



**TOWN OF TIBURON  
PLANNING COMMISSION  
1505 Tiburon Boulevard  
Tiburon, CA 94920  
Action and Approved Minutes  
Regular Meeting  
April 25, 2007 – 7:30 PM**

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**ACTION MINUTES**

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

**Present:**     Chairman Fraser, Vice Chairman Aguirre, Commissioner O'Donnell,  
                         Commissioner Kunzweiler  
**Absent:**       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

**PUBLIC HEARING**

1. END OF PARENTE ROAD AND END OF ANTONETTE DRIVE: CONFIRMATION OF PRECISE DEVELOPMENT PLAN WAIVER FOR PARENTE VISTA PROPERTY; Lionel Achuck, Owner; Ton Newton/ILS Associates, Applicant; Assessor's Parcel No. 038-111-16    **Confirmed 4-0**
2. 1525 and 1555 TIBURON BOULEVARD: EXTENSION OF TIME FOR CONDITIONAL USE PERMIT FOR TWO UN-PAVED PAY PARKING LOTS IN DOWNTOWN TIBURON; Main Street Properties (1525) and Zelinsky Properties (1555) Owners and Applicants; Assessor's Parcel No. 58-171-91 (portion) and 58-171-88 (portion)    **Approved 4-0**

**DISCUSSION ITEMS**

3. DRAFT CAPITAL IMPROVEMENT PROGRAM REVIEW FOR FISCAL YEAR 2007-2008 BUDGET **Comments Received**

**MINUTES**

4. PLANNING COMMISSION MINUTES - REGULAR MEETING OF MARCH 28, 2007  
**Adopted 3-0-1**

**ADJOURNMENT** **At 8:30 PM**

**APPROVED MINUTES NO. 946  
PLANNING COMMISSION  
April 25, 2007  
Regular Meeting  
Town of Tiburon Council Chambers  
1505 Tiburon Boulevard, Tiburon, California**

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**CALL TO ORDER AND ROLL CALL**

Chair Fraser called the meeting to order at 7:30 P.M.

**Present:** Chairman Fraser, Vice-Chairman Aguirre, Commissioners Kunzweiler and Commissioner O'Donnell

**Absent:** Commissioner Collins

**Staff Present:** Director of Community Development Anderson, Planning Manager Watrous, and Director of Public Works Nguyen

**ORAL COMMUNICATIONS**

None

**COMMISSION AND STAFF BRIEFING**

Director of Community Development Anderson stated there was one item to add to the Upcoming Items list at the bottom of the Agenda for May 9, which was a time extension for a day care use permit. He stated that the May 23 meeting may be cancelled due to the lack of items. Planning Manager Watrous reminded the Commission of the Town Council/Planning Commission workshop set for May 21.

**PUBLIC HEARING**

1. END OF PARENTE ROAD AND END OF ANTONETTE DRIVE: CONFIRMATION OF PRECISE DEVELOPMENT PLAN WAIVER FOR PARENTE VISTA PROPERTY; Lionel Achuck, Owner; Ton Newton/ILS Associates, Applicant; Assessor's Parcel No. 038-111-16

Planning Manager Watrous presented the staff report.

Lionel Achuck, Owner, stated that the design of the proposed driveway would be essentially the same as that approved by the Design Review Board. He said that he had earlier negotiated with the previous owners of the Parente Vista property for an easement for this driveway alignment. He said that this driveway design would reduce the amount of grading needed and would be more aesthetically appealing.

**Commissioner Kunzweiler** asked about the temporary driveway present on the site. Mr. Achuck replied that there is temporary paving in the same approximate location as the proposed driveway. He said that the finished driveway would be a little wider and the asphalt would be replaced with concrete, with no retaining walls.

There were no public comments, and **Chair Fraser** closed the public hearing.

