

Town of Tiburon STAFF REPORT

AGENDA ITEM

2



TO: PLANNING COMMISSION

FROM: DANIEL M. WATROUS, PLANNING MANAGER

SUBJECT: REVIEW OF CROSSWALK AND CIRCULATION IMPROVEMENTS FOR
EXPANSION OF THE TIBURON PENINSULA CLUB; 1600 MAR WEST
STREET

MEETING DATE: AUGUST 9, 2006

REVIEWED BY: SA

BACKGROUND

On February 23, 2005, the Planning Commission adopted Resolution No. 2005-02 approving a conditional use permit to renovate and expand a private recreational facility (the Tiburon Peninsula Club, or TPC) for property at 1600 Mar West Street. The approved project included the installation of a new crosswalk across Mar West Street which would connect TPC improvements on either side of the street. Condition of Approval No. 22 of Resolution No. 2005-02 reads as follows:

22. The Tiburon Fire Protection District and Tiburon Police Department shall review and approve all crosswalk and circulation improvements to insure appropriate emergency access and pedestrian safety. Approved plans shall be reviewed and approved by the Planning Commission prior to installation.

The crosswalk and circulation improvements have been reviewed and approved by the Tiburon Fire Protection District and Tiburon Police Department and are now presented to the Planning Commission for review prior to installation.

ANALYSIS

The central crosswalk across Mar West Street would connect the parking area and tennis courts on the south side of the street to the club facilities on the north side. The two main entrances into the parking lot would connect into an interior driveway that would be separated from the street by a landscaped island. A connecting walkway would lead from the driveway across the island to the street crosswalk; this would encourage members to drop off children at the driveway before walking across the street to the club. The central island would also direct pedestrians from the parked vehicles, including those in handicapped parking spaces, to the crosswalk.

On the north side of the street, the crosswalk leads directly to a pathway and stairs leading to the clubhouse entrance. A handicapped accessible ramp also leads from the crosswalk to the clubhouse entrance. A wider portion of the north side of the street which was intended as a pedestrian drop-off point has been eliminated to encourage such traffic to use the drop-off points on the south side of the street.



Town of Tiburon

STAFF REPORT

The sidewalk along the western end of the south side of the street leads directly to the central crosswalk; there is no sidewalk on the other side of the street, thereby discouraging pedestrians from crossing at before the crosswalk. A sidewalk on the eastern end of the north side of the street connects the fitness center entrance to the clubhouse entrance; extensive vegetation on the opposite side of the street along this stretch would also discourage pedestrians before the crosswalk.

No speed bumps, "humps" or "tables" are proposed at or around the location of the crosswalk, primarily to avoid obstacles for emergency vehicles using Mar West Street. At this time, no stop signs or other warning devices have been recommended by the Town Traffic Safety Committee, although TPC officials have indicated a willingness to consider such improvements in the future, if warranted.

RECOMMENDATION

Staff recommends that the Planning Commission review the proposed crosswalk and circulation improvements for the Tiburon Peninsula Club and provide direction on any desired changes to these improvements.

EXHIBITS

1. Planning Commission Resolution No. 2005-02
2. Minutes of the February 9, 2005 Planning Commission meeting
3. Minutes of the February 23, 2005 Planning Commission meeting
4. Submitted plans



2005-0053929

Recorded
Official Records
County Of
Marin
JOAN C. THAYER
Recorder

REC FEE .00

08:04AM 20-Jul-2005

gp
Page 1 of 24

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

RESOLUTION NO. 2005-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF TIBURON
APPROVING A CONDITIONAL USE PERMIT TO RENOVATE AND EXPAND A PRIVATE
RECREATIONAL FACILITY (TIBURON PENINSULA CLUB) AND ADOPTING A MITIGATED
NEGATIVE DECLARATION AND MITIGATION MONITORING PROGRAM
FOR PROPERTY AT 1600 MAR WEST STREET

ASSESSOR PARCEL NOS. 58-171-17, 76 & 84, and 58-240-21

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 the facilities for an existing private recreational facility (Tiburon Peninsula Club) located at 1600 Mar West Street (File #10406). The application consists of the following:

