



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
STEVEN E. WHITE, DIRECTOR

Planning Commission Staff Report Consent Agenda Item No. 1 March 14, 2024

SUBJECT: **Unclassified Conditional Use Permit Application No. 3686 –
Second One-Year Time Extension**

Grant a second one-year time extension to allow the use of a “High Intensity Park” for the purpose of establishing a waterski club and events venue on an existing waterskiing lake in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: **The project site is located on the south side of Belmont Ave. approximately 2,000 feet east of Del Rey Ave, approximately two miles North of the City of Sanger (APN: 314-031-73 and 74) (505 W. Indianola Ave) (Sup. Dist. 5).**

OWNER: **Raymond J. Lynott**

APPLICANT: **Nicholas Rowe**

STAFF CONTACT: **Alyce Alvarez, Planner
(559) 600-9669**

**David Randall, Senior Planner
(559) 600-4052**

RECOMMENDATION:

- Approve a second one-year Time Extension for Unclassified Conditional Use Permit Application No. 3686; and
- Direct the Secretary to prepare a Resolution documenting the Commission’s action.

EXHIBITS:

1. Location Map
2. Existing Zoning Map
3. Existing Land Use Map
4. Planning Commission Resolution and Staff Report dated December 10, 2020
5. Applicant's correspondence requesting a one-year Time Extension
6. Site Plan and Operational Statement

ENVIRONMENTAL ANALYSIS:

A Mitigated Negative Declaration (MND) prepared for Initial Study No. 7901 was adopted by the Planning Commission in accordance with the California Environmental Quality Act (CEQA) with approval of Unclassified Conditional Use Permit (UCUP) No. 3686 on December 10, 2020.

According to Section 15162(a) of the CEQA Guidelines, when an MND is adopted for a project, no subsequent MND shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

1. Substantial changes are proposed in the project which will require major revisions of the previous MND due to the involvement of new significant environmental effects or substantial increase in the severity of previously identified significant effects.
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous MND was adopted, shows either of the following: (A) the project will have one or more significant effects not discussed in the previous MND; or (B) mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative.

This Time Extension request does not propose changes to the approved project, nor is there evidence of the circumstances noted in Conditions 1, 2 or 3 above. Therefore, a subsequent/supplemental environmental document is not required.

PUBLIC NOTICE:

Notices were sent to 31 property owners within 1,320 Feet of the subject parcel, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

PUBLIC COMMENT:

No public comment was received as of the date of preparation of this report.

PROCEDURAL CONSIDERATIONS:

The Fresno County Zoning Ordinance requires that a Conditional Use Permit shall become void when substantial development has not occurred within two (2) years after approval of the Permit. The Zoning Ordinance authorizes the Planning Commission to grant a maximum of four (4) one (1)-year Time Extensions when it can be demonstrated that circumstances beyond the control of the Applicant have caused delays which do not permit compliance with the original time limitation. The request for extension must be filed prior to the expiration of the Conditional Use Permit. The decision of the Planning Commission regarding an Unclassified Conditional Use Permit Time Extension is final, unless appealed to the Board of Supervisors within 15 days of the Commission’s action.

BACKGROUND INFORMATION:

Unclassified Conditional Use Permit (UCUP) No. 3686 was approved by the Planning Commission on December 10, 2020 (Exhibit 4) and became effective 15 days later, after the appeal period elapsed.

The Applicant filed the subject time extension request on December 6, 2023, within the time limit noted above. If this second time extension request is granted, the Applicant will have until December 26, 2024 to achieve substantial development.

ANALYSIS/DISCUSSION:

Approval of a time extension request for a UCUP is appropriate if circumstances beyond the control of the Applicant have caused delays which do not permit compliance within the two-year time limit established by the Zoning Ordinance. It should be noted that the Planning Commission’s jurisdiction in evaluating this request is limited to determining whether or not the Applicant should be granted an additional year to exercise the UCUP as approved.

According to the Applicant’s letter describing the Time Extension request (Exhibit 5), the Applicant needs additional time due to difficulties with financing, supply chain, and contractor issues. The basis for this application is that the Applicant’s health issues are beyond the Applicant’s control and has caused delay in development of the project.

This Time Extension application was routed to the same agencies that reviewed UCUP No. 3686 in May of 2020. None of those agencies identified any change in circumstances, or the need for additional conditions, or expressed any concerns with the proposed extension of time.

SUMMARY CONCLUSION:

The second one-year Time Extension for UCUP No. 3686 should be approved, as the Applicant’s various difficulties were not within their control and has caused delay in development of the project. Approval of this Time Extension will extend the expiration date to December 26, 2024.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Approval Action)

- Move to approve the second one-year Time Extension for UCUP No. 3686; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.



Alternative Motion (Denial Action)

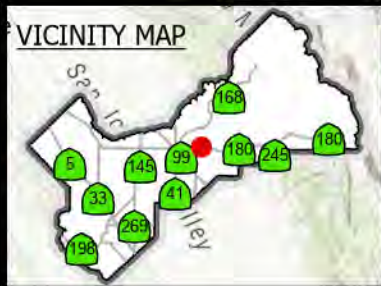
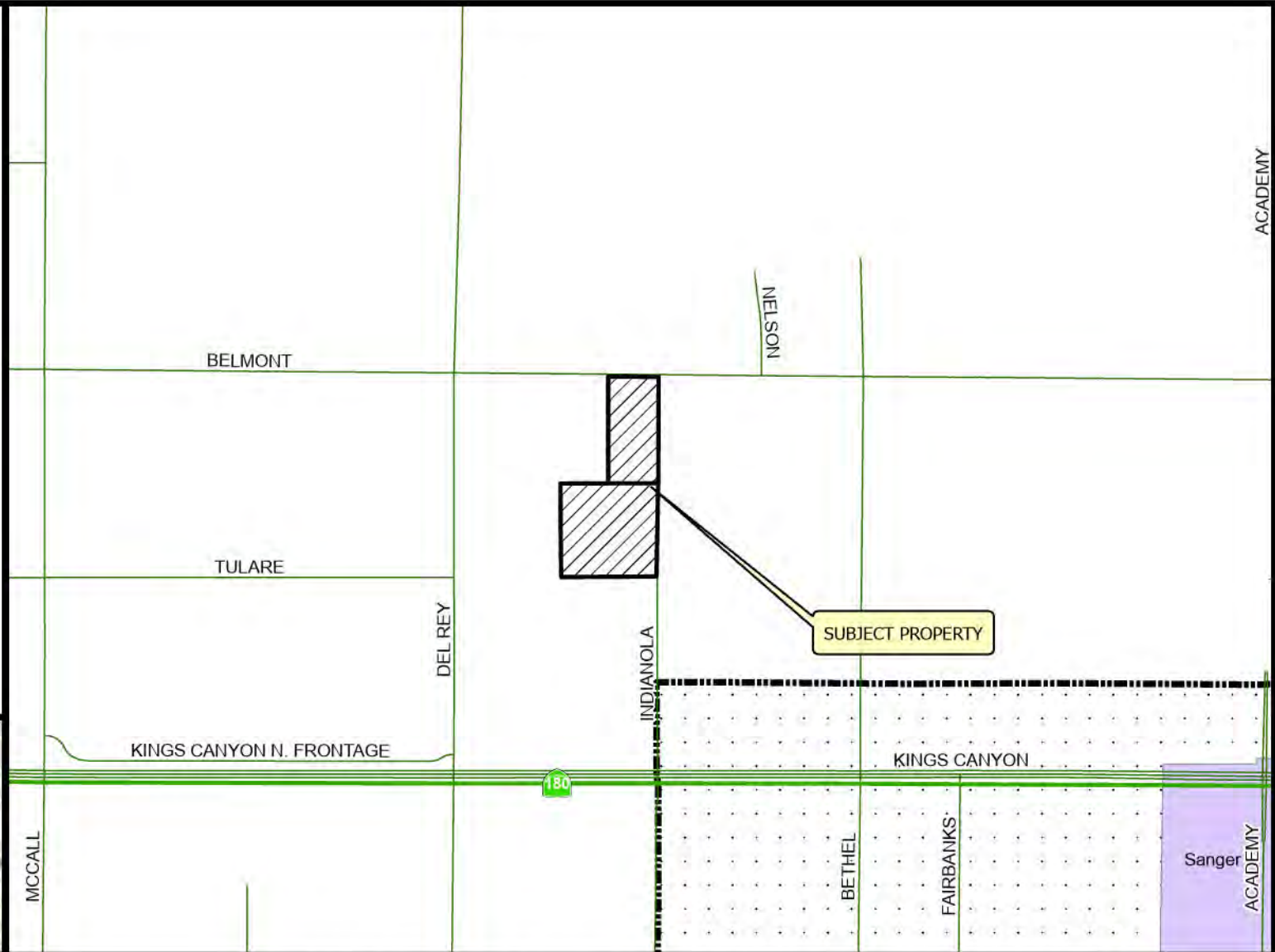
- Move to deny the second one-year Time Extension for UCUP No. 3686 stating the reason for denial; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