**Commissioner O'Donnell** stated that he was on the Design Review Board when the Achuck house was approved, but he was a dissenting vote, because the driveway was so close to the property line and there was so much hardscape on the site. He said that the proposed driveway alignment would be a better solution than the one the Board approved. He said that he had no objection to the requested waiver and commended the applicant for how he is approaching the entire Parente Vista property.

**Commissioner Aguirre** stated that he had no objections to the waiver request but wondered how this would affect the Parent Vista project as a whole. Planning Manager Watrous responded that staff felt that the driveway would have no substantive effect on the development of the property.

**Commissioner Kunzweiler** asked if the applicant could change the current Parente Vista application to request more than two homes on the site. Planning Manager Watrous stated that that is possible, but noted that the applicant has been consistent in his approach to developing the site since he purchased the property.

**Commissioner Kunzweiler** asked if the proximity of the proposed driveway to the future Parente Vista roadway would create any visual impacts. Planning Manager Watrous replied that this portion of the site is not that visible from other properties, except from afar.

**Chair Fraser** stated that he visited the site and supported the requested waiver.

**ACTION: Move/Second (O'Donnell/Kunzweiler) to adopt the resolution confirming the waiver as submitted. Vote: 4-0 in favor.**

2. 1525 and 1555 TIBURON BOULEVARD: EXTENSION OF TIME FOR CONDITIONAL USE PERMIT FOR TWO UN-PAVED PAY PARKING LOTS IN DOWNTOWN TIBURON; Main Street Properties (1525) and Zelinsky Properties (1555) Owners and Applicants; Assessor's Parcel No. 58-171-91 (portion) and 58-171-88 (portion).

Community Development Director Anderson presented the report, noting this was likely to be the final time extension granted for both parking lots, as plans had either been approved or were under preparation for the paving of both lots. Staff prepared two resolutions; one for each of the lots, that grant an extension for a year. Staff recommends the Commission take public testimony and adopt the resolutions granting the extensions for the two parking lots.

**Vice-Chair Aguirre** referred to the condition in each resolution regarding the expiration date and asked to strike the words, "unless an application for extension has been granted."

The applicant said he was available for questions. There were no questions of the Commission and no public comment, and **Chair Fraser** closed the public hearing.

**Commissioner Kunzweiler** felt the Commission understood the reasons for the delay and supported the extension.

**Commissioner O'Donnell** and **Vice-Chair Aguirre** both supported the resolutions, as amended.

**ACTION: Move/Second (Kunzweiler/Aguirre) to adopt the two resolutions with the words “unless an application for extension has been granted” stricken from each resolution. Vote: 4-0 in favor.**

Director Anderson said the Director of Public Works would be arriving shortly and asked the Commission to consider the moving the adoption of minutes ahead of the next scheduled item. The Commission agreed.

### MINUTES

4. PLANNING COMMISSION MINUTES - REGULAR MEETING OF MARCH 28, 2007

**ACTION: Move/Second (Aguirre/O'Donnell) to approve the minutes as submitted. Vote: 3-0-1 (Kunzweiler abstained).**

### DISCUSSION ITEMS

3. DRAFT CAPITAL IMPROVEMENT PROGRAM REVIEW FOR FISCAL YEAR 2007-2008 BUDGET

Community Development Director Anderson presented the staff report, clarifying that per State statute, the role of the Planning Commission was to annually review the Capital Improvement Program (CIP) Plan for consistency with the General Plan. He felt, given the size of Tiburon, it was easy to determine when a capital improvement project was inconsistent with the General Plan. He stated that the CIP plan involved three categories; 1) streets; 2) drainage; and 3) community and miscellaneous projects, which includes undergrounding projects.

Director Anderson said the plan is then discussed with all department managers and the Town Manager, it moves onto a standing Council subcommittee, which makes the recommendation to the full Council during the budget process, which is typically conducted in May and June. The budget is adopted prior to July 1st.

Director of Public Works Nguyen arrived at the meeting at 8:05 PM.

