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## GRASS VALLEY

### Development Review Committee Meeting

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Tuesday, August 23, 2022 at 9:00 AM  
Council Chambers, Grass Valley City Hall | 125 East Main Street, Grass Valley, California  
Telephone: (530) 274-4310 - Fax: (530) 274-4399  
E-Mail: [info@cityofgrassvalley.com](mailto:info@cityofgrassvalley.com) Web Site: [www.cityofgrassvalley.com](http://www.cityofgrassvalley.com)

### AGENDA

Any person with a disability who requires accommodations to participate in this meeting should telephone the City Clerk's office at (530)274-4390, at least 48 hours prior to the meeting to make a request for a disability related modification or accommodation.

### MEETING NOTICE

Development Review Committee welcomes you to attend the meetings electronically or in person at the City Hall Council Chambers, located at 125 E. Main St., Grass Valley, CA 95945. Regular Meetings are scheduled at 9:00 a.m. on the 2nd and 4th Tuesday of each month. Your interest is encouraged and appreciated.

Members of the public are encouraged to submit public comments via voicemail at (530) 274-4390 and email to [public@cityofgrassvalley.com](mailto:public@cityofgrassvalley.com). Comments will be reviewed and distributed before the meeting if received by 9 am. Comments received after that will be addressed during the item and/or at the end of the meeting. The committee will have the option to modify their action on items based on comments received. Action may be taken on any agenda item.

Agenda materials, staff reports, and background information related to regular agenda items are available on the City's website: [www.cityofgrassvalley.com](http://www.cityofgrassvalley.com). Materials related to an item on this agenda submitted to the Committee after distribution of the agenda packet will be made available on the City of Grass Valley website at [www.cityofgrassvalley.com](http://www.cityofgrassvalley.com), subject to City staff's ability to post the documents before the meeting.

**Council Chambers are wheelchair accessible and listening devices are available. Other special accommodations may be requested to the City Clerk 72 hours in advance of the meeting by calling (530) 274-4390, we are happy to accommodate.**

### VIRTUAL LINK TO THE MEETING

Join Zoom

Meeting: <https://us06web.zoom.us/j/89427080257?pwd=Z25lWEFoWlg0Mk9Hek5nQnVTZHZvZz09>

Meeting ID: 894 2708 0257

Passcode: DRCmtg22!

One tap mobile: +17207072699,,89427080257#,,, \*755037981# US  
(Denver) +12532158782,,89427080257#,,, \*755037981# US (Tacoma)

Dial by your location: +1 720 707 2699 US (Denver) +1 253 215 8782 US (Tacoma) +1 346 248 7799 US (Houston) +1 646 558 8656 US (New York) +1 301 715 8592 US (Washington DC) +1 312 626 6799 US (Chicago)

Meeting ID: 894 2708 0257

Passcode: 755037981

Find your local number: <https://us06web.zoom.us/j/kcNKLY9Yg>

## **CALL TO ORDER**

## **ROLL CALL**

## **ANNOUNCEMENTS, AGENDA REVIEW AND CHANGES**

**PUBLIC COMMENT** - *Members of the public are encouraged to submit public comments via voicemail at (530) 274-4390 and email to [public@cityofgrassvalley.com](mailto:public@cityofgrassvalley.com). There is a time limitation of three minutes per person. For items not on the agenda and within the jurisdiction or interest of the City, please address the Development Review Committee at this time. For items on the agenda please address the Development Review Committee when the number and subject matter are announced. Comments will be reviewed and distributed before the meeting if received by 9AM. Comments received after that will be addressed during the item and/or at the end of the meeting. The Development Review Committee will have the option to modify their action on items based on comments received. Action may be taken on any agenda item.*

## **GENERAL APPLICATION FOR REVIEW**

- 1.** **Historical Commission Recommendation of Development Review Permit (22PLN-30)** to reroof a Priority 2 rated building in the City's 1872 Historic Townsite located at 150 South Auburn Street in the Town Core (TC) Zone (APN: 008-372-005) Environmental Determination: Categorical Exemption.
- 2.** **Conceptual Development Review (22PLN-33)** for the division of a ±9.70-acre parcel into sixty-one (61) residential units consisting of 17 duplex and 9 tri-plex buildings located at 10715 Brunswick Road (APN: 035-412-019). The Development Review Committee will review the conceptual plans and offer comments relative to service requirements, public and private improvements, entitlement processing, Development Code compliance and design standards. No formal action is to be taken on this Conceptual Development Review application.

## **ADJOURN**

## **POSTING NOTICE**

This is to certify that the above notice of a meeting of a Development Review Committee Meeting, scheduled for Tuesday, August 23, 2022 at 9:00 AM was posted at city hall, easily accessible to the public, as of 5:00 p.m. Thursday, August 18, 2022.

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Taylor Day, Deputy City Clerk

**CITY OF GRASS VALLEY DEVELOPMENT REVIEW COMMITTEE  
STAFF MEMORANDUM**

Item # 1.

**AUGUST 23, 2022, Meeting**

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**Date:** August 17, 2022  
**To:** Development Review Committee  
**From:** Lance E. Lowe, AICP, Principal Planner   
**Subject:** Continuance of Development Review Permit (22PLN-30) for 150 South Auburn Street Reroof.

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On July 12, 2022, the DRC recommended that composition roofing may be appropriate for the reroof at 150 South Auburn Street provided the roofing material reflected the existing tile roofing color. The DRC continued the review to allow the applicant to provide actual color samples for DRC consideration.

Accordingly, color samples will be provided at the August 23, 2022, DRC meeting.



**DEVELOPMENT REVIEW  
COMMITTEE  
STAFF REPORT  
July 12, 2022**

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**Prepared by:** Lance E. Lowe, AICP, Principal Planner *LEL*  
**Reviewed by:** Thomas Last, Community Development Director *TJL*

**DATA SUMMARY:**

**Application Number:** 22PLN-30  
**Subject:** Historical Commission Recommendation to Reroof a Priority 2 Rated Building in the City's 1872 Historic Townsite.  
**Location/APN:** 150 South Auburn Street/008-372-005  
**Applicant/Owners:** Ken Cutler & Mai Nguyen  
**Zoning/General Plan:** Town Core/Commercial  
**Entitlement:** Development Review Permit  
**Environmental Status:** Categorical Exemption

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**RECOMMENDATION:**

The Development Review Committee consider the reroofing options and approve a preferred roofing replacement material, which includes the following actions:

1. Determine the project Categorically Exempt as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA) and Guidelines;
2. Adoption of Findings of Fact for approval of the reroof as presented in the Staff Report; and,
3. Approval of the project in accordance with the Conditions of Approval as presented in the Staff Report.

**BACKGROUND:**

The building at 150 South Auburn Street is in the Spanish Revival Architectural Style. While not a common architectural form in Grass Valley, Spanish Revival Architecture were extremely popular forms of architecture built throughout California from the early 1900's through the 1940's. Character defining features of these building types include Spanish clay tile roofs, arched windows and doors, stucco exterior cladding, and the use of Spanish or Mediterranean style glazed tiles for entries.

The building has been occupied by Subsational Sub-shop for several years. Presently, most the building is cordoned off due to structural deficiencies with the roof trusses resulting in bowed exterior walls. The exterior walls have since been repaired; however,

the roof trusses are braced on the interior of the building until a roofing material can be selected and the trusses repaired.

The contractor has acknowledged that repair of the existing tile roof is not an option given its age and brittleness. Additionally, the engineer of record notes that the existing trusses are required to be replaced to accommodate the weight of the tile roof, which further adds to the repair cost. Lastly, the owner acknowledges that replacement of the exiting tile roof with in like kind material is cost prohibitive and will not occur (**Attachment 5 – Applicant’s Correspondence dated May 4, 2022**).

