

COUNTY OF SAN MATEO
ENVIRONMENTAL SERVICES AGENCY

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Permit or Project File Number:
PLN 2003-00060

Board Meeting Date: December 7, 2004

Prepared By: Sara Bortolussi

For Adoption By: Board of Supervisors

RECOMMENDED FINDINGS

Regarding the Environmental Review, Find:

1. That the Negative Declaration is complete, correct, adequate, and prepared in accordance with the California Environmental Quality Act and applicable State and County guidelines.
2. That, on the basis of the Initial Study, comments received hereto, and testimony presented and considered at the public hearing, that there is no substantial evidence that the project, if subject to the mitigation measures contained in the Negative Declaration, will have a significant effect on the environment.
3. That the Negative Declaration reflects the independent judgment of San Mateo County.
4. That the mitigation measures identified in the Negative Declaration, agreed to by the applicant, placed as conditions on the project, and identified as part of this public hearing, have been incorporated into the Mitigation Monitoring and Reporting Plan in conformance with California Public Resources Code Section 21081.6.

Regarding the Use Permit Amendment, Find:

5. That the establishment, maintenance, and/or conducting of the use, will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to property or improvements in the neighborhood.

RECOMMENDED CONDITIONS OF APPROVAL

Planning Division

1. This approval is for the replacement of the six existing 1,000 watt light fixtures on each of the Club's six tennis courts with six modern 1,000 watt light fixtures at the

same height as the existing fixtures, and the extension of parts of the fence on tennis court #5 as presented to Planning Commission on March 24, 2004. Any modifications to these plans, not authorized by this approval, will require a separate application for Use Permit Amendment and consideration by the Planning Commission at a public hearing.

2. There shall be annual administrative reviews of Ladera Oaks to check for compliance with all conditions of approval. Any expansions of the Club's facilities or activities beyond the limits currently established in this use permit will require an amendment to this use permit.
3. The proposed lighting system shall be modified, if needed, so that the average in-bounds illumination (when measured as specified by the IESNA) never exceeds 60FC. Compliance with this condition shall be certified in writing by a lighting consultant upon installation, whenever the light fixtures are replaced or upgraded (excluding cleaning and relamping with similar light bulbs), and at any other times requested by the County. It is agreed that Ladera Oaks can replace its tennis lights from time to time in the future without additional use permit amendment as long as (1) the number of light fixtures is not increased, (2) the new bulbs do not exceed 1,000 watts per light fixture, (3) the new light fixtures' lenses are not higher than 22 feet above the court surface, (4) the new light fixtures do not create more light spill or glare beyond the tennis court fences than the lighting system they replace, and (5) the new light fixtures do not cause the average in-bounds illumination (when measured as specified by the IESNA) to exceed 60FC.
4. All light fixtures shall be equipped with light cutoff shields in order to eliminate glare and light spillage onto Alpine Road, nearby residences and Los Trancos Creek.
5. All six tennis courts may be lighted from 7:00 a.m. to 8:00 a.m. Monday-Friday and from dusk (as determined by the photocell in the lighting system control panel, never before 4:00 p.m.) to 9:00 p.m. daily, year-round. Courts 3 and 4 may be lighted until 10:00 p.m. daily, year-round. Courts 5, and 6 may be lighted until 10:00 p.m. daily, March through October. Courts 1 and 2 may be lighted until 10:00 p.m. up to 20 times per year to accommodate interclub* play. The Club staff shall provide the staff, equipment, and/or procedures needed to make sure the lights go off by the times listed above.

* A typical evening interclub uses 5 courts. Eight Ladera Oaks members play matches (3 doubles and 2 singles) against eight members of another club. An interclub usually lasts about 2 hours.
6. The Club shall monitor tennis activities to ensure that loud or unnecessary noise is not generated by such activities.

7. Tennis courts shall not be rented to the general public during hours of illumination.
8. No tennis play shall occur prior to 7:00 a.m. on weekdays or prior to 8:00 a.m. on Saturdays, Sundays and holidays. Tennis play shall end by 10:00 p.m. daily.
9. The lighting system for each of the three 2-court pods at Ladera Oaks shall have its own on/off switch. There shall also be a motion detector on each tennis court, which will keep the lights on its 2-court pod turned on during the allowed hours of illumination for up to 10 minutes after it detects motion on that court. There shall also be time clocks, which override the on-court switches and motion sensors and prevent the tennis court lights from being turned on at times other than those allowed in the use permit.
10.
 - a. A maximum of 80 interclub matches may be played annually with the tennis courts lights on.
 - b. A maximum of three tennis tournaments may be held annually with the tennis court lights on, and those tournaments shall end by 9:00 p.m. At least 75% of the participants at those tournaments must be Ladera Oaks members and none of the participants shall be professional tennis players (except the Ladera Oaks Tennis Pros). No other tennis tournaments may be played during hours of illumination. Open singles and doubles play, interclub matches, intraclub matches and member socials including twilight tennis socials are not considered "tournaments."
11. Ladera Oaks will resurface its tennis courts at intervals not to exceed 48 months. When resurfacing its tennis courts, Ladera Oaks will use high quality commercial court coloring materials commonly used in the court resurfacing industry. The manufacturer's published Tristimulus Value of the color(s) used on the in-bounds areas of the tennis courts shall not exceed the Tristimulus Value for "Winter Green" published by California Products Corporation in 2004, and the average of the manufacturer's published values for the colors used on in-bounds and out-of-bounds areas shall not exceed the Tristimulus Value for "Winter Green" published by California Products Corporation in 2004.
12. There shall be no expansion of the tennis spectator facilities.
13. The applicant shall submit an erosion and sediment control plan, which delineates what erosion control measures will be used as well as where they will be installed. This plan shall be submitted, reviewed, and approved by the Planning Division before issuance of a building permit to begin the tennis court lighting upgrade. All approved measures must be installed and inspected prior to beginning any construction work on-site. The erosion control measures shall be maintained and replaced as necessary throughout the lighting replacement project.

14. Restrict the setting of the new light poles in court #5 to a June 15 to October 15 construction window. This will ensure that steelhead is not impacted by erosion or runoff pollution that may result from the project.
15. During the setting of the new light poles on court #5, use appropriate erosion control methods to keep exposed soils from being washed into the creek. A qualified biologist shall check the site once a week during construction to ensure that erosion control methods are maintained and effective.
16. Design and implement appropriate runoff and stormwater pollution control measures during construction to protect the creek from a chemical/oil spill incident from heavy equipment.
17. Assuming presence of California Red-Legged Frog (CRLF) and Western Pond Turtle (WPT) within the proposed work area along court #5, have a qualified biologist conduct a pre-construction survey for CRLF and WPT and remove any vegetation or debris that may provide cover or conceal these species. A qualified biologist shall brief construction workers on identifying CRLF and WPT. If any are found during work, workers are to stop and contact USFWS or CDFG and the San Mateo County Planning Division immediately.
18. Restrict all heavy machinery use to the existing concrete tennis court and paved parking areas to protect the creek bank from compaction.
19. If any vegetation is removed to install the new lighting poles, the applicant shall re-vegetate the area with shade tolerant natives. This shall be confirmed to have occurred prior to the final approval of the light installation.
20. Replace the current tennis court fence with a fence at least eight feet taller than the existing on the east side of Court #5 and the first 10-15 feet of the north end of court #5 in order to keep tennis balls out of the creek. If pruning is necessary in order to erect a taller fence, restrict coast live oak pruning to July or August (or as recommended by an arborist). The fence installation shall occur prior to a final approval of the tennis court lighting installation. The new fence shall match the existing fence.
21. If construction is to occur between February 15 and August 1, nesting raptors may be disturbed by construction activities. Conduct a pre-construction survey for nesting raptors. If nesting raptors are found, a buffer zone, (radius to be determined in consultation with CDFG) may be established around the nest during the breeding season.
22. During the construction phases of the project, the applicant shall be restricted to those limits indicated in the County Noise Regulations.

23. Ladera Oaks shall submit a landscape plan to the Planning Division for review and approval prior to issuance of the building permit and electrical permit for the new lighting. Copies of the landscape plan will also be provided to designated member(s) of the community. The goal of that landscaping plan shall be to improve the landscaping between the tennis courts and Alpine Road to increase the visual screening between the tennis courts, and Alpine Road and residences across Alpine Road. The plan shall recommend how to maintain that landscaping at a height at least one foot above the tennis court light fixtures along the Alpine Road side of the tennis courts. Once a landscaping plan is approved by the County, Ladera Oaks shall implement it prior to a final inspection on the building or electrical permits.
24. The applicant shall consult with a certified arborist regarding the additional planting of trees along the Alpine Road Corridor where existing vegetation has been thinned. In no case shall existing vegetation be placed in danger or removed, unless its health warrants removal. Any removal, however, will require a separate tree removal permit.
25. When the Club is hosting evening events, which end at 10:00 p.m. or later, the Club shall keep posted a sign within the clubhouse, requesting members and guests to depart from the Club in a direct and quiet manner.
26. Whenever the leased parking lot across Alpine Road is used after 10:00 p.m. in conjunction with weekend activities held at the Club, the Club shall ensure that a security guard is present in the leased parking lot to monitor and control noise associated with departing members and guests.
27. The current membership consisting of 325 full members and 200 associate members shall be the maximum membership allowed.
28. There shall be no amplified live or amplified recorded music allowed outside of the clubhouse.
29. Organized activities which generate noise, such as parties, dances, teen nights, etc., held at Ladera Oaks on Sunday, Monday, Tuesday, Wednesday or Thursday nights shall end by 10:00 p.m. Such activities held at Ladera Oaks on Friday or Saturday nights shall end by midnight and amplified music at those Friday and Saturday night activities shall end by 11:30 p.m. Events held on Friday and Saturday nights, which were booked prior to adoption of this condition, must end by 1:00 a.m. The Club may schedule up to two social events for its members a year which end after midnight. These events must begin on Fridays, Saturdays, or on New Year's Eve, and must end by 1:00 a.m. Amplified music at these events must end by 12:30 a.m.
30. The applicant shall immediately notify the County Planning Division if the applicant for any reason loses its right to use the parking facilities currently under lease.

