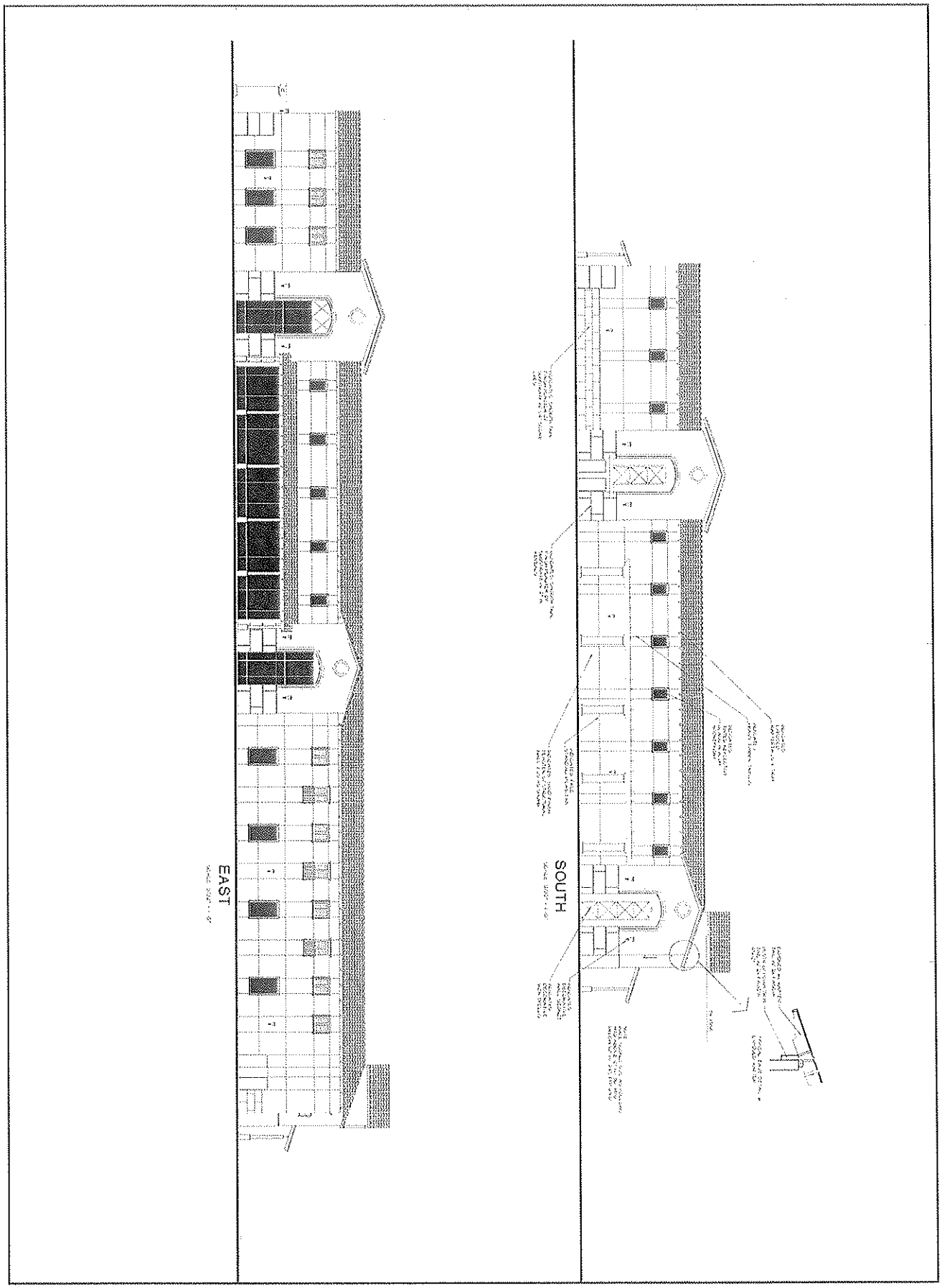
NORTH



WEST

project
FITNESS CENTER
1480 E. CHAMPLAIN DRIVE
FRESNO, CALIFORNIA

SHEET NUMBER
CUP-4



DATE	PRINTS ISSUED FOR	DATE	REVISION
07-23-15	CUP APPLICATION		

project

FITNESS CENTER

1460 E. CHAMPLAIN DRIVE
FRESNO, CALIFORNIA

MARKETT ASSOCIATES
ARCHITECTURE

CUP-5

Attachment 10

Agency Comment Letters

City of FRESNO

2600 Fresno Street-Third Floor
Fresno, California 93721-3604
(559) 621-8277 FAX (559) 488-1020

Development and Resource Management Department
Jennifer K. Clark, Director

Project Comments from the Development Services Division
September 11, 2015

PROJECT DESCRIPTION

Conditional Use Permit C-14-104 was submitted by Ron Marlette of Marlette Associates and pertains to 5.8 acres of property located on the northeast side of East Champlain Drive, between East Shepherd Avenue and North Hickory Hill Drive. The applicant proposes to construct a new 45,500 square foot fitness center with building height at 34-feet and up to 58-foot tower features. Up to 2,000 members are expected to visit the site per day. Parking is planned for 417 vehicle stalls with 8 accessable, and 10 bicycle racks. Fitness center will be open to members 24 hours per day Monday thru Thursday, 6 am to 9 pm Saturday and Sunday, and from midnight to 11 pm on Fridays. Approximately 12 to 15 employees are anticipated per shift, less during nighttime hours.

APN: 567-030-71 and 76 **ADDRESS: 1460 East Champlain Drive**

GENERAL INFORMATION – General Plan land use designation is *Employment Office* which .

ZONING		
	Existing	**C-P/UGM** *(Administrative and Professional Offices/Urban Growth Management)*
	Requested	N/A
	Pending	N/A
PLANS – available on-line at www.fresno.gov/Government/.../**Community**Specific+**Plans**.htm		
	Community Plan	Woodward Park – Policies are cited on page 7 and by applicable review sections, below.
	Specific Plan	none
	Redevelopment	Urban Growth Management (UGM) area
PREVIOUS ACTIONS		
	Applications	S-05-475 proposed office complex – permits expired
	Covenants/ Easements	Easements for Outlot A on north boundary for landscaping; north and west boundaries for right of way for public streets; Easement for public utilities recorded as No. 85039970, OR
	Development Agreements	Covenant for grading, filling and drainage recoded as No's. 88-066446 & 073149, OR Covenants, Conditions and Restrictions creating easements
TRACT MAP or LOT SPLIT	PM 72-58 created site as Parcel B	

PROPERTY DEVELOPMENT STANDARDS

Use the website below to access the Zoning Ordinance (Chapter 12, articles 2 and 3) to find more information on zoning/property development standard requirements:

http://library.municode.com/index.aspx?clientId=14478&stateId=5&stateName=California

USE PERMITTED - www.fresno.gov/Government/DepartmentDirectory/.../**Zoning**.htm		
Pursuant to Fresno Municipal Code (FMC) **Section 12-216.3-B** uses subject to a Conditional Use Permit (CUP) includes .5 Buildings over 35 feet in height pursuant to Section 12-216.5-D, and Directors Decisions No. 111 allows Private Fitness Club with an approved CUP.		
PROPERTY DEVELOPMENT STANDARDS pursuant to Section 12-216.5 for the C-P zone district:		
LOT AREA		
	Required	A . Each lot shall have a minimum area of ten thousand (10,000) square feet.
	Proposed	8.5 acres or 252,734 square feet
LOT DIMENSIONS		
	Required	B.1. Width. All lots have a minimum lot width of sixty-five (65) feet. 2. Depth: All lots shall have a minimum lot depth of one hundred ten (110) feet.
	Proposed	Width – minimum 195 feet, maximum 167 feet; Depth – 103 feet minimum, 611 feet maximum.
POPULATION DENSITY		
	Permitted	C. None for non-residential uses.
	Proposed	Up to 2,000 members per day and 12-15 employees on-site at any given time.
BUILDING HEIGHT		
	Permitted	D. 1. No buildings or structure erected in this District shall have a height greater than thirty-five (35) feet, with the following exceptions: a. A building or structure with a building height greater than thirty-five (35) feet, but not exceeding sixty (60) feet, may be erected subject to the securing of a Conditional Use Permit pursuant to Sections 12-405 and 12-406: and b. A building or structure exceeding the limitation of subdivision a above, shall be subject to the securing of a conditional use permit pursuant to the provisions of the Mid Rise and High Rise Ordinance (Section 12-321). 2. No accessory buildings erected in this District shall have a height greater than one (1) story, not to exceed twelve (12) feet. Accessory buildings are subject to the provisions of subsection 12-306-N-1. 3. Exceptions: Roof structures for the ho us moot elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, and fire or parapet walls, sky-lights, towers, church steeples, flagpoles, chimneys, smokestacks, silos, water tanks or wireless masts or similar structures may be erected above the height limit proscribed in this Section when approved by the Director upon finding that the structure may be safely erected and maintained at such height without damaging the surrounding properties taking into consideration the surrounding conditions and circumstances. No roof structures, or any space above the height limit shall be allowed for the purpose of providing additional living or floor space.
	Proposed	Main roofline at 34-feet, towers up to 58-feet. **Exceeds the 35-foot allowed height – CUP required.**

YARDS - E. General Requirements:

1. General Requirements.

a. All required yards shall extend the full width or depth of the lot and shall be open from the ground to the sky except as provided in Sections 12-105-L-4, 12-105-Y(yard) and 12-216.5-E-5, below.

b. All required yards abutting a street shall be landscaped and maintained in accordance with Section 12-306-N-24. Other yards may be used for parking or loading.

c. No main building shall be erected within fifty feet of the right-of-way of any railroad line or freeway.

d. Swimming pools shall not be located in any required front yard, nor shall they be located closer than five feet from any side or rear property line, and they shall be enclosed in accordance with Section 9-1402 and Section 12-306-H.

e. Open space for residential development shall be provided pursuant to the provisions of Subsection 12-306-N-2l-c(2).

f. Accessory buildings, as defined in Section 12-105-A-3 are permitted pursuant to the criteria of Section 12-306-N-1.

Woodward Park – Policy 1-4.4.d. No commercial or office building shall be constructed within 50 feet of the property line of abutting properties zoned or planned for residential uses.

Required Building Setback		**Proposed Building Setback**	
Front (Nielsen)	10 feet	Front	Not shown
Interior Sides	WP – **50 feet**	Interior Side	Not shown
Street Side (Hickory Hill)	10 feet	Street Side	Not shown
Rear	WP – 50 feet	Rear	Not shown
Required Landscaping Setback		**Proposed Landscaping Setback**	
Front	20 feet	Front	20.5 feet
Interior Side	WP - 20 feet where adjacent to abutting residential uses.	Interior Side	Shown as variable - from 0 to 3.5 feet adjacent to commercial; 8.5 feet where adjacent to residential.
Street Side	20 feet	Street Side	20.5 feet
Rear	20 feet	Rear	20.5 feet

Landscape Setbacks per 12-306-N-24. a. When property is undeveloped at the time landscaping requirements are imposed upon the property, all required landscaping shall be provided and maintained prior to the time a main building is occupied for any use requiring a building or when any open use, other than agricultural, occurs on the property.

j. Except where more restrictive requirements are provided elsewhere by this Code, or by an adopted community or specific plan or redevelopment plan or policy, at the time of development or major modification in an office, commercial or industrial district which has frontage or a boundary adjacent to a major street, or which has a boundary or local street that is also the boundary of property zoned or planned for residential use, the property owner or developer shall provide and maintain a landscaped area along the frontage or boundary adjacent to the major street, or along and parallel to the major or local street that is the boundary of the property zoned or planned for residential use. The landscaped area shall be at least ten feet wide, extend the entire distance of the street frontage or boundary, and be approved by the Director. The landscaping in such landscaped area shall be designed, installed, and maintained in accordance with the official landscaping standards established by the Parks and Recreation Director from time to time.

Woodward Park – Woodward Park – Policy 1-4.4. c. A landscaped setback 20-feet wide containing deciduous and evergreen trees shall be planted and maintained along the property line between commercial and office uses and abutting properties zoned or planned for residential uses and along abutting local streets provided, however, that this requirement shall not apply to those parcels of land which are one acre or less in size or to parcels larger than one acre subject to Director review and approval of landscape plans.

e.(2) A solid masonry wall 3.5 feet high, an earth berm 3.5 feet high or any combination of the two that provides a continuous barrier 3.5 feet high shall be erected along the setback line 20 feet from and parallel with the right-of-way line of abutting local streets.

Show landscape setbacks on Site Plan as required above.

SPACE BETWEEN BUILDINGS		
	Main Buildings	F. No requirements.
	Accessory Buildings	n/a
	Garages	n/a
LOT COVERAGE		
	Permitted	G. No requirements.
	Proposed	Estimated as 18% (45,579 floor area / 252,648 square foot lot = 0.180405 lot coverage)
FENCES, HEDGES, WALLS		
	Required	H. All fences, hedges and walls shall conform to the provisions of Section 12-306-H. **Woodward Park** – Policy 1.4.4. e. The following wall and berm treatment shall be required for commercial uses and office uses: (1) A solid masonry wall six feet in height, an earth berm six feet in height or any combination of solid masonry wall and earth berm which provides a continuous barrier six feet in height, shall be erected on or along the property line between properties zoned or planned for commercial and office uses and properties zoned or planned for residential uses. (2) A solid masonry wall three and one-half feet in height, an earth berm three and one-half feet in height or any combination of solid masonry wall and earth berm which provides a continuous barrier three and one-half feet in height, shall be erected on or along the setback line 20 feet from and parallel with the right-of-way line of abutting local streets. (3) Earth berms shall be planted with grass or ground cover and maintained by the property owner.
	Proposed	A 3 foot high masonry wall on top of earth berm along Hickory Hill and Greenwich Drives and a 6-foot high wrought iron fence along property line adjacent to multi-family residential uses. ***Make corrections to comply with Woodward Park requirements noted above.***

OFF-STREET PARKING		
	Required	I. 2. For parking for nonresidential uses, there shall be at least one square foot of off-street parking area for each one square foot of floor area except that, for uses specifically mentioned therein, the parking requirements of Section 12-306-I shall apply. 3. For nonresidential uses, the parking area shall be provided: a. On the lot with the building or uses being served; b. On a contiguous lot in the "C-P" District; or c. When located within the boundaries of an adopted Redevelopment Plan on a site not more than 500 feet from the external boundaries of the lot upon which the building or uses being served is located. 4. The improvement and maintenance standards of Section 12-306-I shall apply to all parking.

		Bicycle Parking - Section 12-306-N-.21.c. Except as otherwise provided in this Code, the number of bicycle parking spaces to be provided shall be equal to 10% of the automobile parking spaces provided, but not to exceed a total of 10 bicycle stalls, which may be located indoors. **Parking spaces calculated as:** (45,579 floor area sf/370 sf parking space = 123.186 - **124 vehicle spaces required** and (124 parking spaces x 10% = 10 maximum) **10 bicycle spaces required.**
	Proposed	419 parking spaces and 10 bicycle racks are shown on the proposed Site Plan. ***Correct application materials to reflect 419 parking stalls proposed. Show dimensions of parking stalls that conform to City standards.***

ACCESS		
	Required	J. There shall be adequate vehicular access to off-street parking facilities from a dedicated and improved street, service road or alley. The design of the access shall be approved by the Department of Public Works as able to withstand commercial usage. 2. There shall be no vehicular access to residential property from Major or Secondary Highways as shown on the Major Street and Highway Plan, except where lots were of record on June 11, 1960, and where such access cannot be provided by way of an alley or service road. Said lots shall have adequate turning area to permit motor vehicles to head into the highway.
	Proposed	Driveways shown off East Champlain Ave. and North Hickory Hill Dr.
OUTDOOR ADVERTISING		
	Permitted	K. The provisions of the C-1 District, Section 12-217.5-K, shall apply for properties which are developed either for single-occupancy, nonresidential uses or as multiple-tenant shopping centers. For integrated developments with more than one occupant, a Master Sign Program shall be approved pursuant to Section 13-908 prior to the issuance of any permits for individual signs in the development. **Woodward Park** – Police 1-4.4.f. The provisions of the approved commercial or office district shall apply to outdoor advertising for commercial and office uses, (excepting freestanding signs in a commercial district, wherein there shall be permitted one freestanding sign containing the name of buildings and occupants or groups thereof, and shall be not more than 125 square feet in area and not more than 20 feet in height, and shall not be located within any required landscaped setback or landscaped transition setback area.)
	Proposed	Signs shown at front of building on elevation sheet. ***Signage requires a separate Sign Permit.***
LOADING SPACES		
	Required	L. The provisions of Section 12-306-L shall apply: 1. Every hospital, institution, hotel, commercial building, industrial building, or apartment building hereafter erected or established, when occupied by a use which involves pick-up and delivery of materials (other than normal solid waste collections) from trucks and tractor-trailers weighing more than two tons, shall provide and maintain loading spaces as provided in this section. When a special permit procedure is initiated pursuant to 12-406-A or a Certificate of Occupancy for a change of use is sought pursuant to 12-313, the application shall include a statement, signed by the property owner or authorized agent, describing the type and frequency of expected deliveries to the site. 2.c. Other commercial uses = 3,501 to 15,000 square foot building...*1 loading space required*

		Woodward Park – Policy 1-4.4.a. All loading and storage areas shall be screened from view of adjoining property zoned or planned for residential uses by a combination of landscape planting and a solid masonry wall. All loading spaces shall be located not less than 150 feet from the boundary of any residential property; however, the proximity of loading areas may be reduced to not less than 40 feet from the boundary of residential property if the Director of the Development Department or the Planning Commission finds that additional screening and noise attenuating methods have been designed to adequately protect adjoining residential property. All storage shall be within an enclosed structure. Outdoor storage is expressly prohibited.
	Proposed	No loading space has been shown on the site plan. ***Identify whether the proposed businesses will receive deliveries from trucks/tractor-trailers weighing more than 2 tons. If required, show a loading zone on the site plan that complies with Woodward Park policies.***

LANDSCAPING

12-306-24.**c. Landscaping** provided in conjunction with any use requiring a site plan shall be generally designated on the site plan. Prior to the issuance of any building permit, a detailed landscape planting, irrigation, and grading (when a landscape mound is proposed) plan shall be submitted to a scale of not less than one inch equaling forty feet, which shall show the location, size, and variety of all plantings, water supply, contours and similar designations as the Director may require for sufficient clarity to indicate the nature and extent of the work proposed.
j. Where a landscaped area is required pursuant to this subsection, the owner or developer shall submit to the Director, for his review and approval, a plan of the landscaped area prepared by a licensed landscape architect or contractor.
g.(3) **Planting**. Except for driveways and as otherwise provided by this Code all required yards shall be landscaped. Each residential parcel of land or lot shall have a minimum of one medium-sized tree (30—60 feet at maturity) for each required parking space, plus one medium sized tree for each residential unit. Each commercial and industrial parcel of land or lot shall have a minimum of one medium-sized tree for every two parking spaces. Two small trees (15—30 feet at maturity) shall be counted as one medium-sized tree. All present and future tree planting and shrub planting shall conform to the corner cut-off provisions of Sections 13-227 and 13-228 of this Code.
k. For the purpose of satisfying the street tree requirements, set forth in Article 3 of Chapter 13 in an office, commercial, or industrial district where the commercial sidewalk pattern is applicable, the Parks and Recreation Director may approve the planting of one medium-size tree for every sixty feet of street frontage within the private landscaped area instead of tree wells within the public right-of-way. The number of street trees approved pursuant to this subsection shall be in addition to the number of trees required pursuant to subparagraph (3) of paragraph (g) of this subsection 12-306-N-24.

	Required	**Calculated as:** On-site trees: 419 parking spaces/2 trees = 209.5 or 210 parking lot trees required; Street trees: 695+ feet/60 = 11.583 or 12 street trees required.
	Proposed	No on-site or street trees are shown on the site plan. ***Show all existing and proposed on-site and street trees to comply with City regulations on the Site Plan and identify tree species and size in site plan notes.***

SUMMARY AND OTHER COMMENTS /REQUIREMENTS

A. Miscellaneous

(1) Provide shade calculations on the landscape plan for parking lot shading in accordance with the attached '*Development Department, Performance Standards for Parking Lot Shading*', including tree species and tree counts. *Call out the tree species for each tree required and depict on the site plan.*

(2) See the attached '*Notes and Requirements for Entitlement Applications*' for additional general notes and requirements for development applications.

(3) Any development agreements, covenants or easements, etc. required for previous development of the project site will be required for review, and must be dedicated and/or recorded prior to any further development approval.

B. Local Plans and Policies

Fresno General Plan – available on-line at www.fresno.gov/Government/.../DARM/Advanced**Planning/**

- Subject to General Plan Design Guidelines (attached)

Urban Form Element –

- Goal 1 – Increase opportunity, economic development, business, and job creation.
- Goal 8 - Develop Complete Neighborhoods and districts with an efficient and diverse mix of residential densities, building types, and affordability which are designed to be healthy, attractive, and centered by schools, parks, and public and commercial services to provide a sense of place and that provide as many services as possible within walking distance.

The proposed project is for construction of a fitness center on a vacant parcel located within an established neighborhood of residential uses. The project will place a fitness center in an area that is currently underrepresented and requires 12 to 15 employees daily. Walking paths are proposed to provide connectivity to the rear and side streets from the proposed development to enable foot traffic to the project site.

Woodward Park Community Plan - available online at **http://www.fresno.gov/NR/rdonlyres/1365B238-E494-4EAB-A7E8-D7CFDDEC6DAC/0/WoodwardParkCommunityPlan.pdf**

- Goal 1-4 Plan for the appropriate location, size, and intensity of office and commercial developments necessary to meet metropolitan, community, and neighborhood needs in a manner consistent with the plan's concept of urban form and function with the objective of efficiently managing public facilities and resources.

  Policy 1-4.4 Locate new commercial development away from planned schools. The following design measures shall be considered appropriate for application to office, commercial, and other nonresidential development entitlements adjacent to land that is designated for single-family residential use. These standards are not prescriptive, and may be modified through the development entitlement process in order to best serve the community's health, safety, and welfare or waived where the adjacent land is developed with a nonresidential use or approved for nonresidential development entitlements (zoning, special permit).

  a. see Loading, above.

  b. Roof-mounted and detached mechanical –equipment for commercial and office uses shall be screened from view and acoustically baffled-to prevent the noise level rating for the equipment from exceeding 55 Ldn measured at the nearest property line.

  c. see Landscape Setback, above.

  d. see Yards, above.

  e. see Fences, and Landscape setbacks above.

  f. see Outdoor Advertising, above.

  g. Within an area 100 feet wide abutting property zoned or planned for residential use, exterior area lighting for parking areas, carports, garages, access drives, and loading areas for commercial and office uses shall be shielded to prevent line of sight visibility of the light source from abutting property zoned or planned for residential use.

Woodward Park Community Plan requirements will be required for the project, as initial review comments and as conditions of project approval.

SIGNATURE	Lauren Filice	***DATE*** 9/14/15

Attachments: Performance Standards for Parking Lot Shading
Notes and Requirements for Entitlement Applications

Lauren Filice

From: Hilary Kimber
Sent: Thursday, October 22, 2015 10:21 AM
To: Melessa Avakian
Cc: Lauren Filice; Phillip Siegrist
Subject: RE: Tree Wells for C-15-104
Attachments: S-15-064.docx

Good Morning. I am looking at the landscape plan from Riverside and they have four (4 Virginiana Oak trees within ten feet of the back of the sidewalk which can count towards both the onsite tree requirement and for the onsite trees in-lieu-of street tree requirement. However, the adjacent parcel has a different landscape architect, Bigler & Associates and they are installing three (3) fruitless Olive trees onsite with some palm trees. I would like to see these two plans at least match in landscape style.

There are two different planners on these projects. Phillip Siegrist is working the S-15-064 and I have already redlined the landscape plans that have been submitted (please see attached). Lauren is the Planner on this project C-15-104 with Riverside.

I did not require S-15-064 to plant street trees in the parkstrip on Hickory Hill because the parkstrip is so narrow. The plans by Riverside for C-15-104 does not have any street trees proposed either so they match, in that respect.

The parkstrip on E. Greenwich is only 4' wide so I will not be requiring street trees in that parkstrip. Riverside is proposing onsite trees in-lieu-of street trees which most likely will meet the PW requirement.

So, to anszwer your question—there will be no street trees within the ROW for either project. Only onsite trees in-lieu-of street trees.

From: Melessa Avakian
Sent: Wednesday, October 21, 2015 3:03 PM
To: Hilary Kimber
Subject: RE: Tree Wells for C-15-104

Sounds great; thank you.

From: Hilary Kimber
Sent: Wednesday, October 21, 2015 1:25 PM
To: Melessa Avakian
Subject: RE: Tree Wells for C-15-104

Hadn't looked at it yet (even though it was due back in August). I will have time tomorrow and let you know

---

From: Melessa Avakian
Sent: Wednesday, October 21, 2015 8:06 AM
To: Hilary Kimber
Subject: Tree Wells for C-15-104

Hello, Hilary:

Please advise if you are requiring 1460 E. Champlain Drive to have tree wells.

Thank you for your help.

Best regards,

Melessa L. Avakian
Senior Engineering Technician
Public Works Department – Traffic & Engineering Division
2600 N. Fresno St.
Fresno, Ca. 93721
Ph. 559-621-8812
Fax 559-457-1036
Email: melessa.avakian@fresno.gov

550.10
DK

CITY OF FRESNO - DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT
REQUEST FOR COMMENTS, CONDITIONS, ENVIRONMENTAL ASSESSMENT, AND ENTITLEMENT APPLICATION REVIEW OF CONDITIONAL USE PERMIT APPLICATION NO. C-15-104

Return Completed Form to:
Lauren Filice, Development Services/Planning
Email: Lauren.Filice@fresno.gov and
Joann.Zuniga@fresno.gov
Development and Resource Management
2600 Fresno Street, Third Floor
Fresno CA 93721-3604

PROJECT DESCRIPTION AND LOCATION:
Conditional Use Permit Application No. C-15-104 was filed by Ron Marlette of Marlette Associates, on behalf of Russell Smith, and pertains to 5.8 acres of property located northeast of the intersection of East Champlain Drive and North Hickory Hill Drive. The applicant proposes the construction of a ±45,500 square-foot fitness center with an anticipated 2,000 member visits per day. The fitness center is proposed to be open 24 hours per day Mondays through Thursdays, until 11 p.m. on Fridays, and from 6 a.m. to 9 p.m. on Saturdays and Sundays. The property is zoned C-P/UGM/cz *(Administrative and Professional Office/Urban Growth Management/conditions of zoning)*.

APN: 567-030-71, 76 **ZONING: C-P/UGM/cz** **ADDRESS: 1460 East Champlain Drive**

DATE ROUTED: July 30, 2015 **COMMENT DEADLINE: August 17, 2015**

WILL THIS PROJECT AFFECT YOUR AGENCY/JURISDICTION? (If yes, specify.)
Please refer to the FMFCD Notice of Requirements.

SUGGESTION(S) TO REDUCE IMPACTS/ADDRESS CONCERNS:
Same as above.

REQUIRED CONDITIONS OF APPROVAL:
Same as above.

IS ANY ADDITIONAL INFORMATION NEEDED FOR YOU TO COMPLETE YOUR REVIEW? (Be specific):
None.

REVIEWED BY: Michael Maxwell, Eng. Tech. (Name and Title) 559-456-3292 (Telephone Number) 8/14/15 (Date)

DRC 9-2-14; Level 3 Review; Council District 6
Fresno General Plan, Woodward Park Community Plan

File No. 210.413

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

FR CUP No. 2015-104

PUBLIC AGENCY

LAUREN FILICE
DEVELOPMENT AND RESOURCE MANAGEMENT
CITY OF FRESNO
2600 FRESNO STREET, THIRD FLOOR
FRESNO, CA 93721-3604

DEVELOPER

RON MARLETTE, MARLETTE ASSOC.
451 CLOVIS AVE., SUITE 125
CLOVIS, CA 93612

PROJECT NO: **2015-104**
ADDRESS: **1460 E. CHAMPLAIN**
APN: **567-030-71, 76**

SENT: 9/14/15

Drainage Area(s)	Preliminary Fee(s)	Development Review Service Charge(s)	Fee(s)	
DK	$25,767.00	NOR Review	$198.00	To be paid prior to release of District comments to Public Agency and Developer.
		Grading Plan Review	$1,006.00	Amount to be submitted with first grading plan submittal.
	Total Drainage Fee: $25,767.00	**Total Service Charge: $1,204.00**		

The proposed development will generate storm runoff which produces potentially significant environmental impacts and which must be properly discharged and mitigated pursuant to the California Environmental Quality Act and the National Environmental Policy Act. The District in cooperation with the City and County has developed and adopted the Storm Drainage and Flood Control Master Plan. Compliance with and implementation of this Master Plan by this development project will satisfy the drainage related CEQA/NEPA impact of the project mitigation requirements.

Pursuant to the District's Development Review Fee Policy, the subject project shall pay review fees for issuance of this Notice of Requirements (NOR) and any plan submittals requiring the District's reviews. The NOR fee shall be paid to the District by Developer before the Notice of Requirement will be submitted to the City. The Grading Plan fee shall be paid upon first submittal. The Storm Drain Plan fee shall be paid prior to return/pick up of first submittal.

