



TOWN OF TIBURON
Tiburon Town Hall
1505 Tiburon Boulevard
Tiburon, CA 94920

Action and Approved Minutes - Regular Meeting
Tiburon Planning Commission
September 14, 2011 – 7:30 PM

ACTION MINUTES

TIBURON PLANNING COMMISSION

CALL TO ORDER AND ROLL CALL **At 7:30 PM**

Chairman Corcoran, Vice Chair Tollini, Commissioner Doyle, Commissioner Kunzweiler,
Commissioner Weller **All Commissioners Present**

ORAL COMMUNICATIONS **There Were None**

Persons wishing to address the Planning Commission on any subject not on the agenda may do so under this portion of the agenda. Please note that the Planning Commission is not able to undertake extended discussion, or take action on, items that do not appear on this agenda. Matters requiring action will be referred to Town Staff for consideration and/or placed on a future Planning Commission agenda. Please limit your comments to no more than three (3) minutes. Testimony regarding matters not on the agenda will not be considered part of the administrative record.

COMMISSION AND STAFF BRIEFING

Commission and Committee Reports
Director's Report

PUBLIC HEARING

1. Belvedere-Tiburon Public Library Expansion Project: 1501 and 1505 Tiburon Boulevard; Consideration of Final EIR and Project Merits of Applications for General Plan Amendment, Rezoning, and Amendments to the Point Tiburon Master Plan and Point Tiburon Precise Plan; Belvedere-Tiburon Library and Town of Tiburon, owners; Belvedere-Tiburon Library Agency, applicant; Assessor Parcel Nos. 058-171-92, 93, & 94 and a portion of 058-171-62; proposal to expand the Public Library by approximately 17,000 square feet.
Recommended Certification of EIR (3-2) **Recommended Conditional Approval (5-0)**

MINUTES

2. Planning Commission Minutes – Regular Meeting of August 24, 2011
Adopted as Amended 4-0-1

ADJOURNMENT **At 12:10 AM**

PLANNING COMMISSION
APPROVED MINUTES NO. 1012
September 14, 2011
Regular Meeting
Town of Tiburon Council Chambers
1505 Tiburon Boulevard, Tiburon, California

CALL TO ORDER AND ROLL CALL:

Chair Corcoran called the meeting to order at 7:30 p.m.

Present: Chair Corcoran, Vice-Chair Tollini, Commissioners Doyle, Kunzweiler and Weller

Absent: None

Staff Present: Director of Community Development Anderson, Environmental Consultant Leonard Charles and Minutes Clerk Levison

ORAL COMMUNICATIONS: None

PUBLIC HEARING:

- BELVEDERE-TIBURON PUBLIC LIBRARY EXPANSION PROJECT: 1501 AND 1505 TIBURON BOULEVARD; CONSIDERATION OF FINAL EIR AND PROJECT MERITS OF APPLICATIONS FOR GENERAL PLAN AMENDMENT, REZONING, AND AMENDMENTS TO THE POINT TIBURON MASTER PLAN AND POINT TIBURON PRECISE PLAN;** Belvedere-Tiburon Library and Town of Tiburon, owners; Belvedere-Tiburon Library Agency, applicant; Assessor Parcel Nos. 058-171-92, 93, & 94 and a portion of 058-171-62; proposal to expand the Public Library by approximately 17,000 square feet.

Community Development Director Anderson presented the staff report, stating that the approximately 10,500 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) for public library purposes. The BTLA indicates that its usership has increased to the point that the current facilities lack the space to accommodate current patronage as well as projected future increases in patronage.

It is anticipated that future entitlements for the building would include approval of a specific site plan, layout, and architecture, to be reviewed by the Town Council through a streamlined ordinance process. The purpose of this meeting is for the Commission to take public comment on all relevant aspects of the project, consider the findings of the EIR, and make recommendations to the Town Council regarding certification of the EIR, General Plan amendments, rezonings, and master and precise plan amendments. The Commission may also make additional recommendations concerning the project for subsequent review by the Town Council.

Over the course of project review, the project design and layout has been modified in response to impacts identified and concerns raised. The Library Agency recently submitted a letter agreeing

to abandon the original project in favor of a Refined Alternative D, a site layout based on and very similar to Alternative D as evaluated in the EIR.

