

INVESTING IN NEVADA COUNTY ALTA SIERRA

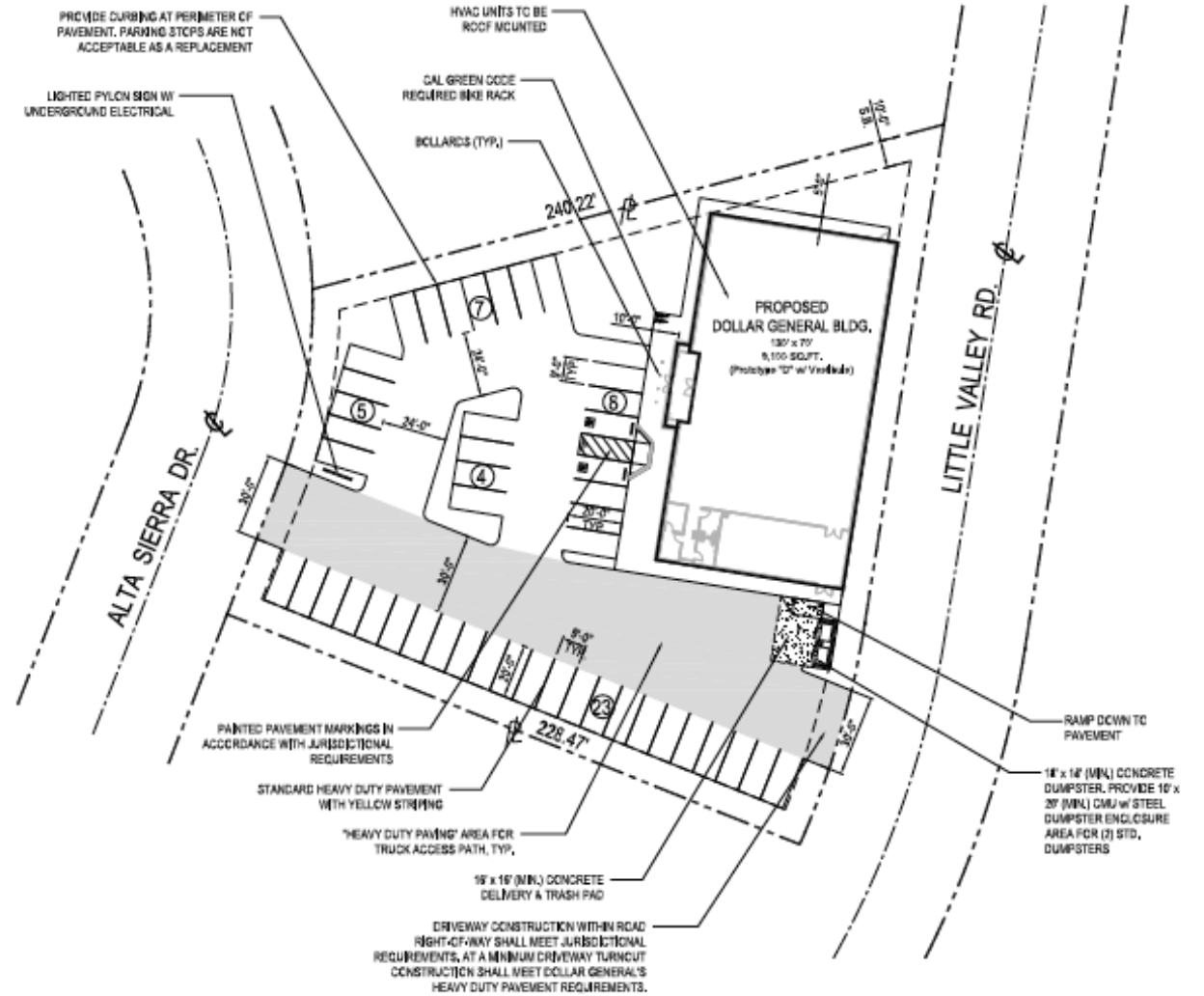


JOSHUA SIMON
FOUNDER & CEO

IN THE BEGINNING

12.10.13

Over 4 years ago



NOTES

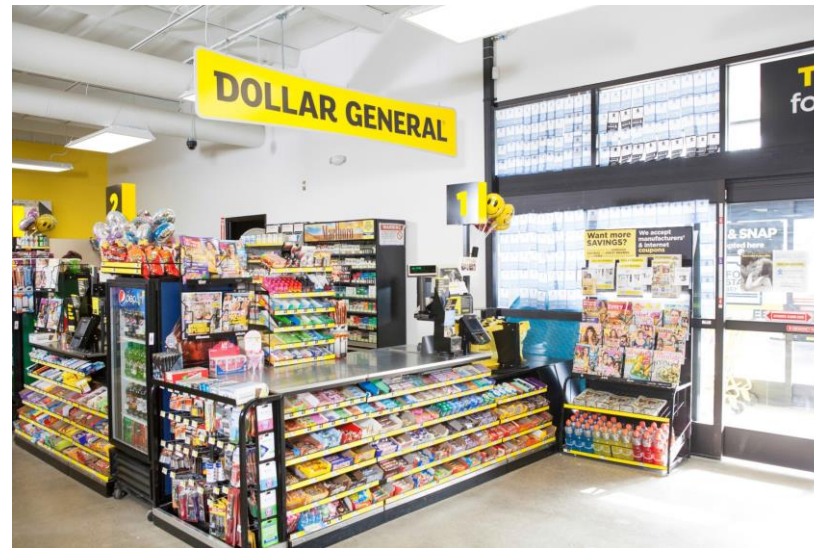
1. SITE PLAN PREPARED WITHOUT BENEFIT OF TITLE OPINION, DEED RESTRICTION, OR SURVEY.
2. SITE SUBJECT TO CHANGE PENDING ALL STATE AND CITY ORDINANCES OR DEED RESTRICTIONS.