The proposed development shall pay drainage fees pursuant to the Drainage Fee Ordinance prior to issuance of a building permit at the rates in effect at the time of such issuance. The fee indicated above is valid through 2/29/16 based on the site plan submitted to the District on 7/30/15 Contact FMFCD for a revised fee in cases where changes are made in the proposed site plan which materially alter the proposed impervious area.

Considerations which may affect the fee obligation(s) or the timing or form of fee payment:

a.) Fees related to undeveloped or phased portions of the project may be deferrable.

b.) Fees may be calculated based on the actual percentage of runoff if different than that typical for the zone district under which the development is being undertaken and if permanent provisions are made to assure that the site remains in that configuration.

c.) Master Plan storm drainage facilities may be constructed, or required to be constructed in lieu of paying fees.

d.) The actual cost incurred in constructing Master Plan drainage system facilities is credited against the drainage fee obligation.

e.) When the actual costs incurred in constructing Master Plan facilities exceeds the drainage fee obligation, reimbursement will be made for the excess costs from future fees collected by the District from other development.

f.) Any request for a drainage fee refund requires the entitlement cancellation and a written request addressed to the General Manager of the District within 60 days from payment of the fee. A non refundable $300 Administration fee or 5% of the refund whichever is less will be retained without fee credit.

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

Approval of this development shall be conditioned upon compliance with these District Requirements.

1. ____ a. Drainage from the site shall BE DIRECTED TO

   X b. Grading and drainage patterns shall be as identified on Exhibit No. 1

   ____ c. The grading and drainage patterns shown on the site plan conform to the adopted Storm Drainage and Flood Control Master Plan.

2. The proposed development shall construct and/or dedicate Storm Drainage and Flood Control Master Plan facilities located within the development or necessitated by any off-site improvements required by the approving agency:

   ____ Developer shall construct facilities as shown on Exhibit No. 1 as "MASTER PLAN FACILITIES TO BE CONSTRUCTED BY DEVELOPER".

   X None required.

3. The following final improvement plans and information shall be submitted to the District for review prior to final development approval:

   X Grading Plan

   ____ Street Plan

   ____ Storm Drain Plan

   ____ Water & Sewer Plan

   ____ Final Map

   X Drainage Report (to be submitted with tentative map)

   ____ Other

   ____ None Required

4. Availability of drainage facilities:

   X a. Permanent drainage service is available provided the developer can verify to the satisfaction of the City that runoff can be safely conveyed to the Master Plan inlet(s).

   ____ b. The construction of facilities required by Paragraph No. 2 hereof will provide permanent drainage service.

   ____ c. Permanent drainage service will not be available. The District recommends temporary facilities until permanent service is available.

   ____ d. See Exhibit No. 2.

5. The proposed development:

   ____ Appears to be located within a 100 year flood prone area as designated on the latest Flood Insurance Rate Maps available to the District, necessitating appropriate floodplain management action. (See attached Floodplain Policy.)

   X Does not appear to be located within a flood prone area.

6. ____ The subject site contains a portion of a canal or pipeline that is used to manage recharge, storm water, and/or flood flows. The existing capacity must be preserved as part of site development. Additionally, site development may not interfere with the ability to operate and maintain the canal or pipeline.

FR CUP No. 2015-104

5469 E. OLIVE - FRESNO, CA 93727 - (559) 456-3292 - FAX (559) 456-3194

FR CUP No. 2015-104

7. The Federal Clean Water Act and the State General Permits for Storm Water Discharges Associated with Construction and Industrial Activities (State General Permits) require developers of construction projects disturbing one or more acres, and discharges associated with industrial activity not otherwise exempt from National Pollutant Discharge Elimination System (NPDES) permitting, to implement controls to reduce pollutants, prohibit the discharge of waters other than storm water to the municipal storm drain system, and meet water quality standards. These requirements apply both to pollutants generated during construction, and to those which may be generated by operations at the development after construction.

   a. State General Permit for Storm Water Discharges Associated with Construction Activities, effective July 1, 2010, as amended. A State General Construction Permit is required for all clearing, grading, and disturbances to the ground that result in soil disturbance of at least one acre (or less than one acre) if part of a larger common plan of development or sale). Permittees are required to: submit a Notice of Intent and Permit Registration Documents to be covered and must pay a permit fee to the State Water Resources Control Board (State Board), develop and implement a storm water pollution prevention plan, eliminate non-storm water discharges, conduct routine site inspections, train employees in permit compliance, and complete an annual certification of compliance.

   b. State General Permit for Storm Water Discharges Associated with Industrial Activities, April, 1997 (available at the District Office). A State General Industrial Permit is required for specific types of industries described in the NPDES regulations or by Standard Industrial Classification (SIC) code. The following categories of industries are generally required to secure an industrial permit: manufacturing; trucking; recycling; and waste and hazardous waste management. Specific exemptions exist for manufacturing activities which occur entirely indoors. Permittees are required to: submit a Notice of Intent to be covered and must pay a permit fee to the State Water Resources Control Board, develop and implement a storm water pollution prevention plan, eliminate non-storm water discharges, conduct routine site inspections, train employees in permit compliance, sample storm water runoff and test it for pollutant indicators, and annually submit a report to the State Board.

   c. The proposed development is encouraged to select and implement storm water quality controls recommended in the Fresno-Clovis Storm Water Quality Management Construction and Post-Construction Guidelines (available at the District Office) to meet the requirements of the State General Permits, eliminate the potential for non-storm water to enter the municipal storm drain system, and where possible minimize contact with materials which may contaminate storm water runoff.

8. A requirement of the District may be appealed by filing a written notice of appeal with the Secretary of the District within ten days of the date of this Notice of Requirements.

9. The District reserves the right to modify, reduce or add to these requirements, or revise fees, as necessary to accommodate changes made in the proposed development by the developer or requirements made by other agencies.

10. X See Exhibit No. 2 for additional comments, recommendations and requirements.

Debbie Campbell
Design Engineer

Michael Maxwell
Project Engineer

CC:

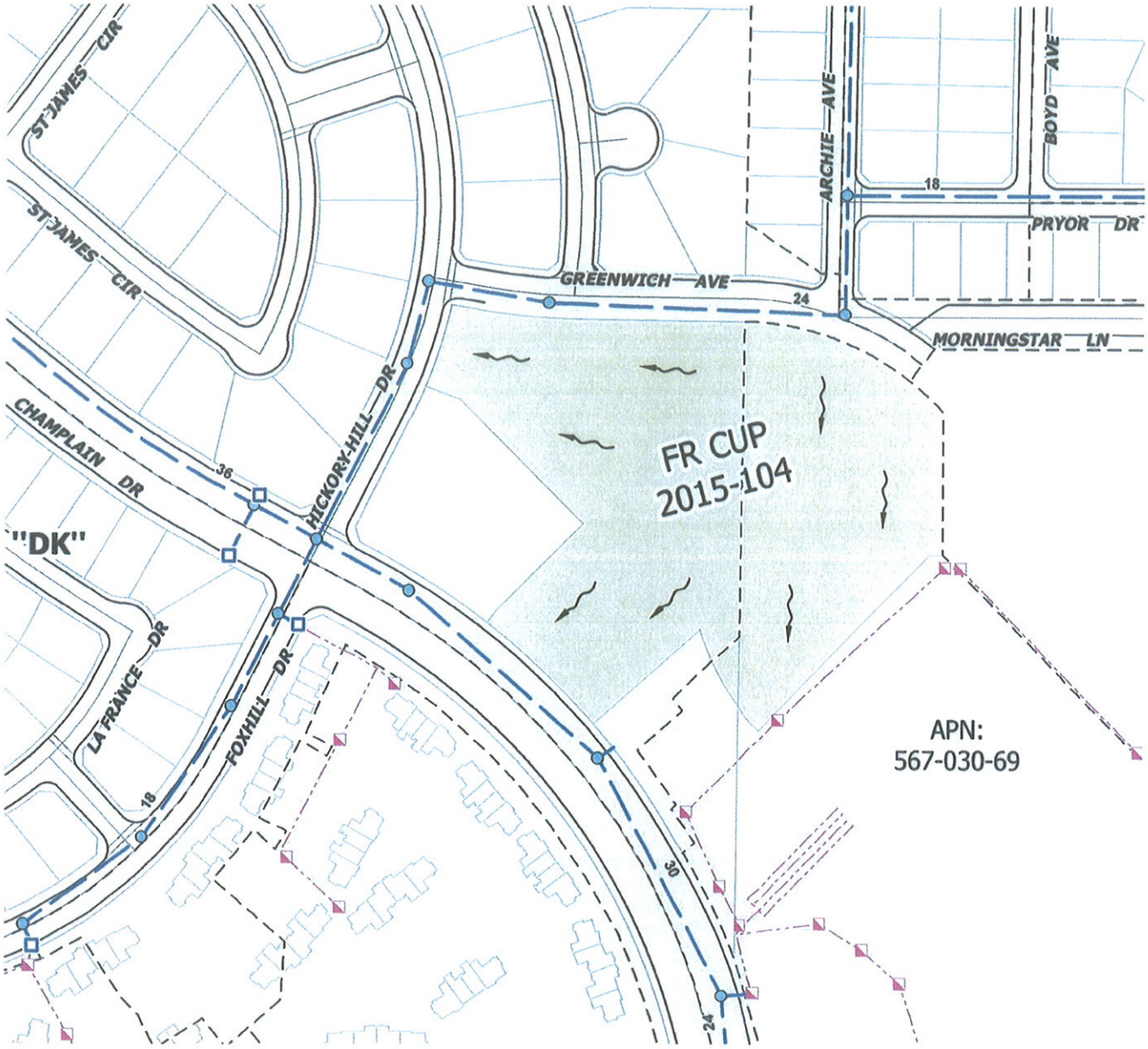
RUSSELL G. SMITH, FOUNDRY PARK INVESTORS, LP

8050 N. PALM AVE., SUITE 300

FRESNO, CA 93711

FR CUP No. 2015-104

NOTE: THIS MAP IS SCHEMATIC. DISTANCES, AMOUNT OF CREDITABLE FACILITIES, AND LOCATION OF INLET BOUNDARIES ARE APPROXIMATE.



LEGEND

- Existing Master Plan Facilities
- Private Facilities
- Inlet Boundary
- Direction of Drainage

N

1 " = 200 '

FR CUP 2015-104

DRAINAGE AREA "DK"

EXHIBIT NO. 1

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

Prepared by: keithr
Date: 9/11/2015
Path: K:\Autocad\DWGS\0EXHIBIT\CITYCUP\2015-104.mxd

OTHER REQUIREMENTS
EXHIBIT NO. 2

The District's existing Master Plan drainage system is designed to serve medium-high density residential uses and the existing Master Plan storm drainage facilities do not have capacity to serve the proposed office commercial land use. The developer shall be required to mitigate the impacts of the increased runoff from the proposed office commercial land use to a rate that would be expected if developed to medium-high density residential. The developer may either make improvements to the existing pipeline system to provide additional capacity or may use some type of permanent peak reducing facility in order to eliminate adverse impacts on the existing system. Implementation of the mitigation measures may be deferred until the time of development. Should the developer choose to construct a permanent peak-reducing facility, such a system would be required to reduce runoff from a ten-year storm produced by an office commercial density development, to a two-year discharge, which would be produced by the property if developed medium-high density residential.

The subject site is located within the District's Drainage Area "DK". Runoff from the "DK" system will ultimately drain to the San Joaquin River. Drainage runoff from commercial and industrial land uses directly to the river is prohibited by City of Fresno and District policy. The District is therefore requiring on-site mitigation of the runoff quality prior to discharge to the public drainage system. The specific plan and detail of the proposed mitigation must be reviewed and approved by the District prior to implementation. The Developer is responsible to implement mitigation features which will maintain compliance with the Local, State, and EPA standards and regulations throughout the life of the project. The on-site mitigation system must be paid for and maintained by the developer. An agreement will be required to insure maintenance of these facilities.

CUP 2015-104 is required to obtain a drainage covenant from APN 567-030-69 to allow surface runoff to reach existing Storm Drainage facilities located on APN 567-030-69.

In an effort to improve storm water runoff quality, outdoor storage areas shall be constructed and maintained such that material which generates contaminants will not be conveyed by runoff into the storm drain system.

The District encourages, but does not require that roof drains from non-residential development be constructed such that they are directed onto and through a landscaped grassy swale area to filter out pollutants from roof runoff.

Development No. CUP 2015-104

OTHER REQUIREMENTS
EXHIBIT NO. 2

Runoff from areas where industrial activities, product, or merchandise come into contact with and may contaminate storm water must be treated before discharging it off-site or into a storm drain. Roofs covering such areas are recommended. Cleaning of such areas by sweeping instead of washing is to be required unless such wash water can be directed to the sanitary sewer system. Storm drains receiving untreated runoff from such areas shall not be connected to the District's system. Loading docks, depressed areas, and areas servicing or fueling vehicles are specifically subject to these requirements. The District's policy governing said industrial site NPDES program requirements is available on the District's website at: www.fresnofloodcontrol.org or contact the District's Environmental Department, Daniel Rourke, for further information regarding these policies related to industrial site requirements.

Development No. CUP 2015-104

San Joaquin Valley
AIR POLLUTION CONTROL DISTRICT

HEALTHY AIR LIVING™

September 2, 2015

Lauren Lilice
City of Fresno
Planning & Development
2600 Fresno Street, Third Floor
Fresno, CA 93721-3604

Project: Conditional Use Permit Application No. C-15-104

District CEQA Reference No: 20150671

Dear Ms. Lilice:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the project referenced above consisting of the construction of a 45,000 square foot fitness center with an anticipated 2,000 member visits per day located at 1460 Champlain Drive, in Fresno, CA. The District offers the following comments:

District Comments

1) The District's initial review of the project concludes that emissions resulting from construction and/or operation of the project may exceed the following thresholds of significance: 10 tons per year of oxides of nitrogen (NOx), 10 tons per year of reactive organic gases (ROG), or 15 tons per year particulate matter of 10 microns or less in size (PM10). The District recommends that a more detailed preliminary review of the project be conducted. The additional environmental review of the project's potential impact on air quality should consider the following:

   1a) Project Emissions should be identified and quantified.

      i) Permitted (stationary sources) and non-permitted (mobile sources) sources should be analyzed separately. Preparation of an Environmental Impact Report (EIR) is recommend should emissions from either source exceed the following amounts: 10 tons per year of oxides of nitrogen (NOx), 10 tons per year of reactive organic gases (ROG), or 15 tons per year particulate matter of 10 microns or less in size (PM10).

      ii) Pre- and post-project emissions should be identified.

   1b) Nuisance Odors should be discussed as to whether the project would create objectionable odors affecting a substantial number of people.

Toxic Air Contaminants (TACs) –are defined as air pollutants that which may cause or contribute to an increase in mortality or serious illness, or which may pose a hazard to human health. The most common source of TACs can be attributed to diesel exhaust fumes that are emitted from both stationary and mobile sources. If the project is located near residential/ sensitive receptors, the proposed project should be evaluated to determine the health impact of TACs to the near-by receptors. If the analysis indicates that TACs are a concern, the District recommends that a Health Risk Assessment (HRA) be performed. If an HRA is to be performed, it is recommended that the project proponent contact the District to review the proposed modeling approach. More information on TACs, prioritizations and HRAs can be obtained by:

- E-mailing inquiries to: hramodeler@valleyair.org; or
- Visiting the District's website at: http://www.valleyair.org/busind/pto/Tox_Resources/AirQualityMonitoring.htm.

2) If preliminary review indicates that a Mitigated Negative Declaration should be prepared, in addition to the effects identified above, the document should include:

   2a) Mitigation Measures – If preliminary review indicates that with mitigation, the project would have a less than significant adverse impact on air quality, the effectiveness of each mitigation measure incorporated into the project should be discussed.

   2b) District's attainment status – The document should include a discussion of whether the project would result in a cumulatively considerable net increase of any criteria pollutant or precursor for which the San Joaquin Valley Air Basin is in non-attainment. Information on the District's attainment status can be found online by visiting the District's website at http://valleyair.org/aqinfo/attainment.htm.

3) If preliminary review indicates that an Environmental Impact Report (EIR) should be prepared, in addition to the effects identified above, the document should also include the following:

   3a) A discussion of the methodology, model assumptions, inputs and results used in characterizing the project's impact on air quality.

   3b) A discussion of the components and phases of the project and the associated emission projections, (including ongoing emissions from each previous phase).

4) Based on information provided to the District, the proposed project would/may equal or exceed 2,000 square feet of commercial space. Therefore, the District concludes that the proposed project is subject to District Rule 9510 (Indirect Source Review).

District Rule 9510 is intended to mitigate a project's impact on air quality through project design elements or by payment of applicable off-site mitigation fees. Any applicant subject to District Rule 9510 is required to submit an Air Impact Assessment (AIA) application to the District no later than applying for final discretionary approval, and to pay any applicable off-site mitigation fees before issuance of the first building permit. If approval of the subject project constitutes the last discretionary approval by your agency, the District recommends that demonstration of compliance with District Rule 9510, including payment of all applicable fees before issuance of the first building permit, be made a condition of project approval. Information about how to comply with District Rule 9510 can be found online at: http://www.valleyair.org/ISR/ISRHome.htm.

5) The proposed project may require District permits. Prior to the start of construction the project proponent should contact the District's Small Business Assistance Office at (559) 230-5888 to determine if an Authority to Construct (ATC) is required.

6) The proposed project may be subject to the following District rules: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants).

7) The District recommends that a copy of the District's comments be provided to the project proponent.

The above list of rules is neither exhaustive nor exclusive. To identify other District rules or regulations that apply to this project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District's Small Business Assistance Office at (559) 230-5888. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm.

District staff is available to meet with you and/or the applicant to further discuss the regulatory requirements that are associated with this project. If you have any questions or require further information, please call Ms. Debbie Johnson at (559) 230- 5817.

Sincerely,

Arnaud Marjollet
Director of Permit Services

Debbie Johnson
for
Chay Thao
Program Manager

AM: dj

City of FRESNO

DATE: September 10, 2015

TO: Lauren Filice
Development and Resource Management Department

FROM: Melessa Avakian, Senior Engineering Technician
Public Works Department, Traffic and Engineering Services Division

SUBJECT: Conditions of Approval for **C-15-104**
ADDRESS: **1460 E. Champlain Avenue**
APN: **567-03-076 and 567-030-71**

ATTENTION:

The items below require a separate process with additional fees and timelines, in addition to the CUP/SPR permit process. In order to avoid delays in obtaining a building permit, the following items shall be submitted to the contacts shown below.

X	**Traffic Impact Study (TIS)** All projects that are projected to generate 100 / 200 or more peak hour trips (AM or PM) shall prepare a TIS	Jill Gormley	Public Works Department (559) 621-8792 jill.gormley@fresno.gov
X	**Maintenance Agreement / CFD**	Ann Lillie	Public Works Department (559) 621-8690 ann.lillie@fresno.gov
X	A **Cross Access Agreement** is required to establish this configuration **prior** to building permits or submit a revised exhibit confining the proposed development within existing parcel lines.	Lauren Filice	Planning and Resource Management Department (559) 621-8070 Lauren.Filice@fresno.gov

PUBLIC IMPROVEMENT REQUIREMENTS

The following requirements are based on city records and the accuracy of the existing and proposed on-site and off-site conditions depicted on the exhibits submitted. Requirements not addressed due to omission or misrepresentation of information, on which this review process is dependent, will be imposed whenever such conditions are disclosed.

Repair all damaged and/or off grade off-site concrete street improvements as determined by the City of Fresno Public Works Department, Construction Management Division, (559) 621-5600. Pedestrian paths of travel must also meet current ADA regulations. All existing sidewalks in excess of 2% maximum cross slope must be brought into compliance **prior** to acceptance by Public Works.

Underground all existing off-site overhead utilities within the limits of this site/map as per FMC Section 12-1011 and Resolution No. 78-522/88-229.

The construction of any overhead, surface or sub-surface structures and appurtenances in the public right of way is prohibited unless an encroachment permit is approved by the City of Fresno Public Works Department, Traffic and Engineering Services Division, (559) 621-8693. Encroachment permits must be approved prior to issuance of building permits.

Street work on major streets shall be designed to include Intelligent Transportation Systems (ITS) conduit in accordance with the Public Works ITS specifications.

East Champlain Drive: Arterial

1. Construction Requirements:
   a. Construct a **30' to 35'** driveway approach to Public Works Standards **P-2** and **P-6. Where parking is allowed, adjacent to the curb, provide 10' of red curbing (3 coats) on both sides of the proposed driveway approaches.**
   b. Provide a **10'** visibility triangle at all driveways.
   c. Construct a **10'** concrete sidewalk to Public Works Standard **P-5**. Construct 4' x **6'** tree wells per Public Works Standard **P-8**. Planting of street trees shall conform to the minimum spacing guidelines as stated in the Standard Specification, Section 26-2.11(C).
   d. Construct an underground street lighting system to Public Works Standard **E-1** within the limits of this application. Spacing and design shall conform to Public Works Standard **E-7** for Arterials.

North Hickory Hill Drive: Local

1. Construction Requirements:
   a. Construct a **30'** driveway approach to Public Works Standard(s) **P-2** and **P-6.**
   b. Provide a **10'** visibility triangle at all driveways.
   c. If not existing to current standards, modify or replace the existing ramp to meet current Public Works Standards, as determined by the Construction Management engineer **PRIOR** to occupancy. "Detectable Warning Devices" are required, if not existing. Reference Public Works Standards **P-24 thru P-27, P-28, P-30 thru P-32.**

East Greenwich Avenue: Local

1. Construction Requirements:
   a. Construct a 4' concrete sidewalk to Public Works Standard **P-5**. The curb shall be constructed to a **10'** residential pattern. (**5 ½' - 4'- ½'**)

All improvements shall be constructed in accordance with the City of Fresno, Public Works Department Standard Drawings and Specifications. The performance of any work within the public street right of way (including pedestrian and utility easements) requires a **STREET WORK PERMIT** prior to commencement of work. When preparing Street Plans and/or Traffic Control Plans, contact (Randy Schrey) at (559) 621-8807, **10 working days** in advance, to make sure that sidewalks or an approved accessible path remain open during construction. Submit construction plans for all required work, in a single package, to the City of Fresno's, Traffic and Engineering Services Division. All work shall be reviewed, approved, completed and accepted prior to obtaining a certificate of occupancy. Utility poles, street lights, signals, etc. shall be relocated as determined by the City Engineer.

Two working days before commencing excavation operations within the street right of way and/or utility easements, all existing underground facilities shall have been located by Underground Services Alert (USA) Call 811.

All survey monuments within the area of construction shall be preserved or reset by a person licensed to practice Land Surveying in the State of California.

PRIVATE IMPROVEMENT REQUIREMENTS

Off-Street Parking Facilities and Geometrics

1. Off-Street parking facilities and geometrics shall conform to the City of Fresno Public Works Department, Parking Manual and Standard Drawing(s) P-21, P-22, P-23.
2. Install **30"** state standard "STOP" sign(s) at location(s) shown. Sign shall be mounted on a **2"** galvanized post with the bottom of the sign **7'** above ground; located behind curb and immediately behind a major street sidewalk. A "right turn only" sign is also required, at the same location; install a **30" x 36"** state standard sign immediately below the stop sign on the same post.
3. Provide parking space needs, circulation, access, directional signs (e.g. "Entrance," "Exit," "Right Turn Only," "One Way" signs, etc.) as noted on **Exhibit "A-2".**

Traffic Signal Mitigation Impact (TSMI) Fee: This project shall pay all applicable TSMI Fees **at the time of building permit.** Contact the Public Works Department, Frank Saburit at (559)621-8797. The fees are based on the trip generation rate(s) as set forth in the latest edition of the ITE Generation Manual.

Trip Generation: This development will generate the following Average Daily Trips (A.D.T.), as shown below:

Description/ ITE code	Size	ADT	AM Peak Hour	PM Peak Hour
Health/Fitness Club (ITE Code 492)	45,579SF	1,501	65	161

TSMI fee is credited against traffic signal and Intelligent Transportation System (ITS) improvements, provided that the improvements are; constructed at ultimate locations, contained within the build out of the 2025 General Plan circulation element and are included in the latest Nexus Analysis for TSMI fee. Project specific impacts that are not consistent with the *2025 General Plan*, *Public Works Standard Drawings* or not incorporated in the TSMI fee infrastructure costs, are not reimbursable unless the City Engineer and City Traffic Engineer include the new traffic signal and/or ITS improvements in the next update; upon the inclusion of the added infrastructure, the applicant shall agree to pay the newly calculated TSMI fee that includes the new infrastructure. Failure to pay this fee or construct improvements that are credited / reimbursable with this fee will result in a significant unmitigated impact as this fee is applied to all projects within the City Sphere of Influence. If the applicant is conditioned with improvements that are credited / reimbursable with this fee, they should work with the Department of Public Works and identify, with a Professional Engineer's estimate, the costs associated with the improvements, prior to paying the TSMI fee at time of building permit.

TSMI Requirements:

1. The intersection of East Champlain Drive and North Hickory Hill Drive shall be signalized to the City of Fresno Standards, complete with left turn phasing, actuation

and signal pre-emption. This work is eligible for reimbursement and/or credit against Traffic Signal Mitigation Impact Fees. The applicant shall design the traffic signal and obtain City approval of the plans prior to occupancy. If the intersection meets signal warrants at the time of building permits, then the full traffic signal shall be installed. If the intersection does not meet warrants, then the traffic signal installation shall be limited to the following equipment: poles, safety lights, oversize street name sign, conduits, detectors, service pedestal connected to a PG&E point of service, controller cabinet, ITS vault, ITS communication cabinet and all pull boxes, with the following equipment to be delivered to the City of Fresno's Traffic Signal shop for future installation when warrants are met: 2070L controller, mast arms, heads, Opticom discriminator and receivers.

Fresno Major Street Impact (FMSI) Fees: This entitlement is in the **New Growth Area**; therefore pay all applicable growth area fees and City-wide regional street impact fees. Contact the Public Works Department, Frank Saburit at (559) 621-8797.

Regional Transportation Mitigation Fee (RTMF): Pay all applicable RTMF fees to the Joint Powers Agency located at 2035 Tulare Street, Suite 201, Fresno, CA 93721; (559) 233-4148 ext. 200; www.fresnocog.org. Provide proof of payment or exemption prior to issuance of certificate of occupancy.

Prior to resubmitting a corrected exhibit, provide the following information on the site plan:

A. General Requirements
   1. **Scope of work:** All items shall be listed as existing or proposed.
B. Offsite Information:
   1. **Center Lines:** Identify.
   2. **Street Improvements** and **Furniture:** Identify the following existing and proposed items: sidewalk widths, ADA ramps (provide radius), street lights, traffic signals, boxes, tree wells, etc.
C. Onsite Information:
   1. **Parking Lot:**
      a. **Stalls:** Identify the 3' vehicular overhang adjacent to continuous curbing. No obstructions shall be within the 3' overhang. Compact parking stalls shall be signed or marked. Provide the number that are required, provided, compact and designated for disability parking stalls.
      b. **Curbs and/ or Wheel Stops:** 6" high
      c. **Walkways:** provide width adjacent to parking stalls (7' min)
      d. **Directional flow of traffic:** Identify existing and proposed directional arrows at beginning and end of aisles.
      e. **Lighting / Disability signage:** not to be within the 3' vehicular overhang

Questions relative to these conditions may be directed to Melessa Avakian at 559 621-8812 Melessa.Avakian@fresno.gov in the Public Works Department, Traffic and Engineering Services Division.

City of FRESNO

PUBLIC WORKS DEPARTMENT

City Hall
2600 Fresno Street, 4th Floor
Fresno, California 93721
Ph. (559) 621-8800
www.fresno.gov

Scott L. Mozier, P.E.
Public Works Director

September 1, 2015

Lauren Filice, Planner III
Development and Resources Management Department
2600 Fresno Street, 3rd Floor
Fresno, CA 93721

SUBJECT: REVIEW OF THE TRAFFIC IMPACT STUDY (TIS) DATED AUGUST 5, 2015 FOR THE PROPOSED FITNESS CENTER, CONDITIONAL USE PERMIT C-15-104, LOCATED EAST OF THE INTERSECTION OF CHAMPLAIN AND HICKORY HILL DRIVES
TIS 15-008, C-15-104

PROJECT OVERVIEW

We have reviewed the Traffic Impact Study (TIS) prepared by Peters Engineering for the proposed "project" that plans to construct an approximately 45,579 square foot fitness center east of the intersection of Champlain and Hickory Hill Drives. The approximately 5.8 acre site will have access from a full a full-access driveway connecting to Hickory Hill Drive and a right-in/right-out driveway connecting to Champlain Drive. The project will also construct connectivity to the existing Via Montana shopping center south of the project site.

The TIS evaluated the impacts of the project by analyzing the intersection of Champlain and Hickory Hill Drives as well as the proposed project driveways during the AM and PM peak hours. Vehicle trips projected to be generated by the project were calculated using the ITE Trip Generation Manual, 9th Edition. The following table includes the daily (ADT), AM and PM peak hour trips projected to be generated by the project as shown in the TIS:

Land Use	Size	Weekday						
		ADT	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Health/Fitness Club (ITE Code 492)	45,579 sf	1,501	33	32	65	92	69	161

sf =square feet

Based on the analyses included in the TIS, the intersection of Champlain and Hickory Hill Drives is currently operating at an acceptable level of service (LOS) standard and is expected to continue operate acceptably with the addition of the project and near term projects. The intersection is projected to meet the peak hour traffic signal warrants with the addition of the

project. Based on the TIS, the intersection is projected to operate unacceptable in the future year conditions.

