



**TOWN OF TIBURON  
PLANNING COMMISSION  
1505 Tiburon Boulevard  
Tiburon, CA 94920  
Action and Approved Minutes  
February 9, 2005 – 7:30 PM**

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## **ACTION MINUTES**

### **CALL TO ORDER AND ROLL CALL**

Chairman Collins, Vice Chairman Kunzweiler, Commissioner Fraser, Commissioner Hermann, Commissioner Snow **ALL PRESENT**

### **ORAL COMMUNICATIONS**

Persons wishing to address the Planning Commission on any subject not on the agenda may do so under this portion of the agenda. Please note that the Planning Commission is not able to undertake extended discussion, or take action on, items that do not appear on this agenda. Matters requiring action will be referred to Town Staff for consideration and/or placed on a future Planning Commission agenda. Please limit your comments to no more than three (3) minutes. **THERE WERE NONE**

### **COMMISSION AND STAFF BRIEFING**

Staff Update  
Commission Information Items

### **PUBLIC HEARING**

1. FILE #10406: REQUEST TO EXPAND A PRIVATE RECREATIONAL FACILITY; 1600 MAR WEST STREET; Tiburon Peninsula Club, Owner; Novapartners, Inc., Applicant; Brandanini & Wings, Architect; Assessor's Parcel Nos. 58-171-17, 76 & 84, and 58-240-21 **CONTINUED TO 2/23/05**
2. FILE #10403: CONDITIONAL USE PERMIT REQUEST TO INCREASE THE DURATION OF SEASONAL USE FOR A RESTAURANT AWNING STRUCTURE; 5 MAIN STREET (GUAYMAS RESTAURANT); Abrams & Zelinsky, Owners; Spectrum Restaurant Group, Applicant; Assessor's Parcel No. 59-151-41 **WITHDRAWN**

### **MINUTES**

3. Planning Commission Minutes of January 26, 2005 **APPROVED**

**ADJOURNMENT 9:55 PM**

Future Agenda Items

General Plan Hearings (Special Meetings)  
761 Hilary Drive – St. Hilary Church CUP Review (March 9)  
1655 Mar West Street Tentative Map (February 23)

a020905

**APPROVED MINUTES NO. 904**  
**PLANNING COMMISSION**  
**February 9, 2005**  
**Regular Meeting**  
**Town Council Chambers**  
**1505 Tiburon Boulevard, Tiburon, California**

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**CALL TO ORDER AND ROLL CALL**

Present: Chair Collins, Vice-Chairman Kunzweiler, Commissioners Fraser, Hermann, and Snow

Absent: None

Staff Present: Community Development Director Anderson, Planning Manager Watrous, Planning Consultant/Environmental Coordinator Jensen, and Meeting Recorder Flanagan

**ORAL COMMUNICATIONS**

There were none.

**COMMISSION AND STAFF BRIEFING**

Community Development Director Anderson noted the four Commissioners who will be attending of the American Planning Association conference in March will be notified of their reservations. Commissioner Snow volunteered to attend a neighborhood workshop on Tiburon Glen to be held on February 15. The property owner for the Guaymas restaurant awning project has withdrawn the application. Special dates for General Plan review were agreed upon: February 28 and March 1, at 7:00 p.m. It was noted that the lot split application for 1655 Mar West Street has been continued to the March 23, 2005 meeting.

**PUBLIC HEARING**

- 1. FILE #10406: REQUEST TO EXPAND A PRIVATE RECREATIONAL FACILITY; 1600 MAR WEST STREET; Tiburon Peninsula Club, Owner; Nova Partners, Inc., Applicant; Bradanini & Winges, Architect; Assessor Parcel Nos. 58-171-17, 76 and 84, and 58-240-21**

Commissioner Fraser recused himself from participation on this item as he a member of the Tiburon Peninsula Club and may have a financial conflict. He then left the building.

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Planning Manager Watrous reviewed the project, including new structures and the revised parking lot and circulation configurations. He recommended limiting membership of the club to 650, with increases in memberships reviewed under a use permit amendment.

Environmental Coordinator Jensen described the environmental issues addressed in the initial study and draft mitigated negative declaration. He said that a previously-certified EIR was referenced in the preparation of the current document. He described potential impacts and mitigation measures for biological, drainage, noise, and parking and circulation issues, and concluded that these potential impacts can all be mitigated to a less than significant level. He noted that the public comment period for the environmental review will close on February 11, 2005.

Planning Manager Watrous stated that the application was found to be consistent with the Land Use Element of the General Plan and compatible with the Zoning Ordinance, and added that the Planning Commission may stipulate conditions of approval to address potential impacts on surrounding properties. He said that a resolution approving the application has been drafted, and could be adopted at the February 23<sup>rd</sup> meeting.

Vice Chair Kunzweiler asked for a description of how continuous noise is measured. Planning Consultant Jensen responded that continuous noise is noise measured over a 24-hour period, not from a single activity. He described how spikes of noise from sudden events were measured.

