

Town of Tiburon

STAFF REPORT



AGENDA ITEM _____

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TO: **PLANNING COMMISSION**

FROM: **DANIEL M. WATROUS, PLANNING MANAGER**

SUBJECT: **CONDITIONAL USE PERMIT #10405;
REQUEST TO OPERATE A PERSONAL FITNESS CENTER;
1600 JUANITA LANE; BELVEDERE LAND COMPANY, OWNER;
EVELYN FOSTER, APPLICANT; ASSESSOR'S PARCEL NO. 59-102-16**

MEETING DATE: **AUGUST 11, 2004** REVIEWED BY: SA

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BACKGROUND

The project is the proposed operation of a personal fitness center (Curves) located at 1600 Juanita Lane. This center would occupy a 1,575 square foot portion of an existing commercial building.

This application was reviewed at the July 28, 2004 Planning Commission meeting. At that time, concerns were raised about the adequacy of the provided parking to meet the needs of the fitness center and the training provided to employees of the center. The hearing was continued, with direction given to the applicant to present additional information on the actual levels of use at the similar facilities operated by the applicant in Mill Valley and Larkspur. Information was also requested on training of fitness center employees. The applicant has now submitted the requested information.

ANALYSIS

Parking Issues

The applicant has submitted information on the actual customer levels at the fitness centers she owns in Larkspur and Mill Valley. A table has been included that indicates the number of members that entered each center every half hour over a one week period. At the Larkspur location, more than 6 members entered the facility within a half hour period 32 times (23.3%) of the 137 time periods for the week; this indicates that the 6 parking spaces proposed for the subject location would be able to handle the parking demand for this facility during most, but not all, of the time during which the center would be open.

The applicant conducted a survey at both other locations to determine the mode of transportation used by members to arrive at the center. At the Larkspur location, 54% of the members surveyed indicated that they drove alone and parked at the center; 25% indicated that they parked elsewhere, 14% walked to the center and 7% rode with another member. At the Mill Valley location, 86% of the members arrived alone by car and parked at the center; 9% parked elsewhere, and the remaining 5% walked, rode with another member or took the bus. If the Larkspur location is most similar to the proposed site in Tiburon, as indicated by the



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applicant, similar traffic patterns would increase the likelihood that the 6 provided parking spaces would be adequate to meet the parking needs of the center.

At the previous meeting, the owner of the nearby Boardwalk Center indicated that there are 185 parking spaces on that site, and that up to 40 spaces were available that could be used by the proposed center. The applicant has also noted that the on-site parking spaces in front of the post office would be available during early morning and evening hours when the post office is closed. The applicant has also discussed the proposed use with other nearby businesses, which appear to be supportive of the center and its parking needs.

As noted in the previous Staff report and confirmed by the information submitted by the applicant, the proposed fitness center would seem to have a more frequent turnover of customers and a more even distribution of customers throughout the day than most similar fitness uses. The Planning Commission should evaluate this additional information regarding the parking demand for this center and determine if the parking provided would meet the needs of the fitness center based on the specific characteristics of the proposed use.

Training Issues

As noted above, concerns were raised regarding the level of training that would be given to employees of the proposed fitness center. The Town has not historically required information on employee training for other businesses with health-related issues (e.g., other fitness centers, restaurants, etc.). However, the applicant has submitted information regarding the training programs normally associated with franchises of this fitness center chain. Employees receive training regarding the machines used by members, and in a variety of nutritional and health-related areas. Employees also receive CPR training in case of emergencies.

General Plan/Zoning Consistency

As noted previously, the proposed use appears to be consistent with the Tiburon General Plan and with the requirements of the Tiburon Zoning Ordinance. Policy No. DT-1 of the Downtown Sub-Element of the Land Use Element states that "resident-serving land uses shall be encouraged throughout Downtown Tiburon." The proposed use is specifically intended to serve local residents, with nearby facilities in Mill Valley and Larkspur intended to serve residents closer to those locations. Several small fitness centers located within the Point Tiburon Plaza and the Cove Shopping Center have been previously found to be consistent with the Neighborhood Commercial zoning district, which is virtually identical to the Village Commercial zone in which the subject property is located.

PUBLIC COMMENT

As of the date of this report, the Town has received, since the last hearing, eight phone messages and ten letters in support of the proposed facility, and one phone message and one letter opposed to the use.

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RECOMMENDATION

Staff recommends that the Planning Commission take public testimony on this item, close the public hearing, deliberate upon the project merits, and adopt the draft resolution conditionally approving the project.

EXHIBITS

1. Supplemental materials submitted by applicant
2. Draft resolution
3. Letter from Helen Heimerl, dated July 31, 2004
4. Letter from Sandra Malstrom, dated July 31, 2004
5. Letter from Jean Vandenbroek, dated July 31, 2004
6. Letter from Laurie Poett, dated August 2, 2004
7. Letter from Janet Mitchell, dated August 3, 2004
8. Letter from Leslie Ross, dated August 3, 2004
9. Letter from Julia Beatty, dated August 4, 2004
10. Letter from Gloria Bennewitz, dated August 4, 2004
11. Letter from Diana Chiarabano, dated August 5, 2004
12. Letter from Gee Kampmeyer, dated August 5, 2004
13. Letter from Linda Bertolami, dated August 6, 2004