3. BUILDING AND SITE SIGN LOCATION, SQUARE FOOTAGE, AND TYPE SUBJECT TO CHANGE PENDING ALL STATE AND CITY ORDINANCES OR DEED RESTRICTIONS.



DOLLAR GENERAL®

NOT A DOLLAR STORE

BREAKING THE DOLLAR STORE STIGMA

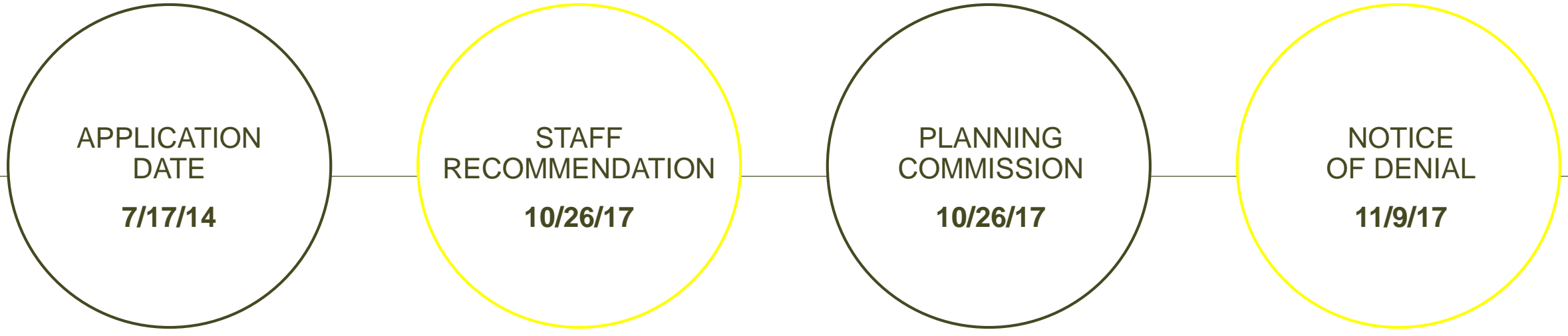


A misty forest of evergreen trees, likely spruce or fir, with a soft, hazy atmosphere. The trees are silhouetted against a light, foggy background, creating a serene and natural setting.