On June 14, 2022, the Historical Commission considered the roofing alternatives in-lieu of replacing the original tile roof. Ultimately, the Historical Commission recommended that a color appropriate dimensional composition roof may be acceptable; however, the Historical Commission also noted that several roofing alternatives should be considered by the DRC to ensure the best tile roof replacement material is approved.

### **PROJECT DESCRIPTION:**

The applicant is requesting a Development Review Permit for the replacement of the existing tile roof of a Priority 2 rated building in the City’s 1872 Historic Townsite. The roof replacement includes the small gable ends of the Subsational Sub-shop as well as the two-story hipped roof building. As a Priority 2 building, the building is considered a contributor to the City’s Historic 1872 Historic District. A Priority 2 rating is applied to properties that retain good integrity with some loss of historic fabric but continue to convey their period of significance and architectural style or sub-style. The Spanish clay roof tile is considered a Character defining feature of the building’s architecture according to the Historical Resources Survey (**Attachment 4 – Historical Resources Survey**).

In accordance with Chapter 17.52.070 of the City’s Development Code, replacement of a character defining feature constitutes a Major Project requiring approval of a Development Review Permit by the DRC. Major Projects include exterior modifications of contributing historical resources (i.e. Priority Rated 1 or 2 buildings) that alter the character defining features, such as shape, elevation, massing, and scale and do not comply with the City’s Historical Design Guidelines. Altering character defining features is not consistent with the City’s Historical Design Guidelines. For Major Projects, the City encourages a property owner to first meet with the Grass Valley Historical Commission for recommendation prior to DRC consideration.

As illustrated in Attachments 6 and 7, options for DRC consideration include a dimension composition and metal roof option, with the owner preferring the dimensional composition due to cost.

The owner will also be presenting color materials boards at the July 12, 2022, DRC meeting for further DRC consideration.

### **SITE DESCRIPTION AND ENVIRONMENTAL SETTING:**

The property consists of a one to two-story Spanish Revival commercial building that faces South Auburn Street. The building is currently occupied by Substantial Subs and Styles beauty salon. Character defining features of the building include a single-story front gable end (Substantial Subs) that faces South Auburn Street and features a Spanish clay tile roof, textured, stucco exterior wall surface, a clipped-roof front gable porch with an arcaded entrance featuring two roped twisted Spanish Revival influenced columns with Corinthian capitals, and a replaced aluminum framed entry door.

### **ENVIRONMENTAL DETERMINATION:**

The project qualifies for a Class 1 Categorical Exemption. A Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. Examples include but are not limited to: (d) Restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety.

### **GENERAL PLAN AND ZONING:**

**General Plan:** The project area has a land use designation of Commercial according to the City of Grass Valley 2020 General Plan. The Commercial designation is a broad category intended to encompass all types of retail commercial and commercial service establishments.

**Zoning:** The property is within the Town Core (TC) Zone District. The TC Zone strengthens the mixed-use pedestrian-oriented nature of the existing historic downtown. The secondary intent is to establish secondary mixed-use, pedestrian-oriented centers within large, regional districts that are likely to redevelop in the mid and long term.

### **HISTORIC DESIGN REVIEW GUIDELINES AND SECRETARY OF THE INTERIOR'S STANDARDS FOR THE TREATMENT OF HISTORIC PROPERTIES:**

*The City's Historical Review Guidelines* are based upon the *Secretary of the Interior's Standards for the Treatment of Historic Properties*. Altering the original roof and roofing materials, which are important in defining the overall historic character of the building is contrary to the recommendations of the City's Historical Design Review Guidelines. Specifically, the following are not recommended:

- Altering the roof and roofing materials which are important in defining the overall historic character of the building so that, as a result, the character is diminished.
- Replacing historic roofing material instead of repairing or replacing only the deteriorated material.
- Changing the type and color of roofing materials.
- Failing to stabilize a deteriorated or damaged roof until additional work is undertaken, thus allowing further damage to occur to the historic building.

**ANALYSIS:**

Without question, repair and/or replacement of the tile roof with in like kind materials is the preferred recommendation. However, the owner has indicated that replacement of the tile roof with similar materials is cost prohibitive and will not occur. Accordingly, other suitable options need to be considered by the DRC to salvage the architectural character of the building to the extent feasible. Additionally, receiving a timely approval by the DRC is important to allow the renovation to be completed as Subsational Sub-shop is limited in the conduct of their business while the building is in disrepair (**Attachment 3 – Site Photographs**).

According to the contractor, the existing tile roof is too brittle to salvage and reuse. When the roofing materials are beyond repair as is the case, replacement of in-kind or using compatible materials is the secondary option. Given that in-like kind material is not a feasible option, it is important to select a material and color that best replicates the original tile roofing. Although the Historic Commission recommended that a dimensional composition roof may be acceptable, the Historic Commission also noted that the DRC should consider other alternatives as well to ensure that the best replacement option is considered. To this end, the metal roofing appears to better resemble the original tile roof. Further discussion by the DRC should occur, with material samples being provided at the July 12, 2022, DRC meeting.

**FINDINGS:**

In accordance with Section 17.81.060 of the Development Code, the Development Review Committee is required to make specific findings before it approves a Development Review Permit.

1. The City received a complete application for Development Review Application 22PLN-30.
2. The Community Development Department determined the project is Categorically Exempt as the appropriate environmental review in accordance with the California Environmental Quality Act (CEQA).
3. The Grass Valley Development Review Committee reviewed the application at its regularly scheduled meeting on July 12, 2022.
4. The project is consistent with the applicable sections and development standards in the Development Code.
5. The project, as conditioned and to the extent feasible, complies with the City of Grass Valley Community Design Guidelines.
6. The proposed use is allowed within the applicable zone and complies with all other applicable provisions of this Development Code and the Municipal Code.

7. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity.

**A. GENERAL CONDITIONS:**

1. The approval date for this project is July 12, 2022. The Development Review Permit is approved for a period of 1 year and shall expire on July 12, 2023, unless the project has been effectuated (i.e., building permit has been obtained) or the applicant requests a time extension that is approved by the Grass Valley Development Review Committee pursuant to the Development Code.
2. The project shall be constructed in accordance with the plans approved by the Development Review Committee for Development Review Permit 22PLN-30 unless changes are approved by the Development Review Committee prior to commencing such changes. Minor design changes may be approved by the Community Development Department as determined appropriate by the Community Development Director. Major changes, as determined by the Community Development Director, shall be approved by the Development Review Committee.
3. Prior to construction, the applicant shall obtain the requisite building, plumbing, mechanical and electrical permits from the building division, in compliance with the California Codes.
4. The applicant agrees to defend, indemnify, and hold harmless the City of Grass Valley in any action or proceeding brought against the City of Grass Valley to void or annul this discretionary land use approval.

