

# Town of Tiburon STAFF REPORT



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

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TO: **PLANNING COMMISSION**

FROM: **SCOTT D. PHILLIPS, ASSISTANT PLANNER**

SUBJECT: **REQUEST TO OBTAIN LOCAL HISTORIC LANDMARK DESIGNATION FOR THE FORMER TRESTLE MOUND NEAR BLACKIE'S PASTURE; LESLIE DOYLE, BELVEDERE-TIBURON LANDMARKS, APPLICANT; ASSESSOR'S PARCEL NO. 055-071-02**

MEETING DATE: **JANUARY 10, 2007** REVIEWED BY: \_\_\_\_\_

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## PROJECT DATA

Address:	Richardson Bay Lineal Park near Blackie's Pasture
Assessor's Parcel Numbers:	055-071-02
File Number:	N/A
General Plan:	Parks & Recreation
Zoning:	P & R (Parks & Recreation)
Current Use:	Passive Recreation Park use
Owner:	Town of Tiburon
Applicant:	Leslie Doyle (Belvedere/Tiburon Landmarks Society)

## PROJECT DESCRIPTION AND ROLE OF PLANNING COMMISSION

The Belvedere/Tiburon Landmarks Society is requesting Town designation of the former railroad trestle mound and wood remnants near Blackie's Pasture as a Local Historic Landmark. Pursuant to Chapter 13B (**Exhibit 1**) of the Tiburon Municipal Code, the Planning Commission shall review the application and forward its observations and recommendations to the Heritage and Arts Commission.

## BACKGROUND

The Trestle mound and wooden remnants are located immediately south of the intersection of Trestle Glen Boulevard and Tiburon Boulevard in the Town of Tiburon's Richardson Bay Lineal Park (RBLP). Application materials are attached as **Exhibit 2**.

The request was referred to the Parks & Open Space Commission (POSC) at a meeting on December 8, 2006 for comment because the trestle mound is located in a Town park. The POSC's comments are attached as **Exhibit 4**.

In addition to the local historic landmark designation, the Landmark Society's proposal calls for the construction of a path along the top of the trestle mound. The path would terminate at the end



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of the mound with an informational plaque and perhaps a bench. Permit review for the proposed physical improvements would follow a separate process from the historic designation process, but the Planning Commission is encouraged to also comment on the proposed physical improvements at this time.

### History

The trestle mound was initially constructed in 1883 as the approach ramp for the large wooden railroad trestle that extended over Tiburon Boulevard and into the hillside below Ring Mountain. By the time the trestle was dismantled, the hillside and areas below had been developed into the Belveron and Reedlands subdivisions. Rail service ended in 1967. Due to lack of maintenance and resulting safety concerns, the trestle was removed in 1968 but the mound remained. The trestle was in place for nearly 75 years. The Town of Tiburon acquired the land on which the trestle mound is placed in the 1970's. The railroad tracks in this area were removed in 1974.

The existing earthen ramp and timber remains are unquestionably artifacts from Tiburon's railroad era. They are perhaps the only physical remains of the large wooden trestle that once dominated the visual landscape at this portion of Richardson Bay.

### **ANALYSIS**

In accordance with Section 13B-4 of the Municipal Code, the Planning Commission shall receive a referral of the application for historic designation and forward a report of its observations and recommendations to the Heritage and Arts Commission for consideration. Staff offers the following information and analysis for the Planning Commission's review.

#### General Plan Zoning and Consistency with Precise Plans

The Richardson Bay Lineal Park is designated in the Land Use Element of the Tiburon General Plan as Parks & Recreation. The land is also zoned Park and Recreation on the Town's Zoning Map. The Parks & Recreation Element of the Tiburon General Plan specifically designates the trestle mound area for "passive recreational uses".

The Town Council has adopted various precise plans for the Blackie's Pasture vicinity over the years. Most recently, in 1992, the Council amended the 1985 Blackie's Pasture Precise Plan to reflect a plan developed by consultant Philip Williams & Associates and recommended forward by the Parks and Open Space Commission. That 1992 Precise Plan shows the trestle mound graded out and planted with a hardwood forest landscape. The approved drawing of the Precise Plan will be on display at the meeting. The proposed historic landmark designation is therefore inconsistent with the Town's adopted Precise Plan for the area, which calls for grading and removal of the trestle mound (see **Exhibit 4 & 5**). The 1992 Precise Plan had a very high price tag at a time of national economic recession; its center-piece salt marsh restoration area was controversial; and the Town Council voted in 1993 not to proceed with implementation of the Precise Plan. Later that year, the Town Council authorized certain Precise Plan improvements under the generous efforts of Blackie's Brigade, but these efforts did not involve work on the



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trestle mound. The 1992 Blackie's Pasture Precise Plan technically remains in effect. The inconsistency of the historic designation proposal with the adopted Precise Plan would need to be resolved as part of the designation process.

