



**HISTORICAL COMMISSION  
STAFF REPORT  
November 18, 2025**

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**PROJECT SUMMARY**

**Application Number:** 25PLN-0037

**Subject:** Request for the removal of existing aluminum-shingle roof material on an existing awning and proposing to replace awning roof material to composition shingle. The existing awning is shared between three businesses/properties. The awning is located on a Priority 2 structure.

**Location/APN:** 124, 126, and 128 Mill St / APNs: 008-345-013, 008-345-014, and 008-345-015.

**Applicant:** Gary A. Burke (Authorized Representative)

**Zoning/General Plan:** Town Core (TC) – Historic Combining District (H) / Commercial (C)

**Entitlement:** Minor Development Review

**Environmental Status:** Categorical Exemption, Section 15301, Class 1.

**Prepared by:** Vanessa Franken, Associate Planner

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**RECOMMENDATION:**

1. That the Historical Commission recommend the Development Review Committee approve the replacement awning with proposed composition shingle roof material as presented, or as modified at the public meeting, which includes the following actions:
  - a. Determine the project Categorical Exempt pursuant to Section 15301, Class 1, of the California Environmental Quality Act (CEQA) and Guidelines, as detailed in the staff report;
  - b. Adopt Findings of Fact for approval of the Minor Development Review as presented in the Staff Report; and,
  - c. Approve the Minor Development Review Application, requesting a replacement of existing aluminum shingles awning roof material with proposed composition shingle roofing as presented, or as modified at the public meeting, in accordance with the Conditions of Approval, attached to this Staff Report.

## **GENERAL PLAN AND ZONING:**

**General Plan:** The Grass Valley 2020 General Plan identifies the site as Commercial (C). The intent of the Commercial General Plan designation includes all types of commercial retail and service establishments on the highway and along major streets.

**Zoning:** The Town Core (TC) zoning designation is intended to strengthen the mixed-use, pedestrian-oriented nature of the existing downtown. The TC zone allows for a full range of retail, restaurant, and housing uses. The Historical combining zone (-H) 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.

## **BACKGROUND:**

The existing three, two-story, exposed brick structures were built circa 1860, according to the City of Grass Valley Historical Inventory. Today, the structures are all considered a Priority 2 Rating in the Grass Valley Historical Inventory. Meaning, the three project locations each have a significant building in the Historic District that are also listed within the 1872 Historic Inventory. A Priority 2 Rating is defined as a property that, despite some loss of historic fabric, has retained historic integrity and continue to convey period significance, per City of Grass Valley Historic Design Review Guidelines.

The three project locations are occupied by the following:

- 128 Mill Street is currently occupied by The Olive Groove business.
- 126 Mill Street is currently vacant. This space was previously occupied by the Olive Groove.
- 124 Mill Street is currently occupied by the Elevate Athleisure business.

## **PROJECT PROPOSAL:**

The applicant requests to replace existing awning roof material, comprised of aluminum shingles, and replace with composition shingles. The request is made due to the type of aluminum shingles no longer being manufactured, resulting in high cost for purchasing, as well as the aluminum shingles not being durable enough for all-weather conditions. Staff has requested the Authorized Representative to search the Nevada County Historical Society and Grass Valley Historical Inventory records to identify previous awnings and material, if any. Staff will refer to the Representative for any uncovered information or photos.

**Regulatory Authority:** The request to replace existing awning roof material, comprised of aluminum shingles, and replace with composition shingles is considered a Minor Development Review. A Minor Development Review for new development under 10,000 square-feet and for new development, within the Historic District, when on a property/structure with historic significance. Per Section 17.72.030 – Development Review Permits, Table 7-2, Development Review Permit Authority, minor façade changes and sign permits within the Historic District, may be approved by the Development Review Committee (DRC). A recommendation by the Historical Commission is requested to aid the DRC determination.

