Boulder Ridge
Fitness and Swim Center

Final
Environmental Impact Report

March 2014

County of Santa Clara Planning Office
State Clearinghouse Number: 2013052012
CONTENTS

INTRODUCTION ......................................................................................................................... 1
CEQA REQUIREMENTS AND PROJECT DECISION-MAKING PROCESS ................................. 4
COMMENTS AND RESPONSE TO COMMENTS RECEIVED ON THE DRAFT EIR ............... 5
REVISIONS TO THE TEXT OF THE DRAFT EIR .................................................................. 61
INTRODUCTION

The County of Santa Clara (County), as lead agency, has prepared this document to be part of the final environmental impact report (Final EIR) for the proposed Boulder Ridge Fitness and Swim Center. This document responds to comments received during the public review period on the contents of the draft environmental impact report (Draft EIR). It contains a list of public agencies that submitted comments; the comments received on the Draft EIR; and responses to significant environmental points raised in those comments, as required by the California Environmental Quality Act (CEQA) (Public Resources Code §§21000 et seq.) and the State CEQA Guidelines (Title 14, California Code of Regulations, §§15100 et seq.). In accordance with Section 15132 of the State CEQA Guidelines, this document and the Draft EIR together constitute the Final EIR.

The proposed project is modification of an existing Use Permit to allow construction of the fitness and swim center north of the clubhouse at the Boulder Ridge Golf Course. The fitness and swim center would involve construction of a 3-story fitness building, a 25-yard swimming pool, a smaller children’s instructional pool, parking spaces to accommodate users of the new facilities, and associated landscaping. The pool facility would be used for lap swimming and a competitive age group swimming program. The age group swim program would include daily workouts and up to six annual swim meets. Construction would also involve grading to expand the maintenance yard at the maintenance facility south of the clubhouse.

The proposed project would also include a County-initiated Zoning Ordinance Amendment to clarify the use of fitness and swim center in a golf club as a related use. Additional language to clarify the ancillary use of a fitness center in a golf club would be further defined in the Zoning Ordinance and any accompanying guidelines. The County of Santa Clara is the Lead Agency for the project under the California Environmental Quality Act.
SUMMARY OF DRAFT EIR CONCLUSIONS

The proposed project would result in no impacts or less-than-significant impacts in the following resource areas, as discussed in the text of the Draft EIR and Initial Study (Appendix B of the Draft EIR):

- Aesthetics
- Biological Resources
- Greenhouse Gas Emissions
- Land Use
- Public Services
- Utilities / Service Systems
- Agriculture / Forest Resources
- Cultural Resources
- Transportation / Traffic
- Hazards & Hazardous Materials
- Resources / Recreation
- Air Quality
- Geology / Soils
- Hydrology / Water Quality
- Population / Housing

The proposed project would result in less-than-significant noise impacts with the incorporation of the identified mitigation measures, as discussed in the text of the Draft EIR. The following table summarizes the project impacts found to be less than significant with incorporation of mitigation measures. The proposed project would not result in any significant and unavoidable impacts.

<table>
<thead>
<tr>
<th>ENVIRONMENTAL IMPACT</th>
<th>MITIGATION MEASURE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Excessive Noise from Swim Facility Events</td>
<td>Implementation of the following mitigation measures will reduce temporary</td>
</tr>
<tr>
<td>Less Than Significant Impact</td>
<td>construction impacts to a less than significant level:</td>
</tr>
<tr>
<td>with Mitigation Incorporated</td>
<td>• P.A. speakers for swim meets shall be installed on, in, or against the</td>
</tr>
<tr>
<td></td>
<td>southwesterly wall of the Fitness Center building, tucked into the corner as</td>
</tr>
<tr>
<td></td>
<td>much as possible, and facing the southwesterly direction.</td>
</tr>
<tr>
<td></td>
<td>• The P.A. system volume shall be adjusted to maintain the sound level below</td>
</tr>
<tr>
<td></td>
<td>55 dBA at the easterly property line.</td>
</tr>
<tr>
<td></td>
<td>• If bullhorns, megaphones or other portable sound amplification devices are used,</td>
</tr>
<tr>
<td></td>
<td>they shall not be used facing the easterly property line.</td>
</tr>
<tr>
<td></td>
<td>• The starter buzzer speaker system shall be located near the northeasterly</td>
</tr>
<tr>
<td></td>
<td>corner of the pool, and the buzzer volume shall be adjusted so as not to exceed</td>
</tr>
<tr>
<td></td>
<td>55 dBA at the easterly property line.</td>
</tr>
<tr>
<td>Excessive Noise from Construction</td>
<td>• Construction shall be limited to the hours of 7:00 a.m. to 7:00 p.m. Monday</td>
</tr>
<tr>
<td>Less Than Significant Impact</td>
<td>through Friday. This includes all construction activities associated with the</td>
</tr>
<tr>
<td>with Mitigation Incorporated</td>
<td>project, including grading, excavation, stripping, pavement, foundation, and</td>
</tr>
<tr>
<td></td>
<td>installing new structures and improvements etc. on-site.</td>
</tr>
<tr>
<td></td>
<td>• Contractors shall use &quot;new technology&quot; power equipment with state of the</td>
</tr>
<tr>
<td></td>
<td>art noise shielding and muffling devices. All internal combustion engine driven</td>
</tr>
<tr>
<td></td>
<td>equipment shall be equipped with intake and exhaust mufflers which are in good</td>
</tr>
<tr>
<td></td>
<td>working condition and appropriate for the</td>
</tr>
<tr>
<td>ENVIRONMENTAL IMPACT</td>
<td>MITIGATION MEASURE</td>
</tr>
<tr>
<td>-----------------------</td>
<td>---------------------</td>
</tr>
<tr>
<td></td>
<td>equipment.</td>
</tr>
<tr>
<td></td>
<td>• Stationary noise generating equipment shall be located as far as possible from sensitive receptors. Staging areas shall be located a minimum of 200 feet from noise-sensitive receptors.</td>
</tr>
<tr>
<td></td>
<td>• Unnecessary idling of internal combustion engines shall be prohibited.</td>
</tr>
</tbody>
</table>
CEQA REQUIREMENTS AND PROJECT DECISION-MAKING PROCESS

This document is being made available to the public agencies and members of the public that commented on the Draft EIR and will be published on the County’s Web site upon completion. As required by Section 15088(b) of the State CEQA Guidelines, the County is providing public agencies that commented on the Draft EIR at least 10 days to review proposed responses prior to considering the Final EIR for certification.

The Planning Commission will consider whether to forward a favorable recommendation to the Board of Supervisors regarding certification of the Final EIR at its regularly scheduled meeting on March 27 in the Board of Supervisors’ Chambers located at 70 West Hedding Street in San José at 9:00 AM. The County Board of Supervisors will consider the Final EIR at a meeting that has not yet been scheduled.

If the County Board of Supervisors certifies the Final EIR, it will make findings that (1) the Final EIR has been completed in compliance with CEQA, (2) the County Board of Supervisors has reviewed and considered the information in the Final EIR, and (3) the Final EIR reflects the County’s independent judgment and analysis. After certification, the County Board of Supervisors may consider whether to approve the proposed project, approve it with conditions, or deny the proposed project, in accordance with Section 15092 of the State CEQA Guidelines.

If the County approves the proposed project, it will be required to make findings regarding the disposition of each significant environmental impact, including whether feasible mitigation measures or alternatives are available to substantially reduce or avoid these effects (CEQA Guidelines Section 15091). The County would, upon taking an approval action, then file a notice of determination with the County Clerk, as directed by Section 15094 of the State CEQA Guidelines.

In accordance with CEQA and the CEQA Guidelines, the Final EIR will be made available prior to certification. All documents referenced are available for public review at the Santa Clara County Planning Office located at 70 West Hedding Street, 7th Floor, East Wing, San José, CA 95110 on weekdays during normal business hours. The Final EIR will be posted on the County Planning Office web site – www.sccplanning.org.
COMMENTS AND RESPONSE TO COMMENTS RECEIVED ON THE DRAFT EIR

Ten letters were received on the Draft EIR during the public review period:

2. Julia Alloggiamento, Scott Sherwood, Carl Rand, George Bettisworth (February 14, 2014)
3. Anonymous Members of the Golf Club at Boulder Ridge (January 22, 2014)
5. Anonymous Member of Boulder Ridge Golf Club
6. Anonymous Members (January 30, 2014)
7. Rocke Garcia for Boulder Ridge
8. Gary A. Nielsen, Past President, Almaden Hills Estates Homeowners Association
9. David Sawkins
10. Kathrin A. Turner, Community Projects Review Unit, Santa Clara Valley Water District
11. State of California Governor’s Office of Planning and Research, State

Each comment letter is reproduced in its entirety and is followed by the response(s) to the letter. Where a commenter has provided multiple comments, each comment is indicated by a line bracket and an identifying number in the margin of the comment letter. Responses the numbered comments follow each letter.
Members of the Planning Commission,

This letter is in response to the Boulder Ridge Draft EIR (File #2195) and outlines four critical flaws with the document and the planning process related to this project. We request that each of these be considered carefully by the Commission, as several of our concerns never appear to have been addressed although they have been brought to the attention of the planning office on several occasions. In short, given the project history and legal settlements agreed to by the developer and the County, which are currently in effect, there is no reason this project should proceed. Our arguments are detailed below.

1. The EIR does NOT comply with CEQA Guidelines

There are several areas of concern, but the main concern of the EIR as drafted simply does NOT comply with CEQA Guidelines.

As stated in the draft EIR, "Section 15123 of the CEQA Guidelines requires that an EIR identify areas of controversy and issues to be resolved which are known to the Lead Agency, including issues raised by other agencies and the public. Potential areas of controversy and issues to be resolved by the City's decision-makers includes areas where ... community concerns elevate the project's perceived effects beyond reasonable threshold criteria." (p.6)

Our community - Graystone of Almaden, Almaden Hills Estates, and the community surrounding Boulder Ridge -- has consistently and repeatedly addressed its concern that the Lead Agency, the Planning Department, has not accounted for the fact that this property has an extensive history, including litigation against the County, which resulted in specific conditions being placed on the property precluding ANY future development.

The areas of concern listed on page 7 of the EIR simply leave out the most important and controversial issue regarding this property. It does not accurately reflect the concerns of the community is sorely inadequate in its summary. The EIR itself proclaims, "The public agency SHALL consider the information in the EIR along with other information which may be presented to the agency." (p. 9, emphasis added) Yet, this information which has been presented over and over again (as recently as the last letter sent requesting that these issues be addressed in
the EIR has not been considered.

When these issues have been raised to our local representatives, the responses have always alluded to the fact that, of course, they will be made aware of our concerns through the process. Yet, the agency that is mandated to provide them that information seems to refuse to do so.