**ATTACHMENTS:**

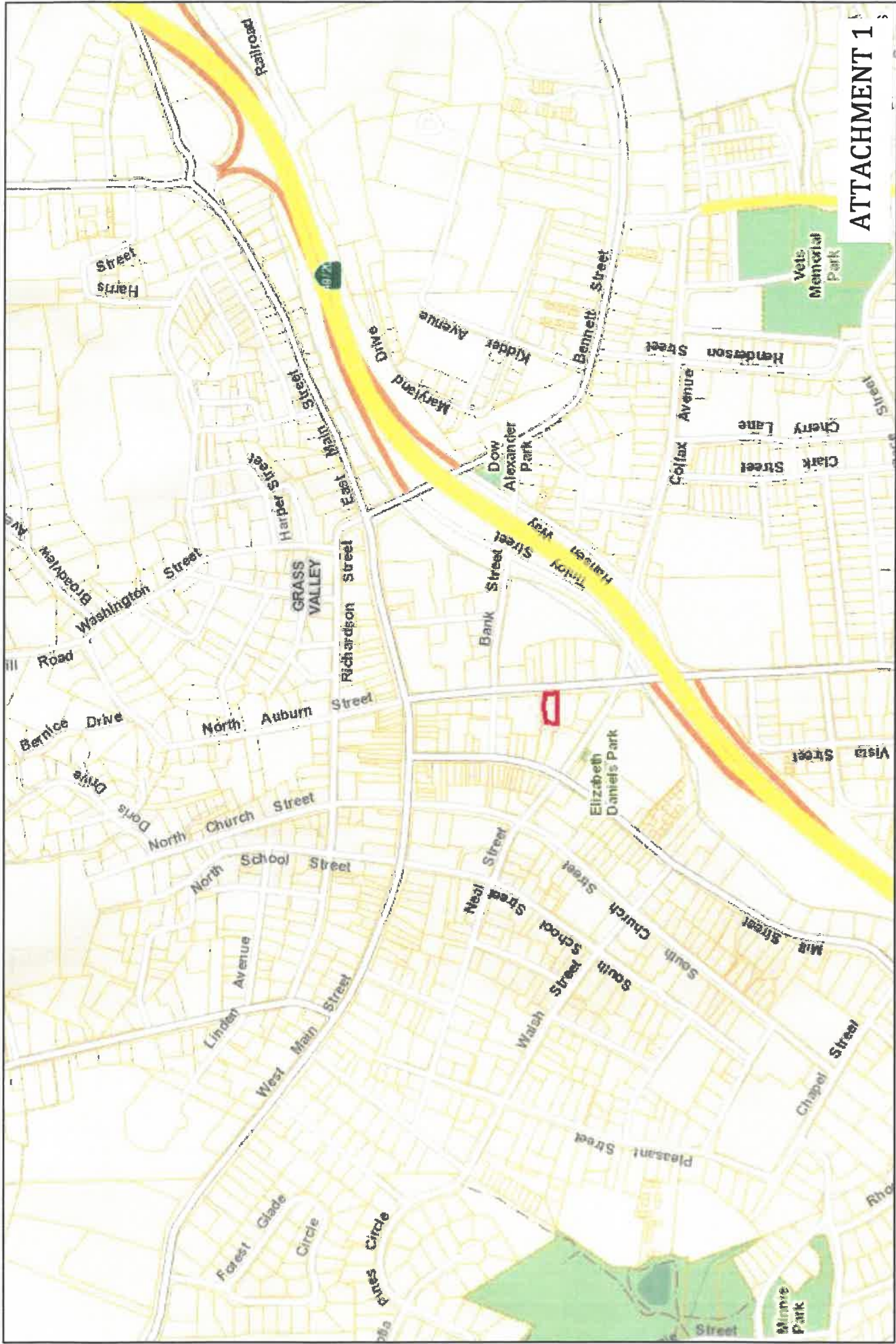
- Attachment 1** – Vicinity Map  
**Attachment 2** – Aerial Photograph  
**Attachment 3** – Site Photographs  
**Attachment 4** – Historical Resources Survey prepared in 2009  
**Attachment 5** – Applicant's Correspondence dated May 4, 2022  
**Attachment 6** – Composition Roofing Mockup  
**Attachment 7** – Metal Roofing Mockup



# ATTACHMENTS



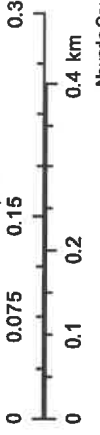
# 150 South Auburn Street



ATTACHMENT 1

July 7, 2022

1:9,028







ATTACHMENT 2

July 7, 2022

1:1,128

0 0.0075 0.015 0.03 0.06 mi

Item # 1.  
Nevada County  
©2018





State of California — The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION  
**PRIMARY RECORD**

Primary # \_\_\_\_\_  
HRI # \_\_\_\_\_  
Trinomial \_\_\_\_\_  
NRHP Status Code \_\_\_\_\_

Other Listings \_\_\_\_\_  
Review Code \_\_\_\_\_ Reviewer \_\_\_\_\_ Date \_\_\_\_\_

Page 1 of 2

\*Resource Name or #: 150 South Auburn Street

- P1. Other Identifier:** Downtown Grass Valley/APN 08-372-05
- \*P2. Location:** ☐ Not for Publication ☒ Unrestricted **\*a. County:** Nevada
- \*b. USGS 7.5' Quad:** Grass Valley, CA **Date:** revised 1973
- c. Address:** 150 South Auburn Street **City:** Grass Valley **Zip:** 95945
- d. UTM:** (Give more than one for large and/or linear resources) N/A **Zone:** N/A
- e. Other Locational Data:** The subject property is located on the west side of South Auburn Street.
- \*P3a. Description:**

The property consists of a one to two-story Spanish Revival commercial building that faces South Auburn Street. The building is currently occupied by "Subsational Subs" and "Styles" beauty salon. Character defining features of the building include a single-story front gable wing (Subsational Subs) that faces South Auburn Street and features a Spanish clay tile roof, textured stucco exterior wall surfaces, a clipped-roof front gable porch with an arcaded entrance featuring two rope twisted Spanish Revival influenced columns with Corinthian capitals, and a replaced aluminum framed entry door. The north elevation windows have all been replaced as well as the entry door. To the left of the single-story front gable building is a two-story hipped roof wing that features a Spanish clay tile roof, stucco exterior surfaces, a iron balcony with two French doors, and below the balcony a similar arcaded inset front porch with two replaced windows to the left and right in original openings. A separate wing extends to the south from the side of the two-story wing. The front is landscaped with mature trees, shrubs, lawns, and a walkway.

- \*P3b. Resource Attributes:** HP-6, one and two-story commercial building
- \*P4. Resources Present:** ☒ Building ☐ Structure ☐ Object ☐ Site ☐ District ☒ Element of District

**P5. Photograph or Drawing** (Photograph required for buildings, structures, and objects.)



**P5b. Description of Photo:** View looking southwest at the building from S. Auburn Street.

**\*P6. Date Constructed/Age and Sources:** ☒ Historic Circa 1930; City of Grass Valley Historical Files; Sanborn Fire Insurance Maps, Grass Valley, CA.

**\*P7. Owner and Address:** Darrel LeClair, POB 480, Carnelian Bay, CA 96140.

**\*P8. Recorded by:** Dana E. Supernowicz, Architectural Historian, Historic Resource Associates, 2001 Sheffield Drive, El Dorado Hills, CA 95762.

**\*P9. Date Recorded:** June 20, 2009

**\*P10. Type of Survey:** ☒ Architectural

**Describe:** Historical Resources Inventory, Grass Valley 1872 Townsite.

**\*P11. Report Citation:** City of Grass Valley Historical Resources Inventory, Grass Valley, Nevada County, California. Prepared for the City of Grass Valley, 125 East Main Street, Grass Valley, CA 95945. Prepared by Historic Resource Associates, 2001 Sheffield Drive, El Dorado Hills, CA 95762.

**\*Attachments:** Property Location Map



**PRIMARY RECORD**

Primary # \_\_\_\_\_

HRI # \_\_\_\_\_

Trinomial \_\_\_\_\_

NRHP Status Code \_\_\_\_\_

Item # 1.

Other Listings \_\_\_\_\_

Review Code \_\_\_\_\_ Reviewer \_\_\_\_\_ Date \_\_\_\_\_

Page 2 of 2

\*Resource Name or #: 150 South Auburn Street



View of the building looking west.

May 4, 2022

To: Members of the Grass Valley Historical Commission

From: Ken Cutler and Mai Nguyen, owners of the property 150 South Auburn Street

Dear Commissioners:

We purchased 150 South Auburn Street in 2017 and have been working to preserve and improve the building since. Previously, we extensively repaired the street facing front area which had water damage requiring work on the frame and refinishing the stucco. We also needed to repair the back stairs and installed new garage doors as the wood around the doors was sagging. Plus, the building recently needed a new roof over the garages.