AA:jp

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Legend

-  Subject Property
-  Sanger



LOCATION MAP

CUP3686EXT2

2024

Prepared by : County of Fresno, Department of Public Works and Planning, Development Services Division
 Person Prepared by : mvilla
 On Date : 1/4/2024

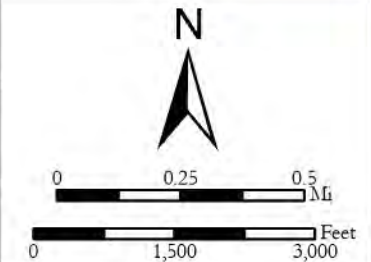
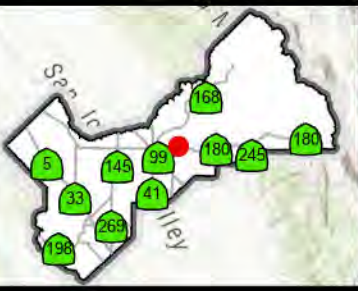
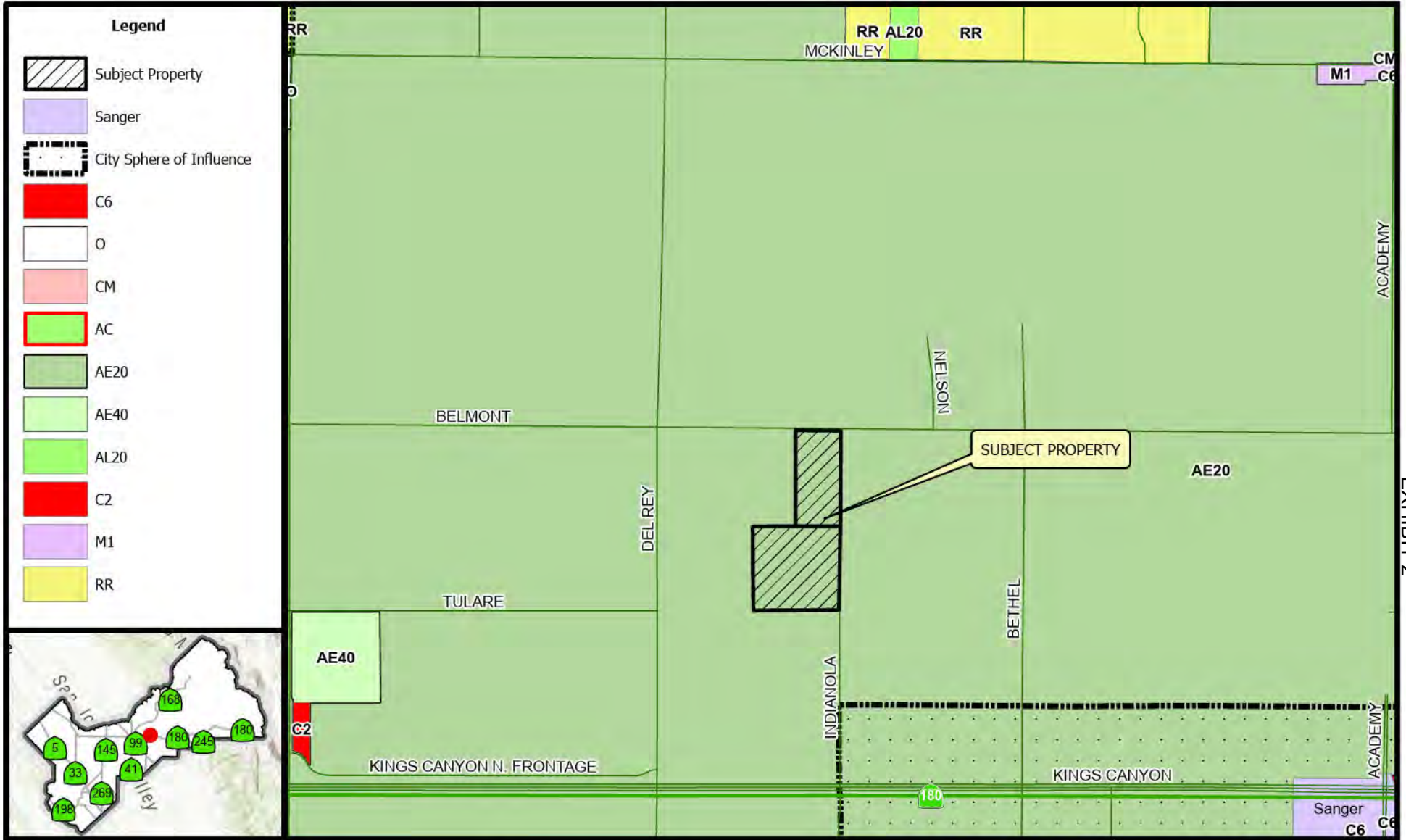


EXHIBIT 2

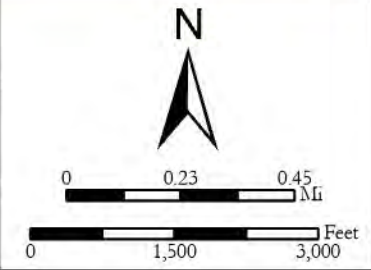


Existing Zoning Map



CUP3686EXT2
STR 4 - 14S / 22E

2024

Prepared by : County of Fresno, Department of Public Works and Planning, Development Services Division
 Person Prepared by : mvilla
 On Date : 1/4/2024



LEGEND:

-  Subject Property
-  Ag Contract Land

LEGEND
ORC - ORCHARD
SF# - SINGLE FAMILY RESIDENCE
GRZ - GRAZING
FC - FIELD CROP
VIN - VINEYARD
V - VACANT

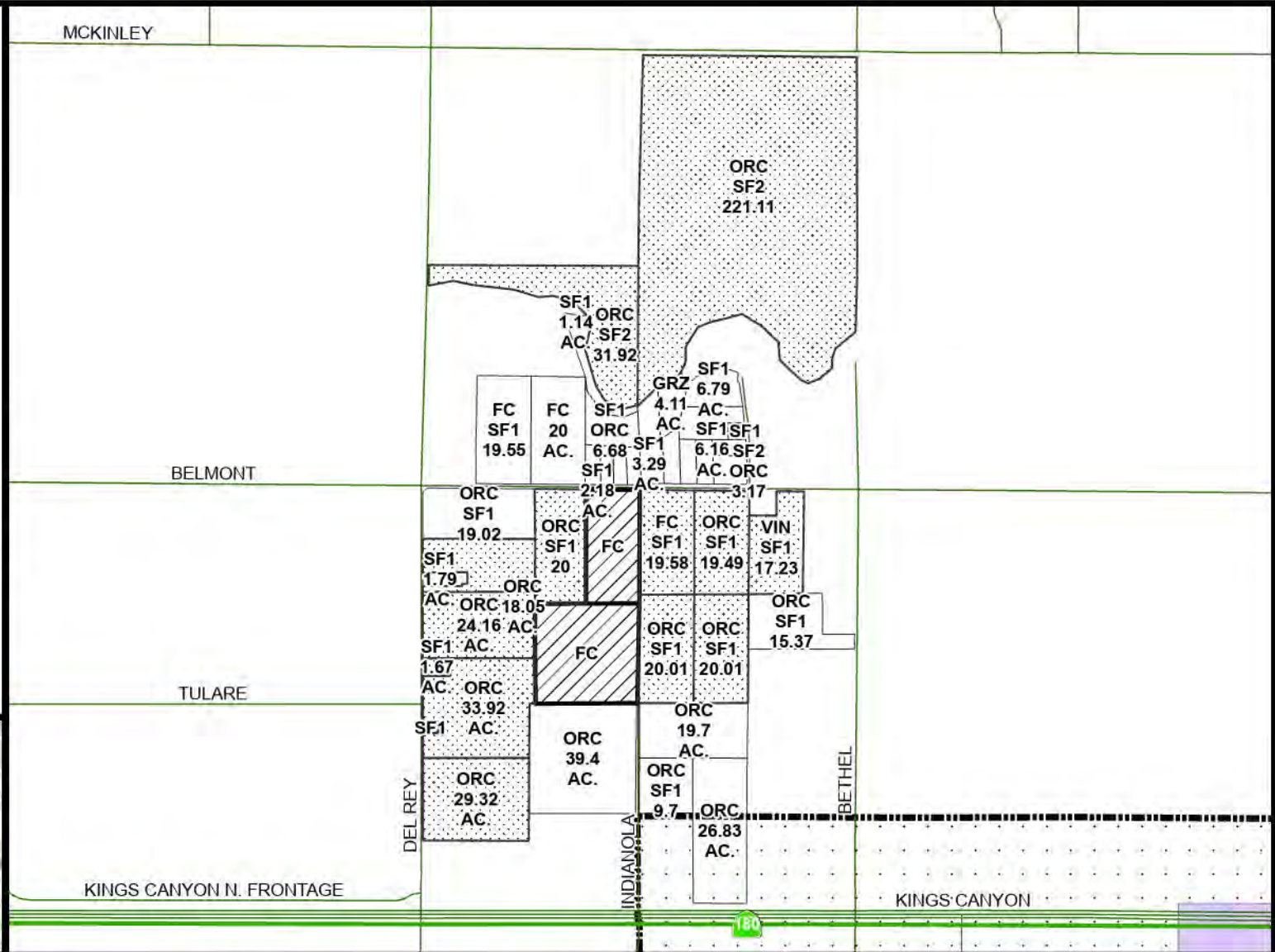


EXHIBIT 3

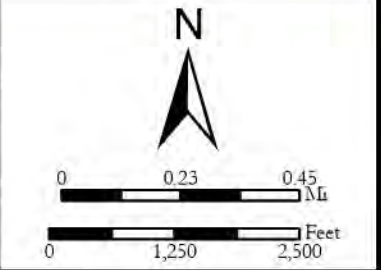


Existing Land Use Map

CUP3686EXT2

2024

Prepared by : County of Fresno, Department of Public Works and Planning, Development Services Division
 Person Prepared by : mvilla
 On Date : 1/4/2024





Inter Office Memo

DATE: December 10, 2020
TO: Board of Supervisors
FROM: Planning Commission
SUBJECT: RESOLUTION NO. 12865 - INITIAL STUDY NO. 7901 AND UNCLASSIFIED
CONDITIONAL USE PERMIT APPLICATION NO. 3686

APPLICANT: Raymond J. Lynott

OWNER: Shredder Lake LLC

REQUEST: Allow the establishment of a waterski club and events venue in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The subject project is located on the southwest corner of Belmont and Indianola avenues, approximately two miles north of the City of Sanger, on 54.35 acres comprised of two parcels APN 314-031-73 & 74, 505 N. Indianola Avenue, Sanger CA. (Sup. Dist. 5)

PLANNING COMMISSION ACTION:

At its hearing of December 10, 2020, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

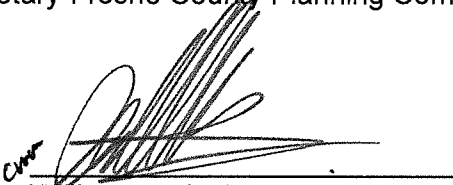
A motion was made by Commissioner Eubanks and seconded by Commissioner Woolf to adopt the Mitigated Negative Declaration prepared for the project, and to adopt the recommended Findings of Fact for approval of Unclassified Conditional Use Permit No. 3686, subject to the Conditions listed in Exhibit B.

RESOLUTION # 12865

This motion passed on the following vote:

VOTING:	Yes:	Commissioners Eubanks, Woolf, Burgess, Chatha, Hill, and Lawson
	No:	None
	Absent:	Commissioners Abrahamian, Carver, and Ede
	Abstain:	None

STEVEN E. WHITE, DIRECTOR
 Department of Public Works and Planning
 Secretary-Fresno County Planning Commission

By: 
 William M. Kettler, Manager
 Development Services and Capital Projects Division

WMK:im:dr
 G:\4360Devs&Pln\PROJSEC\PROJDOCS\CUP\3600-3699\3686\Reso\Resolution for CUP.doc

NOTE: The approval of this project will expire two years from the date of approval unless a determination is made that substantial development has occurred. When circumstances beyond the control of the Applicant do not permit compliance with this time limit, the Commission may grant an extension not to exceed one additional year. Application for such extension must be filed with the Department of Public Works and Planning before the expiration of the Conditional Use Permit.

Attachments

EXHIBIT A

Initial Study No. 7901
Unclassified Conditional Use Permit Application No. 3686

Staff: The Fresno County Planning Commission considered the Staff Report dated December 10, 2020 and heard a summary presentation by staff.

Applicant: The Applicant's representative concurred with the Staff Report and the recommended Conditions. He described the project and offered the following information to clarify the intended use:

- We contacted approximately 60 of the surrounding neighbors and received two letters of support and a phone call in support; there is also a neighbor two parcels to the east who is in agreement with the proposal but was concerned about access to the on-site utility pole.
- An access entrance will have to be developed along Belmont Avenue to be used only for emergencies.
- We will be developing new entrance features on Indianola Avenue for the facility.
- We have been limited to two events annually and have had up to 30-150 participants at the events.
- We would like to continue to support local charitable organizations like Valley Children's adaptive sports program and the wounded warriors program, and we will operate as a 501(C)(3) nonprofit organization.

Others: An individual representing Valley Children's Hospital presented a video on the adaptive sports program that had been operated at the lake.

No one spoke in opposition to the to the proposal.

Correspondence: The applicant provided two letters stating their support of the project and additional site photos to the Planning Commission. No other late correspondence of opposition or support were received.

