

# Town of Tiburon

## STAFF REPORT



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

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TO: **PLANNING COMMISSION**

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

SUBJECT: **CONDITIONAL USE PERMIT #10503;  
REQUEST TO MODIFY PREVIOUSLY APPROVED PLANS TO EXPAND  
A PRIVATE RECREATIONAL FACILITY; 700 TIBURON BOULEVARD;  
BELVEDERE TENNIS CLUB, OWNER; BRADANINI & WINGES,  
ARCHITECT; ASSESSOR'S PARCEL NO. 055-201-36 (CONTINUED  
FROM FEBRUARY 22, 2006)**

MEETING DATE: **MARCH 8, 2006** REVIEWED BY: SA

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### BACKGROUND

The project is the proposed modifications to previously approved plans to upgrade and expand an existing private recreational facility (the Belvedere Tennis Club, or BTC) located at 700 Tiburon Boulevard. Most of the club facilities date to the late 1950's and early 1960's. A Conditional Use Permit (File No. 10401) was approved by the Planning Commission on March 10, 2004 for an extensive remodeling project.

The Planning Commission held a public hearing regarding this application on February 22, 2006. At that time, the Commission heard testimony from BTC representatives and neighboring property owners regarding past club activities and the proposed improvements on the site. The Commission requested additional information about past social events held at the club and continued the hearing to March 8, 2006 to allow BTC time to collect and present the requested information.

### ANALYSIS

The applicant has now submitted information about social events held at BTC in the past three years (**Exhibit 5**), including tables listing the various different events held at the club from 2003 through 2005. The tables include information about the number of people attending the events; times the events ended; whether the events involved tennis or were social in nature; whether music was played; and whether the event was held indoors or outdoors. A review of the tables reveals the following information:

1. The total number of social events has remained relatively stable, with 28 held in 2003, 25 in 2004 and 24 in 2005. In addition, the tables indicate that a "Sunday Night BBQ" was held on summer Sundays each year.
2. The number of club rentals for social events has remained similarly stable, with 6 such events in 2003, 7 in 2004 and 8 in 2005.



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3. Although most of these events have not run into late night hours, a number of social events have ended at 10:00 p.m. or later each year; 14 such late night events in 2003, 10 in 2004 and 11 in 2005. Only the annual holiday party extended as late as 10:30 p.m.
4. Similarly, 3 club rental social events went past 10:00 p.m. in 2003, 2 in 2004 and 2 in 2005; 6 of these 7 late night events ended at 11:30 p.m. or later.
5. Claims of neighbors of events with more than 100 attendees appear to be exaggerated. Only 4 social events have been held in the past three years which have attracted 100 or more people. The maximum attendance at a club rental event was 75.

The applicant has also submitted written information elaborating on issues discussed at the previous Commission meeting, addressing noise measurements and design efforts to alleviate noise; past and present club membership levels; and the intent of the club to maintain its current character. A supplemental letter has also been received from the club's acoustical consultant (**Exhibit 6**) elaborating on the proposed measures that would reduce noise concerns.

During the previous public hearing for this application, the Planning Commission indicated the possibility of adding several conditions of approval to the draft resolution approving the conditional use permit. Possible conditions of approval included:

- Limits on the number of social events to be held each year;
- Direction to the Design Review Board to consider lowering the height of the roofline of the fitness center by one to two feet (1'-2');
- Requiring a BTC staff member to be present during all social events and to be able to be contacted by neighbors if issues arise during these events; and
- A six (6) month review of the use permit, with possible ongoing periodic review of the use.

The draft resolution for the proposed application has been revised to include these requirements, and is attached as **Exhibit 1**.

### 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.

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### EXHIBITS

1. Draft resolution
2. Permit Chronology for Belvedere Tennis Club
3. Planning Commission Resolution No. 2004-03
4. Planning Commission Staff report dated February 22, 2006
5. Supplemental information submitted by the Belvedere Tennis Club, dated March 1, 2006
6. Letter from Charles M. Salter Associates, Inc., dated February 28, 2006
7. Letter from Gus and Delores Ezcurra, dated February 26, 2006
8. Letter from L. J. Keller, dated February 27, 2006
9. Letter from Donna and Sylvan Kline, dated February 27, 2006
10. Letter from Cynthia Hawkins, dated February 27, 2006
11. Letter from Alice Cannistraci, dated February 27, 2006
12. Letter from Judy Bell, dated February 27, 2006
13. Letter from Matt Bell, dated February 28, 2006
14. Letter from Steve and Deb Bendinelli, dated February 28, 2006
15. Letter from Ian and Julie Pearson, dated March 1, 2006