1. Application form and supplemental materials dated October 7 & 14, 2004
2. Site Plan and Floor Plans, dated October 1, 2004
3. Biological resources report prepared by LSA Associates, Inc, dated October 7, 2004, as amended
4. Geotechnical report prepared by Miller Pacific Engineering Group, dated February 15, 1996
5. Traffic study prepared by Alta Planning & Design, dated October 4, 2004
6. Drainage Analysis prepared by ILS Associates, Inc., dated October 13, 2004
7. Noise study prepared by Charles M. Salter Associates, dated October 13, 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 February 9, 2005, and heard and considered testimony from interested persons.
- C. An initial study of environmental impact was prepared and a draft mitigated negative declaration released for public comment on January 12, 2005. The Planning Commission finds that based upon evidence in the record, no significant adverse impacts on the environment would occur as a result of the project. All potentially significant adverse environmental impacts have been mitigated to less than significant levels through modifications to the project as set forth in the mitigation monitoring program and agreed upon by the applicant. There has been no substantial evidence submitted into the record to support a fair argument that a significant adverse environmental impact may result from the project.
- D. The Planning Commission has found, based upon the application materials and analysis provided in the February 9, 2005 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 Planning Commission finds that 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, consistent with Goal PR-A of the Parks & Recreation Element. The proposed expansion would also assist the Tiburon Peninsula Club in maintaining this appropriate diversity of land uses, consistent with Policy LU-1 of the Land Use Element.
- E. The Planning Commission also finds that 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, once the mitigation measures are imposed to address potential noise, biology, air quality, light and glare parking and circulation impacts on neighboring homes. The Planning Commission finds that the project conforms with these items set forth in Sections 4.04.02 and 4.04.03 of the Tiburon Zoning Ordinance.

Section 2. Approval.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the Town of Tiburon hereby adopts the Mitigated Negative Declaration and approves the Conditional Use Permit application (File # 10406), to expand the facilities for an existing private recreational facility (Tiburon Peninsula Club) at 1600 Mar West Street, subject to the following conditions:

- 1. The use shall be in substantial conformance with the following documents as approved herein:
 - 1. Land Use Plan dated October 1, 2004, attached as Exhibit A

2. Floor plans dated September 21, 2004, attached as Exhibit B
3. Project description dated October 14, 2004, attached as Exhibit C
4. Existing and Proposed Usages and Activities table, dated February 24, 2005, attached as Exhibit D.

Any substantive intensification of use, as determined within the reasonable discretion of the Director of Community Development, shall require an amendment to this use permit.

2. The conditional use permit approval shall incorporate all of the mitigation measures required in the Mitigation Monitoring Program attached as Exhibit E.
3. The subject permit shall be reviewed by the Planning Commission at a public hearing approximately one (1) year after occupancy of the clubhouse building to assess conformance with conditions of approval and evaluate noise, light and glare, biology, parking, traffic and pedestrian safety issues. During this review, the Planning Commission shall have the authority to add, delete, or modify the conditions of this permit.
4. Total membership for the Tiburon Peninsula Club use shall not exceed 650 regular members and 125 senior members. Any increase in membership of any nature shall require approval of an amendment to the subject use permit following a public hearing before the Planning Commission.
5. Indoor social events and use of meeting rooms shall be permitted only until 9:00 p.m. on any day. Outdoor social events shall be permitted only until 8:00 p.m. on any day. Amplified music at events on the subject property shall not be played before 8:00 a.m. on weekdays and 9:00 a.m. on weekends, and not after 6:00 p.m. on weekday evenings or past 8:00 p.m. on weekend evenings.
6. Club facilities shall not be rented out, leased, or offered for use by non-members.
7. The Tiburon Peninsula Club Special Event Parking Management Plan is adopted as part of this use permit, and shall be utilized for all major special events held at the club where it is reasonably foreseeable that spillover parking would result. This plan is intended to ensure that spillover parking does not impact neighboring properties.
8. All construction shall comply with the hours permitted in Section 13-6 of the Tiburon Municipal Code. At the time of construction, the contractor shall post a notice at the site identifying a "Noise Disturbance Coordinator (NDC)" with a telephone number that neighboring residents may call regarding complaints. The NDC shall be available during all construction hours and shall respond to all complaints, as necessary.
9. Prior to the issuance of grading or building permits for project construction the project developer shall submit and receive approval for a Site Plan and

Architectural Review application. In addition to standard application materials, this application shall include:


