

# Town of Tiburon

## STAFF REPORT



AGENDA ITEM \_\_\_\_\_

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TO: **PLANNING COMMISSION**

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

SUBJECT: **CONDITIONAL USE PERMIT #10406;  
REQUEST TO EXPAND A PRIVATE RECREATIONAL FACILITY;  
1600 MAR WEST STREET; TIBURON PENINSULA CLUB, OWNER;  
NOVA PARTNERS, INC. APPLICANT;  
BRADANINI & WINGES, ARCHITECT;  
ASSESSOR'S PARCEL NOS. 58-171-17, 76 & 84, AND 58-240-21**

MEETING DATE: **FEBRUARY 9, 2005** REVIEWED BY: SA

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### PROJECT DATA

Address:	1600 Mar West Street
Assessor's Parcel Numbers:	58-171-17, 76 & 84, and 58-240-21
File Number:	10406
Lot Size:	12 acres
General Plan:	Public/Quasi-Public
Zoning:	P (Public/Quasi-Public)
Current Use:	Private Recreational
Owner:	Tiburon Peninsula Club
Applicant:	Nova Partners, Inc.
Date Complete:	November 12, 2004

### PROJECT DESCRIPTION

The project is the proposed upgrade and expansion of an existing private recreational facility (the Tiburon Peninsula Club, or TPC) located at 1600 Mar West Street. Most of the club facilities date to the late 1950's and early 1960's. The existing facilities are in need of repair and modernizing.

The following improvements are proposed for the facility and are shown on the submitted plans attached to this report:

- Demolition of the existing 3,600 square foot clubhouse facility and construction of a new 6,000 square foot, single-story clubhouse, which would include a large meeting/event room, administrative offices, youth space and a pro shop.



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- Construction of a one-story, 4,200 square foot addition to the existing fitness center, increasing its size to 6,600 square feet. The expanded structure would provide additional fitness equipment space, private studio space for yoga and aerobic activities, and floor exercise space.
- Adding two additional swim lanes to the existing main swimming pool.
- Installation of a small outdoor spa near the existing southern swimming pool and relocation of the existing children's pool.
- Construction of two unlighted tennis courts on the south side of Mar West Street, adjacent to the existing tennis courts.
- Removal of the existing basketball and volleyball courts construction of a new basketball court adjacent to the fitness center, and relocation and reduction in size of the children's playground.
- Removal of most of the existing parking spaces on the north side of Mar West Street and creation of a new formalized 194-space parking area on the south side of Mar West Street, with overflow parking for 84 additional more cars.
- Installation of miscellaneous landscaping, site screening, ADA compliance and pedestrian traffic control improvements on the site.

The applicant has indicated that the project would involve no increases to the club membership (currently at 650 members); no changes to the intensity or operation of the current club activities and events; and no changes to the current hours of club operation.

### **EXISTING FACILITIES AND SURROUNDINGS**

The project site is located on Mar West Street, just north of downtown Tiburon. Most of the existing club's facilities are located on the north side of Mar West Street, and most of the expansion would take place on the club's property on the south side of the street. This area is known as Judge Field, and is adjacent to the Town of Tiburon's Railroad Marsh.

The roughly triangular site is located at the bottom of a valley, bordered by tree-covered slopes on the east, west and north sides. The Town-owned Railroad Marsh detention basin is located along the south property line. Development east of the site includes an 8-unit apartment building and approximately seven single-family homes fronting on Mar West Street. A series of



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apartment buildings and condominiums are situated to the west and upslope from the site, which have access from Harbor Oak Drive and are not directly accessible from Mar West Street.

The current club facilities include a clubhouse, locker room, a racquetball court, two swimming pools and a children's pool, six tennis courts, a basketball court, volleyball court and a bocce ball court north of Mar West Street. Four additional tennis courts are located on the south side of the street. The primary paved parking lot for the site is located on the north side of Mar West Street, with Judge Field providing additional gravel parking on the south side of the street.

### PERMIT HISTORY

The following is an overview of the permit history for the Tiburon Peninsula Club. The origins of this facility predate the incorporation of the Town of Tiburon.