31. A 6-month schedule of events shall be assembled and be made available to the neighbors or County upon request.
32. Swim meets shall be limited to five (5) swim meets per year.
33. No starter guns shall be used at swim meets, and any loud speakers used at swim meets shall be directed away from Alpine Road and Ladera.
34. Any swimming activities prior to 6:00 a.m. shall not adversely impact residents across Alpine Road. An adverse impact is defined as noise continuously and clearly audible to any such resident.
35. The high intensity deck lights for the swimming pool area shall not be illuminated prior to 5:00 a.m. or later than 10:15 p.m., except that they may remain on until 10:30 p.m. on swim meet nights. The low intensity lighting in the swimming pool area and the underwater pool lights will go off at by 10:15 p.m. daily and 10:30 p.m. on swim meet nights, except when needed by staff to perform quiet maintenance tasks.
36. Use of the fitness center shall be limited to Club members and their guests. Group classes of more than four participants within the fitness center shall occur outside the hours of 9:00 a.m. to 5:30 p.m., Monday through Friday.
37. The applicant shall, pursuant to Section 5021 of the San Mateo County Ordinance Code, keep the parking lot clean by using appropriate methods including but not limited to, sweeping and litter control.
38. Pursuant to Section 5024 of the San Mateo County Ordinance Code, the applicant shall keep Los Trancos Creek free of trash or litter, and maintain private structures in a manner that does not impair flow or remove riparian vegetation.
39. To minimize noise pollution, the ballroom doors shall be closed by 10:00 p.m. daily. When amplified music is being played at levels above 70 decibels, the ballroom doors shall be closed by 9:00 p.m. At 10:00 p.m. any furniture, heaters and serving stations set up outdoors for social events will be put away and guests will be encouraged to move indoors.
40. High intensity parking lot lights that are directly visible from Balsamina residences shall be turned off or dimmed by 1:00 a.m. on nights on which organized events continue after 10:00 p.m. and by 11:00 p.m. on all other nights.
41. When parking for events held at Ladera Oaks spills over to La Mesa Drive, (1) the Club will employ security guards and/or provide volunteers to make sure that cars park on only one (the north) side of La Mesa Drive; (2) Ladera Oaks may use traffic cones to mark the side where parking is not allowed; and (3) Ladera Oaks

will post signs at the La Mesa Drive entrances to North Balsamina Way, South Balsamina Way, North Castanya Way, South Castanya Way, Dedalera Drive, Gabarda Way, stating that parking for the event being held at Ladera Oaks is not allowed on those streets. Outside of swim meets, the Club shall schedule no more than three events per year which require parking on residential streets across Alpine Road, and none which require parking on residential streets across Alpine Road after 9:00 p.m.

42. Ladera Oaks will attempt to find a practical way to reduce the volume of the starting system used at swim meets.
43. The conditions of approval reflect the agreement reached between the parties during mediation. In the event of any conflict, the terms and conditions in these conditions of approval shall supersede any prior conditions stated in the current use permit.
44. Representatives from Ladera Oaks shall meet with representatives from the Ladera community at least twice a year to address implementation issues and preempt future problems. If disputes arise regarding the Club's compliance with the conditions of its use permit, representatives from the Club shall meet with representatives from the Ladera community to discuss and hopefully resolve the situation.

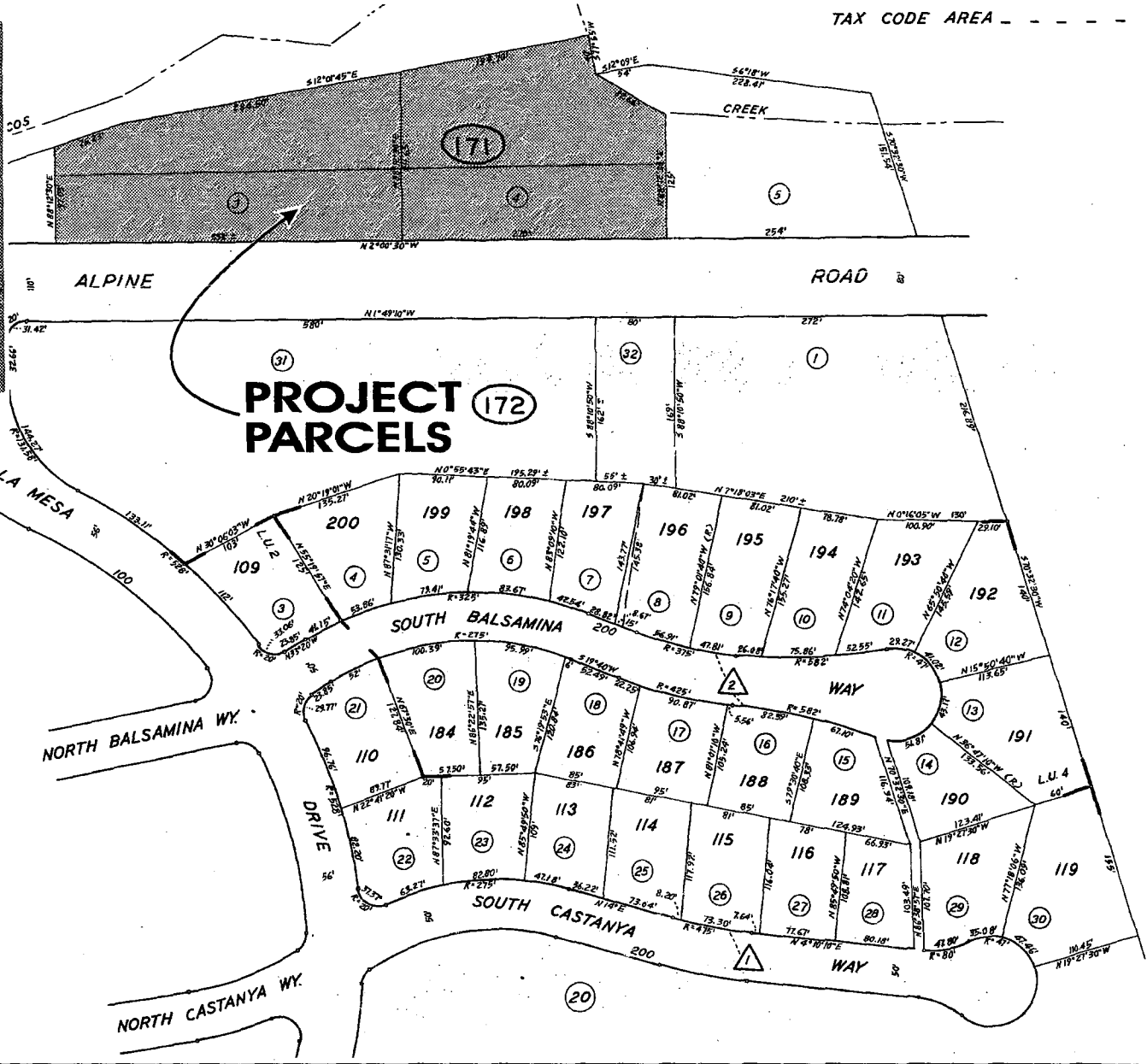
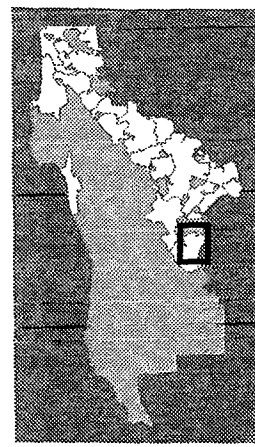
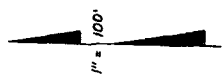
Building Inspection Section

45. The applicant shall obtain an electrical permit for the installation of the new lighting fixtures prior to beginning any work on-site.
46. The applicant shall obtain a building permit for any new fencing proposed.

