

STAFF REPORT
Architecture & Site Approval Committee
February 14, 2008
Item #3

File: 2195-42-53-07A

Boulder Ridge Golf Course / Rocke Garcia

Architecture and Site Approval for installation of a 3,200 square foot tent, a 296 square foot bathroom building and a 296 square foot storage building to support ancillary reception uses of the golf course.

Staff Recommendation: Approval

Property Owner: Rocke Garcia
Location: 1000 Old Quarry Road, San Jose
Gen. Plan Designation: Hillsides
Current Zoning: HS-d1
Property Size: 200 acres
Present Land Use: Private golf course
Supervisory District: One
Williamson Act: No

Prepared by: Pamela Wu, ASA Secretary
Approved by: Michael M. Lopez, Planning Manager

PROJECT DESCRIPTION

Architecture and Site Approval for installation of a 3,200 square foot tent, a 296 square foot bathroom building and a 296 square foot storage building to support ancillary reception uses of the golf course. Maximum height of the proposed tent and buildings are 16 feet.

RECOMMENDED ACTIONS

Actions Concerning Environmental Determination

It is recommended that the Architecture and Site Approval Committee accept staff's determination that the environmental impacts of the project have been adequately evaluated in a FEIR prepared for the "Boulder Ridge Golf Course" that was adopted by the Planning Commission on January 17, 1993, and that no further environmental review is required under the California Environmental Quality Act (Exhibit B).

Actions Concerning Proposal

It is recommended that the Architecture & Site Approval Committee grant the proposed Architecture & Site Approval subject to the recommended conditions (Exhibit A).

REASONS FOR RECOMMENDATION

Reasons for Actions Concerning Environmental Determination

The Architecture and Site Approval application has been reviewed in accordance with California Quality Environmental Act (CEQA). Staff has determined that all potential environmental impacts from the proposed project have been previously evaluated and addressed within the FEIR prepared for the "Boulder Ridge Golf Course" that was adopted by the Planning Commission on January 7, 1993. No substantial change are proposed in the project or have occurred regarding environmental circumstance which would result in the identification of any new significant impact that were not previously addressed in the prior FEIR.

In addition, the mitigations that were required through the Final EIR for the establishment of the golf course have been adequately satisfied. (Exhibit E)

Reasons for Actions Concerning Proposal

The project conforms to all of the required findings listed in §5.40.040 of the County Zoning Ordinance. The required findings are listed below.

- A. "Adequate traffic safety, on-site circulation, parking and loading areas, and insignificant effect of the development on traffic movement in the area;
- B. Appearance of proposed site development and structures, including signs, will

not be detrimental to the character of the surrounding neighborhood or zoning district;

- C. Appearance and continued maintenance of proposed landscaping will not be detrimental to the character of the surrounding neighborhood or zoning district;
- D. No significant, unmitigated adverse public health, safety and environmental effects of proposed development;
- E. No adverse effect of the development on flood control, storm drainage, and surface water drainage;
- F. Adequate existing and proposed fire protection improvements to serve the Development;
- G. No significant increase in noise levels;
- H. Conformance with zoning standards. Standards applicable to non-residential uses may be varied by the ASA committee to promote excellence of development, provided that the deviation from standards will better accomplish the purposes of this chapter;
- I. Conformance with the general plan and any applicable specific plan; and
- J. Substantial conformance with the adopted "Guidelines for Architecture and Site Approval" and other applicable guidelines adopted by the County, or by the appropriate city for land within the city's urban service area. "

The proposed project of the ancillary reception facility will not alter the existing traffic movement to Boulder Ridge Golf Course. No additional parking is required at this time since the proposed reception facility is not an intensification of the existing use. An acoustic study was submitted by the applicant to demonstrate that no significant increase in noise level will be created (Exhibit F). Because the proposed project is located in the "-d1" (design review overlay" zoning district, additional requirements including LRV (Light Reflectivity Value) and installation of mature trees to minimize visual impacts are imposed through conditions of approval. The applicant has also submitted a preliminary landscaping plan to incorporate trees, shrubs and other landscaping features to provide the continued appearance of the existing landscaping. No significant adverse public health, safety or environmental effects will be introduced by the project. All storm drainage, flood control and surface water drainage will be carefully mitigated.