An awning is considered an accessory structure. An accessory structure is a structure ancillary to the primary use or structure. Due to the project properties being located within the Historic District and the buildings being listed within the 1872 Historic Inventory, the Awning is subject to Historic Design Review Guidelines for Accessory Structures, Chapter 7.5 – Site Features, Section 7.5.4 – Accessory Structures.

The standards for Accessory Structures are outlined in the City of Grass Valley Historic Design Guidelines, Section 7.5.4 – Accessory Structures (Attachment 4), and include the following applicable recommendations:

- Recommendation 1: When repairing/preserving a historic accessory building, respect its primary façade and roof materials, form, and architectural detail.
  - The existing awning has not been determined to be historic. However, per historic Sanborn Maps, a wooden structure has been detailed. It is unclear if the wooden structure attached to the front of the building was a balcony or roof/awning. Since the awning is attached to the historic building, design guidelines are intended to compliment the primary historic building.
- Recommendation 5: Appropriate siding materials for secondary [accessory] buildings [structures] include painted/stained wood siding or corrugated metal. These materials should appear utilitarian in appearance. The use of muted, natural colors, and finishes are encouraged.
  - Staff conducted a site visit and took photos of surrounding business awning roofs. Composition shingles were not seen as awning roof material. Fabric awnings and corrugated metal awnings were noted.
- Recommendation 6: Maintain simple detailing by avoiding ornate detailing, unless original was defined by such features.
  - Composition shingles, corrugated metal, or fabric awnings may be considered as simple awning material.
- Recommendation 7: Accessory structures should not mimic primary structures

Per Section 17.72.030 – Development Review Permits, Table 7-2, Development Review Permit Authority, minor façade changes and sign permits within the Historic District, may be approved by the Development Review Committee (DRC). A recommendation by the Historical Commission is requested to aid the DRC determination. The primary structure is a Priority 2 structure in the Historic District, Historical Commission review is required prior to proceeding to the Development Review Committee. The project request requires review from the Historical Commission to recommend what roof material is best suited for the awning.

### **ENVIRONMENTAL DETERMINATION:**

The proposed project qualifies for a Categorical Exemption pursuant to Section 15301, Class 1, of the California Environmental Quality Act (CEQA) and Guidelines. A Class 1 Categorical Exemption consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alternation of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the

time of the lead agency's determination. The replacement of awning roof material is considered a repair and/or general maintenance.

**FINDINGS:**

1. The City received a complete application for Plan Revision 25PLN-0037.
2. The Historical Commission reviewed Sign Exception Application 25PLN-0037 at their regular meeting on November 18, 2025.
3. This project is consistent with City's General Plan.
4. The project is consistent with the applicable sections and development standards in the Development Code.
5. The project complies with the City of Grass Valley Historic Design Review 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.
8. The site is physically suitable in terms of design, location, shape, size, and operating characteristics. It ensures that the density, intensity, and type of use being proposed would not endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or welfare, or be materially injurious to the improvements, persons, property, or uses in the vicinity and zone in which the property is located.

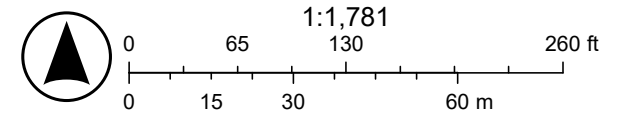
**ATTACHMENTS:**

1. Aerial Map
2. Vicinity Map
3. Universal Application
4. Section 7.5.4 – Accessory Structures
5. Draft Conditions of Approval

