

#43



County of El Dorado Clerk of the Board <edc.cob@edcgov.us>

### Dollar General

2 messages

**Scott VanSooy** <scottvansooy@yahoo.com>  
To: "edc.cob@edcgov.us" <edc.cob@edcgov.us>

Fri, Jun 25, 2021 at 4:27 PM

I'm just one of many citizens in the county who are strongly opposed to Dollar General coming to Cool. My primary concern is driving out our local Holiday market. Should that happen, the quality of life and health of the whole community will suffer due to lack of availability of fresh produce. Additionally, the increased traffic near the intersection poses a safety risk to all. Other local business are at risk as well.

I would encourage the Board of Supervisors to do anything in their power to prevent this corporation from blemishing this wonderful town. Lori Parlin is my supervisor and she's done a fantastic job. I trust she will continue to do the same.

Scott VanSooy  
Kim Witten  
1966 Tegra Rd  
Cool, CA 95614

**County of El Dorado Clerk of the Board** <edc.cob@edcgov.us>

Mon, Jun 28, 2021 at 8:00 AM

To: The BOSONE <bosone@edcgov.us>, The BOSTWO <bostwo@edcgov.us>, The BOSTHREE <bosthree@edcgov.us>, The BOSFOUR <bosfour@edcgov.us>, The BOSFIVE <bosfive@edcgov.us>, Tiffany Schmid <tiffany.schmid@edcgov.us>, Jeanette Salmon <jeanette.salmon@edcgov.us>, Robert Peters <robert.peters@edcgov.us>, Julie Saylor <julie.saylor@edcgov.us>, Brendan Ferry <brendan.ferry@edcgov.us>, Breann Moebius <breann.moebius@edcgov.us>, Donald Ashton <don.ashton@edcgov.us>

Fyi

Office of the Clerk of the Board  
El Dorado County  
330 Fair Lane, Placerville, CA 95667  
530-621-5390

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[Quoted text hidden]

**LATE DISTRIBUTION**  
**DATE** 6/28/2021  
BUS 6/29/2021



County of El Dorado Clerk of the Board &lt;edc.cob@edcgov.us&gt;

## Dollar General Store in Cool, Ca

2 messages

**Christine Lansing** <iparafew@gmail.com>  
To: edc.cob@edcgov.us

Fri, Jun 25, 2021 at 8:37 PM

We are a rural community - we have no need for nor can we support an entity such as this - we do not have the resources - water, power, police protection, fire protection -

I realize the county wants the tax dollars, but can you not put these kinds of enterprises in areas that can support them? Placerville has the population and dollars that attract this - our rural area does not - nor do we want to attract the entities that will prey upon this area - we have more than enough problems with drugs, theft, arson, murder, abuse - and can only police so much ourselves - again - we do not have the facilities to keep us safe from the type of people that follow this type of enterprise - small town - small problems - we would prefer to keep it this way - larger town - larger problems - we do not want a larger town -

We are small, close, small businesses , sorry if we do not generate enough tax dollars for y'all - however the location and traffic problems will be horrendous - and that is just the beginning - let Cool continue to be Cool - and consider the history of this area - Aaron Cool, the quarry, the trails - how long before you go after Coloma and the Gold Rush history?

during the pandemic people from the cities came up here and basically plundered our grocery stores -

they congregate at the confluence and leave litter and bodily and animal waste and create a huge traffic hazard - Dollar General will be an albatross and a death knell to the area -

Do you truly want that? It is more than them putting in bike trails etc - it is about destroying this area - Please Think - or rethink this - our answer is a definite NO!

Chris Lansing  
PH Resident for 26 years -

Progress is fine for the areas that want it - we do not want this - look at Roseville - the traffic is unbelievable - we choose to not deal with that - and what we are talking about here is choice - We choose NO on dollar General - Can I get a Hooray from anyone?

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**County of El Dorado Clerk of the Board** <edc.cob@edcgov.us>

Mon, Jun 28, 2021 at 8:05 AM

To: The BOSONE <bosone@edcgov.us>, The BOSTWO <bostwo@edcgov.us>, The BOSTHREE <bosthree@edcgov.us>, The BOSFOUR <bosfour@edcgov.us>, The BOSFIVE <bosfive@edcgov.us>, Donald Ashton <don.ashton@edcgov.us>, Tiffany Schmid <tiffany.schmid@edcgov.us>, Robert Peters <robert.peters@edcgov.us>, Jeanette Salmon <jeanette.salmon@edcgov.us>, Julie Saylor <julie.saylor@edcgov.us>, Brendan Ferry <brendan.ferry@edcgov.us>, Breann Moebius <breann.moebius@edcgov.us>

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## Oppose Dollar Store in Cool

2 messages

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**J Maineri** <jmaineri@gmail.com>  
Reply-To: Brainwork! - Sara SK <brainwork@mindspring.com>  
To: edc.cob@edcgov.us

Sat, Jun 26, 2021 at 12:49 PM

I'm an El Dorado County resident and strongly oppose opening a Dollar Store in Cool. It does not at all fit with the rural character of the town. That they are attempting to evade the requirement to upgrade pedestrian access also speaks to their disregard for locals' safety.

I live in Coloma, CA and travel frequently to and thru Cool. I would hate to see a Dollar Store going into this location.

Thank you for considering.

Best,

Janet Maineri  
Coloma, CA resident.

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**County of El Dorado Clerk of the Board** <edc.cob@edcgov.us> Mon, Jun 28, 2021 at 8:10 AM  
To: The BOSONE <bosone@edcgov.us>, The BOSTWO <bostwo@edcgov.us>, The BOSTHREE <bosthree@edcgov.us>, The BOSFOUR <bosfour@edcgov.us>, The BOSFIVE <bosfive@edcgov.us>, Donald Ashton <don.ashton@edcgov.us>, Tiffany Schmid <tiffany.schmid@edcgov.us>, Robert Peters <robert.peters@edcgov.us>, Jeanette Salmon <jeanette.salmon@edcgov.us>, Julie Saylor <julie.saylor@edcgov.us>, Brendan Ferry <brendan.ferry@edcgov.us>, Breann Moebius <breann.moebius@edcgov.us>

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**Cool Dollar General**

2 messages

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**hoosierdaddy92284@yahoo.com** <hoosierdaddy92284@yahoo.com>  
To: "edc.cob@edcgov.us" <edc.cob@edcgov.us>

Sat, Jun 26, 2021 at 2:33 PM

Dear Sirs,

NO DOLLAR GENERAL IN COOL!!

This is a completely rural area and we need to keep it this way.

Transient and river visitors can get their supplies before coming up to this area.

Soon we will need 4 lanes for traffic and then a McDonalds will want to horn in.

This will be another nail in the coffin for reasons to move out of the area or out of California altogether.

Sincerely,

Tony Larich

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**County of El Dorado Clerk of the Board** <edc.cob@edcgov.us>

Mon, Jun 28, 2021 at 8:12 AM

To: The BOSONE &lt;bosone@edcgov.us&gt;, The BOSTWO &lt;bostwo@edcgov.us&gt;, The BOSTHREE &lt;bosthree@edcgov.us&gt;, The BOSFOUR &lt;bosfour@edcgov.us&gt;, The BOSFIVE &lt;bosfive@edcgov.us&gt;, Donald Ashton &lt;don.ashton@edcgov.us&gt;, Tiffany Schmid &lt;tiffany.schmid@edcgov.us&gt;, Robert Peters &lt;robert.peters@edcgov.us&gt;, Jeanette Salmon &lt;jeanette.salmon@edcgov.us&gt;, Julie Saylor &lt;julie.saylor@edcgov.us&gt;, Brendan Ferry &lt;brendan.ferry@edcgov.us&gt;, Breann Moebius &lt;breann.moebius@edcgov.us&gt;

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County of El Dorado Clerk of the Board &lt;edc.cob@edcgov.us&gt;

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## Uphold the requirements for Dollar General

2 messages

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Dy Va <onlinelife1000@gmail.com>  
To: edc.cob@edcgov.us

Sun, Jun 27, 2021 at 4:48 PM

Please up hold the requirements for Dollar General to add a pedestrian & bicycle safety path.

Our community's safety should be a priority, that is worth more than a dollar.

Dyan Vassallo  
Oak Knoll House  
1204 Sevier Road  
Cool, CA 95614

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County of El Dorado Clerk of the Board <edc.cob@edcgov.us>

Mon, Jun 28, 2021 at 8:14 AM

To: The BOSONE <bosone@edcgov.us>, The BOSTWO <bostwo@edcgov.us>, The BOSTHREE <bosthree@edcgov.us>, The BOSFOUR <bosfour@edcgov.us>, The BOSFIVE <bosfive@edcgov.us>, Donald Ashton <don.ashton@edcgov.us>, Tiffany Schmid <tiffany.schmid@edcgov.us>, Robert Peters <robert.peters@edcgov.us>, Jeanette Salmon <jeanette.salmon@edcgov.us>, Julie Saylor <julie.saylor@edcgov.us>, Brendan Ferry <brendan.ferry@edcgov.us>, Breann Moebius <breann.moebius@edcgov.us>

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County of El Dorado Clerk of the Board &lt;edc.cob@edcgov.us&gt;

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**RE: BOS meeting 6/29/21 Agenda item 43**

2 messages

**Sarah Saunders** <cmyst123@gmail.com>

Sun, Jun 27, 2021 at 6:25 PM

To: County of El Dorado Clerk of the Board &lt;edc.cob@edcgov.us&gt;

Clerk of the Board: please forward to Supervisors and post to public comments

I live less than a mile from the proposed site of the Dollar General in Cool, and have had concerns about this proposed business for over a year now. Traffic at the stop sign in Cool can be hazardous as it is, at certain times of the day and especially on weekends. Children from Auburn Lake Trails use a bike path that would be impacted by any driveways off of Hwy 193. This issue has drawn our community together across many boundaries and beliefs united in our concern about increased traffic and environmental impact on our small and unincorporated little town. Please uphold the mitigation requirements for Dollar General's pedestrian and bicycle safety as approved by our Planning Commission; this is the least that should be done for respect for the citizens of Cool.