This year it was noted that the tile roof over the Subsational Sandwich shop was sagging and upon further inspection it was found that the trusses have cracked under the weight of the roof and the wall facing the public parking has shifted necessitating expensive temporary bracing of the structure. This has significantly decreased the square footage of the restaurant while further repairs are being planned.

In reviewing options with our contractor and engineer, our current Spanish tile roof will need to come off and be replaced along with the roof over the main part of the building which has aged, has cracked tiles, and has suffered serial leaks. Unfortunately, the current tile cannot be preserved and re-used given its age and fragility. Replacing the tiles with new similar-appearing tiles while aesthetically desirable is unfortunately not tenable financially. The cost is multi-fold more than a composition roof. It would be such a prohibitive cost that we would need to raise the rent to above market rates for many years to recoup the difference (and that in turn would lead to some current tenants leaving, increased future vacancies, and lack of revenue which isn't good for anybody). Moreover, it is not just the roof that needs to be replaced but the supports for the roof, the exterior wall needs to be fully repaired, the HVAC vents re-done (damaged by the sagging trusses), and a new front door needs to be installed. Moreover, the exterior stucco will need to be removed and replaced on three sides of the building.

What we propose is to perform the necessary structural repairs, apply a new stucco exterior, but to replace the current heavy and fragile roof tiles with material that is lighter (thus easier on the frame/walls) and less likely to crack and have leaks that require considerable time and money to maintain and repair. We believe this can be done in a manner that allows the building to keep much of its current character, to blend in well with surrounding buildings, to be aesthetically pleasing but also financially workable.

We are sorry we cannot attend your meeting in person. We had long ago planned a trip abroad to see family and the trip is non-refundable. Please consider our challenging

position, be aware that multiple other buildings within sight from ours have removed their tile roofs and replaced them with composite shingle or metal roofs, and that we endured a high vacancy rate during the first two years of the pandemic and have just recently been able to get to full occupancy. Requiring us to replace our roof with the same materials as before will have financial consequences that we do not see overcoming.

Thank you for your consideration.

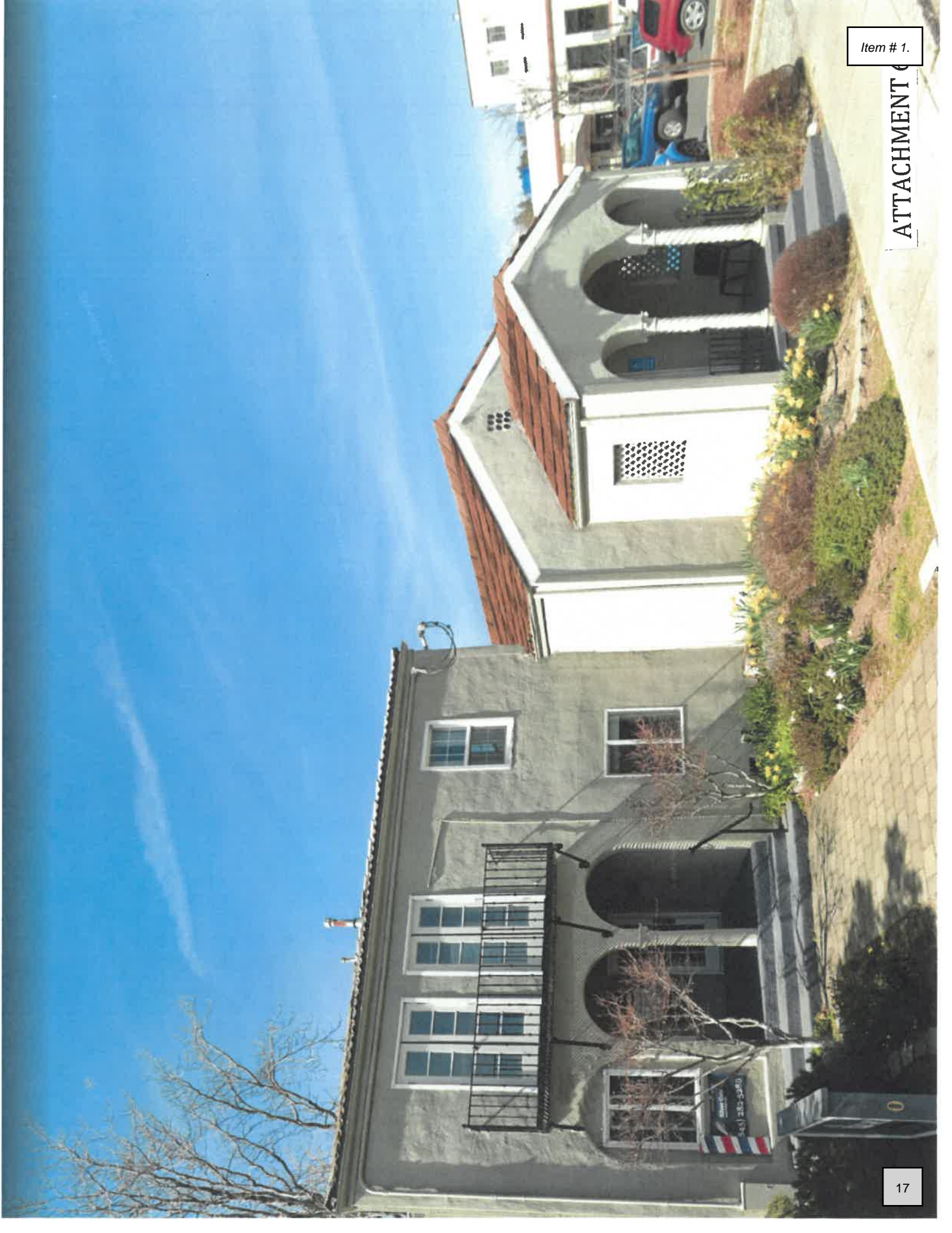
Respectfully,

A handwritten signature in cursive script, appearing to read "K. Cutler & Mai Nguyen". The signature is written in dark ink and is positioned above the printed names of the signatories.

