

GRASS VALLEY

Development Review Committee Meeting

Tuesday, March 12, 2024 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 Web Site: 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. 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. 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, subject to City staff's ability to post the documents before the meeting.

Please note, individuals who disrupt, disturb, impede, or render infeasible the orderly conduct of a meeting will receive one warning that, if they do not cease such behavior, they may be removed from the meeting. The chair has authority to order individuals removed if they do not cease their disruptive behavior following this warning. No warning is required before an individual is removed if that individual engages in a use of force or makes a true threat of force. (Gov. Code, § 54957.95.)

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.

CALL TO ORDER

ROLL CALL

ANNOUNCEMENTS, AGENDA REVIEW AND CHANGES

<u>PUBLIC COMMENT</u> - Members of the public are encouraged to submit public comments via voicemail at (530) 274-4390 and email to <u>public@cityofgrassvalley.com</u>. 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. CONTIUATION OF:

Add exterior staircase to a priority 4 rated building within the City's Historic District (20BLD-0442) Location: 138 East Main Street (APN: 008-343-020)

Recommendation: That the Development Review Committee approve the proposed exterior staircase as may be modified at the public meeting, and 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 exterior staircase as presented in the Staff Report; and 3) Approval of the exterior staircase in accordance with the Conditions of Approval as presented in the Staff Report.

ADJOURN

POSTING NOTICE

This is to certify that the above notice of a meeting of a Development Review Committee Meeting, scheduled for Tuesday, March 12, 2024 at 9:00 AM was posted at city hall, easily accessible to the public, as of 5:00 p.m. Thursday, March 7, 2024.

Taylo	r Day,	City Clerk	

DEVELOPMENT REVIEW COMMITTEE STAFF REPORT March 12, 2024

This item was continued from the February 27, 2024 meeting due to lack of presence from an applicant representative.

Prepared by: Amy Wolfson, City Planner

DATA SUMMARY:

Application Number: 20BLD-442

Subject: Add exterior staircase to a priority 4 rated building within the

City's Historic District

Location/APN: 138 East Main Street/008-343-020
Applicant: Russell Davidson, project architect

Zoning/General Plan: Town Core/Commercial

Entitlement: Building Permit

Environmental Status: Categorical Exemption

RECOMMENDATION:

That the Development Review Committee approve the proposed exterior staircase as may be modified at the public meeting, and which includes the following actions:

- 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 exterior staircase as presented in the Staff Report; and
- 3. Approval of the exterior staircase in accordance with the Conditions of Approval as presented in the Staff Report.

BACKGROUND:

In August 2020, the applicant filed a building permit for the exterior staircase but was told a lot line adjustment would be required to accommodate the staircase and the applicant withdrew the permit. The building was built some time before 1977 according to city records. and is considered a Priority 4 building per the city's historic rating system. A Priority 4 rating is applied to properties that are designated as modern infill, with a total loss of historic fabric.

PROJECT DESCRIPTION:

138 and 142 East Main Street have a common owner, who is willing to record an easement over 142 East Main Street to accommodate the staircase. The city currently leases 142 East Main for a city parking lot. The staircase will be added to the east side of the building, within the adjacent parking lot. It will be setback approximately 35 feet from East Main Street, and

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approximately 84 feet from Richardson Street. The staircase material will be a weathered steel and will necessitate the addition of a shed roof, replacement of a window to a door, and relocation of a window, all on the second floor.

The Historical Commission considered the project at their regular meeting held on February 13, 2024 and recommended approval of the project as presented.

HISTORIC DESIGN GUIDELINES:

For properties rated Priority 4, preservation is not an objective according to the Design Review Guidelines for the 1972 Historic Townsite. In these cases, the guidelines for new construction apply. Alterations to the properties may occur that are compatible with the overall character of the district. Demolition applications for structures in this category are generally handled through normal city permitting procedures.

SITE DESCRIPTION AND ENVIRONMENTAL SETTING:

The property is located between East Main Street and Richardson Street, within the original boundaries of the 1872 townsite. It is bordered by a priority 2 rated building to the west and a commercial parking lot to the east.

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.

GENERAL PLAN AND ZONING:

<u>General Plan</u> - The project area has a land use designation of Commercial with a Town Center overlay, according to the City of Grass Valley 2020 General Plan. The Commercial designation is a broad category intended to encompass all types of retail and commercial service establishments and the Town Center overlay is intended to designate selected properties for mixed uses whereby special development criteria may be applied pursuant to the development code.