Respectfully,  
**Sarah Saunders**

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**County of El Dorado Clerk of the Board** <edc.cob@edcgov.us>

Mon, Jun 28, 2021 at 8:15 AM

To: The BOSONE <bosone@edcgov.us>, The BOSTWO <bostwo@edcgov.us>, The BOSTHREE <bosthree@edcgov.us>, The BOSFOUR <bosfour@edcgov.us>, The BOSFIVE <bosfive@edcgov.us>, Donald Ashton <don.ashton@edcgov.us>, Tiffany Schmid <tiffany.schmid@edcgov.us>, Robert Peters <robert.peters@edcgov.us>, Jeanette Salmon <jeanette.salmon@edcgov.us>, Julie Saylor <julie.saylor@edcgov.us>, Brendan Ferry <brendan.ferry@edcgov.us>, Breann Moebius <breann.moebius@edcgov.us>

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County of El Dorado Clerk of the Board &lt;edc.cob@edcgov.us&gt;

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## Dollar General in Cool

2 messages

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David Bodick <davebs1t3@gmail.com>  
To: edc.cob@edcgov.us

Mon, Jun 28, 2021 at 8:39 AM

To whom it may concern,

As a resident of Cool CA, I am writing to voice my non approval of a Dollar General Store in Cool CA. The business may bring some tax dollars to the County however, the negative impact far outweighs the tax benefit. The quality of goods Dollar General carries and sells to the public is marginal at best. Low end poorly made goods that when sold over time will lose favor and brand loyalty. We will be stuck with an eyesore building and attraction for unwanted gatherings. The increase in traffic at the intersection of highway 49 and 193 will become even more frenzied and dangerous with people making "U" turns to gain access into the parking lot. This will require a traffic signal to ensure public safety. The refusal of Dollar General to construct a public bike path/walkway to provide safe access to the the store, post office and businesses adjacent to the site demonstrates their disrespect and safety concerns for community members as well as their intention to not to be a community friendly business. My family moved to Cool 24 years ago for a simple life in a rural community. A life without traffic, unsightly congestion and stress. They do not belong in Cool. Please make an informed and conscious decision to keep them out of our community.

Thank you  
David Bodick

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County of El Dorado Clerk of the Board <edc.cob@edcgov.us>

Mon, Jun 28, 2021 at 8:42 AM

To: The BOSONE <bosone@edcgov.us>, The BOSTWO <bostwo@edcgov.us>, The BOSTHREE <bosthree@edcgov.us>, The BOSFOUR <bosfour@edcgov.us>, The BOSFIVE <bosfive@edcgov.us>, Donald Ashton <don.ashton@edcgov.us>, Tiffany Schmid <tiffany.schmid@edcgov.us>, Robert Peters <robert.peters@edcgov.us>, Jeanette Salmon <jeanette.salmon@edcgov.us>, Julie Saylor <julie.saylor@edcgov.us>, Brendan Ferry <brendan.ferry@edcgov.us>, Breann Moebius <breann.moebius@edcgov.us>

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County of El Dorado Clerk of the Board &lt;edc.cob@edcgov.us&gt;

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**Dollar General Store proposal**

2 messages

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**Stephanie Holt** <seholtrn@gmail.com>  
To: edc.cob@edcgov.us

Mon, Jun 28, 2021 at 10:09 AM

As a long term resident of Cool I hope you will not allow Dollar General to invade our community. We moved up here to get away from this type of effort. We like the community without the outside influence of big business. They don't even want to help make the area safer for us. Please stick with Georgetown and send them away. You have the support of a wide majority of our residences!! PLEASE ! Thanks

Stephanie Holt  
100 Cool Haven Court  
Cool CA 95614  
530-902-8101

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**County of El Dorado Clerk of the Board** <edc.cob@edcgov.us>

Mon, Jun 28, 2021 at 10:33 AM

To: The BOSONE <bosone@edcgov.us>, The BOSTWO <bostwo@edcgov.us>, The BOSTHREE <bosthree@edcgov.us>, The BOSFOUR <bosfour@edcgov.us>, The BOSFIVE <bosfive@edcgov.us>, Donald Ashton <don.ashton@edcgov.us>, Tiffany Schmid <tiffany.schmid@edcgov.us>, Robert Peters <robert.peters@edcgov.us>, Jeanette Salmon <jeanette.salmon@edcgov.us>, Julie Saylor <julie.saylor@edcgov.us>, Brendan Ferry <brendan.ferry@edcgov.us>, Breann Moebius <breann.moebius@edcgov.us>

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County of El Dorado Clerk of the Board &lt;edc.cob@edcgov.us&gt;

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**Dollar General Store in Cool**

2 messages

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**Jim Holt** <jimholtfnp@hotmail.com>  
To: "edc.cob@edcgov.us" <edc.cob@edcgov.us>

Mon, Jun 28, 2021 at 10:21 AM

I along with most of our community we DO NOT want this store here. We resent moving up here to get away from this type of influence and finding it's way up here We want to keep big business in Sacramento. They have too many stores they don't need one HERE!! They don't even care about keeping us safe...they just want to make money but really...why do they need to be here? They have hundreds of stores...it would just be so sad to have one here. PLEASE PLEASE don't let them come here!!

Jim Holt  
[100 Cool Haven Court](#)  
Cool CA 95614

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**County of El Dorado Clerk of the Board** <edc.cob@edcgov.us> Mon, Jun 28, 2021 at 10:34 AM  
Draft To: The BOSONE <bosone@edcgov.us>, The BOSTWO <bostwo@edcgov.us>, The BOSTHREE <bosthree@edcgov.us>, The BOSFOUR <bosfour@edcgov.us>, The BOSFIVE <bosfive@edcgov.us>, Donald Ashton <don.ashton@edcgov.us>, Tiffany Schmid <tiffany.schmid@edcgov.us>

Thank you. Appropriate public comment provided for upcoming agenda items will be added to the corresponding file.

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**dollar general opposition**

2 messages

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**carol meridieth** <spectrum95633@yahoo.com>  
Reply-To: carol meridieth <spectrum95633@yahoo.com>  
To: "edc.cob@edcgov.us" <edc.cob@edcgov.us>

Mon, Jun 28, 2021 at 10:28 AM

To the Board of Supervisors,

I am a resident of the Divide and I drive through Cool at least twice a day most days. I am concerned that a Dollar General at the intersection will create much more traffic, and also foot traffic that is dangerous crossing the highways. Please deny this application.

Thank you,  
Carol Meridieth  
Garden Valley

Peace 'n Joy to ya,  
Carol  
Carol The Contractor  
Home Improvements  
530-306-8730 cell

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**County of El Dorado Clerk of the Board** <edc.cob@edcgov.us>

Mon, Jun 28, 2021 at 10:35 AM

To: The BOSONE <bosone@edcgov.us>, The BOSTWO <bostwo@edcgov.us>, The BOSTHREE <bosthree@edcgov.us>, The BOSFOUR <bosfour@edcgov.us>, The BOSFIVE <bosfive@edcgov.us>, Donald Ashton <don.ashton@edcgov.us>, Tiffany Schmid <tiffany.schmid@edcgov.us>, Robert Peters <robert.peters@edcgov.us>, Jeanette Salmon <jeanette.salmon@edcgov.us>, Julie Saylor <julie.saylor@edcgov.us>, Brendan Ferry <brendan.ferry@edcgov.us>, Breann Moebius <breann.moebius@edcgov.us>

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**DR19-0006/Cool General Retail**

2 messages

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**Sara SK** <skpriority@earthlink.net>  
To: EDC COB <edc.cob@edcgov.us>

Mon, Jun 28, 2021 at 10:34 AM

To the Office of the Clerk of the Board  
El Dorado County,  
Thank you for receiving my comment on DR19-0006/Cool General Retail.

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**Sara Schwartz C.R. Kendall**  
[skpriority@earthlink.net](mailto:skpriority@earthlink.net)

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**Grocery appeal ltr SK.pdf**  
90K

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**County of El Dorado Clerk of the Board** <edc.cob@edcgov.us> Mon, Jun 28, 2021 at 10:36 AM  
To: The BOSONE <bosone@edcgov.us>, The BOSTWO <bostwo@edcgov.us>, The BOSTHREE <bosthree@edcgov.us>, The BOSFOUR <bosfour@edcgov.us>, The BOSFIVE <bosfive@edcgov.us>, Donald Ashton <don.ashton@edcgov.us>, Tiffany Schmid <tiffany.schmid@edcgov.us>, Robert Peters <robert.peters@edcgov.us>, Jeanette Salmon <jeanette.salmon@edcgov.us>, Julie Saylor <julie.saylor@edcgov.us>, Brendan Ferry <brendan.ferry@edcgov.us>, Breann Moebius <breann.moebius@edcgov.us>

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[Quoted text hidden]

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**Sara Schwartz C.R. Kendall**  
[skpriority@earthlink.net](mailto:skpriority@earthlink.net)

 Grocery appeal ltr SK.pdf

90K

<https://mail.google.com/mail/u/1?ik=35d558a9e7&view=pt&search=all&permthid=thread-%3A1703832879615369018&siml=msg-%3A17038328796...> 2/2

June 28, 2021

To the Board of Supervisors, El Dorado County:

I urge you to deny permission for a Dollar General going into Cool, CA. For over 20 years I have frequented Cool. I shop there, I recreate there, I have worked there, and I drive through often. Please consider these points:

1. Traffic is already overly congested at the intersection of Highways 49 and 193, the general project location, and those roads cannot support the traffic increase the Dollar General studies predict. The intersection is already, according to the project studies, at Level of Service D & E.
2. The predicted traffic increases fall short in two ways. First, the auto traffic was not measured late enough into the day to capture commuters coming back home after running errands. Second, the school-related traffic was not measured, whether by car, bicycle, or on foot, because the studies were not done on a school day. When the applicant says there is not much foot or bicycle traffic to consider, that is a big reason why: the study times did not include those families walking and biking to and from school.

Additionally, people don't walk there because it's scary dangerous, with no designated sidewalk or bike lane. I have tried to park at one establishment on Northside Drive and walk to my other errands, but crossing the highways even in broad daylight is too daunting for a sensible adult. However, our youth take the risk now, and will do so more if this store were to go in. Users of the trail system across the highway can also be expected to travel to the store on foot or wheels. Dollar General also is not taking responsibility for its projected traffic by creating pedestrian walkways or bicycle lanes as the Planning Commission directed.