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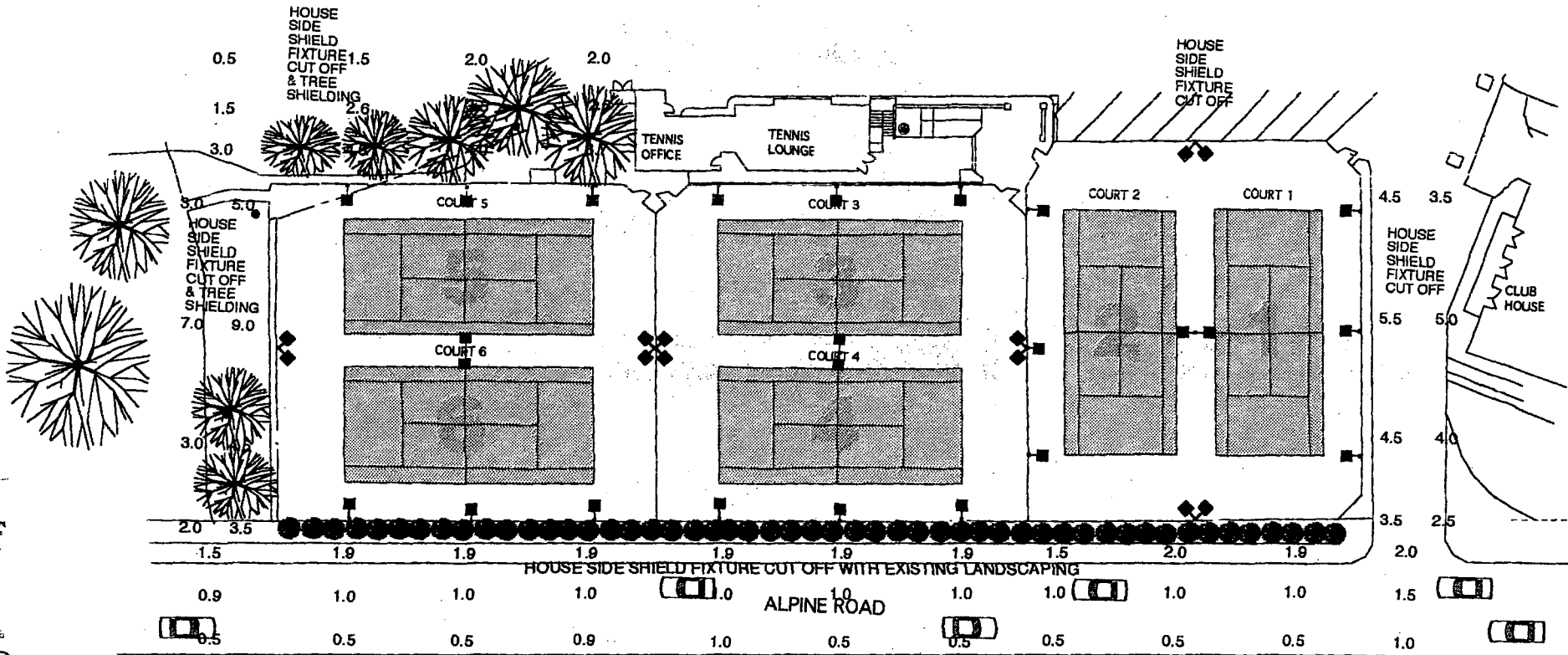
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- ① LADERA UNIT NO. 2 RSM 32/15
- ② LADERA UNIT NO. 4 RSM 36/34

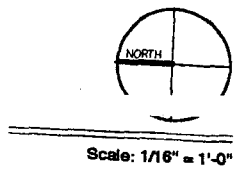
San Mateo County Board of Supervisors Meeting

Applicant: **Ladera Oaks**
 File Numbers: **PLN 2003-00060**

Attachment: B



Existing and Proposed Lighting Plan



San Mateo County Board of Supervisors Meeting

Applicant: **Ladera Oaks**
 File Numbers: **PLN 2003-00060**

Attachment: **C**

AGREEMENT

This Agreement is between Ladera Oaks Swim and Tennis Club (the Club) and Ladera Community Association (LCA) in relation to the Club's application to San Mateo County for an amendment to its use permit to allow improved lighting on its tennis courts (PLN 2003-00060). The San Mateo County Planning Commission heard this application on March 24, 2004 and an appeal of that decision is set to be heard by the San Mateo County Board of Supervisors on November 9, 2004. This Agreement is intended to resolve all issues of that application and appeal. The Club, LCA and representatives of the Town of Portola Valley participated in mediation of these issues with the Peninsula Conflict Resolution Center.

Ladera Oaks Swim and Tennis Club and Ladera Community Association (the parties) agree that the conditions set forth in the document entitled "Conditions of Agreement Between Ladera Oaks and Ladera Community Representatives" have been agreed to and are binding upon both parties. This document consists of six pages in three parts:

- I. "Conditions of the Agreement Between Ladera Oaks and Ladera Community Representatives", consisting of conditions 1 through 14;
- II. "Agreed Revisions to Conditions of the 8/16/04 Staff Report Proposed By Ladera Oaks", consisting of revisions to conditions 1, 2, 3, and 33 of the 8/16/04 staff report;
- III. "Conditions of the 8/16/04 Staff Report Superseded by Conditions of this Agreement Between Ladera Oaks and Ladera Community Representatives", referring to conditions 5, 8, 9, 10, 21, 24 and 27 of the 8/16/04 staff report.

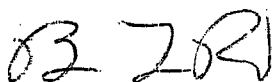
The parties agree to jointly present and support this Agreement with staff of San Mateo County Planning Department, and as part of the appeal before the Board of Supervisors on November 9, 2004 and at any continuation of that hearing. This Agreement is intended to augment, revise and replace conditions proposed by the Planning Department in its staff report dated August 16, 2004. It is the intention of the parties that the conditions set out in this document shall be incorporated into the Club's use permit as described in the document.

IT IS HEREBY AGREED:

Dated: November 8, 2004

Ladera Oaks Swim and Tennis Club:

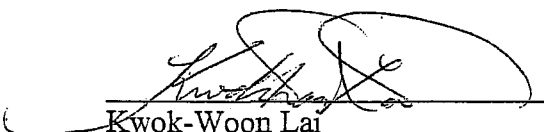
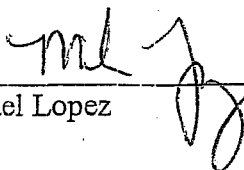
Ladera Community Association:



Brian LaPorte
President, Board of Directors

Rob Decker
President

Lower Ladera Residents:



Michael Lopez

Kwok-Woon Lai

I. Conditions of the Agreement Between Ladera Oaks and Ladera Community Representatives

1. Ladera Oaks shall submit a landscape plan to the Planning Division for review and approval prior to issuance of the building permit and electrical permit for the new lighting. Copies of the landscape plan will also be provided to Mr. Lopez and Mr. Lai. The goal of that landscaping plan shall be to improve the landscaping between the tennis courts and Alpine Road to increase the visual screening between the tennis courts, and Alpine Road and residences across Alpine Road. The plan shall recommend how to maintain that landscaping at a height at least 1' above the tennis court light fixtures along the Alpine Road side of the tennis courts. Once a landscaping plan is approved by the County, Ladera Oaks shall implement it in a timely fashion as agreed with the County. (This condition supersedes condition #21 in the 8/16/04 staff report.)
2. Ladera Oaks will resurface its tennis courts at intervals not to exceed 48 months. When resurfacing its tennis courts Ladera Oaks will use high quality commercial court coloring materials commonly used in the court resurfacing industry. The manufacture's published Tristimulus Value of the color(s) used on the in-bounds areas of the tennis courts shall not exceed the Tristimulus Value for "Winter Green" published by California Products Corporation in 2004, and the average of the manufacturer's published values for the colors used on in-bounds and out-of-bounds areas shall not exceed the Tristimulus Value for "Winter Green" published by California Products Corporation in 2004.
3. There shall be no expansion of the tennis spectator facilities.
- 4 A. A maximum of 80 interclub matches may played annually with the tennis courts lights on.
- 4 B. A maximum of 3 tennis tournaments may held annually with the tennis court lights on, and those tournaments shall end by 9:00 PM. At least 75% of the participants at those tournaments must be Ladera Oaks members and none of the participants shall be professional tennis players (except the Ladera Oaks Tennis Pros). No other tennis tournaments may be played during hours of illumination. Open singles and doubles play, interclub matches, intraclub matches and member socials including twilight tennis socials are not considered "tournaments". (This condition supersedes condition #10 in the 8/16/04 staff report.)
5. No tennis play shall occur prior to 7:00 a.m. on weekdays or prior to 8:00 a.m. on Saturdays, Sundays and holidays. Tennis play shall end by 10:00 p.m. daily. (This condition supersedes condition #8 in the 8/16/04 staff report.)

6. All six tennis courts may be lighted from 7:00 a.m. to 8:00 a.m. Monday-Friday and from dusk (as determined by a the photocell in the lighting system control panel, never before 4:00 p.m.) to 9:00 p.m. daily, year-round. Courts 3 and 4 may be lighted until 10:00 p.m. daily, year-round. Courts 5, and 6 may be lighted until 10:00 p.m. daily, March through October. Courts 1 and 2 may be lighted until 10:00 p.m. up to 20 times per year to accommodate interclub* play. The Club staff shall provide the staff, equipment, and/or procedures needed to make sure the lights go off by the times listed above. (This condition supersedes condition #5 in the 8/16/04 staff report.)