EXHIBIT B

**Mitigation Monitoring and Reporting Program
Initial Study No. 7910
Classified Conditional Use Permit Application No. 3686
(Including Conditions of Approval and Project Notes)**

Mitigation Measures					
Mitigation Measure No. *	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
1.	Aesthetics	Prior to the operation of the High-Intensity Park, all outdoor lighting shall be hooded, directed, and permanently maintained as not to shine toward adjacent properties and public roads.	Applicant	Applicant / Fresno County Department of Public Works and Planning	Ongoing
2.	Cultural Resources & Tribal Cultural Resources	In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures shall be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.	Applicant	Applicant / Fresno County Department of Public Works and Planning	During ground-disturbing activities
3.	Noise	Instrumentation: The project applicant shall obtain a sound level meter that meets the requirements of the American National Standards Institute for Type 1 or Type 2 sound level meters (ANSI S1.4-1971). The sound level meter must be capable of measuring A-weighted sound levels at "slow" meter response and recording the maximum sound level (Lmax) during noise sample periods. An appropriate acoustic calibrator shall also be obtained for use in field-checking the accuracy of the noise monitoring system. The sound level meter, microphone and calibrator shall be certified by the manufacturer or an accredited laboratory that they are in compliance with applicable standards at the time of purchase.	Applicant	Applicant / Fresno County Health Department	Prior to Operations

4.	Noise	Training: The project applicant (or staff that will be conducting noise monitoring during outdoor events with amplified speech and music) must receive "hands-on" training in the proper use of the noise monitoring equipment from a qualified acoustical consultant.	Applicant	Applicant / Fresno County Health Department	Ongoing
5.	Noise	Measurement Location and Acceptable Noise Level: Taking into account the standard rate of noise attenuation with increased distance from a point source, and based upon the location of the outdoor PA system speakers (shown as Outdoor Event Area on Figure 2), noise levels must not exceed 50 dB at the property line between the project site and the adjacent property to the east (in the areas between SL-1 and SL-2 on Figure 2). If noise levels exceed 50 dB along this portion of the property line, noise levels would be expected to exceed 40 dB at the residence, and noise levels must be reduced at the noise source.	Applicant	Applicant / Fresno County Health Department	Ongoing
6.	Transportation / Traffic	Prior to issuance of construction permits, building permits, or encroachment permits, the Applicant Developer shall prepare and submit a traffic control and management plan to Fresno County Department Public Works and Planning. The Plan shall also include provisions for Dust Control. Operation of the proposed High Intensity Park shall be in conformance with the approved Traffic Control and Management Plan. The Applicant will be required to adhere to the Traffic Control and Management Plan to be approved by the County.	Applicant / Fresno County Department of Public Works and Planning	Applicant / Fresno County Department of Public Works and Planning	Prior to Construction
Conditions of Approval					
1.		Development of the property shall be in accordance with the Site Plan, Floor Plan, Elevations, and Operational Statement approved by the Commission.			
2.		A Site Plan Review application shall be submitted to and approved by the Director of the Public Works and Planning, Development Services and Capital Projects Division in accordance with Section 874 of the Fresno County Zoning Ordinance. Appropriate screening of the eastern and western property lines shall be considered as part of this review.			
3.		Except in the front yard setback, a dense landscape visual screen or 6 foot tall masonry wall shall be provided between the use and adjacent residential uses to the east and west			
4.		There shall be no outdoor storage allowed on the site including but not limited to vehicles, materials, and containers, etc.			
5.		The colors and material of all structures shall be aesthetically harmonious and compatible with development in the area. No strident materials, colors or designs that would be dissimilar from the surrounding area shall be allowed.			

*MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document. Conditions of Approval reference recommended Conditions for the project.

Project Notes

The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.

1.	This Use Permit will become void unless there has been substantial development within two years of the effective date of this approval, or there has been a cessation of the use for a period in excess of two years.
2.	Plans, permits and inspections are required for all onsite proposed improvements. Contact the Building and Safety Section of the Fresno County Department of Public Works and Planning at (559) 600-4540 for permits and inspections.
3.	The Application shall comply with California Code of Regulations (CCR), Title 24 – Fire Code. Prior to receiving Fresno County Fire Protection District (FCFPD) conditions of approval for the project, the Applicant must submit construction plans to the Fresno County Department of Public Works and Planning for review. It is the Applicant's responsibility to deliver a minimum of three sets of plans to FCFPD.
4.	Project/Development will be subject to the requirements of the current Fire Code and Building Code when a building permit or certificate of occupancy is sought.
5.	This project shall annex to Community Facilities District No. 2010-01 of the Fresno County Fire Protection District. The project also will be subject to the requirement of the current Fire Code and Building Code when a building permit or certificate of occupancy is sought. Please note, requirements for this project may include, but are not limited to water flow requirements, water storage requirements, fire pumps, road access, Public Resources Code 4290, fire hydrants, fire sprinklers system, fire alarm systems, premises identification, and title 15.60 County Ordinance.
6.	If the applicant proposes to use and/or store hazardous materials and/or hazardous wastes, they 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 California Health and Safety Code (HSC), Division 20, Chapter 6.95, Section 25507 (http://cers.calepa.ca.gov/). Contact the Certified Unified Program Agency at (559) 600-3271 for more information.
7.	As a measure to protect ground water, all water wells and/or septic systems that exist or have been abandoned within the project area should be properly destroyed by an appropriately licensed contractor.
8.	Prior to destruction of agricultural wells, a sample of the upper most fluid in the water well column should be sampled for lubricating oil. The presence of oil staining around the water well may indicate the use of lubricating oil to maintain the well pump. Should lubricating oil be found in the well, the oil should be removed from the well prior to placement of fill material for destruction. The "oily water" removed from the well must be handled in accordance with federal, state, and local government requirements.
9.	Should any underground storage tank(s) be found during the project, the applicant shall apply for and secure an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division. Contact the Certified Unified Program Agency at (559) 600-3271 for more information.

Project Notes

10.	AB 341 - Mandatory Commercial Recycling Program (MCR): After July 1, 2012, a business that generates four cubic yards or more of commercial solid waste per week or a multifamily residential dwelling of five units or more shall make arrangements to establish a recycling program for the business.
11.	AB 1826 - Mandatory Commercial Organics Recycling (MOR): Effective January 1, 2017: Businesses that generate 4 cubic yards of organic waste per week shall arrange for organic waste recycling services.
12.	An Engineered Grading and Drainage Plan is required to show how additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties. Typically, any additional runoff generated by the proposed development of this site cannot be drained across property lines and must be retained or disposed of per County Standards.
13.	A grading permit or voucher shall be required for any grading that has been done without a permit and any grading proposed with this application.
14.	Any work done within the right-of-way to construct a new driveway or improve an existing driveway will require an Encroachment Permit from the Road Maintenance and Operations Division.
15.	Typically, in an Arterial classification, if not already present, onsite turnarounds are required for vehicles leaving the site to enter the Arterial road in a forward motion so that vehicles do not back out onto the roadway. Direct access to an Arterial road is usually limited to one common point.
16.	No new access points are allowed without prior approval, and any existing driveway shall be utilized.
17.	If not already present, the following corner cutoffs shall be improved: 10-foot by 10-foot cutoffs at the exiting driveways onto American and Del Rey Avenues; and 30-foot by 30-foot cutoffs at the intersection of American and Del Rey Avenues.
18.	A minimum back up clearance of 18 feet should be provided and clearly labeled to conform with County Parking Standards.
19.	Any proposed landscape improvement area of 500 square feet or more shall comply with California Code of Regulations Title 23 Division 2, Chapter 2.7 Model Water Efficient Landscape Ordinance (MWELO) and require submittal of Landscape and Irrigation plans per Governors Drought Executive Order of 2015. The Landscape and Irrigation Plans shall be submitted to the Fresno County Department of Public Works and Planning, Site Plan Review (SPR) unit for review and approval prior to the issuance of building permits.
20.	The applicant may be required to obtain a Medical Waste Permit from the California Department of Health Services, Medical Waste Management Program. Call (916) 449-5671 for more information.