As stated in the EIR, "The courts have looked not for perfection, but for adequacy, completeness, and a good-faith effort at FULL DISCLOSURE (p. 10, emp. added). This EIR, as written is incomplete and does not fully disclose the areas of controversy and issues to be resolved. If not disclosed here, then where? And when? Never have we been able to get a straight answer to that question. The EIR claims that Chapter 1 "describes any known areas of public controversy and the view of local groups." (p. 10) Yet, we again ask that you tell us where in Chapter 1 (or anywhere in the EIR) does the agency discuss the prior history of this property, the lawsuit that ensued, the order by the Court for the County to address issues that were not adequately addressed in the original EIR, or the resulting Board of Supervisor's resolution and settlement of the litigation which resulted in a mandate that the golf course be the total development of the property and that there be no further development, or incremental increase in use. All of this information is known to the lead agency, but ignored.

2. The Background and Site History Does Not Adequately Reflect the History of the Property

The background and history of the site on page 13 blatantly ignores the actual history of this property and restrictions placed upon it.

- 1992: Garcia applies for golf course (after the city rejected the original application) on an area of property designated as open space
- 1993: County granted application and neighbors appealed to the Board of Supervisors
- 1993: Neighbors filed lawsuit
- 1994: Court ruled that the County had not sufficiently analyzed the loss of open space and ordered the County "to address, discuss, and analyze all proposed mitigation measures to the impact on the loss of open space"
- 1994 (after further EIR circulated and public hearings held), Board of Supervisors passed a resolution on October 25, 1994 granting the use permit conditioned on designated findings and conditions (specifically, no further development)
- Additional condition was that Garcia would sign a Right of First Refusal and provide Open Space Easement for 97 acres to the County of Santa Clara
- Garcia sued arguing the requirement of the 97 acres of Open Space as a taking
- Lawsuits ultimately were settled on that issue and the County eliminated the 97 easement condition in return for Garcia donating 50 acre open space preserve
- NOTHING in the lawsuit eliminated any other terms, conditions, or findings from the 1994 BOS resolution
- The settlement had the further restriction that Garcia could not apply for anything for 4 years.
The specific covenant states "This covenant is not intended and does not imply that the County is agreeable to any further development of the Property under any circumstances."

The neighbors reiterated their position in the settlement agreement: "Nothing in this Agreement is intended to, nor shall it be interpreted to imply that the Coalition is agreeable to any development of the Property other than the golf course project as currently described and approved through the use permit and this Agreement."

The Settlement additionally refers back to the requirements (as laid out in the BOS resolution conditionally granting the use permit) by stating "Nothing in this Agreement is intended, or shall be interpreted, as limiting the County's ability to enforce the conditions to Garcia's use permit governing construction and operation of the golf course and related facilities."

In the end, the use permit was granted (in exchange for the loss of open space) with the agreement and understanding that there would be no further development on the property. Those restrictions placed on the property in relation to development have never been lifted and must be addressed.

Garcia's most recent 2008 application for modification of the golf course to add an Event Tent resulted in all of the former issues being raised by the neighborhood.

Garcia argued that the Event Center was simply a completion of the square footage originally approved for the Golf Course and related facilities. Garcia and his attorney specifically stated that they were not seeking any new uses, such as a swimming pool. (We request the Planning Department to review the public hearing records and transcript from February of 2008)

After the application was modified to be consistent with the original restrictions on the property (walls, not a tent, windows and doors that would close, no amplified sound outside, and so on), the application was approved.

3. The New Project would Require a General Plan Amendment, zoning amendment, and written approval of the City of San Jose, or waiver of its rights thereto.

The EIR defines the Project as a "3-story fitness building a 25-yard swimming pool, a smaller children's instructional pool, parking spaces to accommodate users of the new facilities and associated landscaping. The pool facility would be used for lap swimming and competitive age group swimming program. The age group swim program would include daily work-outs and up to six annual swim meets." The proposed project would be 20,000 square feet (more than originally granted for the golf course clubhouse and related facilities) with 61 additional parking spaces.

In addition, "The proposed project includes a County-initiated Zoning Ordinance Amendment to clarify the use classification for Golf Courses and Country Clubs... to identify swimming pools, tennis courts, and fitness centers as related uses that are allowable as part of this primary use."
The EIR correctly identifies that "The General Plan land use designation for the parcel is Hillsides." (p. 17) It further explains that this use is limited to: "g. commercial uses... which by their nature require remote, rural settings or which support the recreational or productive use, study or appreciation of the natural environment." Later, the EIR notes, "The goals of the General Plan... are to prevent further urban uses... and preserve the generally natural appearance of the hillsides as much as possible." (p. 47). Yet, without explanation, the EIR concludes that "The proposed fitness and swim center has been determined to be a use related to the existing golf club." (p. 32-33)

Who made that determination? This determination is in direct conflict with the Board of Supervisors 1994 Resolution and conditions placed on the original use permit for the golf course on the property. The Board of Supervisors 1994 Resolution clearly states "The Golf Club at Boulder Ridge, as proposed, represents the maximum development allowable under the Hillside Zoning District, and any incremental expansion or increase in use or intensity, would be inconsistent with the Hillside General Plan designation of the project, as well as the County Zoning Ordinance and therefore could not be permitted, absent a General Plan Amendment and zoning amendment. Any such proposal would require the written approval of the City of San Jose or waiver of its rights thereto." (p. 3, #2)

To avoid the very situation we are dealing with now, the use permit was conditionally granted with the following conditions and limitations on the Use Permit:

2. As and for a further condition of the use permit, no further development of the remaining portion of the property shall be permitted, with the exception of minor adjustment of the greens, tees, and fairways, and the repair and maintenance of utilities and improvements.

3. As and for a further condition of the use permit, consistent with the finding of the Board of Supervisors that this project maximizes the development potential of the site under the existing General Plan and zoning designation, the construction of homes, overnight accommodations, the expansion of the clubhouse or other facilities, or the introduction of new use on the property, such as pools, tennis courts, or any other uses permitted with the Hillside zoning district, shall be prohibited.

The EIR proposes a zoning amendment, suggesting that "The size, design and intensity of any related use shall be of an appropriate scale to the size of the golf course and country club development." (p. 26)

It seems clear that an outside pool, with competitive swim meets, open from 5 a.m. to 11 p.m., starter buzzers, lights, recreational swim, childcare, and so forth is a more intensive use for property that is surrounding by residential property. But, even if the county were to propose a zoning amendment for general clarification of pools as a related use to a golf course, that does not take away from the fact that Boulder Ridge has already been developed to its full potential, and even if permitted under the Hillside zoning district, any new use is prohibited.
4. The EIR does not adequately address noise, traffic, nuisance, or ridgeline issues

The EIR recognizes that the Boulder Ridge Golf course is surrounded by residential neighborhoods but fails to even recognize Graystone of Almaden as a neighborhood with some families located literally right below and abutting the golf course.

The proposal is to add 61 additional parking. Much of the traffic and noise issues are evaluated using an assumption that the new uses would be for existing members of the club. However, Garcia himself has repeatedly stated that the goal of the new project would be to significantly increase membership by recruiting hundreds of new members into a new membership category. Not only will many more cars be travelling to and from the property, but also the use will be different and therefore the traffic patterns will change. The estimated increase of traffic by only 20% does not accurately reflect completely new uses being placed on this property.

The EIR assumes that membership will be limited by the number of spaces (up from 192 to 253) but that does not account for the different uses of the property throughout the day. Currently, members typically travel to the property for golf, stay for a number of hours, and then leave the property. With a swim center and fitness center (particularly with swim lessons, group fitness lessons, and day care), the new members would be travelling to the property at all hours (depending on times of classes, hours of operation of the fitness center, social activities, and so on). The County relied on comparisons with an outdated study from Palo Alto hills as opposed to looking at the use for local Almaden cabana clubs or AVAC swim and racquet club as requested.

The hours of operation from 5 am to 11 pm, 7 days a week, provide a much greater burden on surrounding residences with early morning starter buzzers, lighting spilling over to neighborhoods, and increased traffic.

The current clubhouse and event center provide for no amplified sound at all outside of the enclosed facilities (with windows and doors to be closed at all times). The EIR does not adequately address no amplification around the pool, no outside bands, no music, no parties, or other extremely likely ramifications for adding a swim facility.

Viewshed and Ridgeline issues: It appears that while the EIR uses the faulty logic that the aesthetics and viewshed issues are minimized by the fact that the clubhouse is already there. However, with the original use permit, there were substantial mitigation requirements placed on the property (such as planting of trees and so forth) that were to minimize those effects. Garcia should not be rewarded by allowing him to expand further on property originally intended to be open space. The slippery slope would then allow Garcia to request hotel accommodations once the clubhouse and fitness center are approved, because it would not be much of a change from what is there. When does it end? The Board of Supervisors made it clear and the neighborhoods relied on their promises. This property is uniquely situated and we urge the
county to recognize the restrictions on the property and enforce them.

Respectfully submitted by:

Julia Alloggiamento
Scott Sherwood
Carl Rand
George Bettisworth
Response 1-1

Section 15123 requires that an EIR identify areas of controversy, as was done on pages 6 and 7 in the Summary of the Draft EIR. There is no requirement that an EIR provide an exhaustive exposition of each area of controversy. As stated under Section 15123 of the CEQA Guidelines, the summary section should not normally exceed 15 pages. The areas of controversy raised by the commenter, as further explained within their letter relate to the history of the property, the approvals issued by the County for construction and operation of the golf course, past findings and conditions of approval applied to the golf course, and associated litigation. The EIR text on page 7 has been amended to add additional narrative describing these issues (see page 61 under “Text Changes to Draft EIR”). More importantly, these areas of controversy are explained in the public comments received that are included with the Final EIR that will be considered by the Planning Commission and Board of Supervisors in considering certification of the Final EIR and approval of the project.

Response 1-2

As referenced under Response 1-1, the areas of known controversy are described in the Summary on pages 6 and 7. Page 10 of Section II.D. (Organization of the EIR) incorrectly stated that areas of controversy would be addressed in Chapter I. See page 61 under “Text Changes to Draft EIR,” where the Draft EIR has been revised to correct this error.

Concerning the “full disclosure” referenced in the comment that quotes text from Page 10 of the DEIR, this reference is to Section 15151, which concerns the adequacy of the environmental analysis within an EIR. Section 15151 states: “An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible.” The issues raised in this comment concern “the prior history of this property, the lawsuit that ensued, the order by the Court for the County to address issues that were not adequately addressed in the original EIR, or the resulting Board of Supervisor’s resolution....” These issues do not pertain to an evaluation of the environmental effects of the proposed project but instead to the history of the site and the applicability of past litigation, findings, and conditions to the existing golf course facility at Boulder Ridge.

Although the applicability of these issues to the project can be considered by the Planning Commission and Board of Supervisors in considering approval of the project, they do not directly pertain to the environmental analysis disclosed within the Draft EIR, namely the evaluation of the projects potential impacts upon the environment.

Response 1-3

The intent of Section II.A. was to briefly review the history of development of the site to provide background before describing the proposed use permit modification and additional development
proposed as part of the project description. There is no requirement under CEQA to provide an exhaustive discussion of a project's history. Section 15125 of the CEQA Guidelines requires that an EIR describe the environmental setting, consisting of the physical environmental conditions in the vicinity of the project. This narrative is included in Section II (C) of the EIR ("Site Conditions"), and is used in the EIR to evaluate the potential environmental impacts from the project. Although the project background section referenced by the comment provides useful information regarding the history of the site, it is not relevant to the existing environmental setting.