- 1948 Club organized as the "Southern Marin Recreational Center."
- 1949 William Campbell Judge deeds the property to the SMRC, a California Corporation.
- 1950 Original use permit approved by Marin County Board of Supervisors.
- 1960 Expansion approved by Marin County Board of Supervisors.
- 1964 Tiburon incorporates. Conditional use permit for the "Tiburon Peninsula Club Master Plan" approved by the Council. Most of this plan was never implemented.
- 1993 Conditional use permit application (File #19306) submitted for a revised master plan. The plan called for 12,000 square feet of building space, a new swimming pool, four more tennis courts and the realignment of Mar West Street through the site. Although a Final Environmental Impact Report was certified for this project, the application was withdrawn in 1995 prior to approval of the use permit.
- 1995 Conditional use permit approved to construct a fitness center building.
- 1998 Conditional use permit application (File #19805) submitted for a revised master plan, similar to application filed in 1993. A Draft Supplemental Environmental Impact Report was prepared for this project, but never circulated. This application was withdrawn in 1999 prior to any public hearings for the project.

Several Site Plan and Architectural Review applications have been reviewed and approved over the years for minor improvements to the TPC. The most recent of these applications have been for the construction of the fitness center and to install lights for several of the tennis courts north of Mar West Street.



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### ANALYSIS

#### **Expansion of Facilities**

The existing clubhouse building occupies the center of the site, connecting to the east to the locker rooms. The proposed clubhouse building would include a central lobby; offices and a pro shop on the right (east) side; a child care room in the southeast corner of the building, opening onto a small playground area; and a large meeting and event room, with kitchen facilities and a teen center, on the left (west) side of the building. The one-story building design would not create a substantial increase in the visible mass and bulk of the buildings at the center of the site, and would not create any view blockage issues for any neighboring properties.

The main swimming pool is located at the center of the site to the rear of the clubhouse building. This pool is used for swim meets and less formal activities as well. Two additional lanes would be added to the southern side of the pool, on the opposite side of the pool from the seating area to the north.

There are currently six tennis courts on the northern side of the property and four courts across Mar West Street in the southeast portion of the site. Two new unlighted tennis courts would be constructed to the west of these southerly courts, with small lawn and landscaped areas surrounding the courts.

The existing fitness center is situated to the west of the clubhouse and locker rooms, with a separate entrance from Mar West Street and street parking in front. The fitness center would be expanded toward the front to provide additional fitness equipment space, private studio space for yoga and aerobic activities, and floor exercise space. A new basketball court would be installed in front of the building. The addition and basketball court would eliminate almost all of the existing parking spaces in front of the building.

Several of the activity centers for children on the site would be relocated. The existing playground area would be reduced in size and moved approximately 80 feet to the southeast, in the vicinity of the existing parking lot on the north side of Mar West Street. The children's pool would be relocated to a position directly to the east of the new clubhouse building. Both of these locations would be further from neighboring residential uses than the current positions for these occasionally noisy activity centers.

#### **Parking and Circulation Changes**

The proposed project would eliminate almost all of the 72 parking spaces that are currently on the north side of Mar West Street. The center of Judge Field, which currently provides approximately 104 overflow parking spaces on a gravel lot, would be formed into a 194 space parking lot. The surface of these spaces would be unpaved, but landscaped planters would help delineate the spaces and aisles. The westernmost portion of this area would remain as unpaved overflow parking, which could provide up to 84 additional parking spaces.



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A passenger drop-off lane for westbound traffic would be established along the north side of Mar West Street in front of the current parking area. Another lane would be established on the south side of the street at the northern end of the new parking lot to allow eastbound vehicles to enter the parking lot and easily drop off passengers at the center of the site. An improved crosswalk across Mar West Street would be established leading pedestrians from the center of the parking lot to the clubhouse and center of TPC; a second crosswalk to the east would lead from the lower tennis courts and parking lot to the sports court and fitness center.

Previous TPC master plans submitted in 1993 and 1998 included changes proposed to the alignment of Mar West Street across the site, including cul-de-sac-ing (1993) and realignment (1998). These potential roadway changes drew extensive criticism from residents concerned with changes to the circulation system and the importance of Mar West Street as an emergency route in case of the closure of Tiburon Boulevard. The only proposed changes to Mar West Street proposed as part of the current application involve possible improvements at the two crosswalks to insure the safety of pedestrians crossing this street, and the addition of curb, gutter and sidewalk over substantial portions of the frontage.

### **Membership levels**

The TPC facilities were initially established with the intent of serving approximately 150 club members. Club membership has gradually increased over the years to its current level of 650 members.

