



# Notice of Exemption

**Date:** September 12, 2024

**To:**

- Office of Planning and Research  
P.O. Box 3044  
Sacramento, CA 95812-3044
- Alameda County Clerk-Recorder's Office  
1106 Madison Street  
Oakland, CA 94607

**From:**

City of Fremont, Planning Division  
39550 Liberty Street  
Fremont, CA 94537  
Contact: James Willis, Senior Planner  
Phone: (510)-494-4449

**Subject: Filing of a Notice of Exemption Pursuant to CEQA Guidelines Section 15062**

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**Project Title:** Calphin Swim School DDR and CUP Amendment (PLN2024-00044)

**Project Applicant:** Jerome Tobias, Arcflux Studio

**Project Location (include county):** 34075 Fremont Boulevard, City of Fremont, Alameda County

**Project Description:** To consider a Discretionary Design Review and Conditional Use Permit Amendment for a tenant improvement and minor addition of 1,824 square feet and five parking spaces to the existing indoor swimming facility located in the North Fremont Community Plan Area, and to consider a finding that no further environmental review is required pursuant to, without exception, on a separate and independent basis, an exemption from the requirements of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301, Existing Facilities, and per CEQA Guidelines Section 15183, as the project is consistent with the land use envisioned for the site as established by the General Plan for which an Environmental Impact Report (SCH#2010082060) was previously prepared and certified, and CEQA Guidelines Sections 15162 and 15163, as none of the circumstances requiring preparation of a subsequent or supplemental EIR have occurred.

**Name of Public Agency Approving Project:** City of Fremont


**Exempt Status (check one):**

- Ministerial (Public Resources Code Section 21080(b)(1); CEQA Guidelines Section 15268)
- Declared Emergency (Public Resources Code Section 21080(b)(3); CEQA Guidelines Section 15269(a))
- Emergency Project (Public Resources Code Section 21080(b)(4); CEQA Guidelines Section 15269(b)(c))
- Categorical Exemption. State type and CEQA Guidelines section number: 15332; and
- Special Situations. State CEQA Guidelines section number: 15183
- Statutory Exemptions. State CEQA Guidelines section number:

**Reasons why project is exempt:**

The proposed project is exempt from the requirements of the California Environmental Quality Act (CEQA) per, without limitation, CEQA Guidelines Section 15301, Existing Facilities, in that is the project would add less than 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less. The project site is not environmentally sensitive as it is within an existing

commercial development. Additionally, no further environmental review is required pursuant to CEQA Guidelines Section 15183, as the project is consistent with the General Plan, for which an Environmental Impact Report (EIR) (SCH#2010082060) was previously prepared and certified, and CEQA Guidelines Sections 15162 and 15163, as none of the circumstances requiring preparation of a subsequent or supplemental EIR have occurred. Each of the foregoing provides a separate and independent basis for CEQA compliance.

Signature (Lead Agency):  Title: Senior Planner

Authority cited: Sections 21083 and 21110, Public Resources Code.  
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.