- a. A noise attenuation plan which includes specific noise attenuation measures to be taken during construction of this project; attenuation measures for other amplified sound systems on the property (i.e., loudspeakers, bullhorns, etc.); and methods of increasing awareness of noise issues for club members.
 - b. A detailed lighting plan, with exterior lighting of the building, landscaped and parking areas shielded to prevent glare, to direct lighting downwards, and to reduce visibility from nearby residences and light pollution to the Old St. Hilary's Open Space Preserve. The lighting plan shall also be reviewed by County of Marin Department of Parks and Open Space staff.
 - c. A site plan that avoids, to the extent feasible, the removal of native trees and construction within the drip line of native trees, along with a tree replacement plan in the case that avoidance of native trees is not feasible.
 - d. A parking lot plan that includes enhanced landscaping planters and appropriate parking space delineation. Larger, mature trees and native species are encouraged to be planted wherever possible. Only non-invasive plant species are to be planted anywhere on the site as part of this project.
 - e. Design provisions to ensure that the overflow parking lot will be aesthetically consistent with the new unpaved parking lot.
10. The applicant shall offer a public access easement to the Town of Tiburon for purposes of a pedestrian trail across the subject property that will connect Judge Field to Teather Park, prior to issuance of the building permit for the project.
 11. In addition to the improvements shown on the Land Use Plan, curb, gutter and sidewalk shall be installed along the south side of Mar West Street all the way to the western property line.
 12. Lighting in the parking lots established south of Mar West Street shall be lit by bollard light fixtures or other similar fixtures approved by Planning Division Staff. Pole-mounted lighting fixtures are strongly discouraged, but, if found to be necessary for public safety, shall be minimized.
 13. The new tennis courts and sports courts shall not be lit for nighttime use. Hours of use for the sports courts shall be limited to 8:00 a.m. to dusk.
 14. A grate shall be installed and maintained at all times above the cement-lined ditch that is located adjacent to the Judge Field tennis courts to keep tennis balls out of the ditch.
 15. The applicant shall implement an ongoing program to retrieve and remove tennis balls from around the tennis courts before they can enter Railroad Marsh. This

program shall be submitted in writing with the Site Plan and Architectural Review application and approved by the Town.

16. Rocks, soil and debris that have collected on the southern fringe of Judge Field near Railroad Marsh shall be removed to the satisfaction of the Director of Community Development, and this portion of the property shall be continuously maintained in a clean and orderly condition.
17. Dilapidated fencing along the southern property line in the vicinity of the Railroad Marsh shall be removed. The applicant shall cause a survey of the entire southern property boundary (from Mar West Street to Mar West Street) to be completed, and shall install bollards or other marking devices (type, size and spacing to be determined by Planning Division Staff) along the southern property line to appropriately delineate the boundary between the subject property and Town property.
18. The applicant shall obtain all necessary permits from the Town Building Division for the proposed addition.
19. The applicant shall meet all requirements of the Tiburon Fire Protection District, Sanitary District No. 5, and all other applicable agencies. Any Fire District requirements for establishment of defensible space around new structures shall be evaluated for effect on the Old St. Hilary's Open Space Preserve.
20. Demolition of the clubhouse building shall comply with Regulation 11, Rule 2 requirements of the Bay Area Air Quality Management District regarding asbestos removal. A letter to this effect shall be submitted prior to foundation inspection by the Building Division.
21. The Town Engineer shall review and approve all proposed improvements within the Mar West Street right-of-way. An encroachment permit shall be secured before any work begins within the Mar West Street public right-of-way.
22. The Tiburon Fire Protection District and Tiburon Police Department shall review and approve all crosswalk and circulation improvements to insure appropriate emergency access and pedestrian safety. Approved plans shall be reviewed and approved by the Planning Commission prior to installation.
23. Construction of any fence along the east side of the property shall be coordinated with the County of Marin Department of Parks and Open Space staff to ensure that the fence does not encroach onto the adjacent Old St. Hilary's Open Space Preserve or affect sensitive habitat. If a fence does not already exist, a permanent fence shall be constructed between the subject property and the Preserve to prevent inadvertent damage to sensitive resources.
24. The Town reserves the right to amend or revoke this Conditional Use Permit for cause, in accordance with adopted regulations of the Town.

