



TOWN OF TIBURON
1505 Tiburon Boulevard
Tiburon, CA 94920

Planning Commission Meeting
July 14, 2010
Agenda Item: **1**

STAFF REPORT

To: Members of the Planning Commission

From: Community Development Department

Subject: Accept Public Comment on Draft Environmental Impact Report (DEIR) for the Proposed Belvedere-Tiburon Public Library Expansion Project located at 1501 and 1505 Tiburon Boulevard; File #s GPA 2008-02, MCA 2008-14, 40801 and 30804; Assessor Parcel Numbers 058-171-92, 93, 94 and a portion of 058-171-62

PROJECT DATA

Project Name: Belvedere-Tiburon Library Expansion Project
Address: 1501 and 1505 Tiburon Boulevard and a portion of Zelinsky Park
Assessor's Parcel Nos.: 058-171-92, 93, 94 and a portion of 058-171-62
File Numbers: GPA 2008-02, MCA 2008-14, 40801 and 30804
Project Area: Approximately 2.35 acres
General Plan: P (Public/Quasi-Public), OS (Open Space) and NC (Neighborhood Commercial)
Zoning: P (Public/Quasi-Public), OS (Open Space) and NC (Neighborhood Commercial)
Current Use: Public Library, Tiburon Town Hall, and portion of Zelinsky Park
Owners/Applicants: Belvedere-Tiburon Public Library and Town of Tiburon
SCH#: 2009052003
Flood Zone: AE (within 100-year flood event zone)

BACKGROUND

The Town of Tiburon is processing land development applications for an approximately 18,000 square foot, two-story addition to the Belvedere-Tiburon Public Library building and related improvements involving both the adjacent Town Hall site and Zelinsky Park. The Town determined that an Environmental Impact Report (EIR) was required for the project and retained the firm of Christopher A. Joseph and Associates (CAJA) to prepare the EIR.

A Draft EIR (DEIR) was released on June 10, 2010 and is currently being circulated for a 45-day public review and comment period, which is set to close on July 26, 2010. The Town's practice is to hold a separate public meeting to accept oral comment on the DEIR during the 45-day review period. Written comments may also be submitted to the Town at the meeting or at any time until July 26, 2010 at 5:00 PM.

PURPOSE OF THE PLANNING COMMISSION MEETING

The primary purpose of this meeting is to receive public testimony concerning the contents of the Draft Environmental Impact Report for the project. Speakers are encouraged to express their views on the adequacy of the DEIR. Comments should focus on:

- the sufficiency of the DEIR in discussing possible impacts on the environment,
- additional mitigation measures that might reduce adverse impacts, and
- feasible alternatives to the project that would reduce environmental impacts

Following the conclusion of the public testimony, Planning Commissioners may choose to provide oral comments on the DEIR or may submit written comments prior to the deadline.

A subsequent public meeting will be held, after the close of the review and comment period, at which the Environmental Coordinator will recommend to the Planning Commission whether significant new information has been received during the comment period that would require revision and recirculation of the DEIR, or whether the consultant may commence with the responses to comments and preparation of the Final EIR (FEIR).

In addition, a hearing will be scheduled for consideration of project merits by the Planning Commission. This hearing would be held following the release of the FEIR, which will contain a written response to each comment made on the DEIR.

Reference copies of the DEIR may be reviewed at the Planning Division at Town Hall, at the Belvedere-Tiburon Public Library during normal business hours or on-line at the Town's website.

PROJECT DESCRIPTION

Chapter III of the DEIR contains a detailed description of the project. This description has been attached in full as **Exhibit 1** to this staff report.

SUMMARY OF KEY DEIR FINDINGS

Aesthetics

As discussed in DEIR Section IV-B (Aesthetics), the project would substantially limit views of the Tiburon Ridge from Tiburon Boulevard in the vicinity of the project. No mitigation was identified that would reduce this impact to a less than significant level while allowing the project to be constructed as proposed. All other aspects of aesthetic and visual analysis concluded that the project would result in less than significant environmental impacts.