The proposed project has demonstrated to satisfy all zoning standards such as setback and height requirements, in addition to LRV value and visibility impact as required in the "-d1" zoning district. The project also demonstrated conformance with the County General Plan and the Architecture and Site Approval Guidelines.

BACKGROUND

The applicant proposes to establish an ancillary reception facility to the existing clubhouse at the current golf course. The golf course, Boulder Ridge Golf Course, was established through its use permit in 1994 (County File #2195-092P-92A). The subsequent Final EIR was also adopted by the Board of Supervisors in conjunction with the use permit. Included in this use permit was a clubhouse that supports reception uses for the golf course.

The applicant proposes to establish an ancillary reception facility to hold events that were typically held inside the clubhouse. The project includes a 3,200 square foot tent, a 296 square foot bathroom building and a 296 square foot storage building at a location that was previously approved for temporary sales (County File 2195-01A). The same location was also approved for a large golf tournament that took place in four consecutive days in April 2007, with a maximum capacity of 350 people. The maximum height of the proposed tent and buildings is 16 feet.

Hours of operations will remain the same as established for the existing clubhouse. The proposed Architecture and Site Approval conditions prohibit any outdoor amplified music after 10pm and require that the project adhere to standards stipulated in the County Noise Ordinance.

The existing clubhouse was previously constructed with a maximum occupancy of 350 people. Together with the proposed ancillary reception facility, the total maximum occupancy will also remain at 350 people hence the proposed project is not an intensification of the existing use.

EXHIBITS

- A. Preliminary ASA Conditions of Approval
- B. Use of a Prior CEQA document
- C. Proposed plans
- D. Use Permit and ASA conditions of approval (2195-92P-92A)
- E. Mitigation associated with the Final EIR
- F. Acoustical Report submitted by the applicant dated 11/9/2007
- G. Correspondence submitted by Craig Breon on January 28, 2008
- H. Correspondence submitted by the applicant dated February 4, 2008

Architecture & Site Approval

Preliminary Conditions of Approval

EXHIBIT A

FILE NUMBER 2195-42-53-07A
PROPERTY OWNER: Rocke Garcia / Boulder Ridge Golf Course
MEETING DATE: February 14, 2008

Project Description: Architecture and Site Approval for installation of a 3,200 square-foot tent, a 296 square-foot bathroom building and a 296 square foot storage building to support ancillary reception uses of the golf course.

APPLICATION APPROVED SUBJECT TO CONDITIONS STATED BELOW IN ACCORDANCE WITH PLANS AS SUBMITTED.

Items marked with one asterisk (*) must be completed prior to issuance of building permit.

Items marked with a double asterisk (**) must be completed prior to final inspection of subject building permit.

Planning Office

Contact Pamela Wu at (408) 299-5775 for more information.

1. Development and maintenance of the site shall take place in accordance with approved plans. The proposed facility is for installation of a 3,200 square foot tent, a 296 square foot bathroom building and a 296 square foot storage building to support ancillary reception uses of the golf course. Maximum height of the proposed tent and buildings are 16 feet.
2. Maximum occupancy of the reception facility (existing clubhouse and proposed tent in combination) is 350 people. Any further expansion of the golf course may be subject to modification of its Use Permit. Note: The maximum occupancy for the existing clubhouse is 350.
3. All Use Permit and Architecture and Site Approval conditions that are associated with the establishment of current golf course and clubhouse (2195-92A-92P) shall remain effective.