CMM:
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EXHIBIT 5

FROM THE DESK OF

SHREDDER LAKE LLC

Raymond and Wendy Lynott
505 N. Indianola Ave
Sanger, Ca. 93657

6 Dec 2023

Subject: CUP extension

Dear Mr. Randle

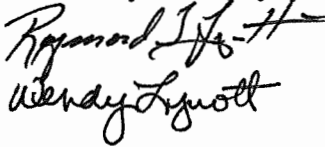
We are requesting an extension to our CUP. We are diligently working on plans for the Site Plan Review with several modifications to the existing CUP to include moving the proposed Event's barn site and downsizing it to 4,999sf, adding an external bathroom area which is ADA compliant and will accommodate Adaptive Athletes from the local Valley Children's Hospital and Wounded Warrior Project. We also plan to keep the existing wood barn in its current location; the original CUP had slated it for demolition.

We have had several setbacks with financing and contractor issues, as well as supply chain difficulties which have since been resolved. It is our intention to submit a site plan in January to address the above listed modifications.

This project will be an important addition, not only for the local community, but will also aid some of County's most in need, ie. children needing extra help to live as normal a life as possible and Veterans who have give so much of themselves in the pursuit of defending our freedom.

Your consideration in this matter is greatly appreciated.

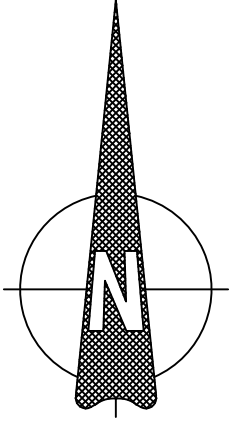
Owner: Ray and Wendy Lynott



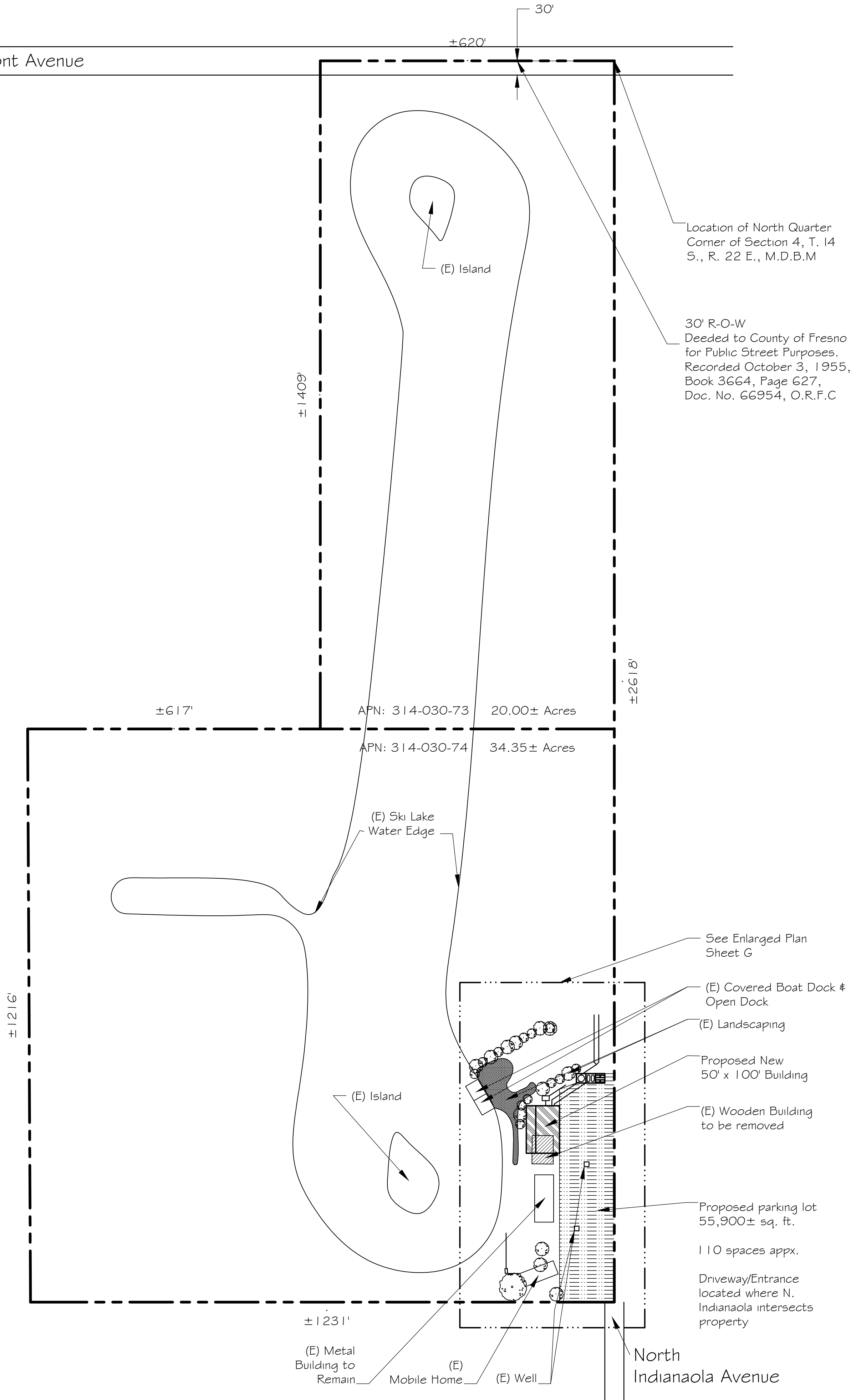
Contractor: Nick Rowe



Ray "Shredder" Lynott
Shredder Lake
Tournament Water Ski Facility
Sanger, CA
559-270-4594
shredderlake@gmail.com
~~~~~><}}}}>



East Belmont Avenue



Location of North Quarter Corner of Section 4, T. 14 S., R. 22 E., M.D.B.M

30' R-O-W  
Deeded to County of Fresno for Public Street Purposes. Recorded October 3, 1955, Book 3664, Page 627, Doc. No. 66954, O.R.F.C

See Enlarged Plan Sheet G

(E) Covered Boat Dock & Open Dock

(E) Landscaping

Proposed New 50' x 100' Building

(E) Wooden Building to be removed

Proposed parking lot 55,900± sq. ft.

110 spaces appx.

Driveway/Entrance located where N. Indianaola intersects property

North Indianaola Avenue

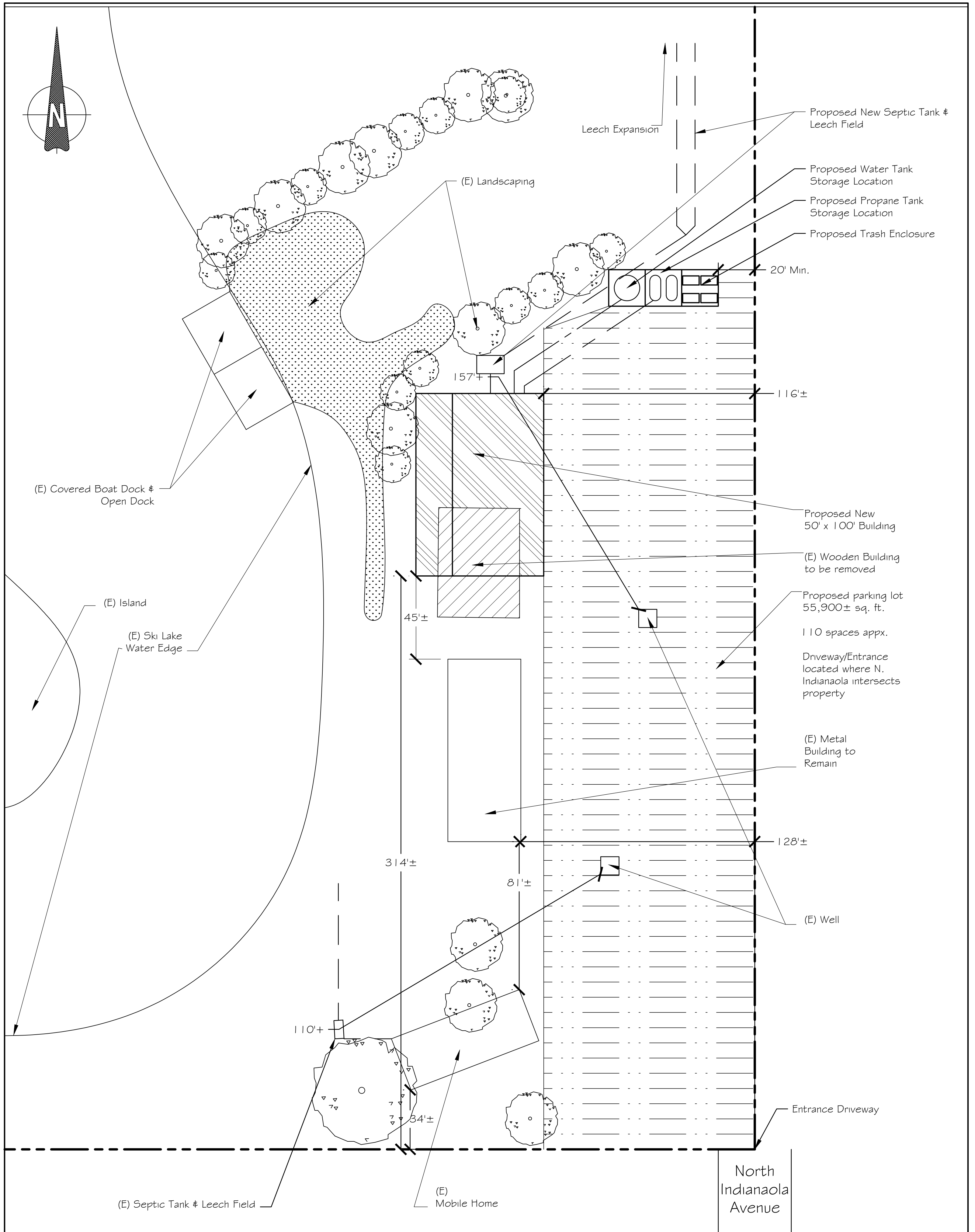
GO


SHEET  
MSC JOB NO.  
20002  
SCALE  
1" = 150'  
DRAWN BY  
N. Maxwell

CUP Application No.  
Shredder Lake, LLC.  
505 North Indianaola Avenue  
Sanger, CA 93657  
Site Plan

| Date     | Revision               |
|----------|------------------------|
| 03/20/20 | Pre-Project Review     |
| 06/19/20 | Pre-Application Review |
| 7/16/20  | CUP Application        |





|                                                                                                           |                             |                           |                               |                                                                                                                                   |                                         |                                                                             |                                                                                       |
|-----------------------------------------------------------------------------------------------------------|-----------------------------|---------------------------|-------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|-----------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
| <h1 style="font-size: 48px; margin: 0;">G1</h1> <p style="text-align: center; font-size: 12px;">SHEET</p> | MSC JOB NO.<br><b>20002</b> | SCALE<br><b>1" = 150'</b> | DRAWN BY<br><b>N. Maxwell</b> | CUP Application No.<br><b>Shredder Lake, LLC.</b><br>505 North Indianaola Avenue<br>Sanger, CA 93657<br><b>Site Plan Enlarged</b> | Date<br>03/20/20<br>06/19/20<br>7/16/20 | Revision<br>Pre-Project Review<br>Pre-Application Review<br>CUP Application |  |
|                                                                                                           |                             |                           |                               |                                                                                                                                   | PAGE 2                                  |                                                                             |                                                                                       |

**SHREDDER LAKE, LLC  
WINGS OF LAVENDER  
FARM•LAKE•VENUE**

**OPERATIONAL STATEMENT For Directors Review  
and Approval Application #TBD**

**PROPERTY OWNERS**

Raymond Joseph Lynott, Lt.Col USAF  
(Retired) 505 North Indianola Avenue Sanger,  
CA 93657

**PROJECT APPLICANTS**

Shredder Lake, LLC. a California Limited Liability  
Corporation c/o Raymond Lynott 505 North Indianola  
Avenue Sanger, CA 93657 (559) 270-4594  
shredderlake@gmail.com

**REPRESENTATIVE**

Maxwell Smart Construction, Inc. PO  
Box 2666 Clovis, CA 93613 (559)  
325-7495  
nmaxwell@maxwellsmartconstruction.c  
om

John Kinsey Wanger Jones  
Helsley PC 265 River Park  
Circle, Suite 310 Fresno, CA  
93720 (559) 233-4800

**PROJECT LOCATION**

505 North Indianola Avenue,  
Sanger APN 314-031-73 &  
314-031-74

## **PROJECT DESCRIPTION**

To receive an Unclassified Conditional Use Permit to allow the Use of a “High Intensity Park” per Zoning Ord. Sec. 853-B.12 & .13. For the purpose of establishing a waterski club, on a well established lake, and events venue.

### **1. BACKGROUND**

The Applicants have owned the subject site since 2001. Subsequent to their acquisition, Applicants have made many improvements to the site for their personal use and enjoyment of waterskiing activities.

On January 15, 2002, Fresno Irrigation District entered into a perpetual agreement with the Applicants to utilize their water feature as a recharge basin for the Sanger area. This agreement provides for the storage of 129 acre-feet of water to maintain adequate aquifer levels for the local farming community as well as providing a means to facilitate ditch maintenance along this active irrigation line.

On April 14, 2002, Fresno County Development Services Department approved and issued Grading Permit #6832 for the creation of an 18.5 surface acre water feature. This water feature was specifically designed and constructed with water sports use in mind and contains features to eliminate shoreline damage from surface wake water as well as limit leakage through soil absorption.

With this request, the Applicants seeks to create a rental facility centered around waterskiing activities and land features with a membership based waterski club. Facility events would include handicap and/or special needs

