



**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 Powers
Community Development Agency Director

Brian Foss
Planning Director

**NEVADA COUNTY BOARD OF SUPERVISORS
Board Agenda Memo**

MEETING DATE: March 13, 2018

TO: Board of Supervisors

FROM: **Brian Foss, Planning Director**

SUBJECT: Adoption of a Resolution based on the Board of Supervisors February 27, 2018 Motion of Intent to grant the appeal filed by Peter Lemmon on behalf of SimonCRE and overturn the Planning Commission's denial of Oak Management Plan MGT14-010 and Development Permit DP14-001, allowing for the construction of a 9,100 square foot Dollar General Retail Store and associated improvements.

RECOMMENDATION:

- I. Adopt the attached Resolution to grant the appeal, and overturn the decision of the Planning Commission to deny the Development Permit (DP14-001) and Oak Tree Management Plan (MGT14-010) for the Alta Sierra Dollar General Retail Store project, making the CEQA Findings of Fact and Statement of Overriding Considerations (Exhibit A to the Resolution) and making project findings 1-20 as noted in the Resolution.

FUNDING: This hearing will have no impact on the General Fund. This will impact the Planning Department's FY 17/18 Budget for staff time.

ATTACHMENTS:

- A. Proposed Resolution to grant the appeal and overturn the Planning Commission's denial of MGT14-010 and DP14-001

On February 27, 2018, the Board of Supervisors considered the appeal filed by Peter Lemmon on behalf of SimonCRE (project applicant). The Appeal requested that the Board of Supervisors overturn the Planning Commission's November 9, 2017 denial of the Oak Tree Management Plan (MGT14-010) and Development Permit (DP14-001) for

the proposed 9,100 square foot Dollar General Retail Store located at 10166 Alta Sierra Drive. After taking public testimony and reviewing the entire record before them, the Board of Supervisors recertified the project specific Environmental Impact Report (EIR15-001) as a part of their action on the Penn Valley project appeal. Following this action the Board of Supervisors made a motion of intent to grant the appeal and overturn the Planning Commission's denial of the project Management Plan and Development Permit for the Alta Sierra Dollar General project. In providing this direction, the Board of Supervisors continued the consideration of a final resolution to March 13, 2018. To approve this project, the Board will need to readopt the CEQA Findings of Fact pursuant to CEQA Guidelines Section 15091 and make the required Statement of Overriding Considerations per CEQA Guidelines Section 15093 for the Alta Sierra project, which are provided as Exhibit A to the attached Resolution, in addition to adopting the attached Resolution making project findings 1-20.

RECOMMENDATION:

- I. Adopt the attached Resolution to grant the appeal, and overturn the decision of the Planning Commission to deny the Development Permit (DP14-001) and Oak Tree Management Plan (MGT14-010) for the Alta Sierra Dollar General Retail Store project, making the CEQA Findings of Fact and Statement of Overriding Considerations (Exhibit A to the Resolution) and making project findings 1-20 as noted in the Resolution.

Item Initiated by: Tyler Barrington, Principal Planner

Approved by: Brian Foss, Planning Director