File #: 21-1052, **Version:** 2

Returning at the Board's direction for final action to uphold the approval of Design Review Permit DR19-0006/Cool General Retail and certification of the Environmental Impact Report to allow the construction of a 9,100 square foot commercial retail building and associated driveway, parking lot, utilities, signage, and landscaping improvements. The property, identified by Assessor's Parcel Number 071-500-037, consisting of 1.69 acres, in the Cool Rural Center; and staff recommending the Board take the following actions consistent with the Board's conceptual action and direction to staff:
1) Deny requests received from Woodcrest Real Estate Ventures (Woodcrest REV)(DR-A21-0001) and Divide Preservation Society & Cool Pilot Hill Advisory Committee (DPS and CPHAC)(DR-A21-0002) appealing the Planning Commission's May 13, 2021 conditioned approval of Design Review DR19-0006/Cool General Retail and certification of the Environmental Impact Report;
2) Amend Condition of Approval 13 to remove the underlined language requiring construction of a Class 1 Bike Path and reinstate the strikethrough language allowing for payment of an in-lieu fee for the Class 2 Bike Lane; and
3) Certify the Environmental Impact Report, adopt the Findings of Fact, and adopt the Mitigation Monitoring Reporting Program in accordance with the California Environmental Quality Act Guidelines Section 1507(d), incorporated as Conditions of Approval. (Cont. 6/29/2021, Item 43) (Supervisorial District 4)

FUNDING: Privately-funded appeal for Developer-funded project.

DISCUSSION / BACKGROUND

A public hearing was held and closed on June 29, 2021 to hear separate appeal requests by Woodcrest REV and the Divide Preservation Society and the Cool Pilot Hill Advisory Committee, appealing the Planning Commission's approval of Design Review Permit DR19-0006 for Cool General Retail on May 13, 2021. The Board of Supervisors conceptually denied both appeal requests and directed staff to return with updated Findings of Fact supporting the denial of both appeals and the Board's conceptual action to amend Condition of Approval 13. As the Board directed, the Findings of Fact for the EIR have been updated to reflect the Board's findings at the June 29, 2021 public hearing. The Conditions of Approval have also been amended as directed by the Board's conceptual action and the final Conditions of Approval are attached to this item. After the hearing, the applicant submitted the attached letter concurring in the conditions of approval as amended by the Board.

FINANCIAL IMPACT

There is no net County cost associated with this item. Privately-funded appeals for Developer-funded project.

CLERK OF THE BOARD FOLLOW UP ACTIONS

N/A

STRATEGIC PLAN COMPONENT

Good Governance and Economic Development. The project aligns with the Economic Development

goals of the County's Strategic Plan, as it would develop business that would help provide job creation, and supports Good Governance goals by providing property tax from proposed improvements and sales tax revenues from retail activities.

CONTACT

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