# Mill St Awning -Aerial

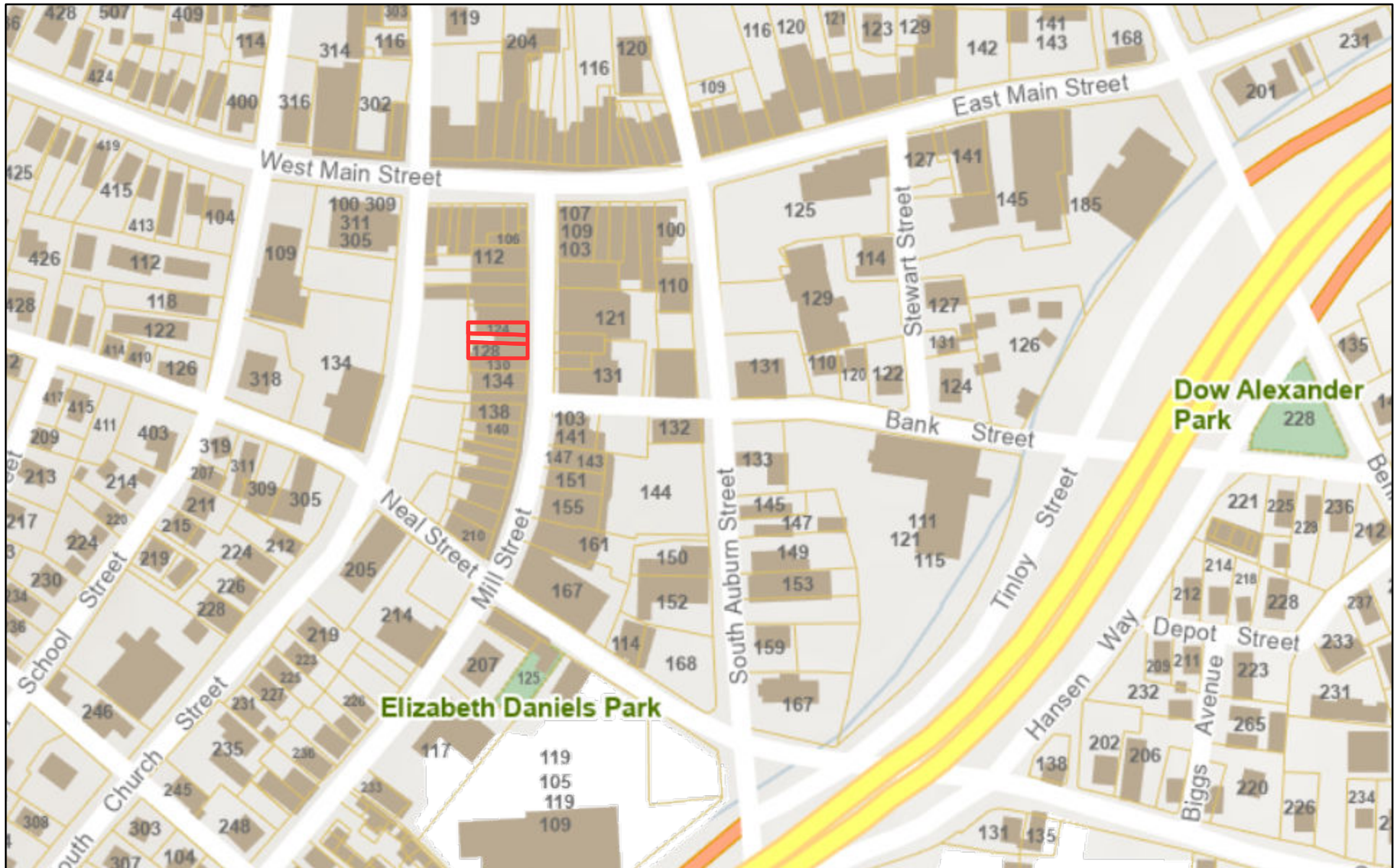


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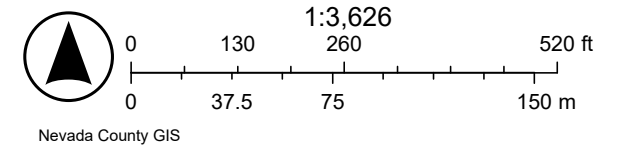




## Mill St Awning - Vicinity



11/17/2025, 9:31:53 AM



**CITY OF GRASS VALLEY**  
**Community Development Department**  
 125 E. Main Street  
 Grass Valley, California 95945  
 (530) 274-4330  
 (530) 274-4399 fax