Air Quality

As discussed in DEIR Section IV-C (Air Quality), the project would conflict with an applicable Bay Area Air Quality Management District (BAAQMD) 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. No mitigation was identified that could reduce this impact to a less than significant

level. This was also identified as a significant and unavoidable cumulative impact of the project. All other aspects of air quality analysis concluded that the project would result in less than significant environmental impacts.

Biological Resources

As described in DEIR Section IV-D (Biological Resources), the project is located in close proximity to Railroad Marsh, a sensitive ecological resource and potential habitat for protected species. The DEIR concludes that with mitigation measures, including establishment of minimum 25-foot setback and buffer zone, the project's biological resource impacts would be reduced to less than significant levels. This was the same conclusion reached for an earlier Library expansion proposal, similar to Alternative B in this DEIR, which was approved by the Town in 2004 but not constructed.

Hydrology

As discussed in DEIR Section IV-E (Hydrology), all but a small portion of the project site currently drains to the public storm drain system located within Tiburon Boulevard. The most low-lying portion of the project site (in an unimproved part of Zelinsky Park) currently drains by gravity flow directly into Railroad Marsh. The project would modify site drainage such that all drainage on improved surfaces would be directed to the public drainage system in Tiburon Boulevard.

While the project site is located in a federally-mapped flood zone (as is nearly all of Downtown Tiburon), the finished floor elevation of the building would be well above the flood level, as is that of the existing Library and Town Hall buildings. With mitigation measures imposed, all hydrology-related impacts were found to be less than significant impacts.

Land Use and Planning

As detailed in DEIR Section IV-F (Land Use/Planning), the DEIR analyzes the proposed project for consistency with relevant public plans and policies, including the Tiburon General Plan, Zoning Ordinance, and Bicycle and Pedestrian Master Plan. The project proposes General Plan text and diagram amendments. These amendments, if approved, would achieve project conformity with the General Plan Proposed Land Use Diagram, and with wetland setback standards set forth in the General Plan Open Space & Conservation Element policy OSC-20. The DEIR concludes that the project would be consistent with over 90% of local policies, although it would be inconsistent with several such policies. The DEIR notes that conflicts between a project and applicable policies do not constitute a significant physical environmental impact in and of themselves. It is the responsibility of Town decision-makers, at the merit stage of project review, to determine whether a project warrants approval based on policy consistency. The EIR does not perform that function. With respect to physical environmental impacts related to land use, the DEIR concludes that the project would result in less than significant impacts.

Noise

As discussed in DEIR Section IV-G (Noise), construction activities at the project site would temporarily increase ambient noise levels in the site vicinity and would result in ground-borne

vibration. These impacts would be felt most intensely by existing Library and Town Hall users. Measures are proposed to mitigate these construction noise impacts, but even with implementation of mitigation measures, these would remain significant unavoidable impacts. All other aspects of noise analysis concluded that the project would result in less than significant environmental impacts with mitigation.

Traffic

Vehicular access to the Library/Town Hall complex resulting from the project would be provided by a new driveway entrance and exit from a new 52-car parking lot off Mar West Street; the existing Tiburon Boulevard entry/exit and all 54 on-site parking spaces currently accessed from Tiburon Boulevard would be eliminated. Limited additional on-street parking would be created as a result of the project.

As discussed in DEIR Section IV-H (Traffic), the DEIR concludes that the proposed project would result in inadequate parking capacity and that this would be a significant and unavoidable impact. All other traffic-related aspects of the project were determined to result in less than significant impacts, including intersection operations, roadway capacity, and circulation safety conditions.

Significant Unavoidable Project Impacts

The DEIR identifies five (5) significant unavoidable (“SU”) impacts of the project, which could not be eliminated or reduced to a less-than-significant level through mitigation measures identified in the DEIR. These are:

- 1) That the project would be inconsistent with an applicable Bay Area Air Quality Management District (BAAQMD) air quality plan;
- 2) That construction would temporarily increase ambient noise levels in the site vicinity;
- 3) That construction would temporarily cause ground-borne vibration in the vicinity;
- 4) That the project would obstruct a scenic vista (Tiburon Ridge) from Tiburon Boulevard;
- 5) That the project would result in inadequate parking capacity.

