



RESOLUTION No. 17-620

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION MAKING FINDINGS, ACCEPTING THE APPEAL FILED BY CHARISSE LOLLI FROM THE DECISION OF THE PLANNING COMMISSION CERTIFYING ENVIRONMENTAL IMPACT REPORT (EIR15-001) FOR DOLLAR GENERAL STORE PROJECTS IN ALTA SIERRA, ROUGH AND READY HIGHWAY AND PENN VALLEY AND THE APPROVALS OF DEVELOPMENT PERMIT (DP15-004), MANAGEMENT PLAN (MGT15-013), CERTIFICATE OF COMPLIANCE (COC17-0001), AND LOT-LINE ADJUSTMENT (LLA16-006) FOR A 9,100 SQUARE FOOT DOLLAR GENERAL STORE LOCATED AT 17652 PENN VALLEY, CA 95946 (APN 51-120-06); AND SCHEDULING THE APPEAL FOR A PUBLIC HEARING

WHEREAS, on October 26, 2017, the Planning Commission considered and certified Environmental Impact Report (EIR15-001) as adequate for three proposed Dollar General Store projects in Alta Sierra, Rough and Ready Highway, and Penn Valley; and

WHEREAS, on October 26, 2017, the Planning Commission considered and approved Development Permit (DP15-004) proposing a 9,100 square foot Dollar General Store and associated improvements including but not limited to grading, parking, lighting, landscaping and signage located at 17652 Penn Valley Drive, Penn Valley, CA, 95946 (APN 51-120-06); and

WHEREAS, on October 26, 2017, the Planning Commission considered and approved Management Plan (MGT15-013) addressing project impacts to a wetland and encroachment in the non-disturbance buffer of a separate legal parcel (APN 51-150-29); and

WHEREAS, on October 26, 2017, the Planning Commission considered and approved Certificate of Compliance (COC17-0001) to recognize APNs 51-120-06 and 51-150-29 as separate legal entities; and

WHEREAS, on October 26, 2017, the Planning Commission considered and approved Lot-Line Adjustment (LLA16-006) between two adjoining parcels to reconfigure APN 51-120-06 from 5.95-acres to 1.20-acres to contain the proposed Dollar General Store project; 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 6, 2017, Appellant Charisse Lolli 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 party who has standing to appeal the Planning Commission's certification of the Environmental Impact Report (EIR15-001) and approvals of Development Permit (DP15-004), Management Plan (MGT15-013), Certificate of Compliance (COC17-0001); and Lot-Line Adjustment (LLA16-006); and
2. Appellant's appeal of the Planning Commission's certification and approvals 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 appeal of the Planning Commission's certification of Environmental Impact Report (EIR15-001) and approvals of Development Permit (DP15-004), Management Plan (MGT15-013), Certificate of Compliance (COC17-0001); and Lot-Line Adjustment (LLA16-006) 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.

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 12th day of December, 2017, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward Scofield, Dan Miller, Hank Weston and Richard Anderson

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By:  _____



Hank Weston, Chair