* A typical evening interclub uses 5 courts. Eight Ladera Oaks members play matches (3 doubles and 2 singles) against eight members of another club. An interclub usually last about 2 hours.

7. The lighting system for each of the three 2-court pods at Ladera Oaks shall have its own on/off switch. There shall also be a motion detector on each tennis court which will keep the lights on its 2-court pod turned on during the allowed hours of illumination for up to 10 minutes after it detects motion on that court. There shall also be time clocks which override the on-court switches and motion sensors and prevent the tennis court lights from being turned on at times other than those allowed in the use permit. (This condition supersedes portions of conditions #5 & 9 in the 8/16/04 staff report.)

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9 A. Organized activities which generate noise, such as parties, dances, teen nights, etc., held at Ladera Oaks on Sunday, Monday, Tuesday, Wednesday or Thursday nights shall end by 10:00 p.m. Such activities held at Ladera Oaks on Friday or Saturday nights shall end by midnight and amplified music at those Friday and Saturday night activities shall end by 11:30 p.m. Events held on Friday and Saturday nights which were booked prior to adoption of this condition must end by 1:00 a.m. The Club may schedule up to two social events for its members a year which end after midnight. These events must begin on Fridays, Saturdays, or on New Years Eve, and must end by 1:00 a.m. Amplified music at these events must end by 12:30 a.m. (This condition supersedes condition #27 in the 8/16/04 staff report.)

9 B. Whenever the leased parking lot across Alpine Road is used after 10:00 p.m. in conjunction with weekend activities held at the Club, the Club shall ensure that a security guard is present in the leased parking lot to monitor and control noise associated with departing members and guests. (This condition supersedes condition #24 in the 8/16/04 staff report.)

- 9 C. To minimize noise pollution, the ballroom doors shall be closed by 10:00 p.m. daily. When amplified music is being played at levels above 70 decibels the ballroom doors shall be closed by 9:00 p.m. At 10:00 p.m. any furniture, heaters and serving stations set up outdoors for social events will be put away and guests will be encouraged to move indoors.
10. High intensity parking lot lights that are directly visible from Balsamina residences shall be turned off or dimmed by 1:00 a.m. on nights on which organized events continue after 10:00 p.m. and by 11:00 p.m. on all other nights.
11. When parking for events held at Ladera Oaks spills over to La Mesa Drive (1) the Club will employ security guards and/or provide volunteers to make sure that cars park on only one (the north) side of La Mesa Drive, (2) Ladera Oaks may use traffic cones to mark the side where parking is not allowed, (3) Ladera Oaks will post signs at the La Mesa Drive entrances to North Balsamina Way, South Balsamina Way, North Castanya Way, South Castanya Way, Dedalera Drive, Gabarda Way stating that parking for the event being held at Ladera Oaks is not allowed on those streets. Outside of swim meets, the club shall schedule no more than 3 events per year which require parking on residential streets across Alpine Road and none which require parking on residential streets across Alpine Road after 9:00 PM.
12. Ladera Oaks will attempt to find a practical way to reduce the volume of the starting system used at swim meets.
13. Conditions of this agreement (including agreed revisions to conditions of the 8/16/04 staff report) shall supersede related conditions of the 8/16/04 staff report and related conditions of the current use permit. Conditions in the 8/16/04 staff report which are not superseded by this agreement shall supersede related conditions in the current use permit and shall become conditions of that use permit. Conditions of the current use permit which are not superseded by this agreement or the 8/16/04 staff report shall remain in effect.
14. Representatives from Ladera Oaks shall meet with representatives from the Ladera community at least twice a year to address implementation issues and preempt future problems. If disputes arise regarding the Club's compliance with the conditions of its use permit, representatives from the Club shall meet with representatives from the Ladera community to discuss and hopefully resolve the situation.

II. Agreed Revisions to Conditions of the 8/16/04 Staff Report Proposed by Ladera Oaks

- 1. This approval is for the replacement of the six existing 1,000 watt light fixtures on each of the Club's six tennis courts with six modern 1,000 watt light fixtures at the same height as the existing fixtures, and the extension of parts of the fence on tennis court #5 as presented to Planning Commission on March 24, 2004. Any modifications to these plans, not authorized by this approval, will require a separate application for Use Permit Amendment and consideration by the Planning Commission at a public hearing.**
- 2. There shall be annual administrative reviews of Ladera Oaks to check for compliance with all conditions of approval. Any expansions of the Club's facilities or activities beyond the limits currently established in this Use Permit will require an amendment to this Use Permit.**
- 3. The proposed lighting system shall be modified, if needed, so that the average in-bounds illumination (when measured as specified by the IESNA) never exceeds 60 FC. Compliance with this condition shall be certified in writing by a lighting consultant upon installation, whenever the light fixtures are replaced or upgraded (excluding cleaning and relamping with similar light bulbs), and at any other times requested by the County. It is agreed that Ladera Oaks can replace its tennis lights from time to time in the future without additional use permit amendment as long as (1) the number of light fixtures is not increased, (2) the new bulbs do not exceed 1,000 watts per light fixture, (3) the new light fixtures' lenses are not higher than 22' above the court surface, (4) the new light fixtures do not create more light spill or glare beyond the tennis court fences than the lighting system they replace, and (5) the new light fixtures do not cause the average in-bounds illumination (when measured as specified by the IESNA) to exceed 60 FC.**
- 33. The high intensity deck lights for the swimming pool area shall not be illuminated prior to 5:00 a.m. or later than 10:15 p.m. except that they may remain on until 10:30 p.m. on swim meet nights. The low intensity lighting in the swimming pool area and the underwater pool lights will go off at by 10:15 p.m. daily and 10:30 p.m. on swim meet nights, except when needed by staff to perform quiet maintenance tasks.**

III. Conditions of the 8/16/04 Staff Report Superseded by Conditions of this Agreement Between Ladera Oaks and Ladera Community Representatives

5. All tennis court lighting shall be timer controlled and shall have overriding time clocks, which shut lights off automatically after one hour if the courts are not in use. There shall also be a master time clock which prevents lights from being turned on after 9:00 p.m. in the winter months and 10:00 p.m. during the rest of the year. **(This condition of the 8/16/04 staff report is superseded by Conditions # 6 & 7 in the Agreement between Ladera Community Representatives and Ladera Oaks.)**

8. No tennis play shall occur prior to 7:00 a.m., Monday through Friday. No tennis play shall occur prior to 8:00 a.m., on Saturday, Sunday and holidays. During the winter months of November through February, evening tennis hours shall end at 9:00 p.m. daily. Otherwise evening tennis hours shall end at 10:00 p.m. **(This condition of the 8/16/04 staff report is superseded by Condition #5 in the Agreement between Ladera Community Representatives and Ladera Oaks.)**

9. Courts not being actively played shall not be lighted and this shall be controlled by motion detectors or some similar self-controlling means. **(This condition of the 8/16/04 staff report is superseded by Condition #7 in the Agreement between Ladera Community Representatives and Ladera Oaks.)**

10. There shall be no evening tennis tournaments at the Club. **(This condition of the 8/16/04 staff report is superseded by Condition #4 in the Agreement between Ladera Community Representatives and Ladera Oaks.)**

21. The applicant shall submit a landscape plan to the Planning Division for review and approval prior to issuance of the building permit and electrical permit for the new lighting. The goal of the landscape plan is to provide additional screening in areas along Alpine Road where the existing vegetation has been thinned. **(This condition of the 8/16/04 staff report is superseded by Condition #1 in the Agreement between Ladera Community Representatives and Ladera Oaks.)**

24. The Club shall ensure that a security guard is present in the leased parking lot to monitor and control noise associated with departing members and guests when weekend activities are scheduled to end after 10:00 p.m. The requirement for a security guard shall apply to evening activities where leased parking facilities across Alpine Road are utilized. **(This condition of the 8/16/04 staff report is superseded by Condition #9B in the Agreement between Ladera Community Representatives and Ladera Oaks.)**

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27. Organized activities that generate noise, such as dinner dances, teen nights, square dances, etc., shall end at 10:00 p.m. on Monday, Tuesday, Wednesday, Thursday, and Sunday nights. Such activities on Friday and Saturday nights shall cease by 1:00 a.m. **(This condition of the 8/16/04 staff report is superseded by Condition #9A in the Agreement between Ladera Community Representatives and Ladera Oaks.)**

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MEMORANDUM OF UNDERSTANDING

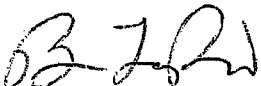
This Memorandum of Understanding (MOU) is made between Ladera Oaks Swim and Tennis Club and Ladera Community Association (hereinafter referred to as "parties") in connection with future plans by Ladera Oaks to renovate its existing clubhouse and related facilities, the subject of which became part of the negotiations between the two parties during mediation over the Club's current request to upgrade its tennis court lighting system, a matter now pending before the San Mateo County Board of Supervisors. This MOU, when executed below, will become an attachment to the overall Agreement between the parties resulting from the mediation process and referenced in the Conditions of Approval associated with the use permit amendment for the tennis court lighting replacement project.