<u>Zoning -</u> The property is within the Tow Core zoning designation and within the Historical combining zone (TC-H). The primary intent of this zone is to strengthen the mixed-use, pedestrian-oriented nature of the existing historic downtown. The Historical combining zone is intended to identify important cultural resource sites and structures in the city, to ensure that any proposal to alter the state of the site or structure is carefully considered prior to implementation.

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 Community Development Department determined the project is Categorically Exempt as the appropriate environmental review in accordance with the California Environmental Quality Act (CEQA).
- 2. The Grass Valley Historical Committee reviewed the application at its regularly scheduled meeting on February 13, 2024.
- 3. The Grass Valley Development Review Committee reviewed the application at its regularly scheduled meeting on February 27, 2024.
- 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 and the Design Review Guidelines for the 1872 Historic Townsite.
- 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. RECOMMENDED CONDITIONS:

- 1. The effective approval date for this permit is March 14, 2024 (16 days after approval pursuant to 17.74.020 of the municipal code). The Development Review Permit is approved for a period of 1 year and shall expire on March 14, 2025 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 Building Permit 20BLD-442 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.
- Prior to issuance of a building permit, the applicant shall review the lease agreement with the City to determine if updates are required due to the loss of a parking space. If required, an updated lease agreement shall be executed prior to issuance of a building permit.

- 4. Prior to issuance of a building permit, a deed restriction requiring an access easement, to be prepared in substantial conformance to the form provided in Exhibit A, shall be reviewed by city staff prior to recording at the Nevada County Recorder's Office.
- 5. This plan has not been reviewed by Fire, Building or Engineering Departments. Prior to construction, the applicant shall obtain the requisite building, permits from the building division, in compliance with the California Codes.
- 6. 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 – Staircase Improvement Plans

Conditions of Approval Exhibit A – Sample Deed Restriction

138/142 East Main Street Development Review Committee 20BLD-442

ATTACHMENTS:

Attachment 1 - Vicinity Map

Attachment 2 – Aerial Photograph

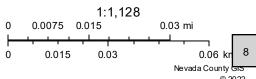
Attachment 3 – Staircase Improvement Plans

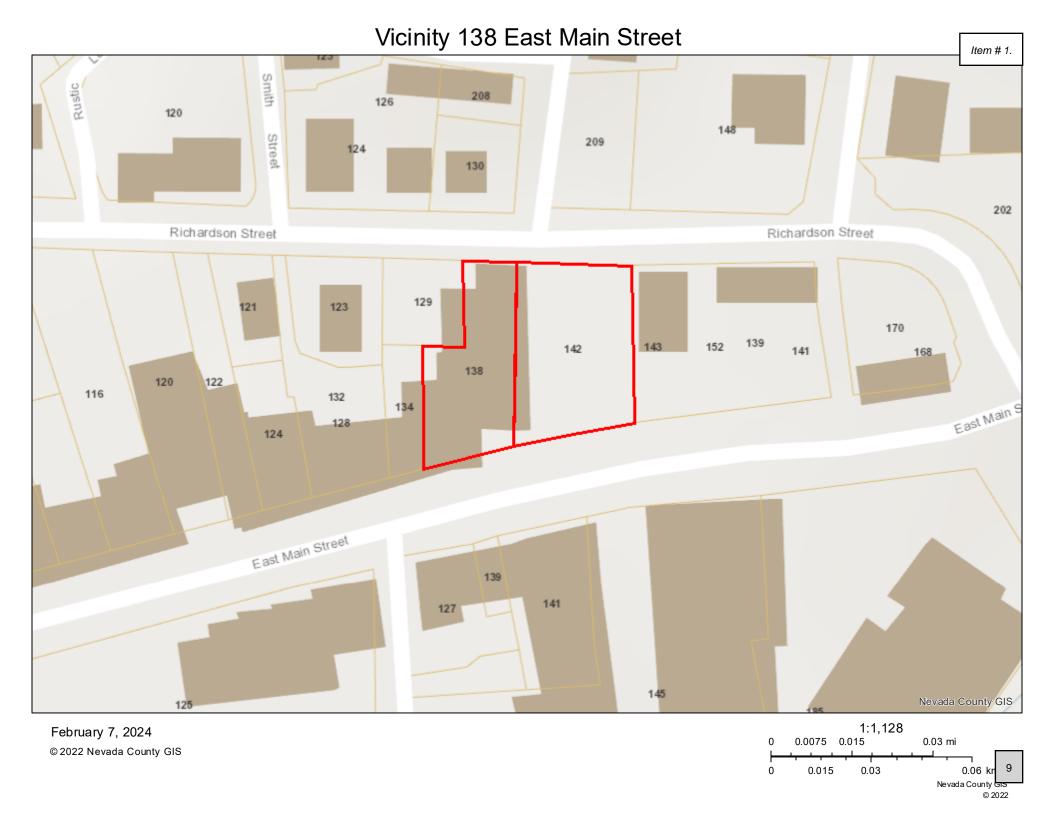
Conditions of Approval Exhibit A – Sample Deed Restriction