The County acknowledges that there is also a history of litigation regarding development of the site. However, as referenced under Response 1-2, this history is not relevant to evaluating the environmental impacts of the proposed project. It can be considered by the Planning Commission and Board of Supervisors when they consider the overall project.

Response 1-4

This comment describes the proposed project. To clarify, the current clubhouse is approximately 18,600 square feet, which is slightly smaller than the proposed 20,000 square foot fitness and swim center.

Response 1-5

This comment references the discussion on pages 32-35 of the DEIR regarding the consistency of the project with applicable general plan policies. This section of the DEIR fulfills the requirement of Section 15125(d) of the CEQA guidelines to discuss consistency of the proposed project with relevant plans and policies. Although this discussion provides a narrative regarding the inconsistencies or consistencies between the project and these applicable policies as determined by the authors of the Draft EIR, it is not a definitive finding associated with approval of the project. The final determination of the project's policy consistency with applicable General Plan policies will be made by the Planning Commission and Board of Supervisors when they consider approval of the overall project.

Response 1-6

This comment references findings and conditions related to approval of the Use Permit to construct the Boulder Ridge Golf Course by the Board of Supervisors in 1994. This comment correctly references the findings included in the 1994 Resolution adopted by the Board of Supervisors and the conditions of approval applied to the project as part of that approval. As referenced under Responses to Comments 1-1 and 1-2, these past findings and conditions are not relevant to the environmental analysis included within the EIR, which evaluates the potential environmental impacts from the proposed project.

As referenced under Response to Comment 1-5 above, the purpose of the policy consistency analysis on pages 31 to 36 of the DEIR is to discuss the inconsistencies between the proposed project and applicable general plans, specific plans, and regional plans, consistent with Section
Response 1-7

This comment references the proposed zoning amendment that is considered in tandem with the proposed Use Permit modification for the health and fitness facility at the Boulder Ridge Golf Course. To clarify in response to the comment, the EIR itself does not propose a zoning ordinance amendment but instead evaluates the environmental impacts that could result from the proposed amendment. The EIR project description describes the County-initiated Zoning Ordinance Amendment on page 26 as part of the proposed project to be evaluated for impacts on the environment.

The second part of this comment references the applicability of the 1994 findings and conditions described under Comment 1-6 that were addressed in Response 1-6.

Response 1-8

This comment references the Draft EIR’s absence to recognize Graystone of Almaden as an adjacent residential neighborhood. In response to this comment, the Draft EIR text has been modified to acknowledge that the Graystone of Almaden neighborhood is one of a number of neighborhoods surrounding the project site (See page 62 under “Text Changes to Draft EIR”).

In accordance with CEQA, the Draft EIR (Chapter V) evaluated the potential environmental impacts that would result from construction and operation of the proposed project, focusing specifically on the topical areas of noise, traffic, and aesthetics.

In order to determine if these environmental impacts would be significant, the EIR analyzed how these impacts would affect the project site and surrounding environment. In the case of noise, the closest sensitive receptors (residences) were identified as the residences of Almaden Hills Estates, located at the end of Mazzone Court, approximately 1,800 feet to the west of the site of the proposed fitness and swim center. The Draft EIR determined that potential noise impacts on the residences in the Almaden Hills Estates neighborhood from construction and operation of the health and fitness facility would not be significant.

In contrast, the Graystone of Almaden neighborhood is located approximately 1 mile south of the project site. Given this distance and the fact that intervening hills would act as a sound barrier, this neighborhood would not be affected by noise emissions associated with the construction and operation of the proposed fitness and swim center. Likewise, because of the intervening hills, the site of the proposed fitness and swim center is not visible from the Graystone of Almaden neighborhood; therefore, this neighborhood was not included as a Key Observation Point for evaluation of visual impacts. Finally, the evaluation of traffic concluded that because the proposed project would generate fewer than 100 peak-hour trips on week days, there was not a requirement for analysis of congestion at intersections in the areas surrounding the project site.
Regarding the issue of nuisance, typical issues that would be regarded as a nuisance, such as noise, were evaluated in the Draft EIR, as described above. The comment does not raise a specific nuisance issue that would be considered “...a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project...” (CEQA Guidelines, California Code of Regulations [CCR] Title 14, Section 15382) that hasn’t been evaluated by the Draft EIR.

Response 1-9

This comment references the proposed additional parking and assumptions used in the Draft EIR regarding expected growth in membership and number of additional persons coming to the Boulder Ridge Club following construction and operation of the health and fitness facility. The Draft EIR states at the bottom of page 19 that membership growth is expected to occur. Impact analysis was in fact based on the assumption that usage of the proposed fitness and swim center would come from both existing members as well as new members.

For evaluation of traffic impacts, the Draft EIR used different approaches for estimating usage. These approaches capture both increased use by existing members as well as new members. For weekday usage, the analysis used both the Institute for Transportation Engineers (ITE) trip generation rate for a standalone Health / Fitness Club as well as traffic counts from a comparable expansion of a similar Country Club facility (the expansion of the fitness facility at the Palo Alto Golf and Country Club). Traffic generation from both methodologies yielded peak-hour trips that are less than 100—below the screening threshold established by the Valley Transportation Authority to determine if a project necessitates a Traffic Impact Analysis. It should be noted that the ITE trip rate for a standalone Health / Fitness Club would represent all new members, which would tend to overstate traffic generation because it doesn’t take into account any usage by existing members of the golf club.

For weekend usage, a 20 percent increase is an estimate the County selected to attempt to capture both increased usage by members as well as membership growth. The comment does not provide information as to why this estimate is unreasonable, nor does it present an alternative.

Response 1-10

This comment describes the travel patterns from existing and potentially new members at Boulder Ridge and states that the EIR should evaluate comparative examples of nearby swim clubs in Almaden Valley as a model for travel patterns. As stated under Response 1-9, the Palo Alto Hills Golf and Country Club (PAHGCC) expansion used as a comparative example in order to evaluate the potential increase in traffic resulting from the proposed health and fitness facility. This project was completed in 2007 and the traffic counts for the PAHGCC were taken through 2013. The County selected the PAHGCC project as a comparison for traffic analysis because its expansion was similar in size to the proposed project and is also a Country Club that provides golfing, work-out, and swim facility uses on the same site. The referenced cabana clubs and AVAC (Almaden Valley Athletic Club) examples cited by the commenter are swim and racquet clubs. Although these facilities provide similar services (swim / fitness facilities) to the proposed
health and fitness club at Boulder Ridge, the PAHGCC example provides a more comparative example as it consists of a country club that added health and fitness facilities to existing golf course. As discussed in Response 1-9, the PAHGCC comparison was used in addition to the ITE trip generation rate for a standalone Health / Fitness Club.

**Response 1-11**

The Draft EIR evaluates the potential noise impacts from the use of starter buzzers at swim meets under “Swim Event Noise” on pages 65-73. The analysis concluded that noise impacts could be mitigated to a less-than-significant level. Lighting associated with the proposed facility is evaluated on page 55 of the Draft EIR, which concludes that this impact would be less than significant. The Draft EIR evaluates traffic on pages 78-81, with the conclusion that impacts would be less than significant.

**Response 1-12**

This condition references potential outdoor amplified noise associated with the proposed pool. The potential use of outdoor amplified noise at the pool is referenced in the project description on page 20 of the Draft EIR, which states the proposed facility would not include provisions for outdoor amplified music or other outdoor amplified broadcasting, which will be reflected in the Conditions of Approval applied to the Use Permit for the proposed facility. In other words, these activities would not be allowed and as such the impact analysis was conducted on that basis.

**Response 1-13**

This comment addresses the potential aesthetic impacts from the proposed project and states that the DEIR should not account for the existing clubhouse in this analysis. The comment also references past requirements for landscaping to screen the clubhouse facility as viewed from the surrounding Almaden Valley floor.

CEQA Guidelines §15064.7(a) states:

“An EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published, or if no notice of preparation is published, at the time the environmental analysis is commenced, from both a local and regional perspective. This environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant...”

The clubhouse is part of the existing physical condition that was present on the project site at the time the County issued the notice of preparation; therefore, it was part of the baseline physical conditions by which the County conducted evaluation of the potential aesthetic impacts that would result from the proposed project.
Members of the Planning Commission,

This letter is in response to the Boulder Ridge Draft EIR (File #2195) and outlines critical flaws with the document and the planning process related to this project. While some of this letter is duplicative of our January 23 letter submitted at the public hearing, we have included additional information in this letter for your review. We ask that you please consider all concerns as stated in this letter. So as not to inundate the Commission with multiple letters on the same points, we submit this letter on behalf of numerous concerned citizens, represented by multiple neighborhoods surrounding the Boulder Ridge Golf Course.

We request that all of our concerns be considered carefully by the Commission, as several of our concerns never appear to have been addressed although they have been brought to the attention of the planning office on several occasions. In short, given the project history and legal settlements agreed to by the developer and the County, that are currently in effect, this project should not be permitted to proceed. Our arguments are detailed below.

1. The Property

The draft EIR for Boulder Ridge describes the proposed project as a 20,000 square foot project to include swimming pools and a new fitness center, along with 61 additional parking spaces to accommodate new members and new users of the property. As discussed further below, this property has extensive history related to its development and we urge the Commission to refer back to all records, lawsuits, agreements, and restrictions on this property — all of which should be held by the Planning Department, before proceeding with any review of a new application. This is not a simple amendment to a use permit. This is a request to double the total size of the development and add new, increased and more intensive uses to a property which is bound by prior restrictions for no further development.

1. The EIR does NOT comply with CEQA Guidelines

There are several areas of concern, but the main concern of the EIR as drafted simply does NOT comply with CEQA Guidelines.
As stated in the draft EIR, “Section 15123 of the CEQA Guidelines requires that an EIR identify areas of controversy and issues to be resolved which are known to the Lead Agency, including issues raised by other agencies and the public. Potential areas of controversy and issues to be resolved by the City’s decision-makers includes areas where … community concerns elevate the project’s perceived effects beyond reasonable threshold criteria.” (p.6)

Our community - Graystone of Almaden, Almaden Hills Estates, and the community surrounding Boulder Ridge -- has consistently and repeatedly addressed its concern that the Lead Agency, the Planning Department, has not accounted for the fact that this property has an extensive history, including litigation against the County, which resulted in specific conditions being placed on the property precluding ANY future development.

The areas of concern listed on page 7 of the EIR simply leave out the most important and controversial issue regarding this property. It does not accurately reflect the concerns of the community and is sorely inadequate in its summary. The EIR itself proclaims, “The public agency SHALL consider the information in the EIR along with other information which may be presented to the agency.” (p. 9, emphasis added) Yet, this information which has been presented over and over again (as recently as the last letter sent requesting that these issues be addressed in the EIR) has not been considered.

