



BOARD OF SUPERVISORS
Planning Meeting
1:00PM

Regular Meeting

TUESDAY, MAY 12, 2009

COUNTY ADMINISTRATION BUILDING
SUPERVISORS' CHAMBERS
1221 OAK STREET
FIFTH FLOOR, ROOM 512
OAKLAND, CALIFORNIA

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MISSION

*TO ENRICH THE LIVES OF ALAMEDA COUNTY RESIDENTS THROUGH VISIONARY POLICIES AND ACCESSIBLE,
RESPONSIVE, AND EFFECTIVE SERVICES.*

VISION

ALAMEDA COUNTY IS RECOGNIZED AS ONE OF THE BEST COUNTIES IN WHICH TO LIVE, WORK AND DO BUSINESS.

The Board of Supervisors welcomes you to its meetings and your interest is appreciated. If you wish to speak on a matter on the agenda or during public input, please fill out a speaker slip at the front of the Chambers and turn it in to the Clerk as soon as possible. When addressing the Board, please give your name for the record prior to your presentation. If you wish to speak on a matter **not** on the agenda, please wait until the President calls for public input at the end of the Regular Calendar. **NOTE:** Only matters within the Board of Supervisors' jurisdiction may be addressed. Time limitations shall be at the discretion of the President of the Board.

Pursuant to Board Policy: (1) Signs or demonstrations are prohibited during Board meetings; (2) Any Board Member may request a **two-week** continuance on any item appearing for the first time; (3) All agenda items shall be received by the County Administrator prior to 3 p.m. on Tuesday **two** weeks before the meeting date or earlier when a Holiday intervenes.

Hearing difficulty? Please ask the Clerk for use of a personal sound receiver. The Board of Supervisors' meetings are wheelchair accessible. Call (510) 208-4949 (voice) or (510) 834-6754 (TDD) to request a sign-language interpreter. Five working days' notice is required. If you have questions regarding the agenda, please call (510) 208-4949.

Attention: The Alameda County internet address is www.acgov.org. All regular Board of Supervisors' meetings held in the Board Chamber can be heard live on the Board's web page. In order to log on, please do the following: click on the County's homepage as noted above and click on the "[Board of Supervisors Meeting - LIVE! Broadcast](#)" link. You may also access archived audio recordings, meeting agenda and minutes, as well as meeting dates on the Board's web page <http://www.acgov.org/board/index.htm>. All documents are archived on the web page for a period of 6 months.

1:00 P.M.

CALL TO ORDER AND SALUTE TO FLAG

APPROVE MINUTES OF PLANNING MEETING – April 14, 2009

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION

Significant exposure to litigation pursuant to Subdivision (b) of Government Code § 54956.9: (two cases)

CONSENT CALENDAR

1. Approve record of cost of abatement and authorize assessment liens on properties in violation of abatement orders under the Neighborhood Preservation Ordinance
Attachment
2. **SITE DEVELOPMENT REVIEW and CONDITIONAL USE PERMIT, PLN2009-00005, JIM and PAT O’LAUGHLIN** – Appeal of Mike Cerny from the decision of the Planning Commission to approve the petition to allow construction of two duplexes, each with one bedroom, to be used as rental units, in the SD (Sunol Downtown) District, located at 233 Bond Street, northwest corner of Main and Bond Streets, Sunol area of unincorporated Alameda County, Assessor’s Parcel Number: 096-0140-020-00.
Continue to June 9, 2009
Attachment
3. **BOUNDARY ADJUSTMENT, PLN 2009-00036, MCCABE/STRIEFF TRUST** – To allow a Boundary Adjustment between two Williamson Act parcels, in an A-BE (Agriculture, 160 acre M.B.S.A) District, divided by Patterson Pass Road, approximately 1.22 miles west of Midway Rd, unincorporated Livermore area of Alameda County, designated Assessor’s Parcel Numbers: 99B-7925-001-03 and 04.
Planning Staff recommendation: Adopt resolution rescinding the existing agricultural and open space preserves for subject properties and re-establish an Agricultural Preserve (Williamson Act) Contract with the legal descriptions for the new parcels created by the Boundary Adjustment.
Planning Staff recommendation: Approve the project.
Attachment
4. **APPROVE THE ALTAMONT SETTLEMENT AGREEMENT EDUCATION ADVISORY BOARD’S EXPENDITURE PLAN FOR FISCAL YEAR 2009-2010 (\$500,000)** - That the Board of Supervisors provide concurrence to the proposed Altamont Settlement Agreement Education Advisory Board’s proposed Expenditure Plan for Fiscal Year 2009/2010. This concurrence is required per Section 7.6.3 of the Altamont Landfill Settlement Agreement.
Planning Staff recommendation: Approve expenditure plan.
Attachment

