



# **RESOLUTION No. \_\_\_\_\_**

## **OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA**

### **RESOLUTION MAKING FINDINGS, ACCEPTING THE APPEAL FILED BY SIMON CRE, CJS DEVELOPMENT II, LLC FROM THE DECISION OF THE PLANNING COMMISSION DENYING DEVELOPMENT PERMIT (DP14-001) AND MANAGEMENT PLAN (MGT14-010) FOR A 9,100 SQUARE FOOT DOLLAR GENERAL STORE LOCATED AT 10166 ALTA SIERRA DRIVE (APN 25-430-08); SEPTIC LINE LOCATED AT 10120 ALTA SIERRA DRIVE (APN 25-430-10); AND SEPTIC LEACH FIELD LOCATED AT 15675 JOHNSON PLACE (APN 25-430-12); AND SCHEDULING THE APPEAL FOR A PUBLIC HEARING**

WHEREAS, on October 26, 2017, the Planning Commission considered and made a motion of intent to deny Development Permit (DP14-001) proposing a 9,100 square foot Dollar General Store and a Management Plan (MGT14-010) addressing disturbances to a 1.40 acre landmark oak grove and 4 individual landmark oak trees with the project being located on three parcels for the store, septic line and septic leach field located at 10166 Alta Sierra Drive (APN 25-430-08), 10120 Alta Sierra Drive (APN 25-430-10) and 15675 Johnson Place (APN 25-430-12), respectively; and

WHEREAS, on November 9, 2017 the Planning Commission further considered and denied the project's Development Permit (DP14-001) and Management Plan (MGT14-010); and

WHEREAS, pursuant to Sections L-II 5.12.D of the Nevada County Land Use and Development Code, the Planning Commission's approval of the Application is appealable to the Board of Supervisors within 10 days after the date of the decision; and

WHEREAS, on November 16, 2017, Appellant Simon CRE, CJS Development II, LLC filed a timely appeal of the Planning Commission's decision.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Supervisors of the County of Nevada that:

1. Appellant is an interested parties who has standing to appeal the Planning Commission's denial of the application for a Development Permit and Management Plan (DP14-001; and MGT14-010) for a Dollar General Store in Alta Sierra; and
2. Appellant's appeals of the Planning Commission's denial of the application was timely filed and satisfies the minimum requirements set forth in Section L-II 5.12.F of the Nevada County Land Use and Development Code, and
3. Appellant's appeals of the Planning Commission's denials of the application for a Development Permit and Management Plan (DP14-001; and MGT14-010) is hereby accepted by the Board of Supervisors and the Clerk of the Board is directed to schedule a Public Hearing on this appeal on February 27, 2018 at 1:30 pm. at the Nevada County Board Chambers at 950 Maidu Avenue, Nevada City, CA 95959.