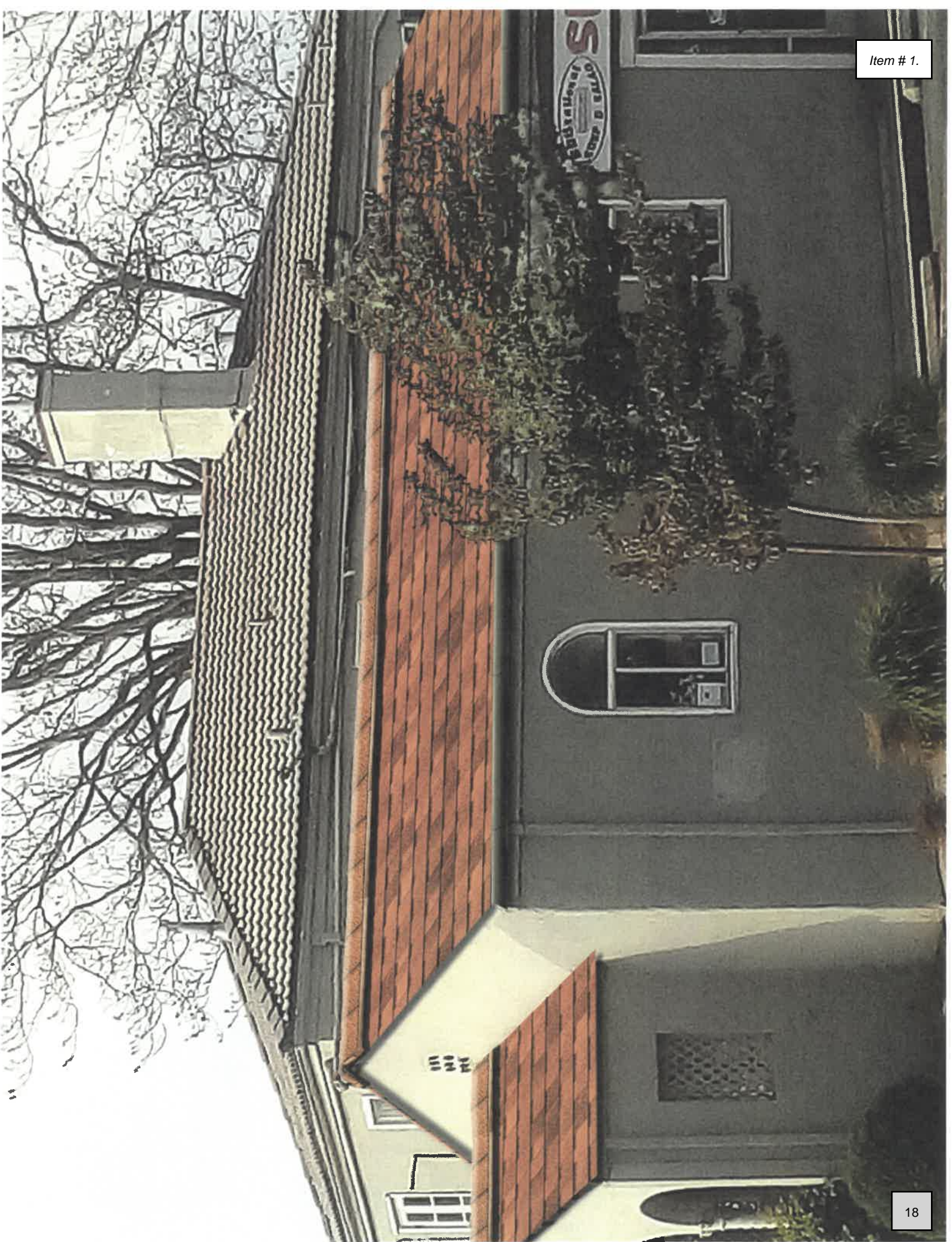
Ken Cutler and Mai Nguyen

Owners, 150 South Auburn Street















**DEVELOPMENT REVIEW COMMITTEE  
STAFF REPORT  
August 23, 2022**

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**Prepared by:** Lance E. Lowe, AICP, Principal Planner

**DATA SUMMARY:**

**Application Number:** 22PLN-33  
**Subject:** Conceptual Development Review for the division of a  $\pm 9.70$ -acre parcel into sixty-one (61) residential units consisting of 17 duplex and 9 tri-plex buildings.  
**Location/APN:** 10715 Brunswick Road/035-412-019  
**Applicant:** Martin Wood, SCO Planning & Engineering  
**Zoning/General Plan:** No City Pre-zone/Urban Medium Density Residential  
**Entitlement:** Conceptual Development Review  
**Environmental Status:** TBD upon formal application submittal

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**RECOMMENDATION:**

Staff recommends that the Development Review Committee review the conceptual plans and offer comments relative to service requirements, public and private improvements, entitlement processing, Development Code compliance and design standards. No formal action is to be taken on this Conceptual Development Review application.

**BACKGROUND:**

The subject  $\pm 9.70$ -acre parcel adjoins the Timberwood Estates residential development. The property is also identified as Parcel 6 of Nevada County's Housing Element Rezone Program. The County anticipated a density of 16 units per acre yielding  $\pm 151$  units. An EIR was Certified for the County Rezone Program.

**PROJECT DESCRIPTION:**

Conceptual Development Review for the development of a  $\pm 9.70$ -acre parcel into sixty-one (61) residential units consisting of 17 duplex and 9 tri-plex buildings. In addition, three lettered lots (A, B & C) are designated for common open space areas and a parcel dedication of the proposed road right-of-way to the City.

The property is within unincorporated Nevada County and requires annexation into the City of Grass Valley among other land use entitlements. Entitlements include Annexation, Pre-Zone, Tentative Subdivision Map, Development Review and Planned Development as outlined:

*Annexation* – The property is currently located in the unincorporated area of Nevada County but is bound to the north and west by properties already annexed within the City. The property is within the near-term annexation schedule.

*General Plan* – No General Plan Amendment is required of the project. The property is within the City's Urban Medium Density General Plan designation. The City's Urban Medium Density General Plan designation density is 4.01 to 8.0 units per acre. The UMD is intended to accommodate single family and multiple family housing product types. At 8 units per acre and 9.70 acres, a maximum of 77 units may be developed.

*Pre-zone* – A Pre-zone of the property is required to the Medium Density Residential (R-2A) Zone. The R-2A Zone is applied to areas of the City that are appropriate for a variety of higher density housing types, located in proximity to parks, schools, and public services. 3,500 square feet of site area is required per unit in the R-2A Zone.

*Tentative Subdivision Map* – A Tentative Subdivision Map is required for division of the property for sale, lease, or financing, including lettered parcels A-C serving the property.

*Development Review* – In accordance with Table 7 – 2, a Development Review Permit is required for Duplex or multi-family unit projects with five or more dwellings. The design is subject to the City's Design Guidelines.

*Planned Development* – A Planned Development Permit is recommended to deviate from City standards for elements as setbacks, minimum parcel size, etc. The Planned Development process is intended to provide for flexibility in the application of Development Code standards under limited and unique circumstances. The purpose is to allow consideration of innovation in site planning and other aspects of project design, and more effective design responses to site features, uses on adjoining properties, and environmental impacts than the Development Code standards would produce without adjustment. The City expects each Planned Development Permit project to be of obvious, significantly higher quality than would be achieved through conventional design practices and standards.

#### **SITE DESCRIPTION AND ENVIRONMENTAL SETTING:**

The ±9.70-acre site is an undeveloped parcel with mild to moderate slopes and is at the high point of adjacent properties with approximately one-quarter of the site sloping southwest and the rest of the site sloping westerly. The parcel contains a mixed conifer forest that has been heavily modified by thinning activities. Access roads occur throughout the site and appear to have at one time been surfaced with gravel. Haul roads, cut stumps, and tree and shrub stature, as well as a lower stand density and canopy closure than the other sites in this area indicate that the forest on the site was thinned relatively recently.

#### **ENVIRONMENTAL DETERMINATION:**

The City will utilize the County's Rezone Program EIR for the basis of the environmental review. A tiered Initial Study for the project in compliance with the California Environmental Quality Act (CEQA) is anticipated to be prepared. As part of the City's review, air quality, biological resources, cultural resources, traffic, and other resource areas will be evaluated.

**PROJECT REVIEW COMMENTS:**

The following are suggested comments for review of the proposed project. The Development Review Committee should develop recommendations on the Conceptual Design Review application prior to a formal application submittal:

**A. Local Agency Formation Commission (LAFCO) –**

1. Documentation that the City and Nevada Irrigation District municipal services including water, wastewater, fire, and emergency response service can be provided is required. LAFCo will use this information to update the Municipal Service Review determinations in the context of Annexation.
2. Detachment from Nevada County Consolidated Fire District to the City of Grass Valley would be included in LAFCo's action.
3. A LAFCO annexation application to the City of Grass Valley is required following Planning Commission and City Council consideration of the project.

**B. Nevada Irrigation District (NID) –**

1. Easements are required for any new facility and any existing facility without adequate easements.
2. A Water Demand Analysis (WDA) is required for the project; WDA may lead to upsizing meter, additional capacity fees, and installation of an appropriate backflow device.