The use permits for TPC have never included any cap on the number of club members. Such caps are often imposed to recognize that the potential impacts evaluated as part of a use permit application are generally dependent on the number of members for such a club; a substantial increase in the club membership could result in impacts that could not have been anticipated in the review of a use permit application for a smaller club. Staff therefore recommends that the use permit establish a limit of 650 members for TPC, with increases in membership subject to approval of a use permit amendment.

### **Environmental Issues**

An initial study/draft mitigated negative declaration was prepared for this project and released for public comment on January 12, 2005. The initial study/draft mitigated negative declaration was previously distributed to the Commission and is not attached to this report. The public review period ends on February 11, 2005. Several letters have been received at this time regarding the mitigated negative declaration, and are attached.

The initial study focused on the potential for significant environmental impacts in the following categories:

#### **Traffic and circulation**

A traffic study was prepared for this project by Alta Planning & Design which analyzed traffic patterns and parking needs for the TPC. The current peak weekday parking occupancy on the



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site would be approximately 65, which would be easily accommodated by the proposed 194 space parking lot on the south side of Mar West Street. For special events, such as swim meets and tennis tournaments, TPC implements a parking management plan (included as Appendix C within the initial study/draft mitigated negative declaration) to control and direct the use of off-street parking and to ensure that event parking does not spill over into the surrounding neighborhoods. The traffic study determined that continued implementation of this parking management plan would adequately meet the parking needs for these special events. It is recommended that this parking management plan be made a condition of approval of the subject application.

Pedestrian safety is a potential concern arising from the proposed parking arrangement, in which most members would need to cross Mar West Street to walk from the parking lot to the TPC facilities. In order to heighten the visibility of the crosswalks, the applicants have proposed to install a “raised table” pedestrian crossing, which would likely include a gradually raised portion of the street at the crosswalk. The Tiburon Fire Protection District has objected to this proposed feature, indicating that such a crosswalk design would slow the progress of emergency vehicles and could damage the underside of their equipment. It is recommended that other traffic calming devices be explored for use at these crosswalks that would not involve raised roadways but would enhance pedestrian safety.

The revised parking layout would also increase the potential for pedestrians to walk to TPC along Mar West Street from either the intersection with Tiburon Boulevard or Beach Road. It is recommended that sidewalks be installed along the southern side of Mar West Street from the center of the site to the southwestern corner of the TPC property. Program DT-t contained within the Downtown Element of the Draft General Plan calls not only for that pedestrian connection, but also for a pedestrian trail leading from TPC to Teather Park on Beach Road. These improvements would enhance the pedestrian connectivity between TPC and the remainder of Downtown Tiburon, which would hopefully encourage members to use alternate means of traveling to the club.

### Noise

The Town has historically received occasional complaints from neighboring residents regarding noise emanating from TPC. Many of these complaints stem from activities around the swimming pool, including whistles, yelling, bullhorns and use of an amplified public address system. Prior to the 1998 use permit application, the Town noticed an increase in complaints about noise from the children’s play area situated below some of the adjacent residences on Harbor Oak Drive, Corinthian Court and Red Hill Circle. Several neighboring residents have raised concerns that the additional lanes proposed to be added to the main swimming pool would result in increased noise levels from the pool area.

A noise study has been completed for the proposed project by Charles Salter and Associates, which evaluates the current noise conditions and noise levels expected to occur as a result of the proposed project. The noise study determined that the noise levels for most activities on the site would increase by no more than one (1) dBA, except in the area of the proposed sports court in front of the fitness center, where noise levels would increase by 2 dBA. A sound



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increase of 2 dBA is considered barely perceptible by the average human ear. As a result, these noise increases would be less than significant for the purposes of CEQA review.

The proposed project would reduce the size of the children's play area and would move this use approximately 80 feet to the southeast. The play area would be moved away from the neighboring homes, thereby reducing the potential for noise impacts on nearby residents.

TPC facilities are occasionally used for parties and receptions (by members) that involve amplified music. The current use permits for TPC do not include any provisions or regulations for dealing with such events. The amplified music requirements contained in the Tiburon Municipal Code require that a special event permit be obtained each time an event is held which would have amplified music, but TPC has not been required to obtain such permits in the past. It is recommended that a condition of approval be attached to the use permit that addresses these events in a more comprehensive manner, establishing parameters for events with amplified music.

