

Town of Tiburon

STAFF REPORT

AGENDA ITEM _____



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TO: **PLANNING COMMISSION**

FROM: **SCOTT ANDERSON, DIRECTOR OF COMMUNITY DEVELOPMENT**

SUBJECT: **1501 TIBURON BOULEVARD: BELVEDERE-TIBURON LIBRARY EXPANSION PROJECT. GENERAL PLAN AMENDMENT, REZONING, AMENDMENTS TO POINT TIBURON MASTER & PRECISE PLAN AND MITIGATED NEGATIVE DECLARATION; BELVEDERE-TIBURON LIBRARY AGENCY, OWNER AND APPLICANT**

MEETING DATE: **APRIL 28, 2004** REPORT DATE: **APRIL 22, 2004**

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PROJECT DATA

Address:	1501 Tiburon Boulevard
AP No.:	58-171-90 and 58-171-62 (portion)
File No.:	GPA 2003-01; R 2003-01; 40301; 30304
General Plan:	P (Public) and OS (Open Space)
Zoning:	P (Public) and OS (Open Space)
Property Size:	0.90 acres (P portion); 0.37 acres (OS portion)
Subdivision:	Point Tiburon (RM 19-4); 1984
Current Use:	Existing Library and undeveloped parcel
Owner:	Belvedere-Tiburon Library Agency & Town of Tiburon
Applicant:	Belvedere-Tiburon Library Agency & Town of Tiburon
Date Complete:	12/6/2003
PSA Deadline:	Not applicable

PROJECT DESCRIPTION

The approximately 10,000 square-foot Belvedere-Tiburon Public Library building was constructed in 1997 on land donated to the Town of Tiburon by the Zelinsky family, and subsequently conveyed from the Town to the Belvedere-Tiburon Library Agency (BTLA).

The BTLA indicates that the demand for its services and facilities has risen dramatically each year since the building was occupied, and that insufficient space exists to accommodate the current patronage as well as projected future increases in patronage.



Town of Tiburon

STAFF REPORT

BTLA is therefore proposing a major expansion of its existing building. The current applications filed are for a general plan amendment, rezoning, and amendments to the Point Tiburon Master Plan and Point Tiburon Precise Plan. Should the expansion project move forward, future entitlements that would include a specific size and design of the additions would be submitted for review and approval.

For environmental review purposes, a relatively large-scale expansion was assumed and analyzed. It is highly possible that a somewhat smaller expansion would be proposed at the time of the future conditional use permit application.

The expansion project analyzed in this report would consist of three primary additions to the facility, as follows:

- 1) A one-story 700 square foot addition to the existing building to be located at the corner of the building nearest the Tiburon Boulevard/Mar West Street intersection;
- 2) A one-story 1,750 square foot addition to the rear of the existing building to be located on the current BTLA parcel;
- 3) A two-story 14,400 square foot new building to be located on a Town-owned parcel located behind the existing Library facility.

The existing Library building and the new two-story building would be connected by a small (225 sq. ft.) one-story corridor element, also proposed on the Town-owned parcel. Please refer to **Figure 1** below. A larger-scale drawing (Schematic A) is included in the Commission's packet as **Attachment A**.

When the applications were first filed in November 2003, the above-described additions totaling 17,075 square feet were proposed to provide space for the following activities:

- Increased space for children's services and programs.
- A young adult/teen shelving, study, and program area.
- Quiet, private research and study areas.
- Enlarged community meeting room.
- Storage space.
- Office space.
- Shelving space.
- Possible joint venture project development for offices of the Belvedere-Tiburon Joint Recreation Agency and Belvedere-Tiburon Landmarks Society archives.

In March 2004, the Belvedere-Tiburon Landmarks Society decided not to be a partner in the expansion project (see **Exhibit 1**).

Town of Tiburon
STAFF REPORT





Town of Tiburon

STAFF REPORT

As noted above, the first approvals required for the project would be a General Plan Map Amendment and a Zoning Map amendment to change the designation from “Open Space” to “Public/Quasi-Public”. Concurrently, amendments to the Point Tiburon Master Plan and Point Tiburon Precise Plan would be pursued to reflect the change from “Open Space” uses to “Public” uses, including buildings, in those Plans.

Following an approval of these legislative actions, the BTLA would be able to proceed with final site planning and design for the new building addition. Actual square footage, design, and use of the additions would be determined during the conditional use permit and design review stage of application review. Future required approvals (i.e., not being requested at this time) would include a conditional use permit, lot line adjustment, design review, encroachment permit, and building permit. An amendment to the Point Tiburon Precise Plan would also be required once the actual square footage of the project is determined. Eventually, the portion of Town-owned land would be transferred to the Library Agency and merged with the parcel on which the current Library building is located.