3. No one has addressed the fact that increased and further backed up traffic will affect the ability of Fire Station 72 to respond to emergency calls.
4. The impact of businesses already on the very narrow Northside Drive should be considered. If that many vehicles will be trying to get to Dollar General, it will be much harder to get to the post office, restaurant, and other businesses.
5. Little mention has been made of the trail and road events and races that occur in Cool, increasing traffic and limiting road use occasionally. These should be factored into the traffic calculations.
6. Perhaps most dangerously to the entire area, Dollar General has said in their EIR that they do not feel restricted from running their largest trucks through the Auburn Canyon. They have already had an 18-wheeler block traffic in both directions for over an hour. I am presenting a full quotation from their EIR because it is so serious. Dollar General displays no sense of neighborliness or responsibility for its trucks using the Canyon:
  - EIR p.287: "on May 28, 2020, the Planning Commission included a condition of approval, which was agreed upon by the applicant, to route delivery trucks serving the proposed project from US Route (US) 50. Delivery trucks would avoid SR 49 between Interstate 80 and Cool. The Planning Commission's approval of the project

was appealed to the Board of Supervisors, and on July 14, 2020, the Board reversed the approval of the project, pending preparation of an EIR. Therefore, due to the Board's action vacating the approval, there is no truck restriction in place at this time. **Furthermore, the restriction applies only to deliveries to the proposed Cool site, and not other Dollar General stores, existing or proposed, in the County.** Several commenters noted that a truck carrying a Dollar General trailer temporarily blocked SR 49, north of Cool, the week of February 25, 2021. While the circumstances of this accident are not clear, it must be noted that there was no restriction in place that was violated by this event." (emphasis added)

This statement shows Dollar General's disregard for the Auburn Canyon, El Dorado County and Placer County, and everyone who drives through Cool. It is ridiculous to abdicate responsibility for a local disastrous situation because "there was no restriction" against it. It is also alarming that this corporation seems to indicate that if their trucks are going to other stores, they will use the Canyon.

I hope these points show what a mismatch this large store, with its expected large traffic increase, is at an intersection that is already at LOS D/E. It is already tricky driving a car from store to store, and it is almost impossible in busy hours to turn left against traffic on Hwy 49 as the plan is for Dollar General traffic, both truck deliveries and customers, to do routinely. It is hazardous to walk or bike across this traffic, and this Dollar General would invite people, especially area youth who need our protection, to do just that.

For these reasons of manageable traffic levels, pedestrian and bicyclist safety, fire and emergency response, as well as rurally attractive and economically healthy environments, I urge you to deny Dollar General's proposal to come into Cool. Instead, the parcel could support a small business building that is proportional to the space and would create a manageable amount of traffic.

Or, considering the small size of the parcel, its oak trees including a heritage oak, and its proximity to a school and residential area, an even better fit would be in line with the El Dorado County Plan Statement of Vision #7: "Improve and expand local park and recreational facilities throughout the County." Our kids need a playground, and a place for environmental education. That would be a real investment in our County.

Thank you for all you do for our community,

*Sara Schwartz C.R. Kendall*  
skpriority@earthlink.net



County of El Dorado Clerk of the Board &lt;edc.cob@edcgov.us&gt;

## Dollar General appeal hearing June 29 DR19-0006

2 messages

**Joanne Thornton** <joannethornton5@gmail.com>

Mon, Jun 28, 2021 at 10:24 AM

To: County of El Dorado Clerk of the Board <edc.cob@edcgov.us>

To Honorable Board of Supervisors

As a 30 year resident of Cool, I urge you to uphold requirements for Dollar General to provide specific pedestrian and bicycle safety requirements the planning commission has deemed necessary and already approved.

Dollar General does not want to mitigate the dangers, even though in their previous meetings, they assured the community they would. They lie. They are very good at giving a lot of lip service, but they don't care about our community.

We have class 1 bike paths currently from the intersection of Hwy. 49 to east on Hwy. 193 for more than a mile. We also have class 1 bike paths from the same intersection to south on Hwy. 49 for over a mile.

Why does Dollar General think they can do anything less than that?

The BOS needs to stand firm on what the planning commission is requiring and already approved, and not be swayed. You already KNOW we do not want Dollar General in our rural town. So please listen to your constituents and do the right thing.

Thank you,

Joanne Thornton  
Member, Cool Pilot Hill Advisory Committee

**County of El Dorado Clerk of the Board** <edc.cob@edcgov.us>

Mon, Jun 28, 2021 at 11:45 AM

To: The BOSONE <bosone@edcgov.us>, The BOSTWO <bostwo@edcgov.us>, The BOSTHREE <bostthree@edcgov.us>, The BOSFOUR <bosfour@edcgov.us>, The BOSFIVE <bosfive@edcgov.us>, Donald Ashton <don.ashton@edcgov.us>, Tiffany Schmid <tiffany.schmid@edcgov.us>, Robert Peters <robert.peters@edcgov.us>, Jeanette Salmon <jeanette.salmon@edcgov.us>, Julie Saylor <julie.saylor@edcgov.us>, Brendan Ferry <brendan.ferry@edcgov.us>, Breann Moebius <breann.moebius@edcgov.us>

Fyi

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El Dorado County  
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530-621-5390

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[Quoted text hidden]



County of El Dorado Clerk of the Board <edc.cob@edcgov.us>

## Dollar General Appeal

2 messages

Carolynne Angleton <CWAngleton@comcast.net>  
To: Edc Cob <edc.cob@edcgov.us>

Mon, Jun 28, 2021 at 11:44 AM

Good morning,

I am taking a moment to write to you to encourage you to uphold the appeal filed by the Divide Preservation Society and Cool Pilot Hill Advisory Committee and to deny the appeal from Dollar General.

I have been involved in this for sometime and nothing changes... The fact that our community does not want a store like Dollar General in our community is huge on its own. It is not a small selection of people, it is a large majority. These stores moving into these small rural communities is never a positive move. You see that across the nation.

I was part of the group that worked on the document "making cool cooler" in 2017. So much work went into that document, dollars and hours. It is tragic that nothing was ever done with it. It could have protects us from what is threatening us now.

I understand the board of supervisors is working on a guideline/design overlay for our county. Moving forward ensuring our communities are not taken over buy these types of retailers. Retailers that undermine our beautiful rural setting. I am very happy but that is the case but feel that is a tragic oversight and disservice to allow this store to enter our midst. Why should the town of Cool have to except our landscape changing in a negative way, because nothing was done with the plans back in 2017.

All of the residents of the divide have chosen this location to live because of it's quite quaint rural community feel. It is your responsibility as our representatives to watch out for us and what is important to us, the people of the divide.

Dollar General continues to demonstrate who they are across the nation. So many negatives in so many communities. The fact that they are appealing the bike lane, which would allow a much safer and esthetically pleasing entrance to their store, further proves that they are not community minded and have only their interests at heart. I do appreciate the work that the planning office did in this last round to ensure we meet the safety concern and standards. This information could have come up sooner, as Dollar General council points out, but I am just glad that it came forward before it was too late. I live here and work here. I drive this small section of road twice a day if not more... I see people using walking I, biking and even riding horses along our roads... much more that the tiny glimpse of what the EIR counted. There are so many traffic and safety issues with this location. Large trucks, the fire station, the width of the road and the junction where the customers and delivery trucks would travel. It will be a safety nightmare. Dollar General Council states that there are only a small amount of pedestrians, even if that were true, I ask you if even one of those people is ok to lose in a traffic accident. My answer is no....

Moving to a different issue, the council for Dollar General is planning to push for the recusal of our district supervisor. That would be a huge dis justice for us. Of course she is aware of our community interest and should as our elected official, have our backs. I urge you to not be bullied by these high dollar Attorneys.

In closing I want to thank each of you for the job you do. I am sure it feels thankless right now...

Sincerely Carolynne Knisley

County of El Dorado Clerk of the Board <edc.cob@edcgov.us>

Mon, Jun 28, 2021 at 11:46 AM

To: The BOSONE <bosone@edcgov.us>, The BOSTWO <bostwo@edcgov.us>, The BOSTHREE <bosthree@edcgov.us>, The BOSFOUR <bosfour@edcgov.us>, The BOSFIVE <bosfive@edcgov.us>, Donald Ashton <don.ashton@edcgov.us>, Tiffany Schmid <tiffany.schmid@edcgov.us>, Robert Peters <robert.peters@edcgov.us>, Jeanette Salmon <jeanette.salmon@edcgov.us>, Julie Saylor <julie.saylor@edcgov.us>, Brendan Ferry <brendan.ferry@edcgov.us>, Breann Moebius <breann.moebius@edcgov.us>

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County of El Dorado Clerk of the Board &lt;edc.cob@edcgov.us&gt;

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## Uphold Requirements Dollar General

2 messages

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**Lisa Wallace** <lexuswallace@comcast.net>  
To: "edc.cob@edcgov.us" <edc.cob@edcgov.us>

Mon, Jun 28, 2021 at 11:45 AM

Hello Board of Supervisors to Cool-Pilot Hill,

Per the "Last Chance" flyer regarding the proposed Dollar General in our town of Cool; we are requesting that you please uphold the requirements for the Dollar General's pedestrian and bicycle safety as approved by the Planning Commission.

Thank you,

Scott and Lisa Wallace of Cool, CA

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**County of El Dorado Clerk of the Board** <edc.cob@edcgov.us>

Mon, Jun 28, 2021 at 11:47 AM

To: The BOSONE <bosone@edcgov.us>, The BOSTWO <bostwo@edcgov.us>, The BOSTHREE <bosthree@edcgov.us>, The BOSFOUR <bosfour@edcgov.us>, The BOSFIVE <bosfive@edcgov.us>, Donald Ashton <don.ashton@edcgov.us>, Tiffany Schmid <tiffany.schmid@edcgov.us>, Robert Peters <robert.peters@edcgov.us>, Jeanette Salmon <jeanette.salmon@edcgov.us>, Julie Saylor <julie.saylor@edcgov.us>, Brendan Ferry <brendan.ferry@edcgov.us>, Breann Moebius <breann.moebius@edcgov.us>

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[Quoted text hidden]



County of El Dorado Clerk of the Board &lt;edc.cob@edcgov.us&gt;

---

**Dollar General in Cool, CA**

2 messages

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**Ralph Wright** <ralph.wright.ultrarunner@gmail.com>  
To: "edc.cob@edcgov.us" <edc.cob@edcgov.us>

Mon, Jun 28, 2021 at 12:29 PM

To: El Dorado County Board of Supervisors

It has come into question as to whether or not the Dollar General to be built in Cool will adhere to the pedestrian and bicycle safety measures approved by the El Dorado County Planning Commission. If in fact you, the Board of Supervisors, allow this deviation to occur, it will be an obvious snub to the community of Cool, and proof that your regulatory judgements are not in the best interest of public safety. When growth is taking place in any community, especially in a rural setting such as Cool, every precaution possible needs to be taken to insure the health and wellbeing of not only the local residents, but to those recreating in the community as well. Take stock in the county you purportedly represent, and not in the stockholders of Dollar General.