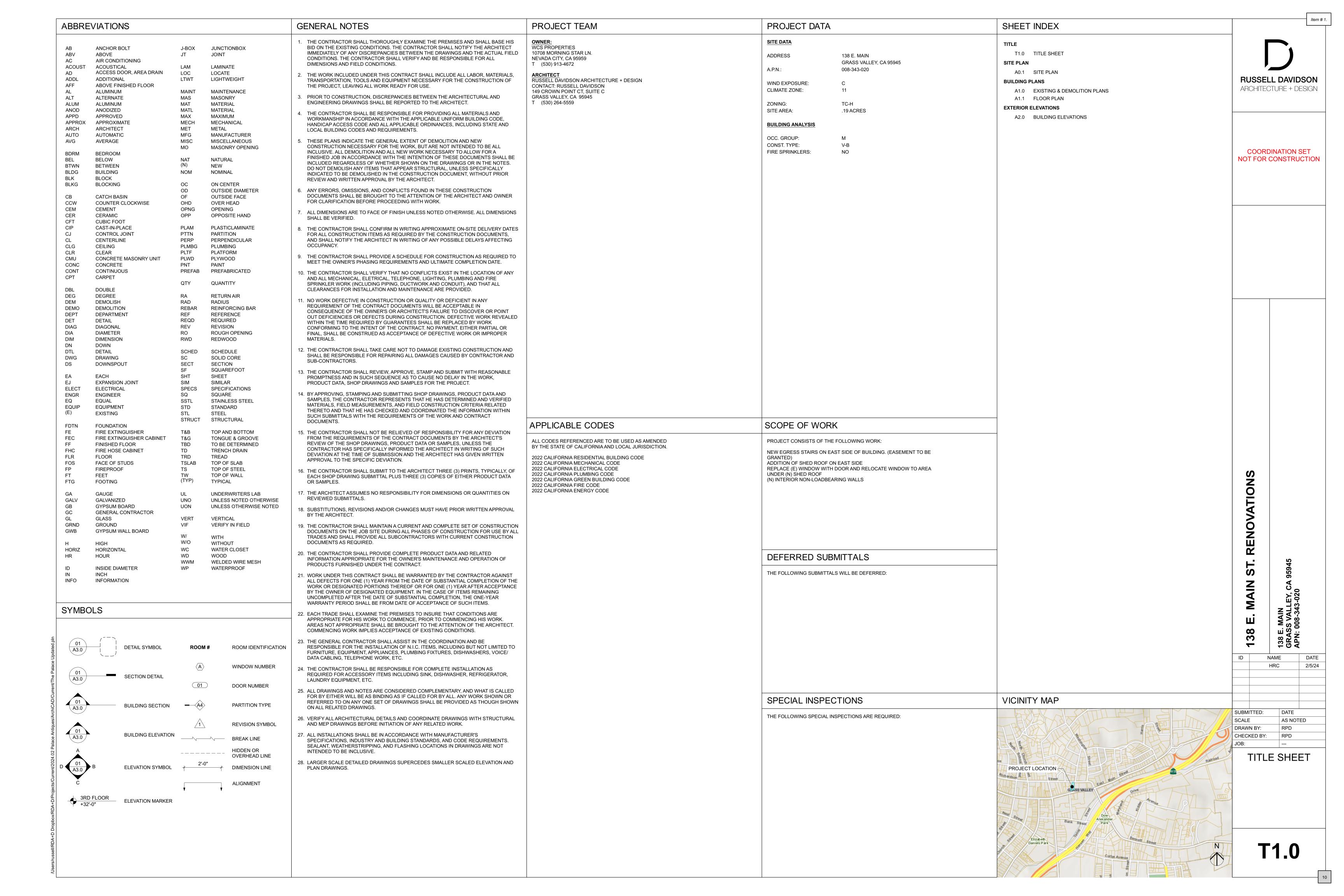
Aerial 138 East Main Street