Vice Chair Kunzweiler asked if the proposed parking configuration would be adequate. Planning Consultant Jensen responded that most similar clubs usually need a parking ratio of one space for every ten members, which also factors in the need for more parking for special events. He noted that there would be 84 additional overflow parking spaces, where cars would be parking would be directed through a parking management program.

The public comment period was opened.

Bob Austrian, president of the Board of Directors of the Tiburon Peninsula Club, stated the application is critical to the health and welfare of the club and community. He said that the proposed changes would replace the approximately 50-year-old infrastructure and bring the club up to date. He said that the plan would improve safety and the environment and respond to needs of the community. He said that 50 percent of the membership is new since 1999. In response to questions from the Commission he stated that there are 100 senior memberships in addition to the 650 memberships, and that each membership represents a family or household. He said that financing for the plan has been approved by the members and is in place, so that the creation of additional memberships is not required to complete this project.

Jim Bradanini, project architect, described the proposed project in detail. He described the curb, gutter and sidewalk that would be installed along Mar West Street. He said that the parking lot would use an all-weather surface that provides permeability, which would be compatible with the marsh and would eliminate the runoff typically found on an asphalt parking lot. He said that the basketball court would not be full-sized, and would not be lit. He said that the parking lot would use mostly bollard lighting with a few taller lighting standards, and said that the lights would not have to be on after the club closes each day. He noted that many members already have to park across the road from the club.

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In response to questions, Community Development Director Anderson stated that the marsh itself is not on the applicant's property; it is on Town property.

Vice Chair Kunzweiler asked if it is expected that cars will continue down Mar West Street after dropping off passengers. Mr. Bradanini stated that the proposed driveways would provide for two-way traffic. Most cars would loop around and exit the way they came.

Chair Collins asked how the parking spaces would be delineated. Mr. Bradanini responded that timbered wheel stops would likely be used.

In response to questions, Community Development Director Anderson stated that the suggested trail easement would connect Judge Field to Teather Park below Mar West Street. He said that the path that was once passable but is now overgrown with broom.

Chris Horne, general manager of Tiburon Peninsula Club, stated that the proposed parking and circulation improvements would create a safer transition from the lower lot to the upper lot, and provide control points through the main clubhouse and exercise area that will require showing membership cards. He said that they have tried to move activity areas away from their residential neighbors.

Vice Chair Kunzweiler asked if the club is available to non-members for social events. Mr. Horne the club is not available to non-members. He said that the club usually closes at 8:00 p.m., and sometimes at 9:00 p.m. for indoor activities. He added that the proposed enlarged swimming pool could reduce the time needed for bigger events.

Eric Yee, Charles Salter Associates, noise consultant, stated that the full use of the parking lot would increase the noise levels by 3-4 dBA. He stated that the noise characteristics of a gravel surface would be different from those from a paved surface, but would not result in higher noise levels. He described how the soft terrain surrounding the site helps sound drop off on the amphitheatre-shaped site. In response to questions from the Commission, he stated that it would be difficult to build sound barriers on this site that would be effective. He said that doubling the current landscaping on the site would only decrease the sound by one dBA. He said that there was little difference in the sound levels generated by different sports court surfaces.

Maureen Mieckle, said that the development of the parking lot could cause noise and traffic problems. She asked that limitations be placed on the development of Judge Field. She asked that low bollard lights be required for the parking lot. She described the amphitheater effect on noise, stating that she can hear conversations from boats even further away on the bay.

Janice Fenster stated that she agreed that there is an amphitheater effect on noise, and that the water of the marsh amplifies the noise. She said that the nighttime lighting from the site is very visible during the winter, and worried that additional lighting could be visible from her home. She said that she and other Point Tiburon Marsh residents were direct neighbors to the club. She suggested undergrounding the utilities on the site. She said that more work should be done to determine if endangered species such as the red-legged frog exist in the marsh.

Robert Benton stated that the noise problem from the club is enormous and has been getting worse over the last five years. He said that the residents on Harbor Oak Drive hear noise from the tennis courts in their apartments with the doors closed. He felt that the noise study should have measured

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sound heard from the decks, rather than from the landscaped area below, and should have looked at the disruptive effect of noise spikes. He said that he lost a tenant who broke a lease due to the noise.

Padma Catell stated that the noise is particularly a problem in the morning. She said that the club opens at 6:00 a.m. and she hears tennis conversations and megaphones at the swimming pool. She suggested that the club could enclose the swimming pool and tennis courts, which would block sound going up the hill. She asked that a traffic signal be installed on Mar West Street.

Helen Lindqvist stated that the noise is unbearable only when the megaphones are used. She suggested that Mar West Street be widened to better accommodate through traffic, and did not want to see the roadway constricted with drop-off lanes. She described drainage conditions in the area, and asked that solid pipes be installed to carry water to the marsh and not drain into the roadway. She asked that the willows that grow near the edge of the marsh be trimmed, but that a substantial tree buffer be maintained to ensure wildlife use the marsh.

Craig Swanson stated that more mature trees should be planted around the parking lot.