**C. Engineering Department –**

1. Sidewalk and curb and gutter shall be installed along the Brunswick Road frontage of the property to extend the sidewalk installed by the Timberwood Estates Development.
2. This parcel will require extension of the nearby City sewer main.
3. The applicant shall submit to the Building Department for review and approval, an improvements and grading plan prepared by a Registered Civil Engineer; shall obtain a Grading Permit; and shall pay all appropriate fees for plan check and inspection. The grading and improvement plans shall include but not be limited to roadway/driveway/parking lot slopes and elevations, curb, gutters, sidewalks, striping and signing, paving, water and sewer pipelines, storm drains, street/parking lot lights, accessible access from the sidewalk to the building and from the accessible parking spaces to the building, retaining walls, any necessary alteration of existing utilities, and all easements, in accordance with City Improvement Standards.
4. The project plans shall include the following note: All trees to be saved shall be enclosed by a construction barrier placed around the dripline zone of the tree. The construction barrier shall consist of four-foot-tall mesh safety fencing in a bright color. The fencing shall be tied to six-foot tall metal poles spaced a maximum of twenty feet apart. Each pole shall be placed with two feet below the surface of the ground.
5. If trees to be removed are 6" or greater in diameter, are classified to be in Group A or B per the California Forest Practice Rules, and are on timberland, the applicant

shall obtain one of the following harvest document(s) from the California Department of Forestry and Fire Protection and submit a copy of the approved document to the City: a. Less Than 3 Acre Conversion Exemption. Any project with less than 3 acres of land disturbance may qualify (see 14 CCR 1104.1 (a)(2) for conditions). b. Timberland Conversion (PRC4621) and Timber Harvest Plan (PRC.4581). Any project with 3 acres or greater or that do not meet the conditions in 14 CCR 1104.1 (a)(2).

6. The applicant shall submit to the Building Department for review and acceptance two copies of a detailed Soils Engineering Report and Engineering Geology Report certified by a Civil Engineer registered in the State of California. In addition to the California Building Code requirements, the report shall specify the pavement structural sections for the proposed roadways in relation to the proposed traffic indexes. The improvements and grading plans shall incorporate the recommendations of the approved Soils Engineering Report and Engineering Geology Report. The project developer shall retain a civil engineer, soils engineer, and engineering geologist to provide professional inspection of the grading operations. If work is observed as not being in compliance with the California Building Code and the approved improvements and grading plans, the discrepancies shall be reported immediately in writing to the permittee, the Building Official, and the Engineering Division.
7. If any retaining walls or other wall structures equal to or greater than four feet in height (from the base of the footing to the top of the wall) are identified on the grading/improvement plans, the applicant shall:
  - a. Place a note on the grading/improvement plans stating that any walls equal to or greater than four feet in height will require a Building Permit prior to being constructed.
  - b. Submit design calculations for the walls for review and acceptance.
  - c. If the proposed walls are to be constructed against a cut slope that cannot be graded back per the California Building Code, submit:
    1. A signed and stamped letter from a Licensed Civil Engineer or Geotechnical Engineer identifying a temporary shoring plan and how the cut slopes for the walls will be protected from the weather during construction.
    2. A signed and stamped letter from a Licensed Civil Engineer or Geotechnical Engineer stating that a copy of the required OSHA Permit will be supplied to the City prior to any excavation on the site and that a qualified OSHA Approved Inspector or Professional Civil Engineer will:
      - 1) be onsite during excavation for and construction of the retaining walls;
      - 2) be onsite at least once a day during inclement weather; and
      - 3) will submit daily reports to the City.
8. The applicant shall submit a Storm Water Pollution Prevention Plan (SWPPP) to the City for acceptance, file a Notice of Intent with the California Water Quality Control Board and comply with all provisions of the Clean Water Act. The applicant shall submit the Waste Discharge Identification (WDID) number, issued by the state, to the Engineering Division.
9. (if new connection to creek or disturbance of creek) The applicant shall notify the California Department of Fish and Game and obtain a Streambed Alteration Permit or exemption. A copy of the approved Streambed Alteration Permit and associated



documents or exemption from the Department of Fish and Game shall be submitted to the Engineering Division.

10. The applicant shall submit to the City Engineer for review and approval, drainage plans and hydrologic and hydraulic calculations in accordance with the City of Grass Valley Improvement Standards and Storm Drainage Master Plan & Criteria.
11. Measures must be implemented for site design, source control, runoff reduction, storm water treatment and baseline hydromodification management measures per the City of Grass Valley Design Standards.
12. An Improvement Performance Security shall be submitted (if a subdivision improvement agreement is not in place). The amount of the security shall be for the sum of: 1) 100% of the cost of public improvements necessary to restore the public right of way back to existing conditions or the cost of the public improvements, whichever is less; 2) 10 % of the cost of erosion and sedimentation control necessary to stabilize the site; 3) 10% of the cost of tree replacement; and 4) 100% of the cost to address any features which could cause a hazard to the public or neighboring property owners if left in an incomplete state. The minimum-security amount shall be \$500.00. The cost estimate shall be provided to the Engineering Division for review and approval as a part of plan submittal. All costs shall include a ten (10) percent contingency.
13. A detailed grading, permanent erosion control and landscaping plan shall be submitted for review and approval by the Engineering Division prior to commencing grading. Erosion control measures shall be implemented in accordance with the approved plans. Any expenses made by the City to enforce the required erosion control measures will be paid by the deposit.
14. The applicant shall submit to the City Engineer for review and approval, a traffic report identifying the traffic indexes proposed for the development roadways.
15. The applicant shall submit sewer calculations for the proposed development and any calculations necessary to verify the existing sewer system's ability to carry the additional flow created by the development.
16. The improvements and grading plans shall be signed by all other jurisdictional agencies involved (i.e. NID), prior to receiving City Engineer approval.
17. (If a subdivision) If any of the improvements which the applicant is required to construct or install is to be constructed or installed upon land in which the applicant does not have title or interest sufficient for such purposes, the applicant shall do all of the following at least 60 days prior to the filing of the final or parcel map or approval of the building permit(s) for approval pursuant to Government Code Section 66457: a. Notify the City of Grass Valley in writing that the applicant wishes the City to acquire an interest in the land which is sufficient for such purposes as provided in Government Code Section 66462.5; b. Supply the City with (i) a legal description of the interest to be acquired, (ii) a map or diagram of the interest to be acquired sufficient to satisfy the requirements of subdivision (e) of Section 1250.310 of the Code of Civil Procedure, (iii) a current appraisal report prepared by an appraiser approved by the City which expresses an opinion as to the current fair market value of the interest to be acquired, and (iv) a current Litigation Guarantee Report; c. Enter into an agreement with the City, guaranteed



- by such cash deposits or other security as the City may require, pursuant to which the applicant will pay all of the City's cost (including, without limitation, attorney's fees and overhead expenses) of acquiring such an interest in the land.
18. The applicant shall submit to the City Engineer for review and approval a Final/Parcel Map prepared by a Licensed Surveyor, or Registered Civil Engineer licensed to survey in the State of California, in accordance with the City's Subdivision Ordinance and the California Subdivision Map Act; and shall pay all appropriate fees for map check and recording.
  19. Prior to recordation of the final/parcel map, the subdivider shall provide to the Engineering Division an acceptable method, such as a property owners association, tenant agreement, and/or CC&R's to maintain the common areas. Common areas can include residential areas, landscape areas, ingress/egress accesses, monitoring wells, roadways and utilities, detention facilities and open space areas not accepted by the City. Documentation may be reviewed by the Community Development Director (for non-residential), City Engineer and City Attorney (if determined necessary). CC&R's must include a statement that they cannot be modified without the approval of the City of Grass Valley.
  20. Subdivider shall dedicate land, or pay a fee in-lieu of dedication, for park and recreation purposes in accordance with the City's Development Code.
  21. (if no homeowner's association) The Applicant shall sign and record a covenant and agreement to ensure that the onsite detention facilities will be maintained by the property owner(s).
  22. A Lighting and Landscaping Assessment District shall be formed and recorded concurrently with the final/parcel map to fund maintenance costs for landscaping and street lighting accepted by the City.
  23. The City will not accept the improvements as they will be tied into streets in Timberwood Estates Development that are private. The City will accept a PUE with the new sewer main.
  24. An HOA will be required to maintain the roadways and drainage facilities as the City will not accept those improvements. An amendment to an existing L&L can be created for the lighting only, as the City will not take on any additional landscaping maintenance, but both items would be better off being included in the HOA.