GENERAL COMMENTS and CONDITIONS

1. This project shall pay its Traffic Signal Mitigation Impact (TSMI) Fee of $47.12 per ADT, per the Master Fee Schedule, at the time of building permit. Based on the weekday total ADT of 1,501 for the proposed project, the fee would be $70,727.12 payable at the time of the building permit.

   The TSMI fee facilitates project impact mitigation to the City of Fresno Traffic Signal infrastructure so that costs are applied to each new project/building based on the generated ADT. The TSMI fee is credited against traffic signal installation/modifications and/or Intelligent Transportation System (ITS) improvements (constructed at their ultimate location) that plan to build out the 2035 General Plan circulation element and are included in the Nexus Study for the TSMI fee. The TSMI fee is regularly updated as new traffic signals are added, new grant funds offset developer improvement costs, and/or construction costs increase/decrease. If the project is conditioned with traffic signal improvements in excess of their TSMI fee amount, the applicant may apply for fee credits (security/bonding and/or developer agreement required) and/or reimbursement for work in excess of their fee as long as the infrastructure is in place at the ultimate location. The applicant should work with the Public Works Department and identify, with a Professional Engineers estimate, the costs associated with the improvements prior to paying the TSMI fee to determine any applicable fee credits and/or reimbursements.

   For project specific impacts that are not consistent with the 2035 General Plan, Public Works Standards, and/or are not incorporated into the TSMI fees, the infrastructure costs will not be eligible for reimbursement unless the City Engineer and City Traffic Engineer include the new traffic signal and/or ITS infrastructure in the next TSMI fee update and the applicant agrees to pay the new TSMI fee that includes the new infrastructure. Failure to pay this fee or construct improvements that are credited/reimbursable with this fee will result in a significant unmitigated impact as this fee is applied to all projects within the City Sphere of Influence.

2. This project shall pay its Fresno Major Street Impact (FMSI) Fee, which will be determined at time of building permit. This FMSI fee is creditable towards major street roadway improvements included in the nexus study for the FMSI fee.

3. The project shall pay the Regional Transportation Mitigation Fee (RTMF). Pay the RTMF fee to the Joint Powers Agency located at 2035 Tulare Street, Suite 201, Fresno, CA 93721; (559) 233-4148, ext. 200; www.fresnocog.org. Provide proof of payment or exemption, based on vesting rights, prior to issuance of building permits.

4. The proposed project shall make necessary improvements and right-of-way and public easement dedications along adjacent public street(s) and within the site boundaries per City of Fresno standards/requirements.

5. The proposed site plan shall be reviewed and approved by the City of Fresno Traffic & Engineering Services Division, Traffic Planning Section.

6. The proposed project shall construct a traffic signal at the intersection of Champlain and Hickory Hill Drives. The traffic signal will have protected left-turn phasing in all directions and be constructed at the ultimate location according to City standards. This traffic signal is included in the Traffic Signal Mitigation Impact Fee and can be credited/reimbursed by the TSMI fee.

If you have any further questions regarding this matter, please contact me at (559) 621-8792 or jill.gormley@fresno.gov .

Sincerely,

Jill Gormley

Jill Gormley, TE
City Traffic Engineer / Traffic Engineering Manager
Public Works Department, Traffic & Engineering Services

C: Copy filed with Traffic Impact Study
Louise Gilio, Traffic Planning Supervisor
Andrew Benelli, PE, Asst. Director, Public Works
Mike Sanchez, Asst. Director, DARM

City of
FRESNO

DEPARTMENT OF PUBLIC UTILITIES

Date: August 17, 2015

To: LAUREN FILICE, Planner III
Development and Resource Management Department , Current Planning

From: MIKEAL CHICO, Management Analyst II
Solid Waste Management Division

Subject: Conditional Use Permit Applicant No. C-15-104 was filed by Ron Marlette of Marlette Associate, on behalf of Russell Smith, and pertains to 5.8 acres of property located northeast of the intersection of East Champlain Drive and North Hickory Hill Drive, 1460 East Champlain & APN: 567-030-71, 76. The applicant proposes the construction of a ±45,500 square-foot fitness center with an anticipated 2,000 member visits per day. The fitness center is proposed to be open 24 hour per day Mondays through Thursday, until 11 pm on Friday s, and from 6 a.m. to 9 p.m. on Saturday s and Sunday s. The property is zoned C-P/UGM/cz (Administrative and Professional Office/Urban Growth Management /conditional of zoning).

General

This location is serviced by a Commercial Solid Waste Franchisee. For service information, please contact Allied Waste at 559-275-1551 or 800-493-4285 .

Does Project Affect Your Agency/Jurisdiction

Yes - Project has or will be required to provide a trash enclosure.

Suggestions to Reduce Impacts/Address Concerns

None.

Recommended Conditions of Approval

2-cell trash enclosure required.

Include in key notes "Enclosure will meet city standard P-33 & P-34" on site plan, Exhibit A-2.

Additional Information

Location of enclosure is acceptable.

City of FRESNO

DISTRICT 6 PLAN IMPLEMENTATION COMMITTEE

PROJECT REVIEW August 17, 2015

Project Record

PROJECT INFORMATION, Agenda Item 4b.

Conditional Use Permit Application No. C-15-104 was filed by Ron Marlette of Marlette Associates on behalf of property owner Russell Smith and subsequent tenant George Brown Fitness, to establish at 1460 East Champlain Avenue a 45,579 square foot private fitness club with portions of the building approximately 38 feet in height (the proposed use, and any building over 35 feet in height, both require a CUP in the C-P/*Administrative and Professional Office* Zone District). The application pertains to two parcels (APNs 567-030-71 and -76) comprising 5.8 acres, located east of the intersection of E. Champlain Ave. and North Hickory Hill Drive. The fitness center is proposed to be open 24 hours per day Monday through Thursday, from 6 a.m. until 11 p.m. on Friday, and from 6 a.m. to 9 p.m. on weekends, with an anticipated 2,000 member visits per day. The property is planned for the Community Commercial land use in the Fresno General Plan and Woodward Park Community Plan and is zoned C-P/UGM/cz *(Administrative and Professional Office/Urban Growth Management/conditions of zoning)*.

COMMITTEE RECOMMENDATION

☑ APPROVE ☐ APPROVE WITH CONDITIONS ☐ DENY ☐ NO ACTION

	Forrest	Brown	Engleman	Linder	Sidhu	Vecchiarelli	Walker
M / S				M	S		
Approve	BF	SB		NL	SS	JV	WW
Deny							
Abstain							
Absent			X				

COMMITTEE CONDITIONS / COMMENTS

Staff Liaison: Sandra L Brode Date 8/17/15

City of
FRESNO

DEPARTMENT OF PUBLIC UTILITIES
ADMINISTRATION DIVISION
MEMORANDUM

WATER & CONSERVATION • SOLID WASTE & RECYCLING • WASTEWATER & RECLAMATION
DPU
Providing Life's Essential Services

Date: August 14, 2015

To: LAUREN FILICE, PLANNER III
Planning and Development

From: KEVIN GRAY, Supervising Engineering Technician
Department of Public Utilities, Planning and Engineering Division

Subject: SEWER REQUIREMENTS FOR CONDITIONAL USE PERMIT C-15-104

General

Conditional Use Permit Applicant No. C-15-104 was filed by Ron Marlette of Marlette Associate, on behalf of Russell Smith, and pertains to 5.8 acres of property located northeast of the intersection of East Champlain Drive and North Hickory Hill Drive, 1460 East Champlain & APN: 567-030-71, 76. The applicant proposes the construction of a ±45,500 square-foot fitness center with an anticipated 2,000 member visits per day. The fitness center is proposed to be open 24 hour per day Mondays through Thursday, until 11 pm on Friday s, and from 6 a.m. to 9 p.m. on Saturday s and Sunday s. The property is zoned C-P/UGM/cz (Administrative and Professional Office/Urban Growth Management /conditional of zoning).

Sewer Requirements

The nearest sanitary sewer main to serve the proposed project is a 12-inch sewer main located in East Greenwich Avenue. Sewer facilities are available to provide service to the site subject to the following requirements:

1. Installation of a sewer house branch(s) shall be required.
2. On-site sanitary sewer facilities shall be private.
3. Abandon any existing on-site private septic systems.
4. A cross access agreement is required for sewer service(s) crossing parcels
5. The Project Developer shall contact Wastewater Management Division/Environmental Services at (559) 621-5100 prior to pulling building permits regarding conditions of service for special users.

Sewer Fees

The following Sewer Connection Charges are due and shall be paid for the Project:

1. Sewer Lateral Charge.

2. Sewer Oversize Service Area: # 3

3. Trunk Sewer Charge: Herndon

4. Sewer Facility Charge (Non-Residential)

5. Upon connection of this Project to the City Sewer System the owner shall be subject to payment of Sewer Facility charges per Fresno Municipal Code Section 6-304 and 6-305. Sewer Facility Charges consist of two components, a Wastewater Facilities Charge and Trunk Sewer Charge where applicable.

6. Sewer Facility Charges are collected after occupancy on a monthly basis over time based on metered (water or sewer effluent) usage. The developer may contact the Department of Public Utilities/Wastewater-Environmental Control at (559) 621-5153 to receive an estimated cost of the Sewer Facility Charges applicable to the project (based on a constant sewer discharge and loading (Biochemical Oxygen Demand [BOD] and Total Suspended Solids [TSS] levels anticipated) at the current rates in effect, at that time, per Fresno's Master Fee Resolution. The developer shall provide data regarding estimated sewer discharge rates [flow] and loading [BOD/TSS levels] required for calculating the estimated charges.

YOUR MOST VALUABLE RESOURCE - WATER

OFFICE OF
FRESNO IRRIGATION DISTRICT

TELEPHONE (559) 233-7161
FAX (559) 233-8227
2907 S. MAPLE AVENUE
FRESNO, CALIFORNIA 93725-2208

August 13, 2015

Ms. Lauren Filice
Ms. Joann Zuniga
City of Fresno
Development and Resource Management Department
2600 Fresno Street, Third Floor
Fresno, CA 93721

RE: Conditional Use Permit Application No. C-15-104, N/E Shepherd & Cedar avenues

Dear Ms. Filice & Ms. Zuniga:

The Fresno Irrigation District (FID) has reviewed Conditional Use Permit Application No. C-15-104 pertaining to the 5.8 acres of property located northeast of the intersection of Champlain Drive and Hickory Hill Drive. The applicant proposes the construction of a ±45,500 square feet fitness center with an anticipated 2,000 member visits per day. The fitness center is proposed to be open 24 hours per day Mondays through Thursday, until 11 p.m. on Fridays, and from 6 a.m. to 9 p.m. on Saturday s and Sunday s. The property is zoned C-P/UGM/cz (Administrative and Professional Office/Urban Growth Management/conditions of zoning), APN: 567-030-71, 76. FID has the following comments:

1. FID does not own, operate or maintain any facilities located on the subject property as shown on the attached FID exhibit map.

2. For informational purposes, FID's Slavonian Canal No. 120 runs westerly and crosses Cedar Avenue approximately 1,400 feet south of the subject property, as shown on the attached FID exhibit map. Should this project expand to include any street improvements, utility connections, etc. along Cedar Avenue or in the vicinity of the canal crossing, FID requires it review and approve of all plans.

G:\Agencies\FresnoCity\Conditional Use Permit\C-15-104.doc

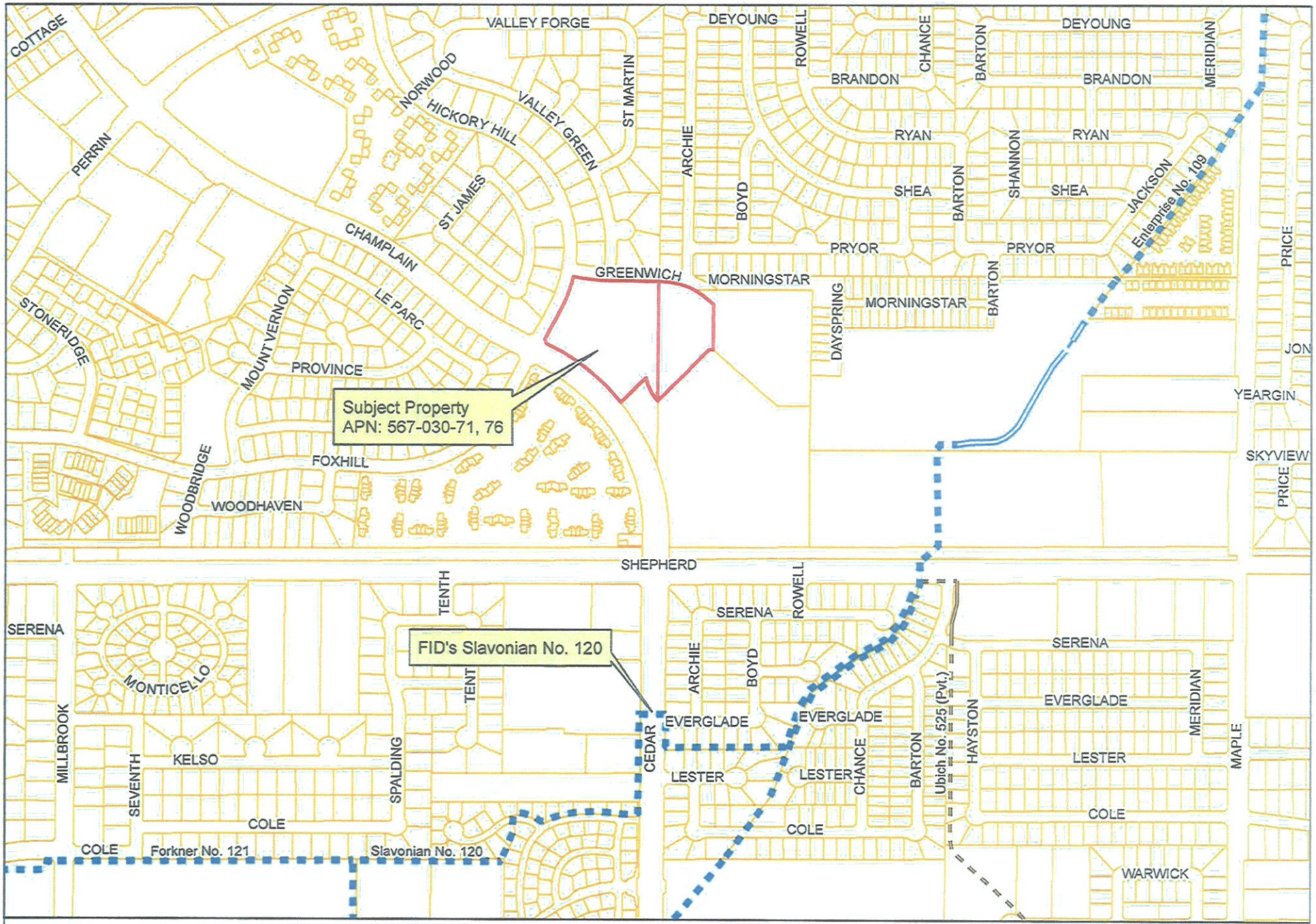
BOARD OF DIRECTORS President RYAN JACOBSEN, Vice-President JERRY PRIETO JR.
STEVEN BALLS, GEORGE PORTER, GREGORY BEBERIAN, General Manager GARY R. SERRATO

Thank you for submitting this for our review. We appreciate the opportunity to review and comment on the subject documents for the proposed project. If you have any questions please feel free to contact Sen Saetern at (559) 233-7161 extension 7406 or ssaetern@fresnoirrigation.com.

Sincerely,

Laurence Kimura
Chief Engineer – Special Projects

Attachment



This map was produced by the Fresno Irrigation District and is provided for reference and informational purposes only and is not intended to show map scale accuracy or all inclusive map features, nor for legal purposes. FID makes no statements regarding the accuracy of this map as the features shown are in their approximate location. Please contact the FID Engineering Dept. at (559) 233-7161 for further information on FID facilities.

Legend

- FID Canal
- Private Canal
- Abandoned Canal
- FID Pipeline
- Private Pipeline
- Abandoned Pipeline
- Stream Group
- Other-Creek\River
- Other-Pipeline
- FID Boundary
- Railroad
- Streets & Hwys
- Parcel
- FMFCD Acquired Basins
- FMFCD Proposed Basins

0 270 540 Feet

1 inch = 552.25 feet

8/28/2014
G:\Fidgis\master_AG10.mxd

CITY OF FRESNO - DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT
REQUEST FOR COMMENTS, CONDITIONS, ENVIRONMENTAL ASSESSMENT, AND ENTITLEMENT APPLICATION REVIEW OF CONDITIONAL USE PERMIT APPLICATION NO. C-15-104

Fresno Police - Northeast Commander

Return Completed Form to:
Lauren Filice, Development Services/Planning
Email: Lauren.Filice@fresno.gov and
Joann.Zuniga@fresno.gov
Development and Resource Management
2600 Fresno Street, Third Floor
Fresno CA 93721-3604

PROJECT DESCRIPTION AND LOCATION:
Conditional Use Permit Application No. C-15-104 was filed by Ron Marlette of Marlette Associates, on behalf of Russell Smith, and pertains to 5.8 acres of property located northeast of the intersection of East Champlain Drive and North Hickory Hill Drive. The applicant proposes the construction of a ±45,500 square-foot fitness center with an anticipated 2,000 member visits per day. The fitness center is proposed to be open 24 hours per day Mondays through Thursdays, until 11 p.m. on Fridays, and from 6 a.m. to 9 p.m. on Saturdays and Sundays. The property is zoned C-P/UGM/cz *(Administrative and Professional Office/Urban Growth Management/conditions of zoning)*.

APN: 567-030-71, 76 **ZONING: C-P/UGM/cz** **ADDRESS: 1460 East Champlain Drive**

DATE ROUTED: July 30, 2015 **COMMENT DEADLINE: August 17, 2015**

WILL THIS PROJECT AFFECT YOUR AGENCY/JURISDICTION? (If yes, specify.)

YES. THE PROPENSITY OF THE LOCATION TO GENERATE CALLS FOR POLICE SERVICE.

SUGGESTION(S) TO REDUCE IMPACTS/ADDRESS CONCERNS:

- FOLLOW WOODWARD PARK COMMUNITY PLAN FOR HOURS OF OPERATION.

REQUIRED CONDITIONS OF APPROVAL:

- FOLLOW WOODWARD PARK COMMUNITY PLAN FOR HOURS OF OPERATION.

IS ANY ADDITIONAL INFORMATION NEEDED FOR YOU TO COMPLETE YOUR REVIEW? (Be specific):

NO.

REVIEWED BY: C. LEE / POLICE — 621-6435 — 8-4-15

Name and Title — Telephone Number — Date

DRC 9-2-14; Level 3 Review; Council District 6
Fresno General Plan, Woodward Park Community Plan

City of FRESNO

Department of Public Utilities – Water Division

WATER & CONSERVATION • SOLID WASTE & RECYCLING • WASTEWATER & RECLAMATION • DPU

Providing Life's Essential Services

DATE: August 5, 2015

TO: LAUREN FILICE, Planner II
Development Department/Current Planning

THROUGH: MICHAEL CARBAJAL, Division Manager
Department of Public Utilities, Water Division

FROM: ROBERT A. DIAZ, Senior Engineering Technician
Department of Public Utilities, Water Division

SUBJECT: **WATER REQUIREMENTS FOR CONDITIONAL USE PERMIT C-15-104**

General

Conditional Use Permit Applicant No. C-15-104 was filed by Ron Marlette of Marlette Associate, on behalf of Russell Smith, and pertains to 5.8 acres of property located northeast of the intersection of East Champlain Drive and North Hickory Hill Drive, 1460 East Champlain & APN: 567-030-71, 76. The applicant proposes the construction of a ±45,500 square-foot fitness center with an anticipated 2,000 member visits per day. The fitness center is proposed to be open 24 hour per day Mondays through Thursday, until 11 pm on Friday s, and from 6 a.m. to 9 p.m. on Saturday s and Sunday s. The property is zoned C-P/UGM/cz (Administrative and Professional Office/Urban Growth Management /conditional of zoning).

Water Requirements

The nearest water mains to serve the proposed project are a 14-inch main located in North Hickory Hill Drive and a 14-inch main located in East Greenwich Avenue. Water facilities are available to provide service to the site subject to the following requirements:

1) Connection to the existing 14-inch water main located in East Champlain Avenue shall not be allowed.
2) Installation of water service & meter box shall be required.
3) Seal and abandon any existing on-site well in compliance with the State of California Well Standards, Bulletin 74-90 or current revisions issued by California Department of Water Resources and City of Fresno standards.
4) On-site water facilities shall be private.

County of Fresno

DEPARTMENT OF PUBLIC HEALTH
DAVID POMAVILLE, DIRECTOR

July 31, 2015

LU0018138
2602

Lauren Filice
Development & Resource Management
2600 Fresno Street, Third Floor
Fresno, CA 93721-3604

Dear Ms. Filice:

PROJECT NUMBER: C-15-104

Conditional Use Permit Application No. C-15-104 was filed by Ron Marlette of Marlette Associates, on behalf of Russell Smith, and pertains to 5.8 acres of property located northeast of the intersection of East Champlain Drive and North Hickory Hill Drive. The applicant proposes the construction of a ±45,500 square-foot fitness center with an anticipated 2,000 member visits per day. The fitness center is proposed to be open 24 hours per day Mondays through Thursdays, until 11 p.m. on Fridays, and from 6 a.m. to 9 p.m. on Saturdays and Sundays. The property is zoned C-P/UGM/cz (*Administrative and Professional Office/Urban Growth Management/conditions of zoning*).

APN: 567-030-71, 76 **ZONING: C-P/UGM/cz** **ADDRESS: 1460 East Champlain Drive**

Recommended Conditions of Approval:

- Prior to the issuance of building permits, should the applicant propose a food facility/snack bar then full facility plans and specifications shall be submitted to the Fresno County Department of Public Health, Environmental Health Division. The applicant will also be required to apply for and obtain a permit to operate a food facility from the Fresno County Department of Public Health, Environmental Health Division. A permit, once issued, is nontransferable. Contact the Consumer Food Protection Program at (559) 600-3357 for more information.

- Prior to the issuance of building permits, the applicant shall submit complete pool/spa facility plans and specifications to the Fresno County Department of Public Health, Environmental Health Division, for review and approval. Contact the Recreational Health Program at (559) 600-3357 for more information.

- Prior to operation, the applicant shall apply for and obtain a permit to operate a public swimming pool and spa from the Fresno County Department of Public Health, Environmental Health Division. A permit, once issued, is nontransferable. Contact the Recreational Health Program at (559) 600-3357 for more information.

- Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95 (https://www.fresnocupa.com/ or

http://cers.calepa.ca.gov/). Contact the Certified Unified Program Agency at (559) 600-3271 for more information.

- The proposed project may result in significant short-term localized noise impacts due to construction equipment use. Construction specifications shall require that all construction equipment be maintained according to manufacturers' specifications, and that noise-generating construction equipment be equipped with mufflers. Noise-generating construction activities should be limited to daytime hours.

REVIEWED BY:

Kevin Tsuda

Digitally signed by Kevin Tsuda
DN: cn=Kevin Tsuda, o=Fresno County Department of Public Health, ou=Environmental Health Division, email=ktsuda@co.fresno.ca.us, c=US
Date: 2015.07.31 11:17:26 -07'00'

Kevin Tsuda, R.E.H.S.
Environmental Health Specialist II (559) 600-3271

---

kt

cc: Casagrande, Tolzmann, Baruti & Granado- Environmental Health Division (CT 55.06)
Ron Marlette- Applicant (ronm@marletteassociates.com)
Russell Smith- Owner (rgsmith@russellgsmithinc.com)

CITY OF FRESNO - DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT
REQUEST FOR COMMENTS, CONDITIONS, ENVIRONMENTAL ASSESSMENT, AND ENTITLEMENT APPLICATION REVIEW OF CONDITIONAL USE PERMIT APPLICATION NO. C-15-104

Fire Department

Return Completed Form to:
Lauren Filice, Development Services/Planning
Email: Lauren.Filice@fresno.gov and
Joann.Zuniga@fresno.gov
Development and Resource Management
2600 Fresno Street, Third Floor
Fresno CA 93721-3604

PROJECT DESCRIPTION AND LOCATION:

Conditional Use Permit Application No. C-15-104 was filed by Ron Marlette of Marlette Associates, on behalf of Russell Smith, and pertains to 5.8 acres of property located northeast of the intersection of East Champlain Drive and North Hickory Hill Drive. The applicant proposes the construction of a ±45,500 square-foot fitness center with an anticipated 2,000 member visits per day. The fitness center is proposed to be open 24 hours per day Mondays through Thursdays, until 11 p.m. on Fridays, and from 6 a.m. to 9 p.m. on Saturdays and Sundays. The property is zoned C-P/UGM/cz *(Administrative and Professional Office/Urban Growth Management/conditions of zoning)*.

APN: 567-030-71, 76 **ZONING: C-P/UGM/cz** **ADDRESS: 1460 East Champlain Drive**

DATE ROUTED: July 30, 2015 **COMMENT DEADLINE: August 17, 2015**

WILL THIS PROJECT AFFECT YOUR AGENCY/JURISDICTION? (If yes, specify.)

SUGGESTION(S) TO REDUCE IMPACTS/ADDRESS CONCERNS:

See attached

REQUIRED CONDITIONS OF APPROVAL:

IS ANY ADDITIONAL INFORMATION NEEDED FOR YOU TO COMPLETE YOUR REVIEW? (Be specific):

REVIEWED BY: _____

Name and Title Telephone Number Date

DRC 9-2-14; Level 3 Review; Council District 6
Fresno General Plan, Woodward Park Community Plan

City of
FRESNO

FIRE DEPARTMENT

DATE: July 31, 2015

TO: Lauren Filice, Planner III
Development and Resource Management Department

FROM: LAURIE SAWHILL, Senior Fire Prevention Inspector
Fire Department, Community Risk Reduction Unit

SUBJECT: C-15-104

The Fire Department's conditions of approval include the following:

This project was reviewed by the fire department only for requirements related to water supply, fire hydrants, and fire apparatus access to the building(s) on site. Review for compliance with fire and life safety requirements for the building interior and its intended use are reviewed by both the Fire Department and the Building and Safety Section of DARM when a submittal for building plan review is made as required by the California Building Code by the architect or engineer of record for the building.

Lauren Filice

From: Ann Lillie
Sent: Thursday, July 30, 2015 3:02 PM
To: Joann Zuniga; Lauren Filice
Cc: Jairo Mata; Melessa Avakian
Subject: RE: Request for Comment - Conditional Use Permit Application No. C-15-104, Fitness Center at Champlain and Hickory Hill Drive
Attachments: C-15-104 Maintenance Conditions.docx

See Attached for conditions!

Best Regards

Ann Lillie
Senior Engineering Technician
Traffic and Engineering Services Division
(559) 621-8690
Ann.lillie@fresno.gov

From: Joann Zuniga
Sent: Thursday, July 30, 2015 2:18 PM
To: Louise Gilio; Jairo Mata; Melessa Avakian; Hilary Kimber; Ann Lillie; Laurie Sawhill; Darla Scott; Doug Hecker; Kevin Gray; Michael Carbajal; Robert Diaz; Mikeal Chico; Christopher Lee; Donald Gross; Eric Hodge; Danny Kim; skahl@co.fresno.ca.us; glallen@co.fresno.ca.us; jgardner@co.fresno.ca.us; Tsuda, Kevin; ceqa@valleyair.org; Patia Siong; engr-review@fresnoirrigation.com; developmentreview@fresnofloodcontrol.org; 'Don Ulrich'; ajs4@pge.com; D3P4@pge.com; Lee Brand; Ginger Barrett; Kathy Wilson; Sandra Brock; cathy.s.gilles@usps.gov
Cc: Lauren Filice
Subject: Request for Comment - Conditional Use Permit Application No. C-15-104, Fitness Center at Champlain and Hickory Hill Drive

Commenting Partners:

You have been identified as the best contact to provide your department/agency's review and comments for the subject project. Please click the following link and download an electronic copy of the project package for review.

Project Address: 1460 East Champlain Drive
APN: 567-030-71, 76

http://m3.fresno.gov/upload/files/19482935/C15104electronicrouting.pdf (click on bookmarks to navigate).

We look forward to receiving your responses electronically and any comments you may have by the August 17, 2015, comment deadline. If you do not have any comments, please communicate a

City of FRESNO

DATE: July 30, 2015

TO: Lauren Filice, Development Services/Planning
Development and Resource Management Department

FROM: Ann Lillie, Senior Engineering Technician
Public Works Department, Traffic and Engineering Services Division

SUBJECT: CONDITIONS OF CONDITIONAL USE PERMIT APPLICATION NO. 2015-104 FOR MAINTENANCE REQUIREMENTS

ADDRESS: **1460 East Champlain Drive**
APN: **567-030-71, 76**

ATTENTION:

The item below requires a separate process with additional costs and timelines. In order to avoid delays with the development approval, the following item shall be submitted for processing to the Public Works Department, Traffic and Engineering Services Division **prior** to Building Permits.

