

Town of Tiburon

STAFF REPORT



AGENDA ITEM _____

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TO: **PLANNING COMMISSION**

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

SUBJECT: **FILE #10404: SCOPING SESSION FOR AN ENVIRONMENTAL IMPACT REPORT (EIR) TO BE PREPARED FOR A PROPOSED EXPANSION TO AN EXISTING RELIGIOUS FACILITY AND DAY SCHOOL (CONGREGATION KOL SHOFAR); 215 BLACKFIELD DRIVE; ASSESSOR'S PARCEL NO. 38-351-34**

MEETING DATE: **DECEMBER 8, 2004** REVIEWED BY: SA

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PROJECT DATA

Address:	215 Blackfield Drive
Assessor's Parcel Number:	38-351-34
File Number:	10404
Lot Size:	6.94 Acres
General Plan:	Medium Low Density Residential
Zoning:	RO-1 (Single-Family Residential – Open)
Current Use:	Religious Facility/Day School
Owners:	Congregation Kol Shofar
Applicant:	Scott Hochstrasser/IPA, Inc.
Date Complete:	August 27, 2004

PROJECT DESCRIPTION

The proposed project involves the request for a conditional use permit for the expansion of an existing religious facility and day school (Congregation Kol Shofar). The subject property is a 6.94 acre site located at 215 Blackfield Drive, and borders Blackfield Drive, Via Los Altos and Reedland Woods Way. The site is generally surrounded by single-family residential neighborhoods.

The site was originally developed with a public middle school in the 1970's. The property was purchased in the 1984 by the current owners and a conditional use permit (File #48404) was approved in 1985 for the operation of a religious facility and day school. This use permit has since been periodically reviewed by the Town, and has been modified in 1997 (Resolution No. 97-17), 2001 (Resolution No. 2001-07) and earlier this year (Resolution No. 2004-10).

The following improvements are proposed as part of this application:

- Construction of a 9,733 square foot multi-purpose room with a seating capacity of 300 people.



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- Construction of four new classrooms on the northwest side of the building with 3,662 square feet of floor area.
- Construction of a new parking area connected to the existing lower parking lot on the site and other parking and circulation improvements, resulting in an increase of 40 on-site parking spaces.
- Landscaping changes to provide privacy and headlight protection for neighboring residents.
- Various interior remodeling changes that involve no exterior modifications to the existing building.

The applicant has stated that the proposed improvements are intended to meet the existing needs of the congregation, without leading to an expansion of their membership. In particular, the primary intent of the proposed multi-purpose room is to allow members to hold “life cycle events” (such as weddings, bar mitzvahs, etc.) on the premises instead of the current practice of holding such events at other locations. However, the project description states that the following new events would occur as a result of the proposed expansion:

- New congregational activities on Saturday and Sunday evenings, up to 40 times per year, with up to 300 people attending;
- Expanded congregational dinners on Friday evenings, 25 times per year, with up to 100 people attending;
- Expanded events on weekday evenings, 25 times per year, with up to 150 people attending; and
- Reducing the number of services on High Holidays from two services to one.

The proposed new classrooms are intended to support an increase in the enrollment of the existing pre-school on the site. The school enrollment is intended to gradually increase from the current level of 100 children to a total of 150 children.

ENVIRONMENTAL ANALYSIS

The applicant has prepared a series of studies that analyze the existing environmental conditions of the property, estimate some of the impacts of the proposed project, and propose mitigation measures to address these potential impacts. These studies include analysis of the geology, traffic and parking, noise, lighting and visual analysis of the site and the proposed project. Copies of these preliminary studies are available for review at the Planning Division.



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It is anticipated that the primary subjects of focus for the environmental review of this project will be traffic and circulation, noise, lighting and land use compatibility. The following summarizes these and other potential issues that will be reviewed by the EIR for this application:

- Traffic and parking: The increased traffic and demand for parking resulting from the revised schedule for High Holidays services and new events held in the proposed multi-purpose room and existing facilities need to be evaluated, along with any impacts resulting from the proposed on-site circulation improvements.
- Noise: Potential noise impacts from activities within and around the proposed multi-purpose room, noise from increased traffic and the revised parking lot, and project construction noise impacts on homes in the vicinity will be evaluated.
- Lighting: Possible light and glare resulting from headlights in new and existing parking area and from new exterior lighting fixtures will be evaluated.
- Land use compatibility: Any potential land use conflicts on the surrounding residential neighborhoods arising from the increased activity levels on the site will be evaluated.
- Visual: The appearance of the proposed multi-purpose room, classrooms and parking improvements on the site shall be evaluated from the existing residential areas surrounding the site.
- Drainage: Drainage from the site caused by the increase in impervious surfaces shall be evaluated for downstream impacts between the subject property and Richardson Bay.
- Geological: Any impacts from the 1,100 cubic yards of earth movement proposed by the project will be evaluated.
- Biological: Any impacts from the removal of eleven trees on the site (including one oak tree) and the planting of 103 new trees shall be evaluated.

The EIR will provide a thorough analysis of the existing conditions and review of the information prepared by the applicant. Other potentially significant impacts would also be analyzed within the EIR, but in less detail. Studies provided by the applicant will be peer reviewed by the EIR consultant or his subconsultants.

ROLE OF THE SCOPING SESSION

The California Environmental Quality Act (CEQA) and the Town of Tiburon Environmental Review Guidelines describe the procedures for the preparation of an Environmental Impact Report. To insure that the EIR addresses all pertinent environmental issues related to the project, CEQA provides for scoping sessions to be held at the beginning of the review process. The scoping session helps to identify the range of actions, alternatives, mitigation measures and



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significant effects to be analyzed in depth by the EIR. The scoping session is set at a public meeting to solicit input from the Planning Commission and the public regarding how these issues are addressed in the EIR.

To be included within the scope of the EIR, CEQA requires that substantial evidence be presented which supports a fair argument that potentially significant impacts would be caused by the project. Speculation about potential impacts which is founded upon hearsay, conjecture and/or other unsubstantiated evidence cannot be used to require study of additional areas by the EIR.

The Town has selected a consultant (Leonard Charles & Associates) to prepare the initial study and EIR. The initial study is being prepared and will be circulated for review. Once the scoping session is completed, work will proceed on the EIR. Mr. Charles or his representative will be present at the scoping meeting.

The scoping session is the first of several public meetings to be held regarding this application. Once the Draft EIR (DEIR) has been prepared, a hearing will be held to discuss the adequacy of the environmental review in that document; the consultant will prepare responses to comments made about the DEIR and the Final EIR, to be presented for certification by the Planning Commission. After certification, a hearing will be held to discuss the merits of the project itself.

As a result, public testimony at the scoping session should be limited to comments about issues that should be addressed in the EIR. Comments about the merits of the project itself or discussions about the historical relationship between the applicant and the surrounding neighborhoods should be reserved for later meetings on this application.

RECOMMENDATION

Staff recommends that the Planning Commission conduct the scoping session, take public testimony on this item and give direction regarding the issues to be addressed in the Environmental Impact Report to be prepared for the proposed project.

EXHIBITS

1. Project description (previously distributed)
2. Submitted plans (previously distributed)