



**TOWN OF TIBURON
PLANNING COMMISSION
1505 Tiburon Boulevard
Tiburon, CA 94920
Action and Approved Minutes
Regular Meeting
November 9, 2005 – 7:30 PM**

ACTION MINUTES

CALL TO ORDER AND ROLL CALL 7:30 PM

Chairman Kunzweiler, Vice Chairman Fraser, Commissioner Aguirre, Commissioner Collins

ORAL COMMUNICATIONS

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. **There Were None**

COMMISSION AND STAFF BRIEFING

Staff Update
Commission Information Items

REGULAR BUSINESS

1. RESOLUTION COMMENDING WAYNE SNOW **Adopted 3-0**

PUBLIC HEARING

2. 1505 TIBURON BOULEVARD; REQUEST TO MODIFY A PREVIOUSLY APPROVED CONDITIONAL USE PERMIT TO INSTALL AND OPERATE A WIRELESS COMMUNICATIONS FACILITY; FILE NO. 10505; Town of Tiburon, Owner; Cingular Wireless, Applicant; Assessor's Parcel No. 058-171-90 **Approved 3-0**

MINUTES

3. Planning Commission Minutes – Regular Meeting of October 26, 2005 **Approved as Amended 2-0**

DISCUSSION

4. Selection of Special Meeting Dates for November/December *Special Meeting Dates Selected – November 29, 2005 (Tiburon Glen) and December 8 (Ling FEIR and 41 Main Street)*

ADJOURNMENT **8:35 PM**

**APPROVED MINUTES NO. 925
PLANNING COMMISSION
November 9, 2005
Regular Meeting
Town Council Chambers
1505 Tiburon Boulevard, Tiburon, California**

CALL TO ORDER AND ROLL CALL

Present: Chair Kunzweiler, Commissioners Aguirre and Fraser

Absent: Commissioner Collins

Staff Present: Community Development Director Anderson, Planning Manager Watrous and Meeting Recorder Flanagan

ORAL COMMUNICATIONS

Scott Hochstrasser asked that the Tiburon Glen Precise Development Plan be placed on the earliest possible agenda in November.

COMMISSION AND STAFF BRIEFING

Staff Updates:

Community Development Director Anderson reported that the Economic Exceptions Ordinance and the Wireless Communications Facilities Standards Ordinance were adopted by the Town Council. He said that next Wednesday the Council will be hearing the St. Hilary amendments. He asked that Commissioners advise him of interest in the training opportunities, for which information was provided.

Commission Information Items:

There were none.

REGULAR BUSINESS

1. Resolution Commending Wayne Snow

M/S, Fraser/Aguirre (passed 3-0) to adopt the resolution.

PUBLIC HEARING

2. 1505 TIBURON BOULEVARD, REQUEST TO MODIFY A PREVIOUSLY APPROVED CONDITIONAL USE PERMIT TO INSTALL AND OPERATE A WIRELESS COMMUNICATIONS FACILITY; FILE NO. 10505; Town of Tiburon, Owner; Cingular Wireless, Applicant; Assessor's Parcel No. 058-171-90

Planning Manager Watrous reviewed the Staff report and noted the application will include design review, either by Staff or the Design Review Board.

Pamela Nobel, representing Cingular Wireless, discussed the project.

Commissioner Fraser asked about the process of review Cingular had followed in locating the equipment. Ms. Nobel responded that initially, the original site looked feasible but at the construction drawing stage, they learned the cabinets could not fit in the building. She understood that the space originally set aside for Cingular was ultimately not available.

Planning Manager Watrous added that the necessary move to the parking lot of the cabinets was a combination of sizing and the proximity to the Sprint cabinets.

Commissioner Aguirre asked if another carrier could locate its cabinets in the new site. Ms. Nobel responded that another carrier would need two or three full cabinets. Planning Manager Watrous added that another carrier would require a separate use permit.

Chair Kunzweiler asked the rationale for a five-cabinet versus three-cabinet configuration, and stated the issue is the size of the enclosure in the parking lot, which is somewhat in the line of view of neighbors and would take out two parking spaces. He asked what growth is anticipated.

Ms. Nobel responded that it is nearly impossible to accurately estimate future growth in the wireless industry. She said that the requested enclosure size is the standard lease area that Cingular uses, which includes space for three cabinets now and two more in the future. She understood that in discussions with Town Staff, the Town did not want Cingular to have to come back again and request another site in the future if expansion was necessary, and asked Cingular to estimate what was needed in the future for the town. She said that the cabinets are five feet high and mounted on a one-foot cement pad. She said that Cingular usually recommends a standard fence seven feet high, though they could build a six-foot fence.