X	**Private Maintenance Covenant**	Ann Lillie	(559) 621-8690 ann.lillie@fresno.gov
X	**CFD Annexation Request Package**		

The Public Works Department, Traffic and Engineering Services Division, has completed its review and the following requirements are to be placed on this development as a condition of approval by the Public Works Department. These requirements are based on City records, standards and the proposed improvements depicted for this development on the exhibits submitted.

Requirements not addressed due to omission or misrepresentation of information, on which this review process is dependent, will be imposed whenever such conditions are disclosed and shall require a revision of this letter.

Any change affecting the items in these conditions requires revision of this letter.

Delays to the final development approval will occur if the maintenance requirements are not met. Time-lines for the processing of the annexation to the CFD and private maintenance covenant require three to four months and SHALL be completed prior to Building Permit approval.

All applicable construction plans for this development are to be submitted to the Traffic and Engineering Services Division for review and approval prior to the CFD and private maintenance covenant process and shall be deemed technically correct. If Landscape and Irrigation Plans

are required, approval of the plans is required prior to the finalization of the CFD process and the approval of this development.

1. **The Property Owner's Maintenance Requirements**

The long term maintenance and operating costs, including repair and replacement, of certain required public improvements ("Services") associated with all new Commercial, Industrial and Multi-Family developments are the ultimate responsibility of the Property Owner. The property owner shall provide Services either by a mechanism approved by the Public Works Department or by annexing to the City of Fresno's Community Facilities District No. 9 ("CFD No. 9").

The following public improvements (existing and proposed) are eligible for Services by CFD No. 9 as associated with this development:

- All landscaped areas, trees and irrigation systems, as approved by the Public Works Department, within public street rights-of-way fronting along **East Champlain Drive, North Hickory Hill Drive and East Greenwich Avenue.**

- Concrete curb and gutters, valley gutters, sidewalks and curb ramps in the street rights-of-way. **(East Champlain Avenue)**

- Concrete curb and gutters, valley gutters, sidewalks and curb ramps, street paving and street name signage. **(North Hickory Hill and East Greenwich Drives)**

- All costs associated with the street lights (including repair and replacement) in the street rights-of-way. **(East Champlain Drive, North Hickory Hill Drive, and East Greenwich Drive)**

2. **The Property Owner may choose to do one or both of the following:**

- The Property Owner may petition the City of Fresno to request annexation to CFD No. 9 by completing and submitting an Annexation Request Package to the Public Works Department, Traffic and Engineering Services Division for review and approval. The Annexation Request Form is available, along with current costs, on-line at the City's website at http://www.fresno.gov, under the Public Works Department, Developer Doorway.

- **Proceedings to annex territory to CFD No. 9 SHALL NOT commence** unless this development is within the City limits and all construction plans (this includes Street, Street Light, Signal and Landscape and Irrigation plans as applicable) are considered technically correct.

- The annexation process will be put on **HOLD** and the developer notified if all of the requirements for processing are not in compliance. **Technically Correct shall mean that the facilities and quantities to be maintained by CFD No. 9 are not subject to change after acceptance for processing.**

- The annexation process takes from three to four months and SHALL be completed prior to building permit approvals. The review and approval of Landscape and Irrigation Plans are required to be approved by the Public Works Department prior

to the completion of the annexation process.

- Public improvements not listed above will require special approval by the Public Works Department Director or his designee.

- The Property Owner may provide for Services privately for the above maintenance requirements. All City maintenance requirements not included for annexation to CFD No. 9 for Services **SHALL** be included in a maintenance covenant or some other City approved mechanism for the required Services associated with this development. Contact the Planner in the Development and Resource Management Department for more details.

For any questions regarding these conditions please contact me at (559) 621-8690 / ann.lillie@fresno.gov

CITY OF FRESNO - DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT
REQUEST FOR COMMENTS, CONDITIONS, ENVIRONMENTAL ASSESSMENT, AND ENTITLEMENT APPLICATION REVIEW OF CONDITIONAL USE PERMIT APPLICATION NO. C-15-104

Building & Safety Services

Return Completed Form to:
Lauren Filice, Development Services/Planning
Email: Lauren.Filice@fresno.gov and
Joann.Zuniga@fresno.gov
Development and Resource Management
2600 Fresno Street, Third Floor
Fresno CA 93721-3604

PROJECT DESCRIPTION AND LOCATION:
Conditional Use Permit Application No. C-15-104 was filed by Ron Marlette of Marlette Associates, on behalf of Russell Smith, and pertains to 5.8 acres of property located northeast of the intersection of East Champlain Drive and North Hickory Hill Drive. The applicant proposes the construction of a ±45,500 square-foot fitness center with an anticipated 2,000 member visits per day. The fitness center is proposed to be open 24 hours per day Mondays through Thursdays, until 11 p.m. on Fridays, and from 6 a.m. to 9 p.m. on Saturdays and Sundays. The property is zoned C-P/UGM/cz *(Administrative and Professional Office/Urban Growth Management/conditions of zoning)*.

APN: 567-030-71, 76 **ZONING: C-P/UGM/cz** **ADDRESS: 1460 East Champlain Drive**

DATE ROUTED: July 30, 2015 **COMMENT DEADLINE: August 17, 2015**

WILL THIS PROJECT AFFECT YOUR AGENCY/JURISDICTION? (If yes, specify.)

SUGGESTION(S) TO REDUCE IMPACTS/ADDRESS CONCERNS:

plans/permits reqd

REQUIRED CONDITIONS OF APPROVAL:

IS ANY ADDITIONAL INFORMATION NEEDED FOR YOU TO COMPLETE YOUR REVIEW? (Be specific):

REVIEWED BY: [illegible] | 8155 | 7-30-15
Name and Title | Telephone Number | Date

DRC 9-2-14; Level 3 Review; Council District 6
Fresno General Plan, Woodward Park Community Plan

Attachment 11

Environmental Assessment No. C-15-104

CITY OF FRESNO MITIGATED NEGATIVE DECLARATION		Notice of Intent was filed with: FRESNO COUNTY CLERK 2221 Kern Street Fresno, California 93721 on **October 20, 2015**
The full Initial Study and the Master Environmental Impact Report SCH No. 2012111015 are on file in the Development and Resource Management Department, Fresno City Hall, 3rd Floor 2600 Fresno Street Fresno, California 93721 (559) 621-8277	ENVIRONMENTAL ASSESSMENT NUMBER: **C-15-104**	
APPLICANT: Ron Marlette Marlette Associates 451 Clovis Avenue, Suite 125 Clovis, CA 93612	PROJECT LOCATION: 1460 East Champlain Drive, Fresno, California 93711, in the City and County of Fresno, California (5.8 acres) 36°52'7.7838" N Latitude, - 119°45'27.8058" W Longitude Assessor's Parcel Number(s): 567-030-71 & 567-030-76	

PROJECT DESCRIPTION:

Conditional Use Permit Application No. C-15-104 was filed by Ron Marlette of Marlette Associates, on behalf of Russell G. Smith of Foundry Park Investors LP, and pertains to 5.8 acres of property located on the northeast corner of East Champlain and North Hickory Hill Drives, between East Shepherd and East Greenwich Avenues. GB III Fitness Centers is requesting authorization to construct a new approximately 45,500 square foot fitness center building having a main roof height of 34 feet and towers at 58 feet in height, and a parking lot with 419 parking spaces, 10 bicycle racks, and shade trees. The City's General Plan current planned land use designation for the project site is Employment, Office. The property is currently zoned C-P (*Administrative and Professional Offices)*, which allows private fitness centers by conditional use permit per Director's Classification No. 111. The C-P zone district is consistent with the Employment, Office planned land use designation.

The City of Fresno has conducted an initial study and proposes to adopt a Mitigated Negative Declaration for the above-described project. The environmental analysis contained in the Initial Study and this Mitigated Negative Declaration is tiered from Master Environmental Impact Report SCH No. 2012111015 (MEIR) prepared for the Fresno General Plan. A copy of the MEIR may be reviewed in the City of Fresno Development and Resource Management Department as noted above. The proposed project has been determined to be a subsequent project that is not fully within the scope of the Master Environmental Impact Report SCH No. 2012111015 (MEIR) prepared for the Fresno General Plan. Pursuant to Public Resources Code § 21157.1 and California Environmental Quality Act (CEQA) Guidelines § 15177, this project has been evaluated with respect to each item on the attached environmental checklist to determine whether this project may cause any additional significant effect on the environment which was not previously examined in the MEIR. After conducting a review of the adequacy of the MEIR pursuant to Public Resources Code, Section 21157.6(b)(1), the Development and Resource Management Department, as lead agency, finds that

no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete, has become available.

This completed environmental impact checklist form, its associated narrative, and proposed mitigation measures reflect applicable comments of responsible and trustee agencies and research and analysis conducted to examine the interrelationship between the proposed project and the physical environment. The information contained in the project application and its related environmental assessment application, responses to requests for comment, checklist, initial study narrative, and any attachments thereto, combine to form a record indicating that an initial study has been completed in compliance with the State CEQA Guidelines and the California Environmental Quality Act.

All new development activity and many non-physical projects contribute directly or indirectly toward cumulative impacts on the physical environment. It has been determined that the incremental effect contributed by this project toward cumulative impacts is not considered substantial or significant in itself, and/or that cumulative impacts accruing from this project may be mitigated to less than significant with application of feasible mitigation measures.

Based upon the evaluation guided by the environmental checklist form, it was determined that there are foreseeable impacts from the Project that are additional to those identified in the MEIR, and/or impacts which require mitigation measures not included in the MEIR Mitigation Measure Checklist. The completed environmental checklist form indicates whether an impact is potentially significant, less than significant with mitigation, or less than significant. For some categories of potential impacts, the checklist may indicate that a specific adverse environmental effect has been identified which is of sufficient magnitude to be of concern. Such an effect may be inherent in the nature and magnitude of the project, or may be related to the design and characteristics of the individual project. Effects so rated are not sufficient in themselves to require the preparation of an Environmental Impact Report, and have been mitigated to the extent feasible. With the project specific mitigation imposed, there is no substantial evidence in the record that this project may have additional significant, direct, indirect or cumulative effects on the environment that are significant and that were not identified and analyzed in the MEIR. Both the MEIR mitigation checklist measures and the project-specific mitigation checklist measures will be imposed on this project.

The initial study has concluded that the proposed project will not result in any adverse effects which fall within the "Mandatory Findings of Significance" contained in Section 15065 of the State CEQA Guidelines.

The finding is, therefore, made that the proposed project will not have a significant adverse effect on the environment.

PREPARED BY: Lauren Filice, Planner III	SUBMITTED BY: McKencie Contreras, Supervising Planner DEVELOPMENT & RESOURCE MANAGEMENT DEPARTMENT
DATE: October 16, 2015	

Attachments:	Exhibit A: Initial Study Impact Checklist and Initial Study (Appendix G) Exhibit B: Master Environmental Impact Report SCH No. 2012111015 Fresno General Plan Mitigation Monitoring Checklist dated October 16, 2015 Exhibit C: Project-Specific Mitigation Monitoring Checklist dated October 16, 2015 Exhibit D: Vicinity Map Exhibit E: Site Plan and Elevations

EXHIBIT A

MODIFIED APPENDIX G TO ANALYZE SUBSEQUENT PROJECT IDENTIFIED IN MEIR SCH No. 2012111015

Environmental Checklist Form
For EA No. C-15-104

1. **Project title:** GB III Fitness Center –
   Conditional Use Permit Application No. C-15-104

2. **Lead agency name and address:**

   City of Fresno
   Development and Resource Management Department
   2600 Fresno Street
   Fresno, CA 93721

3. **Contact person and phone number:**

   Lauren Filice, Planner III
   (559) 621-8070

4. **Project location:**

   1460 East Champlain Drive; Located on the northeast corner of East Champlain and North Hickory Hill Drives between East shepherd and East Greenwich Avenues, in the City and County of Fresno, California.

   36°52'7.7838" N Latitude, - 119°45'27.8058" W Longitude

   Mount Diablo Base & Meridian, Township 12 S, Range 20 E, Section 23

   (APN: 567-030-71 & 567-030-76)

5. **Project sponsor's name and address:**

   Ron Marlette
   Marlette Associates
   451 Clovis Avenue, Suite 125
   Clovis, CA 93612

6. **General Plan Designation:**

   Employment, Office

7. **Zoning:**

   C-P, *Administrative and Professional Offices*

8. **Description of project:**

Conditional Use Permit Application No. C-15-104 was filed by Ron Marlette of Marlette Associates, on behalf of Russell G. Smith of Foundry Park Investors LP, and pertains to 5.8 acres of property located on the northeast corner of East Champlain and North Hickory Hill Drives, between East Shepherd and East Greenwich Avenues. GB III Fitness Centers is requesting authorization to construct a new approximately 45,579 square foot fitness center building having a main roof height of 34 feet and towers at 58 feet in height and a parking lot having 419 parking spaces, 10 bicycle racks, and shade trees. The City's General Plan current planned land use designation for the project site is Employment, Office. The property is currently zoned C-P (*Administrative and Professional Offices)*, which allows private fitness centers by conditional use permit per Director's Classification No. 111. The C-P zone district is consistent with the Employment, Office planned land use designation.

9. **Surrounding land uses and setting:**

	Planned Land Use	**Existing Zoning**	**Existing Land Use**
North	Residential – Medium Low Density	**R-1** *Single Family Residential*	single-family homes
South	Residential – Medium High Density	**R-2** *Low Density Multiple Family Residential*	condominiums
East	Community Commercial	**C-1** *Neighborhood Shopping Center*	shopping center
West	Residential – Medium Low Density	**R-1** *Single Family Residential*	single-family homes

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement): City of Fresno Building and Safety Division, Fresno Metropolitan Flood Control District, County of Fresno Department of Public Health, and the San Joaquin Valley Air Pollution Control District.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

Pursuant to Public Resources Code Section 21157.1(b) and CEQA Guidelines 15177(b)(2), the purpose of this MEIR initial study is to analyze whether the subsequent project was described in the MEIR SCH No. 2012111015 and whether the subsequent project may cause any additional significant effect on the environment, which was not previously examined in MEIR SCH No. 2012111015.

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

____	Aesthetics	____	Agriculture and Forestry Resources	____	Air Quality
____	Biological Resources	____	Cultural Resources	____	Geology /Soils
____	Greenhouse Gas Emissions	____	Hazards & Hazardous Materials	____	Hydrology/Water Quality
____	Land Use/Planning	____	Mineral Resources	____	Noise
____	Population /Housing	____	Public Services	____	Recreation
____	Transportation/Traffic	____	Utilities/Service Systems	____	Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

☐ I find that the proposed project is a subsequent project identified in the MEIR and that it is fully within the scope of the MEIR because it would have no additional significant effects that were not examined in the MEIR such that no new additional mitigation measures or alternatives may be required. All applicable mitigation measures contained in the Mitigation Monitoring Checklist shall be imposed upon the proposed project. A FINDING OF CONFORMITY will be prepared.

☒ I find that the proposed project is a subsequent project identified in the MEIR but that it is not fully within the scope of the MEIR because the proposed project could have a significant effect on the environment that was not examined in the MEIR. However, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. The project specific mitigation measures and all applicable mitigation measures contained in the MEIR Mitigation Monitoring Checklist will be imposed upon the proposed project. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project is a subsequent project identified in the MEIR but that it MAY have a significant effect on the environment that was not examined in the MEIR, and an ENVIRONMENTAL IMPACT REPORT is required to analyze the potentially significant effects not examined in the MEIR pursuant to Public Resources Code Section 21157.1(d) and CEQA Guidelines 15178(a).

X _____

Lauren Filice, Planner III Date

EVALUATION OF ADDITIONAL ENVIRONMENTAL IMPACTS NOT ASSESSED IN THE MEIR:

1. For purposes of this MEIR Initial Study, the following answers have the corresponding meanings:

   a. "No Impact" means the subsequent project will not cause any additional significant effect related to the threshold under consideration which was not previously examined in the MEIR.

   b. "Less Than Significant Impact" means there is an impact related to the threshold under consideration that was not previously examined in the MEIR, but that impact is less than significant;

   c. "Less Than Significant with Mitigation Incorporation" means there is a potentially significant impact related to the threshold under consideration that was not previously examined in the MEIR, however, with the mitigation incorporated into the project, the impact is less than significant.

   d. "Potentially Significant Impact" means there is an additional potentially significant effect related to the threshold under consideration that was not previously examined in the MEIR.

2. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

3. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

4. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less

than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

5. A "Finding of Conformity" is a determination based on an initial study that the proposed project is a subsequent project identified in the MEIR and that it is fully within the scope of the MEIR because it would have no additional significant effects that were not examined in the MEIR.

6. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).

7. Earlier analyses may be used where, pursuant to the tiering, program EIR or MEIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

   a. Earlier Analysis Used. Identify and state where they are available for review.

   b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in the MEIR or another earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

   c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

8. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

9. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

10. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

11. The explanation of each issue should identify:

a. The significance criteria or threshold, if any, used to evaluate each question; and

b. The mitigation measure identified, if any, to reduce the impact to less than significance.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?				x
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				x
c) Substantially degrade the existing visual character or quality of the site and its surroundings?				x
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			x	

The proposed use is to be located on a site that is within an area that is planned for residential and commercial uses, and not located near a scenic vista. No public or scenic vista will be obstructed by the project and no valuable vegetation will be removed for this project. The project will not damage any scenic resources nor will it degrade the visual character or quality of the subject site and its surroundings.

The development of the site will not create a new source of substantial light or glare which would affect day or night time views in the project area, given that during the entitlement process, staff will ensure that lights are located in areas that will minimize light sources to the neighboring properties. Further, Mitigation Measure (MM) AES-1 and MM AES-3 require lighting systems for street and parking areas to be shielded to direct light to surfaces and orient light away from adjacent properties. As a result, the project will have no impact on aesthetics. The proposed construction would not significantly impact the visual character of the site as the proposed new construction type and appearance will provide an enhanced street frontage and landscaping to a vacant site surrounded by

suburban development.

In addition, a condition of approval will require that lighting, where provided to illuminate parking area and public streets, shall be hooded and so arranged and controlled so as not to cause a nuisance either to highway traffic or to the living environment. The amount of light shall be provided according to the standards of the Department of Public Works.

As a result, the project will have a less than significant impact on aesthetics. Conditions to ensure the project is aesthetically appealing will be incorporated into the project approval.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
II. AGRICULTURE AND FORESTRY RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. -- Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				x
d) Result in the loss of forest land or conversion of forest land to non-forest use?				x
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				x

The subject site is designated as "Farmland of Local Importance" on the 2012 Rural Mapping Edition: Fresno County Important Farmland Map, and thus has no farmland considered to be prime farmland, farmland of statewide importance, or unique farmland. The subject site is not currently under cultivation. In addition, according to aerial photos that go as far back as 1992, the site has not been under cultivation since at least 1992. The land surrounding the site to the north, south, east and west is designated as "Urban and Built-Up Land" by the above mentioned map.

The subject site is not under a Williamson Act contract and is not surrounded by sites under a Williamson Act contract. The subject site and proposed use do not conflict with any forest land or Timberland Production or result in any loss of forest land.

Therefore, the proposed project does not include any changes which will affect the existing environment and result in the conversion of Farmland to non-agricultural uses.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
III. AIR QUALITY AND GLOBAL CLIMATE CHANGE - (Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.) - Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan (*e.g.*, by having potential emissions of regulated criterion pollutants which exceed the San Joaquin Valley Air Pollution Control Districts (SJVAPCD) adopted thresholds for these pollutants)?		X		
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				X
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?		X		
d) Expose sensitive receptors to substantial pollutant concentrations?				X
e) Create objectionable odors affecting a substantial number of people?				X

Region

The subject sites are located in Fresno County and within the San Joaquin Valley Air Basin (SJVAB). This region has had chronic non-attainment of federal and state clean air standards for ozone/oxidants and particulate matter due to a combination of topography and climate. The San Joaquin Valley (Valley) is hemmed in on three sides by mountain

ranges, with prevailing winds carrying pollutants and pollutant precursors from urbanized areas to the north (and in turn contributing pollutants and precursors to downwind air basins). The Mediterranean climate of this region, with a high number of sunny days and little or no measurable precipitation for several months of the year, fosters photochemical reactions in the atmosphere, creating ozone and particulate matter.

Regional factors affect the accumulation and dispersion of air pollutants within the SJVAB. Air pollutant emissions overall are fairly constant throughout the year, yet the concentrations of pollutants in the air vary from day to day and even hour to hour. This variability is due to complex interactions of weather, climate, and topography. These factors affect the ability of the atmosphere to disperse pollutants. Conditions that move and mix the atmosphere help disperse pollutants, while conditions that cause the atmosphere to stagnate allow pollutants to concentrate. Local climatological effects, including topography, wind speed and direction, temperature, inversion layers, precipitation, and fog can exacerbate the air quality problem in the SJVAB.

The SJVAB is approximately 250 miles long and averages 35 miles wide, and is the second largest air basin in the state. The SJVAB is defined by the Sierra Nevada in the east (8,000 to 14,000 feet in elevation), the Coast Ranges in the west (averaging 3,000 feet in elevation), and the Tehachapi mountains in the south (6,000 to 8,000 feet in elevation). The Valley is basically flat with a slight downward gradient to the northwest. The Valley opens to the sea at the Carquinez Straits where the San Joaquin-Sacramento Delta empties into San Francisco Bay. The Valley, thus, could be considered a "bowl" open only to the north.

During the summer, wind speed and direction data indicate that summer wind usually originates at the north end of the Valley and flows in a south-southeasterly direction through the Valley, through Tehachapi Pass, into the Southeast Desert Air Basin. In addition, the Altamont Pass also serves as a funnel for pollutant transport from the San Francisco Bay Area Air Basin into the region.

During the winter, wind speed and direction data indicate that wind occasionally originates from the south end of the Valley and flows in a north-northwesterly direction. Also during the winter months, the Valley generally experiences light, variable winds (less than 10 mph). Low wind speeds, combined with low inversion layers in the winter, create a climate conducive to high carbon monoxide (CO) and particulate matter (PM10 and PM2.5) concentrations. The SJVAB has an "Inland Mediterranean" climate averaging over 260 sunny days per year. The Valley floor is characterized by warm, dry summers and cooler winters. For the entire Valley, high daily temperature readings in summer average 95°F. Temperatures below freezing are unusual. Average high temperatures in the winter are in the 50s, but highs in the 30s and 40s can occur on days with persistent fog and low cloudiness. The average daily low temperature is 45°F.

The vertical dispersion of air pollutants in the Valley is limited by the presence of persistent temperature inversions. Solar energy heats up the Earth's surface, which in turn radiates

heat and warms the lower atmosphere. Therefore, as altitude increases, the air temperature usually decreases due to increasing distance from the source of heat. A reversal of this atmospheric state, where the air temperature increases with height, is termed an inversion. Inversions can exist at the surface or at any height above the ground, and tend to act as a lid on the Valley, holding in the pollutants that are generated here.

The San Joaquin Valley Air Pollution Control District (SJVAPCD) is the local regional jurisdictional entity charged with attainment planning, rulemaking, rule enforcement, and monitoring under Federal and State Clean Air Acts and Clean Air Act Amendments.

Project

The project is to construct a GB III Fitness center at the intersection of East Champlain and North Hickory Hill Drives in north Fresno. The location of the proposed fitness center will be approximately 1.17 miles from existing GB III fitness centers 1.17 miles away at 1570 E. Nees Avenue near Cedar Avenue. Therefore, the proposed fitness center will have a service area 1.5 miles east and west, 2 miles to the north and ½ mile to the south. The Traffic Impact Study for the Proposed Fitness Center prepared by Peters Engineering on August 5, 2015, Job Number 15-034.01, estimated the traffic threshold rates during a.m. peak hours as 65 trips, during p.m. peak hours as 162 trips, and a daily rate of 1,501 trips, less than the SJVAPCD commercial development criteria of 1,730.

SJVAPCD comments for the proposed project indicate that emissions resulting from construction and/or operation may exceed thresholds for oxides of nitrogen (NOx) at 10 tons per year, reactive organic gases at 10 tons per year, and particulate matter of 10 microns (PM10). The MEIR for the Fresno General Plan, MM AIR-2 requires projects that may exceed ambient air quality standards to implement site-specific measures to reduce toxic air contaminants to less than 10 per million, including construction of block walls and installation of vegetative barriers to block emissions from adjacent property. MM-AIR-4 requires preparation of a health risk assessment and adoption of regulatory criteria, if required. MM AIR-5 requires the developer to prepare an odor impact assessment and implement odor control measures, if required.

Further, the SJVAPCD uses the California Emissions Estimator Model (CalEEMod) to calculate emissions from a project using trip lengths, with the emission factor for the proposed project at 0.0000214. For emissions at or higher than 224, projects may be required to obtain an Independent Source Review (ISR) or enter into a Voluntary Emissions Reduction Agreement (VERA).

The project developer will be required to obtain applicable permits from the SJVAPCD in order to comply with all applicable air quality plans. With mitigation provided emissions will be reduced, and the project will not occur at a scale or scope with potential to contribute substantially or cumulatively to existing or projected air quality violations, impacts, or increases of criteria pollutants for which the San Joaquin Valley region is under an applicable federal or state ambient air quality standard (including releasing emissions that

exceed quantitative thresholds for ozone precursors).

With mitigation required, no violations of air quality standards will occur and no net increase of pollutants will occur. The proposed use, if approved, will be allowed on the subject site and will not expose sensitive receptors to substantial pollutant concentrations. The project is not proposing a use which will create objectionable odors more obnoxious then the current use and surrounding uses; therefore there will be no impact. The proposed project will comply with all applicable air quality plans.

The proposed project will comply with the Resource Conservation Element of the Fresno General Plan and the Goals, Policies and Objectives of the Regional Transportation Plan adopted by the Fresno Council of Fresno County Governments; therefore the project will not conflict with or obstruct an applicable air quality plan.

Therefore, compliance with the MEIR and project specific mitigation, all of the above SJVAPCD Rules and permit requirements, Fresno General Plan policies and MEIR mitigation measures results in a less than significant impact on air quality with respect to air quality plans and standards and cumulative increases in criteria pollutants.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the air quality related mitigation measures as identified in the attached Master Environmental Impact Report No. SCH 2012111015 Fresno General Plan Mitigation Monitoring Checklist dated October 20, 2015.

2. The proposed project shall implement and incorporate, as applicable, the air quality related mitigation measures as noted in the attached Project Specific Monitoring Checklist dated October 20, 2015.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES -- Would the project:				

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

The proposed project is located on an existing vacant lot surrounded by suburban uses where urban infrastructure is in place. Therefore the project would not directly affect any sensitive, special status, or candidate species, nor would it modify any habitat that supports them. There is no riparian habitat or any other sensitive natural community identified in the Fresno General Plan by the California Department of Fish and Game or the US Fish and Wildlife Service within one mile of the proposed project. No federally protected wetlands are located on the subject site or within one mile of the subject site. Therefore, there would be no impacts to species, riparian habitat or other sensitive communities and wetlands.

There are also no bodies of water (i.e. river, lake) within one mile of the subject site. There will be no impact on the movement of migratory fish or wildlife species or on established wildlife corridors or wildlife nursery sites. No local policies regarding biological resources are applicable to the subject site and there would be no impacts with regard to those plans.

No habitat conservation plans or natural community conservation plans in the region pertain to the natural resources that exist on the subject site or in its immediate vicinity. There are no impacts. No actions or activities resulting from the implementation of the proposed project would have the potential to affect floral, or faunal species; or, their habitat.

Given that the proposed project will be located in an area surrounded by urban uses, there will be no impacts to biological resources.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES -- Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?			X	
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	
d) Disturb any human remains, including those interred outside of formal cemeteries?			X	

There are no structures which exist within the project area that are listed in the National or Local Register of Historic Places, and the subject site is not within a designated historic district.

There are no known archaeological resources that exist within the project area; however, previously unknown archaeological resources could be disturbed during project construction. Therefore, due to the ground disturbing activities that will occur as a result of the project, the measures within the Master Environmental Impact Report (MEIR) SCH No. 2012111015 for the Fresno General Plan, Mitigation Monitoring Checklist to address archaeological resources, paleontological resources, and human remains will be employed to guarantee that should archaeological and/or animal fossil material be encountered during project excavations, then work shall stop immediately; and, that qualified professionals in the respective field are contacted and consulted in order to insure that the activities of the proposed project will not involve physical demolition, destruction, relocation, or alteration of historic, archaeological, or paleontological resources.

Therefore, with MEIR mitigation monitoring incorporated, there will be no significant impacts to cultural resources.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. GEOLOGY AND SOILS -- Would the project:				

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?			X	
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X	

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X

This project is located in the northern portion of the Fresno metropolitan area, and is in an area which is primarily designated for commercial, office and residential uses, where the topography is generally level. There are no geologic hazards or unstable soil conditions known to exist on the site. The existing topography is flat with no apparent unique or significant land forms such as vernal pools. Development of the property requires compliance with grading and drainage standards of the City of Fresno and the Fresno Metropolitan Flood Control District Standards. Grade differentials at property lines must be limited to one foot or less, or a cross-drainage covenant must be executed with affected adjoining property owners.