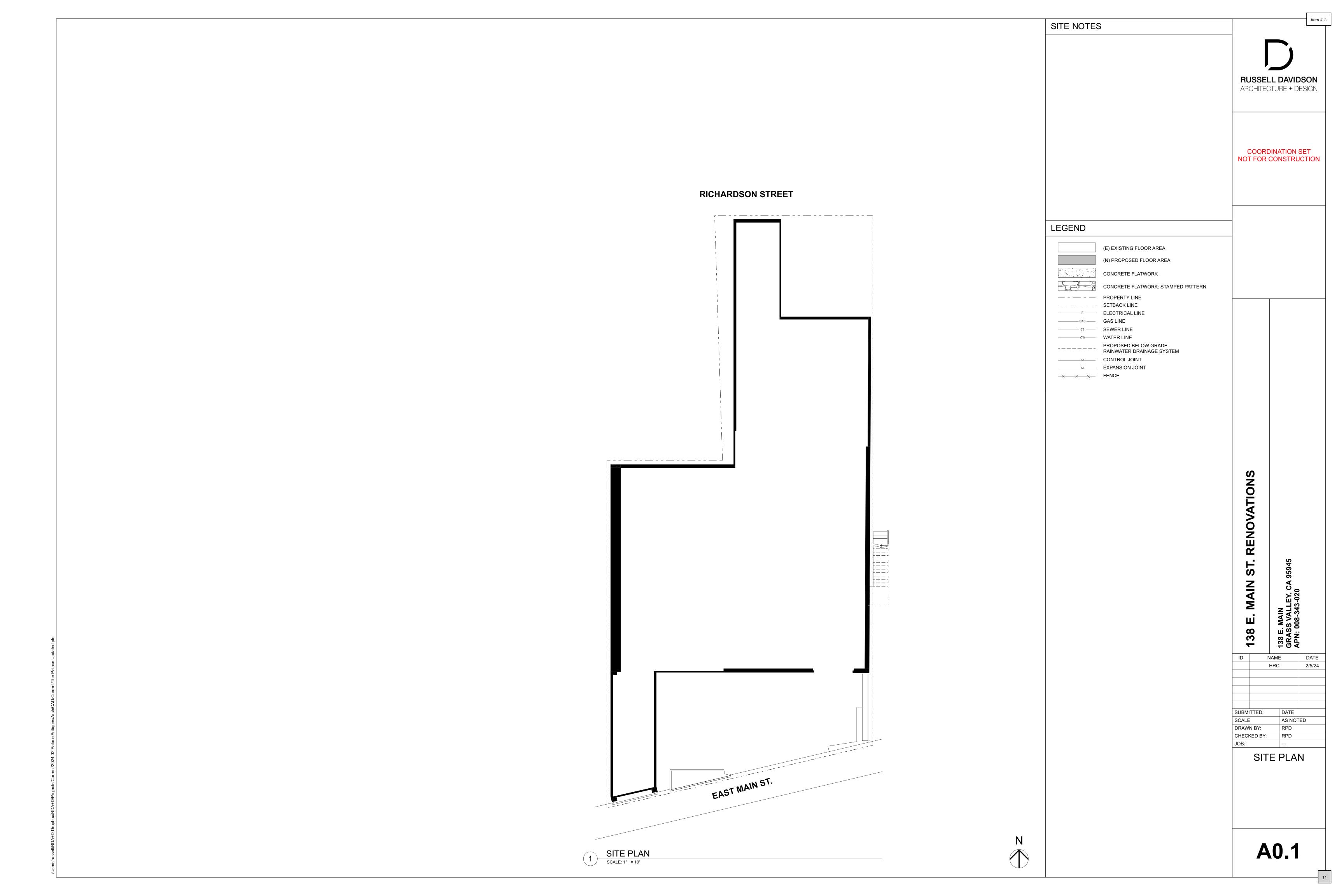