When our neighborhoods have raised the community concerns to our local representatives, the representatives have responded that they are certain our concerns will be brought to their attention “through the process.” Yet, the very agency that is mandated to disclose the concerns of the community to the Board of Supervisors seems to refuse to do so.

As stated in the EIR, “The courts have looked not for perfection, but for adequacy, completeness, and a good-faith effort at FULL DISCLOSURE” (p. 10, emp. added). This EIR, as written is incomplete and does not fully disclose the areas of controversy and issues to be resolved. If not disclosed here, then where? And when? Never have we been able to get a straight answer to that question. The EIR claims that Chapter 1 “describes any known areas of public controversy and the view of local groups.” (p. 10) Yet, we again ask that you tell us where in Chapter 1 (or anywhere in the EIR) does the agency discuss the prior history of this property, the lawsuit that ensued, the order by the Court for the County to address issues that were not adequately addressed in the original EIR, or the resulting Board of Supervisor’s resolution and settlement of the litigation which resulted in a mandate that the golf course be the total development of the property and that there be no further development, or incremental increase in use. All of this information is known to the lead agency, but ignored.

2. The Background and Site History Does Not Adequately Reflect the History of the Property

The background and history of the site on page 13 blatantly ignores the actual history of this property and restrictions placed upon it.
1992: Garcia applies for golf course (after the city rejected the original application) on an area of property designated as open space

1993: County granted application and neighbors appealed to the Board of Supervisors

1993: Neighbors filed lawsuit

1994: Court ruled that the County had not sufficiently analyzed the loss of open space and ordered the County "to address, discuss, and analyze all proposed mitigation measures to the impact on the loss of open space"

1994 (after further EIR circulated and public hearings held), Board of Supervisors passed a resolution on October 25, 1994 granting the use permit conditioned on designated findings and conditions (specifically, no further development)

Additional condition was that Garcia would sign a Right of First Refusal and provide Open Space Easement for 97 acres to the County of Santa Clara

Garcia sued arguing the requirement of the 97 acres of Open Space as a taking

Lawsuits ultimately were settled on that issue and the County eliminated the 97 easement condition in return for Garcia donating 50 acre open space preserve

NOTHING in the lawsuit eliminated any other terms, conditions, or findings from the 1994 BOS resolution

The settlement had the further restriction that Garcia could not apply for anything for 4 years.

The specific covenant states "This covenant is not intended and does not imply that the County is agreeable to any further development of the Property under any circumstances."

The neighbors reiterated their position in the settlement agreement: "Nothing in this Agreement is intended, or shall be interpreted, as limiting the County's ability to enforce the conditions to Garcia's use permit governing construction and operation of the golf course and related facilities."

In the end, the use permit was granted (in exchange for the loss of open space) with the agreement and understanding that there would be no further development on the property. Those restrictions placed on the property in relation to development have never been lifted and must be addressed.

Garcia's most recent 2008 application for modification of the golf course to add an Event Tent resulted in all of the former issues being raised by the neighborhood.

Garcia argued that the Event Center was simply a completion of the square footage originally approved for the Golf Course and related facilities. Garcia and his attorney specifically stated that they were not seeking any new uses, such as a swimming pool. (We request that the
Planning Department review the public hearing records and transcript from February of 2008

After the application was modified to be consistent with the original restrictions on the property (walls, not a tent, windows and doors that would close, no amplified sound outside, within the original square footage granted so as not to be considered a new development, and so on), the application was approved.

3. The New Project would Require a General Plan Amendment, zoning amendment, and written approval of the City of San Jose, or waiver of its rights thereto.

The EIR defines the Project as a “3-story fitness building a 25-yard swimming pool, a smaller children’s instructional pool, parking spaces to accommodate users of the new facilities and associated landscaping. The pool facility would be used for lap swimming and competitive age group swimming program. The age group swim program would include daily work-outs and up to six annual swim meets.” The proposed project would be 20,000 square feet (more than originally granted for the golf course clubhouse and related facilities) with 61 additional parking spaces.

In addition, “The proposed project includes a County-initiated Zoning Ordinance Amendment to clarify the use classification for Golf Courses and Country Clubs . . . to identify swimming pools, tennis courts, and fitness centers as related uses that are allowable as part of this primary use.”

The EIR correctly identifies that “The General Plan land use designation for the parcel is Hillsides.” (p. 17) It further explains that this use is limited to: “g. commercial uses... which by their nature require remote, rural settings or which support the recreational or productive use, study or appreciation of the natural environment.” Later, the EIR notes, “The goals of the General Plan . . . are to prevent further urban uses ... and preserve the generally natural appearance of the hillsides as much as possible.” (p. 47). Yet, without explanation, the EIR concludes that “The proposed fitness and swim center has been determined to be a use related to the existing golf club.” (p. 32-33)

Who made that determination? This determination is in direct conflict with the Board of Supervisors 1994 Resolution and conditions placed on the original use permit for the golf course on the property. The Board of Supervisors 1994 Resolution clearly states “The Golf Club at Boulder Ridge, as proposed, represents the maximum development allowable under the Hillside Zoning District, and any incremental expansion or increase in use or intensity, would be inconsistent with the Hillside General Plan designation of the project, as well as the County Zoning Ordinance and therefore could not be permitted, absent a General Plan Amendment and zoning amendment. Any such proposal would require the written approval of the City of San Jose or waiver of its rights thereto.” (p. 3, #2)

The EIR identifies Policy R-PR 15, than review of “ancillary uses” shall take into account “a. any pertinent joint City-County area plans, ... c. the location of the proposed site relative to City
Urban Service Areas, and d. the intended scale or ‘service area’ of the proposed golf course (i.e., intended to primarily serve a local community or intended to serve users from a larger service area) yet refuses to take into account the County’s own restrictions placed on this property as well as the requirement that “any incremental expansion or increase in use or intensity” requires written approval of the City of San Jose.

The draft EIR additionally states that “[t]he size, design and intensity of any related use shall be of an appropriate scale to the size of the golf course and country club development.” Again, this flies in the face of the restriction that there can be no increase in use or intensity. Further, the project objectives by the applicant specifically indicate a desire to increase use and intensity. This is not a renovation of an existing pool and fitness center, or even something intended for the current members – the stated objective by Mr. Garcia is to expand and increase membership (thus increasing traffic, noise, intensity and use).

Finally, there is no discussion of who this project is intended to service. One of the original debates at Boulder Ridge Golf Course was that it was original proposed and intended to be a public golf course, yet that never happened. The Golf Course is private and does not benefit the surrounding community. Moreover, the project is purportedly intended to “provide a youth swim competition program”, but Almaden Valley already has several competitive swim programs in the immediate vicinity, including multiple cabana clubs as well as AVAC and the YMCA. The purported benefit to the community is greatly outweighed by the costs of noise, traffic, and further development in a hillside zoning property surrounded by residential neighborhoods.

4. The Proposed New Development would have Environmental Impacts.

While the County Planning Department seems to suggest that the legal restrictions on this property are somehow not an environmental issue to be discussed in the EIR, those very restrictions were placed to recognize the environmental issues raised by developing property within the Hillside Zoning Ordinance. The Golf Course sits on land that is surrounded by Open Space, inhabited with deer, coyote, bobcats and other wildlife, and near Native American remains. The Golf Course is surrounded by residential neighborhoods, immediately adjacent to the course, where neighbors can currently hear golfers talking as they walk the greens. The Golf Course was ultimately approved with the understanding that the limited use of a golf course would not be inconsistent with the Hillside Zoning, but that any further development or any increase in use or intensity would not be permitted on the property. These issues do relate to the environmental impact and should be addressed.

To avoid the very situation we are dealing with now, the use permit was conditionally granted with the following conditions and limitations on the Use Permit:

2. As and for a further condition of the use permit, no further development of the remaining portion of the property shall be permitted, with the exception of minor adjustment of the greens, tees, and fairways, and the repair and maintenance of utilities and improvements.
3. As and for a further condition of the use permit, consistent with the finding of the Board of Supervisors that this project maximizes the development potential of the site under the existing General Plan and zoning designation, the construction of homes, overnight accommodations, the expansion of the clubhouse or other facilities, or the introduction of new use on the property, such as pools, tennis courts, or any other uses permitted with the Hillside zoning district, shall be prohibited.

The EIR proposes a zoning amendment, suggesting that "The size, design and intensity of any related use shall be of an appropriate scale to the size of the golf course and country club development." (p. 26)

It seems clear that an outside pool, with competitive swim meets, open from 5 a.m. to 11 p.m., starter buzzers, lights, recreational swim, childcare, and so forth is a more intensive use for property that is surrounding by residential property. But, even if the county were to propose a zoning amendment for general clarification of pools as a related use to a golf course, that does not take away from the fact that Boulder Ridge has already been developed to its full potential, and even if permitted under the Hillside zoning district, any new use is prohibited.

4. The EIR does not adequately address noise, traffic, nuisance, or ridgeline issues

The EIR recognizes that the Boulder Ridge Golf course is surrounded by residential neighborhoods but fails to even recognize Graystone of Almaden as a neighborhood with some families located literally right below and abutting the golf course. We invite the Planning Department to visit the Graystone of Almaden neighborhood to see the proximity of homes to the proposed outdoor pool with early morning meets and fitness center with extensive hours. The Graystone of Almaden Community purchased homes, knowing it would be adjacent to a golf course, not a fully functional fitness and swim center. Such development will seriously impact not only the use and enjoyment of that property, but the values of those homes as well.

The project proposes adding 61 additional parking. Much of the traffic and noise issues are evaluated using an assumption that the new uses would be for existing members of the club. However, Garcia himself has repeatedly stated that the goal of the new project would be to significantly increase membership by recruiting hundreds of new members into a new membership category. Not only will many more cars be traveling to and from the property, but the use will be different causing the traffic patterns to change. The estimated increase of traffic by only 20% does not accurately reflect completely new uses being placed on this property.

The draft EIR supposes that the "worst case scenario" for traffic issues would be a swim meet on Saturday, but does not account for the fact that on that same day, there will likely be a swim meet, individuals working out at the fitness centers, others coming for a round of golf, swim lessons, free swim, and so on. Moreover, nowhere is there a discussion of whether parties will be permitted before or following swim meets, how outside noise will be monitored, or any other
restrictions.

The EIR assumes that membership will be limited by the number of spaces (up from 192 to 253) but that does not account for the different uses of the property throughout the day. Currently, members typically travel to the property for golf, stay for a number of hours, and then leave the property. With a swim center and fitness center (particularly with swim lessons, group fitness lessons, and day care), the new members would be traveling to the property at all hours (depending on times of classes, hours of operation of the fitness center, social activities, and so on). The County relied on comparisons with an outdated study from Palo Alto hills as opposed to looking at the use for local Almaden cabana clubs or AVAC swim and racquet club as requested. Moreover, traffic assumptions and traffic generation estimates were based on assumptions made by considering the Palo Alto Hills Golf and Country Club (p. 79 of EIR), where swim and tennis already existed, and the club was simply expanding. It is not an equivalent comparison to Boulder Ridge where these would be completely new uses, intentionally targeting new and different members.