Sincerely,  
Ralph E. Wright

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**County of El Dorado Clerk of the Board** <edc.cob@edcgov.us>

Mon, Jun 28, 2021 at 12:30 PM

To: The BOSONE <bosone@edcgov.us>, The BOSTWO <bostwo@edcgov.us>, The BOSTHREE <bosthree@edcgov.us>, The BOSFOUR <bosfour@edcgov.us>, The BOSFIVE <bosfive@edcgov.us>, Donald Ashton <don.ashton@edcgov.us>, Tiffany Schmid <tiffany.schmid@edcgov.us>, Robert Peters <robert.peters@edcgov.us>, Jeanette Salmon <jeanette.salmon@edcgov.us>, Julie Saylor <julie.saylor@edcgov.us>, Brendan Ferry <brendan.ferry@edcgov.us>, Breann Moebius <breann.moebius@edcgov.us>

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[Quoted text hidden]



County of El Dorado Clerk of the Board &lt;edc.cob@edcgov.us&gt;

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## Opposition to Dollar General coming to Cool, CA

2 messages

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dsq60@comcast.net <dsq60@comcast.net>  
To: edc.cob@edcgov.us

Mon, Jun 28, 2021 at 12:31 PM

Hello El Dorado County Board of Supervisors,

I'm writing to urge you deny Dollar General's application to build a store in Cool, CA. Not only will they put many local small businesses out of business, but they also don't care about the people who live here. Cool is a very small town with only one stop sign, and Dollar General would bring a huge amount of extra automobile traffic to the area, clogging the road. Hwy 49 and 193 are very narrow and wind down and up the American River Canyon and the Georgetown divide. The huge trucks that would be delivering to the Dollar General will endanger the lives of pedestrians and bicyclists who share these roads – not to mention the wildlife that regularly crosses the highways.

David Quesenberry  
3165 Talking Mountain Trail  
Cool, CA 95614  
(916) 505-3227

Virus-free. [www.avast.com](http://www.avast.com)

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County of El Dorado Clerk of the Board <edc.cob@edcgov.us>

Mon, Jun 28, 2021 at 12:32 PM

To: The BOSONE <bosone@edcgov.us>, The BOSTWO <bostwo@edcgov.us>, The BOSTHREE <bosthree@edcgov.us>, The BOSFOUR <bosfour@edcgov.us>, The BOSFIVE <bosfive@edcgov.us>, Donald Ashton <don.ashton@edcgov.us>, Tiffany Schmid <tiffany.schmid@edcgov.us>, Robert Peters <robert.peters@edcgov.us>, Jeanette Salmon <jeanette.salmon@edcgov.us>, Julie Saylor <julie.saylor@edcgov.us>, Brendan Ferry <brendan.ferry@edcgov.us>, Breann Moebius <breann.moebius@edcgov.us>

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County of El Dorado Clerk of the Board &lt;edc.cob@edcgov.us&gt;

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**Proposed Dollar General In Cool, CA**

2 messages

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**Cyndi Lycan** <clycan@comcast.net>  
To: edc.cob@edcgov.us  
Cc: Cyndi Lycan <clycan@comcast.net>

Mon, Jun 28, 2021 at 12:32 PM

Dear Board of Supervisors,

I moved from Manteca, CA to Cool, CA 2 years ago. I wanted a more rural lifestyle with a focus on locally owned businesses. I loved the quirky village of Cool and its strong sense of community. Consequently, I am vehemently opposed to Dollar General in Cool. It will cheapen our little community.

With no community ties, Dollar General doesn't care about us. A glaring example of this is their challenge to El Dorado County's regulations to provide protections for pedestrians and bicyclists. This business doesn't "have our back." Why should they?

I am disappointed that a majority of Board of Supervisors are making decisions about a community they know little about. I do not have any friends here who support the project, and like me, they will boycott it if it comes to fruition.

Sincerely,  
Cynthia Hicks Lycan  
Cool, California

Sent from my iPad

---

**County of El Dorado Clerk of the Board** <edc.cob@edcgov.us>

Mon, Jun 28, 2021 at 12:33 PM

To: The BOSONE <bosone@edcgov.us>, The BOSTWO <bostwo@edcgov.us>, The BOSTHREE <bosthree@edcgov.us>, The BOSFOUR <bosfour@edcgov.us>, The BOSFIVE <bosfive@edcgov.us>, Donald Ashton <don.ashton@edcgov.us>, Tiffany Schmid <tiffany.schmid@edcgov.us>, Robert Peters <robert.peters@edcgov.us>, Jeanette Salmon <jeanette.salmon@edcgov.us>, Julie Saylor <julie.saylor@edcgov.us>, Brendan Ferry <brendan.ferry@edcgov.us>, Breann Moebius <breann.moebius@edcgov.us>

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[Quoted text hidden]



County of El Dorado Clerk of the Board &lt;edc.cob@edcgov.us&gt;

## Dollar General Store Cool, CA Challenge to County Regulation

3 messages

**Michel Bloch** <michelbloch520@gmail.com>  
To: edc.cob@edcgov.us

Mon, Jun 28, 2021 at 12:35 PM

Dear Board:

So, the Dollar General developers do not want to mitigate it's proposed store's impacts on Cool, CA, specifically for the pedestrians and bicyclists using Hwy 49, and the bike/pedestrian trail along Hwy 193. With a Dollar General store at this location, the bicyclist who are finishing their long climb from the American River Confluence will have more safety hazards to navigate. And the pedestrians, including people walking their horses across HWY 49 will be at risk of a collision with a motor vehicle. I regularly walk my dog to the Post Office next to the proposed Dollar General store site. I come to this location after my walk along the separate bike/pedestrian trail that runs along HWY 193. This bike/pedestrian trail intersects an exit many Dollar General customers will use. Dollar General's customers cannot exit at this spot. Dollar General must pay for this mitigation on HWY 193 and the widening of HWY 49, or no Dollar General store. This is the law.

How could the Board consider recusing our elected Supervisor, Lori Parlin? She represents us, yet you are denying us our representation. Not Democratic!!

Dollar General must pay for the sidewalk and road widening mitigations.

Sincerely,

Ann Gualtieri  
3060 Triple Seven Road  
Cool, CA 95614

**County of El Dorado Clerk of the Board** <edc.cob@edcgov.us>

Mon, Jun 28, 2021 at 12:39 PM

To: The BOSONE <bosone@edcgov.us>, The BOSTWO <bostwo@edcgov.us>, The BOSTHREE <bosthree@edcgov.us>, The BOSFOUR <bosfour@edcgov.us>, The BOSFIVE <bosfive@edcgov.us>, Donald Ashton <don.ashton@edcgov.us>

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[Quoted text hidden]

**County of El Dorado Clerk of the Board** <edc.cob@edcgov.us>

Mon, Jun 28, 2021 at 12:39 PM

To: Tiffany Schmid <tiffany.schmid@edcgov.us>, Robert Peters <robert.peters@edcgov.us>, Jeanette Salmon <jeanette.salmon@edcgov.us>, Julie Saylor <julie.saylor@edcgov.us>, Brendan Ferry <brendan.ferry@edcgov.us>, Breann Moebius <breann.moebius@edcgov.us>

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Office of the Clerk of the Board

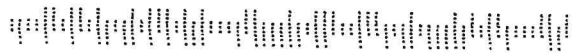
El Dorado County  
330 Fair Lane, Placerville, CA 95667  
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----- Forwarded message -----

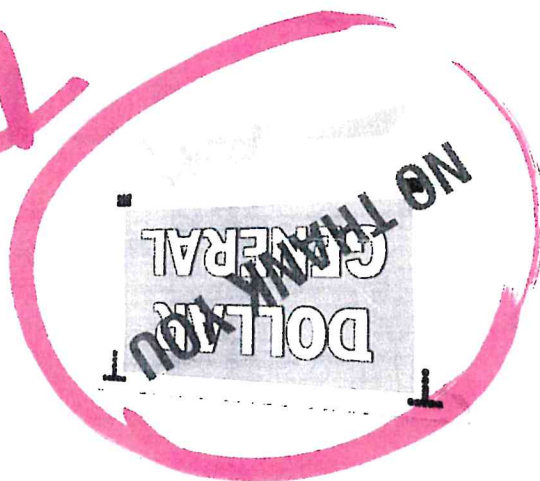
From: **Michel Bloch** <[michelbloch520@gmail.com](mailto:michelbloch520@gmail.com)>  
Date: Mon, Jun 28, 2021 at 12:35 PM  
Subject: Dollar General Store Cool, CA Challenge to County Regulation  
To: <[edc.cob@edcgov.us](mailto:edc.cob@edcgov.us)>

[Quoted text hidden]



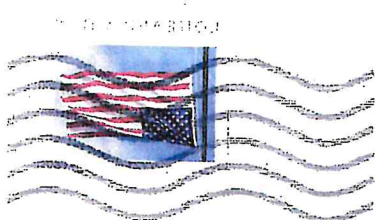
95614-203695

NO  
STAY  
OUT  
OF  
HEAR



Harkins Family  
1895 Wild Cat Ct  
Cool, CA 95614

Divide  
Preservation &  
Society.Org  
Cool-Pilot Hill  
Advisory  
Committee



SACRAMENTO CA 957  
17 JUN 2021 PM 5:11

EDC 805 ROAD  
JUN 28 2021 AM 10:15

NO  
STAY  
OUT  
OF  
HEAR



# LAST CHANCE:

## Keep Dollar General Out of The Divide

El Dorado County has ordered Dollar General to add pedestrian protections to their plan to build a store at Hwy 49 and SR 193 – but **Dollar General is challenging the requirement to provide protections for pedestrians and bicyclists** under county regulations.

Their refusal only proves every point we've made so far about Dollar General – they don't care about Cool and are only here to take from, not give back, to our small community.

Dollar General doesn't belong at this location, particularly if they can't take responsibility for reasonable safety measures. We all know that Traffic and 49 & 193 is frequently unsafe – and **Dollar General doesn't want to mitigate its impacts to pedestrian and bicycle safety.**

We've opposed this project all along for public safety and traffic reasons. Dollar General gives lip service to being responsible, but their resistance to county requirements proves otherwise. Stand with us in saying no to Dollar General.



### WHAT YOU CAN DO TO HELP

1

Email the Board of Supervisors at [edc.col@co.el-dorado.ca.us](mailto:edc.col@co.el-dorado.ca.us) and ask the Board to uphold the requirements for Dollar General's pedestrian & bicycle safety as approved by the Planning Commission.