#### **D. Fire Department –**

1. All roads/streets shall be designed in accordance with CFC Appendix D, including but not limited to:
  - a. Residential Alley Roads shall be:
    - i. Twenty (20) feet in width.
    - ii. One Hundred-Fifty (150) feet in length maximum, as measured from the centerline of A – Minor Residential Street Parking One-side (main street).
    - iii. If greater than one hundred-fifty (150) feet in length a dead-end fire apparatus access road turnaround designed in accordance with CFC Appendix D, Table D103.1 shall be required.

- b. Minor Residential Street Parking one-side (main street) shall be:
    - i. Twenty-six (26) feet in width, unobstructed, where a fire hydrant is located.
    - ii. Width of parking areas cannot be included as part of the twenty-six (26) feet width due to obstruction presented by vehicles.
  - c. See comments on included Concept Map.
2. Fire Hydrant Spacing shall be in accordance with CFC Appendix C, Table C102.1, including but not limited to:
- a. Average Spacing between hydrants:
    - i. Five Hundred (500) feet.
    - ii. A 25-percent spacing increase shall be permitted for approved NFPA 13D-16 fire sprinkler systems.
  - b. Maximum Distance from any point on street or road frontage to a hydrant:
    - i. Two Hundred-Fifty (250) feet.
    - ii. A 25-percent spacing increase shall be permitted for approved NFPA 13D-16 fire sprinkler systems.
3. Project shall require a Vegetation Fuels Management Plan to be submitted, to the Fire Prevention Bureau for the City of Grass Valley Fire Department, for review and approval prior to commencement of grading work.

#### **E. Planning Department –**

- 1. Site Plan –
  - a. All common areas shall be landscaped in accordance with City Landscape Standards, Chapter 17.32 of the City's Development Code.
  - b. Detention areas should be useable and combined with open space areas where feasible. Tot lot playground equipment and other amenities should be provided.
  - c. The drainage way along the south property line should be designed to include a meandering pedestrian path.
  - d. Documentation shall be provided showing that the property owner has legal access over and across the private roadways of Timberwood Drive.
  - e. Varied setbacks should be applied to breakup the streetscape.
  - f. Street planter strips, Soft Surface Trails and Open Space Areas shall be maintained by an HOA or similar entity.
- 2. Architectural –
  - a. Based upon the number of units, 3 plans with 12 elevations (4 per plan) should be submitted with the formal application.

- b. Where feasible, homes should be designed and oriented to front on open space lots
- c. Varied setbacks should be provided throughout to break up the linear streetscape.
- d. Corner lots should be designed to have driveways front on opposing streets.
- e. Corner lot entry porches should be oriented to the street corner. As corner lots, side yard facades shall maintain the architectural design consistent with the front façade.
- f. Porches should be useable with dimensions of 6 feet by 8 feet.
- g. Garages shall be subordinate to the main living area and porches. Garages shall be setback 5 feet from street-facing façade of the primary structure.
- h. Wood fencing shall be installed within the development. Fencing shall not exceed 36 inches in the front yard. Fencing in the side yards shall not exceed 6 feet in height.
- i. For residential lots adjacent to open space, open type fencing should be installed (i.e. black metal).
- j. Common roofs and/or amenities will require an HOA or mechanism for long-term maintenance (i.e. maintenance agreement).
- k. Three typical landscape plans should be submitted for the project. The landscaping shall include at least 1 tree in the front yard and street planter areas. If irrigation exceeds 500 square feet, the landscaping shall be required to comply with the City's Model Efficiency Landscape Ordinance.

### 3. General –

- a. A neighborhood meeting is recommended prior to submission of a formal application.
- b. The processing of the City applications should take approximately 4-6 months from the time of application completeness.

**F. Special Studies** - The following studies shall be submitted concurrently with application submittal. The reports prepared for the County's Housing Element Rezone Program satisfy reporting requirements, where applicable.

- a. Arborist Report
- b. Biological Resources Survey
- c. Cultural Resources Survey
- d. Preliminary Drainage Study
- e. Wetlands delineation

### **ATTACHMENTS:**

**Attachment 1** – Location Map

**Attachment 2** – Aerial Photograph

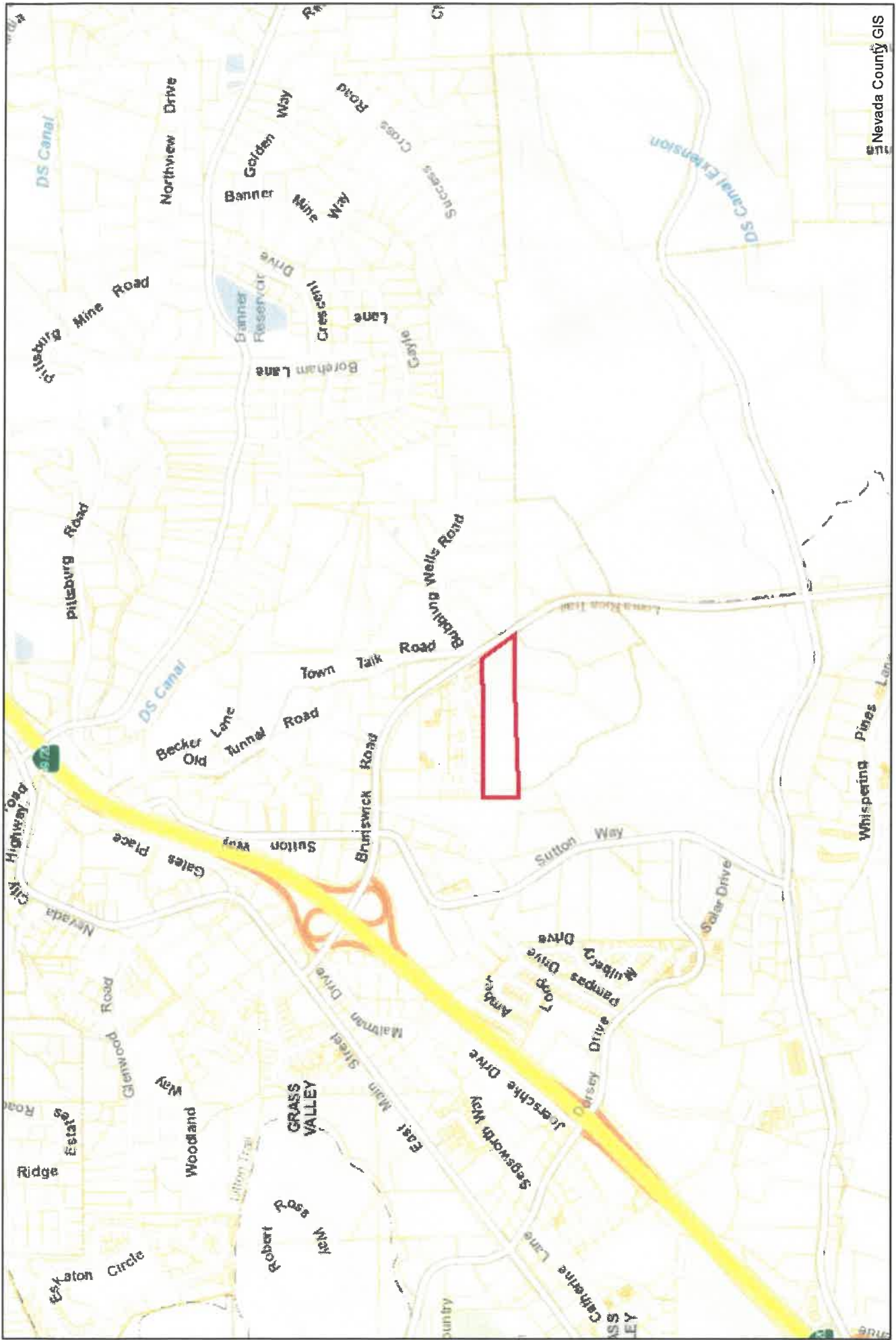
**Attachment 3** – Project Description

**Attachment 4** – Conceptual Layout Plan

# ATTACHMENTS



APN: 035-412-019



July 22, 2022

1:18,056

0 0.15 0.3 0.5 0.6 1





Nevada County GIS

Item # 2.