## EXHIBIT 6

children and adults, such as the Valley Children's Hospital Adaptive Sports Program and Wounded Warriors Project. Other facility events would include U.S. Military promotions/retirements, corporate team building events, and family-themed life-cycle events.

### **2. OPERATIONAL TIME LIMITS**

The proposed facility will center around two operations:

- 1) Membership Club Operations will be seasonally limited to April 1 through November 15 each year. The membership will be allowed to use the facility from 8AM to one hour after recorded sunset, essentially daylight hours only.
  
- 2) Rental Facility Operations will operate year round with a maximum of 150 rental events per year; operational hours will be 9AM to 10PM Sunday through Thursday and 9AM to Midnight Friday and Saturday.

### **3. NUMBER OF CUSTOMERS OR VISITORS**

The new facility would be classified as A-2 pursuant to California Building Code (CBC) Section 303.3. Maximum total occupancy of the facility, established by CBC Section 1004.5 Table 1004.5 is 400 occupants, primarily based on the less concentrated assembly area of 15 square feet per occupant and including the maximum occupancy of accessory interior spaces. The Applicants are intending to limit occupancy to a maximum of 300 total patrons, regardless of the facilities ability to accommodate more, per single event. The facility will be designed and constructed pursuant to the maximum occupant load in relation to egress, plumbing fixtures and parking spaces as required by CBC.

The membership club will be limited to a maximum number of 150 total members regardless of membership type, i.e. individual or family. Usage by the membership club is expected to be minimal, approximately 30 hours a

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week with a dozen club members on average. Membership usage would be expected to increase slightly in the warmer summer months.

The rental facility customers would vary based upon the type of rental event. An event with the Valley Children's Hospital Adaptive Sports Program would see approximately 200 total customers (75 children/125 program volunteers/family) and would typically occur between 9AM and 5PM. This event would most likely occur during a weekend. A U.S. Military promotion or retirement would see approximately 75 total customers. A corporate team building event would see approximately the same number of 75 customers. A life-cycle event would be expected to see the most number of customers. For example, an average wedding would consist of approximately 175 guests with approximately 25-30 additional people servicing the event.

The Applicants believe this facility would bring customers from out of Fresno County that will rent rooms and spend travel-related dollars on food and lodging.

### **4. NUMBER OF EMPLOYEES**

The Applicants will not have any directly employed employees. During any rental event, vendors providing ancillary services may have and bring employees.

### **5. SERVICE AND DELIVERY VEHICLES**

It is anticipated that the facility will receive delivery vehicles providing service in connection with certain rental events; such as delivering tables, chairs, linens, flowers, glassware, etc. These vehicles are expected to be small delivery box trucks that would arrive ahead of an event to make their delivery, then return the day after an event. Service vehicles connected with a rental event, such as a catering truck, DJ, photographer, etc. would be expected to arrive at a time during a rental event and leave once the



event has concluded. We anticipate 2-3 events a week with no more than four trucks per event (two drop off, two pick up). Hence, there would be a maximum of 12 small delivery vehicles weekly.

## **6. ACCESS TO THE SITE**

The facility will be located on the south eastern side of the 34.35 acre parcel, APN 314-031-74. Access to the facility is off of North Indianola Avenue, which connects to the public roadway of Highway 180. The Applicants intend to develop a new entrance to the site, under permit. This entrance would include an ornamental metal gate and automatic openers. Concurrent with this entrance, the Applicants intend to develop their responsible portion of a cul-de-sac to County of Fresno Standards and Cal-Fire Standards for a Fire Appurtenance Road, complete with concrete curb and gutter and paved roadway. On a rental event day, the gates would remain open. During regular business hours, club membership would enter the gate via a private entry code.

## **7. PARKING SPACES FOR EMPLOYEES, CUSTOMERS, AND SERVICE/DELIVERY VEHICLES**

The facility is located on a 34.35 Acre Parcel, on the south eastern side adjacent the lake. Currently the Applicants are intending to establish and allocate a designated parking area on the south eastern side of the facility and parcel. This designated parking area will be approximately 55,900 square feet and will establish approximately 108 parking spaces (2 cars per 513 sq. ft. (9' wide x 18' long stall + 21' travel lane + 18' long stall)). Parking per Fresno County Standards is one stall per 100 sq. ft. of building area establishing a minimum of 60 parking spaces. The proposed parking area is nearly double the County requirement. The parking area surface will be compacted natural soil. The parking area will be graded to County standards to ensure all surface water remains on the Applicants' property and treated accordingly. Prior to event days, the parking area will be watered to help mitigate dust issues. Time and space for necessary deliveries shall be accommodated for pre and post each event. No special

delivery dock(s) or designated parking area for deliveries will be provided.

## **8. ARE ANY GOODS SOLD ON-SITE**

This is a rental events venue with a secondary waterski club. The Applicants will not sell cooked or prepared food for any event and there will be no commercial kitchen on-site. In connection with a rental event, food will be provided by a third party. The chosen catering companies will prepare/provide food from that company's mobile food vehicle and/or food preparation unit and shall be licensed as required by the County's standards.

## **9. WHAT EQUIPMENT IS USED**

The Applicants will use their own equipment. This consists of the Applicants' own tractors and landscaping equipment to maintain the parking lot and landscaping features of the property and facility. The Applicants will also supply an appropriate tow boat for the waterski club membership's use.