2

Join the Board of Supervisors meeting on Dollar General on Zoom at:

<https://zoom.us/j/97262339308>

Speak up with your concerns about Dollar General. The hearing will be held on Tuesday, June 29<sup>th</sup> at 9am.



Divide  
Preservation  
Society.Org



Cool-Pilot Hill  
Advisory  
Committee



County of El Dorado Clerk of the Board &lt;edc.cob@edcgov.us&gt;

---

**Cool Dollar General Retail - comment**

2 messages

---

**Sara SK** <skpriority@earthlink.net>  
To: EDC COB <edc.cob@edcgov.us>  
Cc: BOS Four Lori Parlin <lori.parlin@edcgov.us>

Mon, Jun 28, 2021 at 1:38 PM

To the Office of the Clerk of the Board, El Dorado County,

I am re-sending my comment as my internet service has been choppy today. I appreciate confirmation and apologize for any duplicate submission. I changed the name of my comment to be more accurate -- please delete "grocery appeal ltr SK" if it did go through.

Thanks for all your work,  
Sara Schwartz C.R. Kendall

---

**Sara Schwartz C.R. Kendall**  
[skpriority@earthlink.net](mailto:skpriority@earthlink.net)

---

 **Cool Dollar General Retail BOS appeal ltr SK.pdf**  
90K

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**County of El Dorado Clerk of the Board** <edc.cob@edcgov.us> Mon, Jun 28, 2021 at 1:48 PM  
To: The BOSONE <bosone@edcgov.us>, The BOSTWO <bostwo@edcgov.us>, The BOSTHREE <bosthree@edcgov.us>, The BOSFOUR <bosfour@edcgov.us>, The BOSFIVE <bosfive@edcgov.us>, Donald Ashton <don.ashton@edcgov.us>, Tiffany Schmid <tiffany.schmid@edcgov.us>, Robert Peters <robert.peters@edcgov.us>, Jeanette Salmon <jeanette.salmon@edcgov.us>, Julie Saylor <julie.saylor@edcgov.us>, Brendan Ferry <brendan.ferry@edcgov.us>, Breann Moebius <breann.moebius@edcgov.us>

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[Quoted text hidden]

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**Sara Schwartz C.R. Kendall**  
[skpriority@earthlink.net](mailto:skpriority@earthlink.net)

 **Cool Dollar General Retail BOS appeal ltr SK.pdf**  
90K

June 28, 2021

To the Board of Supervisors, El Dorado County:

I urge you to deny permission for a Dollar General going into Cool, CA. For over 20 years I have frequented Cool. I shop there, I recreate there, I have worked there, and I drive through often. Please consider these points:

1. Traffic is already overly congested at the intersection of Highways 49 and 193, the general project location, and those roads cannot support the traffic increase the Dollar General studies predict. The intersection is already, according to the project studies, at Level of Service D & E.
2. The predicted traffic increases fall short in two ways. First, the auto traffic was not measured late enough into the day to capture commuters coming back home after running errands. Second, the school-related traffic was not measured, whether by car, bicycle, or on foot, because the studies were not done on a school day. When the applicant says there is not much foot or bicycle traffic to consider, that is a big reason why: the study times did not include those families walking and biking to and from school.

Additionally, people don't walk there because it's scary dangerous, with no designated sidewalk or bike lane. I have tried to park at one establishment on Northside Drive and walk to my other errands, but crossing the highways even in broad daylight is too daunting for a sensible adult. However, our youth take the risk now, and will do so more if this store were to go in. Users of the trail system across the highway can also be expected to travel to the store on foot or wheels. Dollar General also is not taking responsibility for its projected traffic by creating pedestrian walkways or bicycle lanes as the Planning Commission directed.

3. No one has addressed the fact that increased and further backed up traffic will affect the ability of Fire Station 72 to respond to emergency calls.
4. The impact of businesses already on the very narrow Northside Drive should be considered. If that many vehicles will be trying to get to Dollar General, it will be much harder to get to the post office, restaurant, and other businesses.
5. Little mention has been made of the trail and road events and races that occur in Cool, increasing traffic and limiting road use occasionally. These should be factored into the traffic calculations.
6. Perhaps most dangerously to the entire area, Dollar General has said in their EIR that they do not feel restricted from running their largest trucks through the Auburn Canyon. They have already had an 18-wheeler block traffic in both directions for over an hour. I am presenting a full quotation from their EIR because it is so serious. Dollar General displays no sense of neighborliness or responsibility for its trucks using the Canyon:
  - EIR p.287: "on May 28, 2020, the Planning Commission included a condition of approval, which was agreed upon by the applicant, to route delivery trucks serving the proposed project from US Route (US) 50. Delivery trucks would avoid SR 49 between Interstate 80 and Cool. The Planning Commission's approval of the project

was appealed to the Board of Supervisors, and on July 14, 2020, the Board reversed the approval of the project, pending preparation of an EIR. Therefore, due to the Board's action vacating the approval, there is no truck restriction in place at this time. **Furthermore, the restriction applies only to deliveries to the proposed Cool site, and not other Dollar General stores, existing or proposed, in the County.**

Several commenters noted that a truck carrying a Dollar General trailer temporarily blocked SR 49, north of Cool, the week of February 25, 2021. While the circumstances of this accident are not clear, it must be noted that there was no restriction in place that was violated by this event." (emphasis added)

This statement shows Dollar General's disregard for the Auburn Canyon, El Dorado County and Placer County, and everyone who drives through Cool. It is ridiculous to abdicate responsibility for a local disastrous situation because "there was no restriction" against it. It is also alarming that this corporation seems to indicate that if their trucks are going to other stores, they will use the Canyon.

I hope these points show what a mismatch this large store, with its expected large traffic increase, is at an intersection that is already at LOS D/E. It is already tricky driving a car from store to store, and it is almost impossible in busy hours to turn left against traffic on Hwy 49 as the plan is for Dollar General traffic, both truck deliveries and customers, to do routinely. It is hazardous to walk or bike across this traffic, and this Dollar General would invite people, especially area youth who need our protection, to do just that.

For these reasons of manageable traffic levels, pedestrian and bicyclist safety, fire and emergency response, as well as rurally attractive and economically healthy environments, I urge you to deny Dollar General's proposal to come into Cool. Instead, the parcel could support a small business building that is proportional to the space and would create a manageable amount of traffic.

Or, considering the small size of the parcel, its oak trees including a heritage oak, and its proximity to a school and residential area, an even better fit would be in line with the El Dorado County Plan Statement of Vision #7: "Improve and expand local park and recreational facilities throughout the County." Our kids need a playground, and a place for environmental education. That would be a real investment in our County.

Thank you for all you do for our community,

*Sara Schwartz C.R. Kendall*  
skpriority@earthlink.net



County of El Dorado Clerk of the Board <edc.cob@edcgov.us>

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**Re: Appeal DR-A21-0001 and Appeal DR-A21-0002: Cool General Retail Project (Dollar General)**

1 message

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**Don Mooney** <dbmooney@dcn.org>  
To: edc.cob@edcgov.us  
Cc: Breann Moebius <breann.moebius@edcgov.us>

Mon, Jun 28, 2021 at 1:40 PM

Please see attached letter.

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June 28, 2021

**VIA ELECTRONIC MAIL**

**BOS@edcgov.us**

El Dorado County Board of Supervisors  
County of El Dorado  
330 Fairlane Court  
Placerville, CA 95667

**Re: Appeal DR-A21-0001 and Appeal DR-A21-0002:  
Cool General Retail Project (Dollar General)**

Dear Board of Supervisors:

This office represents Divide Preservation Society and Cool Pilot Hill Advisory Committee regarding the Cool General Retail Project ("Dollar General" or "Project"). Divide Preservation Society and Cool Pilot Hill Advisory ("Appellants") object to the Project and object to the Environmental Impact Report ("EIR") on the grounds that the EIR fails to comply with the requirements of the California Environmental Quality Act ("CEQA"), Public Resources Code section 21000 *et seq.* Appellants also oppose the appeal submitted by the applicant Woodcrest REV ("Woodcrest" or "Applicant") on grounds that the Conditions of Approval approved by the Planning Commission are required by the General Plan policies. To not require the pedestrian path/bike path would be inconsistent with the General Plan and the State Planning and Zoning Law, Government Code, section 65300 *et seq.* To this end, Divide Preservation Society and Cool Pilot Hill Advisory Committee submit the following comments.

**A. PEDESTRIAN AND TRAFFIC SAFETY**

As discussed in several community comments, the EIR's traffic analysis is fatally flawed as the traffic was not measured at a time to capture commuter traffic or school traffic. Additionally, those study times did not include times when kids would be walking and biking to school. Also, as pointed out by the comments and the Planning Commission, people do not currently use that area as there is no development. When the Project is developed that will change and attract more people to that side of the road. The County should direct that the traffic study be re-done to capture commuter traffic and school traffic in order to properly evaluate safety impacts.

**B. THE DEIR FAILS TO ADEQUATELY MITIGATE IMPACTS TO AIR QUALITY FROM NATURALLY OCCURRING ASBESTOS.**

CEQA requires that an EIR must propose mitigation measures that will minimize project's significant impacts by reducing or avoiding them. (Pub. Resources Code, §§ 21002, 21100.) The EIR must include facts and analysis supporting characterization of the expected result. (*Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 522.) While reliance on a regulatory program can be the basis for determining that the project will not have a significant environmental impact, (*see Tracy First v. City of Tracy* (2009) 177 Cal.App.4th 912), it must be reasonable to expect compliance. (*Oakland Heritage Alliance v. City of Oakland* (2011) 195 Cal.App.4th 884, 906.) But there must be standards that are set forth for compliance. (*Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 308.) In the present matter, the DEIR fails to adequately mitigate the Project's potentially significant impacts associated with naturally occurring asbestos.

The EIR recognizes the risks posed by naturally occurring asbestos in El Dorado County.

In El Dorado County, naturally occurring asbestos is another TAC of concern. Asbestos is the common name for a group of naturally occurring fibrous silicate minerals that can separate into thin but strong and durable fibers, with principal forms including chrysotile, crocidolite, amosite, tremolite, actinolite, and anthophyllite (OEHHA 2000). Naturally occurring asbestos is found in some areas throughout California, most commonly where ultramafic rock or serpentinite rock is present. When construction activities occur in areas with naturally occurring asbestos in the soils or rock, the asbestos fibers can become airborne and may be inhaled, which can cause chronic local inflammation and disrupt orderly cell division, both of which can facilitate the development of asbestosis (a noncancerous lung disease involving fibrotic scarring of the lungs) and cancer (OEHHA 2000). (DEIR 3.2-6 to 3.2-7.)