Parties agree to the following:

1. LCA hereby expresses no objection to the Club's preliminary conceptual plans for renovation of its clubhouse and related facilities, including locker rooms, attic storage and mezzanine area, the detached structures currently used for table tennis and snack bar as well as existing dressing rooms, provided that the architecture is consistent with the current buildings in terms of siding and predominant roofline elements. Further, the total increase in the footprint of the renovated facilities shall not exceed 105 per cent of the estimated calculations provided by CJW Architecture (attached).
2. It is understood that the renovation project will not conflict with other agreements made between parties and reflected in the new or revised conditions of approval associated with the tennis court lighting replacement project. It is further understood that the Club will use sound attenuation materials for new windows, south and west walls and ceiling in clubhouse facility.
3. In preparing the architectural and site plans for the renovation, Ladera Oaks agrees to investigate the feasibility of creating a strip of landscaping along the westernmost end of the southern fence between the tennis court and a realigned driveway entrance to the club. The purpose of planting new landscape materials would be to screen the tennis court fencing from public view along Alpine Road.
4. Ladera Oaks agrees to provide copies of architectural/site/landscape plans to LCA for review and comment prior to submitting formal application to County of San Mateo.
5. While parties have reached a good faith understanding in connection with the above, it is understood that the Club's application for a use permit amendment covering the renovation project (described herein) will be a public process and this MOU will not restrict the public's ability to participate before the decision-making bodies of County.

ACCEPTED AND AGREED:


For Ladera Oaks:



Brian LaPorte, President

Date: Nov 8, 2004

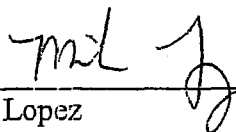
For Ladera Community Association:



Rob Decker, President


Date: 11/8/04

For Lower Ladera Residents:



Michael Lopez

Date: 11/8/04



Kwek-Woon Lai

Date: Nov. 8, 2004



FAX-TRANSMITTAL CJW Architecture

130 Portola Road, Suite A • Portola Valley • California • 94028 • Phone No.: (650) 851-9335 • Fax No.: (650) 851-9337

TO: Jim Gorman
CO: Ladera Oaks Swim and Tennis Club
3249 Alpine Road
Menlo Park, CA 94028

Original To Follow?

Yes No

FAX: 650 - 854 - 5982
DATE: 11/8/2004
PAGES: 1 (Including this Cover Sheet.)

PROJECT: 9420.3 • Ladera Oaks Tennis Club

REMARKS: Jim,

Area Calculations:

Existing Clubhouse: 4,924 sf	Addition: 856 sf	Total: 5,780 sf
Attic Storage: 600 sf	Addition: 650 sf	Total: 1,250 sf
Existing Ping Pong: 846 sf	Addition for Dining: 816 sf	Total: 1,660 sf
Existing Dressing: 766 sf	Addition: 426 sf	Total: 1,192 sf

If you have any questions, please do not hesitate to call.

Sincerely,


Kevin Schwarckopf, R.A.

cc: Office file



COUNTY OF SAN MATEO
Inter-Departmental Correspondence

ENVIRONMENTAL SERVICES AGENCY

DATE: August 16, 2004

SET TIME: 9:45 a.m.

BOARD MEETING DATE: September 14, 2004

TO: Honorable Board of Supervisors

FROM: Marcia Raines, Director of Environmental Services

SUBJECT: EXECUTIVE SUMMARY: Consideration of a Use Permit Amendment, pursuant to Section 6500 of the San Mateo County Zoning Regulations, to replace the existing tennis court lighting and increase the number of lighting fixtures and lighting levels providing light to the six existing tennis courts at the Ladera Oaks Swim and Tennis Club located off Alpine Road in the unincorporated Portola Valley area of San Mateo County. (Appeal from the Planning Commission's decision denying the Use Permit Amendment based on the inability to pass a motion to approve it.)

RECOMMENDATION

Grant the appeal and approve the Use Permit Amendment for the tennis court lighting upgrade to a level not to exceed 60 foot-candles (FC) as recommended by Planning Commissioner Wong, by making the required findings and adopting the conditions of approval.

PROPOSAL

The Ladera Oaks Swim and Tennis Club is requesting to replace the existing tennis court lighting as well as increase the number of lighting fixtures and lighting levels serving the six existing tennis courts.

PLANNING COMMISSION ACTION

The Planning Commission action on this matter was as follows. Commissioner Wong moved to approve the application but at a lower lighting level, 60 foot candles. Commissioner Kennedy seconded the motion. Commissioners Bomberger and Silver were opposed. Commissioner Nobles was absent. The effect of the resulting 2-2 vote was denial of the application based on the inability to pass a motion to approve it.

BACKGROUND

The Ladera Oaks Swim and Tennis Club tennis court lighting was approved in 1986. The six tennis courts have six lighting fixtures each. The Club has determined that the existing tennis court lights are inadequate. The existing lights are below levels appropriate for recreational tennis play and the club reports accidents due to inadequate light. The private tennis club is located off Alpine Road, which is a County Scenic Road. Located directly across the street from the club is an office and shopping complex with private residences located up and behind the office complex. The concerns of the neighbors are the impacts they will experience due to the increased lighting levels and fixtures.

SUMMARY

The Club is requesting to replace the six fixtures per court with eight fixtures per court that will also increase the lighting levels. Proposed lighting shields will direct rays to the court surface and away from Alpine Road and Los Trancos Creek. Light timers will also insure that lighting cannot be on past 9:00 p.m. in the winter months and 10:00 p.m. the rest of the year. Staff is also requiring the club to install motion detectors or similar controls so that lights on courts not in use cannot be turned on.

Staff recommends that your Board approve the added lighting for the tennis courts at a maximum level of 60 foot candles as proposed by Commissioner Wong. The reasons for this recommendation are, first, that the club has already been approved for lighting, so that issue is not before you. Second, the U.S. Tennis Court and Track Builders Association has established guidelines for tennis court illumination that specify 60 foot candles as the minimum light level for recreational play. Staff believes the club has a reasonable expectation to provide its membership with the minimum lighting levels established by this association. Sixty foot candles seems a reasonable minimal enhancement to accompany the replacement of previously approved lighting.

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COUNTY OF SAN MATEO
Inter-Departmental Correspondence

ENVIRONMENTAL SERVICES AGENCY

DATE: August 16, 2004

SET TIME: 9:45 a.m.

BOARD MEETING DATE: September 14, 2004

TO: Honorable Board of Supervisors

FROM: Marcia Raines, Director of Environmental Services

SUBJECT: Consideration of a Use Permit Amendment, pursuant to Section 6500 of the San Mateo County Zoning Regulations, to replace the existing tennis court lighting and increase the number of lighting fixtures and lighting levels providing light to the six existing tennis courts at the Ladera Oaks Swim and Tennis Club located off Alpine Road in the unincorporated Portola Valley area of San Mateo County. (Appeal from the Planning Commission's decision denying the Use Permit Amendment based on the inability to pass a motion to approve it.)

County File No.: PLN 2003-00060 (Ladera Oaks Swim and Tennis Club)

RECOMMENDATION

Grant the appeal and approve the Use Permit Amendment for the tennis court lighting upgrade to a level not to exceed 60 foot-candles (FC), by making the required findings and adopting the conditions of approval in Attachment A.

PROPOSAL

The Ladera Oaks Swim and Tennis Club is requesting to replace its existing tennis court lighting as well as increase the number of lighting fixtures and lighting levels serving the six existing tennis courts. The existing lighting levels are considered below

levels required for recreational play and the Club would like to increase the lighting levels to meet the needs of their members. The existing tennis courts have six light fixtures per court and the Club is requesting eight light fixtures per court.

BACKGROUND

Report Prepared By: Sara Bortolussi, AICP, Project Planner, Telephone 650/363-1839

Appellant/Applicant/Owner: Ladera Oaks Swim and Tennis Club

Location: 3249 Alpine Road, Portola Valley

APNs: 077-171-030 and 077-171-040

Size: 0.48 acre (tennis court area only)

Existing Zoning: R-E/S-11 (Residential Estates/ 1-acre minimum lot size)

General Plan Designation: Residential/Future Study

Sphere-of-Influence: Town of Portola Valley

Existing Land Use: Swim and Tennis Club

Water Supply: Water is provided via an existing connection with California Water Service Company. The tennis court lighting project will not impact any existing water usage.

Sewage Disposal: Sewage disposal is provided via an existing connection with West Bay Sanitary District. The tennis court lighting project will not impact any existing sewage disposal.

Flood Zone: Flood Zone C, Area of minimal flooding. Panel 060311 0265B; Effective Date July 5, 1984.

Environmental Evaluation: An Initial Study and Negative Declaration was prepared for this project with a public review and comment period from January 13, 2004 to February 2, 2004. One comment was received from the Town of Portola Valley regarding reflective light resulting from the new light fixtures. Further discussion is in Section E of this report.