Table 1: Summary of Proposed Uses

Use	Square Footage
Belvedere-Tiburon Library	9,275 sq. ft.
Recreation Department	1,450 sq. ft.
Landmarks Society*	6,350 sq. ft.
TOTAL	17,075 sq. ft.

*Subject to change due to withdrawal from project

The project, as analyzed for environmental review purposes, assumed the following parameters:

- The construction of a new building addition of approximately 14,400 square feet and additions onto the existing library building totaling 2,675 square feet. The new building would be no more than two stories in height. The various uses proposed within the new building are shown in **Table 1** above.
- No new library employees are proposed to work within the new building; however, more space would be provided for existing employees. Currently, the library has an average of 10 employees during the day and 3 employees for the evening and weekend hours. It is planned that shelving space provided by the additional square footage would increase the library’s capacity from 60,000 books to 90,000. The library’s community room would be twice the current space of the community room, increasing from 655 square feet to 1,300 square feet.
- A total of eight employees would be associated with the Recreation Department which is currently housed adjacent to the Library in the Tiburon Town Hall. Thus, no new parking would be required since these employees would park in the same area where they currently park. The vacated Recreation Department space at Tiburon Town Hall would be used as office space for existing employees and for

Town of Tiburon

STAFF REPORT



storage uses and is not anticipated to be used by additional Town Hall employees. The Landmarks Society is expected to have up to four employees.

- Hours of operation are proposed to be the following: 9 AM to 6 PM on Monday; 9 AM to 9 PM on Tuesday, Wednesday, and Thursday; 9 AM to 5 PM Friday and Saturday; and 1 to 5 PM on Sunday. The Recreation Department and Landmarks Society employees would work from 9 AM to 5 PM, Monday through Friday. Some evening activities such as lectures, movie screenings, and similar civic activities would occur in the new addition and could occur up until 9:30 PM during weekdays.
- There are a total of 55 public parking spaces serving the Library/Town Hall complex. On-street parking along Tiburon Boulevard and Mar West Street is also usually available to Library/Town Hall users. A total of eight (8) new parking spaces are proposed to be located on the site adjacent to Mar West Street (see Figure 1), which would eliminate one existing parallel parking space for a net gain of seven spaces, bringing the total parking space count to 62 spaces. The Town Hall and Recreation Department currently lease (on a short-term basis) 25 parking spaces for employee use in the privately-owned pay-parking lot adjacent to (east of) Town Hall. The Library also leases a small number of parking spaces in this lot on a month-to-month basis. The long-term disposition of this parking lease is not known. If paved and improved, this private parking lot could accommodate up to 80 parking spaces.
- The site is fairly level and thus extensive grading is not anticipated, although some minor filling will probably be required. The exact amount of grading would be determined when a specific building design is finalized. Construction vehicles are anticipated to use Tiburon Boulevard and Mar West Street for access to the site. The duration of construction is not known, but would probably be less than one year.

ENVIRONMENTAL REVIEW

An Initial Study and draft mitigated negative declaration were prepared for this project by the Town of Tiburon and released for public review and comment on March 10, 2004. Planning Commissioners received their copies of the document at that time.

The Initial Study identified the potential for environmental impacts in the following topical areas: Aesthetics, Biological Resources, Cultural Resources, Hydrology & Water Quality, Noise, Recreation, Geology/Soils, Land Use Planning & Transportation/Traffic. The Initial Study concluded that mitigation measures accepted by the applicant would reduce the potential impacts to less-than-significant levels.



Town of Tiburon

STAFF REPORT

The public comment period on the draft mitigated negative declaration closed on April 2, 2004. Four comment letters, attached as **Exhibits 2 through 5**, were received as follows:

1. Robert Hess & Company received March 15, 2004
2. Mary Morrison received March 16, 2004
3. Marin Municipal Water District received March 22, 2004
4. Marin Audubon Society received April 1, 2004

Environmental issues raised in the letters include concerns about parking adequacy, proximity to sensitive habitat (Railroad Marsh), visual (mass) impacts, and view blockage. Staff is of the opinion that potential impacts on parking, aesthetics, and view blockage are adequately addressed in the mitigation measures for this conceptual stage of project review.

The Hess Company and Marin Audubon letters raise biological impact concerns that have been responded to by the project biologist, Jim Martin, in a letter (**Exhibit 6**) dated April 22, 2004.