Additionally, the EIR acknowledges that "the TACs that would potentially be emitted during construction activities associated with development of the proposed project would be diesel particulate matter (DPM) and naturally occurring asbestos." (DEIR 3.2-22.)

The EIR then concludes that disturbance of the naturally occurring asbestos is a potentially significant impact.

Naturally occurring asbestos is also a TAC that could be generated during earthmoving activities in areas of El Dorado County. Although the proposed project site has not been identified as an area containing



naturally occurring asbestos (Bole and Associates 2019), current County records indicate the proposed project property parcel is located within the Naturally Occurring Asbestos Review Area. As such, potential impacts to naturally occurring asbestos would be considered potentially significant before mitigation. (DEIR at 3.2-22 to 3.2-23.)

Mitigation Measure AQ-1 provides:

MM-AQ-1: Asbestos Assessment and Minimization. The proposed project applicant (or their successor) shall provide a geologic evaluation of the property to determine that no serpentine, ultramafic rock, or asbestos is likely to be found in the area to be disturbed. This geologic evaluation shall be prepared by a Professional Geologist and submitted to the Air Pollution Control Officer (APCO) for consideration prior to issuance of building permits. If an exemption is not granted by the APCO, the proposed project sponsor shall adhere to all applicable regulations and control measures for fugitive dust emissions and asbestos hazards mitigation as required by the El Dorado County Air Quality Management District (EDCAQMD) Rule 223 (Fugitive Dust) and Rule 223-2 (Fugitive Dust –Asbestos Hazard Mitigation). (DEIR at 3.2-24.)

Nothing in the record demonstrates that compliance with MM AQ-1 would reduce the potentially significant impact to less than significant. For example, EDAQMD Rule 223-2 provides that “[t]he purpose of this Rule is to reduce the amount of asbestos particulate matter entrained in the ambient air as a result of any construction or construction related activities, that disturbs or potentially disturbs naturally occurring asbestos by requiring actions to prevent, reduce or mitigate asbestos emissions.” Reduction of the amount of asbestos does not necessarily constitute avoiding or reducing the impact to less than significant. (See Pub. Resources Code, § 21002, 21100.)

CEQA requires that the record contain substantial evidence to support a determination that the potentially significant impact will be reduced to less than significant. If substantial evidence does not support that determination, then CEQA requires a statement of overriding considerations. In the present case, nothing in the record indicates that adhering to all applicable regulations and control measures for fugitive dust emissions and asbestos hazards mitigation as required by the El Dorado County Air Quality Management District will avoid or reduce the impact to less than significant.

**C. THE EIR FAILS TO PROVIDE A REASONABLE RANGE OF ALTERNATIVES**

The EIR fails to provide a selection and discussion of alternatives that fosters informed decision-making and informed public participation. The alternatives analysis in

the EIR does not meet the requirement of a reasonable range of alternatives that lessen the Project's significant environmental impacts, and does not focus on alternatives that either eliminate adverse impacts or reduce them to insignificance, even if they would to some degree impede the Project's objectives, as required by CEQA. Other than the required No Project Alternative (CEQA Guidelines, § 15126.6(e)) the EIR's alternative analysis contained only the proposed project. The EIR neglected to describe even one, let alone "a range," of reasonable alternatives that would feasibly attain the Project's objectives. (CEQA Guidelines, § 15126.6(a).) Thus, the EIR is fatally flawed.

**1. CEQA Requires an EIR to Discuss a Reasonable Range of Feasible Alternatives**

CEQA mandates a lead agency to adopt feasible alternatives or feasible mitigation measures that can substantially lessen the project's significant environmental impacts. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15002(a)(3), 15126.6(a); *Sierra Club v. Gilroy City Council*, *supra*, 222 Cal.App.3d at p. 41.) For that reason, "[t]he core of an EIR is the mitigation and alternatives sections." (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 533, 564.) "The purpose of an environmental impact report is to identify the significant effects on the environment of a project, to identify alternatives to the project, and to indicate the manner in which those significant effects can be mitigated or avoided. (Pub. Resources Code, § 21002.1(a) (emphasis added); *see also* Pub. Resources Code, § 21061.) In preparing an EIR, a lead agency must ensure "that all reasonable alternatives to proposed projects are thoroughly assessed." (*San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus*, *supra*, 27 Cal.App.4th at p. 717; quoting *Wildlife Alive v. Chickering* (1976) 18 Cal.3d 190, 197; Pub. Resources Code, § 21001(g) (lead agency must "consider alternatives to proposed actions affecting the environment"); *Laurel Heights I*, *supra*, 47 Cal.3d at p. 400.)

The EIR must "describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project, and evaluate the comparative merits of the alternatives." (CEQA Guidelines, § 15126.6(a).) The alternatives discussion must focus on alternatives that avoid or substantially lessen any significant effects of the project. (*Id.*, § 15126.6(b); *Goleta Valley*, *supra*, 52 Cal.3d at 556, [EIR must consider alternatives that "offer substantial environmental advantages"].) The range must be sufficient "to permit a reasonable choice of alternatives so far as environmental aspects are concerned." (*San Bernardino Valley Audubon Soc'y v. County of San Bernardino* (1984) 155 Cal.App.3d 738, 750; *see also* *Sierra Club v. Contra Costa County* (1992) 10 Cal.App.4th 1212, 1217-18, 1222, [EIR that only considered two alternatives for less development was not a range of reasonable alternatives.]) Although no rule governs the number of alternatives that must be considered, the range is governed by the "rule of reason." (CEQA Guidelines, § 15126.6(a)(f).) *Marin Municipal Water District v. KG Land Corp.* ("Marin") (1991) 235 Cal.App.3d 1652, 1664, ["CEQA establishes no categorical legal imperative as to the

scope of alternatives to be analyzed in an EIR”].) The range of alternatives must be selected and discussed in a manner that allows for meaningful public participation and informed decision-making. (*Id.*) The fact that CEQA does not require a specific number of alternatives does not excuse an agency’s failure to present *any* feasible, less environmentally damaging options to a proposed project. (*See Sierra Club v. Contra Costa County, supra*, 10 Cal.App.4th at pp. 1217-18, 1222, [EIR that only considered two alternatives for less development was not a range of reasonable alternatives].) While an agency may limit the number of alternatives, such determination must be supported. (*Mount Shasta Bioregional Ecology Center v. County of Siskiyou* (2012) 210 Cal.App.4th 184.)

The range of potential alternatives to the proposed Project shall include those that could feasibly accomplish most of the basic objectives of the Project and could avoid or substantially lessen one or more of the significant effects. (CEQA Guidelines, § 15126.6(c); *see Goleta Valley, supra*, 52 Cal.3d at 566.) The EIR must “include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project.” (CEQA Guidelines, § 15126.6(d); *see also Kings County, supra*, 221 Cal.App.3d at 733, [The alternatives discussion must contain specific quantitative information for an adequate comparison.].) An EIR’s discussion of alternatives must be reasonably detailed, but not exhaustive. (*In re Bay-Delta etc., supra*, 43 Cal.4th at p. 1163, [“An EIR need not consider every conceivable alternative to a project or alternatives that are infeasible.”]; CEQA Guidelines, § 15126.6.) The key issue is whether the alternatives discussion encourages informed decision-making and public participation. (*Laurel Heights I, supra*, 47 Cal.3d at p. 404.)

The determination of whether an alternative is feasible is made in two stages. (*See Mir Mar Mobile Community v. City of Oceanside* (2004) 119 Cal.App.4th 477- 489-490; *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 981; CEQA Guidelines, § 15126.6(c).) The first step involves identifying a range of alternatives that will satisfy basic project objectives while reducing significant impacts. (*Ibid.*) Alternatives that are not “potentially feasible” are excluded at this stage as there is no point in studying alternatives that cannot be implemented. (*Ibid.*) In the second stage, the final decision on the project, the agency evaluates whether the alternatives are actually feasible. (*California Native Plant Society, supra*, 177 Cal.App.4th at 981; *see* CEQA Guidelines, § 15091(a)(3).) At this point, the agency may reject as infeasible alternatives that were identified in the EIR as potentially feasible. (*California Native Plant Society, supra*, 177 Cal.App.4th at 981.)

The burden of identifying and evaluating alternatives rests with the agency, not the public. (*Laurel Heights I, supra*, 47 Cal.3d at pp. 405-406.) Contrary to CEQA’s directive, the EIR fails to consider alternatives that would reduce and avoid project impacts. (*See* Pub. Resources Code, §§ 21002 and 21002(a); CEQA Guidelines § 15126.6(b); *Goleta Valley*, 52 Cal.3d at p. 566 [EIR must consider alternatives that “offer substantial environmental advantages”].)

## **2. The EIR Failed to Analyze a Reasonable Range of Alternatives**

The EIR identified several alternatives that were considered but rejected on the grounds that they did not meet one or more of the screening criteria or they failed to eliminate or substantially reduce one or more of the significant effects of the project. (DEIR at 4-2 to 4-3.) The alternatives rejected in the EIR were: Off-site Alternative; Modified Site Plan; and Alternative Use (DEIR at 4-3.)

As the three alternatives were considered infeasible and were not fully analyzed in the EIR, they do not qualify as a part of the reasonable range of alternatives required by CEQA as they were not evaluated or analyzed as required. (*See* CEQA Guidelines, § 15126.6(c); [EIR should **also** identify any alternatives that were considered by the Lead Agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the Lead Agency’s determination.].) Therefore, those four alternatives were not carried forward for further evaluation as required by CEQA. (CEQA Guidelines, § 15126.6(d), [EIR must include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project].)

The County’s failure to consider a reasonable range of alternatives constitutes a failure to proceed in the manner required by law, and a prejudicial abuse of discretion. (*See Kings County, supra*, 221 Cal.App.3d at p. 731, [“An inadequate discussion of alternatives constitutes an abuse of discretion.”].) CEQA does not allow an agency to reject every alternative during the scoping process as infeasible and then claim that the discussion of “infeasible” alternatives met the requirement that the EIR described a range of potentially feasible alternatives to the project. (*See* CEQA Guidelines, § 15126.6.) As such, the Court should set aside the certification of the EIR.