THANK YOU FOR THE OPPORTUNITY

CHANCE TO GET TO KNOW THE COMMUNITY BOTH
SUPPORTERS AND NONSUPPORTERS | ATTENDED
CHAMBER MEETINGS | CONTRIBUTED TO MEALS ON
WHEELS | WE'VE LEARNED TO BE A BETTER
DEVELOPER

PROJECT HISTORY



INHERENT TO SITE

- General Plan – “Neighborhood Commercial”
- Zoning District – “Neighborhood Commercial”
- “Neighborhood Commercial” (C-1) – The “C-1” District is intended to provide for the retail and service needs of nearby neighborhoods, and to provide limited mixed use employment opportunities. Development is intended to be grouped as a clustered center to preclude strip development.”
- Compatible
 - Other uses in area:
 - Gas station
 - Real estate office
 - Storage facility
 - Oak View Commercial Center
 - Market
 - Restaurant
 - Bike shop
 - Pizza parlor
 - Gift store
 - Hairstylist
 - Chiropractor
 - Pet groomer
 - Wine store



ECONOMIC



ENVIRONMENTAL



PROPERTY VALUES

NOTICE OF DENIAL

DOLLAR GENERAL®



COUNTY OF NEVADA
COMMUNITY DEVELOPMENT AGENCY
PLANNING DEPARTMENT
950 MAIDU AVENUE, SUITE 170, NEVADA CITY, CA 95959-8617
(530) 265-1222 FAX (530) 265-9851 <http://mynevadacounty.com>

Sean Power
Community Development Agency Director

Brian Foss
Planning Director

November 2, 2017

TO: Planning Commission

FROM: Tyler Barrington, Principal Planner TB 11-2-17

HEARING DATE: November 9, 2017

SUBJECT: Project Denial Findings for DP14-001 and MGT14-010: Alta Sierra Dollar General

Dear Commissioners,

Below are the recommended actions and findings for the denial of the Oak Tree Management Plan (MGT14-010) and Development Permit (DP14-001) based on your October 26, 2017 Motion of Intent to deny the proposed Dollar General Retail Store on the Alta Sierra location; 10166 Alta Sierra Drive, APN 25-430-08.

Actions Based on October 26, 2017 Motion of Intent:

- II. Deny Management Plan (MGT14-010) proposed to allow for the disturbance of a 1.40-acre landmark oak grove and 4 landmark oak trees to support the development of a 9,100 square foot retail facility making findings A and B:
 - A. That the issuance of this Management Plan is inconsistent with the provisions of Section L-II 4.3. Resource Standards and L-II 4.3.15 Trees of the Nevada County Land Use and Development Code because the Management Plan does not provide adequate methods to avoid the resource and does not clearly minimize the project impacts to the sites landmark oak trees and grove; and
 - B. That the Management Plan is unnecessary due to the denial of the project Development Permit (DP14-001).
- III. Deny Development Permit (DP14-001) proposing the construction of a 9,100 square foot building and associated parking and infrastructure improvements as the project's size, scale and massing is incompatible Little Valley Road rural residential neighborhood and the project is found to be inconsistent with central themes, goals and policies of the

11.9.17

- Received Notice of Denial stating 9 “findings” of inconsistency with the themes, goals, and policies of the Nevada County General Plan

FINDINGS

DOLLAR GENERAL®

PLANNING COMMISSION FINDINGS

FINDING A

Proposed Development is inconsistent with County General Plan Theme of fostering a “rural quality of life”, by introducing a significant amount of light and glare and an urban development within an area designated as a “Rural Center” by the General Plan.



Staff Report:

- “Mitigation Measure MM AS-4.1.2a requires a revised lighting plan to demonstrate how the project can completely retain light onsite.”