**Commissioner Kunzweiler asked** how projects relate to the General Plan in terms of priorities. He stated that the Commission spent considerable time prioritizing the General Plan programs, as well as timeframes as to when they might be underway. He cited as an example the line item regarding “Traffic Calming on Centro West”.

Director Anderson said this year he and Director of Public Works reviewed the General Plan Implementation program when working on the Draft CIP Plan. He said many general plan items do not

appear because they are maintenance items; while many items are projects that have been around for awhile or are tied to on-going projects, such as the Lyford Bridge. Some of the other improvements, such as Tiburon Boulevard and Trestle Glen Intersections widening project, are keystone programs in the General Plan Circulation Element and will relieve some of the traffic congestion. He said the Stewart Drive at Tiburon Boulevard improvements are intended to address a long-standing problem and the Town finally got Caltrans to come through with some offer of improvements and the Town will contribute \$15,000, which is only a portion of the cost. Caltrans will fund the bulk of the project cost.

Director Nguyen described the Stewart Drive/Tiburon Boulevard intersection improvements for the Commission.

Director Anderson stated the Open Space Management Plan was also very important and listed as High priority in the general plan program list, as well as the Fire Road item, and said staff did consult the General Plan Implementation Program when pulling together the draft capital improvements program list.

**Commissioner O'Donnell** confirmed that the Seismic Risk Improvement Plan was also a high priority in the general plan list.

**Commissioner Kunzweiler** questioned if the undergrounding projects were on budget and whether there was a contingency that the Town would need to consider using.

Director Nguyen said the Lyford Cove Underground District was on budget and that contingency funding was contained within the project budget itself; however, the project has actually been completed. Staff is now thinking about how to restore the roads and is writing a letter to the utilities to complete their portion of the project as soon as possible. He said Comcast and PG&E had actually mobilized on the site before the job was completed, which was a plus. Director Anderson said it would be many months at least before the utility poles were removed, due to the utility company's schedules.

Director Nguyen confirmed with **Vice-Chair Aguirre** that the general area would also be entirely repaved, which was listed on the street improvement chart as Item 1 for \$468,000, and said staff has had to come up with more funding to fully cover the cost.

**Chair Fraser** asked if there was a list of top priority projects in the General Plan that did not make it into the budget. Director Anderson said he did not have a pre-prepared list, but most of the projects in there were not things that would ever appear on the CIP Plan list and were mostly non-budgeted, staff-intensive efforts that have not yet been completed.

Director Nguyen said in following up on how the priorities are set or developed, one of the things that he will be promoting is the adoption of a Long-Term Capital Improvement Program. Historically, the Town has not adopted one, but it definitely is a good tool for financing. He said many finance directors use this as a tool to estimate their revenue stream and cost streams out into the future. Staff will be better able to identify costs and savings of projects, as well as their overall financing.

**Commissioner Kunzweiler** felt Paradise Drive costs will need to be addressed, in addition to the overall condition of Town streets. Director Anderson said the Town has a better grip of the pavement condition and deterioration rates. He added that the Public Works Department has embarked on a Storm Drain Master Plan, which does the same as what the Street Pavement Program does, which is assess the condition of the storm drains, identify the deficiencies, develop a plan to bridge that deficiency, and cost

out the overall effort into a long-term plan. He felt this would be another eye-opening project because currently the Town did not know the full extent of the deferred maintenance of its storm drain system, much of which was installed in the 1950's and 1960's.

**Vice-Chair Aguirre** strongly recommended that a close look be taken of what capital improvements would be needed 5 to 10 years out.

**Commissioner O'Donnell** questioned the condition of Mar West Street. Director Nguyen said the Town has federal and local monies and that the overlay project should be in construction in July of 2007.

There were no other comments.

**ADJOURNMENT**

The meeting was adjourned at 8:30 P.M.

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JIM FRASER, CHAIRMAN

ATTEST:

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SCOTT ANDERSON, SECRETARY