Mr. Bradanini stated that he would like to plant trees in the parking lot that will have a larger canopy, but he was unsure of their size when first planted. He said that a concrete V-ditch currently collects water from the hillsides, and that drainage would be further addressed by the project. He said that the willow trees would remain and undesirable weedy growth would be removed.

Irving Schwartz, project civil engineer, stated he developed a drainage plan for the project. He said that water would be collected in a closed system and taken down Mar West Street to an adequate culvert.

Mr. Austrian added that there would be no substantial change to the existing vegetation on the site.

Mr. Yee stated that an enclosure over the pool or tennis courts would have to be a permanent structure to attenuate sound traveling uphill. He said that he places sound monitoring equipment out of public view; a meter placed on someone's deck would introduce foreign sounds, such as a door closing, into the measurements. He said that there would be a one or two dBA possible variation if the meter was placed on a deck. He said that the measuring equipment was relocated closer to the club, which reflects a more conservative measurement than if it was on the deck.

Margaret Smetana stated that the apartments above the site do not have double-paned windows, are old and not too well constructed. She suggested that the owners could abate noise by installing double-paned windows and deck doors.

In response to questions, Mr. Horne stated that the club opens at 6:00 a.m. for members for open swim, tennis and the fitness center. He said that organized activities begin at 7:00 a.m.

There being no further comments, the public comment period was closed.

Vice Chair Kunzweiler stated that the club has been there a long time and needs to be upgraded. He said that the club is an excellent community resource and the most popular recreational resource in Tiburon. He said that a cap on membership should be imposed to ensure the club does not grow out of control. He said that social events should be limited to the club's regular hours of operation and restricted to members of the club. He stated that all steps should be taken to protect the marsh,

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particularly from tennis balls and debris, and that proper policing of the area is necessary. He said that he visited the site and the nearby residences, and although he acknowledged that there was audible sound, the club was there first. He felt that the club should do all that it can to encourage its members to be good neighbors and understand that sound travels up the hill. He said that the noise attenuation program should address loudspeakers, bullhorns and tennis players.

Commissioner Snow stated that it was nice to see a plan come forward that is easier on everyone involved. He said that thoughtful consideration had been given for preserving the buffer to the marsh and lessening potential environmental impacts. He said that the enhancement of the club was quite appropriate. He felt that a cap on membership was appropriate to recognize the fact that the club would be serving its existing members. He said that he was sensitive to the noise concerns and felt that this issue must be addressed in a thoughtful noise plan to be implemented by the club. He said that moving the parking area to the south side of Mar West Street is a fine idea.

Commissioner Hermann stated that the noise impact must be balanced with the asset that the club is to the community. He said that the project would not change the noise situation, but offers an opportunity to do something positive about the existing noise. He felt that the club must ensure that its members understand what it means to be a member of the community. He said installing double-paned windows for the apartments is a good idea, but that is not part of this project. He commended the club on its efforts to protect the marsh. He believed that the landscape plan for the main parking lot and the overflow lot needs to be better developed.

Chair Collins asked how Staff felt about whether the parking lot should be paved or not. Planning Manager Watrous responded that an appropriate unpaved lot can be preferable as it allows better percolation. Community Development Director Anderson added that he has recommended to the applicant that the portion of the lot closest to the street be paved and the remainder be left unpaved.

Chair Collins stated that the safety of pedestrians crossing the street is his primary concern. He said that everyone accessing the club would be crossing the street, and at night to walk to the club's facilities and fitness center would be particularly dangerous. He recommended that the Town study the possibility of installing a stop sign or other method to allow people to cross safely.

Planning Manager Watrous stated the Town Engineer and Police Department will evaluate pedestrian activity and recommend an appropriate solution for the crosswalk.

Vice Chair Kunzweiler stated that the conditions of approval should require a follow-up plan to revisit the safety issue after a year.

Chair Collins stated that the curbs and sidewalks should be extended on the west side of the street to the far end of the property. He said that the use of the meeting room needs to have a realistic time limit. He said that the noise from the basketball court is an issue as well. He sympathized with the neighbors, but stated that the club has been there with an ongoing program for many years. He said that this is a good project, but the club needs to do a better job of educating its members to be respectful of the Club's neighbors.

**M/S, Kunzweiler/Hermann (passed 4-0) to continue this item to the February 23, 2005 meeting and to direct Staff to return with a draft resolution incorporating the comments expressed by the Planning Commission at this meeting.**

- 2. FILE #10403: CONDITIONAL USE PERMIT REQUEST TO INCREASE THE DURATION OF SEASONAL USE FOR A RESTAURANT AWNING STRUCTURE; 5 MAIN STREET (GUAYMAS RESTAURANT); Abrams & Zelinsky; Spectrum Restaurant Group; Applicant; Assessor's Parcel No. 59-151-41.**

Staff noted that this item was withdrawn by the applicant prior to the meeting.

**M/S, Kunzweiler/Hermann (passed 4-0) to approve the minutes of January 6, 2005 as written.**

**ADJOURNMENT**

The meeting was adjourned at 9:55 p.m.

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RICHARD COLLINS, CHAIRMAN

ATTEST:

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SCOTT ANDERSON, SECRETARY