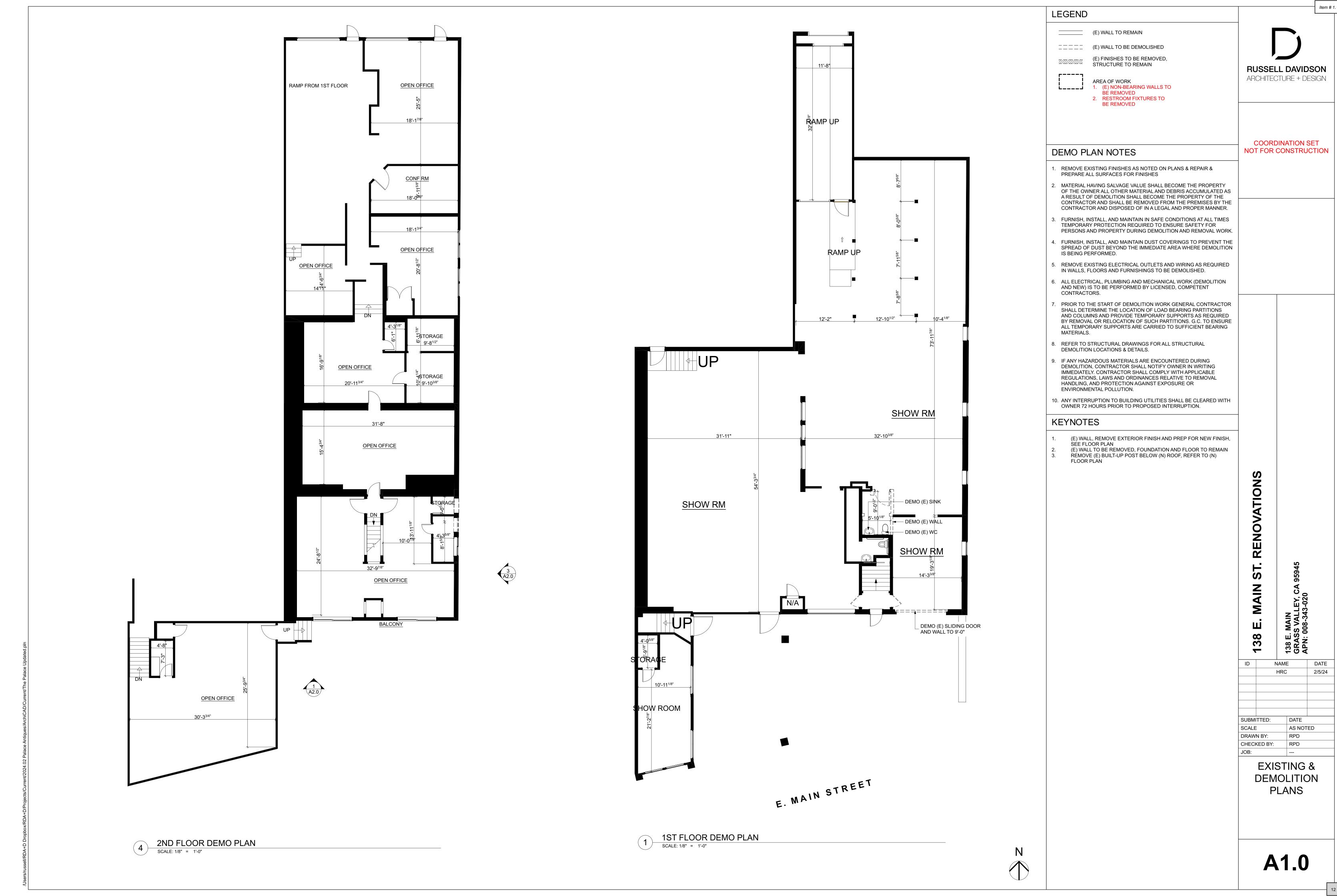
February 7, 2024 © 2022 Nevada County GIS