In addition, we disagree with the numbers and estimations state in the EIR on pp. 79 and 81. We request that the County prepare a TIA to assess effects on intersections in the vicinity because the new uses could easily generate 100 new weekday or weekend peak trips. Moreover, because this is a residential neighborhood, congestion at intersections is more significant.

The hours of operation from 5 am to 11 pm, 7 days a week, provide a much greater burden on surrounding residences with early morning starter buzzers, lighting spilling over to neighborhoods, and increased traffic. Such hours of operation are a significant increase from the current restrictions on the clubhouse and golf course.

The current clubhouse and event center provide for no amplified sound at all outside of the enclosed facilities (with windows and doors to be closed at all times). The EIR does not adequately address no amplification around the pool, no outside bands, no music, no parties, or other extremely likely ramifications for adding a swim facility.

Viewshed and Ridgeline issues: It appears that while the EIR uses the faulty logic that the aesthetics and viewshed issues are minimized by the fact that the clubhouse is already there. The EIR says "the project would be subject to Design Review Guidelines intended to minimize effects to the hillside at the project site." However, with the original use permit, there were substantial mitigation requirements placed on the property (such as planting of trees and so forth) that were to minimize those effects. Those mitigation requirements were not originally followed through by Mr. Garcia, and there seems to be insufficient oversight or enforcement to ensure that anything would be different this time.

Garcia should not be rewarded by allowing him to expand further on property originally intended to be open space. The slippery slope would then allow Garcia to request hotel accommodations once the clubhouse and fitness center are approved, because it would not be much of a change.
from what is there. When does it end? The Board of Supervisors made it clear that the golf course was approved on the condition that there be no further development and the neighborhoods relied on their promise. This property is uniquely situated and we urge the county to recognize the restrictions on the property and enforce them.

Respectfully submitted by:

Julia Alloggiamento and
Scott Sherwood (on behalf of Graystone of Almaden Neighborhood)
Carl Rand
George Bettisworth (on behalf of Almaden Hills Estates residents)
Letter 2 Response  Alloggiamento, Sherwood, Rand, Bettisworth (Feb. 14, 2014)

Response 2-1

This comment provides context regarding the intent of the letter and is noted. The issues raised by the commenters related to the history of litigation can be considered by the Planning Commission and Board of Supervisors when they consider the overall project.

Response 2-2

This comment provides a description of the proposed project and references the history and past findings and conditions that were applied to the Golf Course.

In response to the commenter’s depiction of the project description, the proposed fitness center would not nearly double the amount of square footage on the site given that existing square footage of onsite buildings—including the clubhouse (18,600 square feet), reception facility (3,600 square feet), storage / bathroom building (650 square feet), and maintenance building (14,000 square feet)—totals nearly 37,000 square feet.

The applicability of the past findings and conditions approved by the Board of Supervisors in 1994 to the current proposal is described under Response 1-6 above.

Response 2-3

This comment mirrors the content of Comment 1-1 and 1-2 within the January 23, 2014 letter (Letter 1). Please see Responses 1-1 and 1-2 above to these comments.

Response 2-4

This comment mirrors the content of Comment 1-3 within the January 23, 2014 letter (Letter 1). Please see Response 1-3 above to this comment.

Response 2-5

The comment restates a portion of the project description related to the proposed fitness and swim center. Please see Response 1-4.

Response 2-6

This comment mirrors the content of Comment 1-5 within the January 23, 2014 letter (Letter 1). Please see Response 1-5 to this comment.
Response 2-7

This comment mirrors the content of Comment 1-6 within the January 23, 2014 letter (Letter 1). Please see Response 1-6 to this comment.

Response 2-8

This comment references the proposed text of the Zoning Ordinance Amendment that is evaluated within the Draft EIR. The comment intermixes the text of this proposed zoning ordinance amendment, which would apply to all Golf Course and Country Club facilities within the unincorporated County, with a statement that an expansion of the Boulder Ridge Golf Course is not allowed per previous findings and conditions.

The Draft EIR presents the proposed zoning ordinance amendment as part of the project that is being evaluated for environmental impacts. The issue of whether the proposed development is consistent with the language of this amendment is a policy matter that will be considered by the Planning Commission and Board of Supervisors at the time they consider the overall project.

This comment also references the objectives of the project and increased membership. Please see Response 1-9 regarding assumptions made in the Draft EIR regarding and increase in membership and traffic resulting from the proposed project.

Response 2-9

This comment references the existing and future membership at Boulder Ridge Golf Course and the community value of the golf course and proposed fitness facility to the Almaden Valley area. This comment does not specifically address the adequacy of the environmental analysis within the Draft EIR. The Draft EIR concluded that all environmental impacts of the proposed project were less than significant or could be mitigated to a less-than-significant level. The benefits of the proposed project will be considered by the Planning Commission and Board of Supervisors at the time they consider the overall project.

Response 2-10

This comment both references the existing environmental conditions within the hillside area where the Boulder Ridge Golf Course is located and the surrounding residential neighborhoods. The comment also references past findings made and conditions issued by the Board of Supervisors for the Golf Course in 1994.

The existing environmental conditions both on the Boulder Ridge Golf Course site and within the surrounding area (including adjacent residential neighborhoods) are described in Chapter II (C) of the Draft EIR.
The content of the comment concerning the applicability of past findings and conditions to the proposed project mirrors the content of Comment 1-6 within the January 23, 2014 letter (Letter 1). Please see Response 1-6 to this comment.

Response 2-11

This comment mirrors the content of Comment 1-8 within the January 23, 2014 letter (Letter 1). Please see Response 1-8 to this comment, including additional text added to the Draft EIR.

Response 2-12

This comment mirrors the content of Comment 1-9 within the January 23, 2014 letter (Letter 1). Please see Response 1-9 to this comment.

Response 2-13

This comment addresses a potential “worst case scenario” regarding traffic when different uses (golf, swim meet, fitness facility) would occur simultaneously at the Boulder Ridge Golf Course.

The potential environmental impacts from a “worst case scenario” in the simultaneous usage of facilities at Boulder Ridge referenced by the commenter were evaluated within the Draft EIR. As discussed on page 80 of the Draft EIR under Weekend Usage, the increase in average daily traffic trips was estimated assuming a worst-case scenario on the Saturdays (6 times a year) in which swim meets would occur (adding 134 average daily trips), in combination with additional traffic resulting from use of the fitness facility (a growth of 20 percent over baseline conditions) on top of baseline conditions, which include golf and reception uses. The traffic analysis concluded that traffic resulting from this “worst case scenario” example, which could only occur during the 6 times per year in which weekend swim meets are held, would result in less than significant traffic impacts.

To clarify, swim lessons would not occur at the same time swim meets are being held. Mitigation would include noise monitoring to calibrate the starter buzzer to ensure that the sound is within permitted limits.

Response 2-14

This comment substantially mirrors the content of Comment 1-10 within the January 23, 2014 letter (Letter 1) but provides additional narrative regarding the circumstances of the Palo Alto Hills Golf and Country Club expansion that was used in the Draft EIR as a model for increased traffic. In the case of the PAHGCC, usage of the swim facility increased as a result of the expansion, which included a renovation of the pool. The PAHGCC provides a reasonable comparison which takes into account similar uses combined on site. Although members use the facilities at different times of day, the focus of the traffic analysis was on how this usage would affect traffic circulation off site during morning and evening peak hours. Traffic counts taken for several years after the
PAHGCC expansion was completed provide a real-world example of increases in peak-hour trips from a comparable facility. As discussed in Response 1-9, the PAHGCC comparison was used in addition to the ITE trip generation rate for a standalone Health / Fitness Club. Traffic generation from both methodologies yielded peak-hour trips that are less than 100—below the screening threshold established by the Valley Transportation Authority to determine if a project necessitates a Traffic Impact Analysis (TIA).

Response 2-15

The comment does not provide information as to why a TIA is needed to assess impacts. The analysis in the Draft EIR found that new weekday vehicle trips would be less than 100, below the screening threshold established by the Valley Transportation Authority to determine if a project necessitates a Traffic Impact Analysis. The worst-case scenario of swim meets being held on Saturday morning would occur only six times a year. There are no intersections within the vicinity of the project site that operate at a deficient level of service on Saturday mornings that would be adversely affected by the traffic from the six swim events a year. Per significance criteria 2(b) on page 77 of the Draft EIR, such occasional activity would not conflict with measures of effectiveness for the performance of a circulation system.

Response 2-16

This comment mirrors the content of Comment 1-11 within the January 23, 2014 letter (Letter 1). Please see Response 1-11 to this comment.

Response 2-17

This comment mirrors the content of Comment 1-12 within the January 23, 2014 letter (Letter 1). Please see Response 1-12 to this comment.

Response 2-18

This comment mirrors the content of Comment 1-13 within the January 23, 2014 letter (Letter 1). Please see Response 1-13 to this comment.

Response 2-19

This comment mirrors the content of Comment 1-13 within the January 23, 2014 letter (Letter 1). Please see Response 1-13 to this comment.
LETTER 3

Mr. David Rader
County of Santa Clara Planning Office
7th Floor, East Wing
70 W. Hedding St.
San Jose, Ca. 95110

Dear Mr. Rader,

We would like to comment on the Golf Club at Boulder Ridge Environmental Impact Report and the following issues and assumptions:

The stated objectives of the project is to provide additional amenities to the members and allow the golf club to maintain competitiveness with other golf clubs in the Bay Area and provide members greater opportunities to maximize benefits of club membership.

3-1 a. There has been no written survey of the members to see if they want this facility or would use it or would pay the additional fee to join it. When the idea of a swim/gym facility was presented to the membership there was no mention of buzzers going off all morning on Saturdays for swim meets.

b. As to competitiveness with other golf clubs, other "country clubs" include use of such facilities as part of the golf membership. This would not be the case with the swim and exercise facility, and would not make the golf club at all competitive with other golf clubs in the Bay Area.

c. Since golf members would have to join the new facility, to “enjoy” the benefits of club membership. Benefits don’t apply to those who originally joined what was supposed to be only a golf club who consider the noise and traffic associated with the proposed facility a detriment to club membership.

The objective of adding the facility, which has been presented to the membership at an open meeting, is to grow the number of members of the club to maximum capacity of 400 golfers. Additionally, it is to provide additional facilities to attract more family memberships and provide an additional revenue stream to the Garcias.

We believe the increase in noise has been significantly understated.

The noise of the starter buzzer is not the only noise increase that would occur. There would also be cheering from parents and family members at the swim meets. Using the assumption that there are 120 swimmers stated in the proposal, why would there not be at least 120 parents as spectators + additional relatives, and coaching staffs and officials?

As an aside, in the past there have been some weddings with music and drums so loud that noise could be heard on the weekend all over the golf course at a minimum when this facility was not supposed to impact noise (or traffic).
We also believe the volume of traffic is significantly understated as explained below.

a. There are 5 types of golf memberships at Boulder Ridge...single, family, what is loosely defined as corporate memberships, trial memberships, and social memberships. By far the majority of memberships are single memberships. That means 1 person occupies most vehicles.

b. Family memberships generally equate to 2 people in a car if both husband and wife are golfers who play together. There are, however, significant numbers of wives who don't play with their husbands. This often means 2 cars since there are different tee times for both members.

c. Then there are guests of members. So on a Saturday guests will increase the number of cars by say 10-20%. Golfers don't typically car pool to the course.

d. Then there are the "corporate memberships." These include memberships that have been sold to 2 or more unrelated individuals.

e. The Garcia's say there are significant numbers of trial members. Although we don't know how many there are.

f. The social memberships are an insignificant number.

