

1 **NEVADA COUNTY PLANNING COMMISSION**
2 **NEVADA COUNTY, CALIFORNIA**

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4 **MINUTES** of the meeting of November 9, 2017, 1:30 PM, Board Chambers, Eric Rood
5 Administration Center, 950 Maidu Avenue, Nevada City, California
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8 **MEMBERS PRESENT:** Vice Chair James and Commissioners Heck, Duncan and Jensen.
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10 **MEMBERS ABSENT:** Chair Aguilar.
11

12 **STAFF PRESENT:** Planning Director, Brian Foss; Principal Planner, Tyler Barrington; Deputy
13 County Counsel, Rhetta VanderPloeg; Administrative Assistant, Tine Mathiasen.
14

15
16 **PUBLIC HEARINGS:**

- 17
18 1. Alta Sierra Dollar General Store Page 1, Line 39
19 DP14-001; MGT14-010
20

21 **STANDING ORDERS:** Salute to the Flag - Roll Call - Corrections to Agenda.
22

23 **CALL MEETING TO ORDER:** The meeting was called to order at 1:37 p.m. Roll call was
24 taken.
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26 **CHANGES TO AGENDA:** None.
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28 **PUBLIC COMMENT:** Members of the public shall be allowed to address the Commission on
29 items not appearing on the agenda which are of interest to the public and are within the subject
30 matter jurisdiction of the Planning Commission, provided that no action shall be taken unless
31 otherwise authorized by Subdivision (6) of Section 54954.2 of the Government Code. None.
32

33 **COMMISSION BUSINESS:** None
34

35 **CONSENT ITEMS:** None.
36

37 **PUBLIC HEARING:**
38

39 **DP14-001; MGT14-010; & EIR15-001 (Alta Sierra):** A public hearing to consider a
40 Development Permit application proposing a 9,100 square foot Dollar General Store and a
41 Management Plan addressing disturbance to a 1.40-acre landmark oak grove and 4 individual
42 landmark oak trees. In addition to the proposed retail commercial structure, the project includes
43 associated improvements including but not limited to grading, landscaping, parking, lightened,
44 signage and other related site improvements. The project site consists of 3 parcels in a south/north
45 orientation. The southern +/- 1.0-acre project site for the proposed building is located in between
46 Alta Sierra Drive and Little Valley Road and will take direct access on Alta Sierra Drive. An
47 adjacent parcel to the north will hold the project's septic line and a parcel two removed to the north
48 will contain the project's septic leach field. **PROJECT LOCATION:** 10166 Alta Sierra Drive
49 (Store), 10120 Alta Sierra Drive (septic line) and 15675 Johnson Place (septic leach field), Grass
50 Valley, CA approximately 550 feet east of State Highway 49. **ASSESSOR PARCEL Nos.:** 25-

51 430-08 (store); 25-430-10 (septic line) and 25-430-12 (septic leach field). **RECOMMENDED**
52 **ENVIRONMENTAL DETERMINATION:** Certify the EIR (EIR15-001) **PLANNER:** Tyler
53 Barrington, Principal Planner.

54
55 Planner Barrington gave an overview of the Planning Commission's actions on October 26, 2017.
56 As requested by the direction of the Commission at that meeting, the specific findings for the
57 denial of the Oak Management Plan and the Development Permit for the proposed Alta Sierra
58 Dollar General store are provided in the staff memo dated November 2, 2017. Additional
59 comments were received and are provided to the Commission in the staff memo dated November
60 9. Staff recommends that the Commission make the provided findings.

61
62 Vice Chair James asked the Commission for questions of staff.

63
64 Commissioner Heck asked if there was new information as a result from the comments received.

65
66 Counsel VanderPloeg noted that it is policy to accept the comments submitted after the close of
67 public comment, but that if the Commission would like to discuss anything in the letters then
68 public comment will need to be reopened.

69
70 Commissioner Heck said she understands.

71
72 Commissioner Duncan confirmed that the comments are included as part of the official record.

73
74 Counsel VanderPloeg and Planner Barrington said correct.

75
76 Counsel VanderPloeg said they are available to the public.

77
78 Commissioner Heck asked if the memo today is inclusive of all comments received.

79
80 Planner Barrington confirmed it to be inclusive of comment received since October 26.

81
82 Vice Chair James asked if there were more questions or a motion.

83
84 Commissioner Duncan noted that the proposed location is in District 2. Staff was requested to
85 provide a basis for denial and that is what the Commission has in front of them today. This was
86 not a denial of the type of business; it was for the reasons stated today that the Commission will
87 make the decision.

88
89 **Motion by Commissioner Duncan** to deny Management Plan (MGT14-010) allowing
90 disturbance of a 1.40-acre landmark oak grove and 4 landmark oak trees to support the
91 development of a 9,100 square foot retail facility making findings A and B. **Second by**
92 **Commissioner Heck. Motion carried on a voice vote 4/0. (Chair Aguilar was absent.)**

93
94 **Motion by Commissioner Duncan** to deny Development Permit (DP14-001) for construction of
95 a 9,100 square foot building and associated parking and infrastructure improvements as the
96 project's size, scale and massing is incompatible for Little Valley Road rural residential
97 neighborhood and the project is found to be inconsistent with central themes, goals and policies of
98 the Nevada County General Plan that are intended to protect the rural character of existing

99 neighborhoods based on the following findings A through I. **Second by Commissioner Heck.**
100 **Motion carried on a voice vote 4/0. (Chair Aguilar was absent.)**

101
102 Chair James noted that the ten-day appeal period.

103
104 Discussion ensued regarding upcoming Commission meetings and ongoing project statuses.

105
106 **Motion by Commissioner Duncan to adjourn; second by Commissioner Jensen. Motion**
107 **carried on voice vote 4/0.**

108
109 There being no further business to come before the Commission, the meeting was adjourned at
110 1:44 p.m. to the next meeting tentatively scheduled for December 14, 2017, in the Board of
111 Supervisors Chambers, 950 Maidu Avenue, Nevada City.

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113
114 Passed and accepted this 8th day of February, 2017.

115
116 *Brian Foss (tm)*
117 Brian Foss, Ex-Officio Secretary