Fresno has no known active earthquake faults and is not in any Alquist-Priolo Special Studies Zones. The immediate Fresno area has extremely low seismic activity levels, although shaking may be felt from earthquakes whose epicenters lie to the east, west, and south. Known major faults are over 50 miles distant and include the San Andreas Fault, Coalinga area blind thrust fault(s), and the Long Valley, Owens Valley, and White Wolf/Tehachapi fault systems. The most serious threat to Fresno from a major earthquake in the Eastern Sierra would be flooding that could be caused by damage to dams on the upper reaches of the San Joaquin River.

Fresno is classified by the State as being in a moderate seismic risk zone, Category "C" or "D," depending on the soils underlying the specific location being categorized and that location's proximity to the nearest known fault lines. All new structures are required to conform to current seismic protection standards in the California Building Code. Seismic upgrade/retrofit requirements are imposed on older structures by the City's Development and Resource Management Department as may be applicable to building modification and rehabilitation projects.

Therefore, no adverse environmental effects related to topography, soils or geology are expected as a result of this project.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. GREENHOUSE GAS EMISSIONS -- Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

The proposed project will not occur at a scale or scope with potential to contribute substantially or cumulatively to the generation of greenhouse gas emissions, either directly or indirectly. Under the MEIR and General Plan mitigation measures and policies for reducing all forms of air pollution, levels of greenhouse gases will be reduced along with other regulated air pollutants. At this point in time, detailed analyses and conclusions as to the significance of greenhouse gas emissions and strategies for mitigation are still not feasible, because the legislatively-mandated greenhouse gas inventory benchmarking and the environmental analysis policy formulation tasks are not completed.

The proposed project will not affect greenhouse gas emissions beyond what was analyzed in the Master Environmental Impact Report SCH No. 2012111015 for the Fresno General Plan. Therefore, impacts are less than significant.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. HAZARDS AND HAZARDOUS MATERIAL -- Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X

There are no known existing hazardous material conditions on the subject site and the project is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. No pesticides or hazardous materials are known to exist on the subject site. The project, as proposed, will have no environmental impacts related to potential hazards or hazardous materials as indentified above.

The proposed project is not located within an airport land use plan and would not result in a safety hazard for people residing or working in the project area. The project itself will not generate or use hazardous materials, is not near any wildland fire hazard zones, and poses no interference with the City's or County's Hazard Mitigation Plans or emergency response plans.

Therefore, there will be no impacts related to hazards and hazardous materials.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. HYDROLOGY AND WATER QUALITY -- Would the project:				
a) Violate any water quality standards or waste discharge requirements?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X	
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			X	
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
f) Otherwise substantially degrade water quality?			X	

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j) Inundation by seiche, tsunami, or mudflow?				X

The proposed project will not create impacts to water supply or quality beyond those analyzed in the Master Environmental Impact Report SCH No. 2012111015 for the Fresno General Plan. Fresno General Plan policies require the City to maintain a comprehensive conservation program to help reduce per capita water usage, and include conservation programs such as landscaping standards for drought tolerance, irrigation control devices, leak detection and retrofits, water audits, public education and implementing US Bureau of Reclamation Best Management Practices for water conservation to maintain surface water entitlements.

Implementation of the Fresno General Plan policies, the Kings Basin Integrated Regional Water Management Plan, City of Fresno Urban Water Management Plan, Fresno-Area Regional Groundwater Management Plan, and City of Fresno Metropolitan Water Resource Management Plan and the applicable mitigation measures of approved environmental review documents will address the issues of providing an adequate, reliable, and sustainable water supply for the project's urban domestic and public safety consumptive purposes.

The project will not substantially alter existing drainage patterns of the site or area or substantially increase the rate or amount of runoff in a manner which would result in flooding, exceed planned storm water drainage systems, or provide substantial sources of polluted runoff. Permanent drainage service is available and the project will be required to make improvements to the existing pipeline system to convey runoff safely to existing drainage facilities.

The site is not located within a flood prone or hazard area. The subject site is proposed to be developed at an intensity and scale permitted by the existing planned land use for the subject site. Thus, the proposed development will not facilitate an additional intensification of uses beyond that which already exists or would be allowed by the existing planned land use designation; resulting in additional impacts on water supply from increased demand.

Therefore, hydrology and water quality impacts are less then significant with MEIR mitigation measures incorporated.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
X. LAND USE AND PLANNING - Would the project:				
a) Physically divide an established community?				x
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				x
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				x

The proposed project would not physically divide an established community. The proposed project will not conflict with any applicable land use plan, policy or regulation of the City of Fresno. The subject property is designated as Employment-Office by the Fresno General Plan and the Woodward Park Community Plan. The location of the proposed fitness center is within the C-P *(Administrative and Professional Offices)* zone district where a fitness center is allowed pursuant to Director's Classification No. 111 with approval of a Conditional Use Permit. Director's Classification No. 111 requires the following conditions for location and operation of a fitness center: (1) use is limited to sports courts, aerobics, exercise and weights rooms, gymnasium, swimming pool, snack bar and dining area, and business offices; (2) permitted on sites of 5 or more acres; (3) off-street parking at a rate of 4 spaces per 1,000 square feet; (4) exterior design compatible with surrounding structures; and (5) an outdoor pool must be fenced. The proposed project includes aerobic, exercise

and weight rooms, snack bar and business offices, is on 5.8 acres, and with a building at 45,579 square feet includes 419 parking spaces where 183 are required, 10 bicycle racks, and shade trees.

The C-P zone district conforms to the Employment-Office planned land use designation. The subject sites comprise approximately 5.8 acres and are currently undeveloped and vacant.

The project proposes to construct a new approximately 45,579 square foot fitness center building having a main roof height of 34 feet and towers at 58 feet in height. Fresno Municipal Code Section 12-216.5-D.1.b. requires a Conditional Use Permit for building heights exceeding 35 feet in the C-P zone district pursuant to Section 12-321, Mid Rise and High Rise Ordinance. Staff analysis of the proposed parking found a more than adequate number of parking spaces available to serve the proposed use and existing development. The proposed request will conform to the land use designated of Employment-Office for the site by the Fresno General Plan and is thus in conformance with the applicable land use plan.

No habitat conservation plans or natural community conservation plans in the region pertain to the natural resources that exist on the subject site or in its immediate vicinity.

Therefore, there are no land use and planning impacts.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. MINERAL RESOURCES -- Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				x
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				x

The subject site is not located in an area designated for mineral resource preservation or recovery. Therefore, there are no impacts to mineral resources.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. NOISE -- Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				x
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				x
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				x
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			x	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				x

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

In developed areas of the community, noise conflicts often occur when a noise sensitive land use is located adjacent to a noise generator. Noise in these situations frequently stems from on-site operations, use of outdoor equipment and vehicular traffic. Some land uses, such as residential dwellings, are considered noise sensitive receptors and involve land uses associated with indoor and/or outdoor activities that may be subject to stress and/or significant interference from noise.

The City of Fresno Noise Element of the General Plan identifies the maximum appropriate noise level exposure (for residential land uses) for outdoor activity areas to be 65 dB DNL (decibels A weighted), and for interior living areas a noise level exposure of not more than 45 dB DNL. According to the MEIR No. SCH 2012111015 for the Fresno General Plan, noise will occur from automobile traffic. General Plan Figure NS-2 shows existing and future noise levels along East Shepherd Avenue to the south of the project site at between 65 to 70 decibels. Traffic to and from the project site is anticipated to be heavier during daytime, lessening during nighttime hours.

The "Noise Ordinance of the City of Fresno" (Fresno Municipal Code (FMC) Section 10-101, et seq., hereafter referred to as the "Ordinance") sets forth the criteria for measuring and regulating noise emissions in the City. The Ordinance prohibits any person from making any sound or noise which causes discomfort or annoyance to any reasonable person of normal sensitivity residing or working in the area, unless such noise or sound is specifically authorized by or in accordance with this article.

Ambient noise levels are established by the Ordinance as follows:

LAND USE	TIME	SOUND LEVEL DECIBELS
Residential	2200 to 0700	50
Residential	0700 to 1900	60
Residential	1900 to 2200	55
Commercial	2200 to 0700	60

LAND USE	TIME	SOUND LEVEL DECIBELS
Commercial	0700 to 2200	65
Industrial	Anytime	70

Any noise or sound exceeding the ambient noise level at the property line by more than five decibels shall be deemed or to be prima facie evidence of a violation of Section 10-105 of the FMC. Traffic to the project site is expected to be within the Commercial ranges shown above.

There are existing residential land uses surrounding the project site. Construction of the proposed project will result in a short-term increase in noise levels due to construction. However, this increase in noise will cease once the project is completed. This is not expected to result in a significant impact because this noise will occur during daylight hours, rather than during more noise sensitive periods.

The proposed project will not expose persons to excessive noise levels. Although the project will create additional activity in the area, the project will be required to comply with all noise policies from the Fresno General Plan and noise ordinance of the Fresno Municipal Code. Therefore, there will be no exposure to excessive noise and noise impacts would be less than significant.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. POPULATION AND HOUSING -- Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

The subject site is designated for *employment-office* planned land uses and is zoned C-P *(Administrative and Professional Offices)*. Although the project will be intensifying the use of the currently undeveloped site, it has been planned for the proposed use. The proposed project will not either directly or indirectly induce substantial population growth in the area given that no residential use is proposed as part of this project and no infrastructure is being installed beyond that proposed in the General Plan. The proposed project will employ up to 15 persons per shift, fewer at night, providing needed employment in the area. The City of Fresno was impacted by the economic downturn of 2009, with an unemployment rate as high as 12.6%. The proposed project will not displace any people or any residential structures.

Therefore, no population and housing impacts will result from the proposed project beyond what was analyzed in the Master Environmental Impact Report SCH No. 2012111015 for the Fresno General Plan.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. PUBLIC SERVICES --				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?			X	
Police protection?			X	

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Drainage and flood control?			X	
Parks?			X	
Schools?			X	
Other public services?			X	

The project would not substantially indirectly or directly induce population growth. Therefore, it would not be expected to affect the ability of the Fresno Fire Department to respond to calls within its stated response time goals or the Fresno Police Department to respond to calls for service. Fire Stations No. 13 and 17 are located approximately 1.5 miles to the southwest and northeast, respectively from the subject site and the current response time meets the required level of service. Therefore, impacts to fire protection would be less than significant.

The Fresno Metropolitan Flood Control District, in a memo dated September 14, 2015, indicated that permanent drainage service is available provided the developer can verify to the satisfaction of the City that runoff can be safely conveyed to the existing Master Plan inlet. As a condition of project approval, the developer will be required to make improvements to the existing pipeline system or may use a permanent peak reducing facility to eliminate adverse impacts from the proposed development.

Any new commercial/industrial development occurring as a result of a project's approval may ultimately affect the Clovis Unified School District by generating employees and the children of those employees living in the District may need to be housed in District schools. In this circumstance the applicant has stated that the proposed construction will result in approximately 15 new shift employees. The Clovis Unified School District calculates impacts and levies a fee of $0.51 per square foot of commercial space on commercial/industrial development. The proposed construction will result in an approximately 45,579 square foot fitness center for which the developer will be required to pay applicable school fees. Therefore, impacts to schools would be less than significant.

The project would not be expected to result in a significant population increase and would not increase the demand for park facilities. Therefore, there would be no impact to parks.

The proposed project can be adequately served by emergency and public utility services within the vicinity. The performance objectives of the Fresno General Plan and Woodward Park Community Plan have been met. Therefore, the proposed project will not affect public services beyond what was analyzed in the Master Environmental Impact Report SCH No. 2012111015 for the Fresno General Plan.

There are no other public facilities that would be expected to be needed or expanded as a result of the project; therefore impacts would be less than significant.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. RECREATION --				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

The proposed project will not result in the physical deterioration of existing parks or recreational facilities and will not require expansion of existing recreational facilities or affect recreational services beyond what was analyzed in the Master Environmental Impact Report SCH No. 2012111015 for the Fresno General Plan.
Therefore, there will be no impacts to recreation.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. TRANSPORTATION/TRAFFIC -- Would the project:				

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths and mass transit?		x		
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures or other standards established by the county congestion management agency for designated roads or highways?		x		
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?				x
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				x
e) Result in inadequate emergency access?				x

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				x

The proposed project will be served by East Champlain Drive and North Hickory Hill Drive. Adequate employee and customer parking shall be provided.

A "Traffic Impact Study (TIS) for Proposed Fitness Center, East of the intersection of Champlain and Hickory Hill Drives", dated August 5, 2015 was prepared by Peters Engineering Group for the proposed project, which found that current study intersections operate at Level of Service (LOS) B or better during the a.m. and p.m. peak hours. The study found that the proposed project is estimated to generate a maximum of 1,501 average daily trips (65 a.m. and 162 p.m. peak hour trips), with study intersection cumulative with project projected to operate at LOS C during a.m. and LOS E during p.m. peak hours through 2035. Therefore, to mitigate traffic queuing, a traffic signal will be required at the intersection of Champlain and Hickory Hill Drives. The study concluded that the Project will not cause or contribute to a Project-specific or cumulative near-term significant traffic impact based on intersection LOS criteria.

The City of Fresno Public Works Department, on September 1, 2015, approved the "Traffic Impact Study for Proposed Fitness Center, East of the intersection of Champlain and Hickory Hill Drives" and required the applicant to make necessary improvements and right-of-way and public easement dedications along adjacent streets and within site boundaries per City of Fresno standards/requirements, pay Traffic Signal Mitigation Impact (TSMI) Fee, Fresno Major Street Impact (FMSI) Fee, and Regional Transportation Mitigation Fee (RTMF) adopted by the City of Fresno to implement mitigation measures contained in the MEIR SCH No. 2012111015, Fresno General Plan, and construct a traffic signal at the intersection of Champlain and Hickory Hill Drives.

Therefore, although an increase in traffic is expected as a result of the project, with project specific mitigation and MEIR mitigation, no significant impacts to traffic or transportation will result from the project.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the transportation and traffic related mitigation measures as identified in the attached Master Environmental Impact Report No. SCH 2012111015 Fresno General Plan Mitigation Monitoring Checklist dated

October 20, 2015.

2. The proposed project shall implement and incorporate, as applicable, the traffic related mitigation measures as noted in the attached Project Specific Monitoring Checklist dated October 20, 2015.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. UTILITIES AND SERVICE SYSTEMS -- Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				x
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				x
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			x	
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				x
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				x

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X

The City's Department of Public Utilities (DPU) has reviewed the proposed project and has determined that water service facilities located at North Hickory Hill Drive (per memo dated August 5, 2015) and sewer facilities located at East Greenwich Avenue (per memo dated August 14, 2015) are available to provide service to the site. DPU, Solid Waste indicated the project site will be serviced by a Commercial Solid Waste Franchise (per memo dated August 17, 2015). Therefore, with MEIR mitigation provided, the proposed project will have a less than significant impact on utilities.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVIII. MANDATORY FINDINGS OF 1SIGNIFICANCE --				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?				X
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X

The proposed project for the GB III Fitness Center located at the corner of East Champlain and North Hickory Hill Drives will occur at a size and scope which is neither a direct or indirect detriment to the quality of the environment through reductions in habitat, populations, or examples of local history (through either individual or cumulative impacts).

As noted in preceding sections of this Initial Study, there is no evidence in the record to indicate that incremental environmental impacts facilitated by this project would be cumulatively significant. There is also no evidence in the record that the proposed project would have any adverse impacts directly, or indirectly, on human beings. Therefore, there are no mandatory findings of significance.

EXHIBIT B

EXHIBIT A

City of Fresno General Plan Mitigation and Monitoring Reporting Program (MMRP) for Environmental Assessment No. C-15-104

Conducted for Conditional Use Permit Application No. C-15-104, October 20, 2015

PURSUANT TO CERTIFIED MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) SCH No. 2012111015

This mitigation measure monitoring and reporting checklist was prepared pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15097 and Section 21081.6 of the Public Resources Code (PRC). It was certified as part of the Fresno City Council's approval of the MEIR for the Fresno General Plan update (Fresno City Council Resolution 2014-225, adopted December 18, 2014).

Letter designations to the right of each MEIR mitigation measure listed in this Exhibit note how the mitigation measure relates to the environmental assessment of the above-listed project, according to the key found at right and at the bottoms of the following pages:

A - Incorporated into Project
B - Mitigated
C - Mitigation in Progress
D - Responsible Agency Contacted
E - Part of City-wide Program
F - Not Applicable

The timing of implementing each mitigation measure is identified in in the checklist, as well as identifies the entity responsible for verifying that the mitigation measures applied to a project are performed. Project applicants are responsible for providing evidence that mitigation measures are implemented. As lead agency, the City of Fresno is responsible for verifying that mitigation is performed/completed.

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Section 5.1 - Aesthetics:								
MM AES-1. Lighting systems for street and parking areas shall include shields to direct light to the roadway surfaces and parking areas. Vertical shields on the light fixtures shall also be used to direct light away from adjacent light sensitive land uses such as residences. **Verification comments:**	Prior to issuance of building permits	Public Works Department (PW) and Development & Resource Management Dept. (DARM)	X	X				

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Aesthetics *(continued)*:								
MM AES-2: Lighting systems for public facilities such as active play areas shall provide adequate illumination for the activity; however, low intensity light fixtures and shields shall be used to minimize spillover light onto adjacent properties. **Verification comments:**	Prior to issuance of building permits	DARM						X
MM AES-3: Lighting systems for non-residential uses, not including public facilities, shall provide shields on the light fixtures and orient the lighting system away from adjacent properties. Low intensity light fixtures shall also be used if excessive spillover light onto adjacent properties will occur. **Verification comments:**	Prior to issuance of building permits	DARM	X	X				
MM AES-4: Lighting systems for freestanding signs shall not exceed 100 foot Lamberts (FT-L) when adjacent to streets which have an average light intensity of less than 2.0 horizontal footcandles and shall not exceed 500 FT-L when adjacent to streets which have an average light intensity of 2.0 horizontal footcandles or greater **Verification comments:**	Prior to issuance of building permits	DARM	X	X				

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Aesthetics *(continued)*:								
MM AES-5: Materials used on building facades shall be non-reflective. **Verification comments:**	Prior to development project approval	DARM	X	X				
Section 5.3 - Air Quality:								
MM AIR-1: Projects that include five or more heavy-duty truck deliveries per day with sensitive receptors located within 300 feet of the truck loading area shall provide a screening analysis to determine if the project has the potential to exceed criteria pollutant concentration based standards and thresholds for NO2 and PM2.5. If projects exceed screening criteria, refined dispersion modeling and health risk assessment shall be accomplished and if needed, mitigation measures to reduce impacts shall be included in the project to reduce the impacts to the extent feasible. Mitigation measures include but are not limited to: • Locate loading docks and truck access routes as far from sensitive receptors as reasonably possible considering site design limitations to comply with other City design standards. • Post signs requiring drivers to limit idling to 5 minutes or less. **Verification comments:**	Analysis to be completed prior to-development project approval; posting of signs to be completed prior to use of truck unloading/ loading areas	DARM						X

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Air Quality *(continued)*:								
MM AIR-2: Projects that result in an increased cancer risk of 10 in a million or exceed criteria pollutant ambient air quality standards shall implement site-specific measures that reduce toxic air contaminant (TAC) exposure to reduce excess cancer risk to less than 10 in a million. Possible control measures include but are not limited to: • Locate loading docks and truck access routes as far from sensitive receptors as reasonably possible considering site design limitations to comply with other City design standards. • Post signs requiring drivers to limit idling to 5 minutes or less • Construct block walls to reduce the flow of emissions toward sensitive receptors • Install a vegetative barrier downwind from the TAC source that can absorb a portion of the diesel PM emissions • For projects proposing to locate a new building containing sensitive receptors near existing sources of TAC emissions, install HEPA filters in HVAC systems to reduce TAC emission levels exceeding risk thresholds. • Install heating and cooling services at truck stops to eliminate the need for idling during overnight stops to run onboard systems. *(continued on next page)*	Control measures to be incorporated into project design prior to development project approval	DARM	X	X				

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Air Quality *(continued)*:								
MM AIR-2 *(continued from previous page)*: • For large distribution centers where the owner controls the vehicle fleet, provide facilities to support alternative fueled trucks powered by fuels such as natural gas or bio-diesel • Utilize electric powered material handling equipment where feasible for the weight and volume of material to be moved. **Verification comments:**	*[see previous page]*	*[see previous page]*						
MM AIR-3: Require developers proposing projects on ARB's list of projects in its Air Quality and Land Use Handbook (Handbook) warranting special consideration to prepare a cumulative health risk assessment when sensitive receptors are located within the distance screening criteria of the facility as listed in the ARB Handbook or newer regulatory criteria that may be adopted by the San Joaquin Valley Air Pollution Control District (SJVAPCD).. **Verification comments:**	Prior to development project approval	DARM	X	X				

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Air Quality *(continued)*:								
MM AIR-4: Require developers of projects containing sensitive receptors to provide a cumulative health risk assessment at project locations exceeding ARB Land Use Handbook distance screening criteria or newer regulatory criteria that may be adopted by the San Joaquin Valley Air Pollution Control District (SJVAPCD). **Verification comments:**	Prior to development project approval	DARM	X	X				
MM AIR-5: Require developers of projects with the potential to generate significant odor impacts as determined through review of SJVAPCD odor complaint history for similar facilities and consultation with the SJVAPCD to prepare an odor impact assessment and to implement odor control measures recommended by the SJVAPCD or the City to the extent needed to reduce the impact to less than significant. **Verification comments:**	Prior to development project approval	DARM	X	X				

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Biological Resources:								
MM BIO-1: Construction of a proposed project should avoid, where possible, vegetation communities that provide suitable habitat for a special-status species known to occur within the Planning Area. If construction within potentially suitable habitat must occur, the presence/absence of any special-status plant or wildlife species must be determined prior to construction, to determine if the habitat supports any special-status species. If a special-status species are determined to occupy any portion of a project site, avoidance and minimization measures shall be incorporated into the construction phase of a project to avoid direct or incidental take of a listed species to the greatest extent feasible. **Verification comments:**	Prior to development project approval and during the construction phase of the project	DARM						X
MM BIO-2: Direct or incidental take of any state or federally listed species should be avoided to the greatest extent feasible. If construction of a proposed project will result in the direct or incidental take of a listed species, consultation with the resources agencies and/or additional permitting may be required. Agency consultation through the California Department of Fish and Wildlife (CDFW) 2081 and U.S. Fish and Wildlife Service (USFWS) Section 7 or Section 10 permitting processes must take place prior to any action that *(continued on next page)*	Prior to development project approval	DARM						X

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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Biological Resources *(continued)*:								
MM BIO-2 *(continued from previous page)* may result in the direct or incidental take of a listed species. Specific mitigation measures for direct or incidental impacts to a listed species will be determined on a case-by-case basis through agency consultation. **Verification comments:**	*[see previous page]*	*[see previous page]*						
MM BIO-3: Development within the Planning Area should avoid, where possible, special-status natural communities and vegetation communities that provide suitable habitat for special-status species. If a proposed project will result in the loss of a special-status natural community or suitable habitat for special-status species, compensatory habitat-based mitigation is required under CEQA and the California Endangered Species Act (CESA). Mitigation will consist of preserving on-site habitat, restoring similar habitat or purchasing off-site credits from an approved mitigation bank. Compensatory mitigation will be determined through consultation with the City and/or resource agencies. An appropriate mitigation strategy and ratio will be agreed upon by the developer and lead agency to reduce project impacts to special-status natural communities to a less than significant *(continued on next page)*	Prior to development project approval	DARM						X

A - Incorporated into Project
B - Mitigated
C - Mitigation in Process
D - Responsible Agency Contacted
E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Biological Resources *(continued)*:								
MM BIO-3 *(continued from previous page)*: level. Agreed-upon mitigation ratios will depend on the quality of the habitat and presence/absence of a special-status species. The specific mitigation for project level impacts will be determined on a case-by-case basis. **Verification comments:**	*[see previous page]*	*[see previous page]*						
MM BIO-4: Proposed projects within the Planning Area should avoid, if possible, construction within the general nesting season of February through August for avian species protected under Fish and Game Code 3500 and the Migratory Bird Treaty Act (MBTA), if it is determined that suitable nesting habitat occurs on a project site. If construction cannot avoid the nesting season, a pre-construction clearance survey must be conducted to determine if any nesting birds or nesting activity is observed on or within 500-feet of a project site. If an active nest is observed during the survey, a biological monitor must be on site to ensure that no proposed project activities would impact the active nest. A suitable buffer will be established around the active nest until the nestlings have fledged and the nest is no longer active. Project activities *(continued on next page)*	Prior to development project approval and during construction activities	DARM						X

A - Incorporated into Project
B - Mitigated
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D - Responsible Agency Contacted
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Biological Resources *(continued)*:								
BIO-4 *(continued from previous page)*: may continue in the vicinity of the nest only at the discretion of the biological monitor. **Verification comments:**	*[see previous page]*	*[see previous page]*						
MM BIO-5: If a proposed project will result in the removal or impact to any riparian habitat and/or a special-status natural community with potential to occur in the Planning Area, compensatory habitat-based mitigation shall be required to reduce project impacts. Compensatory mitigation must involve the preservation or restoration or the purchase of off-site mitigation credits for impacts to riparian habitat and/or a special-status natural community. Mitigation must be conducted in-kind or within an approved mitigation bank in the region. The specific mitigation ratio for habitat-based mitigation will be determined through consultation with the appropriate agency (*i.e.*, CDFW and/or USFWS) on a case-by-case basis. **Verification comments:**	Prior to development project approval	DARM						X

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Biological Resources *(continued)*:								
MM BIO-6: Project impacts that occur to riparian habitat may also result in significant impacts to streambeds or waterways protected under Section 1600 of Fish and Wildlife Code and Section 404 of the CWA. CDFW and/or consultation with the U.S. Army Corps of Engineers (USACE) and the Regional Water Quality Control Board (RWQCB), determination of mitigation strategy, and regulatory permitting to reduce impacts, shall be implemented as required for projects that remove riparian habitat and/or alter a streambed or waterway. **Verification comments:**	Prior to development project approval	DARM						X
MM BIO-7: Project-related impacts to riparian habitat or a special-status natural community may result in direct or incidental impacts to special-status species associated with riparian or wetland habitats. Project impacts to special-status species associated with riparian habitat shall be mitigated through agency consultation, development of a mitigation strategy, and/or issuing incidental take permits for the specific special-status species, as determined by the CDFW and/or USFWS. **Verification comments:**	Prior to development project approval	DARM						X

A - Incorporated into Project
B - Mitigated
C - Mitigation in Process
D - Responsible Agency Contacted
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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Biological Resources *(continued)*:								
MM BIO-8: If a proposed project will result in the significant alteration or fill of a federally protected wetland, a formal wetland delineation conducted according to U.S. Army Corps of Engineers (USACE) accepted methodology is required for each project to determine the extent of wetlands on a project site. The delineation shall be used to determine if federal permitting and mitigation strategy are required to reduce project impacts. Acquisition of permits from USACE for the fill of wetlands and USACE approval of a wetland mitigation plan would ensure a "no net loss" of wetland habitat within the Planning Area. Appropriate wetland mitigation/creation shall be implemented in a ratio according to the size of the impacted wetland. . **Verification comments:**	Prior to development project approval	DARM						X
MM BIO-9: In addition to regulatory agency permitting, Best Management Practices (BMPs) identified from a list provided by the USACE shall be incorporated into the design and construction phase of the project to ensure that no pollutants or siltation drain into a federally protected wetland. Project design features such as fencing, appropriate drainage and *(continued on next page)*	Prior to development project approval; but for long-term operational BMPs, prior to issuance of occupancy	DARM	X	X				

A - Incorporated into Project
B - Mitigated
C - Mitigation in Process
D - Responsible Agency Contacted
E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Biological Resources *(continued)*:								
MM BIO-9 *(continued from previous page)*: incorporating detention basins shall assist in ensuring project-related impacts to wetland habitat are minimized to the greatest extent feasible. **Verification comments:**	*[see previous page]*	*[see previous page]*						
Section 5.5 - Cultural Resources:								
MM CUL-1: If previously unknown resources are encountered before or during grading activities, construction shall stop in the immediate vicinity of the find and a qualified historical resources specialist shall be consulted to determine whether the resource requires further study. The qualified historical resources specialist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines and the City's Historic Preservation Ordinance. If the resources are determined to be unique historical resources as defined under Section 15064.5 of the CEQA Guidelines, measures shall be identified by the monitor and *(continued on next page)*	Prior to commencement of, and during, construction activities	DARM	X	X				

A - Incorporated into Project
B - Mitigated
C - Mitigation in Process
D - Responsible Agency Contacted
E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Cultural Resources *(continued)*:								
MM CUL-1 *(continued from previous page)* recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these Any historical artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-germ preservation to allow future scientific study. **Verification comments:**	*[see previous page]*	*[see previous page]*						
MM CUL-2: Subsequent to a preliminary City review of the project grading plans, if there is evidence that a project will include excavation or construction activities within previously undisturbed soils, a field survey and literature search for prehistoric archaeological resources shall be conducted. The following procedures shall be followed. If prehistoric resources are not found during either the field survey or literature search, excavation and/or construction activities can commence. In the event that buried prehistoric *(continued on next page)*	Prior to commencement of, and during, construction activities	DARM	X	X				