## **3. The EIR Failed to Include a Reduced Impact Alternative**

The EIR contains only two alternatives: the proposed project and no project alternative. (DEIR at 4-3.) The No Project Alternative, would make no improvements to the existing roadway. (*Id.*; *see* CEQA Guidelines § 15126.6(e), [“The specific alternative of “no project” shall also be evaluated along with its impact.”].) Under the No Build Alternative there would be no environmental impacts. Other than the required no project alternative, the EIR did not evaluate a reduced project alternative. Moreover, the EIR failed to carry forward consideration of an off-site alternative under the basis that the impacts would be similar to an off-site alternative. The EIR, however, contains general assumptions that the impacts would not be avoid without any apparent investigation into alternative sites. The EIR should also consider and evaluate alternatives that address pedestrian safety and traffic safety as discussed in the comments submitted by community members. That may include modification of the ingress and egress to the site, as well as construction of sidewalks. Additionally, the alternatives should address design of the project to address public safety to reduce the risk of robberies. (*See* discussion below.)

**D. THERE ARE SIGNIFICANT PUBLIC SAFETY ISSUES ASSOCIATED WITH DOLLAR GENERAL STORES**

Another issue that has arisen associated with Dollar General stores is the reports of violent crime associated with the Dollar General stores and that the stores serve as a robbery magnet. There are numerous reports of violent crime associated with the Dollar General stores and that the stores serve as a robbery magnet. There is evidence and reports that that the company fails to adequately protect workers from violent crime. In part this is based upon the design of the store inside and outside, as well as insignificant staffing at their stores. While having only one employee on site fits into Dollar General "low-cost model" by reducing costs and expenses, it also increases the risk for robbery. Unfortunately for Cool and other communities, this low-cost model is not conducive to public safety, especially when decisions are based upon adhering to the low-cost model as opposed to implementing recommended security procedures. The EIR fails to address public safety based upon Dollar General's business practices.

To this end, a number of recent news articles highlight Dollar General's management of the stores and that the risk that such management and low-costs business model poses to the employees and community.<sup>1</sup> The articles point out that insiders and security experts say the company fails to adequately protect workers from violent crime.

One sheriff in a rural county referred to the stores as "stop and robs." The sheriff presented a list of safety concerns including recommendations to improve lighting and limit the number of boxes piled up inside the stores, which can make it difficult for officers to see inside. It appears that Dollar General simply paid lip service to the sheriff's concerns about safety. According to the local sheriff, "They say they're going to do better, but it doesn't seem to come to fruition."

The CNN article also highlights problems in Dayton, Ohio, where the Police Department identified the factors that it believed were enabling robberies and made a lot of recommendations to Dollar General to improve safety and prevent robberies. Unfortunately, the Dayton Police Department has not noticed that the recommendations have been implemented.

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<sup>1</sup> Copies of three articles were attached to Appellants comments on the DEIR as Exhibits A, B and C to this letter. They can also be located at: <https://www.cnn.com/2020/06/26/business/dollar-general-robberies/index.html> and <https://markets.businessinsider.com/news/stocks/dollar-stores-general-family-tree-violent-crime-gundeaths-reports-2020-6-1029351599>. See also <https://www.propublica.org/article/how-dollar-stores-became-magnets-for-crime-and-killing>. (Exhibit C.)

The articles also discuss Dollar General's preference to only have one employee on site except at closing time. While having only one employee on site holds fits into Dollar General "low-cost model" by reducing costs and expenses, it also increases the risk for robbery. According to the articles, former executives from Dollar General have stated that the company's low-cost approach often comes at the expense of employees and that the effort to keep costs down keep Dollar General from taking action on security concerns. Security guards are viewed as too costly and are almost non-existent in Dollar General stores. Security guards and extra staff are all seen as taking away from the profit or requiring an increase in prices. Both of which contradict Dollar General's low-cost model. Unfortunately for Cool and other communities, this low-cost model is not conducive to public safety, especially when decisions are based upon adhering to the low cost model as opposed to implementing recommended security procedures.

The public safety of Cool, as well as the safety of law enforcement officers must take precedent over Dollar General's low-cost model as the low-cost model does not adequately address a community's concerns about safety. The EIR fails to address security measures such as at least two employees on site at all times, reduce height of shelving in order provide visibility for store clerks and law enforcement, and a security guard. These have been the recommendations of law enforcement in other communities and should be part of the conditions of approval for this Project. Again, public and employee safety must take priority over Dollar General's low-cost model.

#### **E. THE BOARD SHOULD DENY THE APPLICANT'S APPEAL**

The Applicant appeals the Planning Commission's approval of the Project challenging the Conditions of Approval 12 and 13. The Applicant's appeal seeks to modify the Conditions of Approval that would allow the Applicant to ignore its obligations to make infrastructure improvements related to the Project required by the General Plan. As approved by the Planning Commission, Conditions 12 and 13 provide:

12. **Northside Drive:** Construct improvements to Northside Drive consistent with the approved Site Plan, and Preliminary Grading Plan. Construct a 4-foot-wide asphalt pedestrian path along Northside Drive from SR49 to the project driveway.

Widen, improve, and maintain Northside Drive consistent with County Standard 101C (paved) - to a consistent minimum width of 24 feet from SR49 to the project east boundary. The 24-foot width is to be measured from the opposite curb or edge of pavement to the flowline of the edge of pavement.

Delivery trucks for the project shall only access the property via right-in turns from SR 49 to Northside Drive and exit the property via left-out turns from Northside Drive to SR49.

Truck deliveries for the project shall be restricted to the hours of 9:00 a.m. to 3:00 p.m.

13. **Frontage Improvements to SR49:** Construct a Class 1 Bike Path along the shoulder of SR49 from the southerly property line, north to Northside Drive. If Caltrans does not approve a Class 1 Bike Path, construct an eight-foot-wide Class 2 Bike Lane along the shoulder of SR49 from the southerly property line, north to Northside Drive. Obtain an encroachment permit(s) from Caltrans for improvements within State right of way. Complete this work to the satisfaction of Caltrans.

The Applicant argues that the Conditions of Approval constitute an unconstitutional taking by asserting that there is no evidence in the record supporting a “nexus” between the anticipated impacts of the Project and the conditions of approval.

To this end, the Applicant argues that there are no pedestrian or bicycle safety impacts associated with the Project. The Applicant further asserts that since the EIR did not identify any substantial impacts or increases to bicycle or pedestrian traffic, the County is bound by that determination and cannot make any other determination. The Applicant is wrong.

The record contains ample comments/testimony from the public that the Project will impact pedestrian and bicycle safety. These lay comments from citizens who live in the area and are familiar with the area were submitted on the Draft EIR, to the Planning Commission, and to this Board and constitute substantial evidence for this Board to rely upon. The courts have consistently held that input from non-experts, lay testimony, can be substantial evidence when such testimony is credible and does not purport to embody analysis that would require special training. Thus, “statements of area residents who are not environmental experts may qualify as substantial evidence if they are based on relevant person observations or involve ‘nontechnical issues.’” (*Bowman v. City of Berkeley* (2004) 122 Cal.App.4th 572, 583 (aesthetics); *Ocean View Estates Homeowners Association, Inc. v. Montecito Water District* (2004) 116 Cal.App.4th 396, 402 (aesthetics); *Mejia v. City of Los Angeles* (2005) 130 Cal.App.4th 322 (traffic and biology); *The Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903, 932 (land use); *Oro Fino Gold Mining Corp v. County of El Dorado* (1990) 225 Cal.App.3d 872, 882 (noise); *Citizens Association for Sensible Development of Bishop Area v. County of Inyo* (1985) 172 Cal.App.3d 151, 172 (traffic).)

The Planning Commissioners relied upon their own experiences and knowledge, along with the public comments and testimony to find that the Project will increase pedestrian and bicycle traffic on Highway 49 and Northside Drive. As pointed out by Planning Commissioner Ross, the traffic analysis does not adequately address pedestrian and bicycle safety after construction of the Project. (Planning Commission Hearing Video at 7:04.) Commissioner Ross identified that the traffic study and the EIR ignore

the fact that if you build it, they will come. (*Id.*) While the Staff Report states that the EIR and Transportation Study did not identify substantial impacts or increases to bicycle or pedestrian traffic, the Commissioners and this Board are not prevented from considering other substantial evidence in the record regarding those issues. Nor are they prevented from making findings consistent with the substantial evidence submitted by community members regarding impacts to pedestrian and bicycle safety.

The Applicant's letter cites to *Ehrlich v. City of Culver City* (1996) 12 Cal.4th 854, to argue that there is neither a nexus between the Conditions of Approval and anticipated effects of the Project nor is there any rough proportionality between the conditions and the anticipated impacts of the Project. In *Ehrlich*, however, the Court found a nexus between the loss of recreational facilities and the imposition of an in-lieu mitigation fee to help develop recreational facilities elsewhere. (12 Cal.4th at 881-882.) In this matter, the Project's anticipated effects on safety are set forth in the numerous comments by residents. Those comments constitute substantial evidence supporting the nexus between the Condition of Approval and the Project's impacts.

The Applicant also cites to *Ocean Harbor House Homeowners Association v. California Coastal Commission* (2008) 163 Cal.App.4th 215, 232 to argue that the nexus requires a logical connection. To this end, the Applicant argues that there is no logical connection requiring a Class I Bike Path as it is completely out-of-character for the local area. The Applicant, however, ignores the goals and policies of the General Plan as set forth in the Staff Report. Those goals and policies require the County to include pedestrian/bike paths. (See General Plan Policy TC-4i. ["Within Community Regions and Rural Center, all development shall include pedestrian/bike paths connecting to adjacent development and to schools, parks, commercial areas and other facilities where feasible. In Rural Regions, pedestrian/bike paths shall be considered as appropriate."].)

The Applicant's argument boils down to if there is no Class I Bike Path or pedestrian path in the area or the undeveloped property that is the Project site, then there cannot be a basis for imposing a condition requiring such a path. Under this argument, a pedestrian walkway or bicycle path could never be imposed as condition if one did not already exist.

In terms of nexus there is a logical connection to the conditions of approval as substantial evidence in the form of lay testimony demonstrates the need for a pedestrian path and bike path on the Project site in order to provide safe access to and from the Project site. As demonstrated from the community testimony there will be a need for a pedestrian path and bicycle path for the safety of people going to and from the Project site as well as the increased traffic to the area that the store will generate. (See *Ocean Harbor House Homeowners Association, supra*, 163 Cal.App.4th at 232 [a logical connection between purpose of mitigation fee and the loss of a recreational resource due to a seawall].)