4. The proposed tent is to be used for intermittent events only (i.e. weddings, receptions, etc.), not full time use. Maximum usage of the facility cannot exceed 12 events per month.
5. This approval does not authorize any entertainment event such as musical or theatrical performances to which the public is invited.
6. **Parking.** No additional parking is required at this time. Maintain the existing 180 off-street parking spaces that are delineated by painted lines for clubhouse area and the proposed tent reception facility; provide 19 spaces in the maintenance yard area for employee parking.
7. Existing parking space area and driveways shall remain paved with asphalt or better.

Landscaping

- 8.* Per the Architecture and Site Approval (ASA) Guidelines, landscaping must be included on all development sites subject to the ASA process. Landscaping shall relate to the whole development, be integrated with building design, and soften any adverse impacts of buildings and pavement. Submit two (2) copies of final landscape plan to ASA Secretary. Plans shall be consistent with the following:
 - a. Landscape architect to prepare plan. (Include stamp on landscape plan.)
 - b. Use native and /or drought resistant plant material. If nonnative or non-drought-resistant vegetation are proposed, provide rationale for review and approval.
 - c. Minimum tree size shall be 24-inch box. Trees shall provide adequate visual relief and shading when they mature. Incorporate a minimum of four (4) 24-inch box trees at the south side of the proposed tent to minimize any visual impact.
 - d. Include type, size, and location of all plant materials and irrigation details.
- 9.** Landscaping installation and maintenance:
 - a. Provide landscaping plant materials as shown on the approved plans.
 - b. All landscaped areas shall be continuously maintained.

Design Review

- 10.* **Light Reflectivity Value (LRV).** Submit color samples for the tent, bathroom and storage buildings materials indicating the Light Reflectivity Value is less than 45.
- 11.* **Outdoor Lighting.** Submit an outdoor lighting plan, if any exterior lighting is proposed. The outdoor lighting plan shall use full cut-off lighting fixtures directed downwards to minimize spillover lighting and visibility from the valley floor.
- 12.* **Ongoing Compliance.**
 - a. Record with the County Recorder's Office a copy of the Architecture and Site Approval conditions. Submit a copy of the recorded document.

- b. All conditions established through this approval shall be the ongoing obligation of the property owners, including future property owners.

Noise

- 13. Amplified sound and all activities associated with the tent reception facility shall comply with the County Noise Ordinance. No outdoor amplified music is allowed after 10pm.
- 14. All windows, doors and fabric walls of the tent structure shall remain closed when the interior maximum noise level reaches 110 dBA or 90 dBA for 30 minutes of any hour.
- 15. Noises generated from any construction activities are subject to noise level to 90cBA at a distance of 50 feet from the source, as stated in the County Noise Ordinance. Construction shall be limited during daytime hours between 7am to 7pm, Monday through Friday. No construction shall be allowed within 500 feet from any residential structures on the weekends.

Signage

- 16. No additional sign is approved at this time

Post-Approval Monitoring (PAM)

- 17. Submit a 6-month status report, with accompanying Post-Approval Monitoring (PAM) fee, (a minimum of two (2) hrs of staff consultation time subject to current fee schedule established by the Board of Supervisors) by first week of June and December of each year. The status report should include the following:
 - a. Dates of each event that occurred;
 - b. Number of events that occurred each year;
 - c. Number of maximum patrons and employees attended each event;
 - d. Duration of each event (hours and number of consecutive days);
 - e. Evidence of current food permits from Department of Environmental Health;
 - f. Evidence of current Alcoholic Beverage Control license demonstrating clearance from ABC;
 - g. Compliance report and /or evidence of inspection from Fire Marshal's Office;
 - h. Operation and Maintenance report as required by Department of Environmental Health.

The status report shall be submitted a minimum of three times to the Planning Director for review and this requirement may be deleted subsequently at the Director's discretion. Moreover, after a meeting with the property owner / applicant, the Director may schedule a public hearing following receipt of the staff report to the Planning Commission. Any intensification of the reception use to the existing golf course is subject to either an Administrative Permit or modification of the Use Permit.