A - Incorporated into Project
B - Mitigated
C - Mitigation in Process
D - Responsible Agency Contacted
E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Cultural Resources *(continued)*:								
MM CUL-2 *(continued from previous page)* archaeological resources are discovered during excavation and/or construction activities, construction shall stop in the immediate vicinity of the find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. The qualified archaeologist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with CEQA Guidelines Section 15064.5. If the resources are determined to be unique prehistoric archaeological resources as defined under Section 15064.5 of the CEQA Guidelines, mitigation measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any prehistoric archaeological artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of *(continued on next page)*	*[see previous page]*	*[see previous page]*						

A - Incorporated into Project
B - Mitigated
C - Mitigation in Process
D - Responsible Agency Contacted
E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Cultural Resources *(continued)*:								
MM CUL-2 *(further continued from previous two pages)* providing long-term preservation to allow future scientific study. If prehistoric resources are found during the field survey or literature review, the resources shall be inventoried using appropriate State record forms and submit the forms to the Southern San Joaquin Valley Information Center. The resources shall be evaluated for significance. If the resources are found to be significant, measures shall be identified by the qualified archaeologist. Similar to above, appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. In addition, appropriate mitigation for excavation and construction activities in the vicinity of the resources found during the field survey or literature review shall include an archaeological monitor. The monitoring period shall be determined by the qualified archaeologist. If additional prehistoric archaeological resources are found during excavation and/or construction activities, the procedure *(continued on next page)*	*[see Page 15]*	*[see Page 15]*						

Cultural Resources *(continued)*:

A - Incorporated into Project
B - Mitigated
C - Mitigation in Process
D - Responsible Agency Contacted
E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
MM CUL-2 *(further continued from previous three pages)* identified above for the discovery of unknown resources shall be followed. . **Verification comments:**	*[see Page 14]*	*[see Page 14]*						
MM CUL-3: Subsequent to a preliminary City review of the project grading plans, if there is evidence that a project will include excavation or construction activities within previously undisturbed soils, a field survey and literature search for unique paleontological/geological resources shall be conducted. The following procedures shall be followed: If unique paleontological/geological resources are not found during either the field survey or literature search, excavation and/or construction activities can commence. In the event that unique paleontological/geological resources are discovered during excavation and/or construction activities, construction shall stop in the immediate vicinity of the find and a qualified paleontologist shall be consulted to determine whether the resource requires further study. The qualified paleontologist shall make recommendations to the City on the *(continued on next page)*	Prior to commencement of, and during, construction activities	DARM	X	X				

A - Incorporated into Project
B - Mitigated
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E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Cultural Resources *(continued)*:								
MM CUL-3 *(continued from previous page)* measures that shall be implemented to protect the discovered resources, including but not limited to, excavation of the finds and evaluation of the finds. If the resources are determined to be significant, mitigation measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any paleontological/geological resources recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study. If unique paleontological/geological resources are found during the field survey or literature review, the resources shall be inventoried and evaluated for significance. If the resources are found to be significant, mitigation measures shall be identified by the qualified paleontologist. Similar to above, appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery *(continued on next page)*	*[see previous page]*	*[see previous page]*						

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Cultural Resources *(continued)*:								
MM CUL-3 *(further continued from previous two pages)* excavations of the finds. In addition, appropriate mitigation for excavation and construction activities in the vicinity of the resources found during the field survey or literature review shall include a paleontological monitor. The monitoring period shall be determined by the qualified paleontologist. If additional paleontological/geological resources are found during excavation and/or construction activities, the procedure identified above for the discovery of unknown resources shall be followed. **Verification comments:**	*[see Page 17]*	*[see Page 17]*						
MM CUL-4: In the event that human remains are unearthed during excavation and grading activities of any future development project, all activity shall cease immediately. Pursuant to Health and Safety Code (HSC) Section 7050.5, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98(a). If the remains are determined to be of Native American descent, the coroner shall within 24 hours notify the Native American Heritage Commission (NAHC). The NAHC shall then contact the most *(continued on next page)*	Prior to commencement of, and during, construction activities	DARM	X	X				

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Cultural Resources *(continued)*:								
MM CUL-4 *(continued from previous page)* likely descendent of the deceased Native American, who shall then serve as the consultant on how to proceed with the remains. Pursuant to PRC Section 5097.98(b), upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located is not damaged or disturbed by further development activity until the landowner has discussed and conferred with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and confer with the descendants all reasonable options regarding the descendants' preferences for treatment. **Verification comments:**	*[see previous page]*	*[see previous page]*						

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Section 5.8 - Hazards and Hazardous Materials								
MM HAZ-1: Re-designate the existing vacant land proposed for low density residential use, located northwest of the intersection of East Garland Avenue and North Dearing Avenue and within Fresno Yosemite International Airport Zone 1-RPZ, to Open Space. **Verification comments:**	Prior to development approvals	DARM						X
MM HAZ-2: Limit the proposed low density residential ~~at~~ (1 to 3 dwelling units per acre) located northwest of the airport, and located within Fresno Yosemite International Airport Zone 3-Inner Turning Area, to 2 dwelling units per acre or less. **Verification comments:**	Prior to development approvals	DARM						X
MM HAZ-3: Re-designate the current area located within Fresno Yosemite International Airport Zone 5-Sideline northeast of the airport to Public Facilities-Airport or Open Space. **Verification comments:**	Prior to development approvals	DARM						X

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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Hazards and Hazardous Materials *(continued)*:								
MM HAZ-4: Re-designate the current vacant lots located at the northeast corner of Kearney Boulevard and South Thorne Avenue to Public Facilities-Airport or Open Space. **Verification comments:**	Prior to development approvals	DARM						X
MM HAZ-5: Prohibit residential uses within Safety Zone 1 northwest of the Hawes Avenue and South Thorne Avenue intersection. **Verification comments:**	Prior to development approvals	DARM						X
MM HAZ-6: Establish an alternative Emergency Operations Center in the event the current Emergency Operations Center is under redevelopment or blocked. **Verification comments:**	Prior to redevelopment of the current Emergency Operations Center	Fresno Fire Department and Mayor/ City Manager's Office					X	

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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Section 5.9 - Hydrology and Water Quality:								
MM HYD-1: The City shall develop and implement water conservation measures to reduce the per capita water use to 215 gallons per capita per day. **Verification comments:**	Prior to water demand exceeding water supply	Department of Public Utilities (DPU)					X	
MM HYD-2: The City shall continue to be an active participant in the Kings Water Authority and the implementation of the Kings Basin IRWMP. **Verification comments:**	Ongoing	DPU					X	
MM HYD-5.1: The City and partnering agencies shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan collection systems to less than significant. • Implement the existing Storm Drainage Master Plan (SDMP) for collection systems in drainage areas where the amount of imperviousness is unaffected by the change in land uses. *(continued on next page)*	Prior to exceedance of capacity of existing stormwater drainage facilities	Fresno Metropolitan Flood Control District (FMFCD), DARM, and PW		X			X	

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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Hydrology and Water Quality *(continued)*:								
HYD-5.1 *(continued from previous page)* • Update the SDMP in those drainage areas where the amount of imperviousness increased due to the change in land uses to determine the changes in the collection systems that would need to occur to provide adequate capacity for the stormwater runoff from the increased imperviousness. • Implement~~ation~~ ~~of~~ the updated SDMP to provide stormwater collection systems that have sufficient capacity to convey the peak runoff rates from the areas of increased imperviousness. Require developments that increase site imperviousness to install, operate, and maintain FMFCD approved on-site detention systems to reduce the peak runoff rates resulting from the increased imperviousness to the peak runoff rates that will not exceed the capacity of the existing stormwater collection systems. **Verification comments:**	*[see previous page]*	*[see previous page]*						

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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Hydrology and Water Quality *(continued)*:								
MM HYD-5.2: The City and partnering agencies shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan retention basins to less than significant: Consult the SDMP to analyze the impacts to existing and planned retention basins to determine remedial measures required to reduce the impact on retention basin capacity to less than significant. Remedial measures would include: • Increase the size of the retention basin through the purchase of more land or deepening the basin or a combination for planned retention basins. • Increase the size of the emergency relief pump capacity required to pump excess runoff volume out of the basin and into adjacent canal that convey the stormwater to a disposal facility for existing retention basins. • Require developments that increase runoff volume to install, operate, and maintain, Low Impact Development (LID) measures to reduce runoff volume to the runoff volume that will not exceed the capacity of the existing retention basins. **Verification comments:**	Prior to exceedance of capacity of existing retention basin facilities	FMFCD, DARM, and PW		X			X	

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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Hydrology and Water Quality *(continued)*:								
MM HYD-5.3: The City and partnering agencies shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan urban detention (stormwater quality) basins to less than significant. Consult the SDMP to determine the impacts to the urban detention basin weir overflow rates and determine remedial measures required to reduce the impact on the detention basin capacity to less than significant. Remedial measures would include: • Modify overflow weir to maintain the suspended solids removal rates adopted by the FMFCD Board of Directors. • Increase the size of the urban detention basin to increase residence time by purchasing more land. The existing detention basins are already at the adopted design depth. • Require developments that increase runoff volume to install, operate, and maintain, Low Impact Development (LID) measures to reduce peak runoff rates and runoff volume to the runoff rates and volumes that will not exceed the weir overflow rates of the existing urban detention basins. **Verification comments:**	Prior to exceedancesof capacity of existing urban detention basin (stormwater quality) facilities	FMFCD, DARM, and PW		X			X	

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B - Mitigated
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D - Responsible Agency Contacted
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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Hydrology and Water Quality *(continued)*:								
MM HYD-5.4: The City shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan pump disposal systems to less than significant. • Consult the SDMP to determine the extent and degree to which the capacity of the existing pump system will be exceeded. • Require new developments to install, operate, and maintain FMFCD design standard on-site detention facilities to reduce peak stormwater runoff rates to existing planned peak runoff rates. • Provide additional pump system capacity to maximum allowed by existing permitting to increase the capacity to match or exceed the peak runoff rates determined by the SDMP ~~update~~. **Verification comments:**	Prior to exceedance of capacity of existing pump disposal systems	FMFCD, DARM, and PW		X			X	

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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Hydrology and Water Quality *(continued)*:								
MM HYD-5.5: The City shall work with FMFCD to develop and adopt an update to the SDMP for the Southeast Development Area that ~~is~~ would be adequately designed to collect, convey and dispose of runoff at the rates and volumes which would be generated by the planned land uses in that area. **Verification comments:**	Prior to development approvals in the Southeast Development Area	FMFCD, DARM, and PW					X	X
Section 5.13 - Public Services:								
MM PS-1: As future fire facilities are planned, the fire department shall evaluate if specific environmental effects would occur. Typical impacts from fire facilities include noise, traffic, and lighting. Typical mitigation to reduce these impacts includes: • *Noise:* Barriers and setbacks on the fire department sites. • *Traffic:* Traffic devices for circulation and a "keep clear zone" during emergency responses. • *Lighting:* Provision of hoods and deflectors on lighting fixtures on the fire department sites. **Verification comments:**	During the planning process for future fire department facilities	DARM						X

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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Public Services *(continued)*:								
MM PS-2: As future police facilities are planned, the Police Department shall evaluate if specific environmental effects would occur. Typical impacts from police facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts from police department facilities includes: • *Noise:* Barriers and setbacks on the police department sites. • *Traffic:* Traffic devices for circulation. • *Lighting:* Provision of hoods and deflectors on lighting fixtures on the Police Department sites. **Verification comments:**	During the planning process for future Police Department facilities	DARM						X
MM PS-3: As future public and private school facilities are planned, school districts shall evaluate if specific environmental effects would occur with regard to public schools, and DARM shall evaluate other school facilities. Typical impacts from school facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts from school facilities includes: *(continued on next page)*	During the planning process for future school facilities	DARM, local school districts, and the Division of the State Architect						X

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B - Mitigated
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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Public Services *(continued)*:								
MM PS-3 *(continued from previous page)* • *Noise*: Barriers and setbacks placed on school sites. • *Traffic*: Traffic devices for circulation. • *Lighting*: Provision of hoods and deflectors on lighting fixtures for stadium lights. **Verification comments:**	*[see previous page]*	*[see previous page]*						
MM PS-4: As future parks and recreational facilities are planned, the City shall evaluate if specific environmental effects would occur. Typical impacts from parks and recreational facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts from these facilities includes: • *Noise*: Barriers and setbacks placed on school sites. • *Traffic*: Traffic devices for circulation. • *Lighting*: Provision of hoods and deflectors on lighting fixtures for outdoor play area/field lights. **Verification comments:**	During the planning process for future park and recreation facilities	DARM						X

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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Public Services *(continued)*:								
MM PS-5: As future court, library, detention, and hospital facilities are planned, the appropriate agencies and DARM, when the City has jurisdiction, shall evaluate if specific environmental effects would occur. Typical impacts from court, library, detention, and hospital facilities include noise, traffic, and lighting. Typical mitigation to reduce these potential impacts includes: • *Noise:* Barriers and setbacks placed on school sites. • *Traffic:* Traffic devices for circulation. • *Lighting:* Provision of hoods and deflectors on outdoor lighting fixtures **Verification comments:**	During the planning process for future detention, court, library, and hospital facilities	DARM, to the extent that agencies approving/ constructing these facilities are subject to City of Fresno regulation						X
Section 5.15 - Utilities and Service Systems								
MM USS-1: The City shall develop and implement a wastewater master plan update. **Verification comments:**	Prior to wastewater conveyance and treatment demand exceeding capacity	DPU					X	

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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems *(continued)*:								
MM USS-2: Prior to exceeding existing wastewater treatment capacity, the City shall evaluate the wastewater system and shall not approve additional development that contributes wastewater to the wastewater treatment facility that could exceed capacity until additional capacity is provided. By approximately the year 2025, the City shall construct the following improvements: • Construct an approximately 70 MGD expansion of the Regional Wastewater Treatment and Reclamation Facility and obtain revised waste discharge permits as the generation of wastewater is increased. • Construct an approximately 0.49 MGD expansion of the North Facility and obtain revised waste discharge permits as the generation of wastewater is increased. **Verification comments:**	Prior to exceeding existing wastewater treatment capacity	DPU					X	X
MM USS-3: Prior to exceeding existing wastewater treatment capacity, the City shall evaluate the wastewater system and shall not approve additional development that contributes wastewater to the wastewater treatment facility that could exceed capacity until additional capacity is provided. *(continued on next page)*	Prior to exceeding existing wastewater treatment capacity	DPU					X	X

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems *(continued)*:								
MM USS-3 *(continued from previous page)*: After approximately the year 2025, the City shall construct the following improvements: • Construct an approximately 24 MGD wastewater treatment facility within the Southeast Development Area and obtain revised waste discharge requirements as the generation of wastewater is increased. • Construct an approximately 9.6 MGD expansion of the Regional Wastewater Treatment and Reclamation Facility and obtain revised waste discharge permits as the generation of wastewater is increased. **Verification comments:**	*[see previous page]*	*[see previous page]*						
MM USS-4: Prior to construction, a Traffic Control/Traffic Management Plan to address traffic impacts during construction of water and sewer facilities shall be prepared and implemented, subject to approval by the City (and Fresno County, when work is being done in unincorporated area roadways). The plan shall identify hours of construction and for deliveries, haul routes, access and parking restrictions, pavement markings and signage; and it shall include the *(continued on next page)*	Prior to construction of water and sewer facilities	PW for work in the City; PW and Fresno County Public Works when unincorporated area roadways are involved	X	X				

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems *(continued)*:								
MM USS-4 *(continued from previous page)*: notification plan, and coordination with emergency service providers and schools. **Verification comments:**	*[see previous page]*	*[see previous page]*						
MM USS-5: Prior to exceeding capacity within the existing wastewater collection system facilities, the City shall evaluate the wastewater collection system and shall not approve additional development that would generate additional wastewater and exceed the capacity of a facility until additional capacity is provided. By approximately the year 2025, the following capacity improvements shall be provided. • Orange Avenue Trunk Sewer: This facility shall be improved between Dakota and Jensen Avenues. Approximately 37,240 feet of new sewer main shall be installed and approximately 5,760 feet of existing sewer main shall be rehabilitated. The size of the new sewer main shall range from 27 inches to 42 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are RS03A, RL02, C01-REP, C02-REP, C03-REP, C04-REP, C05-REP, C06-REL and C07-REP. *(continued on next page)*	Prior to exceeding capacity within the existing wastewater collection system facilities	DPU						X

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems *(continued)*:								
MM USS-5 *(continued from previous page)* • Marks Avenue Trunk Sewer: This facility shall be improved between Clinton Avenue and Kearney Boulevard. Approximately 12,150 feet of new sewer main shall be installed. The size of the new sewer main shall range from 33 inches to 60 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CM1-REP and CM2-REP. • North Avenue Trunk Sewer: This facility shall be improved between Polk and Fruit Avenues and also between Orange and Maple Avenues. Approximately 25,700 feet of new sewer main shall be installed. The size of the new sewer main shall range from 48 inches to 66 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CN1-REL1 and CN3-REL1. • Ashlan Avenue Trunk Sewer: This facility shall be improved between Hughes and West Avenues and also between Fruit and Blackstone Avenues. Approximately 9,260 feet of new sewer main shall be installed. The size of the new sewer main shall range from 24 inches *(continued on next page)*	*[see previous page]*	*[see previous page]*						

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems *(continued)*:								
MM USS-5 *(further continued from previous two pages)*: to 36 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CA1-REL and CA2-REP. **Verification comments:**	*[see Page 34]*	*[see Page 34]*						
MM USS-6: Prior to exceeding capacity within the existing 28 pipeline segments shown in Figures 1 and 2 in MEIR Appendix J-1, the City shall evaluate the wastewater collection system and shall not approve additional development that would generate additional wastewater and exceed the capacity of one of the 28 pipeline segments until additional capacity is provided. **Verification comments:**	Prior to exceeding capacity within the existing 28 pipeline segments shown in Figures 1 and 2 in Appendix J-1 of the MEIR	DPU						X
MM USS-7: Prior to exceeding existing water supply capacity, the City shall evaluate the water supply system and shall not approve additional development that would demand additional water until additional capacity is provided. By approximately the year 2025, the following capacity improvements shall be provided. *(continued on next page)*	Prior to exceeding existing water supply capacity	DPU		X			X	

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems *(continued)*:								
USS-7 *(continued from previous page)* • Construct an approximately 80 million gallon per day (MGD) surface water treatment facility near the intersection of Armstrong and Olive Avenues, in accordance with Chapter 9 and Figure 9-1 of the City of Fresno Metropolitan Water Resources Management Plan Update (2014 Metro Plan Update) Phase 2 Report, dated January 2012. • Construct an approximately 30 MGD expansion of the existing northeast surface water treatment facility for a total capacity of 60 MGD, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct an approximately 20 MGD surface water treatment facility in the southwest portion of the City, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. **Verification comments:**	*[see previous page]*	*[see previous page]*						

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems *(continued)*:								
MM USS-8: Prior to exceeding capacity within the existing water conveyance facilities, the City shall evaluate the water conveyance system and shall not approve additional development that would demand additional water and exceed the capacity of a facility until additional capacity is provided. The following capacity improvements shall be provided by approximately 2025. • Construct 65 new groundwater wells, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct a 2.0 million gallon potable water reservoir (Reservoir T2) near the intersection of Clovis and California Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct a 3.0 million gallon potable water reservoir (Reservoir T3) near the intersection of Temperance and Dakota Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. *(continued on next page)*	Prior to exceeding capacity within the existing water conveyance facilities	DPU		X			X	

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems *(continued)*:								
MM USS-8 *(continued from previous page)* • Construct a 3.0 million gallon potable water reservoir (Reservoir T4) in the Downtown Planning Area, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct a 4.0 million gallon potable water reservoir (Reservoir T5) near the intersection of Ashlan and Chestnut Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct a 4.0 million gallon potable water reservoir (Reservoir T6) near the intersection of Ashlan Avenue and Highway 99, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct 50.3 miles of regional water transmission mains ranging in size from 24-inch to 48-inch diameter, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct 95.9 miles of 16-inch diameter transmission grid mains, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. **Verification comments:**	*[see previous page]*	*[see previous page]*						

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems *(continued)*:								
MM USS-9: Prior to exceeding capacity within the existing water conveyance facilities, the City shall evaluate the water conveyance system and shall not approve additional development that would demand additional water and exceed the capacity of a facility until additional capacity is provided. The following capacity improvements shall be provided after approximately the year 2025 and additional water conveyance facilities shall be provided prior to exceedance of capacity within the water conveyance facilities to accommodate full buildout of the General Plan Update. • Construct a 4.0 million gallon potable water reservoir (SEDA Reservoir 1) within the northern part of the Southeast Development Area. • Construct a 4.0 million gallon potable water reservoir (SEDA Reservoir 2) within the southern part of the Southeast Development Area. Additional water conveyance facilities shall be provided prior to exceedance of capacity within the water conveyance facilities to accommodate full buildout of the General Plan Update. **Verification comments:**	Prior to exceeding capacity within the existing water conveyance facilities	DPU		X			X	

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems - *Hydrology and Water Quality*								
USS-10: In order to maintain Fresno Irrigation District canal operability, FMFCD shall maintain operational intermittent flows during the dry season, within defined channel capacity and downstream capture capabilities, for recharge. **Verification comments:**	During the dry season	Fresno Irrigation District (FID)			X		X	
Utilities and Service Systems - *Biological Resources:*								
USS-11: When FMFCD proposes to provide drainage service outside of urbanized areas: (a) FMFCD shall conduct preliminary investigations on undeveloped lands outside of highly urbanized areas. These investigations shall examine wetland hydrology, vegetation and soil types. These preliminary investigations shall be the basis for making a determination on whether or not more in-depth wetland studies shall be necessary. If the proposed project site does not exhibit wetland hydrology, support a prevalence of wetland vegetation and wetland soil types then no further action is required. *(continued on next page)*	Prior to development approvals outside of highly urbanized areas	California Regional Water Quality Control Board (RWQCB), and USACE			X			X

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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems - *Biological Resources* (continued):								
MM USS-11 *(continued from previous page)*: (b) Where proposed activities could have an impact on areas verified by the USACE as jurisdictional wetlands or waters of the U.S. (urban and rural streams, seasonal wetlands, and vernal pools), FMFCD shall obtain the necessary Clean Water Act, Section 404 permits for activities where fill material shall be placed in a wetland, obstruct the flow or circulation of waters of the United States, impair or reduce the reach of such waters. (As part of FMFCD's Memorandum of Understanding, with CDFW, Section 404 and 401 permits would be obtained from the USACE and RWQCB for any activity involving filling of jurisdictional waters.) At a minimum, to meet "no net loss policy," the permits shall require replacement of wetland habitat at a 1:1 ratio. (c) Where proposed activities could have an impact on areas verified by the USACE as jurisdictional wetlands or waters of the U.S. (urban and rural streams, seasonal wetlands, and vernal pools), FMFCD shall submit and implement a wetland mitigation plan based on the wetland acreage verified by the USACE. The wetland mitigation plan shall be prepared by a qualified biologist or wetland scientist experienced in wetland creation, and shall include the following or equally effective elements: *(continued on next page)*	*[see previous page]*	*[see previous page]*						

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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems - *Biological Resources* *(continued):*								
MM USS-11 *(further continued from previous two pages)* i. Specific location, size, and existing hydrology and soils within the wetland creation area. ii. Wetland mitigation techniques, seed source, planting specifications, and required buffer setbacks. In addition, the mitigation plan shall ensure adequate water supply is provided to the created wetlands in order to maintain the proper hydrologic regimes required by the different types of wetlands created. Provisions to ensure the wetland water supply is maintained in perpetuity shall be included in the plan. iii. A monitoring program for restored, enhanced, created, and preserved wetlands on the project site. A monitoring program is required to meet three objectives; 1) establish a wetland creation success criteria to be met; 2) to specify monitoring methodology; 3) to identify as far as is possible, specific remedial actions that will be required in order to achieve the success criteria; and 4) to document the degree of success achieved in establishing wetland vegetation. *(continued on next page)*	*[see Page 41]*	*[see Page 41]*						

A - Incorporated into Project
B - Mitigated
C - Mitigation in Process
D - Responsible Agency Contacted
E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems - *Biological Resources* *(continued):*								
MM USS-11 *(further continued from previous three pages)* (d) A monitoring plan shall be developed and implemented by a qualified biologist to monitor results of any on-site wetland restoration and creation for five years. The monitoring plan shall include specific success criteria, frequency and timing of monitoring, and assessment of whether or not maintenance activities are being carried out and how these shall be adjusted if necessary. If monitoring reveals that success criteria are not being met, remedial habitat creation or restoration should be designed and implemented by a qualified biologist and subject to five years of monitoring as described above. Or (e) In lieu of developing a mitigation plan that outlines the avoidance, purchase, or creation of wetlands, FMFCD could purchase mitigation credits through a Corps approved Mitigation Bank. **Verification comments:**	*[see Page 41]*	*[see Page 41]*						

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems - *Biological Resources* (*continued*):								
MM USS-12: When FMFCD proposes to provide drainage service outside in areas that support seasonal wetlands or vernal pools: (a) During facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools, FMFCD shall conduct a preliminary rare plant assessment. The assessment will determine the likelihood on whether or not the project site could support rare plants. If it is determined that the project site would not support rare plants, then no further action is required. However, if the project site has the potential to support rare plants; then a rare plant survey shall be conducted. Rare plant surveys shall be conducted by qualified biologists in accordance with the most current CDFW/USFWS guidelines or protocols and shall be conducted at the time of year when the plants in question are identifiable. (b) Based on the results of the survey, prior to design approval, FMFCD shall coordinate with CDFW and/or implement a Section 7 consultation with USFWS, shall *(continued on next page)*	During FMFCD facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools	California Department of Fish & Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS)						X

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems - *Biological Resources* (continued):								
MM USS-12 *(continued from previous page)* determine whether the project facility would result in a significant impact to any special status plant species. Evaluation of project impacts shall consider the following: • The status of the species in question (*e.g.*, officially listed by the State or Federal Endangered Species Acts). • The relative density and distribution of the on-site occurrence versus typical occurrences of the species in question. • The habitat quality of the on-site occurrence relative to historic, current or potential distribution of the population. (c) Prior to design approval, and in consultation with the CDFW and/or the USFWS, FMFCD shall prepare and implement a mitigation plan, in accordance with any applicable State and/or federal statutes or laws, that reduces impacts to a less than significant level. **Verification comments:**	*[see previous page]*	*[see previous page]*						

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems - *Biological Resources* *(continued)*:								
MM USS-12 *(further continued from previous two pages)* • The habitat quality of the on-site occurrence relative to historic, current or potential distribution of the population. (c) Prior to design approval, and in consultation with the CDFW and/or the USFWS, FMFCD shall prepare and implement a mitigation plan, in accordance with any applicable State and/or federal statutes or laws, that reduces impacts to a less than significant level. **Verification comments:**	*[see Page 45]*	*[see Page 45]*						
MM USS-13: When FMFCD proposes to provide drainage service outside in areas that support seasonal wetlands or vernal pools: (a) During facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools, FMFCD shall conduct a preliminary survey to determine the presence of listed vernal pool crustaceans. *(continued on next page)*	During facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools	CDFW and USFWS						X

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems - *Biological Resources* (continued):								
MM USS-13 *(continued from previous page)* (b) If potential habitat (vernal pools, seasonally inundated areas) or fairy shrimp exist within areas proposed to be disturbed, FMFCD shall complete the first and second phase of fairy shrimp presence or absence surveys. If an absence finding is determined and accepted by the USFWS, then no further mitigation shall be required for fairy shrimp. (c) If fairy shrimp are found to be present within vernal pools or other areas of inundation to be impacted by the implementation of storm drainage facilities, FMFCD shall mitigate impacts on fairy shrimp habitat in accordance with the USFWS requirements of the Programmatic Biological Opinion. This shall include on-site or off-site creation and/or preservation of fairy shrimp habitat at ratios ranging from 3:1 to 5:1 depending on the habitat impacted and the choice of on-site or off-site mitigation. Or mitigation shall be the purchase of mitigation credit through an accredited mitigation bank. **Verification comments:**	*[see previous page]*	*[see previous page]*						

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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems - *Biological Resources* (*continued*):								
MM USS-14: When FMFCD proposes to construct drainage facilities in an area where elderberry bushes may occur: (a) During facility design and prior to initiation of construction activities, FMFCD shall conduct a project-specific survey for all potential Valley Elderberry Longhorn Beetle (VELB) habitats (elderberry shrubs), including a stem count and an assessment of historic or current VELB habitat. (b) FMFCD shall avoid and protect all potential identified VELB habitat where feasible. (c) Where avoidance is infeasible, develop and implement a VELB mitigation plan in accordance with the most current USFWS mitigation guidelines for unavoidable take of VELB habitat pursuant to either Section 7 or Section 10(a) of the Federal Endangered Species Act. The mitigation plan shall include, but might not be limited to, relocation of elderberry shrubs, planting of elderberry shrubs, and monitoring of relocated and planted elderberry shrubs. **Verification comments:**	During facility design and prior to initiation of construction activities	CDFW and USFWS						X