There is also rough proportionality between the pedestrian path/bike path and the impact of the Project on pedestrian and bicycle safety as the improvements being required by the Conditions of Approval do not extend beyond the project site. (*Id.* at 229-230 [takings clause requires “rough proportionality” between conditions imposed on the development of property and the impact the condition is meant to mitigate].) While, no precise mathematical calculation is required, the agency must make some sort of individualized determination that the conditions are related both in nature and extent to the impact of the proposed development. (*Dolan v. City of Tigard* (1994) 512 U.S. 374, 391.) A review of the Planning Commission’s hearing as well as the community support the determination that there is rough proportionality between the Project’s impacts to pedestrian and bicycle safety and the Conditions of Approval. This Board could also make a more specific determination regarding the need for the Conditions of Approval.

Additionally the pedestrian path/bike path that goes beyond the project site would be up to the County to build and/or fund. Alternatively, as adjacent areas are developed the County can requires similar conditions of approval. Thus, the Conditions of Approval are proportional to the Project’s impacts.

**F. THE PLANNING COMMISSION’S CONDITIONS OF APPROVAL ARE REQUIRED BY THE GENERAL PLAN.**

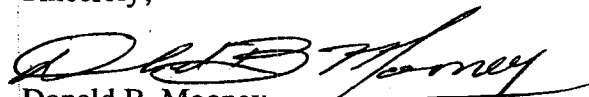
Granting the Applicant’s Appeal would result in a project that is inconsistent with the County’s General Plan. The State Planning and Zoning Law, Government Code section 65000 *et seq.*, establishes the General Plan as the constitution for all future development, to which any local decision affecting land use and development must conform. (*Citizens of Goleta Valley v. Board of Supervisors, supra*, 52 Cal.3d at 570.) Every city and county must adopt a “comprehensive, long-term General Plan for the physical development of the city or county ...” (Gov’t Code § 65300.) The California Supreme Court has described the General Plan as the “constitution for all future developments.” (*Families Unafraid to Uphold Rural El Dorado County v. Board of Supervisor (“FUTURE”)* (1998) 62 Cal.App.4th 1332, 1336, citing *Citizens of Goleta Valley v. Board of Supervisors, supra*, 52 Cal.3d at 570.) The Supreme Court described “the function of a general plan as a “constitution,” and labeled it the “basic land use charter governing the direction of future land use” in the locality. (*Leshar Communications, Inc. v. City of Walnut* (1950) 52 Cal.3d 531, 540, *DaVita v. County of Napa* (1995) 9 Cal.3d 763, 773.) The propriety of an agency’s decision affecting land use and development depends on the project’s consistency with the objectives, policies and land uses specified in the General Plan. (Gov’t Code § 65860; *Corona-Norco Unified School Dist. v. City of Corona* (1993) 17 Cal.App.4th 985, 994.)

Local land use and development decisions must be consistent with the applicable general plan. (*FUTURE, supra*, 62 Cal.App.4th at 1336; Gov’t Code, § 65860(a).) The requirement that local land use decisions adhere to the governing General Plan is known as the “consistency doctrine.” (*Leshar Communications, Inc., supra*, 9 Cal.3d at 541.)

This doctrine is “the linchpin of California's land use and development laws; it is the principle which infused the concept of planned growth with the force of law.” (*Ibid*, citing *deBottari v. City Council* (1985) 171 Cal.App.3d 1204, 1213.) A project is consistent with the General Plan if “it will further the objectives and policies of the General Plan and not obstruct their attainment.” (*FUTURE, supra*, 62 Cal.App.4th at 1336; *Friends of Lagoon Valley v. City of Vacaville* (2007) 154 Cal.App.4th 807, 817.) While a project need not be in perfect conformity with each and every General Plan policy as no project can completely satisfy every General Plan Policy, (*Sequoyah Hills Homeowners Assn v. City of Oakland* (1993) 23 Cal.App.4th 704, 719), the agency cannot ignore General Plan goals, policies and objectives that are by their very terms fundamental, mandatory and clear. An action, however, must be consistent with the very specific and mandatory policies of the general plan. (*Endangered Habitats League, Inc. v. County of Orange* (2005) 131 Cal.App.4th 777, 785-786, 789; *FUTURE, supra*, 62 Cal.App.4th at 1342.) A project that is inconsistent with the General Plan cannot be approved if such approval conflicts such a policy or policies. (*Id.*)

In the present action, the Planning Commission found that the Project must comply with the General Plan policies regarding pedestrian and bicycle safety. To this end, the Commissioners referenced numerous General Plan policies including General Plan Policies TC-3c, TC-4, TC-4i, TTC-5b, TC-9, TC-4b, and TC-4h. (See Staff Report at 2-3.) If the Board grants the Applicant's appeal and modifies the conditions to remove the bicycle path on SR 49 and/or the pedestrian path on Northside, then any such approval of the Project would be inconsistent with the requirements of the General Plan. Thus, approval of the Project without the Conditions of Approval as set forth by the Planning Commission would be contrary to law and an abuse of discretion.

Sincerely,

  
Donald B. Mooney  
Attorney for Divide Preservation Society  
& Cool Pilot Hill Advisory Committee

cc: Clients



County of El Dorado Clerk of the Board &lt;edc.cob@edcgov.us&gt;

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**Appeal of Dollar General, Design Review DR19-0006**

2 messages

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**J. Duboux** <jyduboux@gmail.com>  
To: "edc.cob@edcgov.us" <edc.cob@edcgov.us>

Mon, Jun 28, 2021 at 1:57 PM

Jacqueline Duboux  
2346 Secret Ravine Trail  
Cool, CA 95614

June 29, 2021

edc.cob@edcgov.us  
El Dorado County Board of Supervisors  
330 Fair Lane  
Placerville, CA 95667

RE: Public Hearing, June 29, Appeal of Dollar General, Design Review DR19-0006

Honorable Board Members:

As a resident and property owner in Cool, I am writing to beg you to uphold the requirements for Dollar General's pedestrian and bicycle safety as approved by the Planning Commission.

I witness daily the traffic through Cool on Hwy 49, both as a motorist and pedestrian. My husband used to ride his bike regularly through the 193/49 intersection and along 49 to access Auburn State Recreation Area and the Post Office from our home. He stopped doing this last year, considering it too dangerous to ride or walk close to the highway traffic. These are busy roads, carrying a high volume of private and commercial traffic throughout the week and on weekends. The siting of Dollar General on Hwy 49 in Cool will bring additional vehicular and foot traffic on Hwy 49 and Northside Drive, adding to the already perilous situation for pedestrians and bike riders. Dollar General is geared towards lower income residents, many of whom travel by foot or bike out of necessity. Children will also be attracted to the store, on their way to and from school, on bikes and foot, being tempted to leave the relative safety of the existing dedicated bike and pedestrian pathway, to travel along the dangerous shoulder of Hwy 49 to Dollar General. Accidents are very likely to occur as a result.

**Dollar General is challenging the requirement to provide a Class I walking path in order to provide protection for pedestrians and bicyclists, which is required by County Regulations.**

**Dollar General does NOT care about Cool or its residents and are only here to take from and not give back to the community.**

The entrance to the Post Office, off Northside Drive, and to the proposed Dollar General are not adequate for two-way traffic and is unsafe as it is. **Dollar General does NOT want to mitigate impacts to pedestrian and bicycle safety.**

**During early meetings, the developer stated there would be a pedestrian walkway from Northside Drive to the [Highway 49/193](#) intersection. Fortunately, the Planning Commission agreed that a Class I walking path is a critical element for pedestrian safety. I strongly urge your Board to approve this condition as well as the walkway from Hwy 49 to the DG entrance.**

**Dollar General has ignored the FACT that there will be increased pedestrian and bicycle traffic, by school children that will visit the store for their cheap candy, snacks and soft drinks. These and other vulnerable members of our community are the people we need to protect with a Class I walking path.**

I urge you to uphold these requirements, for the safety and wellbeing of our little community.

Sincerely,  
Jacqueline Duboux

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County of El Dorado Clerk of the Board <edc.cob@edcgov.us>

Mon, Jun 28, 2021 at 2:11 PM

To: The BOSONE <bosone@edcgov.us>, The BOSTWO <bostwo@edcgov.us>, The BOSTHREE <bosthree@edcgov.us>, The BOSFOUR <bosfour@edcgov.us>, The BOSFIVE <bosfive@edcgov.us>, Donald Ashton <don.ashton@edcgov.us>, Tiffany Schmid <tiffany.schmid@edcgov.us>, Robert Peters <robert.peters@edcgov.us>, Jeanette Salmon <jeanette.salmon@edcgov.us>, Julie Saylor <julie.saylor@edcgov.us>, Brendan Ferry <brendan.ferry@edcgov.us>, Breann Moebius <breann.moebius@edcgov.us>

Fyi

Office of the Clerk of the Board  
El Dorado County  
330 Fair Lane, Placerville, CA 95667  
530-621-5390

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[Quoted text hidden]



County of El Dorado Clerk of the Board &lt;edc.cob@edcgov.us&gt;

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**RE: DR19-0006/ Cool General Retail**

2 messages

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**Tim Kendall** <camuti02@gmail.com>  
To: edc.cob@edcgov.us

Mon, Jun 28, 2021 at 2:22 PM

To Whom it May Concern:

I enjoy living on the Divide and love seeing local businesses thrive. I am concerned that the proposed development at Highway 193 and 49 will not allow local businesses to thrive because of the poor traffic planning and lack of pedestrian paths.

The recent development in the area, including bike lanes and road improvements, has been wonderful. It improves ease of access and I feel safer and more welcome visiting this growing intersection.

Please ensure that further growth of the area continues with this design. Having a development that is opposite the fire station based on a traffic study that did not include high traffic times inconveniences people and leads to a public safety risk. If this development is going to be done, please ensure that it is done with a valid traffic study and will not obstruct traffic in the Auburn canyon or impact fire response times for a station that is vital to the area.

Thank You,  
Tim Kendall  
Garden Valley, CA

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**County of El Dorado Clerk of the Board** <edc.cob@edcgov.us>

Mon, Jun 28, 2021 at 2:48 PM

To: The BOSONE <bosone@edcgov.us>, The BOSTWO <bostwo@edcgov.us>, The BOSTHREE <bosthree@edcgov.us>, The BOSFOUR <bosfour@edcgov.us>, The BOSFIVE <bosfive@edcgov.us>, Donald Ashton <don.ashton@edcgov.us>, Tiffany Schmid <tiffany.schmid@edcgov.us>, Robert Peters <robert.peters@edcgov.us>, Jeanette Salmon <jeanette.salmon@edcgov.us>, Julie Saylor <julie.saylor@edcgov.us>, Brendan Ferry <brendan.ferry@edcgov.us>, Breann Moebius <breann.moebius@edcgov.us>

Fyi

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