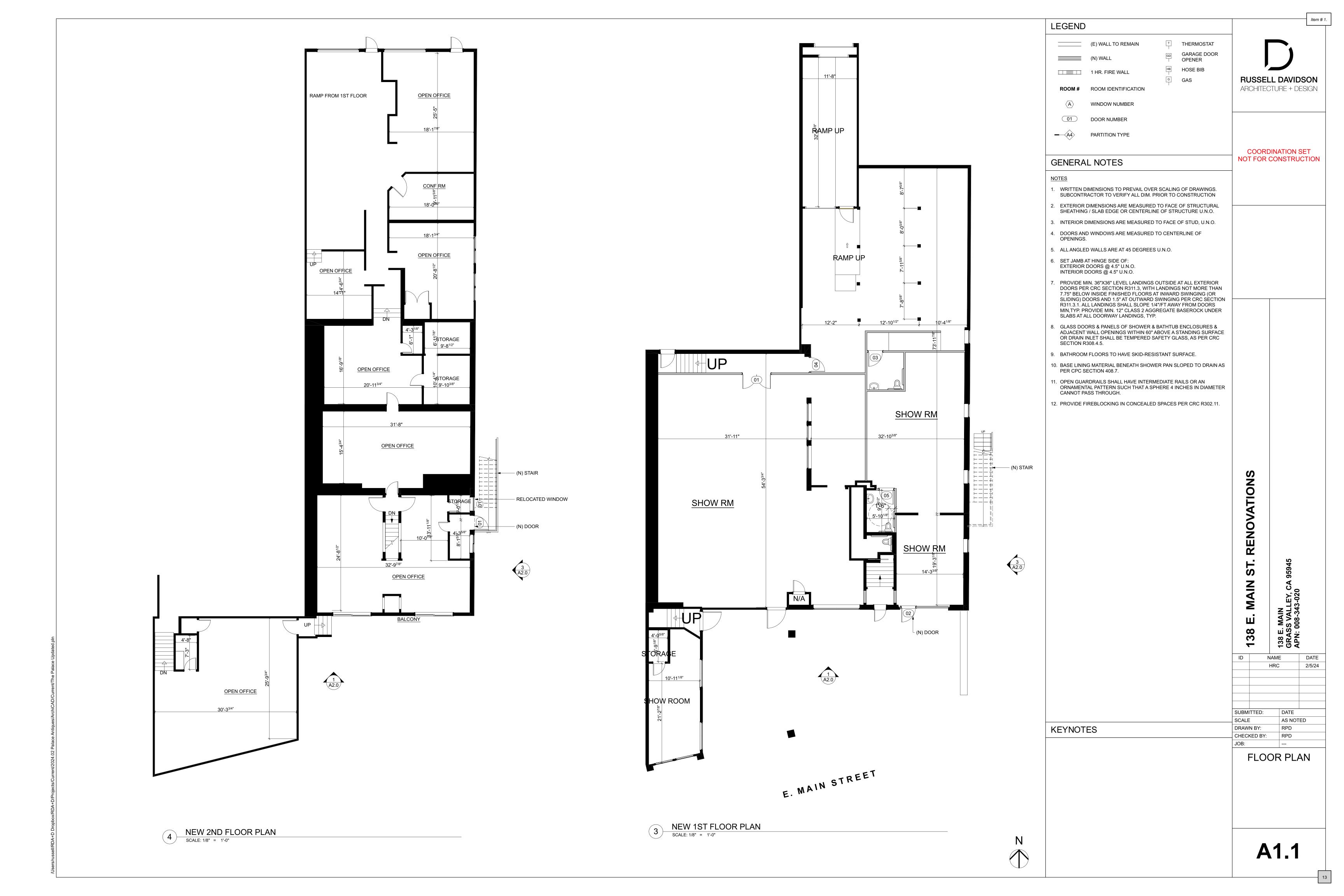






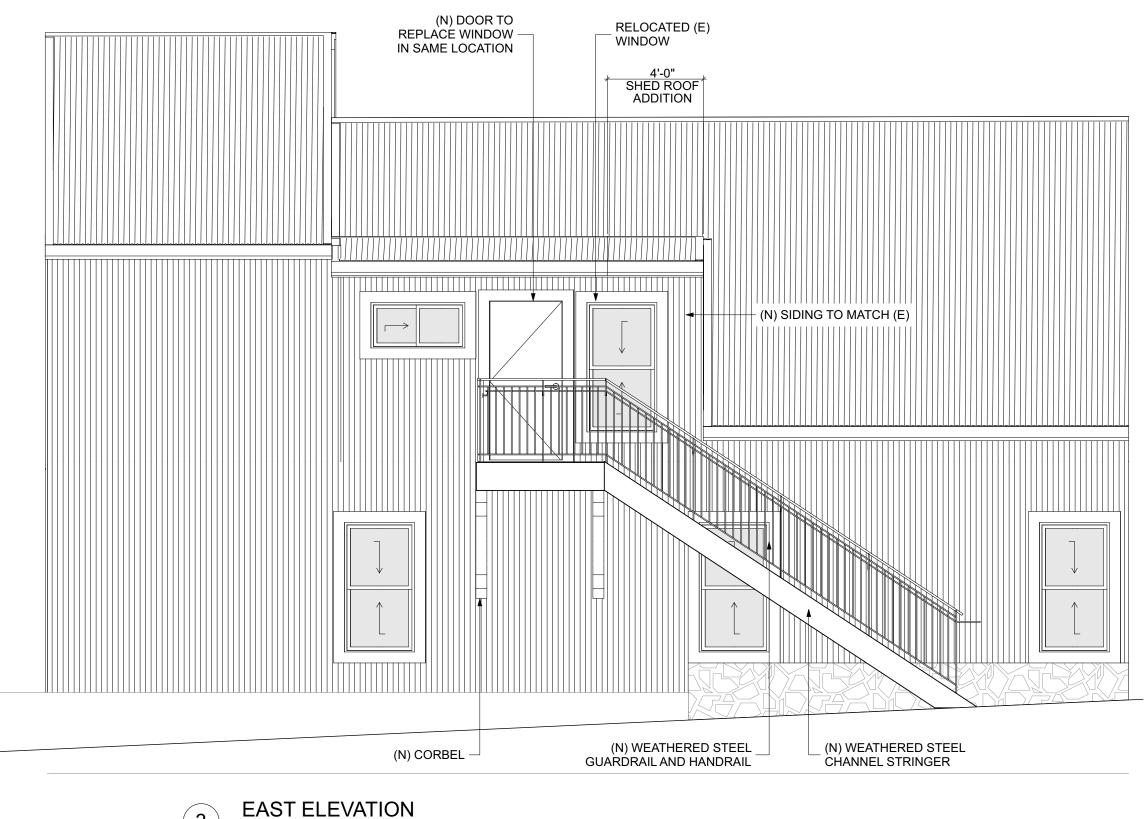








4 EXISTING SIDE VIEW
SCALE: 1:3.93

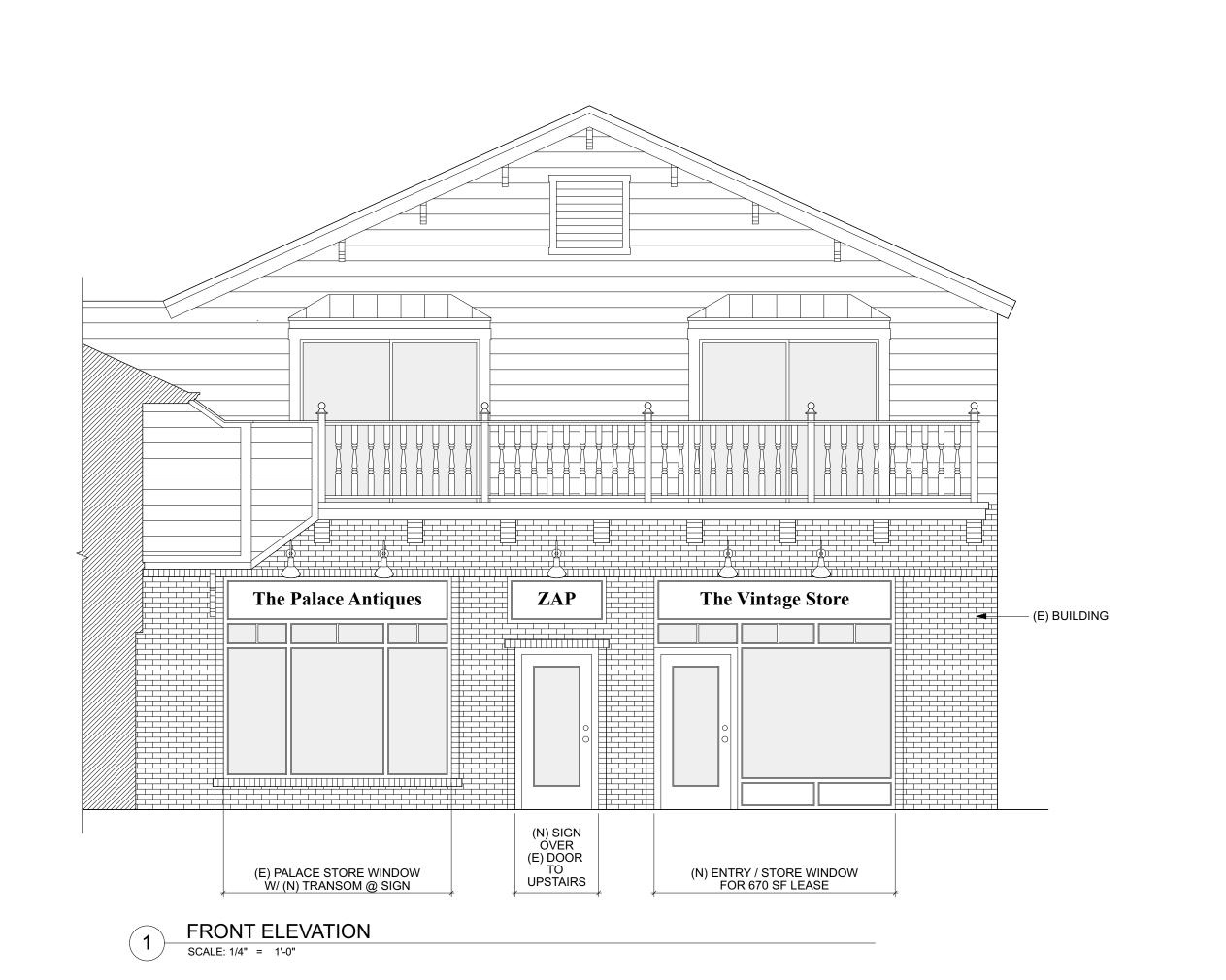


3 EAST ELEVATION

SCALE: 1/4" = 1'-0"



EXISTING FRONT VIEW
SCALE: 1:0.98



RUSSELL DAVIDSON ARCHITECTURE + DESIGN

COORDINATION SET NOT FOR CONSTRUCTION

RENOVATIONS ST

NAME SUBMITTED:

> BUILDING **ELEVATIONS**

CHECKED BY:

A2.0

RECORDED AT THE REQUEST OF

Grass Valley Planning Department

AND WHEN RECORDED MAIL TO

Planning Department City of Grass Valley 125 East Main Street Grass Valley, CA 95945

------ Space Above for Recorders Use

DEED RESTRICTION REOUIRING AN ACCESS EASEMENT

Declarant,	<u>Name</u>	, is the owner of that property(ies) located within	
Nevada County, State of California, described as follows:			

Provide Legal Description of parcel(s).

Declarant does herein restrict the above-described properties such that an access easement is required at the time there is a transfer of ownership of one or both parcels. The easement shall allow pedestrian access through the parking lot at 142 East Main Street (008-343-009) for access to a building at 138 East Main Street (008-343-020). The access easement shall provide full