A three volume EIR was prepared for the project, with the following key findings:

- **Aesthetics** – Through expansion into the existing parking lot area, the addition would substantially reduce views of the Tiburon Ridge from Tiburon Boulevard and other nearby areas. The EIR identified no mitigation measures but did indicate that Alternative D would reduce this impact to a less than significant level.
- **Air Quality** – The project would conflict with an applicable Bay Area Air Quality Management District plan in that it requires a General Plan Amendment and would result in more "vehicle miles traveled" than if the General Plan were not amended. The EIR identified this as a significant and unavoidable cumulative impact of the project.
- **Biological Resources** - The project would be located in close proximity to Railroad Marsh, a sensitive ecological resource and potential habitat for protected species. The DEIR concluded that establishment of a minimum 25-foot setback/buffer zone from wetland areas would reduce these impacts to less than significant levels. The RDEIR reached a different conclusion, in that increasing the buffer to 50 feet between the shoreline and the project would mitigate these impacts further.
- **Noise** - Construction activities at the project site would result in significant and unavoidable noise and ground vibration.
- **Transportation & Traffic** - Vehicular access to the Library/Town Hall complex resulting from the project would be redirected to a new driveway entrance and exit off Mar West Street; the existing Tiburon Boulevard entry/exit would be eliminated. On-site parking, while relocated, would remain roughly the same and several new and additional on-street parking spaces would be created as a result of the project. The EIR concluded that parking impacts could be reduced to less than significant levels through a number of mitigation measures. It was also noted that the left-hand turn lane leading from Tiburon Boulevard onto Mar West Street would need to be lengthened to accommodate the transfer of access from Tiburon Boulevard.

The EIR examined four alternatives to the project, including a No Project alternative and three on-site development alternatives. The Final EIR concludes that No Project would be the environmentally superior alternative, as it would avoid all the environmental impacts associated with construction and operation of the proposed project. Of the remaining alternatives, Alternative D was identified as the environmentally superior development alternative.

Staff reviewed the Refined Alternative D layout and found it to be very similar to Alternative D in terms of design, layout and potential environmental impacts. Refined Alternative D may encroach slightly further toward the marsh than Alternative D due to proposed perimeter landscaping and a second walkway connecting to Mar West Street. Staff also notes that the entry/exit driveway points and circulation have been reversed with Refined Alternative D, which reversal is less preferable per the Town Engineer.

Concerning General Plan consistency, the project proposes to re-designate an approximately 16,250 square foot portion of Town-owned land located behind the existing Library and Town Hall parcels from OS (Open Space) to P (Public/Quasi-Public) in order to accommodate the new parking lot and the relocated Zelinsky Park. The proposal would also re-designate an approximately 11,750 square foot portion of the Town Hall parcel from NC (Neighborhood

Commercial) to P (Public/Quasi-Public) to correct a mapping error in the 2005 General Plan. The proposal would also amend Policy OSC-20 to allow a setback from wetlands of less than 100 feet under limited circumstances. Staff concludes that, on balance, the project and proposed amendments would further the goals and objectives of the Tiburon General Plan and would be consistent with it.

Consistent with the requested General Plan amendments, 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 parking lot portion of the expansion project. A portion of the existing Town Hall parcel would also be rezoned to correct a pre-existing mapping error. A portion of the project site is located within the boundaries of the Point Tiburon Planned Development, for which the Point Tiburon Master Plan and the Point Tiburon Precise Plan both designate portions of the project site for open space uses. The proposed amendments to these Plans would re-designate a 16,250 square foot portion currently designated as Open Space to "Public Uses, including Public Buildings," though no actual building square footage is proposed to be constructed on the Point Tiburon portion of the project at this time.

The Town received a fair amount of correspondence relating to the project, some in favor and some opposed to the project. Letters of opposition generally focused on opposition to the following:

- The conversion of open space land between the Library and Marsh
- Moving parking farther away from the Town Hall building
- The scale of and need for a much larger Library facility
- Loss of views from individual homes

Staff has identified several issues that should be addressed and/or resolved as part of the Commission's deliberations and recommendations:

- **Visual impacts of ridgeline blockage** – The proposed project would clearly increase visual blockage of the Tiburon Ridgeline as viewed from Tiburon Boulevard and nearby locations. While the EIR concluded that Alternative D would reduce this impact to a less than significant level, it also acknowledged that this is a subjective judgment and reasonable people may differ as to their conclusions. Staff has calculated that approximately 60% of the ridgeline span currently visible from Tiburon Boulevard would be lost under Alternative D. The Commission should discuss whether this remains a significant impact and, if so, whether the Town Council should take additional measures to reduce the impact or override the impact as acceptable for this project.
- **Biological impacts on the marsh and Policy OSC-20** – While the EIR concluded that biological impacts on the marsh could be reduced to less than significant levels, there is still some controversy over this conclusion. There is also some uncertainty as to whether Policy OSC-20 needs to be amended or contains sufficient flexibility as currently written to allow the project to encroach to within 50 feet of the shoreline due to the infeasibility of providing a 100 foot setback. The Commission should take a position on these issues as it sets forth its recommendations to the Town Council.
- **Parking Adequacy** – Under Alternative D, the EIR concluded that parking could be mitigated to a less than significant level. While proposed addition is large, the parking demand is not expected to increase in proportion to the square footage. Staff recommends three additions to the mitigation measures identified by the EIR: 1) additional on-street

parking along the east side of Mar West Street, 2) coordinating major events at the Library and Town Hall to reduce overlapping, and 3) coordinating with nearby parking lot owners to provide occasional overflow parking for unusually large events.