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems - *Biological Resources* (*continued*):								
MM USS-15: Prior to ground disturbing activities during nesting season (March through July) for a FMFCD drainage facility project that supports bird nesting habitat, FMFCD shall conduct a survey of trees. If nests are found during the survey, a qualified biologist shall assess the nesting activity on the project site. If active nests are located, no construction activities shall be allowed within 250 feet of the nest until the young have fledged. If construction activities are planned during the no n-breeding period (August through February), a nest survey is not necessary. **Verification comments:**	Prior to ground disturbing activities during nesting season (March through July) for a project that supports bird nesting habitat	CDFW and USFWS						X
MM USS-16: When FMFCD proposes to construct drainage facilities in an area that supports burrowing owl nesting habitat: (a) FMFCD shall conduct a pre-construction breeding-season survey (approximately February 1 through August 31) of proposed project sites in suitable habitat (*e.g.*, canal berms, open grasslands with suitable burrows) during the same calendar year that construction is planned to begin. If phased construction procedures are planned for the proposed project, the results of the *(continued on next page)*	Prior to, and during, the breeding season (approximately February 1 through August 31) of the same calendar year that construction is planned to begin	CDFW and USFWS						X

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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems - *Biological Resources* *(continued)*:								
MM USS-16 *(continued from previous page)* above survey shall be valid only for the season when it is conducted (b) During the construction stage, FMFCD shall avoid all burrowing owl nest sites potentially disturbed by project construction during the breeding season while the nest is occupied with adults and/or young. The occupied nest site shall be monitored by a qualified biologist to determine when the nest is no longer used. Avoidance shall include the establishment of a 160-foot diameter non-disturbance buffer zone around the nest site. Disturbance of any nest sites shall only occur outside of the breeding season and when the nests are unoccupied based on monitoring by a qualified biologist. The buffer zone shall be delineated by highly visible temporary construction fencing. Based on approval by CDFW, pre-construction and pre-breeding season exclusion measures may be implemented to preclude burrowing owl occupation of the project site prior to project-related disturbance. Burrowing owls can be passively excluded from potential nest sites in the construction area, either by closing the burrows or placing one-way doors in the *(continued on next page)*	*[see previous page]*	*[see previous page]*						

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems - *Biological Resources* (continued):								
MM USS-16 *(further continued from previous two pages)* burrows according to current CDFW protocol. Burrows shall be examined not more than 30 days before construction to ensure that no owls have recolonized the area of construction. For each burrow destroyed, a new burrow shall be created (by installing artificial burrows at a ratio of 2:1 on protected lands nearby). **Verification comments:**	*[see Page 50]*	*[see Page 50]*						
MM USS-17: When FMFCD proposes to construct drainage facilities in the San Joaquin River corridor: (a) FMFCD shall not conduct instream activities in the San Joaquin River between October 15 and April 15. If this is not feasible, FMFCD shall consult with the National Marine Fisheries Service and CDFW on the appropriate measures to be implemented in order to protect listed salmonids in the San Joaquin River. (b) Riparian vegetation shading the main–channel that is removed or damaged shall be replaced at a ratio and quantity sufficient to maintain the existing shading of the channel. The location of replacement trees on or within *(continued on next page)*	During instream activities conducted between October 15 and April 15	National Marine Fisheries Service (NMFS), CDFW, and Central Valley Flood Protection Board (CVFPB)						X

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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems / *Biological Resources* (continued):								
MM USS-17 *(continued from previous page)* FMFCD berms, detention ponds or river channels shall be approved by FMFCD and the Central Valley Flood Protection Board. **Verification comments:**	*[see previous page]*	*[see previous page]*						
Utilities and Service Systems – *Recreation / Trails*:								
MM USS-18: When FMFCD updates its District Service Plan: Prior to final design approval of all elements of the District Services Plan, FMFCD shall consult with Fresno County, City of Fresno, and City of Clovis to determine if any element would temporarily disrupt or permanently displace adopted existing or planned trails and associated recreational facilities as a result of the proposed District Services Plan. If the proposed project would not temporarily disrupt or permanently displace adopted existing or planned trails, no further mitigation is necessary. If the proposed project would have an effect on the trails and associated facilities, FMFCD shall implement the following: *(continued on next page)*	Prior to final design approval of all elements of the FMFCD District Service Plan	DARM, PW, City of Clovis, and County of Fresno			X		X	

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems – *Recreation / Trails* (continued):								
MM USS-18 *(continued from previous page)* (a) If short-term disruption of adopted existing or planned trails and associated recreational facilities occur, FMFCD shall consult and coordinate with Fresno County, City of Fresno, and City of Clovis to temporarily re-route the trails and associated facilities. (b) If permanent displacement of the adopted existing or planned trails and associated recreational facilities occur, the appropriate design modifications to prevent permanent displacement shall be implemented in the final project design or FMFCD shall replace these facilities. **Verification comments:**	*[see previous page]*	*[see previous page]*						
Utilities and Service Systems – *Air Quality*:								
MM USS-19: When District drainage facilities are constructed, FMFCD shall: (a) Minimize idling time of construction equipment vehicles to no more than ten minutes, or require that engines be shut off when not in use. *(continued on next page)*	During storm water drainage facility construction activities	Fresno Metropolitan Flood Control District and SJVAPCD		X				X

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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems – *Air Quality* (continued):								
MM USS-19 *(continued from previous page)* (b) Construction shall be curtailed as much as possible when the Air Quality Index (AQI) is above 150. AQI forecasts can be found on the SJVAPCD web site. (c) Off-road trucks should be equipped with on-road engines if possible. (d) Construction equipment should have engines that meet the current off-road engine emission standard (as certified by the California Air Resources Board), or be re-powered with an engine that meets this standard. **Verification comments:**	*[see previous page]*	*[see previous page]*						
Utilities and Service Systems – *Adequacy of Storm Water Drainage Facilities*:								
MM USS-20: Prior to exceeding capacity within the existing storm water drainage facilities, the City shall coordinate with FMFCD to evaluate the storm water drainage system and shall not approve additional development that would convey additional storm water to a facility that would experience an exceedance of capacity until the necessary additional capacity is provided. **Verification comments:**	Prior to exceeding capacity within the existing storm water drainage facilities	FMFCD, PW, and DARM		X			X	

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems – *Adequacy of Water Supply Capacity*:								
USS-21: Prior to exceeding existing water supply capacity, the City shall evaluate the water supply system and shall not approve additional development that demands additional water until additional capacity is provided. By approximately the year 2025, the City shall construct an approximately 25,000 AF/year tertiary recycled water expansion to the Fresno-Clovis Regional Wastewater Reclamation Facility in accordance with the 2013 Recycled Water Master Plan and the 2014 City of Fresno Metropolitan Water Resources Management Plan update. Implementation of Mitigation Measure USS-5 is also required prior to approximately the year 2025. **Verification comments:**	Prior to exceeding existing water supply capacity	DPU and DARM			X		X	
Utilities and Service Systems – *Adequacy of Landfill Capacity*:								
USS-22: Prior to exceeding landfill capacity, the City shall evaluate additional landfill locations, and shall not approve additional development that could contribute solid waste to a landfill that is at capacity until additional capacity is provided. **Verification comments:**	Prior to exceeding landfill capacity	DPU and DARM						X

A - Incorporated into Project
B - Mitigated
C - Mitigation in Process
D - Responsible Agency Contacted
E - Part of City-Wide Program
F - Not Applicable

EXHIBIT C

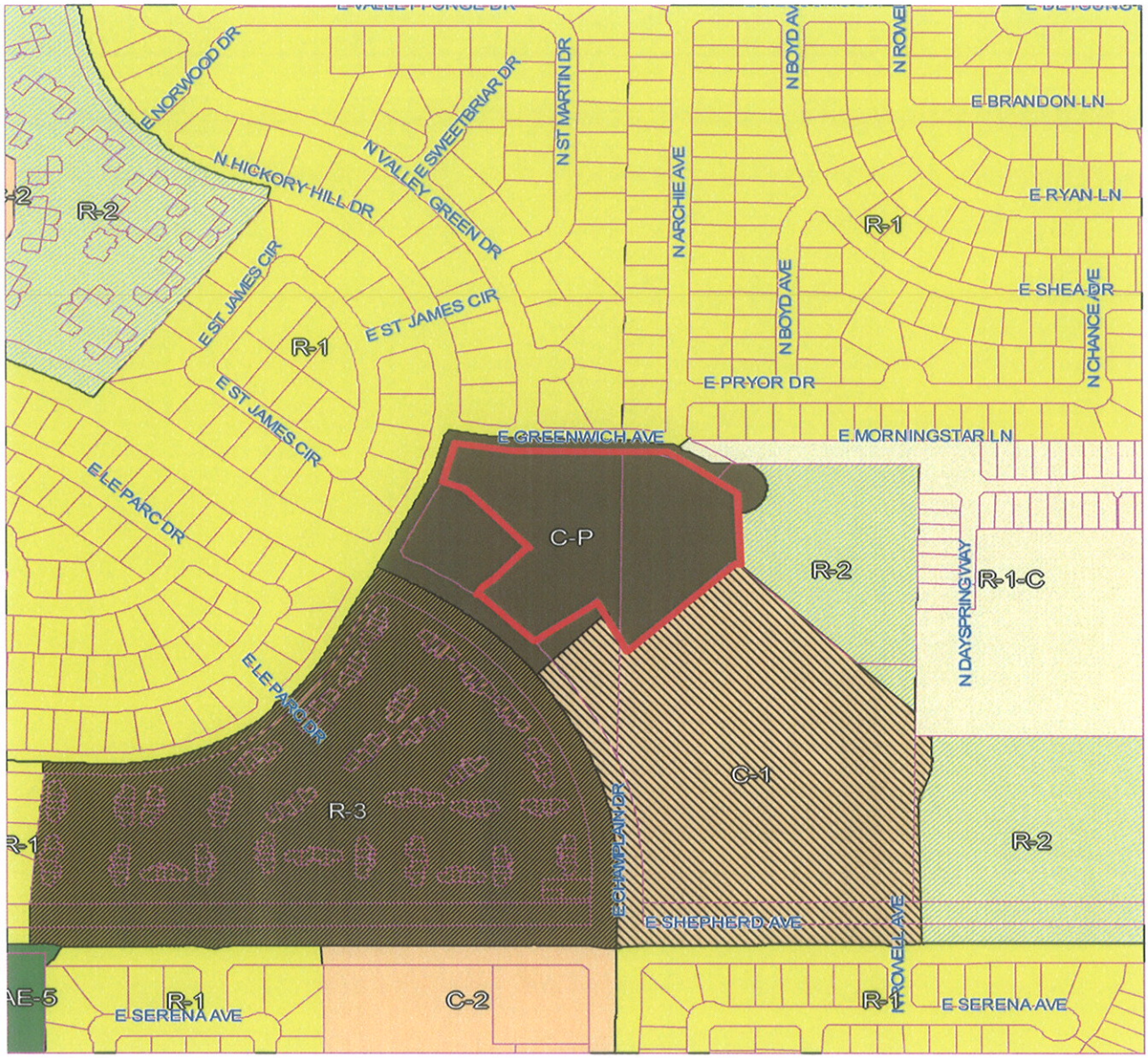
CITY OF FRESNO
MITIGATED NEGATIVE DECLARATION
PROJECT SPECIFIC MONITORING CHECKLIST
ENVIRONMENTAL ASSESSMENT NO. C-15-104

	Mitigation Measure	Implemented By	When Implemented	Verified By
3. *Air Quality & Global Climate Change*	Identify pre and post project emissions and comply with San Joaquin Valley Air Pollution Control District (SJVAPCD) regulations to reduce emissions from both stationary and mobile sources by the project. Subject to District Rule 9510, Indirect Source Review (ISR) to mitigate the project's impact on air quality through project design or payment of applicable off-site mitigation fees. A 'Voluntary Emission Reduction Agreement' (VERA) may be warranted.	City of Fresno Department of Public Utilities, Water Division.	Prior to construction.	SJVAPCD
3. *Air Quality & Global Climate Change*	Developer to work with the SJVAPCD to determine whether the project may be subject to Regulation VIII (Fugitive PM10 Prohibitions), Rule 4210 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).	City of Fresno Department of Public Utilities, Water Division.	Prior to construction.	SJVAPCD
3. *Air Quality & Global Climate Change*	Project shall contact the SJVAPCD's Small Business Assistance Office at (559) 230-5888 to determine if an Authority to Construct (ATC) is required.	City of Fresno Department of Public Utilities, Water Division.	Prior to construction.	SJVAPCD
16. *Transportation/Traffic*	Developer to construct an underground street lighting system to Public Works Standard **E-1** within the limits of this application. Spacing and design shall conform to Public Works Standard **E-7** for Arterials.	City of Fresno Department of Public Utilities, Water Division	Prior to construction.	Public Works Department, Frank Saburit
16. *Transportation/Traffic*	Developer to construct a traffic signal at the intersection of Champlain and Hickory Hill Drives, to have protected left-turn phasing in all directions and be constructed at the ultimate location according to City Standards.	City of Fresno Department of Public Utilities, Water Division	Prior to construction.	Public Works Department, Frank Saburit
16. *Transportation/Traffic*	Developer to pay Traffic Signal Mitigation Impact (TSMI) Fee, Fresno Major Street Impact (FMSI) Fees, and Regional Transportation Mitigation Fee (RTMF).	City of Fresno Department of Public Utilities, Water Division	At the time of building permit.	Public Works Department, Frank Saburit

O:\Master Files - 2015\CUP\ C-15-104, 1460 E. Champlain, 45,000 sf fitness center - LF \EA, MND\C-15-104 Project Specific Mitigation Checklist.docx

EXHIBIT D

EXHIBIT D



Planned Land Use Map

ENVIRONMENTAL ASSESSMENT FOR CONDITIONAL USE PERMIT NO. C-15-104

DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT

Subject Properties

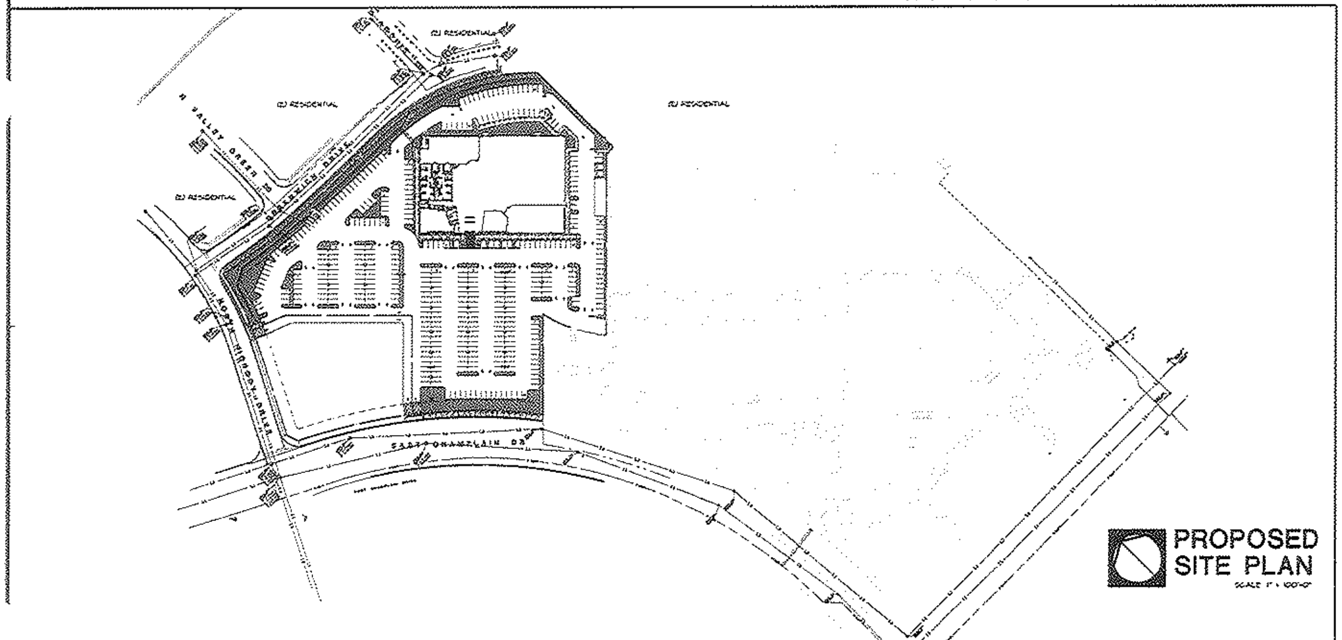
PROPERTY ADDRESS

1460 East Champlain Drive

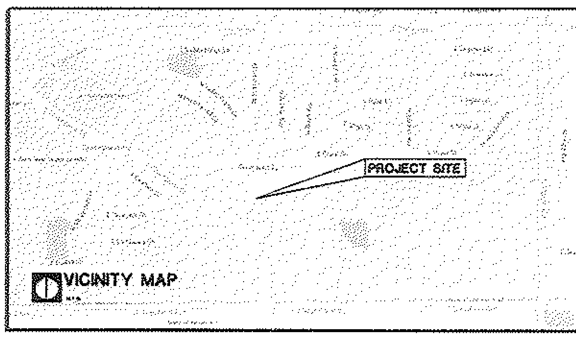
N
NW NE
W E
SW SE
S
Not To Scale

APN: 567-030-71
Plan Areas: Employment-Office
By: Lauren Filice, October 9, 2015

EXHIBIT E



PROPOSED SITE PLAN



VICINITY MAP

PROJECT INFORMATION

SITE ADDRESS	1460 E. CHAMPLAIN DRIVE FRESNO, CA
A.P.N.	567-050-31 & 567-050-36
ZONE DISTRICT	C-P / UGM
LAND AREA	5.8 AC / 252,640 S.F.
BUILDING AREA	45,574 S.F.
CONSTRUCTION TYPE	V-B
PRIMARY OCCUPANCY GROUP	A-3
GENERAL PLAN DESIGNATION	OFFICE
COMMUNITY PLAN DESIGNATION	WOODWARD PARK

LOT COVERAGE	45,574 S.F. / 252,640 S.F.	18%
PAVED AREA	64,900 S.F. / 252,640 S.F.	66%
LANDSCAPE AREA	40,356 S.F. / 252,640 S.F.	16%

PARKING

TOTAL STALLS	300
RATIO TO BLDG AREA	6:1000
ACCESSIBLE STALLS PROVIDED	8
ACCESSIBLE STALLS REQUIRED	8
BICYCLE PARKING PROVIDED	10
BICYCLE PARKING REQUIRED	10
CLEAN AIR/VAN POOL/EV STALLS PROVIDED	33
CLEAN AIR/VAN POOL/EV STALLS REQUIRED	31

OWNER: FOUNDRY PARK INVESTORS LP, A LIMITED PARTNERSHIP
BY: RUSSEL D. SMITH AND SHERRI DIXON LIVING TRUST
3030 W. PALM AVENUE SUITE 300, FRESNO, CA 93711
(559) 444 2424

APPLICANT / ARCHITECT: MARLETTE ASSOCIATES
451 CLOVIS AVE SUITE 125 CLOVIS, CA 93612
(559) 322 8883

SHEET INDEX

CUP-1	GENERAL NOTES, PROJECT DATA, VICINITY MAP, SITE PLAN, SHEET INDEX
CUP-2	SITE PLAN
CUP-3	PARCEL MAP 2006-30
CUP-4	EXTERIOR ELEVATIONS
CUP-5	EXTERIOR ELEVATIONS
L1	CONCEPTUAL LANDSCAPE PLAN
L2	CONCEPTUAL LANDSCAPE PLAN

DATE	PRINTS ISSUED FOR
07-23-15	CUP APPLICATION

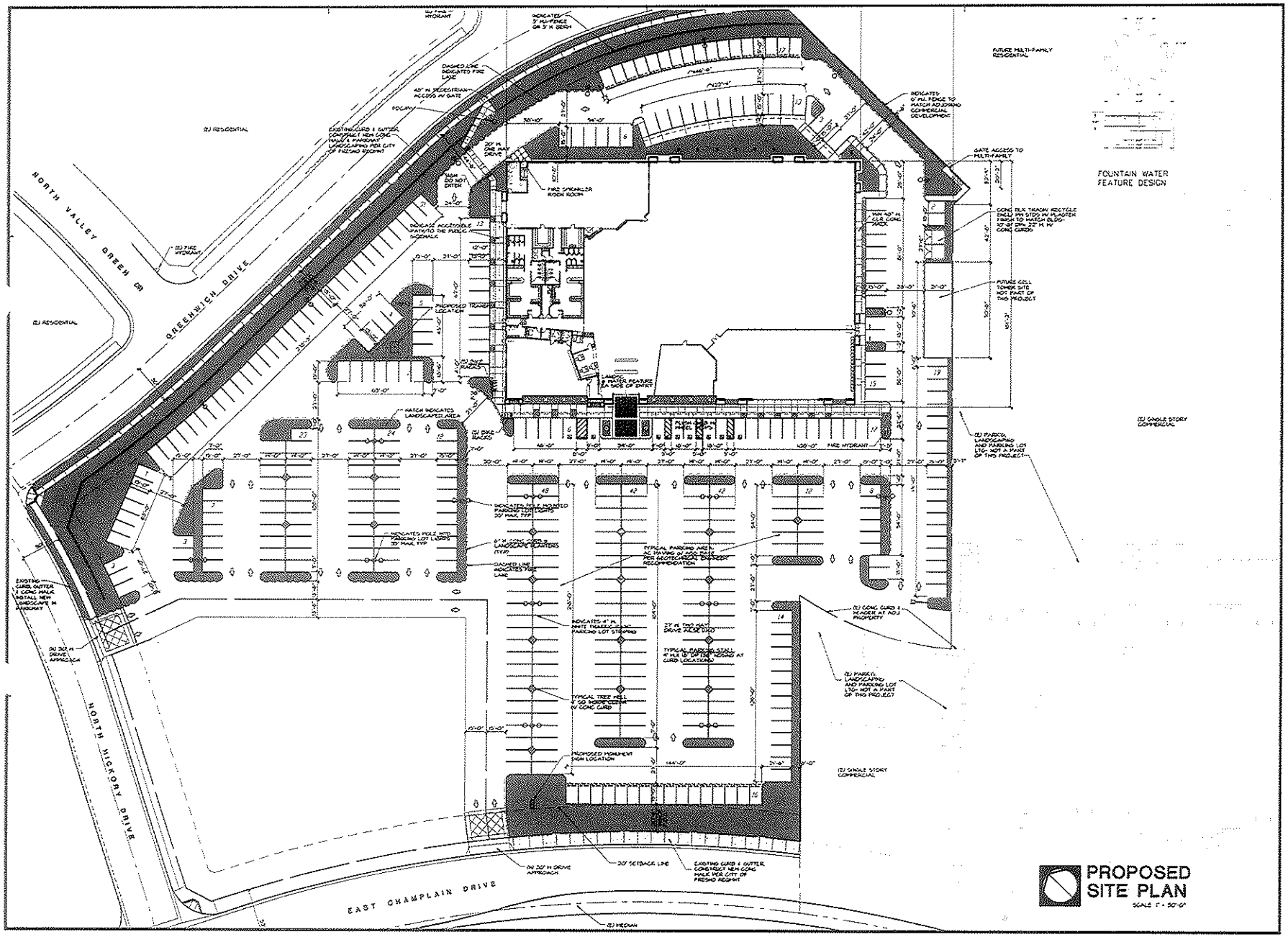
project
FITNESS CENTER
1460 E. CHAMPLAIN DRIVE
FRESNO, CALIFORNIA

MARLETTE ASSOCIATES ARCHITECTURE
451 Clovis Avenue, Suite 125
Clovis, California 93612

LICENSED ARCHITECT
STATE OF CALIFORNIA
NO. C15786

SHEET NUMBER
CUP-1

C015786



C015786

MARTIN ASSOCIATES ARCHITECTURE

project

FITNESS CENTER

1460 E. CHAMPLAIN DRIVE
FRESNO, CALIFORNIA

DATE	PRINTS ISSUED FOR	DATE	REVISION
07-23-15	CUP APPLICATION	-	-

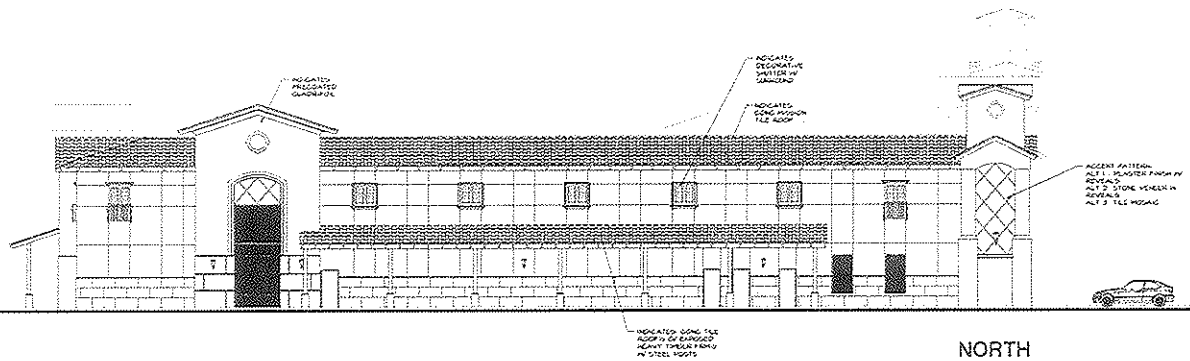
LICENSED ARCHITECT
NO. C15786
STATE OF CALIFORNIA

