





# Town of Tiburon

## STAFF REPORT

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### BACKGROUND

The recent improvements to the St. Hilary Church facilities were approved under a conditional use permit approved by the Town Council on December 6, 2000. This use permit included analysis of circulation improvements for the church property, including the construction of a new driveway entrance leading directly to Rock Hill Drive. Three conditions of approval were attached to the use permit related to these circulation improvements:

10. After completion of the new classroom addition and associated circulation improvements, traffic for children in Grades 6-8, except for school buses, shall not use the Hilary Drive entrance in the morning, but during that time shall ingress and egress off Rock Hill Drive directly.
11. A school representative shall be posted for the primary purpose of controlling vehicular speed at the corner of Rock Hill Drive and Hilary Drive and another school representative shall be posted at the Hilary Drive entrance to the St. Hilary property on all school days from 7:30 a.m. to 8:10 a.m.
20. All traffic using the gymnasium shall only ingress and egress using the entrances on Rock Hill Drive.

### ANALYSIS

The applicant has indicated that the proposed gate is intended to address safety and security issues associated with the operation of the church and school. The gate is intended to provide safety for children playing on the nearby playground, and security during hours when evening hours for church residents. The applicant has also indicated that the gate is intended to discourage trespassing by motorists driving through the property at night and pedestrians using the property to walk dogs. The gate would also be used to better control traffic during high volume events on the property.

The distance between the proposed gate and the property line, combined with the additional turnaround space, should provide adequate exiting space for vehicles that accidentally attempt to enter the property when the gates are closed. The Town Engineer has preliminarily reviewed the plans, and has raised a concern about the potential placement of a drainage basin behind the proposed fence; such basins should be readily available in case of flooding. It is recommended that the location of all drainage and curb improvements be approved by the Town Engineer prior to construction.

The applicant has not indicated specific hours during which the gates would be closed, although the gates would be closed during most evening hours. Vehicles on the site after the gates have closed would be able to egress using an automatic gate leading onto Rock Hill Drive. Authorization for the keyless entry system for the gate would be given to various people designated by the church, as well as to the Tiburon Police Department and Tiburon Fire Protection District.



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It is unclear how the gate operation would affect other traffic during school hours. Vehicles may be able to enter the site using the Rock Hill Drive driveways, as long as school activities do not block this area. There appears to be sufficient parking around the gymnasium in the western portion of the upper area of the site to handle most routine daytime traffic. Evening traffic, and all traffic using the gymnasium, would use these other driveways as well.

The timing of the installation of the gate is a potential concern. At this time, the other circulation improvements have not been completed on this property, making the current access from Hilary Drive a necessity. It is recommended that any approval of the requested gate include a condition of approval stating that the gate not be installed until such time as traffic is able to use both of the driveways leading directly onto Rock Hill Drive.

The requested security gate should only be approved if the Design Review Board determines that the gate would be consistent with the conditional use permit for the expansion of the church facilities. If the Board determines that the gate would be consistent with the circulation improvements and requirements required by the use permit, the gate may be approved. The Design Review Board may refer the question of consistency with the use permit to the Town Council for determination prior to a decision on the Site Plan and Architectural Review application.

### **PUBLIC COMMENT**

As of the date of this report, no written comments have been received regarding the subject application.

### **RECOMMENDATION**

The Board should review this project with respect to Zoning Ordinance Sections 4.02.07 (Guiding Principles) and determine that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) as specified in Section 15303. If the Board finds the design to be acceptable and in conformance with the Town's Design Guidelines and the conditional use permit for this property, and can make the necessary findings to approve the project, Staff recommends that the attached conditions of approval be applied.

### **ATTACHMENTS**

1. Conditions of approval
2. Application and supplemental materials
3. Town Council Resolution No. 3463
4. Submitted plans

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### CONDITIONS OF APPROVAL

#### 761 HILARY DRIVE

#### FILE #703094

1. This approval shall be used within three (3) years of the approval date, and shall become null and void unless a building permit has been issued. The security gate shall not be installed until such time as permanent access is available for the driveways leading directly onto Rock Hill Drive.
2. The development of this project shall conform with the application dated by the Town of Tiburon on August 4, 2003, or as amended by these conditions of approval. Any modifications to the plans of August 4, 2003, must be reviewed and approved by the Design Review Board.
3. Plans submitted to the Building Department for plan check shall be identical to those approved by the Design Review Board. If any changes are made to the approved Design Review plans, the permit holder is responsible for clearly identifying all such changes when submitted to the Building Department for plan check. Such changes must be clearly highlighted (with a "bubble" or "cloud") on the submitted plans. A list describing in detail all such changes shall be submitted and attached to the building plans, with a signature block to be signed by the Design Review Staff member indicating that these changes have been reviewed and are approved, or require additional Design Review. All changes that have not been explicitly approved by Staff as part of the Building Plan Check process are not approved. Construction that does not have Design Review approval is not valid and shall be subject to stop work orders and may require removal.
4. The applicant must meet all requirements of other agencies prior to the issuance of a building permit for this project.
5. The applicant shall comply with all requirements of the Town Engineer. Any drainage improvements shall be reviewed and installed to the satisfaction of the Town Engineer.
6. Authorized access shall be provided for the security gate to the Tiburon Police Department and Tiburon Fire Protection District.