Commissioner Aguirre asked to describe how the antennas would be mounted in the tower. Ms. Nobel responded that the sides of the tower would be replaced with screening to allow signals to pass through on the side where the antennae are facing out. She said that the tower, when completed, would look exactly as it looks now.

Chair Kunzweiler stated that a sample of siding must be submitted when reviewed by the Design Review Board. He noted that the plans show markings on the side of the tower where the antennas would be.

Commissioner Aguirre expressed frustration that no one from Cingular was present who has the answers to the Commissioners' questions. He asked how many extra cabinets are needed for growth and who decided how many additional cabinets are adequate for potential growth. Ms. Nobel responded that Cingular does not know the amount of future use.

Planning Manager Watrous added it is the Town's understanding that Cingular wants to install two cabinets for their current operation, and when growth requires it, a third cabinet will be necessary. He said that if Cingular is wildly successful, Cingular may return and ask for additional cabinets if the space for more than three cabinets is not approved now. He understood that the Town's direction would be to just deal with the large unit now rather than building an insufficiently sized structure.

Commissioner Aguirre noted that the original request only called for three cabinets in the building, and now Cingular is asking for space for five cabinets. He thought that perhaps additional growth may happen further in the future, and the cabinets could be smaller at this time.

Ms. Nobel stated that Cingular does not have such accurate projections. She said that the cellular industry is changing and technology is changing. She said that Cingular is trying to avoid potential repeat requests; thus, is requesting a larger enclosure at this time. She stated that the expected time period for the needed use of all the cabinets is five years but it could be quicker. She acknowledged that the enclosure could be smaller, with a minimum size of 10' x 12' the smallest for three cabinets. She reiterated that Town Staff requested the larger size.

Chair Kunzweiler asked if the cabinets can also be used by Sprint, and stated that the wireless standards indicate a preference for shared locations. Ms. Nobel responded, Cingular is paying for the leased space but could accommodate another carrier. Planning Manager Watrous added that discussion with the Town did not center on expansion capacity for more than one carrier, but noted that the agreement with Cingular could require that the enclosure could be used by other carriers. He added that if Sprint expanded, there would not be the same interference problems with cabinets inside the building.

The public comment period was closed.

Commissioner Fraser stated he is disappointed in the lack of specificity in the application and that the enclosure size was increased. He said that two different-sized fences are not the right answer, and suggested that the cabinets could be dug down two feet. He said that the enclosure would be objectionable to those in the park and in Point Tiburon and suggested that the shrubbery to the rear should be enhanced.

Commissioner Aguirre stated that he was also disappointed with the lack of information. He said that someone at Cingular can tell the Commission what is expected for their capacity in the future and what would be supported by the additional cabinets. He said that he was not inclined to support a larger enclosure and would rather that Cingular return in a few years if expansion is needed.

Chair Kunzweiler acknowledged that wireless matters are emotional for the community. He recommended that the application be approved for a three-cabinet footprint with the smallest dimension possible, which may free one parking space and will reduce the mass of the facility. He said that the fence height should be consistent with the height of the fence for the trash area as it is

now. He felt that there should be a landscaping screen between the unit and Zelinsky Park. He also recommended that the Design Review Board to review the cabinet enclosure and the tower.

The public comment period was reopened.

Scott Hochstrasser stated the Staff report quotes a part of the new wireless standards recommends that equipment is to be underground or in a building. He said that the Commission should consider the new policy and underground the unit in a vault.

Planning Manager Watrous noted the standards Mr. Hochstrasser refer to are in the new ordinance, as yet not in effect. Community Development Director Anderson added that the Town Hall site is built on bay mud and something could not be comfortably located in an underground vault.

The public comment period was closed again.

M/S, Aguirre/Fraser (passed 3-0) to adopt the resolution approving the conditional use permit, as modified with additional conditions requiring the enclosure be reduced in size for three cabinets with the most minimal footprint feasible; the height is to be no higher than the adjacent enclosure and to match the existing design; landscaping is to be installed to screen the enclosure from the park by continuing the existing landscaping screening; and the facility is to be reviewed by the Design Review Board.

MINUTES

3. Planning Commission Minutes of October 26, 2005

Amendments include:

Page 1, 2nd paragraph, last line, add a comma after “Town.”

M/S, Fraser/Kunzweiler (passed 2-0-2) to approve the minutes as amended.

DISCUSSION

4. Selection of Special Meeting Dates for November/December

November 29, 2005 was chosen for the Tiburon Glen Precise Development Plan and December 8, 2005 for the Ling FEIR and the conditional use permit for a restaurant at 41 Main Street.

ADJOURNMENT

The meeting was adjourned at 8:40 p.m.

ATTEST:

SCOTT ANDERSON, SECRETARY