Let's say there are 300 single members, 50 family memberships, 20 corporate memberships, and 20 trial members, and 50 guests on a busy weekend such as an invitational.

If only 50% of the members played you would have 150 cars for the single members, 25 families playing + 25 more cars, 20 corporate members (2+ members per corporate memberships) 20 more cars, 10 trial members 5 more cars, and 50 guests for 50 more cars. This equals 250 cars.

Then you would have the swim team people and their cars let's say 120 more people not including coaching staffs and officials.

Then you would have the gym users who are not members. A typical gym requires a large number of members to be viable. Even if family members use the gym/swim facility, it's unlikely families with small children would spend 41/2 hours there for the typical time a golfer takes to play a round of golf. Thus you would have 2 cars at least coming to the club for those with young children, and perhaps teenage drivers coming for swim meets and practices.

Next you would have the event pavilion users. When there have been only golfers playing on non tournament days and event pavilion users in the past, people have been forced to park on the driveway all the way down to the entrance and beyond. This has posed a traffic safety risk especially if there is an
emergency at the course requiring any type of rescue vehicle to come to the course. What if there was another fire there at high impact use time?

There is not enough parking on a high impact day as it is, let alone increases caused my additional members to the gym/swim complex.

There are 2 other environmental issues we'd like to mention. One relates to impervious coverage. How is it that in order to build the event pavilion there had to be porous driveway material used because of impervious coverage issues, and now the gym/swim complex is OK?

Second is the statement in the environmental report that the parcel contains no natural drainages. Downhill from the golf range, where the new sewage leach fields are to be located is a wetlands area, which drains to the neighbors below golf hole number 11. The reeds, which naturally grow there, have been cut down in the past, but are growing there now, as the ground is quite wet as it is most of the year.

Thank you for your consideration,

Anonymous Members of The Golf Club at Boulder Ridge
Response 3-1

This comment concerns the objectives of the project and the relationship to membership at the Golf Club. The comment does not raise any questions or concerns regarding the adequacy of the environmental analysis in the Draft EIR. Comments for or against the proposed project will be considered by the Planning Commission and Board of Supervisors at the time they consider approval of the proposed Use Permit modification for the health and fitness facility.

Response 3-2

This comment questions the noise analysis contained within the Draft EIR, specifically the assumptions regarding number of attendees at swim events, and also provides anecdotal information regarding noise from the existing reception facility at the Golf Course.

The noise analysis contained within the Draft EIR modeled noise impacts from the proposed swim meets based on measured noise levels (including cheering from spectators) from two comparative age group swim meets (1) Brookside Swim and Racquet Club in Saratoga and (2) Alpine Hills Tennis and Swim Club in Portola Valley. Each of these events had approximately 40 youth swimmers and approximately 30 adults, a ratio of approximately 42 percent of adults out of the total attendees. The assumption for Boulder Ridge of 120 swimmers and 80 spectators entails a similar ratio of approximately 40 percent of adults out of the total attendees, which is not unreasonable as it is similar to that of actual swim meets. As discussed on page 22 of the Pack Noise Assessment Study (Appendix C of the Draft EIR) noise levels from the comparative age group swim meets were adjusted upward by 5 dB to reflect the larger number of total attendees.

Response 3-3

This comment concerns the methodology for the traffic analysis conducted within the Draft EIR and presents potential scenarios regarding the increase in membership resulting from the project and resulting traffic impacts.

Both traffic impacts and the capacity for existing and new parking at Boulder Ridge to accommodate additional demand resulting from the health and fitness facility were evaluated within the traffic studies prepared for the Draft EIR. These are included in Appendix C of the Draft EIR and include a parking study (August 26, 2011) and an addendum (June 24, 2013). These studies were prepared by Pang Engineers, a qualified traffic consultant.

As referenced in the comment, the Boulder Ridge facility would include several different uses following completion of the health and fitness facility, including the existing golf and reception uses and the new fitness and swim uses. The traffic study prepared by Pang Engineers acknowledged this variety of uses and specifically evaluated how traffic circulation would change off site during morning and evening peak hours following the proposed expansion. This was specifically the rationale for the comparative analysis that was conducted of the PAHGCC.
As referenced in Response 2-13, analysis of potential traffic impacts evaluated the worst-case scenario of several uses occurring at the Golf Course at the same time, which could occur on a typical Saturday in August, which included:

- Baseline traffic counts taken on a day in which the reception pavilion was used for an event in addition to regular golf usage.
- Projected usage of the fitness center as well as usage of the pool for a morning age-group swim competition.

See Response 5-2 below for additional discussion of parking supply and demand. Even on the busiest Saturday in summer, the traffic analysis and Draft EIR conclude that there would be adequate parking available onsite, avoiding a scenario of traffic/parking impeding the use of Old Quarry Road such that emergency vehicles would not have unobstructed access to the site.

**Response 3-4**

This comment is responded to both under Response 3-2 above and 5-2 below.

**Response 3-5**

This comment concerns potential drainage impacts from the project and references a previous driveway built for the reception facility on-site that used porous (pervious) road surface material.

In accordance with County and State regulations, the project is required to comply with the County’s Drainage Ordinance in addition to the National Pollution Discharge Elimination System (NDPES) requirements as implemented by the San Francisco Regional Water Quality Control Board. As a result of this requirement, the engineering staff within the County Office of Land Development Engineering has reviewed the proposed improvements and determined that they comply with these requirements, intended to ensure that the project does not have any impacts to downstream water bodies or property based on an increased volume of surface water runoff (from additional impervious surfaces) or other potential water quality impacts.

The design of the proposed on-site drainage system that will be used to accommodate additional surface runoff created by the new facility is at a preliminary stage and includes the use of existing onsite surface water bodies (man-made lakes) to capture and store the additional runoff. In compliance with standard County procedures, the final plans for the health and fitness center...
improvements will need to show how the final on-site drainage system will be designed to accommodate this runoff, prior to issuance of building permits for the facility, using bioswales or other low-impact development methods, such as porous surfaces as necessary.

With respect to the porous material used for the reception facility, this design approach was used by the golf course operator as a method to reduce the amount of surface water runoff associated with those improvements, as an alternative to improving onsite drainage facilities to capture and retain runoff.

Response 3-6

This comment mirrors the content of Comment 4-7. Please see Response 4-7 to this comment below.
Mr. David Rader  
County of Santa Clara Planning Office  
7th Floor, East Wing  
70 W. Hedding St.  
San Jose, Ca. 95110

Rewrite of Feb. 11 letter

Dear Mr Rader,

This communication is regarding the Boulder Ridge Environmental Impact Report specifically as it relates to the addition of a Pool/Health Club to its golf facilities. We would like to comment on the following issues and assumptions:

The stated objectives of the project by the Garcia’s is to provide additional amenities to the members and allow the golf club to maintain competitiveness with other golf clubs in the Bay Area. Another stated objective is to provide members greater opportunities to maximize benefits of club membership.

We, long time members of the club, would like to make the following comments.

a. The Garcia’s never asked its members whether they would welcome a Pool/Health Club to their facility. There has been no written survey of the members to see if they want this facility or would use it or would pay the additional fee to join it.

b. There are many members who would vote NOT to have this facility. As a matter of fact, when the club initially sold memberships we were told this would only be a golf club and there would never be swim or other facilities that you would find in a country club.

c. There has been little information given to members about this project other than a schematic drawing of the facility. There has no information given to members regarding the additional monthly cost to members for the health club and/or the number of non-golf members they will be seeking to support the club.

d. As to competitiveness with other golf clubs, other “country clubs” include use of such facilities as part of the golf membership. This would not be the case with the swim and exercise facility, and would not make the golf club at all competitive with other golf clubs in the Bay Area.
The objective of adding the facility, which has been presented to the membership at an open meeting, is to grow the number of members of the club to maximum capacity of 400 golfers thereby increasing the revenue produced by the club.

e. We believe the increase in noise has been significantly understated.

The noise of the starter buzzer is not the only noise increase that would occur. There would also be cheering from parents and family members at the swim meets. Using the assumption that there are 120 swimmers stated in the proposal, why would there not be at least 120 parents as spectators + additional relatives, and coaching staffs and officials? When the idea of a swim/gym facility was presented to the membership there was no mention of buzzers going off all morning on Saturdays for swim meets, or cheering parents and relatives. The noise level that will be created by 180-200+ people cheering at swim meets will be deleterious to golfers and those in the neighborhood directly below Boulder Ridge.

f. We also believe that if this project is approved, there will be significant parking issues as the club has over 300 members and an Events Pavilion currently on premises. We believe the proposed volume of traffic in the EIR is significantly understated as explained below.

As background, there are 5 types of golf memberships at Boulder Ridge...single, family, what is loosely defined as corporate memberships, trial memberships, and social memberships. By far the majority of memberships are single memberships. That means 1 person occupies most vehicles.

Family memberships generally equate to 2 people in a car if both husband and wife are golfers who play together. There are, however, significant numbers of wives who don’t play with their husbands. This often means 2 cars since there are different tee times for both members.

“Corporate memberships” include memberships that have been sold to 2 or more unrelated individuals.

The Garcia’s say there are significant numbers of trial members who haven’t joined the club but are trying out the club for up to 1 year more or less. We don’t know exactly how many trial members there are, but the number has been around 20 per year in the past.

The social memberships are an insignificant number.

Then there are guests of members. So on a Saturday guests will increase the number of cars by say 10-20%. Golfers don’t typically car pool to the course.
Let's say there are 300 single members, 50 family members, 40 corporate members, and 20 trial members, and 50 guests on a busy weekend day such as when there is a tournament.

If only 50% of the members played you would have 150 cars for the single members, 25 family members with say 40 cars, 20 corporate members cars, 10 trial members 10 more cars, and 50 guests for 50 more cars. This equals at least 270 cars plus the cars of staff required to service the customers and maintain the course, say another 30 cars (just a guess). Now we have around 300.

It is not unusual to also have several meetings and luncheons at the same time at the clubhouse that adds to the congestion and parking problems.

When the golf club is crowded with golfers and there is a wedding or another event at the Events Pavilion, we don't have enough parking as it is. These events often fill the event center to its maximum capacity. The event center is booked most weekends in the summer when the proposed swim meets would happen.

When there have been only golfers playing on non-tournament days and event pavilion users in the past, people have been forced to park on the driveway all the way down to the entrance and beyond.

When there are events at the event center, there are NOW serious parking issues. People have to park on the driveway leading up to the Club or at the park below the club. They block fire hydrants and while walking up the hill to the Club posing a huge safety risk.