- **Traffic fees** – The General Plan indicates that at build out, the Tiburon Boulevard/Mar West Street intersection will require a traffic signal. While the project would not by itself trigger an installation requirement for the intersection, it would certainly contribute to its need in a significant way. The Town's traffic mitigation fee ordinance currently exempts public projects from payment of traffic mitigation fees, but it seems reasonable that the Town and Library agree on a reasonable contribution for this purpose. The Town received a late letter from Caltrans. While Caltrans is adamant regarding extension of the left-hand turn lane onto Mar West Street at the time of project construction, it does not feel quite as strongly about the signal and is merely “suggesting” that it be installed at the same time.
- **Scale of the expansion** – This continues to be a major area of controversy. The Library Agency has set forth its rationale for the scale of the expansion. In terms of the applications before the Commission, staff recommends that it focus comments on the project’s scale as they relate to environmental impacts of the project and conformance with Town policies and plans.

Chair Corcoran opened the public hearing.

Applicant Presentation:

Beverly Johnson, Library Agency Chair, said the proposed project is beautiful and well thought out, supports the goals of the General Plan, and benefits the entire community. She introduced the design team and library consultant, Kathy Page.

Kathy Page, Page and Moris, presented the Library’s 2006 Space Needs Assessment. She stated that while the architecture and ambience of the current facility is excellent, its traditional layout and lack of space impede the functionality required by today’s users. Current space planning guidelines suggest the need for at least double the current square footage, with particular attention paid to seating capacity, acoustical zoning, programming space, staff areas and flexibility. She stated that on both a national and local level, library use is increasing. The advent of electronic information means that libraries require more space for people to work and access this media. People are also looking to local libraries as a place to gather beyond home and school. The proposed expansion will enable a substantial improvement in service as well as create a community focal point.

Jennifer Devlin, EHDD Architecture, presented the project plans via PowerPoint. She stressed that the design team viewed the project as a gateway to downtown Tiburon and focused on retaining the character that is so vital to this community. She reviewed the project changes under Refined Alternative D, which expands the gap between the library and Town Hall to a minimum of 48 feet. The expansion is broken into two smaller components totaling 17,000 square feet and is fanned to create a more open connection to Zelinsky Park.

The proposed floor plan increases children’s space by roughly 250% plus provides an outdoor children’s courtyard. The plaza is lined with a meeting room twice the size of what is currently available, divisible into two sections. A bookstore and café frame the library entrance, leading to

the preserved and expanded nave. The second floor is an open design, running north to south, and will accommodate areas for periodical, computers, reading, e-books, group study rooms and a teen zone. The overall architectural character is intended to fully complement the original structure and takes advantage of the north-south orientation to help meet LEED certification requirements.

Manuela King, landscape architect, reiterated Ms. Devlin's sentiments in that the expanded Library and Town Hall would create a gateway that is appropriate and fitting the charm of Tiburon. The project expands Zelinsky Park by approximately 3,500 square feet and provides a strong connection to Tiburon Boulevard. The promenade separating the expansion from Town Hall not only provides a graceful connection to the park, it frames open space views from Tiburon Boulevard through a landscaped gateway. The project would also restore a portion of Railroad Marsh with a more defined buffer, riparian and native plantings, and interpretive education.

Robert Stevens, BKF Engineers, reviewed the bio-retention areas and pervious materials aimed at improving the quality of storm water run-off from the site.

Miles Berger, Library Architectural Committee member, said the goal of the committee was to ensure that the design embodies improvements to more than just the library. The current parking area, which blocks access to Zelinsky Park, instead becomes a focus for the Town plaza. The project also serves to increase the virtually non-existent presence of the park, improves the surroundings of Town Hall offices, and provides a larger and more-suitably located children's area.

Ann Aylwin, Reed Union School District, said she is eagerly looking forward to what the new library facility will provide for the ever-expanding school age population. She urged the Commission to recognize the value in this design, which will provide impressive interactive space for children, extensive programming and cultural opportunities, and a much-needed center for the community. She admitted to lingering doubts about the placement of the addition, but said she has become increasingly excited about the critical indoor space and innovative outdoor space it will provide.