# UNIVERSAL PLANNING APPLICATION



## Application Types

### **Administrative**

- ☐ Limited Term Permit  
\$757.00
- ☐ Zoning Interpretation  
\$243.00

### **Development Review**

- ☐ Minor Development Review – under 10,000 sq. ft.  
\$1,966.00
- ☐ Major Development Review – over 10,000 sq. ft.  
\$3,571.00
- ☐ Conceptual Review - Minor  
\$497.00
- ☐ Conceptual Review – Major  
\$847.00
- ☐ Plan Revisions – Staff Review  
\$342.00
- ☒ Plan Revisions – DRC / PC Review  
\$901.00
- ☐ Extensions of Time – Staff Review  
\$306.00
- ☐ Extensions of Time – DRC / PC Review  
\$658.00

### **Entitlements**

- ☐ Annexation  
\$8,505.00 (deposit) + \$20.00 per acre
- ☐ Condominium Conversion  
\$5,339.00 (deposit) + \$25 / unit or \$25 / 1,000 sf com.
- ☐ Development Agreement – New  
\$20,023.00 (deposit) + cost of staff time & consultant minimum \$300
- ☐ Development Agreement – Revision  
\$7,486.00 + cost of staff time & consultant minimum \$300
- ☐ General Plan Amendment  
\$8,000.00
- ☐ Planned Unit Development  
\$8,839.00 + \$100.00 /unit and / or \$100 / 1,000 sf floor area
- ☐ Specific Plan Review - New  
Actual costs - \$18,399.00 (deposit) (+ consultant min. \$300)
- ☐ Specific Plan Review - Amendments / Revisions  
Actual costs - \$7,576.00 (deposit) (+ consultant min. \$300)
- ☐ Zoning Text Amendment  
\$3,364.00
- ☐ Zoning Map Amendment  
\$5,501.00
- ☐ Easements (covenants & releases)  
\$1,794.00

### **Environmental**

- ☐ Environmental Review – Initial Study  
\$1,858.00
- ☐ Environmental Review – EIR Preparation  
Actual costs - \$34,274.00 (deposit)
- ☐ Environmental Review - Notice of Determination  
\$162.00 (+ Dept. of Fish and Game Fees)

- ☐ Environmental Review - Notice of Exemption  
\$162.00 (+ County Filing Fee)

### **Sign Reviews**

- ☐ Minor – DRC, Historic District, Monument Signs or other districts having specific design criteria  
\$330.00
- ☐ Major – Master Sign Programs  
\$1,407.00
- ☐ Exception to Sign Ordinance  
\$1,046.00

### **Subdivisions**

- ☐ Tentative Map (4 or fewer lots)  
\$3,788.00
- ☐ Tentative Map (5 to 10 lots)  
\$5,267.00
- ☐ Tentative Map (11 to 25 lots)  
\$7,053.00
- ☐ Tentative Map (26 to 50 lots)  
\$9,668.00
- ☐ Tentative Map (51 lots or more)  
\$14,151.00
- ☐ Minor Amendment to Approved Map (staff)  
\$1,208.00
- ☐ Major Amendment to Approved Map (Public Hearing) \$2,642.00
- ☐ Reversion to Acreage  
\$829.00
- ☐ Tentative Map Extensions  
\$1,136.00
- ☐ Tentative Map - Lot Line Adjustments/Merger  
\$1,325.00

### **Use Permits**

- ☐ Minor Use Permit - Staff Review  
\$562.00
- ☐ Major Use Permit - Planning Commission Review  
\$3,292.00

### **Variances**

- ☐ Minor Variance - Staff Review  
\$562.00
- ☐ Major Variance - Planning Commission Review  
\$2,200.00

<u>Application</u>	<u>Fee</u>
<b>Total*:</b>	<b>\$</b>

*\*Additional fees may be assessed by Nevada County Environmental Health and/or NSAQMD for services rendered for application review.*

Below is the Universal Planning Application form and instructions for submitting a complete planning application. In addition to the Universal Planning Application form, a project specific checklist shall be submitted. All forms and submittal requirements must be completely filled out and submitted with any necessary supporting information.