There is a fairly blind cart crossing now from the 18th hole back to the clubhouse adjacent to where the proposed health/swim club parking is to be located which has had several near cart/car collisions. Imagine teenage swim club participants racing to get to or leaving a meet oblivious to the potential for a golfer to come from this blind cart crossing and kill someone.

With the addition of a health/swim club, this parking problem will become a significant issue for members, guests and emergency vehicles should they be needed.

You would have the swim team people and their cars let's say 120 more people not including coaching staffs and officials. Then you would have the users who are not golf members. A typical gym requires a large number of members to be viable. Even if family members use the gym/swim facility, it's unlikely families
with small children would spend 41/2 hours there for the typical time a golfer takes to play a round of golf. Thus you would have 2 cars at least coming to the club for those with young children, and perhaps teenage drivers coming for swim meets and practices.

There is not enough parking on a high impact day as it is, let alone increases caused by additional members to the gym/swim complex.

There are 3 other environmental issues we'd like to mention.

g. One relates to impervious coverage. How is it that in order to build the event pavilion there had to be porous driveway material used because of impervious coverage issues, and now the gym/swim complex is OK?

h. Second is the statement in the environmental report that the parcel contains no natural drainages. Downhill from the golf range, where the new sewage leach fields are to be located is a wetlands area, which drains to the neighbors below golf hole number 11. The owners have cut the reeds in the wetlands down in the past year or so when the proposal of a health facility began. The reeds have grown back there now.

The fact that the Club has had sewage back up issues in the past both in the Clubhouse and on the golf course (right rough area of hole #9 directly uphill from the wetlands area) is another big area of concern. Members were told sewage issues were a problem of the type of soil and soil compaction.

i. Third is the question of building a large swim complex when we're facing severe water shortages. Do we really need this project?

Mr. Rader, before the Planning Commission approves this project, it would be appreciated if representation for the Planning Commission visited the Golf Club to see for itself the problems that will be created by this project. Thank you very much for reading this and for your consideration. Please note the absence of members of Boulder Ridge Golf Club at your next meeting who are in support of the project, except perhaps attorney Gary Olympia, the Garcia's relative.

We thank you, again, for your consideration.

Members of Boulder Ridge Golf Club who choose to remain anonymous because we don't want the Garcias to kick us out of the club for opposing their project. Members have been kicked out for voicing their opinions about issues in the past about issues that don't impact the Garcia's pocketbook.
Response 4-1

This comment concerns the objectives of the project and the relationship to membership at the Golf Club and mirrors the content of Comment 3-1. This is not a comment on adequacy of the Draft EIR. Comments for or against the proposed project will be considered by the Planning Commission and Board of Supervisors at the time these bodies consider whether or not to approve the proposed Use Permit modification. This comment is additionally responded to both under Response 3-1.Response 4-2

This comment mirrors the content of Comment 3-2. Please see Response 3-2 to this comment.

Response 4-3

This comment mirrors the content of Comment 3-3. Please see Response 3-3 to this comment. In addition, see response 5-2 for a further discussion of parking supply and demand.

Response 4-4

This comment concerns on-site circulation and the interface between golf carts and cars, specifically the potential for carts and cars to collide in an area near the proposed health and fitness facility.

The parking areas that would be used by swim meet participants would be on the north and east sides of the fitness and swim center. The golf cart path is located to the west and south of the proposed facility. Therefore, swim meet attendees would not cross the golf path while walking to or from the parking areas.

Response 4-5

This comment concerns the adequacy of existing and proposed parking to accommodate demand based on the variety of different uses at the Boulder Ridge site. See Response 5-2 for a discussion of parking supply and demand which addresses the concerns raised in this comment.

Response 4-6

This comment mirrors the content of Comment 3-5. Please see Response 3-5 to this comment.
Response 4-7

This comment discusses natural drainages and mentions potential wetland areas located nearby the site where the proposed drain field for the health and fitness facility would be located.

The Draft EIR states on page 15 under Section II.C. (Site Conditions) that the Boulder Ridge Golf Club parcel contains no creeks or natural [emphasis added] drainages, meaning that the site no longer contains undisturbed water courses that existed prior to development. The statement was not meant to say that the site does not contain any drainage channels or swales where water runs off and collects. The County’s On-site Wastewater Treatment Systems (OWTS) ordinance requires horizontal setbacks between septic drain fields and water features, such as creeks and drainages, in order to prevent contamination by wastewater that is dispersed to drain fields. DEH has evaluated the proposed septic system design and determined that there is sufficient space to accommodate the drain field within the proposed location while still conforming to OWTS setback requirements.

Response 4-8

This comment concerns existing conditions at the Boulder Ridge Country Club facility and adequacy of on-site wastewater facilities. The County Department of Environmental Health has reviewed the proposed health and fitness facility and determined that the proposed expansion of the on-site wastewater treatment system, including new drain field, is adequate to accommodate the additional sewage demand. This evaluation and determination included consideration of the total wastewater demand and the soil types in the areas where the drain field is proposed.

Response 4-9

This comment concerns water shortages and the large swim complex. The availability of water to service the project is discussed under the utilities section of the Initial Study (Appendix B of the Draft EIR) completed for the project. The Initial Study concluded that implementation of the proposed project would not have any significant environmental impacts with respect to utilities. The Boulder Ridge Golf Course is currently serviced for potable water by San Jose Water. The portion of the comment concerning approval of the project will be considered by the Planning Commission and Board of Supervisors at the time these bodies consider whether or not to approve the proposed use permit modification.

Response 4-10

This comment concerns a potential visit to the site by the Planning Commission and is not a comment on the Draft EIR. No response is required.
Dear Mr. Rader,

This communication is regarding the Boulder Ridge Environmental Impact Report specifically as it relates to the addition of a Pool / Health Club to its golf facilities.

The stated objective of this project by the Garcia’s is to provide additional amenities to the members. The following comments are made by a member of The Golf Club at Boulder Ridge who has been a member for several years.

- The Garcia’s never asked its members whether they would welcome a Pool / Health Club to their facility and there was never a written survey of the members asking this. There are many members who would vote NOT to have this facility.

- There has been no information given to members about this project other than a schematic drawing of the facility. No information has been given to members regarding the size, the monthly cost to members for the Health Club, the timetable, or the number of members they will be seeking.

- If this project is approved, there will be significant parking issues as the Club has over 300 members, plus social members and an Events Pavilion currently on premises. When the golf club is crowded with golfers and there is a wedding or another event at the Events Pavilion, there are NOW serious parking issues where people have to park on the driveway leading up to the Club blocking fire hydrants and having to walk straight up hill to the Club. This is a huge safety risk.

- With the addition of a health club, this parking problem will become a significant issue for members, guests and emergency vehicles should they be needed.

- The noise level that will be created at the Club by the Health Club will be deleterious to golfers and those in the neighborhood directly below Boulder Ridge. With 180-200 people cheering at swim meets the problems for noise issues and parking issues are magnified significantly.

- The Environmental Report states that the parcel for the Health Club contains no natural drains. Beyond the golf practice range, where the new sewage leach fields are to be located is a natural wetlands area, which drains to the neighborhood below the 11th golf hole. The owners have cut the reeds down in the past....but the area is once again wet. The fact that the Club has had sewage back up issues in the past both in the Clubhouse and on the golf course (right rough area of hole #9 about 200 yards from the tee), is another big area of concern.

- The Garcia’s have never asked the members for ideas on how to improve the...
Golf Club at Boulder Ridge. No member written surveys, no member representation on any of the issues at The Club. They are not golfers and do not care about golf. With this current plan in place, one can only imagine that there is one reason for the Pool / Health Club; to make more money for the owners at the members expense.

Mr. Rader, before the Planning Commission approves this measure, it would be appreciated if representation for the Planning Commission visited the Golf Club at Boulder Ridge to see for itself the problems that will be created by this addition to the Club.

Thank you very much for reading this and for your consideration.

Anonymous Member of Boulder Ridge Golf Club.
Response 5-1

This comment concerns the objectives of the project and the relationship to membership at the Golf Club and mirrors the content of Comment 3-1. This is not a comment on adequacy of the Draft EIR. Comments for or against the proposed project will be considered by the Planning Commission and Board of Supervisors at the time these bodies consider whether or not to approve the proposed Use Permit modification. This comment is additionally responded to both under Response 3-1.

Response 5-2

This comment concerns the adequacy of on-site parking, providing anecdotal feedback regarding the competition for existing parking between the golf and reception uses.

Parking demand was evaluated in two reports provided by Pang Engineers, Inc., which are contained in Appendix C of the Draft EIR. The first report, dated August 26, 2011, analyzed current and projected parking needs, including for the proposed fitness and swim center, based on a parking survey that was conducted on both weekday (Wednesday) and weekend (Saturday) in August of 2011 to encapsulate peak usage time during the summertime period. The survey found that on a busy Saturday, in which golfers, clubhouse users, and wedding reception attendees were present on site, the peak hour for parking demand was 7-8 pm, with a total of 130 parked cars. The peak morning demand was 10-11 a.m., with 80 spaces occupied, which is approximately 42 percent of the 192 spaces available.

According to the August 2011 report, assuming that the fitness center with the swim program would generate a need for an additional 47 spaces, the “worse-case-scenario” for parking demand on a Saturday would be 130 + 47, or 177 spaces. The project includes proposed expansion of on-site parking, adding 47 new parking spaces. With the fitness center completed, there would be a total of 239 spaces provided (192 existing + 47 new spaces for the fitness and swim center). In addition, as disclosed within the Pang report, additional parking demand can be accommodated through an additional 40 spaces (valet parking) at the maintenance yard. Per this analysis, parking supply would be sufficient for worst-case demand on a Saturday afternoon in summer.

The second report by Pang Engineers, dated March 25, 2013, updated the parking demand analysis by specifically evaluating the six Saturday swim meets that would occur each year. Per this supplemental analysis, the proposed parking lot expansion was further modified to provide 13 more parking spaces for the proposed fitness and swim center, bringing the total additional spaces to 60 (since increased to 61). In total, following completion of the proposed health and fitness facility, a total of 253 parking stalls would be available onsite to accommodate demand.

During one of the six days of the year when a swim meet will occur on Saturday morning, if 140 stalls are used for the golf and fitness center, 112 stalls would still be available to accommodate the swim meet demand. The Draft EIR concludes that the estimated parking stall demand each swim
meet would be up to 67. Therefore, sufficient parking would be available for this worst-case scenario. In addition, the maintenance yard can be used for valet parking if needed.

Analysis of adequate parking capacity in association with a proposed project is not included in the environmental topics to be studied per the CEQA Guidelines.

Response 5-3

This comment concerns potential noise impacts from the health and fitness club, specifically referencing the impacts of noise from swim meets upon golfers and adjacent residences.

Noise from swim meet attendees, including cheering from spectators, is addressed on pages 65-73 of the Draft EIR. As noted in the project description (page 20 of the Draft EIR), the proposed use permit modification would not include provisions for outdoor amplified music or other outdoor amplified broadcasting. The analysis concluded that swimming pool activities, including the swim events, would be within the limits of both the Santa Clara County and City of San Jose General Plan noise standards, both of which specify a limit of 55 dBA DNL at residential land uses. As described on page 70 of the Draft EIR, the noise exposure at the closest residences to the facility (in the Almaden Hills Estates neighborhood) from the Saturday swim meets would be between 19 and 26 dBA DNL, far below the County and City thresholds.