Beverly Johnson concluded the applicant presentation by stating that the proposed project would result in a beautiful, functional, cost effective and green building that will frame, rather than block, the much-cherished views of Tiburon Ridge. She respectfully requested that the Commission take action by recommending certification of the EIR and approval of the project application to the Town Council.

Vice Chair Tollini cited difficulty in reconciling the scale of the proposed expansion with the statement that there is not expected to be an increase in the number of library users. Glenn Isaacson, Project Manager, said the statement of purpose is to increase the level of service to current users and additional users in the future.

Vice Chair Tollini asked if the intent is to discontinue the lease of 36 parking spaces from the lot east of Town Hall. Mr. Anderson stated there was no intent to stop leasing those parking spaces.

Commissioner Kunzweiler asked what percentage of floor space is occupied by shelving in the current facility. Ms. Page said at least 50%. She estimated that shelving would occupy

approximately 30% of floor space in the expanded facility. When asked, she could not provide an average library ratio because the needs and emphasis vary greatly from community to community.

Commissioner Kunzweiler asked Ms. Page to comment on the need for a larger library when electronic media is so widely used today. Ms. Page explained that much of the expansion is for people space, not materials. She said that the evolution of media is ever changing and as one cuts back on printed materials, the need for increased seating and technology increases.

Commissioner Weller asked how many similarly-sized communities have commercial bookstores and cafes associated with their libraries. Ms. Page said it is more frequent than one might think. She noted that the City of Mill Valley has a commercial bookstore and is in the process of putting in a café at its own library. These amenities are tied to people wanting and expecting to spend more time on site and the scale of these uses can be adjusted to suit any community.

Commissioner Doyle referred to the project plans and commented that it would appear 50% of the existing square footage is to be used for staff space, which he considered excessive. Ms. Page disagreed with the estimate and suggested that it would be more on order of 15-20% of the net square footage, which is typical for an independent community library of this size. Ms. Devlin noted that the areas designated as staff space include many infrastructure items such as restrooms and technology closets.

Commissioner Weller asked where the current storage and temporary structures behind Town Hall would reside in the new plan. Mr. Anderson explained that the mobile mini storage unit behind Town Hall contains archived planning and building records. The intent is to move those materials into Town Hall once the Belvedere-Tiburon Joint Recreation agency moves to its anticipated new facility at Ned's Way.

Public Comments:

Terry Hennessey, Marsh Road, said she served on the Town Council at the time it approved the Town's gift of land to the library. She is a regular library user and does support a modest expansion. However, the proposed project is not appropriate for the current site nor is it justified for a population of 12,500. She cited other objections relating to decreased accessibility, especially to Town Hall, increased traffic, exacerbating parking problems, marsh encroachment, ridgeline view impacts, and the elimination of any potential for future expansion of Town Hall. She also voiced objection to the cavalier notion that the Commission should support the rezoning of dedicated open space for an inappropriate project. She urged the Commission not to forward the project to the Town Council and to ask the Library Agency to submit a plan for a smaller expansion that preserves the current small town character.

Karen Nygren, former Planning Commissioner and Mayor, noted that one of the goals of the General Plan is to maintain a small town quality and character. She provided some background on the library's development, which she said was promised to never be any larger than what currently exists. Both then and now, the community expressed strong concern that the project not be impactful to views that the community worked so hard to purchase and protect. She characterized the proposed project as massive and huge, really more of a community center than

a library expansion, and recommended that the Commission select the EIR's "No Project" alternative and urged the applicants to work with the Town and the Joint Recreation agency to develop an acceptable plan. She said this option was not addressed in the No Project alternative, and should be addressed before there is any consideration to certify the EIR. Approving the project, as proposed, sets a terrible precedent in reducing wetland setbacks that will be an issue in all future projects. She also noted that Town Hall parking is not guaranteed at the lot next door, which could one day result in the Town having no place for its own staff to park.

Nicole Schwakopf said she attends the library on a daily basis and supports the expansion. She provided several examples of how the lack of teen space affects all visitors and encouraged the Commission to support the project.

Jerry Schwakopf reported that nationwide data reveals only 50% of young adults read books on a voluntary basis and her daughter's daily visits to the library have fostered a true love of reading, a sense of community, and a commitment to volunteerism. She said the library space is woefully small for children and teens and that she strongly supports the proposed expansion.

Anyu Silverman, freshman at Redwood High School, said she strongly supports the expansion. The current footprint fails to provide a suitable space for teens to study and collaborate. She read a supportive statement from her father, who was unable to attend.