- Lighting Plan
- Screening Walls



FINDINGS

DOLLAR GENERAL®

PLANNING COMMISSION FINDINGS

FINDING B

Proposed Development is inconsistent with the Supportive Themes of the General Plan....which found the project will have significant and unavoidable visual impact and substantially degrade the visual character of the site and surrounding area even after the application of mitigation measures.



Staff Report:

- Any perceived “Impact to aesthetics is a result of taking a vacant, vegetated parcel and removing the vegetation to construct the project.”
- Project “would be a logical expansion of the existing commercial center and would be visually compatible with existing uses as viewed from Alta Sierra Drive.”
- This impact is “UNAVOIDABLE.” (per the EIR and Staff Report)



PLANNING COMMISSION FINDINGS

FINDING C

Site is not physically suited for the size, mass and scale of the proposed development. Existing nearby residential could experience interruption to enjoyment.



Staff Report:

- “Visually compatible in design with other uses in area and would NOT result in a substantial change in views.”

- Additional landscaping and screening
- There is no factual, logical or legal basis that finds overall size, scale, mass of project will result in visual degradation or interruption of enjoyment of local residences
- There is no factual, logical or legal basis that finds our project conflicts with the County General Plan

PLANNING COMMISSION FINDINGS

FINDING D

The proposed use is not compatible with existing and anticipated future uses...due to the overall size, scale and mass.



Staff Report:

- “Development with a commercial use would be a logical expansion of the center and would be visually compatible with existing views (as viewed from Alta Sierra Drive).”
- ”Proposed development...would be visually compatible with the adjacent commercial development and would not result in a substantial change in views.”

➤ There is no applicable statute, ordinance or land use that limits a project’s infrastructure to its own parcel

PLANNING COMMISSION FINDINGS

FINDING E

Concerns re: grading and size of retaining walls



Staff Report:

- “...necessary to ensure the project can meet grades to accommodate ADA access and parking.”

- Little Valley Road removed as a secondary access
- Any commercial development will require these walls

PLANNING COMMISSION FINDINGS

FINDING F

Project will result in significant and unavoidable aesthetic impacts as a result of size, mass and scale of building, partly because the building is exposed to the residences to the Northeast.



Staff Report:

- “Development with a commercial use would be a logical expansion of the center and would be visually compatible with the existing uses.”

- Zoned Commercial
- Landscaping
- Screening
- Attempted to re-orientate building

FINDINGS

**VIEW FROM
NORTHEAST**



PLANNING COMMISSION FINDINGS

FINDING G

Project requires an approximately 26% reduction in parking from 46 stalls to 34.



Staff Report:

- “Staff from DPW and Planning have reviewed this study and found that it meets the requirements of this Section of the LUDC.”
- Parking reduction is allowed by LUDC Section L-114.2.9K.12

- Traffic study justifies less parking than variance
- Less parking = more open space
- Dollar General requires less parking
- Future: Self-driving cars

PLANNING COMMISSION FINDINGS

FINDING H

Project is overdeveloped for site and cannot accommodate its own infrastructure.



Staff Report:

- “Commenters appear to have misinterpreted the Plumbing Code requirements regarding off-site parcels. The Code does not state that off-site parcels may never be used. “



There is no applicable statute, ordinance or land use that limits a project’s septic infrastructure to its own parcel. This claim is unsupported by fact or law

PLANNING COMMISSION FINDINGS

FINDING I

Planning commission determines the adverse environmental effects outweigh the benefits due to the size, scale and mass of project...



Staff Report:

- “A Statement of Overriding Considerations was prepared, which outlined that this project would result in potential positive economic benefits, a potential reduction in greenhouse gas emissions and air quality impacts, and promoted several land use policies of the General Plan.”



Project benefits far outweigh any potential adverse conditions

- EIR – all issues mitigated to a condition “less than significant” or below
- Staff recommendation confirms compliancy
- Property rights
- Economic, environmental and other benefits