The initial study notes that construction noise from the proposed project could impact neighboring residents. Mitigation measures are recommended to impose noise attenuation measures, identify a "Noise Disturbance Coordinator" that neighbors may contact with noise complaints, and assure compliance with Town regulations regarding hours of construction.

### Light and glare

Several of the tennis courts on the north side of Mar West Street are lit for night play. The Town has received occasional complaints from nearby residents regarding light and glare from these lit courts, and from nighttime noise resulting from their evening use. The applicant does not propose to install lights on any of the other existing or proposed tennis courts, or on the proposed sports court.

Several nearby residents have raised concerns about the potential for excessive light and glare from the lighting for the proposed parking improvements. An exterior lighting plan has not been submitted at this time, but would normally be reviewed as part of a future Site Plan and Architectural Review application for this project. The initial study recommends that new exterior lighting be shielded to prevent glare, to direct lighting downwards and to reduce visibility from nearby residences. Bollard lighting would be preferred by Staff to accomplish this purpose.

### Biology

Master plans submitted with the previous use permit application for TPC in 1993 and 1998 included roads, driveways and/or other hardscape improvements that would have extended very close to the marsh at the edge of the TPC property. The current application proposes only unpaved parking areas remotely close to the marsh, greatly reducing the potential for impacts to this sensitive habitat. The unpaved parking surface would also help keep contaminants from draining down to the marsh.



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The proximity of the two existing and two proposed tennis courts to the marsh would increase the potential of stray tennis balls reaching the marsh. The initial study recommends reestablishment of a grate above a portion of the drainage channel closest to the tennis courts to keep balls out of that area. It is also recommended that a condition of approval be imposed to require an ongoing maintenance program to pick up stray balls outside the tennis courts.

A considerable amount of rocks, soil and debris has collected on the southern fringe of Judge Field near Railroad Marsh. This debris is unsightly and has the potential to allow debris to enter the marsh or to gradually erode the vegetative buffer between Judge Field and the marsh. It is recommended that a condition of approval be attached to this permit requiring TPC to remove existing debris and stockpiled material from this area and to keep portions of the property in the vicinity of the marsh in a clean and orderly condition.

An old fence currently extends near the marsh along the approximate location of the southern property line for the site. The location of this fence has contributed to confusion over the exact location of this property line and determination of maintenance responsibilities in this area. It is recommended that TPC be required to conduct a survey to accurately locate this property line, and install boundary markers (small bollards or similar devices) at intervals along the property line. A fence need not be reinstalled in this area as the vegetative buffer has become substantial since dredging and restoration of Railroad Marsh was completed in 1985.

### Air Quality

The demolition of the existing clubhouse building would have the potential to release asbestos from building materials in the structure into the air. The Bay Area Air Quality Management District (BAAQMD) has required that TPC comply with its regulations regarding the demolition of buildings containing asbestos. These BAAQMD regulations shall be imposed as a condition of approval of the project.

### General Plan/Zoning Consistency

The proposed project has been reviewed for consistency with the Tiburon General Plan and with the requirements of the Tiburon Zoning Ordinance regarding conditional use permits. Although the Parks & Recreation Element primarily addresses publicly-provided recreational uses, Goal PR-A of that element is "to provide sufficient land and facilities for a balanced system of parks and recreation in the Tiburon Planning Area." The proposed expansion would enhance the ability of the Tiburon Peninsula Club to provide an appropriate level of services and recreational activities to its members, the majority of whom reside in the Tiburon Planning Area. Policy LU-1 of the Land Use Element states that "the Town shall provide for sufficient diversity of land uses such that public, quasi-public, recreational and shopping facilities are conveniently located and available for each resident of the community." The proposed expansion would also assist the Tiburon Peninsula Club in maintaining this appropriate diversity of land uses.

Section 4.04.02 of the Tiburon Zoning Ordinance states that the purposes of the review of conditional use permit applications are to:



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- (a) Determine whether the location proposed for the Conditional Use applied for is properly related to the development of the neighborhood as a whole;
- (b) Determine whether the location proposed for the particular Conditional Use applied for would be reasonably compatible with the types of uses normally permitted in the surrounding area;
- (c) Evaluate whether or not adequate facilities and services required for such use exist or can be provided;
- (d) Stipulate such conditions and requirements as would reasonably assure that the basic purposes of this Chapter and the objectives of the General Plan would be served; and
- (e) Determine whether the Town is adequately served by similar uses presently existing or recently approved by the Town.