Heather Lobdell said the library plays an important role in her family and would even more so if it had properly dedicated teen space. She noted that the population of school age children has increased 25% in the last four years, further increasing the need for youth and teen programming. She voiced her wholehearted support for the proposed expansion.

Charlotte Lobdell said changing times bring new technologies and new lifestyles, and more space is needed to bring the library in line with these times.

Gennifer Choldenko voiced her full support for the proposed project, as the current children's library is astoundingly insufficient and the teen section essentially non-existent. She has lived in Tiburon for 14 years and never even heard of Zelinsky Park. She urged the Commission to remember the human factor; that libraries help bring books to life.

Carol Kurland, BTLF Board of Directors, said the current library already possesses the framework to offer the best of what is offered in newer libraries, but it lacks the space. She said all user groups would be much better served in larger and more defined spaces. She was impressed by the pleasant café areas offered by some towns and believed them to address the type of ambience that so many people find inviting. She urged the Commission to help strengthen and nurture the intellectual life of the community by supporting the proposed project.

Bob Peirce, Cove Road, said he lives directly across the street and is amongst the ten closest residents to the library. He complimented the proposed design but said he failed to understand the scale. He stressed that this is a library, not a community center, and that any need for the latter must be addressed separately. He asked that if the project does move forward, the library's architect meet with his own to discuss light pollution and the rooflines that would so dramatically impact his views of Old St. Hilary's Church. He also offered to cover the costs associated with this meeting.

Ann Kasanin, Belvedere, said she has supervised book repair efforts at the library since the 1990's. Through the years, the space available to volunteers has gradually eroded to the point of being nearly unworkable. She said the proposed expansion would be a great benefit to staff, the public, and volunteers.

Ken Weil said the community both needs and deserves a library that will meet the needs of the 21st century. As a former Library Director, he understands the positive impact a modern and well-designed library can have on its users and the entire community. While libraries will continue to serve a primary role of providing materials in a variety of formats, their role as a community gathering place will continue to grow. He cautioned that one of the most expensive things a community can do is to build a library that is not large enough to meet the present and future needs.

Bonnie Spiesberger, Library Board Trustee, voiced support for the proposed expansion, stating that the Board looked to what others had done in considering its needs for additional space and found that the library world had expanded both literally and figuratively. The modern library acts a cultural center for the community, partners to meet the needs of local schools, and requires greater space to meet the demands of modern infrastructure. She acknowledged that opinions fall on both sides but the library, which is not large enough to meet the growing needs, is here to serve the entire community. She asked the Commission to consider supporting a positive recommendation to the Town Council.

Rick Postle said a library provides much more than just intellectual content; it is the cultural and technical hub of the community. He described his vision for a creative oasis of artistic expression.

Mary Falk, Library Program Committee, described current space constraints and thinks that an expanded space will serve the community well in so many ways.

Karol Towns said she supports the expansion for many reasons, the most notable being that she is often forced to visit the Mill Valley library because of the lack of space and resources here.

Warren Russell presented a letter to the Commission. He cited concerns with the massive addition, stating that the current space is more than adequate to meet the needs of the community. At the very least, he asked that the Commission delay the project in favor of its placement on the next general election ballot.

Patty Hoyt said she teaches technology classes at the library and can attest to the need for increased programming. As technology increases, so do the needs of the aging population in learning it.

Janie Schoenberger voiced her enthusiastic support for the proposed expansion.

Anne Briggin, Belvedere, shared concerns relating to the size of the project and the community center versus library debate. In listening to the public comments, she felt the issues centered on the lack of child and teen space, both of which could be addressed in a much smaller way. She acknowledged that the project would be largely funded by private contributions but questioned the financial implications for taxpayers that come with an expanded building and expanded staff.

Barry Wilson said he serves as co-chair of the former Last Chance Committee, which is working diligently to ensure that the Martha property remains as open space to the extent possible. While the proposed project is mostly privately funded, those funds could otherwise be made available for preservation of the Martha property. He asked the Commission to support the No Project alternative at this time in light of competing funding requests and assured them his greatest support for the proposed project at a later date.

Dellie Woodring, Mar West Street, said she had difficulty reconciling the community goal of downtown revitalization with attracting people to this new gateway to the town. She also voiced concern with the loss of accessibility to Town Hall due to the increased distance from the proposed new parking lot.

Sue Morris said she has served on the Reed Union School District Board, Tamalpais Union High School District Board, and the Library Committee that organized the move to the current location. She strongly urged the Commission to provide the Town's youth with the vision and environment that would ensure the future of the community.