1:9,028

0 0.075 0.1 0.15 0.2 0.3 0.4 km

Nevada County GIS  
©2018

July 22, 2022

## **Project Description (Conceptual Development Review)**

The project proposes to develop an existing 9.70 acre property (APN 035-412-019-000) south of the existing Timberwood Estates Subdivision into approximately sixty-one (61) multi-family residential units located within 17 duplex and 9 tri-plex buildings.

The property is currently located in the unincorporated area of Nevada County but is bound to the north and west by properties already annexed within the Incorporated City of Grass Valley and the property is within the City of Grass Valley's sphere of influence (near term). As such, we are proposing an Annexation-Prezone application, to change the property from R3-RH (151 DU) per the County zoning map to R-2A Residential – Medium Density per the City of Grass Valley Zoning Ordinance. Additionally, a Development Permit and Tentative Map applications are proposed to approve the project and to subdivide the property into approximately sixty-one (61) separate residential lots and likely three (3) lettered lots (A, B & C) for common open-space areas and a lot for dedication of the roadway right of way to the City of Grass Valley.

The property currently is undeveloped and fronts Brunswick Road along the easterly boundary. Jack's Place (a privately maintained roadway from Timberwood Estates) is stubbed and extended to the northerly line in the northeasterly corner of the property. The site has mild to moderate slopes and is at the high point of adjacent properties with approximately ¼ of the site sloping southeast and the rest of site sloping predominantly westerly. The site is covered with a mixture of ponderosa pines, cedar and madrone trees with some grasses and brush amongst the property.

The conceptual project layout proposes a combination of duplex and triplex buildings containing high quality residential (3 bedroom) units that will likely range in size from 1,500 to 1,700 +- sq.ft. Refined preliminary floorplans and elevations are being generated with a "mountain modern, or modern farm house" feel that will have materials and elements that are durable and compliment the area architecture. The primary street access will loop from Lone Jack Place to Timberwood Drive. A small easement area is being sought and requested on the easterly property to Timberwood Drive, but the roadway can be shifted easterly if necessary if an easement is not obtained. The minor residential and alley street sections as shown are proposed to be constructed per City standards so they can be dedicated and accepted by the City. The roadway alignments identified are intended to work with the site topography, minimize grading, reduce wall heights between units, create interest and introduce varied orientation and siting of the units. The layout is also intended to give opportunities for tree retention where possible and to integrate some common space areas with a soft surface trail component.

Public utilities are proposed for the project with a sewer main proposed to convey westerly and connect to the existing main in Timberwood Drive. A water main per NID standards with hydrants and services is also proposed along with a dry-utilities trench containing PG&E electrical, gas and AT&T communications. Drainage will be collected via street curb



## Grass Valley Multi-Family Development Project Proposal

July 20, 2022

drainage inlets and be conveyed to a combination of bio-swales and retention ponds to treat stormwater for both volume and water quality in conformance with the City's MS-4 drainage requirements. Primary treatment areas are preliminarily identified in the southeast and southwesterly corners of the site.

Phasing is being contemplated for the project. Likely, primary infrastructure, roadway and pads would be constructed in the initial phase with buildings and vertical construction possibly being constructed in multiple phases.

### Questions:

- It is understood on some area projects, the City is desiring acquisition of open-space areas to collectively create contiguous open space opportunities. As such, would the couple of letter lots be desirable to be offered for dedication to the City of Grass Valley?
- Can the streets be offered for dedication for acceptance and maintenance by the City of Grass Valley?
- Can the project Annex. to a landscape and lighting district allowing monies to be collected for City maintenance for landscape and drainage facilities, removing the need to form an HOA?
- The concept layout incorporates ideal unit sizes and setback criteria but has reduced lot sizes and lot widths because of the attached product criteria that are less than the identified dimensions/sizes identified in the Development Code. As discussed previously, do we request a PD designation for this item for conformance, or do you advise a more appropriate method for identifying conformance as proposed?
- A state database search from the North Central Database Center is being prepared for the archeological report component along with a preliminary geotechnical, preliminary title report and biological/arborist report for the site. Are any other reports required as part of the formal submittal?
- Upon review of the conceptual layout, are any other public improvements anticipated to be required, or conditioned for the project?
- This layout is intended to give some opportunities for tree retention for the site, but numerous trees will need to be removed to accommodate the project. Will a mitigation fee, replanting requirement, or other mitigation be required for this component of the project?
- We understand the formal application must be further reviewed, routed and considered by the Planning Commission, but what comments does staff have on likely support for this type of needed housing project for the community? Does staff expect any opposition?
- If a complete application is submitted to the City in the next 4-6 weeks, what is likely/estimated duration for routing, review to DRC and to Planning Commission? Please identify any areas that could assist in streamlining this process.



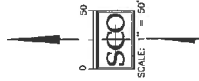
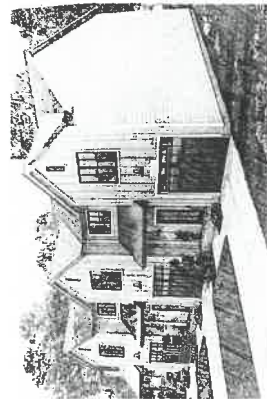
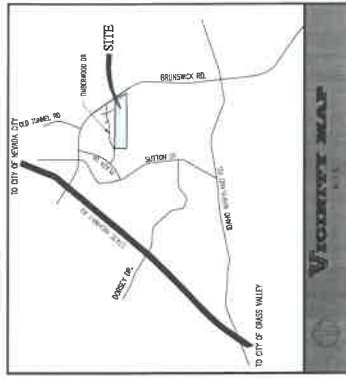
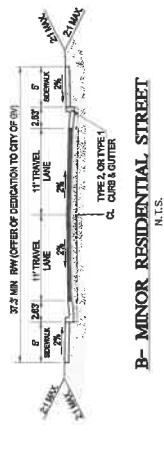
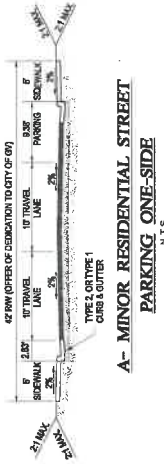
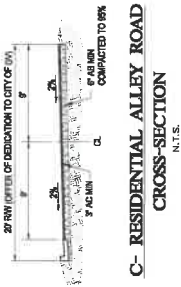
MAP PREPARED BY  
SCS PLANNING & ENGINEERING, INC.  
140 LITTON DRIVE, SUITE 240  
GRASS VALLEY, CA 95645  
CONTACT: MARTIN WOOD, P.E.  
916-412-200-000

ASSESSOR'S PARCEL NUMBER  
251-0-0-000

TOTAL LOT AREA  
2.13 AC

**PROJECT AMENITIES**

- A** - HOA AMENITY AREA GATHERING AREA
- B** - RETENTION WATER QUALITY
- C** - 4' SOFT SURFACE TRAIL
- D** - MAILBOX CLUSTER



**CONCEPT MAP**  
**MULTI-FAMILY DEVELOPMENT**

JULY 2022 SCALE 1" = 50'