Mr. Martin's letter clarifies the issue of the exact boundary of the wetlands, which could only be officially determined by a wetlands delineation process verified by the Army Corps of Engineers (Corps). Staff is of the opinion that Mr. Martin's wetlands assumed location for the wetlands boundary is essentially accurate, if not somewhat conservative. However, should the Commission have lingering concerns about "filling" of Railroad Marsh, and/or desire formal verification of the wetlands boundary, provisions could be added to Mitigation Measure Biology-1 that prohibit any filling of Railroad Marsh and require that a Corps wetlands determination be submitted along with any future application for a conditional use permit.

Mr. Martin's letter has also responded to the issue of the sufficiency of the "buffer area" between the project and Railroad Marsh, concluding that mitigation measures would fully mitigate any remotely potential direct or indirect impacts of the project on biological resources.

If the Commission concludes that a more substantial buffer than that analyzed in the Initial Study is preferable, the BTLA has produced two site planning options (Schematic B and Schematic C) that would increase the buffer between Railroad Marsh and the proposed project. Schematic B shows an approximately 50 foot separation between the building and the edge of water, while Schematic C shows an approximately 60 foot buffer between the building and the edge of water and could accommodate a buffer of approximately 40 feet between the edge of path and the edge of water. These schematic options are attached as **Exhibits 7 and 8**. The BTLA has indicated that either option would be acceptable to it in terms of buffer area and distance from Railroad



Town of Tiburon

STAFF REPORT

Marsh. Staff notes that both options incorporate a highly-desirable continuous public sidewalk extension along the Library frontage toward the Tiburon Peninsula Club.

Staff concludes that there is no substantial evidence in the record to support a reasonable conclusion that a significant adverse impact on the environment would result from the project after mitigation.

However, should the Commission desire to establish a minimum buffer distance at this time, such distances could be added to provisions of Mitigation Measure Biology-2. Possible additions to the mitigation measures are attached as **Exhibit 12**.

GENERAL PLAN CONSISTENCY

The proposal would re-designate an approximately 16,000 square foot portion of Town-owned land located behind the existing Library building from OS (Open Space) to P (Public/Quasi-Public) on the General Plan Proposed Land Use Diagram to accommodate the largest portion of the proposed expansion. The FAR limit for the Public/Quasi-Public land use designation is 1.0; the proposal would result in an FAR of approximately 0.5. If the general plan amendment is approved, the expansion project would be consistent with the Tiburon General Plan land use designation. Consistency with applicable General Plan policies is addressed in attached **Exhibit 9**.

The Town-owned property upon which the largest portion of the proposed expansion would occur is part of a much larger 4.6-acre parcel, known as Lot 10, which was dedicated to the Town in 1984 by the Innisfree Companies as part of the Point Tiburon Subdivision. The property was not purchased with 1972 Open Space Bond funds. The listed uses in the dedication were “public open space and flood control use”. Reversionary rights were attached by the Innisfree Companies to the dedication, but those reversionary rights were forever released by Innisfree in 1997. Lot 10 comprises most of Railroad Marsh and its surrounding flood plain, as well as areas above the flood plain. While now partially improved as a public park with the installation of Zelinsky Park, the area directly behind the current Library and Town Hall buildings remained unimproved until 1999. Various recreational improvements were explored for this area following its dedication to the Town, including tennis courts, volleyball courts, bocce ball courts, and a non-regulation soccer field. In the early 1990’s, the Town determined that less “active” recreational uses were more appropriate.

General Plan Policy OSC-13 sets forth the Town’s general policy that “....open space which has been devoted to open space use shall be protected and made permanent open space.....open space parcels will not be traded or sold.” While not particularly well-written in its complete form, the general intent of this policy is a very good one. The Town treasures its open space resources in general, and strives to expand its open



Town of Tiburon

STAFF REPORT

space holdings whenever possible. In this particular instance, it could be argued that this area has not been “devoted to open space use” since active recreational uses were clearly contemplated by the Town for this area, and it was eventually developed with a public park at which numerous lively public events and celebrations have been held.

Furthermore, the Town has the authority to interpret its general policies, and deviate from them if warranted. Approval of the requested general plan amendment by the Town Council could be interpreted as a deviation from general policy and should state the justifications for doing so. Such a decision should not be made lightly, but it is essentially a political determination as opposed to a legal determination. In this particular case, the conversion of a little-used and unimproved portion of Zelinsky Park to a highly-popular public library use which would serve a broad segment of the Tiburon Peninsula’s population could alone be viewed as a reasonable justification.