- 18. All food service facilities are to be under permit by the Department of Environmental Health Services.

- 19.** Schedule an appointment two weeks in advance with ASA Secretary for site visit to verify that the required landscaping and others have been property addressed.

Department of Environmental Health

Contact Ann Peden at (408) 299-5748 for more information.

20. The existing septic tanks are connected to the club house leach fields, not the maintenance building. Therefore, the existing leach fields are adequate for the proposed use.
- 21.* The existing septic system (septic permit #61990) was designed and installed for a temporary office trailer. The proposed use will require an upgrade of a new 1500-gallon tank (in addition to the existing 1500 gallon tank) to provide increased wastewater retention in the septic tanks.
22. The proposed tent is to be used for intermittent events only (i.e. weddings, receptions, etc.), not full-time use. Maximum usage of the facility cannot exceed 12 per month. The septic system is not designed for full-time use of the reception facility or the new restrooms.
23. The septic system serving the proposed tent is to be used for restroom wastewater only. There shall be no food preparation or utensil wash wastewater discharging into this septic tank.
24. The 6-month Operation & Monitoring Plan is to include the following:
- a. Septic tanks pump tests and inspection reports (including a 30-minute water test) by a licensed septic contractor.
 - b. Potable water usage at the clubhouse and the pavilion to monitor wastewater flows into the septic tanks.
 - c. If the tent reception facility exceeds the existing septic system's design parameters, as determined by DEH, the property owner agrees to expand the septic system to accommodate the increased use.
- 25.* Prior to issuance of the building permit, submit a written Standard Operating Procedure (SOP) to DEH District Supervisor for review and approval. This SOP should address the food safety operations within the proposed pavilion, to include the following:
- a. How will the food be transported to the events pavilion?
 - b. What time and temperature controls will be utilized (i.e. hot holding units, refrigeration, etc.)?
 - c. Where will the servers wash their hands?
 - d. Will there be a bar? How will the bartender wash his/her hands?
 - e. What food protection measures will be taken (i.e. sneeze guards, etc.)?

Note: If it is found that any of the food safety issues require the need for additional plumbing, the septic system will need to be re-evaluated by DEH. Additional plumbing may require an increase in the leach field size.

- 26.* Submit water clearance letter or water connection permit from the water purveyor.

Fire Marshal's Office

Contact Judy Saunders at (408) 299-5761 for more information

NOTE:

- Plans submitted to the Fire Marshal's Office for a Fire Code Permit after Jan 1, 2008 will be subject to the provisions of the 2007 Santa Clara County Building and Fire Codes.
 - **Use Period:** Temporary membrane structures, tents and canopies shall be erected for a period not to exceed 180 days within any 12-month period on the premises. (Chapter 31E of the 2001 California Building Code)
- 27.* Obtain a tent permit from the Fire Marshal's Office each time that the tent is erected, prior to the installation of the tent. The permit shall be limited to a maximum of 180 days, after which the tent shall be taken down immediately. The permit submittal and installation shall comply with Fire Marshal Standard CFMO-SE1: *Tents, Canopies and Temporary Membrane Structures* as well as all State and local requirements.

Fire Department Access

- 28.* An approved fire apparatus turnaround shall be provided within 150 ft. of all exterior portions of the tent structure (as measured along the path of travel). The required turnaround shall not be obstructed in any manner, including parking of vehicles. (REF: 2001 CFC §902.2.1)

Fire Protection Water Supply

- 29.* The existing Fire Hydrant shall be visible, accessible, and clearly identified in compliance with Fire Marshal Standard CFMO-W3.

Building Inspection Office (BIO)

Contact BIO staff at (408) 299-5700 for more information

30. For detailed information about the requirements for a building permit, obtain a Building Permit Application Instruction handout from the Office of Building Inspection or visit their website (www.sccbuilding.org).