Several of the issues addressed by these purposes are intended for the review of new land uses, and would not pertain to the expansion and renovation of an existing facility, such as that requested by the subject application. However, it is appropriate for the Planning Commission to determine if the improvements proposed by this application would be “properly related to the development of the neighborhood as a whole” and “reasonably compatible with the types of uses normally permitted in the surrounding area.” The Commission should also “evaluate whether or not adequate facilities and services required for such use exist or can be provided.” If the project is to be approved, the Commission may stipulate conditions of approval necessary to adequately address any potential impacts on surrounding properties.

Most of the proposed improvements would appear to complement the existing buildings and activities associated with the Tiburon Peninsula Club, which has existed for over 50 years as a private recreational facility situated adjacent to residential neighborhoods. The new clubhouse and expanded fitness center and swimming pool would offer improved facilities for the ongoing activities of the club. The new tennis courts and sports court would be unlit, and should not result in unwanted nighttime noise impacts on nearby residences. The relocated children’s playground should reduce the noise associated with this use for the neighboring homes.

The proposed parking improvements would decrease the total parking for the club, but would still meet the everyday and special event parking needs for TPC. The project would place almost all of the parking spaces on the south side of Mar West Street. The design of the parking, driveways, crosswalks and drop-off areas should provide efficient pedestrian circulation for club members. New sidewalks and trail easements would improve the pedestrian connectivity of the site to Downtown Tiburon, with the hope of decreasing the need for vehicle trips to and parking on the site. More effort needs to be put into the design of the street improvements (including crosswalks) to ensure the safety of this increased pedestrian traffic.

Conditions of approval can be stipulated for this use permit to address the issues mentioned earlier in this report. The draft resolution of approval (Exhibit ) includes conditions of approval



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related to protection of the marsh, construction noise, asbestos removal, and parking and circulation issues. A condition of approval establishing a membership cap would help reasonably assure that the level of activity associated with the TPC would be consistent with that evaluated as part of this application.

### **ENVIRONMENTAL REVIEW**

As previously noted, an initial study/draft mitigated negative declaration was prepared for this project. As the public review period for this document does not end until February 11, 2005, the Planning Commission cannot take action on this application at this meeting, but could adopt a resolution approving the application at its next meeting.

### **CONCLUSION**

The proposed expansion of the Tiburon Peninsula Club is intended to address the needs of the current club members. The new clubhouse and expansion to the fitness center and main swimming pool would include additional space for uses and activities already associated with this facility. The additional tennis courts and redesigned and relocated sports court and children's play area should either not affect neighboring residents or would lessen the impacts of these existing uses on nearby homes.

The proposed parking improvements would meet the everyday parking needs for TPC. Combined with the continued implementation of the parking management program, the revised parking lots would appear to meet the parking needs for special events on the site. Although the street crosswalk designs have not been finalized, Staff believes that appropriate crosswalks and public street improvements can be designed under the guidance of the Town Engineer and the Tiburon Fire Protection District to ensure the safety of pedestrians walking from the parking lot to the center of the TPC site.

The Tiburon Peninsula Club plays an important role in providing recreational opportunities for the local community. If efforts can be made to mitigate any additional noise, light and glare impacts on its neighbors and the adequacy of on-site parking and crosswalk designs insured, then the proposed expansion would be consistent with its surroundings and help the club to be a compatible part of its neighborhood well into the future.

### **RECOMMENDATION**

Staff recommends that the Planning Commission

1. Take public testimony on this item;
2. Close the public hearing;
3. Deliberate upon the project merits;
4. Review and comment upon the draft resolution conditionally approving the project; and
5. Continue the hearing to the February 23, 2005 Planning Commission meeting.

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### EXHIBITS

1. Application form and supplemental materials
2. Draft resolution
3. Biological resources report prepared by LSA Associates, Inc, dated October 7, 2004
4. Geotechnical report prepared by Miller Pacific Engineering Group, dated February 15, 1996
5. Letter from California Department of Transportation, dated January 24, 2005
6. Letter from Tiburon Fire Protection District, dated January 26, 2005
7. Letter from Nancy Ankrum, dated January 29, 2005
8. Letter from Ronald Roberts, dated January 17, 2005
9. Submitted plans