Setting: The Ladera Oaks Swim and Tennis Club is located along Alpine Road in the unincorporated Portola Valley area. The tennis courts are located between Alpine Road and the existing tennis court office and lounge area. A portion of tennis court #5 is located adjacent to Los Trancos Creek. The tennis courts are surrounded by a 12-foot high fence and windscreen, and a portion of the fence in tennis court #5 will be

increased an additional eight feet to keep tennis balls from entering the creek. All fixtures will be equipped with shields to prevent glare onto Alpine Road, a County scenic road.

Chronology:

<u>Date</u>	<u>Action</u>
January 29, 2003	- Application submitted.
November 2003	- Applicant requests staff to prepare an Initial Study and Negative Declaration to address environmental impacts of replacing the tennis court lighting.
December 16, 2003	- Due to a change in the lighting manufacturer, revised plans submitted showing the revised tennis court lighting layout.
January 13, 2004	- Initial Study and Negative Declaration posted for public review and comment.
January 29, 2004	- Received a comment from Town of Portola Valley
January 30, 2004	- Received response to comment from the applicant's lighting consultant.
February 5, 2004	- Evening Field Inspection by staff with residents along South Balsamina to view existing tennis court lighting.
March 24, 1004	- Planning Commission Public Hearing. Based on an inability to pass a positive motion (2-2), the project was deemed denied by the Planning Commission.
April 12, 2004	- Appeal filed by the Ladera Oaks Swim and Tennis Club.
June 29, 2004	- Board of Supervisors Public Hearing.

DISCUSSION

A. **PREVIOUS ACTION**

The Planning Commission's vote proceeded as follows. Commissioner Wong moved to approve the request but with lighting at a lower level, a maximum of 60FC, than the Club was proposing and Commissioner Kennedy seconded the motion. The vote was 2-2 (Commissioners Bomberger and Silver dissenting; Commissioner Nobles absent) and the application was deemed denied. Key factors in the Commission's decision were the impacts of the new lights on the

surrounding neighborhood, Alpine Road and Los Trancos Creek, as well as the safety of the Club members. The dissent was based primarily on concerns about the lighting impacts.

B. KEY ISSUES OF THE APPEAL

The key issues of the appeal are outlined below in **bold-faced** type followed by staff's response. The key issues of the appeal submitted by the Ladera Oaks Swim and Tennis Club are that the Planning Commission did not give adequate consideration to the following:

1. **The proposed amendment to the club's use permit is in conformance with the County's General Plan and Zoning Regulations, as determined by County staff.**

Staff has reviewed the proposed application with the applicable General Plan policies and Zoning Regulations and has determined that the proposal complies. However, because the proposal requires an amendment to the Club's use permit, it is imperative that the required use permit finding is made. The Planning Commission's March 24, 2004 tie vote means that those findings are yet to be made. For further discussion, see Section D of this report.

2. **The conclusions of the Initial Study/Negative Declaration (environmental assessment) and recommended findings state that there is no substantial evidence that the project, if subject to the mitigation measures contained in the Negative Declaration, will have a significant effect on the environment.**

Staff did prepare an Initial Study and Negative Declaration for the proposed project and did recommend that the Planning Commission find that there would be no significant effects on the environment, if the project was subject to the mitigation measures contained within that document. All mitigation measures outlined in the environmental document were added as conditions of approval. However, the Planning Commission's March 24, 2004 decision also meant that they did not certify the Negative Declaration.

3. **The club's proposed lighting system uses improved lighting technology and external shielding to better direct the light onto the courts while reducing the amount of light spillage onto Alpine Road, and is therefore, consistent with General Plan Policy 4.21 (Scenic Corridors) as to protecting visual quality and proper siting of development.**

According to the lighting consultant, the new lighting technology does better in directing the light to the court surface. The plans submitted for review included an evaluation of the lighting levels that would fall outside the court

surface and onto Alpine Road and Los Trancos Creek. The plans indicated that less light would fall onto these areas as compared with the existing lighting. However, the Planning Commission's March 24, 2004 decision reflects the idea that the technology alone does not sufficiently address the issues of the increased lighting.

4. **The proposed improvements also provide additional protection along Los Trancos Creek, a sensitive habitat area. The new light fixtures will direct light away from the creek, a windscreen will be installed on the tennis court fence along the creek and that fence will be extended upward an additional eight feet to keep tennis balls within the confines of the court and out of the creek area. These conditions are consistent with General Plan Policy 1.31 (Regulate the Location, Siting and Design of development in Sensitive Habitats).**

The proposed application does include shields for the lighting fixtures directing light onto the court surface and away from Los Trancos Creek. A biological report prepared included mitigation to include a higher fence in the area of tennis court #5, which is closest to the creek. The purpose of the higher fence was to keep tennis balls from entering the creek area.

5. **New restrictions on evening play as provided in Conditions #7 and #8 and the new requirement in Condition #9 to install motion sensors will reduce the effects of court lighting visible to residents on South Balsamina Way.**

There have been conditions recommended by staff and agreed to by the applicant that do restrict evening play. The conditions referred to in this point of the appeal are as follows: (#7) No tennis playing shall occur prior to 7:00 a.m., Monday through Friday. No tennis playing shall occur prior to 8:00 a.m., on Saturday, Sunday and holidays. During the winter months of November through February, evening tennis hours shall end at 9:00 p.m. daily. Otherwise, evening tennis hours shall end at 10:00 p.m.; (#8) All tennis court lighting shall be timer controlled and shall have overriding time clocks, which shut lights off automatically after one hour if courts are not in use. There shall be a master time clock which prevents lights from being turned on after 9:00 p.m. in the winter months and 10:00 p.m. during the rest of the year; and (#9) Courts not being actively played, shall not be lighted and this shall be controlled by motion detectors or some similar self-controlling means. However, the Planning Commission's March 24, 2004 decision indicates the reservations of some Planning Commission members regarding the proposed lighting changes.

6. **The Club is located across the street from a professional office and shopping center with much greater street frontage and all-night exterior lighting and other light sources visible along the Alpine Scenic Corridor.**

The Club is located across the street from an existing office and shopping center, Ladera Shopper. The parcel on which the office and shopping center is located does have greater street frontage than the Ladera Oaks Swim and Tennis Club. It is staff's understanding that the office and shopping center do have exterior lighting that is visible from Alpine Road. The major concern for the neighbors, however, is the lighting for the Club that they can see from their residences. They cannot see the light from the office and shopping center.

7. **General Plan Policy 6.29 allows for recreational facilities to operate and maintain their facilities. The current lighting levels are inadequate for recreational play as defined by the U.S. Tennis Court and Track Builders Association.**

General Plan Policy 6.29 does allow for the maintenance and operation of existing recreational facilities. The U.S. Tennis Court and Track Builders Association does establish lighting levels dependent upon the type of play. The recommended level for recreational play is an average of 60FC-75FC. The current lighting levels of the existing tennis courts, as measured by the lighting consultant, is an average of 23FC. However, the Planning Commission's March 24, 2004 decision indicates the reservations of the Planning Commission regarding the proposed lighting changes.

8. **The Club is seeking to provide safer nighttime recreational activity for its members by installing a new state of the art lighting technology, which is better for both the tennis players and the environment than the 19-year old lighting system now in place.**

As discussed at the two Planning Commission meetings, the Club is seeking to improve the lighting levels at the existing tennis courts. Members of the Club spoke to the Planning Commission about the unsafe conditions, which exist due to the outdated lighting technology. They discussed accidents, which have occurred, namely injuries to Club members, because the light is insufficient to play at night. However, the Planning Commission's March 24, 2004 decision indicates the reservations of the Planning Commission regarding the proposed lighting changes.

C. ALTERNATIVES

There are two alternatives, staff would like to discuss. The first alternative is to deny the appeal and uphold the decision of the Planning Commission, and deny the request to upgrade the tennis court lighting. The second alternative would be to grant the appeal and approve the Use Permit Amendment as requested by the Ladera Oaks Swim and Tennis Club.

Alternative #1

Alternative #1 would be to deny the appeal and uphold the decision of the Planning Commission. As stated previously, the Planning Commission action resulted in a denial of the request based on an inability to pass a positive motion. Commissioner Wong moved to support the Use Permit Amendment, however, he stipulated that he was only willing to approve a request if the maximum light levels on the court did not exceed 60FC, the minimum required for recreational play according to the U.S. Tennis Court and Track Builders Association. However, when put to a vote of the Commissioners, the motion failed on a tie and the project was deemed denied. If a decision were made to uphold the decision of the Planning Commission and deny the application, the Board of Supervisors would need to make findings of denial.

Alternative #2

Alternative #2 would be to grant the appeal and approve the project as proposed by the Ladera Oaks Swim and Tennis Club. Staff is recommending that the Board of Supervisors adopt this alternative, grant the appeal and approve the project, but at the lighting level recommended by Commissioner Wong in his motion, not to exceed 60FC. The Ladera Oaks Swim and Tennis Club is requesting the level be an average of 75FC. In this alternative, the Board of Supervisors would be making the findings required to grant the Use Permit Amendment to allow the lighting to be replaced and increased to an average of 75FC.

D. KEY ISSUES OF THE APPLICATION

There have been some concerns from the community that the Ladera Oaks Swim and Tennis Club has been operating out of compliance with their existing use permit. The Planning Division will be processing an administrative review of the club's use permit, as required by the permit, independent of this request to modify the tennis court lighting.