Therefore, the impact on residences at the Almaden Hills Estates (the closest neighborhood to the swimming pool) would be less than significant.

Response 5-4

This comment mirrors the content of Comment 4-7. Please see Response 4-7 to this comment.

Response 5-5

This comment concerns communication between the owner/operator of the Golf course and members and does not address the adequacy of the Draft EIR. No response is required.

Response 5-6

This comment requests that members of the Planning Commission visit the Boulder Ridge site. This comment will be provided to the Planning Commission with the Final EIR, and no additional response is required.
LETTER 6

Mr. David Rader
County Planning Office
70 West Hedding 7th floor east wing.
San Jose 95110

We are members of Boulder Ridge Golf Club. We are writing this letter concerning the Environmental Impact report that is now under submission to you people. There are some issues that we feel you need to be informed about.

Many of us have been told by the Garcia's and their representatives that there would never be any swimming pools, tennis courts or other such facilities. The message sent and the promise made was "this is the Golf Club at Boulder Ridge". No houses, no other distractions, just golf.

The only information that the members have at this time is that the Garcia's are proceeding with a pool and large exercise facility. There has never been a questionnaire sent to the members asking the basic questions about using the facility. There is a real potential that they will go to the public for a large number of memberships and that will greatly increase the traffic impact and the impact on parking.

The informal result amongst the members is that there is very little interest in the facility. Everyone seems to have an exercise facility close to their house or close to their work and has no desire to travel out of their way for exercise. It also bothers us that there will be swim meets with eighty to one hundred people on Saturday morning right next to the course. There are not enough children in the club to support these numbers so the owners must be looking at outside people which increases traffic and parking.

Our question to you folks is how traffic and noise assumptions can be made without a response from 300 members of the club. To compare us with the group at Palo Alto Hills has one major flaw. They voted for the facility. We have not been asked.

Why are we not going to sign this letter or identify ourselves? Over the last two years members have been told to quit for minor instances that irritate and anger the Garcia's. We love the golf course and do not want to be in a position to be told to quit.

Our hope is you will consider our letter and the spirit that it is being sent.
Response 6-1

This comment concerns communication between the owner/operator of the Golf course and members and does not address the adequacy of the Draft EIR. No response is required.

Response 6-2

The majority of this comment concerns communication between the owner/operator of the Golf course and members and does not address the adequacy of the Draft EIR. For additional information regarding the modeling for traffic impacts, see Response 8-1 below.

Response 6-3

This comment concerns communication between the owner/operator of the Golf course and members and does not address the adequacy of the Draft EIR. No response is required.
December 28, 2013

County of Santa Clara
Department of Planning and Development
County Government Center, East Wing
70 West Hedding Street, 7th Floor
San Jose, CA 95110

Re: Boulder Ridge Fitness and Swim Center
Draft EIR (SCH#2013052012)
File No. 2195-42-53-13P

Dear Mr. Rader,

We have reviewed the Draft EIR and have found it to be very comprehensive and complete. We would like to clarify that the expansion of the Maintenance Yard will be paved. The cover page of your document correctly notes that the outdoor storage space is to be paved, however, within the document you have stated that it would not be paved. Thank you.

Very truly,

Rocke Garcia for Boulder Ridge
Response 7-1

The County acknowledges that it is the intention of the applicant to pave the expanded maintenance yard. See page 62 under “Text Changes to Draft EIR,” where the Draft EIR and Initial Study Project Description have been revised to correct this inaccuracy. This minor modification in the project description does not substantially alter the environmental analysis or conclusions of the Draft EIR. Specifically with respect to the analysis of drainage within the Initial Study, potential impacts would remain less than significant as compliance with State and County standards would necessitate that all additional stormwater run-off that would result from the proposed impermeable surfaces (e.g., structure, paving) would be retained on site through bioswales or other low-impact development methods.
Subject: Draft EIR Boulder Ridge Golf Club Fitness and Swim Center

1. It is totally unclear how many users are expected for the proposed Fitness and Swim Center on an ongoing basis. Are they expected to be current Golf Club members? Will there be separate memberships for the Fitness and Swim Center? If so, this will dramatically increase the number of potential users. Why hasn’t all this been determined and presented? Without this information, the comparison that is made to Palo Alto Hills Golf and Country Club cannot be justified. Without knowing the expected number of users, it is impossible to accurately estimate the impacts of this proposal.

2. The proposed project includes a County-initiated Zoning Ordinance Amendment to clarify the use classification for Golf Courses and Country Clubs (§2.10.040 Non-Residential Use Classifications - Golf Courses & Country Clubs) to identify swimming pools, tennis courts, and fitness centers as related uses that are allowable as part of this primary use. The proposed zoning amendment would also modify the supplemental use regulations (§4.10.140 Golf Courses & Country Clubs, B. Criteria for Other Districts) to add a second criterion as follows:

   "2. The size, design and intensity of any related use shall be of an appropriate scale to the size of the golf course and country club development."

This is a very suspicious addition included within the EIR. When the approval was given for the Boulder Ridge Golf Club, it was agreed upon at the time that this location was (and still is) a unique hillside environment that was unsuitable for the additional amenities some other country clubs have, such as swimming pools, tennis courts, etc. The Planning Commission needs to be reminded of all the previous hearings and agreements that were made when the Golf Club was first approved. There seems to be an effort here to not only gain approval of a swim and fitness center, but to also throw open the door for all other future amenities that might be considered. This goes against everything that was discussed and agreed upon previously as to what was suitable for this hillside location, and it just makes the public suspicious once again of the real intentions of the developer.
3. The proposed fitness building is approximately 20,000 square feet in size.

The proposed new building would be as big if not bigger than the current clubhouse. This is unacceptable.

The Reduced Building Size Alternative would be the environmentally superior alternative because it would provide the greatest opportunity for avoidance and/or reduction in impacts.

Other than the No Project Alternative, the Draft EIR states that a reduced building size is the environmentally superior alternative.

4. There is no assessment of the added risk from the increased traffic to wildlife on the hillside and the added risk to drivers from potential collisions with deer and other wildlife.

In the assessment of the cumulative traffic impacts, there is also no mention of the nearby Almaden Ranch mall that is being developed less than a mile away with the additional traffic on access roads leading to the golf course.

5. Construction shall be limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday.

Construction Noise: It is not sufficient to specify a daily starting time for construction of 7AM. During the construction of the Golf Club, construction vehicles were routinely coming up the long road bordering Almaden Hills Estates before 7 AM and sometimes before 6 AM. The limitation on any daily starting construction time must include use of the road by construction vehicles.

Sincerely,

Gary A. Nielsen
Past President, Almaden Hills Estates Homeowners Association
Response 8-1

This comment regards uncertainty regarding the number of new users that would visit the site following completion of the proposed project.

As described in the Draft EIR, it is expected that users of the proposed fitness and swim center would be a mix of current golf club members and new members. Rather than basing impact analysis on a forecast of an increase in membership, the County chose to base the analysis of traffic and noise impacts on a comparison of the proposed project with the already completed expansion at Palo Alto Hills Golf and Country Club (PAHGCC) because these two projects are similar in terms of square footage and uses. The PAHGCC expansion included a 20,000 square foot fitness facility and renovation of a pool to allow expanded use. These uses were in addition to the existing 18-hole golf course. To account for the six Saturdays a year when the Boulder Ridge swim center would host youth dual swim meets, it was assumed that these events would have up to 200 participants, including swimmers, staff, and spectators (e.g., parents).

Response 8-2

This comment concerns the County Initiated zoning ordinance amendment and the relationship to past findings and conditions applied to the Golf Course.

The comment does not address the adequacy or findings of the environmental analysis included within the Draft EIR. Comments for or against the proposed project, including the County-initiated Zoning Ordinance Amendment, will be considered by the Planning Commission and Board of Supervisors at the time these bodies consider whether or not to approve the project.

Response 8-3

This comment addresses the size of the new health and fitness facility and expresses support for adoption of the Reduced Building Size Alternative as described in the Alternatives Section of the Draft EIR.

To clarify, the current clubhouse is approximately 18,600 square feet, which is slightly smaller than the proposed 20,000 square foot fitness and swim center. The Draft EIR evaluated the environmental impacts of adding this facility to the golf club. The Reduced Building-Size Alternative, which is described on Section VII.C of the Draft EIR, would reduce impacts compared to the proposed project. However, all impacts of the proposed project could be reduced to less than significant through incorporation of the identified mitigation measures within the Draft EIR.
Response 8-4

This comment addresses potential traffic impacts to wildlife.

The risk of collisions between vehicles and wildlife that may occupy or traverse Quarry Road is an existing condition. The additional traffic that would be generated by the proposed project would not significantly increase this risk. As disclosed within the Biology Section of the Initial Study within the Draft EIR, the project is not expected to directly impact and threatened or endangered wildlife species. Nor would additional traffic substantially interfere with the movement of wildlife on the site given that Old Quarry Road represents only a small portion of the area in which wildlife is free to move.

Cumulative traffic impacts are evaluated on page 88 of the Draft EIR. The evaluation concluded that because the traffic impacts of the proposed project would be less than significant, and there are no known projects in the vicinity that, when combined with the proposed project, would lead to significant adverse traffic impacts, the project would not make a cumulatively considerable contribution to a significant cumulative impact.

Response 8-5

This comment concerns traffic noise and hours of construction.

Traffic noise is evaluated on pages 73-75 in Section V.C of the Draft EIR. Noise from traffic volumes was analyzed for the worst-case scenario (highest volume day) where a swim meet would be held on a Saturday morning (see Table 6). For this scenario, it was assumed that an additional 67 vehicles would be traveling uphill on Quarry Road in the 7 a.m. hour in addition to regular traffic volume associated with the golf course and fitness center. The analysis found that this traffic volume would not cause an increase in the overall noise environment at the Almaden Hills Estates, which are the closest residences to Quarry Road. It is expected that this volume of traffic would be greater than any traffic volume that would result from vehicles traveling to the fitness and swim center construction site. Therefore, noise from construction vehicle traffic would also not cause an increase in the overall noise environment at the Almaden Hills Estates. The fact that some or all of these vehicles would be traveling to the construction site prior to the 7 a.m. construction start time would not change this conclusion.
David,

Boulder Ridge was never designed to be private country club. Enough has already been built on this property. Rocky keeps asking for more and more and you guys keep caving in. Enough is Enough! The original design was for a 9-1 golf course and open space and it was designed for public use.

Please revert to the original plan and save this hill and the neighborhood for more construction. This plan provides no benefit to the community at large and should be rejected.

Regards,

David Sawkins
1019 Redmond Ave
San Jose, CA 95120
Response 9-1

This is not a comment on the Draft EIR. Comments for or against the proposed project will be considered by the Planning Commission and Board of Supervisors at the time these bodies consider whether or not to approve the proposed Use Permit modification.