PLANNING COMMISSION MEETING MINUTES

City Council Chamber
200 Old Bernal Avenue, Pleasanton, CA 94566

APPROVED

Wednesday, June 13, 2012
(Staff has reviewed the proposed changes against the recorded proceedings and confirms that these Minutes are accurate.)

CALL TO ORDER

The Planning Commission Meeting of June 13, 2012, was called to order at 7:00 p.m. by Acting Chair Jennifer Pearce.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Acting Chair Pearce.

1. ROLL CALL

Staff Members Present:	Brian Dolan, Director of Community Development; Julie Harryman, Assistant City Attorney; Steve Otto, Senior Planner; Shweta Bonn, Associate Planner; and Maria L. Hoey, Recording Secretary
Commissioners Present:	Commissioners Greg O'Connor, Arne Olson, and Jennifer Pearce
Commissioners Absent:	Commissioners Phil Blank, Kathy Narum, and Jerry Pentin

2. APPROVAL OF MINUTES

a. May 23, 2012

Commissioner Olson moved to approve the Minutes of May 23, 2012. Commissioner O'Connor seconded the motion.

ROLL CALL VOTE:

AYES: Commissioners O'Connor, Olson, and Pearce
NOES: None
ABSTAIN: None
RECUSED: None
ABSENT: Commissioners Blank, Narum, and Pentin

The Minutes of the May 23, 2012 were approved as submitted.

3. MEETING OPEN FOR ANY MEMBER OF THE AUDIENCE TO ADDRESS THE PLANNING COMMISSION ON ANY ITEM WHICH IS NOT ALREADY ON THE AGENDA

There were no members of the audience wishing to address the Planning Commission.

4. REVISIONS TO THE AGENDA

Steve Otto advised that there were no revisions to the Agenda.

5. CONSENT CALENDAR

a. PUD-85-08-13D/P12-0763, Mercedes Benz of Pleasanton
Applications for Planned Unit Development (PUD) Design Review and Conditional Use Permit for the demolition of the three existing buildings and construction and operation of an approximately 112,345-square-foot automobile showroom and service facility for Mercedes-Benz of Pleasanton at 5871, 5877, and 5885 Owens Drive. Zoning for the properties is PUD-I/C-O (Planned Unit Development – Industrial/Commercial-Office) District.

Also consider the Negative Declaration prepared for the project.

Commissioner Olson moved to find that the project would not have a significant effect on the environment and approve the draft Initial Study and Negative Declaration, make the Conditional Use Permit findings as listed in the staff report, and approve Cases PUD-85-08-13D and P12-0763, subject to the conditions listed in Exhibit A of the staff report.
Commissioner O'Connor seconded the motion.

ROLL CALL VOTE:

AYES: Commissioners O'Connor, Olson, and Pearce
NOES: None
ABSTAIN: None
RECUSED: None
ABSENT: Commissioners Blank, Narum, and Pentin

Resolutions Nos. PC-2012-26 approving the Initial Study and Negative Declaration, PC-2012-27 approving Case PUD-85-08-13D, and PC-2012-28 approving Case P12-0763 were entered and adopted as motioned.

6. PUBLIC HEARING AND OTHER MATTERS

There were no items for discussion.

7. MATTERS INITIATED BY COMMISSION MEMBERS

Commissioner O'Connor stated that he had received an email from Yiping Leroudier regarding her neighbor's trash cans and inquired if staff received a copy of that email.

Brian Dolan replied that he did receive that email too.

Commissioner O'Connor inquired if the Pleasanton Municipal Code addresses trash cans that are left out in front of a residence. He noted that most cities do.

Mr. Dolan replied that he distributed the email among staff and asked if the City had an ordinance or policy to address this issue, and staff said no . He added that he spoke with Walter Wickboldt, the City's Code Enforcement Officer, who indicated the issue comes up every so often but has not been a frequent complaint.

Commissioner O'Connor stated that he thinks that every city has some code or policy addressing this matter and noted that Ms. Leroudier had sent a second email wherein she copied a code section from the City of Fremont.

For the benefit of those among the Commissioners who did not receive the email, Commissioner O'Connor recalled that Ms. Leroudier came before the Commission a few years ago for a second-story rear window that overlooked the neighbor's backyard. He indicated that the matter was appealed to the Council, and the Leroudiers were allowed to have the window but were directed by the Council to plant trees. He added that the Leroudiers have done everything required of them and are now having some issues with the neighbors who are leaving their garbage cans near the fence and over-watering the trees over the fence.

Commissioner O'Connor noted that this appears to be another of those neighborhood disputes and inquired if any similar complaints have been filed from other parts of the City.

Mr. Dolan replied that this is the first one he has heard of but that Mr. Wickboldt had indicated that he receives a call every couple of years from citizens making similar inquiries. Mr. Dolan added that most cities have a code section on this issue, and the City is fortunate that most people just deal with the issues with common sense.

Commissioner O'Connor asked staff if this is something the City might want to do.

Mr. Dolan replied that the issue has not risen just yet to a level where an ordinance would need to be passed.

Commissioner Olson stated that the hot weather will subside and the smell will go away.

Acting Chair Pearce noted that this is a neighborhood issue and there is more to it than meets the eye.

8. MATTERS FOR COMMISSION'S REVIEW/ACTION/INFORMATION

a. Future Planning Calendar

No discussion was held or action taken.

b. Actions of the City Council

No discussion was held or action taken.

c. Actions of the Zoning Administrator

No discussion was held or action taken.

d. Matters for Commission's Information

No discussion was held or action taken.

Acting Chair Pearce noted that the Referral and Communication sections of the agenda have been removed and thanked staff for doing that.

9. ADJOURNMENT

Acting Chair Pearce adjourned the Planning Commission meeting at 7:07 p.m.

Respectfully,

JANICE STERN
Secretary