It has come to the attention of Planning staff that in 1986 there was a Memorandum of Understanding between the Ladera Oaks Swim and Tennis Club and the County to clarify two prior conditions of approval. Staff has added language to Conditions 23 and 24 in Attachment A to reflect this memo. A copy of this memo is attached to this report as Attachment G.

Conformance with the General Plan

The replacement of tennis court lighting complies with all applicable General Plan policies with specific discussion of the following:

Policy 1.31 (*Regulate the Location, Siting and Design of Development in Sensitive Habitats*) discusses the proper siting of development in these areas to have the

least adverse impacts. A portion of tennis court #5 is located adjacent to Los Trancos Creek, which is a sensitive habitat area. All lighting fixtures will be equipped with shields directing light onto the court surfaces and away from the creek. An 8-foot extension to the surrounding fence will be erected on portions near the creek along tennis court #5, to keep all tennis balls within the confines of the court and out of the creek area. Conditions have been added to the project which address these issues. The proposed tennis court lighting will be located on the existing tennis courts, which are adjacent to Alpine Road. All lighting fixtures will be equipped with shields directing light to the court surface and away from Alpine Road.

Policy 6.14, (*Site Planning for Public and Private Facilities*) discusses designing sites to accommodate recreation uses that minimize adverse effects on the natural environment and adjoining private ownership as well as encouraging recreation sites that accommodate a variety of recreational activities. The Ladera Oaks Club is a private recreational facility, which has operated at this location for a number of years. The current lighting levels on the tennis courts are well below levels recommended for recreational play, which is why the Club is proposing to replace the fixtures. The Club does provide a variety of recreational activities for its members. All new fixtures will be equipped with shields, which direct light to the court surfaces and away from neighboring private property, sensitive areas and Alpine Road.

Policy 6.29 (*Protection, Operation and Maintenance*) allows for recreational facilities to operate and maintain their facilities. As stated above, the existing tennis court lighting levels are below recommended lighting levels for recreational play and the applicant is requesting these facilities be updated to allow for better visibility on the court when playing.

Conformance with the Zoning Regulations

Permitted Uses: The zoning of this parcel is Residential Estates. Section 6500 of the Zoning Regulations allows for the location of private clubs within this zoning district with the issuance of a conditional use permit. See Section 2.b below for further discussion.

Conformance with the Use Permit Regulations

The existing Ladera Oaks Swim and Tennis Club has a conditional use permit to operate their private recreation facility at this location. As such, when the Club proposes to modify any aspect of their operation, a Use Permit Amendment is required. In this particular case, the Club is requesting replacement of the existing tennis court lights serving the six existing tennis courts. As a part of their proposal, the Club is also requesting an increase in the number of fixtures serving each of the courts as well as an increase in the intensity of light for each fixture.

The existing tennis courts have six fixtures per court and the proposed lighting plan shows a total of 12 fixtures per court. The existing lighting levels on the tennis courts are considered below the minimum lighting levels for recreational play. The U.S. Tennis Court and Track Builders Association recommends various lighting levels based on the type of tennis court play desired. The existing light levels are an average 23FC per court. The recommended level for recreational play is an average of 60FC-75FC per court, for non-professional play is an average of 75FC-100FC, and for professional play is an average of 100FC-125FC. The proposed lighting levels will be an average of 85FC which is more in keeping with the levels required for recreational play but not enough for professional play.

The proposed lighting system will be equipped with timers on each court that will shut the court lights off automatically after one hour if no one is on the court. The system is also equipped with a master clock that will (1) prevent the lights from being turned on before 7:00 a.m. on weekdays and before 8:00 a.m. on weekends and holidays, and (2) turn off all court lights at 10:00 p.m. All light fixtures will be equipped with light shields to reduce the amount of light that falls outside the courts and to reduce glare onto Alpine Road.

In order for the Board of Supervisors to grant the Conditional Use Permit Amendment, the Board must find:

“That the establishment, maintenance, and/or conducting of the use, will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to property or improvements in the neighborhood.”

Staff believes that, as conditioned, the replacement of the tennis court lighting will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood. The existing lighting levels are considered well below lighting levels required for recreational play such that it can be dangerous playing tennis in the evening hours. The light shields will confine light to the tennis courts themselves reducing impacts onto Alpine Road and Los Trancos Creek. The requirements for lighting timers will help control the amount of time the lights are in use as all lights will be turned off at 10:00 p.m. For these reasons, staff believes the finding can be made to grant the Use Permit Amendment.

E. ENVIRONMENTAL REVIEW

An Initial Study and Negative Declaration was prepared for this project at the request of the applicant. The document was posted for public review and comments between January 13, 2004 and February 2, 2004. One comment letter was received from the Town of Portola Valley. The issues discussed in the letter include: (1) light spillage between the tennis courts and the creek and a request to consider the use of cut-off shields on those light fixtures; and (2) the increase in lighting levels will increase the lighting that reflects into the sky resulting in an increase in the amount of glow from the lights and a request to have the lighting consultant assess the increase in reflected light.

The applicant has proposed to place shields on the lights located on court #5, the court located nearest to the creek, as well as placing shields on the other light fixtures mainly to confine as much light as possible onto the tennis court surface. The applicant is also proposing to extend the fence along portions of tennis court #5 by an additional eight feet to keep tennis balls from entering the creek, but this will also help to shield some light from the creek and its habitat.

The lighting consultant has prepared a response to this comment regarding reflective light (see Attachment H). The lighting consultant states that the measurement of "exitance," or bounce of light off the courts, is only calculable right after the incident of "exitance" and as such she does not have any data for the current levels of "exitance." She has provided an estimation of the "exitance" levels based on the proposed light fixtures. However, the atmospheric conditions such as fog whereby light bounces from the court surface and refracts the light causing a glow effect is not possible to calculate as atmospheric conditions change constantly. The report states that the courts will have deeply saturated colors which will "soak the light in" providing the least light bounce off the courts as possible. Additional research was being conducted by the lighting consultant as of the writing of this report, and will be made available at the Planning Commission meeting.

F. REVIEWING AGENCIES

The project has been reviewed by all applicable reviewing agencies including the Building Inspection Section, Department of Public Works, Woodside Fire Protection and the Ladera Community Association (LCA). All reviewing agencies, with the exception of the LCA, have recommended approval of the project. Further discussion of the concerns of the LCA is discussed below in Section G of the report.

G. REVIEW BY LADERA COMMUNITY ASSOCIATION

A referral was sent to the Ladera Community Association requesting comments on the proposed tennis court lighting modifications. Staff received comments on the original proposal only, however, the issues of concern are still relevant. The LCA was concerned that the applicant did not address two issues: (1) the reflected light off the court surfaces, and (2) increased use of the facility resulting in additional noise and light pollution. In addition, there was mention of concerned neighbors, whose homes are nearby and who requested several modifications, including: (1) the lighting levels decreased from those proposed, (2) reducing evening court hours, (3) addressing court surface reflectivity, (4) possible screening with tall trees; and (5) a comparison of the proposed light levels with Ladera Recreation Center's lights and other community tennis courts that impact neighbors.

The issue of reflective light has been addressed by the lighting consultant, as discussed in Section B of this report. The issue of increased use of the site is addressed by the existing use permit, which restricts the number of members and

users of the facility. Based on concerns from the community, staff has added a condition of approval that specifically addresses tournament play.

Regarding the concerns of the neighbors, one is that they would like the proposed lighting levels to be decreased from the levels proposed. Although staff is not expert on tennis court lighting, the lighting levels proposed by the Club are at a level so that the average foot-candle falls at the low end of the category of non-professional play. Staff is recommending a condition whereby the average foot-candle level falls at the low end of the category for recreational play. The neighbors would also like to see a modification in evening court hours. Staff is recommending and the Club has agreed to a condition where during the winter months (November through February), evening court hours end at 9:00 p.m. Regarding the court surface reflectivity issue, this has been addressed by the lighting consultant. Regarding the additional screening with tall trees, the Ladera Oaks Club would consider consulting with a certified arborist regarding the planting of some trees in areas along the Alpine Road corridor that have been thinned, provided the planting did not affect current established trees. Regarding a comparison with other tennis court facilities, the lighting consultant prepared a chart comparing nearby facilities with Ladera Oaks' facility. Based on this analysis, it appears the current lighting levels at Ladera Oaks are the lowest foot-candle levels in the area.

On the evening of February 5, 2004, staff made a site inspection with Ladera residents to view the existing tennis court lighting. Staff spent approximately one hour viewing the existing lights from the homes of residents living on South Balsamina and talking with residents about their concerns. Their concerns are similar to those concerns expressed by the Ladera Community Association that have been addressed above. As far as the lighting is concerned, the lights at the tennis courts as well as the lights at the swimming pool are visible from the residents' homes. Because of the rural feel of the area, i.e., there are no streetlights, the lights at the facility do stand out in the dark background. However, there are some trees that partially screen the courts so that the entire court area is not visible. Staff was informed by the neighbors that many of the trees located on their properties, which previously screened the facility from view, have been removed over the years.

