

File Number: DR-20-0001
Date Received: 6-10-2020

Receipt No.: 22609
Amount: \$239

APPEAL FORM

(For more information, see Section 130.52.090 of the Zoning Ordinance)

Appeals must be submitted to the Planning Department with appropriate appeal fee. Please see fee schedule or contact the Planning Department for appeal fee information.

APPELLANT Divide Preservation Society

ADDRESS c/o Donald Mooney, Law Office of Donald B. Mooney 417 Mace Blvd, Ste J-334, Davis, CA 95618

DAYTIME TELEPHONE 530-758-2377

A letter from the Appellant authorizing the Agent to act in his/her behalf must be submitted with this appeal.

AGENT Donald B. Mooney, Attorney for Divide Preservation Society

ADDRESS Law Office of Donald B. Mooney, 417 Mace Boulevard, Ste J-334, Davis, CA 95618

DAYTIME TELEPHONE 530-758-2377

APPEAL BEING MADE TO: Board of Supervisors Planning Commission

ACTION BEING APPEALED (Please specify the action being appealed, i.e., approval of an application, denial of an application, conditions of approval, etc., and specific reasons for appeal. If appealing conditions of approval, please attach copy of conditions and specify appeal.)

See attached.

2020 JUL 10 PM 4:31
RECEIVED
PLANNING DEPARTMENT

DATE OF ACTION BEING APPEALED May 28, 2020

Donald B. Mooney
Signature

June 10, 2020
Date

Sec. 130.52.090 - Appeals.

Any decision by the review authority of original jurisdiction may be appealed by the applicant or any other affected party, as follows:

- A. An appeal must be filed within 10 working days from the decision by the review authority by completing the appeal form and submitting said form together with the applicable fee, as established by resolution of the Board, to the Department. The appellant shall clearly identify on the appeal form the specific reasons for the appeal and the relief requested.
- B. The hearing body for the appeal shall consider all issues raised by the appellant and may consider other relevant issues related to the project being appealed. The hearing body for the appeal shall be as follows:
 1. All decisions of the Director are appealable to the Commission and then to the Board.
 2. All decisions of the Zoning Administrator and the Commission are appealable to the Board.
 3. All decisions of the Board are final.
- C. The hearing on an appeal shall be set no more than 30 days from receipt of a completed appeal form and fee. If the Board meeting is canceled for any reason on the date on which the appeal would normally be heard, the appeal shall be heard on the first available regularly-scheduled meeting following the canceled meeting date. The 30-day time limitation may be extended by mutual consent of the appellant(s), the applicant, if different from the appellant, and the appeals body. Once the date and time for the hearing is established the hearing may be continued only by such mutual consent.
- D. In any appeal action brought in compliance with this Section, the appellant(s) may withdraw the appeal, with prejudice, at any time prior to the commencement of the public hearing. For the purposes of this Section, the public hearing shall be deemed commenced upon the taking of any evidence, including reports from staff.
- E. Upon the filing of an appeal, the Commission or the Board shall render its decision on the appeal within 60 days.
- F. No person shall seek judicial review of a County decision on a planning permit or other matter in compliance with this Title until all appeals to the Commission and Board have been first exhausted in compliance with this Section.

Divide Preservation Society appeals the Planning Commission's approval of the Cool General Retail Project (Design Review DR19-0006), which is the construction and operation of a 9,100 square foot retail building (Dollar General store).¹ This appeal is based upon the grounds that the Planning Commission's approval of the project violates the requirements of the California Environmental Quality Act, Public Resources Code, section 21000 *et seq.*, and the El Dorado County General Plan. The County's reliance on a Mitigated Negative Declaration violates CEQA as the administrative record does and will support a fair argument that the project may have a significant impact to traffic and circulation (including pedestrian and bike safety), aesthetics, cultural resources, drainage, urban decay, and cumulative impacts.

¹ Divide Preservation Society, an unincorporated association, was established subsequent to the Planning Commission's approval of the Project. Members of Divide Preservation Society submitted comments to the Planning Commission and objected to the Project.

DIVIDE PRESERVATION SOCIETY

June 9, 2020

dbmooney@dcn.org

Mr. Don Mooney

Law Office of Donald B. Mooney

417 Mace Blvd, Ste J-334

Davis, CA 95618

RE: Dollar General Appeal

Dear Mr. Mooney:

Divide Preservation Society hereby authorizes Donald Mooney to serve as its agent and counsel in Divide Preservation Society's appeal of the El Dorado County Planning Commission's approval of the Dollar General Store in Cool, California.

Sincerely yours,

/s/

Sara Schwartz C.R. Kendall

File Number: _____

Receipt No.: _____

Date Received: _____

Amount: _____

APPEAL FORM

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ADDRESS Law Office of Donald B. Mooney, 417 Mace Boulevard, Ste J-334, Davis, CA 95618

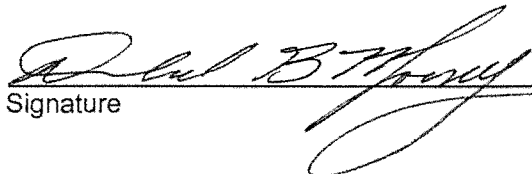
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ACTION BEING APPEALED (Please specify the action being appealed, i.e., approval of an application, denial of an application, conditions of approval, etc., and specific reasons for appeal. If appealing conditions of approval, please attach copy of conditions and specify appeal.)

See attached.

DATE OF ACTION BEING APPEALED May 28, 2020


Signature

June 10, 2020
Date

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Sincerely yours,

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Sara Schwartz C.R. Kendall



Cash Register Receipt
County of El Dorado

Receipt Number
R22609

DESCRIPTION	ACCOUNT	QTY	PAID
ProjectTRAK			\$239.00
DR-A20-0001	Address: 1020 NORTHSIDE DR	APN: 07150037	\$239.00
APPEALS FEES			\$239.00
ALL APPEALS	3720200 0240	0	\$239.00
TOTAL FEES PAID BY RECEIPT: R22609			\$239.00

Date Paid: Wednesday, June 10, 2020
Paid By: Law Office of Donald B Mooney
Cashier: ERM
Pay Method: CHK-PLACERVILLE 8767