PROJ. NUMBER: -

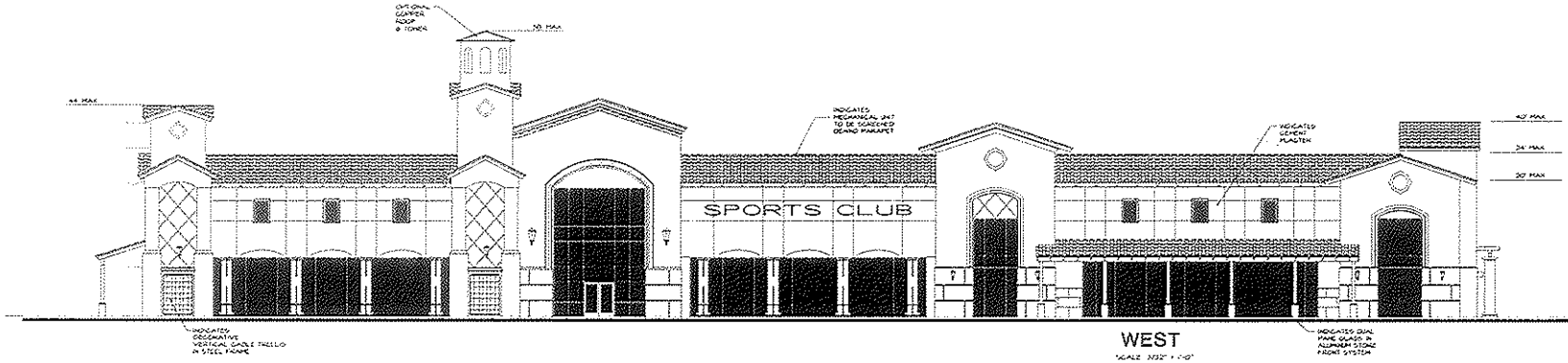
SHEET NUMBER

CUP-2

OF



NORTH



WEST

C015786

MANFRE ASSOCIATES
ARCHITECTURE

project

FITNESS CENTER

1460 E. CHAMPLAIN DRIVE
FRESNO, CALIFORNIA

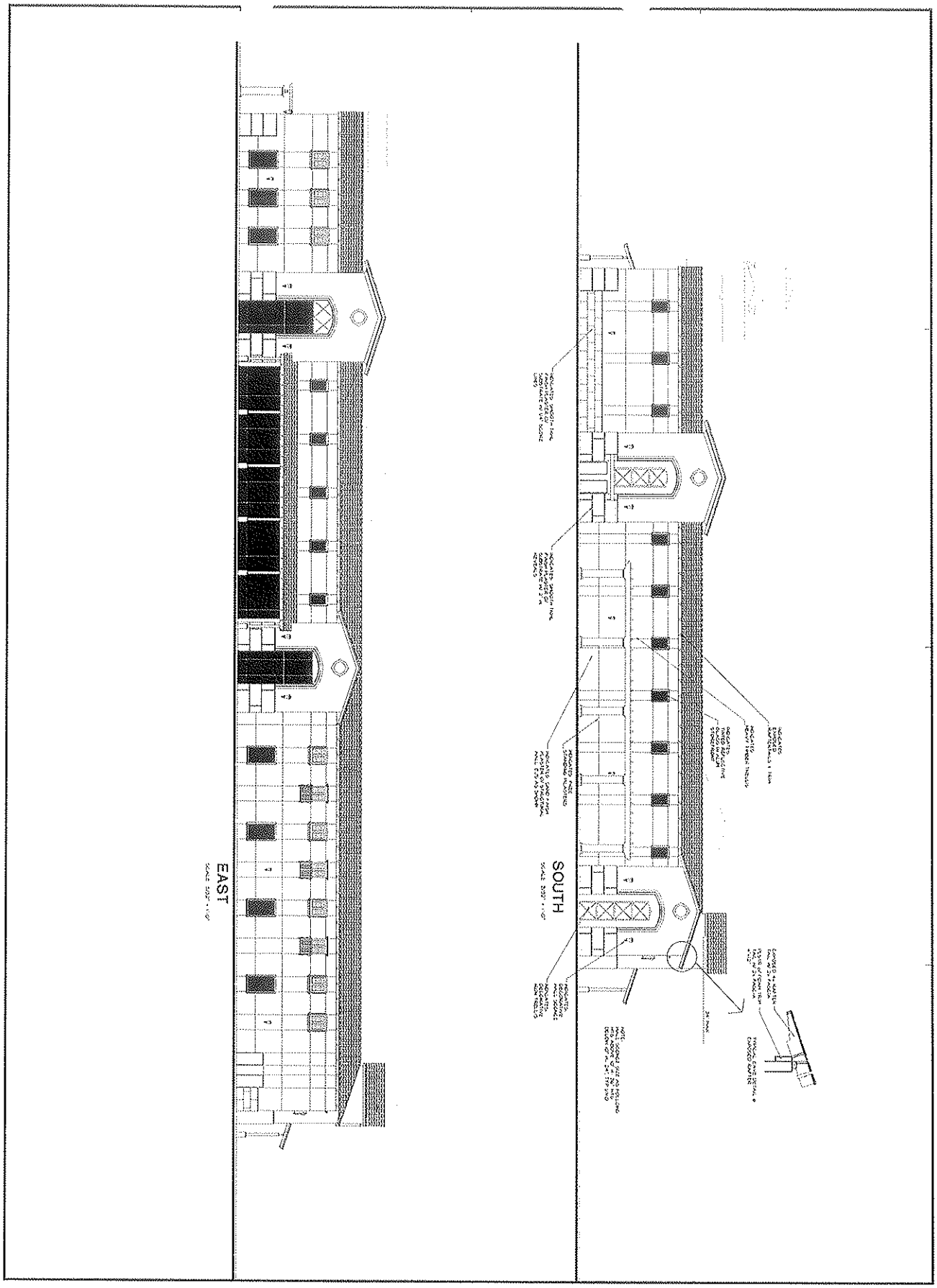
DATE	PRINTS ISSUED FOR	DATE	REVISION
07-23-15	CUP APPLICATION	-	-

LICENSED ARCHITECT
NO. C15786
STATE OF CALIFORNIA

PROJ. NUMBER -

SHEET NUMBER

CUP-4



DATE	PRINTS ISSUED FOR	DATE	REVISION
07-23-15	CUP APPLICATION	-	1 -
			2
			3
			4
			5
			6
			7

LICENSED ARCHITECT
STATE OF CALIFORNIA

project

FITNESS CENTER

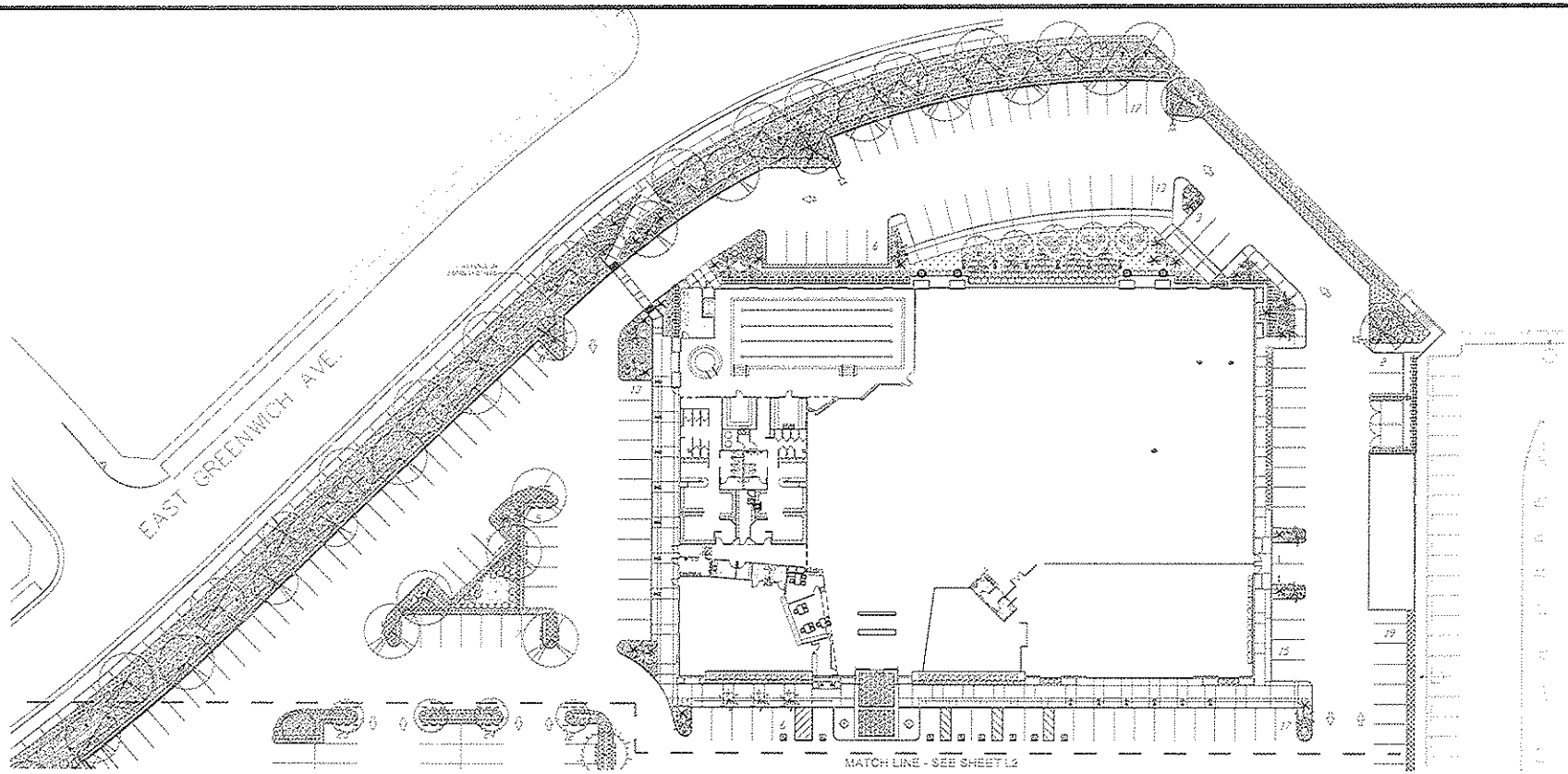
1460 E. CHAMPLAIN DRIVE
FRESNO, CALIFORNIA

Nanad Dane Madeo
Principal
MARTETTE ASSOCIATES
ARCHITECTURE
455 Clovis Avenue, Suite 125
Clovis, California 93612
Ph 559 322 6003 Fax 559 322 6005

C015786

PROJ. NUMBER: -

SHEET NUMBER
CUP-5
OF

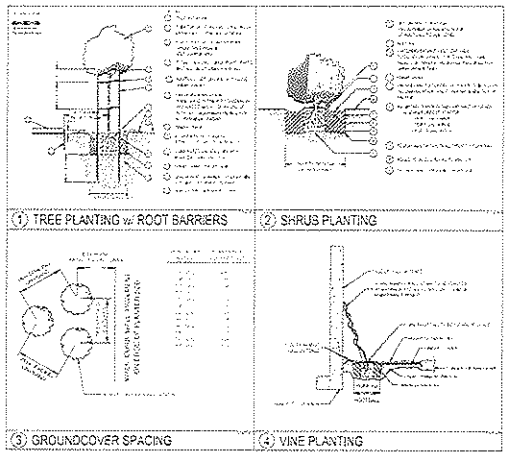


PLANTING LEGEND

SYM	BOTANICAL NAME	COMMON NAME	SIZE
TREES			
	LAURUS NOBILIS	SWEET BAY (LAUREL)	15 GAL
	OLEA EUROPEA 'MAST'	MAST OLIVE TREE	15 GAL
	PISTACIA CHINENSIS 'KEITH DAVEY'	KEITH DAVEY CHINESE PISTACHE	15 GAL
	PLATANUS ACERIFOLIA 'COLUMBIA'	COLUMBIA LONDON PLANE TREE	15 GAL
	QUERCUS VIRGINIANA	COASTAL LIVE OAK	15 GAL
	WASHINGTONIA ROBUSTA	MEXICAN FAN PALM	SCHEDULE PALMS - HEIGHT TBD
SHRUBS			
	ACAPANTHUS AFRICANUS	LILY OF THE NILE	1 GAL
	ACAPANTHUS STORMLOUD	STORMLOUD LILY	1 GAL
	AZALEA PACACIA	AZALEA	1 GAL
	BUXUS 'GREEN MOUNTAIN'	GREEN MOUNTAIN BOXWOOD	1 GAL
	CAMELLIA RETICULATA	RETICULATA CAMELLIA	5 GAL
	CAMPSIS RADICANS	TRUMPET VINE	5 GAL
	CLEONOTHUS 'GRELLI SPRING'	GRELLI SPRING CEANOTHUS	5 GAL
	DIETES BICOLOR 'LEMON SPRINGS'	CARAGUA FRAGRANT	5 GAL

PLANTING LEGEND

SYM	BOTANICAL NAME	COMMON NAME	SIZE
SHRUBS			
	GARDENIA JASMINOIDES 'RADICANS'	RADICANS GARDENIA	5 GAL
	HEMEROCALLIS 'CORDY'	YELLOW EVERGREEN DAYLILY	1 GAL
	LIGUSTRUM JAPONICA	JAPAN LIGUSTRUM	5 GAL
	LIGUSTRUM JAPONICA 'CONE FORM'	CONE JAPANESE PRIVET	5 GAL
	MYOPORUM PARVIFOLIUM	TRAILING MYOPORUM	FLATS @ 18" O.C.
	PITTOSPORUM TOBIRA 'VARIEGATUM'	VARIGATED PITTOSPORUM	5 GAL
	PHOTINIA FRASERI 'CHANDLER'	AMAZING RED PLAN	5 GAL
	RHAPHIOLEPIS INDICA 'SPRING ROSE'	VALLEY PINK HAWTHORNE	1 GAL
	TRACHELOSPERMUM ASIATICUM	ASIAN JASMINE	FLATS @ 18" O.C.
	VIOLA SPP.	VIOLETS VARIOUS	1 GAL
	VIBURNUM 'SPRING BOUQUET'	SPRING BOUQUET VIBURNUM	5 GAL
	VINCA MINOR	DWARF PERIWINKLE	FLATS @ 18" O.C.
GROUNDCOVER			
	TURF - FESCUE FROM SOD		
	DECOMPOSED GRANITE MULCH		
	MULCH (MAINTENANCE ONLY)		
OTHER			
	ROOT BARRIER		



CONCEPTUAL LANDSCAPE

SCALE: 1" = 20'-0"

NORTH

SCALE: 1"=20'

Riverside Nursery & Landscaping Inc.
9215 South Golden State Blvd. (559) 275-1393 (office)
Fresno, CA 93725 Fax (559) 275-1397
State Lic. # 802084 mail@riversidelandscaping.com

PROJECT
FITNESS CENTER
FRESNO, CA

PREPARED FOR
MARLETTI ASSOCIATES ARCHITECTURE
451 Clovis Ave. Suite 125 CLOVIS CA

REVISIONS

SHEET TITLE
CONCEPTUAL LANDSCAPE PLAN

DRAWN BY: EZ/MH
CHECKED BY:
SCALE: 1"=20'-0"
DATE: 1/28/15
JOB NUMBER: 1501001

SHEET NUMBER
L1
OF SHEETS

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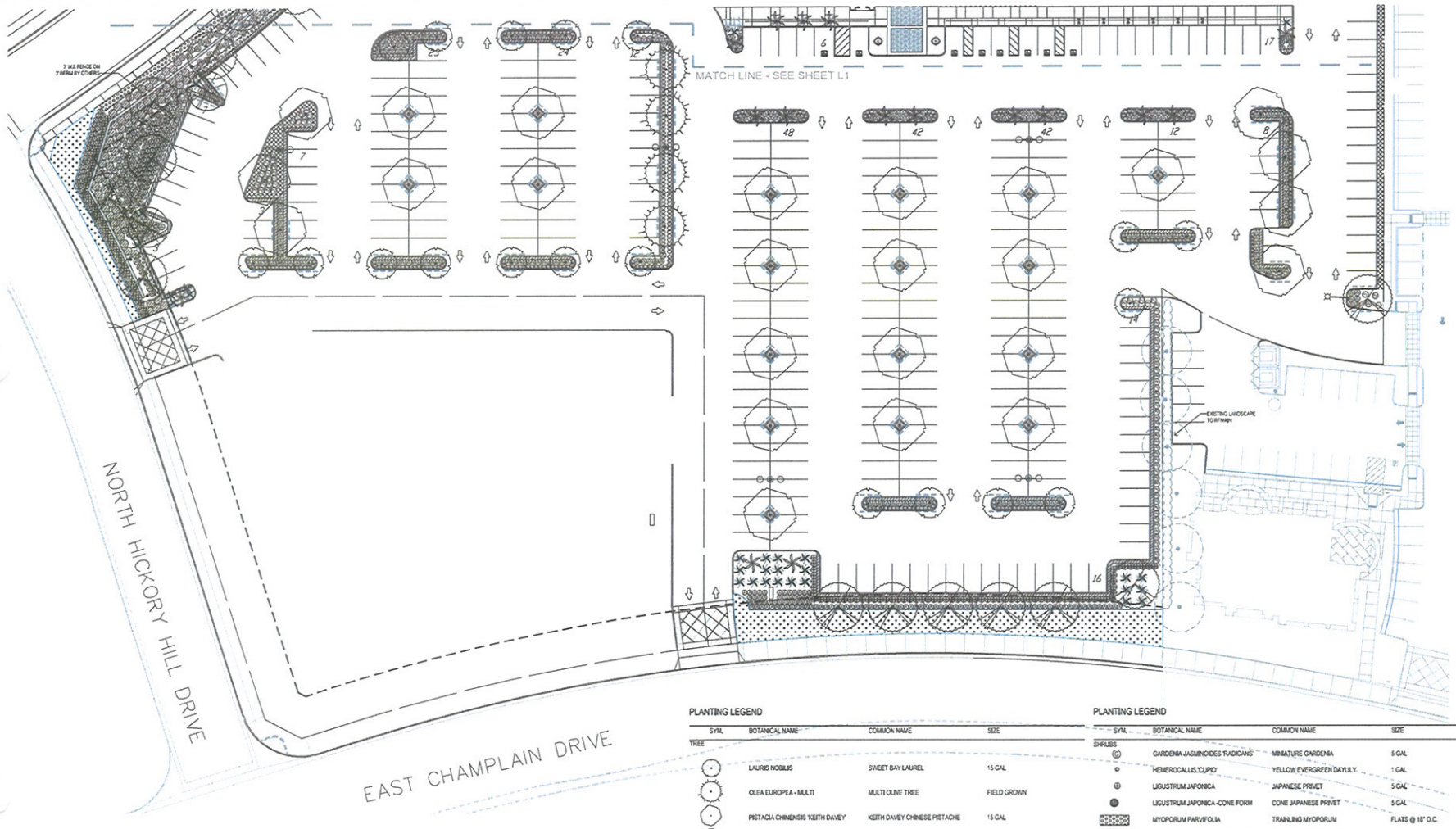
"THE OWNER OF THE PROPERTY OR HIS REPRESENTATIVE MUST GIVE PERMISSION TO RIVERSIDE LANDSCAPING, INC. BEFORE ANY WORK IS DONE ON THE PROPERTY."



PLANTING LEGEND

SYM.	BOTANICAL NAME	COMMON NAME	SIZE
TREE			
	LAURIS NOBILIS	SWEET BAY LAUREL	15 GAL
	OLEA EUROPEA - MULTI	MULTI OLIVE TREE	FIELD GROWN
	PISTACIA CHINENSIS 'KEITH DAVEY'	KEITH DAVEY CHINESE PISTACHE	15 GAL
	PLATANUS ACERIFOLIA 'COLUMBIA'	COLUMBIA LONDON PLANE TREE	15 GAL
	QUERCUS VIRGINIANA	COASTAL LIVE OAK	15 GAL
	WASHINGTONIA ROBUSTA	MEXICAN FAN PALM	SKINNED TRUNK - HEIGHT TBD
SHRUBS			
	AGAPANTHUS AFRICANUS	LILY OF THE NILE	1 GAL
	AGAPANTHUS 'STORMCLOUD'	STORMCLOUD LILY	1 GAL
	AZALEA PHONECIA	AZALEA	5 GAL
	BUXUS 'GREEN BEAUTY'	GREEN BEAUTY BOXWOOD	1 GAL
	CAMELLIA 'SETSUGEKKA'	SETSUGEKKA CAMELLIA	5 GAL
	CAMPSIS RADICANS	TRUMPET VINE	5 GAL
	EUONYMOUS 'GREENSPIRE'	GREEN SPIRE EUONYMUS	5 GAL
	GELSEMIUM SEMPERVIRENS	CAROLINA JASMINE	5 GAL

PLANTING LEGEND

SYM.	BOTANICAL NAME	COMMON NAME	SIZE
SHRUBS			
	GARDENIA JASMINOIDES 'RADICANS'	MINIATURE GARDENIA	5 GAL
	HEMEROCALLIS 'CUPID'	YELLOW EVERGREEN DAYLILY	1 GAL
	LIGUSTRUM JAPONICA	JAPANESE PRIVET	5 GAL
	LIGUSTRUM JAPONICA -CONE FORM	CONE JAPANESE PRIVET	5 GAL
	MYOPORUM PARVIFOLIA	TRAINLING MYOPORUM	FLATS @ 18" O.C.
	PITTOSPORUM TOBIRA 'VARIEGATUM'	VARIGATED PITTISPORUM	5 GAL
	PHORMIUM TENAX 'ATROPURPREA'	AMAZING RED FLAX	5 GAL
	RHAPHIOLEPIS INDICA 'BALLERINA'	BALLERINA INDIAN HAWTHORNE	1 GAL
	TRACHELOSPERMUM ASIATICA	ASIAN JASMINE	FLATS @ 12" O.C.
	TULBAGHIA VIOLACEA	SOCIETY GARLIC	1 GAL
	VIBURNUM 'SPRING BOUQUET'	SPRING BOUQUET VIBURNUM	5 GAL
	VINCA MINOR	DWARF PERIWINKLE	FLATS @ 12" O.C.
GROUNDCOVER			
	TURF - FESCUE FROM SOD		
	DECOMPOSED GRANITE MULCH		
	WALK ON BARK MULCH ONLY		
OTHER			
	ROOT BARRIER		

NORTH

SCALE: 1"=20'

20' 0

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CONCEPTUAL LANDSCAPE

SCALE: 1" = 20'-0"

Riverside Nursery & Landscaping Inc.
5215 North Golden State Blvd. Fresno, CA 93722 State Lic. #440384
(559) 275-1991 x103 Fax (559) 275-3927 mail@riversidelandscape.com

PROJECT
FITNESS CENTER
FRESNO, CA

PREPARED FOR
MARLETTE ASSOCIATES ARCHITECTURE
451 Clovis Ave, Suite 125, CLOVIS CA

REVISIONS:

NO.	DATE	DESCRIPTION

SHEET TITLE
CONCEPTUAL LANDSCAPE PLAN

DRAWN BY: EZ/MH
PHASE:
SCALE: 1"=20'-0"
DATE: 1/28/15
JOB NUMBER: 1501001

SHEET NUMBER
L2
OF SHEETS

Attachment 12

Project Support Letters

WILSON HOMES

December 7, 2015

Planning Commission
City of Fresno
2600 Fresno Street
Fresno, CA 93721

Re: Conditional Use Permit # C-14-002, Fitness Center on Champlain Drive

Dear Commissioners:

This letter serves to communicate my strong support for the proposed construction of a new 45,500 square foot fitness center building, with associated parking spaces and bicycle racks, on the vacant 5.8 acre property at the northeast corner of East Champlain and North Hickory Hill Drives in The Dominion neighborhood. I agree with the City Staff recommendation and request the Commission deny the appeal of approval for CUP # C-14-002.

As the developer of The Dominion, I am very pleased with the way this neighborhood has built out over time. The original vision for The Dominion has been successfully implemented and the neighborhood has become a national showplace as a sustainable and walkable community. It demonstrates how good planning can facilitate the successful integration of high density with lower density development, varied price housing products, and regional commercial/retail centers. Bike and walking trails linking residential neighborhoods with parks and retail centers have proven the ability to minimize traffic congestion.

However, one modern neighborhood amenity that is missing in The Dominion is a full-service fitness center. These were not common when we were initially planning The Dominion in the 1980's, but have nearly become mandatory for a complete neighborhood today. Many, if not most, of today's Dominion residents, especially the many apartment residents, likely already drive elsewhere daily to work out at Fitness Centers. The construction of this center will provide a tremendous needed amenity for the thousands of residents in this neighborhood and undoubtedly will actually reduce local neighborhood traffic as Dominion residents will no longer be required to commute for daily fitness activities.

Again, I urge your support for this proposed improvement in The Dominion neighborhood.

Sincerely,

Leo Wilson
President
Wilson Homes

7550 N Palm Suite 102
Fresno
California
93711

T. 559.224.7550

F. 559.224.6625

wilson-homes.com

info@wilson-homes.com

Subject: Proposed Fitness Center
NE corner of Champlain Drive and Hickory Lane

To Whom It May Concern:

Please allow me to express my support for the fitness center proposed to be located in our neighborhood. Such an amenity will enhance our community and be especially convenient for those who would otherwise be required to drive elsewhere to enjoy an activity so common and useful to all of us.

Sincerely,

STEVE Winn

Name

Signature

9436 NORTH SAINT Martin Dr

Address

8·12·15

Date

Subject: Proposed Fitness Center
NE corner of Champlain Drive and Hickory Lane

To Whom It May Concern:

Please allow me to express my support for the fitness center proposed to be located in our neighborhood. Such an amenity will enhance our community and be especially convenient for those who would otherwise be required to drive elsewhere to enjoy an activity so common and useful to all of us.

Sincerely,

PATRICK ELLIS
Name

Signature

4255 N. VALLEY GREEN
Address

8/11/15
Date

Subject: Proposed Fitness Center
NE corner of Champlain Drive and Hickory Lane

To Whom It May Concern:

Please allow me to express my support for the fitness center proposed to be located in our neighborhood. Such an amenity will enhance our community and be especially convenient for those who would otherwise be required to drive elsewhere to enjoy an activity so common and useful to all of us.

Sincerely,

John W Martin
Name Signature

9256 N. Valley Green
Address

8-11-15
Date

Subject: Proposed Fitness Center
NE corner of Champlain Drive and Hickory Lane

To Whom It May Concern:

Please allow me to express my support for the fitness center proposed to be located in our neighborhood. Such an amenity will enhance our community and be especially convenient for those who would otherwise be required to drive elsewhere to enjoy an activity so common and useful to all of us.

Sincerely,

XINYI PAN

Name Signature

9277 N. Valley Green

Address

8/11/2015

Date

Subject: Proposed Fitness Center
NE corner of Champlain Drive and Hickory Lane

To Whom It May Concern:

Please allow me to express my support for the fitness center proposed to be located in our neighborhood. Such an amenity will enhance our community and be especially convenient for those who would otherwise be required to drive elsewhere to enjoy an activity so common and useful to all of us.

Sincerely,

Name Signature

1281 VALLEY FORGE – FRESN.
Address

11. AUGUST – MMAV
Date

Subject: Proposed Fitness Center
NE corner of Champlain Drive and Hickory Lane

To Whom It May Concern:

Please allow me to express my support for the fitness center proposed to be located in our neighborhood. Such an amenity will enhance our community and be especially convenient for those who would otherwise be required to drive elsewhere to enjoy an activity so common and useful to all of us.

Sincerely,

Joley Schwoerer
Name

Signature

9219 N. Stoneridge Ln.
Address

8-11-15
Date

Subject: Proposed Fitness Center
NE corner of Champlain Drive and Hickory Lane

To Whom It May Concern:

Please allow me to express my support for the fitness center proposed to be located in our neighborhood. Such an amenity will enhance our community and be especially convenient for those who would otherwise be required to drive elsewhere to enjoy an activity so common and useful to all of us.

Sincerely,

PHIL SOUZA
Name

Signature

9348 N. ST. MARTIN
Address

8-10-15
Date

Subject: Proposed Fitness Center
NE corner of Champlain Drive and Hickory Lane

To Whom It May Concern:

Please allow me to express my support for the fitness center proposed to be located in our neighborhood. Such an amenity will enhance our community and be especially convenient for those who would otherwise be required to drive elsewhere to enjoy an activity so common and useful to all of us.

Sincerely,

Ted Feuner
Name Signature

1369 E Valley Forge dr
Address FRESNO, CA 93720

8/7/15
Date

Subject: Proposed Fitness Center
NE corner of Champlain Drive and Hickory Lane

To Whom It May Concern:

Please allow me to express my support for the fitness center proposed to be located in our neighborhood. Such an amenity will enhance our community and be especially convenient for those who would otherwise be required to drive elsewhere to enjoy an activity so common and useful to all of us.

Sincerely,

Kathy Wright

Name Signature

785 E Wood Duck Cr Fresno 93720

Address

8/6/2015

Date

Subject: Proposed Fitness Center
NE corner of Champlain Drive and Hickory Lane

To Whom It May Concern:

Please allow me to express my support for the fitness center proposed to be located in our neighborhood. Such an amenity will enhance our community and be especially convenient for those who would otherwise be required to drive elsewhere to enjoy an activity so common and useful to all of us.

Sincerely,

Name

Valene Vie
Signature

292 E. Maywood Lane, Fresno
Address

8.6.15
Date

Subject: Proposed Fitness Center
NE corner of Champlain Drive and Hickory Lane

To Whom It May Concern:

Please allow me to express my support for the fitness center proposed to be located in our neighborhood. Such an amenity will enhance our community and be especially convenient for those who would otherwise be required to drive elsewhere to enjoy an activity so common and useful to all of us.

Sincerely,

Name Signature

8806 N. Wanderer

Address

8-6-15

Date

Subject: Proposed Fitness Center
NE corner of Champlain Drive and Hickory Lane

To Whom It May Concern:

Please allow me to express my support for the fitness center proposed to be located in our neighborhood. Such an amenity will enhance our community and be especially convenient for those who would otherwise be required to drive elsewhere to enjoy an activity so common and useful to all of us.

Sincerely,

Bill Van Deelen [signature]

Name Signature

9354 N. Valley Green Drive

Address

8-6-15

Date

Subject: Proposed Fitness Center
NE corner of Champlain Drive and Hickory Lane

To Whom It May Concern:

Please allow me to express my support for the fitness center proposed to be located in our neighborhood. Such an amenity will enhance our community and be especially convenient for those who would otherwise be required to drive elsewhere to enjoy an activity so common and useful to all of us.

Sincerely,

Donna Lozano
Name

Signature

1334 E. Valley Forge Drive
Address

8/6/15
Date

Subject: Proposed Fitness Center
NE corner of Champlain Drive and Hickory Lane

To Whom It May Concern:

Please allow me to express my support for the fitness center proposed to be located in our neighborhood. Such an amenity will enhance our community and be especially convenient for those who would otherwise be required to drive elsewhere to enjoy an activity so common and useful to all of us.

Sincerely,

Gerard Lozano

Name

Signature

1334 E. Valley Forge Dr.

Address

8/6/15

Date

Subject: Proposed Fitness Center
NE corner of Champlain Drive and Hickory Lane

To Whom It May Concern:

Please allow me to express my support for the fitness center proposed to be located in our neighborhood. Such an amenity will enhance our community and be especially convenient for those who would otherwise be required to drive elsewhere to enjoy an activity so common and useful to all of us.

Sincerely,

MARK Rapp

Name Signature

8348 E VALLEY FORGE DR FRESNO, CA 93720

Address

8-6-15

Date

Subject: Proposed Fitness Center
NE corner of Champlain Drive and Hickory Lane

To Whom It May Concern:

Please allow me to express my support for the fitness center proposed to be located in our neighborhood. Such an amenity will enhance our community and be especially convenient for those who would otherwise be required to drive elsewhere to enjoy an activity so common and useful to all of us.

Sincerely,

Diane Rafani

Name Signature

1348 E. Valley Forge Dr.

Address

8-6-2015

Date

Subject: Proposed Fitness Center
NE corner of Champlain Drive and Hickory Lane

To Whom It May Concern:

Please allow me to express my support for the fitness center proposed to be located in our neighborhood. Such an amenity will enhance our community and be especially convenient for those who would otherwise be required to drive elsewhere to enjoy an activity so common and useful to all of us.

Sincerely,

Richard Matorin Richard Matorin
Name Signature

1383 E. Valley Forge Dr.
Address

8/6/15
Date

Subject: Proposed Fitness Center
NE corner of Champlain Drive and Hickory Lane

To Whom It May Concern:

Please allow me to express my support for the fitness center proposed to be located in our neighborhood. Such an amenity will enhance our community and be especially convenient for those who would otherwise be required to drive elsewhere to enjoy an activity so common and useful to all of us.

Sincerely,

Julie Matarian Julie Matarian
Name Signature

1353 E. Valley Forge Dr Fno, Ca 93720
Address

8/6/15
Date

Subject: Proposed Fitness Center
NE corner of Champlain Drive and Hickory Lane

To Whom It May Concern:

Please allow me to express my support for the fitness center proposed to be located in our neighborhood. Such an amenity will enhance our community and be especially convenient for those who would otherwise be required to drive elsewhere to enjoy an activity so common and useful to all of us.

Sincerely,

Stephanie Van Deelen [signature]

Name Signature

9354 N. Valley Green Drive

Address

8-6-15

Date