VISION ALIGNMENT

The upgraded tennis court lighting project keeps the commitment of Preserving and Providing People Access to the Natural Environment and associated goal number 15, provide residents with nearby access to green space such as parks and recreational opportunities. The upgraded tennis court lighting project contributes to this commitment and goal by providing a recreational facility usable during non working hours.

FISCAL IMPACT

There is no fiscal impact of this project.

ATTACHMENTS

- A. Findings and Conditions of Approval
- B. Submitted appeal
- C. Location Map
- D. Existing lighting Layout
- E. Proposed Lighting Layout as presented to Planning Commission on March 24, 2004
- F. Letter from Ladera Community dated May 20, 2004
- G. 1986 Memorandum of Understanding

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COUNTY OF SAN MATEO
ENVIRONMENTAL SERVICES AGENCY

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Permit or Project File Number:
PLN 2003-00060

Board Meeting Date: September 14, 2004

Prepared By: Sara Bortolussi

For Adoption By: Board of Supervisors

RECOMMENDED FINDINGS

Regarding the Environmental Review, Find:

1. That the Negative Declaration is complete, correct, adequate, and prepared in accordance with the California Environmental Quality Act and applicable State and County guidelines.
2. That, on the basis of the Initial Study, comments received hereto, and testimony presented and considered at the public hearing, that there is no substantial evidence that the project, if subject to the mitigation measures contained in the Negative Declaration, will have a significant effect on the environment.
3. That the Negative Declaration reflects the independent judgment of San Mateo County.
4. That the mitigation measures identified in the Negative Declaration, agreed to by the applicant, placed as conditions on the project, and identified as part of this public hearing, have been incorporated into the Mitigation Monitoring and Reporting Plan in conformance with California Public Resources Code Section 21081.6.

Regarding the Use Permit Amendment, Find:

5. That the establishment, maintenance, and/or conducting of the use, will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to property or improvements in the neighborhood.

RECOMMENDED CONDITIONS OF APPROVAL

Planning Division

1. This approval is for the replacement and upgrade of the tennis court lighting for the six existing tennis courts from six light fixtures per court to eight light fixtures per

court as well as for the fence extension in parts of tennis court #5 as presented to the Planning Commission on March 24, 2004. Any modifications to these plans, not authorized by this approval, or modifications to the facility, will require a separate application for Use Permit Amendment and consideration by the Planning Commission at a public hearing.

2. There shall be annual administrative reviews of the Ladera Oaks Swim and Tennis Club to check for compliance with all conditions of approval.
3. The proposed lighting system shall be modified such that the maximum foot-candle levels do not exceed levels appropriate for recreational play. In no case shall the foot-candle levels exceed 60FC at any one time. Compliance with this condition shall be certified in writing by a lighting consultant upon installation and every two years thereafter. These results shall be submitted to the Planning Division.
4. All light fixtures shall be equipped with light cutoff shields in order to eliminate glare and light spillage onto Alpine Road, nearby residences and Los Trancos Creek.
5. All tennis court lighting shall be timer controlled and shall have overriding time clocks, which shut lights off automatically after one hour if the courts are not in use. There shall also be a master time clock, which prevents lights from being turned on after 9:00 p.m. in the winter months and 10:00 p.m. during the rest of the year.
6. The Club shall monitor tennis activities to ensure that loud or unnecessary noise is not generated by such activities.
7. Tennis courts shall not be rented to the general public during hours of illumination.
8. No tennis play shall occur prior to 7:00 a.m., Monday through Friday. No tennis play shall occur prior to 8:00 a.m., on Saturday, Sunday and holidays. During the winter months of November through February, evening tennis hours shall end at 9:00 p.m. daily. Otherwise evening tennis hours shall end at 10:00 p.m.
9. Courts not being actively played shall not be lighted and this shall be controlled by motion detectors or some similar self-controlling means.
10. There shall be no evening tennis tournaments at the Club.
11. The applicant shall submit an erosion and sediment control plan, which delineates what erosion control measures will be used as well as where they will be installed. This plan shall be submitted, reviewed, and approved by the Planning Division before issuance of a building permit to begin the tennis court lighting upgrade. All approved measures must be installed and inspected prior to beginning any

construction work on-site. The erosion control measures shall be maintained and replaced as necessary throughout the lighting replacement project.

12. Restrict the setting of the new light poles in court #5 to a June 15 to October 15 construction window. This will ensure that steelhead is not impacted by erosion or runoff pollution that may result from the project.
13. During the setting of the new light poles on court #5, use appropriate erosion control methods to keep exposed soils from being washed into the creek. A qualified biologist shall check the site once a week during construction to ensure that erosion control methods are maintained and effective.
14. Design and implement appropriate runoff and stormwater pollution control measures during construction to protect the creek from a chemical/oil spill incident from heavy equipment.
15. Assuming presence of California Red-Legged Frog (CRLF) and Western Pond Turtle (WPT) within the proposed work area along court #5, have a qualified biologist conduct a pre-construction survey for CRLF and WPT and remove any vegetation or debris that may provide cover or conceal these species. A qualified biologist shall brief construction workers on identifying CRLF and WPT. If any are found during work, workers are to stop and contact USFWS or CDFG and the San Mateo County Planning Division immediately.
16. Restrict all heavy machinery use to the existing concrete tennis court and paved parking areas to protect the creek bank from compaction.
17. If any vegetation is removed to install the new lighting poles, the applicant shall re-vegetate the area with shade tolerant natives. This shall be confirmed to have occurred prior to the final approval of the light installation.
18. Replace the current tennis court fence with a fence at least six feet taller than the existing on the east side of Court #5 and the first 10-15 feet of the north end of court #5 in order to keep tennis balls out of the creek. If pruning is necessary in order to erect a taller fence, restrict coast live oak pruning to July or August (or as recommended by an arborist). The fence installation shall occur prior to a final approval of the tennis court lighting installation. The new fence shall match the existing fence.
19. If construction is to occur between February 15 and August 1, nesting raptors may be disturbed by construction activities. Conduct a pre-construction survey for nesting raptors. If nesting raptors are found, a buffer zone, (radius to be determined in consultation with CDFG) may be established around the nest during the breeding season.

20. During the construction phases of the project, the applicant shall be restricted to those limits indicated in the County Noise Regulations.
21. The applicant shall submit a landscape plan to the Planning Division for review and approval prior to issuance of the building permit and electrical permit for the new lighting. The goal of the landscape plan is to provide additional screening in areas along Alpine Road where the existing vegetation has been thinned.
22. The applicant shall consult with a certified arborist regarding the additional planting of trees along the Alpine Road Corridor where existing vegetation has been thinned. In no case shall existing vegetation be placed in danger or removed, unless its health warrants removal. Any removal, however, will require a separate tree removal permit.
23. When the Club is hosting evening events, the Club shall keep posted a sign within the clubhouse, requesting members and guests to depart from the Club in a direct and quiet manner. The sign is required to be posted any Club event which is scheduled to end at 10:00 p.m. or later.
24. The Club shall ensure that a security guard is present in the leased parking lot to monitor and control noise associated with departing members and guests when weekend activities are scheduled to end after 10:00 p.m. The requirement for a security guard shall apply to evening activities where leased parking facilities across Alpine Road are utilized.
25. The current membership consisting of 325 full members and 200 associate members shall be the maximum membership allowed.
26. There shall be no amplified live or amplified recorded music allowed outside of the clubhouse.
27. Organized activities that generate noise, such as dinner dances, teen nights, square dances, etc., shall end at 10:00 p.m. on Monday, Tuesday, Wednesday, Thursday and Sunday nights. Such activities on Friday and Saturday nights shall cease at 1:00 a.m.
28. The applicant shall immediately notify the County Planning Division if the applicant for any reason loses its right to use the parking facilities currently under lease.
29. A 6-month schedule of events shall be assembled and be made available to the neighbors or County upon request.
30. Swim meets shall be limited to five (5) swim meets per year.

31. No starter guns shall be used at swim meets, and any loud speakers used at swim meets shall be directed away from Alpine Road and Ladera.
32. Any swimming activities prior to 6:00 a.m. shall not adversely impact residents across Alpine Road. An adverse impact is defined as noise continuously and clearly audible to any such resident.
33. The pool deck areas shall not be illuminated prior to 5:00 a.m. or later than 10:00 p.m.
34. Use of the fitness center shall be limited to Club members and their guests. Group classes of more than four participants within the fitness center shall occur outside the hours of 9:00 a.m. to 5:30 p.m., Monday through Friday.
35. The applicant shall, pursuant to Section 5021 of the San Mateo County Ordinance Code, keep the parking lot clean by using appropriate methods including but not limited to, sweeping and litter control.
36. Pursuant to Section 5024 of the San Mateo County Ordinance Code, the applicant shall keep Los Trancos Creek free of trash or litter, and maintain private structures in a manner that does not impair flow or remove riparian vegetation.

Building Inspection Section

37. The applicant shall obtain an electrical permit for the installation of the new lighting fixtures prior to beginning any work on-site.
38. The applicant shall obtain a building permit for any new fencing proposed.

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