



BOARD OF SUPERVISORS

1:00 PM

Regular Meeting

TUESDAY, JUNE 9, 2009

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

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ASSISTANT COUNTY COUNSEL

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.

Agenda continued from Regular Board Meeting (includes items 1-7)

Planning Meeting

CONSENT CALENDAR

8. APPROVE MINUTES OF PLANNING MEETING - May 12, 2009
9. Approve record of cost of abatement and authorize assessment liens on properties in violation of abatement orders under the Neighborhood Preservation Ordinance **Attachment**
10. **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.
Appeal withdrawn
11. **CONDITIONAL USE PERMIT, PLN 2008-00072, DANTON GARNHART** - Appeal of Danton Garnhart from the decision of the West Board of Zoning Adjustments to deny the expansion of a non-conforming use with the addition of a second story to one unit on a property with seven units in a "R-1" (Single Family Residential) District, located at 1131 – 1143 Grove Way, east side, approximately 85 feet northeast of Birch Street, unincorporated Cherryland area of Alameda County, designated Assessor's Parcel Number 428-0011-111-01.
To be continued to September 8, 2009
12. **VARIANCE, PLN2009-00007, MAYANK PATEL** – Appeal of Mayank Patel from the decision of the East Board of Zoning Adjustments to deny the application to allow a five foot - six inch high fence where four feet is the maximum (within 20-feet of a key lot) and a five foot high fence on a retaining wall where two feet and zero foot are the maximum (front yard), in a P-D-ZU-2001 (Planned Development, Zoning Unit-2001) District, located at 844 Castlewood Place, southwest side, corner with Castlewood Drive, Pleasanton area of unincorporated Alameda County, bearing Assessor's Parcel Number: 946-4396-032-03.
To be continued to July 14, 2009

REGULAR CALENDAR

13. **TRANSMISSION AGENCY OF NORTHERN CALIFORNIA (TANC) AND WESTERN AREA POWER ADMINISTRATION (WAPA), ELECTRICAL POWER TRANSMISSION LINE PROJECT** – Proposal to build and upgrade high-voltage transmission lines, substations and related facilities along a 600-mile route in California, including two double-circuit 230 kV lines across the a significant portion of Alameda County, along a yet-to-be determined final pathway up to 1,000 feet in width.

Planning Staff recommendation: Adopt the resolution. **Attachment**

14. **ADMINISTRATIVE CONDITIONAL USE PERMITS, PLN-2009-00013, 14, 15, 16, 17, and 18** – Appeal of Marketshare, Inc. from conditions (4) and (6) of the Planning Director decision to approve applications PLN 2009-00013, 16, and 18 for temporary placement of off-site directional tract signs. Condition (4) directs the applicant to, in digital, print, and all other media, guide visitors on routes through the City of Hayward where logical, rather than via Fairview Avenue for north and east bound traffic. Condition (6) approves said applications for a period of six months, rather than for one year. Marketshare, Inc. also appeals the Planning Director decision to deny applications PLN-2009-00014, 15, and 17 for temporary placement of off-site directional tract signs.

Planning Director's decision:

Approved - PLN-2009-00013 Northeast corner of Crow Canyon Rd and E. Castro Valley Blvd, unincorporated Castro Valley area of Alameda County, Assessor's Parcel Number 085-5400-033-04

Denied - PLN-2009-00014 26795 Fairview Ave, Hayward, CA west side, 200 feet south of Amyx Ct, unincorporated Fairview area of Alameda County, Assessor's Parcel Number 425-0280-005-00.

Denied - PLN-2009-00015 Five Canyons Parkway, west side, 600 feet south of I-580, unincorporated Castro Valley area of Alameda County, Assessor's Parcel Number 417-0161-006-03.

Approved - PLN-2009-00016 Castro Valley Blvd, north side, 850 feet east of Jensen Rd, unincorporated Castro Valley area of Alameda County, Assessor's Parcel Number 085-5475-003-00

Denied - PLN-2009-00017 Five Canyons Parkway, west side, 300 feet south of Peacock Hill Dr, unincorporated Castro Valley area of Alameda County, Assessor's Parcel Number 417-0280-037-00.

Approved - PLN-2009-00018 Southwest corner, junction of Five Canyons Parkway, Fairview and East Avenue, unincorporated Fairview area of Alameda County, Assessor's Parcel Number 425-0060-008-00.

Planning Staff recommendation: Deny the appeal and uphold the Planning Director's decision for each application. **Attachment**

15. **PROPOSED NON-BINDING RESOLUTION OF INTEREST TO JOIN THE CALIFORNIA FIRST PROGRAM UNDER THE STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY (CSCDA AND CREATE AN ALAMEDA COUNTY PACE (PROPERTY ASSISTANCE FOR CLEAN ENERGY) PROGRAM** - Create a land based financing district as provided for under AB 811 to finance energy efficiency projects in Alameda County. Participating in the California FIRST pilot program though the CSCDA would simplify the process for Alameda County (and potentially its cities) in creating the financing districts, managing the legal formation process, and issuing the bonds.

Planning Staff recommendation: Adopt the attached draft resolution that conveys to the California Statewide Communities Development Authority the interest of Alameda County in creating a land based financing district (PACE Program) under the California FIRST program. **Attachment**

2:00 P.M. - SET MATTER

16. **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 rezonings 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; **Attachment**
- B. Consider the full record of proceedings;
- C. Approve the Project;
- 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**
- 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; 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 Attachment Attachment Attachment

PUBLIC INPUT (TIME LIMIT: 3 MINUTES PER SPEAKER)

COUNTY COUNSEL: REPORT ON ACTION TAKEN IN CLOSED SESSION

ADJOURNMENT