### Views and Visibility

The path, interpretive plaque and possibly a bench are proposed by the Landmarks Society along the existing crest of the trestle mound at the north end. Mature landscaping exists on both sides of the mound, thus any sort of addition to the top of the mound would be marginally visible from both the multi-use path and Tiburon Boulevard. The view from the north end of the mound is ideal for envisioning the once massive railroad trestle. The Landmarks Society has indicated that it would be responsible for ongoing maintenance of any physical improvements that it might install on the trestle mound.

### Potential Effects of Designation

If the trestle mound and its wooden remnants are designated as a local historic landmark, any sort of significant physical alteration would likely require an Environmental Impact Report, as there would be a presumptive significant effect on a historic resource under the California Environmental Quality Act. The practical effect would be that the mound would likely be protected in perpetuity from any major man-induced changes, such as the "grading out" called for in the adopted Blackie's Pasture Precise Plan.

### General Public Interest

The Town has previously designated five Local Historic Landmarks. They are:

1. Donahue Building (1976)
2. Lyford's Stone Tower (1977)
3. Old St. Hilary's Catholic Church (1979)
4. The Brick Kiln Bunkhouse (1995)
5. Benjamin and Hilarita Lyford House (2000)

While staff does not consider the trestle mound in the same class as the existing landmarks (which are all buildings), it is worthy of serious consideration for designation.

### **Heritage & Arts Commission Review**

In considering whether to designate the trestle mound as a local historic landmark, the Heritage and Arts Commission will, in addition to considering the comments of the Parks & Open Space Commission and Planning Commission, evaluate the following standards:

- a) **The landmark designated shall have historical, cultural, aesthetic or special character or interest for the general public and not be limited only in interest to a special group of persons.**



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The trestle mound and wood remnants are unquestionably historical resources from the Town of Tiburon's railroad era.

- b) The designation of such as a landmark hereunder shall not be detrimental to the general welfare of the community.**

Staff does not see any direct detrimental effects of designating the railroad mound as historic. Indirect potential effects were discussed above.

- c) The designation of such landmark shall not require the expenditure of an unreasonable amount of money to carry out the purposes of this chapter. In applying this provision it is the intent of this chapter that whenever a landmark proposed to be so designated is private property, expenditures for its upkeep, preservation, maintenance and protection shall be made by the owner thereof in all but the most exceptional cases. If upon careful review by the heritage commission it is proposed that public funds be expended for the preservation, restoration, maintenance or protection thereof, or any other purpose in connection with such designation, the recommendation made by such commission to the town council shall set forth that fact, and shall set forth in full the reasons there for, and shall include a statement setting as accurately as possible the estimated cost in public funds, which would be so involved. The town council, in acting upon such proposed designation, shall also determine whether the expenditure of public funds in connection therewith is justified. In the event that such designation would be ineffective for the preservation, restoration or protection of the proposed landmark without such expenditure, and the town council determines that such expenditure is not justified, the place, site, building, structure, work of art or other object which is the subject of the proposal shall not be designated an historical landmark.**

The applicant has stated that if the railroad mound were to be designated as a Local Historic Landmark, the Belvedere – Tiburon Landmarks Society would be financially responsible for any upkeep of the landmark. Details of this commitment would need to be finalized before official designation and properly addressed in conditions of approval.

- d) The designation of such landmark shall not infringe upon the right of a private owner thereof, if such there be, to make any and all reasonable uses of such landmark which are not in conflict with the purposes of this chapter.**

The land in which the railroad mound is located is public land owned by the Town of Tiburon. Designation would make it more challenging for the Town to alter the trestle mound in the future.

### **FUTURE ACTIONS REQUIRED**

The Planning Commission will forward its recommendations to the Heritage and Arts Commission. The item has been tentatively scheduled for the Heritage and Arts Commission meeting of



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January 23, 2007. The Heritage and Arts Commission may approve or deny the request for local historic landmark designation. If approved, the Heritage and Arts Commission decision will be forwarded to the Town Council for ratification. The Council would also need to consider an amendment to the Blackie's Pasture Precise Plan should the designation as a historic landmark move forward.

### **RECOMMENDATION**

Following the staff report and a brief presentation by the applicant, Staff recommends that the Planning Commission take any public comment on this item. Comments and observations are requested on 1) the proposed historic landmark designation; 2) the potential for physical improvements to the trestle mound (path, plaque, bench); and 3) whether the Town Council should amend its Blackie's Pasture Precise Plan for the trestle mound area to accommodate the historic designation.

### **EXHIBITS**

1. Chapter 13B of the Tiburon Municipal Code.
2. Application and supplemental materials.
3. Comments from Parks and Open Space Commission.
4. Excerpts from Blackie's Pasture Precise Plan Text, 1992.
5. Approved Blackie's Pasture Development Plan Map.