

County of Santa Clara

Department of Planning and Development
 County Planning Office
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Notice of Intent to Adopt a Mitigated Negative Declaration

A notice, pursuant to the California Environmental Quality Act of 1970, as amended (Public Resources Code 21,000, et sec.) that the following project will not have a significant effect on the environment.

File Number	TAZ	APN(s)	Date
2195-42-53-08P-08A	347	696-01-025	March 13, 2009
Project Name		Project Type	
Boulder Ridge Reception Facility		Reception Facility / Golf Course	
Owner		Applicant	
Golf Course at Boulder Ridge LLC		Same	
Project Location			
1000 Old Quarry Road, San Jose			
Project Description			
<p>Proposed modification of an existing Use Permit to allow site reconfiguration for construction and operation of a detached Reception facility at Boulder Ridge Golf Course. Proposed improvements will consist of a 3,581 square foot Reception building, an 651 square foot storage / restroom building, a “wedding” gazebo and arbor, an outdoor terrace and turf area, ancillary pedestrian improvements, and widening of the access road between the Clubhouse and the Reception facility site. The proposed Reception area is approximately 28,000 square feet in size and is located approximately 800 feet south of the existing Clubhouse at the Golf Course. The area has been graded as a flat pad and was previously used for a tent and modular buildings associated with golf course maintenance and membership sales. No grading is required on the Reception facility site, however widening of the access road to meet the County emergency access standards will require some minor grading.</p> <p>The proposed Reception facility will house reception events which were originally designated to occur within the Clubhouse facility at the Golf Course. As evaluated within the 1993 Supplemental EIR prepared for the Golf Course (The Golf Club @ Boulder Ridge Final Supplemental EIR, February 1993), the Clubhouse was contemplated to be approximately 22,000 square feet in size and contain a dining / banquet room with 224 seats in addition to a private dining room and cocktail lounge. The Clubhouse which was constructed is less than 19,000 square feet in size and does not contain the large dining / banquet room. This use is now proposed to be accommodated within this new Reception facility at a different location on the Golf Course. The maximum occupancy of the new Reception building is established by the Fire Marshal’s Office, however the intended occupancy of the building is 224 persons. Additional guests may be allowed at the Reception site provided the maximum number of reception guests on the Golf Course site does not exceed 290 (ie. other reception activities are not occurring inside the Clubhouse), as specified under the conditions of approval for the Use Permit.</p> <p>The proposed Reception facility is proposed to operate between 7am and 2am daily, consistent with hours of operation for the Clubhouse. Events are expected to have amplified music such as a live band or DJ. However, any music, amplified music or amplified broadcasting (microphone / PA system) shall be limited to the hours of 7am to 10pm, consistent with the daytime period established under the County Noise</p>			

Ordinance. All amplified music associated with the Reception site will be located inside the Reception building. The facility is proposed to be used for a variety of reception events, such as weddings or corporate events.

Purpose of Notice

The purpose of this notice is to inform you that the County Planning Staff has recommended that a Mitigated Negative Declaration be approved for this project. County of Santa Clara Planning Staff has reviewed the Initial Study for the project, and based upon substantial evidence in the record, **finds that although the proposed project could initially have a significant effect on the environment, changes or alterations have been incorporated into the project to avoid or reduce impacts to a point where clearly no significant effects will occur.**

A public hearing for the proposed project is tentatively scheduled for the Planning Commission on **April 2, 2009** in the County Government Center, Board of Supervisors Chambers. It should be noted that the approval of a Mitigated Negative Declaration does not constitute approval of the project under consideration. The decision to approve or deny the project will be made separately.

Public Review Period:

Begins: March 13, 2009

Ends: April 1, 2009

Public Comments regarding the correctness, completeness, or adequacy of this negative declaration are invited and must be received on or before the hearing date. Such comments should be based on specific environmental concerns. Written comments should be addressed to the **County of Santa Clara Planning Office, County Government Center, 70 W. Hedding Street, San Jose, CA 95110, Tel: (408) 299-5770**. Oral comments may be made at the hearing. A file containing additional information on this project may be reviewed at the Planning Office under the file number appearing at the top of this form. For additional information regarding this project and the Mitigated Negative Declaration, please contact **Rob Eastwood** at (408) 299-5792.

The Mitigated Negative Declaration and Initial Study may be viewed at the following locations:

- (1) Santa Clara County Planning Office, 70 West Hedding Street, East Wing, 7th Floor, San Jose, CA 95110
- (2) Planning Office Website www.sccplanning.org (Environmental Documents under "Find it Fast")
- (3) Almaden Branch Library, 6445 Camden Avenue, San Jose, CA
- (4) Vineland Branch Library, 1450 Blossom Hill Rd., San Jose, CA

Responsible Agencies sent a copy of this document

None

Mitigation Measures included in the project to reduce potentially significant impacts to a less than significant level:

AESTHETICS

In conformance with the design review standards within the County Zoning Ordinance, the following mitigation measures / conditions will apply:

- The light reflectivity value (LRV) of the exterior surfaces the buildings, fence, and any seating walls proposed onsite shall not exceed 45.
- Final Building Plans for the Reception Building shall demonstrate that the maximum horizontal length of continuous wall planes be 80 feet or less.