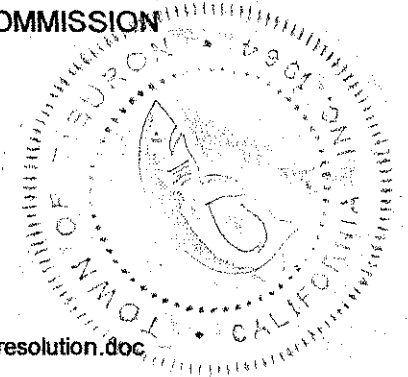
PASSED AND ADOPTED at a regular meeting of the Planning Commission on February 23, 2005, by the following vote:

AYES: COMMISSIONERS: COLLINS, HERMANN, KUNZWEILER AND SNOW
NOES: COMMISSIONERS: NONE
ABSENT: COMMISSIONERS: NONE
RECUSED: COMMISSIONERS: FRASER


RICHARD COLLINS, CHAIRMAN
TIBURON PLANNING COMMISSION

ATTEST:


DANIEL M. WATROUS, SECRETARY



H:\dwatrous\Resolutions\pc10406.resolution.doc

**MINUTES NO. 905
PLANNING COMMISSION
February 9, 2005
Regular Meeting
Town Council Chambers
1505 Tiburon Boulevard, Tiburon, California**

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 & Wings, 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.

EXHIBIT NO. 2

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 23rd 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

EXHIBIT NO. 2

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.

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 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.

EXHIBIT NO. 2

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, 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

EXHIBIT NO. 2

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.

EXHIBIT NO. 2

**MINUTES NO. 906
PLANNING COMMISSION
February 23, 2005
Regular Meeting
Town Council Chambers
1505 Tiburon Boulevard, Tiburon, California**

ROLL CALL

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

Absent: None

Staff Present: Planning Manager Watrous, Planning Consultant/Environmental Coordinator Jensen, and Meeting Recorder Creekmore

ORAL COMMUNICATIONS

There were none.

COMMISSION AND STAFF BRIEFING

Planning Manager Watrous reminded the Commission that special meetings on the General Plan update will be held on February 28 and March 1. He noted that the review of the St. Hilary Church conditional use permit is scheduled for March 9. It was noted that the initial study for Kol Shofar that had been distributed to the Commission will be the first in a series of materials the Commission will be reading in preparation for that project. In response to a question by Commissioner Kunzweiler regarding the Tiburon Glen project, Planning Manager Watrous stated that he does not anticipate that project coming before the Commission until March 23 at the earliest.

PUBLIC HEARINGS

- 1. 1600 MAR WEST STREET: CONDITIONAL USE PERMIT #10406, REQUEST TO EXPAND A PRIVATE RECREATIONAL FACILITY; 1600 MAR WEST STREET; Tiburon Peninsula Club, Owner; Nova Partners, Inc., Applicant; Brandanini & Winges, Architect; Assessor's Parcel Nos. 58-171-17, 76 & 84 and 058-240-21**

Commissioner Fraser recused himself from participation on this item as he is a member of the Tiburon Peninsula Club.

Planning Manager Watrous reviewed the Staff Report and noted that the applicant had prepared a revised Exhibit D, the "Existing and Proposed Usages and Activities" table.

EXHIBIT NO. 3

The public comment period was opened.

Chris Horne, general manager of the Tiburon Peninsula Club (TPC), informed the Commission that the TPC is currently two memberships shy of their 650 membership capacity, with an additional 125 senior memberships. He stated that there are no planned expansions in the number of members using services, not adding any special events. If the club decides to bring back the previously held professional tennis tournaments, he said that that would be the only large event that the club would sponsor. He added that the TPC is not soliciting new memberships to fill its classes nor does it intend to increase its membership capacity; instead, the club members are looking for more open time to use the facilities.

Vice-Chair Kunzweiler asked how much use the basketball courts get. Mr. Horne stated that the proposed location of the basketball courts has been moved towards the fitness center to minimize noise impacts to the neighbors on Corinthian Court. Mr. Horne said that the basketball courts would provide a place for summer youth activities as well as basketball games, but he expected minimal use of the courts otherwise.

Vice-Chair Kunzweiler asked when and how the one-year review would be performed. Planning Manager Watrous stated that the intent of the one year review is to determine if the conditions of approval have done a satisfactory job of addressing potential issues and if any other issues have arisen. He said that the one year review time period generally begins after a major phase or structure of the project has been completed.