Upon receipt of the **completed forms, site plan/maps, and filing fees**, the Community Development Department will determine the completeness of the application. This review will be completed as soon as possible, but within thirty (30) days of the submittal of the application. If the application is determined to be complete, the City will begin environmental review, circulate the project for review by agencies and staff, and then schedule the application for a hearing before the Planning Commission.

If sufficient information **has not** been submitted to adequately process your application, you will receive a notice that your application is incomplete along with instructions on how to complete the application. Once the City receives the additional information or revised application, the thirty (30) day review period will begin again.

Since the information contained in your application is used to evaluate the project and in the preparation of the staff report, it is important that you provide complete and accurate information. Please review and respond to each question. If a response is not applicable, N/A should be used in the space provided. Failure to provide adequate information could delay the processing of your application.

Additional information may be obtained at [www.cityofgrassvalley.com](http://www.cityofgrassvalley.com) regarding the 2020 General Plan and Zoning. You may also contact the Community Development Department for assistance.

### **ADVISORY RE: FISH AND GAME FEE REQUIREMENT**

Permit applicants are advised that pursuant to Section 711.4 of the Fish and Game Code a fee of **\$3,445.25** for an Environmental Impact Report and **\$2,480.25** for a Negative Declaration\* shall be paid to the County Recorder at the time of recording the Notice of Determination for this project. This fee is required for Notices of Determination recorded after January 1, 1991. A Notice of Determination cannot be filed and any approval of the project shall not be operative, vested, or final until the required fee is paid. This shall mean that building, public works and other development permits cannot be approved until this fee is paid. These fees are accurate at the time of printing, but **increase the subsequent January 1<sup>st</sup>** of each year.

This fee is **not** a Grass Valley fee; it is required to be collected by the County pursuant to State law for transmission to the Department of Fish and Game. This fee was enacted by the State Legislature in September 1990, to be effective January 1, 1991.

\*If the City finds that the project will not have an impact on wildlife resources, through a De Minimis Impact Finding, the City will issue certificate of fee exemption. Therefore, this fee will not be required to be paid at the time an applicant files the Notice of Determination with the County Recorder. The County's posting and filing fees will still be required.





4. **Cortese List:** Is the proposed property located on a site which is included on the Hazardous Waste and Substances List (Cortese List)? Y \_\_\_\_\_ N x \_\_\_\_\_

The Cortese List is available for review at the Community Development Department counter. If the property is on the List, please contact the Planning Division to determine appropriate notification procedures prior to submitting your application for processing (Government Code Section 65962.5).


5. **Indemnification:** The City has determined that City, its employees, agents and officials should, to the fullest extent permitted by law, be fully protected from any loss, injury, damage, claim, lawsuit, expense, attorney's fees, litigation expenses, court costs or any other costs arising out of or in any way related to the issuance of this permit, or the activities conducted pursuant to this permit. Accordingly, to the fullest extent permitted by law, the applicant shall defend, indemnify and hold harmless City, its employees, agents and officials, from and against any liability, claims, suits, actions, arbitration proceedings, regulatory proceedings, losses, expenses or costs of any kind, whether actual, alleged or threatened, including, but not limited to, actual attorney's fees, litigation expenses and court costs of any kind without restriction or limitation, incurred in relation to, as a consequence of, arising out of or in any way attributable to, actually, allegedly or impliedly, in whole or in part, the issuance of this permit, or the activities conducted pursuant to this permit. Applicant shall pay such obligations as they are incurred by City, its employees, agents and officials, and in the event of any claim or lawsuit, shall submit a deposit in such amount as the City reasonably determines necessary to protect the City from exposure to fees, costs or liability with respect to such claim or lawsuit.
6. **Appeal:** Permits shall not be issued until such time as the appeal period has lapsed. A determination or final action shall become effective on the 16<sup>th</sup> day following the date by the appropriate review authority, where no appeal of the review authority's action has been filed in compliance with Chapter 17.91 of the City's Development Code.