Landscaping Plan. Prior to issuance of the building permit, two copies of a landscape plan shall be submitted for approval by the Planning Office, designed to provide some visual screening and break up the apparent mass of the reception building and ancillary improvements as viewed from the valley floor. The landscaping plan, which must be prepared by a licensed landscape architect, must include layered plantings in the following locations:

- On the southwestern side of the Reception Building (between the building and valley floor)
- On the southeastern side of the Building, and south of the Restroom facility

Installation should utilize native or naturalized species with consideration to drought tolerance, adaptability and relationship to environment; color, form and pattern; ability to provide shade; soil retention, and fire resistance. Plan should consist of a variety of landscape material types (i.e. large/small trees, shrubs, vines/ivy, and ground cover) of varying species. *Canopy trees* shall, for the purposes of this condition, mean deciduous or evergreen trees of a species whose height and/or spread at maturity normally exceeds 25 feet, and shall not include palms.

Plan shall include species name (generic and common), size and container size of all proposed plants. Plan must also describe any relevant details of irrigation and maintenance, including methods for protecting any significant existing trees during construction. Show details of plant pit and staking/guying of large trees on slope.

Arrangement of trees and other plant materials shall provide for defensible space for fire protection around proposed buildings.

In areas where soil properties are less than conducive to hearty vegetation growth, soil augmentation shall be required; particularly in those areas surrounding tree installation pits. The extent of soil augmentation shall be based on the anticipated drip line at maturity, with a depth adequate to promote root development for structural stability and vigor.

The following are specific canopy tree installation requirements that shall apply.

Minimum of fifteen (15) canopy trees:	
Container size	24 inch (min) box
Caliper	2.5 inches (min)
Height	9 feet (min)

All required canopy trees shall be maintained in good health and condition, and no such tree may be removed without replacement by equivalent tree. In addition, all proposed trees on the property shall be subject (without time limitation) to the provisions of Division C16: Tree Preservation and Removal, of the County Ordinance Code.)

Outdoor Lighting Plan. An outdoor lighting plan shall be prepared and submitted for approval by the County Planning Office. The plan shall indicate use of full cut-off lighting fixtures directed downwards to prevent spillover lighting and visibility from the Valley floor. The plan shall be submitted for approval prior to the issuance of any building permits for the proposed improvements and installation shall be verified by the Planning Office prior to final inspection.

AIR QUALITY

The following dust control measures will be adhered to during construction for all improvements for the reception facility. Final building plans must contain language requiring that the following control measures be implemented.

- Water all active construction areas at least twice daily.
- Cover all trucks hauling soil, sand, and other loose materials *or* require all trucks to maintain at least two feet of freeboard.
- Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
- Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites.
- Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.

NOISE

- All amplified music or amplified broadcasting (microphone / PA system) associated with the Reception site shall occur within the Reception Building.
- No music, amplified music, or amplified broadcasting (microphone / PA system) is allowed between the hours of 10pm and 7am.
- The STC Rating for all windows on the Reception Building shall be a minimum of STC 28 and any windows on the northern and eastern sides of the Reception Building shall have a minimum STC 32 rating.
- All doors on the northern and eastern sides of the Reception Building shall be constructed as self closing doors. During all reception events, doors and windows on the northern and eastern sides of the reception facility shall remain shut (not propped open) and only opened as necessary for entrance / exiting.
- When noise exposure within the Reception Building exceeds 90 dBA, all doors and windows (including the front doors on the western façade) shall remain closed.
- The Reception Building shall contain a sound meter system located inside the building that shall record noise levels within the reception area. The sound meter shall contain a visual indicator (such as a light or numerical reading) showing when noise levels exceed 90 dBA. The sound meter and 90 dBA indicator shall be located in a prominent location visible to guests and the DJ / Band with clear signage indicating that all doors and windows shall remain closed when noise levels exceed 90 dBA, referencing compliance with the County Noise Ordinance.
- All written contracts or other agreements between the owner and users of the Reception facility shall clearly state (a) All music, amplified music, and amplified broadcasting is prohibited between the hours of 10pm and 7am (b) All amplified music shall be located within the Reception Building, (c) the doors on the northern and eastern sides of the reception facility shall remain closed during reception events, and (d) all doors and windows shall remain closed when noise exceeds 90 dBA, referencing the sound meter inside the building and its purpose. Prior to final occupancy, submit a standard contract containing this language for review and approval by the Planning Office.
- Final Building plans for the Reception Building shall be submitted for review and approval by a County retained noise consultant to determine if the design will meet the recommendations set forth in the noise reports and correspondence referenced in this Initial Study and demonstrating compliance of the facility with the County Noise Ordinance. This review shall occur prior to issuance of any building permits for the facility.
- Prior to issuance of final occupancy or the start of any onsite events, a Construction Observation Letter shall be submitted by a county retained noise consultant verifying that the as-built improvements will meet the recommendations within the aforementioned noise report and be in compliance with the County Noise Ordinance.
- Noise levels shall be monitored by a qualified noise consultant retained by the County and paid for by the applicant. The monitoring shall be performed on an annual basis (starting after issuance of the certificate of occupancy) for a period of two years and include at least three separate reception events. Noise monitoring shall be random with no communication between the noise consultant and golf course operator or event organizer that noise monitoring is occurring. At the end of two years, a status report shall be presented to the Planning Commission. If the Planning Commission finds that the facility is operating within adopted County noise standards, then the noise monitoring shall cease.

- If at any time the County determines that the facility is exceeding adopted County noise standards, the County may take whatever enforcement action(s) it determines, in its discretion, are appropriate, including but not limited to recommending that the Use Permit be scheduled revocation or modification by the Planning Commission.

A reporting or monitoring program must be adopted for measures to mitigate significant impacts at the time the Mitigated Negative Declaration is approved, in accord with the requirements of section 21081.6 of the Public Resources Code.

Prepared by:

Rob Eastwood, Senior Planner, AICP

Signature

Date

Approved by:

Michael M. Lopez, Planning Manager

Signature

Date