Staff concludes that, on balance, the project would further the goals and objectives of the Tiburon General Plan and would be consistent with it.

ZONING ORDINANCE CONFORMANCE

Uses/Land & Structure Regulations

The proposal would rezone a portion of Town-owned land from OS (Open Space) to P (Public/Quasi-Public) on the Town’s Zoning Map to accommodate the largest portion of the proposed expansion. The existing Library building is already located on property in the P zone. This zone allows a floor area ratio of up to 1.0 and has no minimum setbacks (they are determined through conditional use permit and/or design review approvals), has a minimum lot size of 10,000 square feet, a lot coverage limit of 50%, and a height limit of 30 feet. The P zone requires a conditional use permit for construction of public buildings or additions to buildings. The expansion project as analyzed herein would conform to these zoning parameters set forth in the P zone. Of course, more detailed information regarding an actual building footprint and design would become known at the conditional use permit and/or design review stages.

Parking

The issue of parking is discussed in the Initial Study at pp. 53-57. As the total size and use characteristics of any future Library addition are not known at this time, a parking “standard” was established as a mitigation measure to be applied during subsequent phases of project approval. Adoption of this “standard” would reduce potential parking impacts to a less than significant level. The Initial Study also noted that the current Tiburon Zoning Ordinance parking standard for libraries is excessive. Staff will initiate a review of the Town’s parking standards to address this and similar parking standard issues in the near future.



Town of Tiburon

STAFF REPORT

Staff believes that the provision of an outdoor book return bin associated with the Mar West Street frontage could also be beneficial for parking and circulation purposes, and recommends this be added to the list of items under Mitigation Measure Traffic-2 (see Exhibit 12).

Staff concludes that the rezoning would be consistent with the objectives of the Tiburon Zoning Ordinance and would not be detrimental to the public health, safety and welfare.

CONFORMANCE WITH MASTER PLANS AND PRECISE PLANS

A portion of the project site (the approximately 16,000 square foot Town-owned portion) is located within the boundaries of the Point Tiburon Planned Development (PD#42). The Point Tiburon Master Plan and the Point Tiburon Precise Plan both designate the 16,000 square foot portion for "Open Space" uses (see **Exhibit 10**). The proposed amendments to these Plans would re-designate the 16,000 square foot portion as "Public Uses, including Public Buildings". Approval of the requested amendment would achieve conformance with the Point Tiburon Master Plan. The Point Tiburon Precise Plan, in addition to designating the site for open space uses, establishes a maximum square footage of development for the entirety of the 38-acre Point Tiburon Planned Development. The current square footage limit for the Point Tiburon Planned Development is 280,600 square feet, comprised of 155 residential units and the Point Tiburon Plaza commercial area. Once a specific square footage for the Library addition within the Point Tiburon Planned Development is known, a Precise Plan amendment would need to be initiated to increase the square footage limit and bring the project into full conformance with the Point Tiburon Precise Plan.

NEXT STEPS AND FUTURE APPROVALS NEEDED

The Planning Commission's action on these applications will constitute a recommendation to the Town Council. If the Town Council approves the applications, future required approvals would include a conditional use permit, lot line adjustment, design review, encroachment permit, building permit, and sign permit. An additional amendment to the Point Tiburon Precise Plan would also be required once the actual square footage of the project was more conclusively determined.

RECOMMENDATION

Staff recommends that the Planning Commission determine whether to include the additional mitigation measures contained in attached **Exhibit 12**.

Town of Tiburon

STAFF REPORT



Staff recommends that the Planning Commission adopt the Resolution (**Exhibit 11**) recommending approval of the general plan amendment, rezoning, Point Tiburon Master Plan amendment, and Point Tiburon Precise Plan amendment to the Town Council.

ATTACHMENTS

- A. Large-scale drawing of site and schematic plan.

EXHIBITS

1. Letter from Landmarks Society (dated 3/20/04) received April 1, 2004.
2. Letter from Robert Hess & Company received March 15, 2004
3. Correspondence from Mary Morrison received March 16, 2004
4. Letter from Marin Municipal Water District received March 22, 2004
5. Letter from Marin Audubon Society received April 1, 2004
6. Letter from Jim Martin, Environmental Collaborative, dated April 22, 2004.
7. Schematic B showing alternate conceptual site plan.
8. Schematic C showing alternate conceptual site plan with increased buffer.
9. Excerpt from Initial Study listing applicable General Plan policies.
10. Point Tiburon Master Plan/Precise Plan drawing showing approved open space use.
11. Draft Resolution.
12. Possible additions to mitigation measures.