

RECORDING REQUESTED
RETURN TO:
Town of Tiburon Planning Division
1505 Tiburon Boulevard
Tiburon, CA 94920
Attn: Daniel M. Watrous

RESOLUTION NO. 2004–(Draft)

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF TIBURON
APPROVING A CONDITIONAL USE PERMIT
TO EXPAND AN EXISTING HOTEL AND RESTAURANT (TIBURON LODGE)
AT 1647/1651 TIBURON BOULEVARD

ASSESSOR PARCEL NO. 58-171-87

WHEREAS, the Planning Commission of the Town of Tiburon does resolve as follows:

Section 1. Findings.

A. The Planning Commission has received and considered an application to expand an existing hotel and restaurant (Tiburon Lodge) located at 1647/1651 Tiburon Boulevard (File #10408). The application consists of the following:

1. Application Form and supplemental materials received October 18, 2004
2. Site Plan and Master Plan, received October 18, 2004
3. Supplemental materials received November 10, 2004
4. Transportation Study prepared by CHS Consulting Group, received November 17, 2004

The official record for this project is hereby incorporated and made part of this resolution. The record includes the Staff Reports, minutes, application materials, and all comments and materials received at the public hearing.

- B. The Planning Commission held a duly-noticed public hearing on December 8, 2004, and heard and considered testimony from interested persons.
- C. The Planning Commission has found that the project is exempt from the requirements of the California Environmental Quality Act per Section 15301 of the CEQA Guidelines.
- D. The Planning Commission has found, based upon the application materials and analysis provided in the December 8, 2004 Staff Report, that the project, as conditioned, is consistent with the Tiburon General Plan and is in compliance with the Tiburon Zoning

Ordinance and other applicable regulations. The Town finds that the hotel and restaurant uses are consistent with the Neighborhood Commercial land use designation contained in the Land Use Element, as such uses are not generally considered to be "tourist-oriented" uses that are discouraged in the downtown area.

- E. The Planning Commission also finds that the existing hotel and restaurant have historically been considered to be compatible with the neighboring commercial and residential areas. The changes proposed by this application would not substantially change the relationship of the improvements on the property to the surrounding area, and the parking on the site would be adequate to serve the proposed modifications to the hotel and restaurant.
- F. The Planning Commission also finds that the parking for the hotel and restaurant are consistent with the requirements for multiple use parking contained within Section 5.08.10 of the Tiburon Zoning Ordinance, as it is reasonable to assume that not all sleeping units will be occupied during the lunch and dinner peaks of the restaurant, and the main parking lot is close to both the hotel rooms and the restaurant on the site. A review of the parking situation should be conducted after a period of time to insure that the parking on the site will be sufficient for the expanded hotel and restaurant.

Section 2. Approval.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the Town of Tiburon hereby approves the Conditional Use Permit application (File # 10408), to expand an existing hotel and restaurant (Tiburon Lodge) located at 1647/1651 Tiburon Boulevard, subject to the following conditions:

1. The use shall comply with the plans submitted and on file with the Planning Division dated October 18, 2004 and November 10, 2004 and the project description on file with the Planning Division for this project except as modified herein.
2. A total of 106 hotel rooms are approved as part of this application. Rooms 113, 213, 245, 325, 326, 327, 328 and 329 are approved as part of this application. Room 114 is no longer approved to remain, and shall be removed prior to final building occupancy for the construction approved under this application.
3. A minimum of 121 parking spaces shall be provided on the site at all times.
4. This permit shall be reviewed by the Planning Commission at a public hearing by January 31, 2006, primarily to evaluate parking and traffic issues. During this review, the Planning Commission shall have the authority to modify relevant provisions of this permit. The Town reserves the right to amend or revoke this Conditional Use Permit for cause, in accordance with adopted regulations of the Town.
5. Site Plan and Architectural Review approval shall be required for all additions.

6. The applicant shall obtain all necessary permits from the Town Building Division, including but not limited to those required for legalization of previously unpermitted hotel rooms, construction of building additions, and demolition of portions of existing structures.
7. The applicant shall meet all requirements of the Tiburon Fire Protection District, CalTrans, Sanitary District No. 5, Marin Municipal Water District, and all other applicable agencies.

PASSED AND ADOPTED at a regular meeting of the Planning Commission on December 8, 2004, by the following vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

RECUSED: COMMISSIONERS:

RICHARD COLLINS, CHAIRMAN
TIBURON PLANNING COMMISSION

ATTEST:

DANIEL M. WATROUS, SECRETARY

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