pedestrian access across the staircase to a public right-of-way. This restriction is a voluntary covenant as a result of a permit to construct a staircase on a property to serve a building on an adjacent parcel, with Grass Valley Building Department file number [provide City File numbers], to comply with the Development Review Committee Final Conditions of Approval, [note the condition if from an approval Planning file]; and the Grass Valley Municipal Code, Table 2.1: Town Core (TC) Zone Allowed Land Uses and Permit Requirements, which does not allow a staircase as a primary use on a parcel.

Without the herein deed restriction, a transfer of property ownership without an access easement being recorded would result in violations of the above code section. This deed restriction shall constitute a covenant which runs with the land and shall permanently bind the herein Declarant, heirs, assigns, and successors in interest for the benefit of the citizens and property owners in the County of Nevada, unless or until said restriction is relinquished or modified as provided below.

The herein deed restriction shall not be relinquished or altered in whole or in part without the recorded written consent of the City of Grass Valley, California. Abandonment or modification

Exhibit A: Conditions of Approval, 20BLD-442

in whole or in part, without the consent of the City of Grass Valley, California, shall constitute grounds for zoning violation code enforcement action and shall require compliance with this restriction.

Dated:	
[Owner's Name]	
By:	
Name:	
Title:	
Sign in the presence of a Notary Public a	and Attach Notary's Acknowledgement
A notary public or other officer completing this certificate we of the individual who signed the document to which this cer not the truthfulness, accuracy, or validity of that document.	rtificate is attached, and
State of California	
County of	
On before me,	personally appeared
(here insert name	and title of the officer)
who proved to me on the basis of satisfactory evidence to b within instrument and acknowledged to me that he/she/they capacity(ies), and that by his/her/their signature(s) on the in which the person(s) acted, executed the instrument.	executed the same in his/her/their authorized
I certify under PENALTY OF PERJURY under the laws is true and correct.	of the State of California that the foregoing paragraph
WITNESS my hand and official seal.	Notary Public Seal
Notary Public Signature	