Chair Collins asked if the membership figures reflect individual or family memberships. Mr. Horne replied that the figure applies to family memberships and that the memberships represent between 1,600 and 2,000 people, including children. He said that approximately half of the 125 senior memberships are individuals and half are couples.

Chair Collins referenced the condition pertaining to amplified music and asked if amplified music would be played outdoors. Mr. Horne replied that the club's sound consultant suggested the use of a sound system that utilizes a technology to direct sound to a particular location rather than it being broadcast over a larger area. The Commissioners discussed an appropriate sound limitation condition and agreed that no amplified music would be played before 9:00 a.m. on weekends and 8:00 a.m. on weekdays. Mr. Horne noted that the club's Labor Day and Memorial Day events are the only major events with amplified music, both of which end at 7:00 p.m.

Commissioner Hermann referenced Councilmember Frederick's letter regarding amplified music and felt that the TPC has done a very good job of addressing her concerns.

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

Vice-Chair Kunzweiler commented that the permit is very appropriate. He said that TPC is a surprisingly large operation, serving a large segment of the Tiburon population. He said that the challenge was to deal with the noise and traffic issues fairly. He believed

EXHIBIT NO. 3

that the scope of the project makes sense and is clearly needed. He hoped that the spirit of the permit would make this a win-win situation for everybody.

Commissioner Snow said that the proposal provides an opportunity to address concerns arising from the proximity of the club to its neighbors. He said that he appreciated the proactive manner that the club used to communicate to its members the need to be good neighbors. He said that the issues raised in the two late mail items had been properly addressed. He said that the project was very appropriate would benefit the community.

Commissioner Hermann referenced the letter submitted by the Audubon Society. Planning Consultant Jensen stated that he did not think that the Audubon Society was aware of biological assessment performed in 2004. He said that the hydrology concerns had been adequately addressed as well.

Commissioner Hermann expressed concerns about the proposed overflow parking being left in its natural state and said that it should be enhanced to be aesthetically consistent with the main parking lot. Planning Manager Watrous replied that those comments could be directed to the Design Review Board when they review the site project.

Commissioner Hermann endorsed the project and said that the TPC is a great asset to the community.

Chair Collins said that the TPC is a wonderful asset and felt that the project would make it better. He stated that he has some concerns regarding the noise impact and suggested that the TPC maintain an open dialogue with the neighbors by holding regularly scheduled and noticed meetings with the neighbors so that neighbors can bring their concerns and comments to the TPC. He said that he wanted to ensure that there would be no real increase above the current activity levels. Planning Manager Watrous said that the list for the allowable number of participants on each particular even would be included in the Conditional Use Permit.

Commissioner Snow asked if there is any language specifying the height of the trees in the project proposal. Planning Manager Watrous replied that landscaping was addressed in Section 9-D of Exhibit 1. Commissioner Snow asked if native vegetation should be addressed. Planning Manager Watrous said that language such as "large mature and native species are encouraged to be planted wherever possible" could be added to the use permit.

Chair Collins recommended that Condition of Approval No. 4 be modified to read "Any increase in any membership of any nature shall require approval of an amendment to the subject use permit..." He also asked that Condition of Approval No. 22 be modified to require that the finalized pedestrian safety improvements as approved by Town Staff, the Fire District and the Police Department be reviewed by the Planning Commission before the final approval is given.

Vice-Chair Kunzweiler stated that he wanted to be assured that the 100-foot buffer surrounding the Railroad Marsh is incorporated into the design. Planning Manager

EXHIBIT NO. 3

Watrous noted that the Land Use Plan that indicates the buffer is referenced in the resolution.

M/S Snow/Hermann (4-0) to adopt the resolution as modified to approve the Conditional Use Permit.

MINUTES

2. Approval of Planning Commission Minutes – February 9, 2005

Amend the following:

Page 5, paragraph 7, line 8, delete "attenuation".

Page 6, paragraph 3, change to "...stated that the safety of pedestrians crossing the street is a primary concern. He said that everyone accessing the club would be crossing the street at night to walk to the club's facilities and to the fitness center and 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".

ADJOURNMENT

The meeting was adjourned at 8:25 p.m.

RICHARD COLLINS, CHAIRMAN
Tiburon Planning Commission

DANIEL M. WATROUS, SECRETARY

EXHIBIT NO. 3