## **10. WHAT SUPPLIES OR MATERIALS ARE USED AND HOW ARE THEY STORED**

A ski tow boat will be provided to the membership by the applicant and maintained by a local certified boat maintenance facility. The water craft will be maintained in compliance with all Coast Guard regulations pertaining to small water craft. Valley Children's Hospital and Wounded Warrior events will utilized the club boat for towing the adaptive athletes, Personal water craft (PWC) will be provided by the individual organizations as safety vessels for the adaptive skier athletes, they have significantly smaller engine displacement (three cylinders) then a typical ski boat; the noise from these light two person PWC is negligible.

Waterski club, members are required to supply their own fuel to be used in

the tow boat. Fuels will be transported in portable fuel cans, in the club member's personally owned vehicles (POV). Club members are also required to supply their own tow rope, waterskis and life vests. These will also be transported in the members' POV. Applicants will provide no retail equipment to its members, nor special events participants. All required equipment to facilitate water skiing, (with the **exception** of the **boat**), to include life saving equipment, will be the responsibility of the individual member.

The Applicants self maintain all personally owned equipment on-site. As such, the Applicants store on-site typical small engine supplies such as motor oil, filters, cleaning supplies, etc. These maintenance supplies will be stored in the Applicants' existing personal storage building.

Rental facility, event supplies will be brought in ahead of the event to allow time for setup. These event supplies will typically be items such as tables, chairs, linens, flatware, flowers, decorations, etc. and will be provided by third-party vendors. These supplies will be used during the event. Once the event concludes, supplies will be removed by the third-party supply vendor. The Applicants will self-maintain the facility. A designated janitorial storage room will be constructed on the interior of the facility for the Applicants' use and storage of cleaning and bathroom supplies for the facility. Additionally, Applicants own tables and chairs available for events, if requested. These are to be stored in the existing personal storage building.

## **11. DOES THE USE CAUSE AN UNSIGHTLY APPEARANCE**

The facility's placement is designed to be located as far as possible from existing residences while allowing it to blend in with existing buildings and the surrounding farming community. Ongoing landscaping projects continue to enhance the facility's appearance and to obstruct potential nuisances from the site. This facility is located in the middle of established farming orchards which also impede direct viewing of the facility.

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The closest neighbor to the south is approximately 1,650 feet. The closest neighbor to the east is approximately 564 feet. The closest neighbor to the west is approximately 2,250 feet. The closest neighbor to the north is approximately 2,000 feet. In all cases, the neighbors' direct views of the site are obscured by existing orchards, natural topography and/or each neighbor's current residential landscaping. For reference see drawing G2 included with this application.

Exterior site lighting is hooded and directed away from nearby property owners and installed as per County standards. Exterior site lighting will only be utilized during ingress and egress of event, ensuring increased safety. Event lighting is designed to create a pleasant ambiance. Low wattage lights, such as rope lighting or string lighting, will not cast onto surrounding neighbors' properties.

Dust shall be controlled by watering the parking area prior to an event. Planned landscaping, to include trees and hedges sufficient to surround the site, will also aid in dust control.

Club membership will generate minimal noise. The club boats are small watercraft with 5.7 Engines emitting 71 maximum decibels (db), pursuant to the manufacturer. Club members are anticipated to utilize the boat for 1-2 hours per visit, primarily due to the fuel they are required to bring and secondarily, to the physical energy required to water ski. Generally, a towed skier completes 6 passes (one pass is equal to the length of the lake) before needing to rest/recuperate, in which case the boat engine is shut off. The boats run at a low RPM, thereby reducing noise, as skiing is a skill sport not a speed sport. In an additional bid to decrease noise, club members will have access during daylight hours only.

## **12. LIST ANY SOLID OR LIQUID WASTES TO BE PRODUCED**

A fully ADA compliant restroom will be constructed inside the new building; an engineered septic system to County standards and in accordance with the anticipated occupant load. This restroom will serve both the club

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members as well as rental event attendees.

Food and liquid waste is expected to be minimal. Third-party food vendors will be encouraged to utilize flatware and glassware which will be collected and taken off-site for cleaning, thus decreasing paper and plastic waste. The Applicants will place waste and recyclable container drums around the facility for the ease of club members and event guests to dispose of small waste items.

The facility is served by Waste Management, the contract established by Fresno County for waste collection. A waste enclosure will be constructed on site pursuant to County standards, aiding in the collection and removal of waste and recyclables. The Applicants will comply with all public health, disposal and recycling requirements as mandated by law.

### **13. ESTIMATED VOLUME OF WATER TO BE USED (GALLONS PER DAY)**

The water level in the lake is maintained by the Fresno Irrigation District, pursuant to an agreement allowing the lake's use as a recharge basin for the District and canal system. The lake is approximately 129 acre-feet, however it's gallon usage is excluded from any calculation below.

An irrigation system will be used to water the landscaping and to reduce dust from the parking area. It is anticipated that watering the parking area and combined restroom usage for a large rental event would consume approximately 1,250 gallons. Daily restroom usage by Club Members is expected to be minimal. In all cases the water will be provided from the Applicants on-site wells which have sufficient capacity to allow for this usage and more. See attached #1 (well report).