The 15-day period (also known as the "appeal" period in compliance with Chapter 17.91) begins the first full day after the date of decision that the City Hall is open for business, and extends to the close of business (5:00 p.m.) on the 15<sup>th</sup> day, or the very next day that the City Hall is open for business.

I hereby certify, to the best of my knowledge, that the above statements are correct.

Property Owner/\*Representative Signature: \_\_\_\_\_ Gary A Burke  Digitally signed by Gary A Burke  
Date: 2025.09.09 13:39:44-07'00'

***\*Property owner must provide a consent letter allowing representative to sign on their behalf.***

Applicant Signature: \_\_\_\_\_ Gary A Burke  Digitally signed by Gary A Burke  
Date: 2025.09.09 13:39:53-07'00'

--OFFICE USE ONLY--	
Application No.:	Date Filed:
Fees Paid by:	Amount Paid:
Other Related Application(s):	

### Recommendations:

- (1) When repairing and preserving an historic accessory building, respect its character-defining features such as its primary facade and roof materials, roof form, windows, doors and architectural details, and avoid moving it from its original location.
- (2) If an existing accessory structure is beyond repair, then replacing it with a structure having a similar function is encouraged. Although an exact reconstruction of the accessory structure is not necessary, the replacement should be compatible with the overall character of the historic structure, while accommodating new uses.
- (3) The preservation of an existing accessory structure is preferred to construction of a new one. A new accessory structure should be subordinate, in terms of mass, size and height, to the primary structure on a site, and should be similar in character to those seen traditionally. Accessory structures should be unobtrusive and not compete visually with the primary structure. It should be located to the rear of a lot, although, if necessary locating an accessory structure to the side of a primary structure, but set back substantially, may also be considered. While the roofline does not have to match the primary structure, it should not vary significantly.
- (4) Simple rectangular forms, with hip, gable or shed roofs, are recommended.
- (5) Maintain the traditional range of building materials seen on historic accessory structures. Appropriate siding materials for secondary buildings include painted or stained wood siding, wood planks, vertical board and batten siding or corrugated metal. These materials should be utilitarian in appearance. The use of muted, natural colors and finishes is encouraged.
- (6) Maintain the simple detailing found on historic accessory structures by avoiding ornate detailing, unless the original structure had such character defining features.
- (7) Accessory structures should not mimic primary structures.

### **7.5.5 Site Retaining Walls**

The existing historic retaining walls of Grass Valley form one of its strongest elements of landscape character.



## **DRAFT CONDITIONS OF APPROVAL**

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**Application Number:** 25PLN-0037  
**Location/APN:** 124, 126, and 128 Mill St / APNs: 008-345-013, 008-345-014, and 008-345-015.  
**Applicant:** Gary A. Burke (Authorized Representative)  
**Prepared by:** Vanessa Franken, Associate Planner

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### **STANDARD CONDITIONS**

1. The approval date for Development Review Committee review of the proposed application is \_\_\_\_\_, with an effective date of \_\_\_\_\_, pursuant to Section 17.74.020 GVMC. This project is approved for a period of one year and shall expire on \_\_\_\_\_, unless the project has been effectuated or the applicant requests a time extension that is approved by the Development Review Committee pursuant to the Development Code.
2. The final design shall be consistent with the Development Review application, plans provided by the applicant, or as modified at time of hearing. The project is approved subject to plans on file with the Community Development Department. The Community Development Director may approve minor changes as determined appropriate.
3. 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.

### **BUILDING DIVISION**

1. Prior to any work occurring, building permits shall be obtained from the Community Development Department, Building Division.

### **PLANNING DIVISION:**

1. An inspection prior to building final inspection of the building permit is required.

### **ENGINEERING DIVISION:**

1. An encroachment permit will be required for work being done in the City right of way.