Alan Brune said that both technology and the economy have changed drastically since the 2006 needs assessment. He recognized the need for additional space but doubted it to be on order of what is currently proposed. Irrespective of demand, he found the height to be excessive and said he favored a one-story addition along Mar West Street or conversion of the existing second story into usable space.

Andra Nirenberski, Belvedere, acknowledged all points made but said none negates the fact that the library desperately needs space. She found the idea of the library also serving as a community center exciting. She asked the Commission to support the provision of the specific and appropriate space needed to meet the community's demands for services and programs.

Jennifer Bank seconded the comments of other project supporters. She said the proposed project would far surpass what a community center can offer and, more importantly, it is open to everyone. She urged the Commission to support the project.

Frank Greene said that the modern library has evolved into more than just a place for books; they are now social, educational and cultural hubs of the community. He said it is clear that the current site both needs and deserves this expansion. While he was unsure about the proposed scale, the presentation made by the applicant has eliminated any concerns he may have had.

Bill Smith suggested that the proposed project would actually serve to increase views of and access to open space. He noted that all growth tends to be divisive but is ultimately to the benefit of the entire community. He said he had tremendous respect for those who came forward to support the project and asked the Commission to offer its support as well.

BREAK

Chair Corcoran called a brief recess and thereafter, reconvened the regular meeting at 10:31 p.m.

Heather Cameron, Library Foundation President, said she is a great supporter of the proposed expansion. She agreed with Mr. Smith that the project would likely enhance the views that so that fears of lost views are unfounded.

Carolyn Losse said she strongly supports the library expansion in order to house the facilities and programs needed for both staff and the community.

Ira Mendlowitz, Belvedere, said the proposed expansion would be a real asset to the community.

Danielle Gooding, Belvedere, voiced her wholehearted support for the project.

An unidentified speaker shared her strong support for the proposed expansion. She acknowledged that some opposed the idea of a cultural/community center at this location but this is exactly what she loves about it.

There being no other members of the public wishing to speak, Chair Corcoran asked the Library if they wished to clarify any points in response to any of the comments.

Riley Hurd, legal counsel for the applicant, stated that the General Plan anticipated the need expressed by the public tonight when it spoke to the Town's support for expansion of the library. The General Plan's Downtown Element further syncs with the proposal by encouraging a mix of two- and three-story structures with parking located behind buildings wherever possible. He said that while reasonable minds can certainly differ, the EIR is very clear in that Alternative D carries no significant and unavoidable impacts other than construction.

Mr. Hurd shared his surprise that the issue of wetland setbacks received so little public comment. He noted that the wetlands setbacks recommended in the DEIR and the Railroad Marsh Management Plan are based on specific site data, unlike that recommended by the General Plan. The proposed project would show the marsh greater respect than it currently receives and would add much-needed biodiversity to the site. He said the EIR is adequate, accurate and objective and he asked the Commission to support its certification along with the approval of the requested amendments.

Chair Corcoran closed the public hearing at 10:45 p.m., and the Commission turned to the issue of a recommendation for EIR certification.

It was moved by Commissioner Kunzweiler and seconded by Commissioner Doyle to adopt the resolution recommending certification of the EIR to the Town Council. Under discussion, Vice Chair Tollini said she did not necessarily oppose certification of the EIR, but requested enumeration of the following points of disagreement in the resolution: 1) that the impacts on scenic views of the ridgeline from Tiburon Boulevard would not be reduced to a less than significant level under Alternative D; and 2) that the amendment of General Plan Policy OSC-20 as a mitigation measure in order to make the reduced 50-foot marsh setback insignificant and acceptable was not satisfactory.

Mr. Anderson clarified that the EIR concluded that biological impacts to Railroad Marsh were reduced to less than significant for Alternative D without the proposed general plan amendment

to Policy OSC-20, and that the proposed amendment to Policy OSC-20 was a policy amendment, not a mitigation measure.

Commissioner Kunzweiler withdrew his motion, though noted he did not necessarily agree with Vice Chair Tollini's statements. His consideration focused more on whether the EIR and its findings represented a fair consideration of the impacts associated with the project.

<p>ACTION: It was M/S (Tollini/Weller) to adopt the resolution recommending certification of the EIR to the Town Council, including a statement that the Commission disagrees with the EIR's conclusion that impacts on scenic views of the ridgeline from Tiburon Boulevard would not be reduced to a less than significant level under Alternative D. Motion carried: 3-2 (Corcoran and Kunzweiler opposed).</p>
--

The Commission turned to the issue of recommendations on the project applications and merits to the Town Council.