#### **14. DESCRIBE ANY PROPOSED ADVERTISING**

The Applicant intends to construct a new gated entry and driveway to the property and facility with electric operators. A small sign on the entrance will read “Wings Of Lavender” (Farm•Lake•Venue) along with the site address pursuant to County standards. A facility layout sign near the entrance will be erected to depict the facility layout, parking area, and how to enter/exit the property. Direction signage will be placed to indicate parking area and vehicle flow, promoting traffic safety. A Membership Club rules sign will be posted near the dock.

#### **15. WILL EXISTING BUILDINGS BE USED OR NEW BUILDINGS CONSTRUCTED**

The existing and permitted 4,000 square foot metal storage building will continue to be used for the Applicants’ maintenance equipment and storage of tables and chairs. The building’s exterior will be remodeled to match the new facility, improving the overall appearance.

An existing and permitted 2,200 square foot dock and boathouse will be used by both the club members and rental facility guests. The boathouse stores two ski boats, supplied by the Applicants.

An existing 1,500 square foot wood barn will be destroyed. This building has no recorded data on file with the County. The building’s materials will be salvaged during its deconstruction and up-cycled to embellish the interior finish of the new building.

A new 5,000 square foot metal building with 2,000 square foot attached lean-to patio will be constructed. This building will be feature an approximate 3,750 square foot open assembly area with 1,250 square feet containing the ADA bathrooms, waiting rooms, and janitorial closet. The exterior of this building and the existing personal storage building will be finished with James Hardie

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masonry siding products to produce a rustic board-and-batt look with long lasting materials. The interior of the assembly area will be finished with the reclaimed materials from the barn deconstruction.

For reference, see drawings G0 and G1 included with this application.

### **16. EXPLAIN WHICH BUILDINGS OR PORTIONS OF BUILDINGS WILL BE USED**

As previously stated, the metal personal-storage building will be used for the storage and maintenance of the Applicants' equipment. The dock and boathouse will be used by the club members and rental facility guests. The new metal building with lean-to patio will entirely be used by the facility's operation.

The Applicants believe that the facility will attract guests from out of Fresno County who will rent rooms and spend other travel related monies on food and entertainment.

### **17. WILL ANY OUTDOOR LIGHTING OR OUTDOOR SOUND SYSTEM BE USED**

Exterior site lighting is hooded and directed downward, away from nearby property owners and installed as per County standards. Exterior site lighting will be utilized during ingress and egress of events, in low lighting conditions, promoting a safe environment. Event lighting for ambiance includes low wattage, such as rope lighting or string lighting, minimizing potential cast onto neighboring properties.

The facility will use an amplified sound system both outdoors and indoors. At all times the Applicants will insure that use of the sound system is compliant with the County's Noise Ordinance. Use of any sound system will cease at 10PM.

## **18. LANDSCAPING OR FENCING PROPOSED**

Additional landscaping is planned in conjunction with construction of the new facility, enhancing its overall appearance. Included in the current plans, are drought resistant flowers, shrubs and trees; with an emphasis on Central Valley native flora. These will be connected to the Applicants' existing irrigation system. Landscaping will also be placed in and around the parking area, strategically inhibiting views into the facility and providing additional nuisance mitigation.

The entire property is fenced in a manner to prevent club members and facility visitors from driving or wandering onto adjacent parcels; fencing materials predominantly consist of barbed wire and chainlink. Additional fencing and gate will be installed by the Applicants to ensure club members and facility visitors maintain vehicles in the designated parking area without wandering around the Applicants' remaining property.

## **19. ADDITIONAL INFORMATION TO PROVIDE A CLEAR UNDERSTANDING OF THE PROJECT**

Raymond Lynott is a retired field grade officer of the United States Armed Forces having served over 28 years as a Combat Fighter Pilot, to include multiple combat tours in Southwest Asia. Wendy Lynott is a Registered Nurse with over 35 years of experience. Mrs. Lynott has worked extensively with cancer patients, palliative care patients, and those at the end of life. She is currently employed by Hinds Hospice. Both Wendy and Ray are dedicated to the service of others, especially helping Children and Veterans with disabilities/special needs.

J.Crocker, MD of Valley Children's Hospital, having heard of Shredder Lake, reached out to the Lynotts to assist her in expanding the VCH Adaptive Sports Program. Now, for over a decade, they have had a productive working relationship. Together they are able to provide physically challenged children the opportunity to enjoy a safe and clean



water sport environment with their families.

Mr. Lynott purchased the land and developed what is known as “Shredder Lake”. Through Mr. Lynott’s desire to help those around him, the ability to offer the facility to the public for adaptive water sports was created. Adaptive water sports makes use of specially designed water skis and wakeboards to give recreational and athletic experiences to those with disabilities.

Shredder Lake is currently operated at the sole expense of the Lynott family. Valley Children’s Hospital and other charitable programs, to include Wounded Warriors, have reached out to Shredder Lake, inquiring if Mr. Lynott will be able to continue and expand his current operation, utilizing the unique features of the lake. Presently, no other privately-owned water ski lake exists in Fresno County.

Allowing Shredder Lake to be permitted, along with the construction of the new fully functional building, will allow Shredder Lake (Wings Of Lavender) to work with others, enhancing and promoting adaptive water sports to Children and Veterans. They hope to serve the community with honor and distinction for many years to come.

## **20. IDENTIFY ALL OWNERS**

Raymond Lynott is the sole CEO of Shredder Lake, LLC, a California Limited Liability Corporation and owner of the property.

Board members of Shredder Lake, LLC are: Wendy Lynott, Michael Giersch of Giersch Engineering Nicholas Maxwell of Maxwell Smart Construction, Inc.