



**TOWN OF TIBURON  
PLANNING COMMISSION  
1505 Tiburon Boulevard  
Tiburon, CA 94920  
Action and Approved Minutes  
Regular Meeting  
January 11, 2006 – 7:30 PM**

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## **ACTION MINUTES**

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

Present: Chairman Kunzweiler, Vice Chairman Fraser, Commission Collins  
Absent: Commissioner Aguirre  
Ex-Officio: Community Development Director Anderson  
Minutes Secretary Creekmore

### **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

### **PUBLIC HEARING**

1. 20 BACCHARIS PLACE; AMENDMENT TO CYPRESS HOLLOW PRECISE DEVELOPMENT PLAN (PD #45) TO ALLOW ADDITIONAL FLOOR AREA; Edmond and Kristine Browne, Owners and Applicants; Assessor's Parcel No. 034-394-15 **Recommended Approval 3-0**
2. 3700 BLOCK OF PARADISE DRIVE NEAR NORMAN WAY: TIBURON GLEN PROJECT; CONSIDER RECOMMENDATION TO THE TOWN COUNCIL REGARDING A PRECISE DEVELOPMENT PLAN (PD #22) TO CREATE THREE (3) BUILDING SITES ON A 26.03 ACRE PARCEL; REVIEW OF SECOND ADDENDUM TO CERTIFIED EIR; Xanadu Property Holdings, Inc., Owners; Assessor's Parcel No. 39-241-01; **Continued to January 25, 2006 at 5:00 PM**

### **MINUTES**

3. Planning Commission Minutes - Special Meeting of November 29, 2005  
Approved 2-0-1 (Kunzweiler abstained)
4. Planning Commission Minutes - Special Meeting of December 8, 2005  
Approved 3-0

**ADJOURNMENT**    **At 8:15 PM**

**PLANNING COMMISSION  
APPROVED MINUTES NO. 928  
JANUARY 11, 2006  
Regular Meeting  
Town Council Chambers  
1505 Tiburon Boulevard, Tiburon, California**

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**ROLL CALL**

Present:            Chair Kunzweiler, Vice-Chair Fraser, and Commissioners Collins  
Absent:            Commissioner Aguirre  
Staff Present:    Community Development Director Anderson and Meeting Recorder Creekmore

**ORAL COMMUNICATIONS**

There were none.

**COMMISSION AND STAFF BRIEFING**

Community Development Director Anderson noted that the annual Town Council retreat was held earlier today and was successful. He brought the Commission's attention to the Staff memo that sets forth the calendar of regular Planning Commission meeting dates for 2006. He requested that the Commissioners notify Staff of any known or planned absences as soon as possible. Chair Kunzweiler stated that it is likely that he will not be attending the January 25 meeting.

Chair Kunzweiler noted that a new Planning Commissioner may not be appointed by the February 8 meeting during which the Belvedere Tennis Club Use Permit is scheduled to be reviewed. Community Development Director Anderson stated that Staff will follow a random selection process to select a Commissioner to participate in that item should the Town Council not appoint a Commissioner by February 1.

**PUBLIC HEARING**

1.     **20 BACCHARIS PLACE; AMENDMENT TO CYPRESS HOLLOW PRECISE DEVELOPMENT PLAN (PD #45) TO ALLOW ADDITIONAL FLOOR AREA; Edmond and Kristine Browne, Owners and Applicants; Assessor's Parcel No. 034-394-15**

Community Development Director Anderson presented the Staff report.

Chair Kunzweiler opened and closed the public hearing. There was no public comment.

Commissioners Fraser and Collins stated that they support approval of the project.

Chair Kunzweiler asked project applicant Edmond Browne why they decided to put a bathroom and not a powder room downstairs. Mr. Browne replied that a bathroom was decided upon because there was adequate space for one.

Commissioner Collins requested that the Section 1, Findings of the resolution be amended as follows:

- a) Paragraph D, line 6: Insert “does not increase the number of bedrooms” after “bulk of the existing home,”
- b) Paragraph E, line 5: Insert “entirely” after “construction”
- c) Paragraph F, line 3: Insert “does not exceed Town of Tiburon default floor to area ratio for this property,” after “with the surrounding neighborhood,”

**M/S, Collins/Fraser (passed 3-0) to approve the resolution as amended.**

- 2. 3700 BLOCK OF PARADISE DRIVE NEAR NORMAN WAY: TIBURON GLEN PROJECT; CONSIDER RECOMMENDATION TO THE TOWN COUNCIL REGARDING A PRECISE DEVELOPMENT PLAN (PD #22) TO CREATE THREE (3) BUILDING SITES ON A 26.03 ACRE PARCEL; REVIEW OF SECOND ADDENDUM TO CERTIFIED EIR; Xanadu Property Holdings, Inc., Owners; Assessor’s Parcel No. 39-241-01; Continued from November 29, 2005**

**M/S, Fraser/Collins (passed 3-0) to continue item until the next scheduled meeting.**

## **MINUTES**

- 3. Planning Commission Minutes – Special Meeting of November 29, 2005**

Amend the following:

Page 2, paragraph 6, line 1: Insert “test” before “borings”

Page 2, paragraph 7, line 4: Change “is” to “be” after “that no smoking”

Page 3, paragraph 2, line 1: Change “that” to “the” after “the EIR is the ensure”

Page 3, paragraph 5, line 3: Change “know” to “known” after “but it is not”

Page 3, paragraph 8, line 2: Change “had” to “has” after “the consultant”

Page 3, paragraph 8, line 4: Insert “and he believed they have been addressed” after “answered”

Page 4, paragraph 1, line 1: Change “be” to “can” after “the shear key method”

Page 4, paragraph 4, lines 2-3: Change “for a reasonable mind to make a decision” to “to make a reasonably informed decision”

Page 4, paragraph 8, line 2: Change “challenge” to “challenges”

Page 7, paragraph 1, lines 1-2: Change “easements around the building” to “public access walkways adjacent to the building”

Page 7, paragraph 3, line 5: Add “of the building” to the end of the sentence.  
Page 7, paragraph 4, line 4: Delete “minute”

**M/S Collins/Fraser (passed 3-0) to approve the minutes as amended**

**4. Planning Commission Minutes – Special Meeting of December 8, 2005**

Amend the following:

Page 4, paragraph 1, lines 1-2: Change “the Commission is not able to make a determination about the project” to “it makes it more difficult for the Commission to make a determination about the project”

Page 7, paragraph 3, line 1: Change “is not” to “does not appear to be”

**M/S Collins/Fraser (passed 2-0-1, Kunzweiler abstained) to approve the minutes as amended.**

The Commission briefly discussed the issue, contained in the minutes of November 29, 2005, regarding timing of submittal of information for projects where infeasibility or takings issues were alleged by applicants. Commissioner Kunzweiler stated that he would like greater clarification from Town Staff concerning the process of building an argument for a taking and the Town’s Economic Exception Ordinance.

**ADJOURNMENT**

The meeting was adjourned at 8:10 p.m.

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JOHN KUNZWEILER, CHAIRMAN  
Tiburon Planning Commission

ATTEST:

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SCOTT ANDERSON, SECRETARY