Vice Chair Tollini said that in a neutral world, she believed the library should be allowed to expand in whatever manner it chooses. It is not a neutral matter, however, and the Town is being asked to sacrifice open space, views of ridges, and wetland buffers. She reviewed the applicable General Plan policies, which would seem to both support and limit an "appropriate" expansion of the library. She specifically listed General Plan goals and policies LU-F, LU-3, LU-6, LU-7, LU-11, OSC-D, OSC-4, OSC-16, OSC-17, OSC-20, DT-28, DT-33, DT-35 and DT-36 as relevant. She interpreted Policy OSC-20 to require a wetlands buffer of at least 100 feet, even further if feasible. While some have argued that perhaps OSC-20 was poorly drafted in this regard, she has heard no arguments as to why a 100-foot buffer would be infeasible here. She acknowledged references to the Railroad Marsh Management Plan, which supports the currently proposed 50-foot buffer, but noted that it predates adoption of the General Plan. The plan was available at the time the General Plan was drafted, and yet the Town felt it appropriate to recommend 100-foot setbacks. In light of the conflicting recommendations, she felt strongly that the General Plan and its recommendations should be upheld as the Town's "Constitution".

Commissioner Kunzweiler said he helped to draft this latest version of the General Plan. He agreed that "to the maximum extent feasible," which is used throughout the Plan, could be interpreted in different ways. The strictest interpretation of the General Plan would seem to preclude nearly all development throughout the Town and so it is left to the Commission to apply its judgment in balancing development with the goals of the General Plan.

Concerning Railroad Marsh specifically, Commissioner Kunzweiler noted that the site is a former railroad yard and is far from the pristine land usually conveyed by the term "open space". 'No project' means the marsh would continue to exist with mediocre habitat, non-native grasses and no meaningful buffer. Under Alternative D, the environmental quality of the marsh would be significantly enhanced over what exists today. He agreed that view impacts are a legitimate issue addressed throughout the General Plan, but suggested that in looking at the entire project from the larger spirit of open space, one would see that the site is better off under Alternative D than if left alone.

Chair Corcoran said he would interpret “feasible” to suggest a sense of flexibility, as supported by the literal definition of the word. While a 100-foot setback is a nice round number, it seems somewhat arbitrary in light of the scientific evidence that supports the adequacy of a 50 foot buffer. Abiding by the 100-foot setback would mean either no project or elimination of the Zelinsky promenade in favor of parking, both of which would be a tragedy.

Vice Chair Tollini stressed that she did not support an amendment of OSC-20. She said she would prefer a more honest position that acknowledges the guidelines of OSC-20 but makes an overriding consideration for this particular project based on community need.

Chair Corcoran and Commissioner Kunzweiler said they could support that position and recommended deletion of Section C from Exhibit 2.

Commissioner Weller said he could find no cause to amend OSC-20, as he reads the current language to already allow the flexibility to reduce the recommended setback where appropriate.

Vice Chair Tollini also objected to the re-designation of 16,000 square feet from Open Space to Public/Quasi-Public land. This, coupled with former Open Space land re-designated in 2004, turns 33,000 square feet of currently green space into parking lot. While 18,500 square feet of current parking lot space would be reinvented as the plaza, this still represents a loss of 14,500 square feet of open space. She said she had no questions regarding the need for expansion, only whether there is need for one so large that it compromises this extent of open space.

Commissioner Kunzweiler said he would be the last to even philosophically suggest eliminating open space in any way. However, this is somewhat degraded open space to begin with. By making the tradeoff, the Town would be able to expand and improve the park and better serve the community in any number of ways.

Commissioner Weller agreed there is a tradeoff, but noted that land currently usable as open space becomes unusable under this plan.

Chair Corcoran said this is a prime example of how to balance the needs and values of the community with the values and aspirations set forth in the General Plan. While the re-designation of open space is never to be taken lightly, the proposed project has offered the sort of public space that communities around the world have started to embrace as a planning objective.

Commissioner Doyle said he is also a strong believer in open space, though for him the term refers more to the hills around the town. While the land in question here is technically open space, it may be a victim of circumstance, and the proposed project provides the community with a better space in many ways. He also noted that reducing the scale of the project would not necessarily reduce the overall footprint and associated impacts. While he did not necessarily support the scale, he did feel he could support an open space tradeoff for a project of this concept.

The Commission, with the exception of Vice Chair Tollini, voiced support for Section A of Exhibit 2, regarding the re-designation of open space to public use, as drafted.

Commissioner Kunzweiler said his initial impression was also that the scale was perhaps overly large. However, scale relates directly to function and it is impossible to dictate the former without also micromanaging the size and scope of program offerings.