REGULAR CALENDAR

5. **SUTTER MEDICAL CENTER REPLACEMENT HOSPITAL PROJECT** – Petition to certify the Environmental Impact Report (SCH No. 2008052019) and approve a Castro Valley General Plan Amendment (PLN2009-33), Castro Valley Central Business District Specific Plan Amendment (PLN2009-33), and Planned Development Zoning and Land Use and Development Plan (PLN2008-2259). The Sutter Medical Center, Castro Valley project (“SMCCV Project”) would develop a new hospital that would total approximately 230,000 square feet and would contain approximately 130 licensed beds in private, single-patient rooms, and an additional 34-station universal care unit. The SMCCV Project would also relocate an existing helistop, construct a new approximately 80,000 sq. ft. medical office building with physician offices, out-patient surgery, urgent care clinic and other uses, and would involve the development of related improvements and facilities such as a central utility plant, surface parking, a direct, on-site connection to the existing parking garage, driveways and loading areas, landscaped areas, and signage. The SMCCV Project will involve demolition of the existing Eden Hospital (after completion of the proposed new hospital), the Laurel Grove Hospital, several small medical office buildings (totaling approximately 19,500 sq. ft.), and an adjacent 42-unit apartment building (the Pine Cone Apartments on Stanton Avenue). The existing Eden Hospital would remain operational until completion of the new hospital, at which time it would be demolished and replaced with landscaped surface parking. The SMCCV Project Site includes approximately 18.97 acres identified as follows: 20301/20055 Lake Chabot Road, 20081-20101 Lake Chabot Road, 19933 and 19991 Lake Chabot Road, 20000 Stanton Avenue, and 20004 Stanton Avenue, approximately 1,500 feet north of Castro Valley Boulevard, bearing Assessor's Parcel Numbers: 084A-0279-005-10, 084A-0279-007, 084A-0279-010-00, 084A-0279-001-01, and 084A-0279-002, in the Castro Valley area of unincorporated Alameda County.

Castro Valley Municipal Advisory Council recommendation: The Council recommended that the Board of Supervisors consider the possibility of the closure of the San Leandro Hospital and the cumulative impact on the Sutter Hospital so that it may be addressed in the Environmental Impact Report. If the Board determines that there is no significant impact, then the Sutter Medical Center project should be approved in substantial conformance with the documents EIR certification, general specific plan amendments and re-zonings 2.1, 2.3, and 2.4

Planning Commission recommendation: The following recommendations were made:

- A. Adopt a resolution to approve the Environmental Impact Report
- B. Adopt a resolution amending the Castro Valley Plan
- C. Adopt an ordinance amending the Castro Valley Central Business District Specific Plan
- D. Adopt an ordinance establishing a Planned Development zoning district and adoption of a Land Use and Development Plan
- E. The Chair recommended that the Board of Supervisors look at the adequacy of the level of service in the County including San Leandro Hospital due to the level of concern expressed by interested parties.

Planning Staff recommendation: Approve the following recommendations for the Sutter Medical Center Castro Valley project:

- A. Receive the staff report and public testimony;
- B. Consider the full record of proceedings;
- C. Approve the Project; **Attachment**
- D. Adopt a resolution certifying the Environmental Impact Report and adopting California Environmental Quality Act findings (including a statement of overriding considerations and a mitigation monitoring and report program); **Attachment D1 Attachment D2 Attachment D3**
- E. Adopt a resolution amending the Castro Valley Plan; **Attachment**
- F. Adopt a resolution and first reading and introduction of an ordinance amending the Castro Valley Central Business District Specific Plan and set the matter for a second reading; and **Attachment**
- G. Adopt a resolution and an ordinance to establish a Planned Development zoning district and a Land Use and Development Plan in connection therewith. **Attachment G1 Attachment G2**

6. **CONDITIONAL USE PERMIT, C-8555, TERESITA LAGUNA** – Appeal of Teresita Laguna from the decision of the West Board of Zoning Adjustments to deny the application to allow the continued operation of a 22 bed Residential Care Facility, in an R-1 (Single Family Residence) District, located at 268 Lewelling Boulevard, south side, approximately 100 feet east of Tracy Street, , unincorporated, San Lorenzo area of Alameda County, designated Assessor’s Parcel Number: 413-0093-002-00.
Board of Zoning Adjustments (West): Deny the project.
Board of Supervisors meeting: Continued for 6 months; instruct code enforcement to red tag building
Planning Staff recommendation: Uphold the decision of the WBZA and deny the appeal.
Attachment
7. **PROPOSED AMENDMENT TO ZONING ORDINANCE – REVISING SECTIONS RELATING TO AGRICULTURAL CARETAKER UNITS** - Amendments to Chapters 17.04.010 and 17.06 of Title 17 of the Alameda County Ordinance Code, the Zoning Ordinance of Alameda County in order to establish modified standards for agricultural caretakers’ dwelling units throughout the unincorporated areas. The proposed amendments would allow agricultural caretaker units to be permanent structures under certain circumstances where such structures are now required to be temporary. The proposed amendments would also clarify the type of information that must be submitted by a property owner to demonstrate the need for an agricultural caretaker unit. The proposed amendments also provide clean-up for text that was inadvertently left in the Zoning Ordinance during consideration and amendment in 2003.
Planning Staff recommendation: Conduct second reading and approve as revised. **Attachment**

PUBLIC INPUT (TIME LIMIT: 3 MINUTES PER SPEAKER)

COUNTY COUNSEL: REPORT ON ACTION TAKEN IN CLOSED SESSION

ADJOURNMENT