In addition, the DEIR identified the following significant unavoidable cumulative impacts (impacts from the project in conjunction with other reasonably foreseeable projects):

- Conflicts with an applicable air quality management plan;
- Impacts to scenic vistas

Impacts Determined To Be Less Than Significant

Impacts found to be less than significant, some with pre-identified mitigation measures to be incorporated into the project, were as follows:

Agricultural and Forest Resources
Cultural Resources
Geology & Soils
Hazards & Hazardous Materials

Mineral Resources
Population & Housing
Public Services
Recreation
Utilities & Service Systems

Alternatives to the Project

The CEQA Guidelines, in Section 15126.6, require that:

“An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. The range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects.”

As described in detail in Chapter VI, the DEIR examined three alternatives to the project as proposed. These alternatives include a No Project alternative (Alternative A), and two on-site development alternatives (Alternatives B and C). Alternative B (Alternate Site Plan) consists of an addition to the library constructed behind the existing building in an unimproved portion of Zelinsky Park, with existing parking to remain on the site. Alternative C (Reduced Library) consists of a one-story addition to the library in the same location as the project’s proposed two-story addition. Off-site development alternatives were rejected as infeasible. The DEIR concludes, on the basis of the discussion of the proposed project and the on-site alternatives, that Alternative A (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.

The CEQA Guidelines (Section 15126.6[e]) states that if the environmentally superior alternative is the No Project alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives studied. Of the remaining alternatives, Alternative C (Reduced Library) would be the environmentally superior alternative. Although Alternative C would not avoid significant unavoidable impacts to air quality, noise or parking, it would avoid the significant unavoidable impact associated with a scenic vista (Tiburon Ridge view blockage).

DEIR COMMENT LETTERS RECEIVED TO DATE

As of the date of this report, three comment letters regarding the DEIR have been received and are attached as **Exhibits 2 through 4**.

FUTURE ACTIONS REQUIRED

The Commission will hold a public meeting, after the close of the comment period, at which it will determine whether significant new information has been received during the comment period that would require revisions and recirculation of the DEIR, or whether a final EIR may be prepared. At that meeting, the Environmental Coordinator will make a recommendation based upon a review of all the comments received during the comment period. A regularly-scheduled Planning Commission meeting date in August (either the 11th or 25th) is likely, depending on the

volume and complexity of comments submitted. Once a final EIR has been prepared, the item will be scheduled for public hearing before the Planning Commission to consider the merits of the project in conjunction with the information contained in the final EIR. The Planning Commission's role will be to make a recommendation to the Town Council regarding both the certification of the EIR and the land development applications (project merits). The specific land development applications considered by the Commission at that hearing will be as follows:

- General Plan Amendment (text and diagrams)
- Rezoning (map only)
- Master Plan Amendment to the Point Tiburon Master Plan (contains Zelinsky Park)
- Precise Plan Amendment to the Point Tiburon Master Plan (contains Zelinsky Park)

STAFF RECOMMENDATION

Staff recommends that, at the conclusion of the staff report, the Planning Commission should receive any public comments on the DEIR.

EXHIBITS

1. Project Description excerpted from Draft EIR.
2. E-mail from Jessica Pliner dated June 20, 2010.
3. Letter from Marin Conservation League dated June 21, 2010.
4. E-mail from Marti Andrews dated June 25, 2010.

PREVIOUSLY-DISTRIBUTED OR PUBLICLY AVAILABLE

Belvedere-Tiburon Library Expansion Project Draft Environmental Impact Report, June 2010

Prepared by: Scott Anderson, Director of Community Development

S:\Planning\Planning Commission\Staff Reports\2010\July 14 meeting\Bel-Tib Library Expansion DEIR report.doc