Commissioner Weller disagreed with that approach. He believed it is the duty of the Commission to make recommendations on what changes it feels might be appropriate. Specifically, he felt the current proposal adhered to an outmoded style of design that calls for larger private offices and work areas. The wholesale conversion of the existing children's area to staff space is not the way that modern office design is going and he estimated the entire plan could be reduced by approximately 15%. He felt this would allow for a wider plaza area, thereby reducing the tunnel effect between the library and Town Hall and better accomplishing the community-oriented goals of the project. He also felt that shade studies should be done to review lighting on the plaza area. He requested the Commission's support in recommending that the Council consider whether it would be feasible to reduce the proposed size in such a way as to increase the separation between the proposed addition and Town Hall, with the objective of increasing utility of open space and reducing view impacts from Tiburon Boulevard.

The Commission discussed the recommendation further, with some members finding it unnecessary or perhaps too vague. Commissioner Weller said it is ultimately up to the applicant to prepare whatever changes fit into parameters outlined. He would not presume to tell the architects exactly how to design their allotted space but did believe the structure to be larger than is appropriate for the location.

ACTION: It was M/S (Weller/Doyle) to recommend that the Town Council consider the feasibility of reducing the size in such a way as to increase the separation between the Library addition and the Town Hall building, with the objective of increasing utility of open space and reducing visual impacts from Tiburon Boulevard on the ridgeline. Motion carried: 3-2 (Corcoran and Kunzweiler opposed).

Chair Corcoran noted that the street level views proposed do not reflect how the project will look with vehicles parked street side in front of it. He recommended that the Council consider red-stripping some spaces directly in front of the promenade, at least initially. On a more permanent basis, converting the would-be parking spaces to something like the "parklets" used in San Francisco could be both functional and attractive.

Commissioner Kunzweiler noted that the EIR called for parking needs to be met, at least in part, by street side parking in front of the library. Mr. Anderson confirmed that the project does call for existing driveways to be filled in and converted to parking.

Mr. Anderson reviewed, and the Commission supported, the following amendments and additions recommended by staff:

- TRANS-9 of the Mitigating Monitoring Program – modified to reflect that the eastbound Tiburon Boulevard left-turn pocket at Mar West Street will be lengthened at the time of project construction.
- Exhibit 2, Page 1 – an additional recital stating that "The Commission further finds the rezoning will not be detrimental to the public health, safety or welfare of the Town."

- Reverse the parking lot's direction of flow and entry/exit points, as recommended by the Town Engineer.

Mr. Anderson acknowledged the informal consensus reached regarding Section C of Exhibit 2. However, he recommended that deleting the section fails to respond to the fact that the amendment is part of the application. He suggested alternative language for the Commission's consideration that would acknowledge the proposed amendment, but deem it unnecessary.

ACTION: It was M/S (Kunzweiler/Doyle) to amend Exhibit 2, Section C to recommend that the Town Council find that a General Plan amendment to modify Policy OSC-20 is unnecessary in that the policy as written already contains sufficient flexibility to act on the project application without any amendment. Motion carried: 4-1 (Tollini opposed).

Chair Corcoran noted there was also mention of reducing the width of the proposed path on the far side of the parking lot. Mr. Anderson said the plans lack the level of detail required to make a fair assessment at this point. He suggested that if the Commission wished to provide a recommendation, it recommend that the additional path be considered only to the extent that it would not encroach within the 50-foot wetlands setback buffer.

ACTION: M/S (Kunzweiler/Weller) to add a recommendation that the Town Council introduce on a test-case basis, a "no parking zone" along Tiburon Boulevard, approximately 40 feet in length, directly in front of the promenade between the proposed addition and Town Hall. Motion carried: 5-0.

ACTION: It was M/S (Weller/Kunzweiler) to adopt the Resolution recommending conditional approval of the applications to the Town Council, as amended. Motion carried: 5-0.

MINUTES:

2. PLANNING COMMISSION MINUTES – Regular Meeting of August 24, 2011

Vice Chair Tollini requested the following amendment:

- Page 7, 7th paragraph – "~~...agricultural uses~~ **for single family residences to keep chickens for sustainable uses.**"

ACTION: It was M/S (Weller/Tollini) to approve the Minutes of August 24, 2011, as amended. Motion carried: 4-0-1 (Kunzweiler abstained).

COMMISSION AND STAFF BRIEFING:

Mr. Anderson reported no items currently scheduled for the September 28th Commission meeting and that the meeting would be cancelled.

ADJOURNMENT:

The Planning Commission adjourned the meeting at 12:15 a.m. on Thursday, September 15, 2011.

JOHN CORCORAN, CHAIRMAN
TIBURON PLANNING COMMISSION

ATTEST:

SCOTT ANDERSON, SECRETARY (ACTING)