

Prepared by: Amy Wolfson, City Planner

DATA SUMMARY:

Application Number: 25PLN-21
Subject: Tentative condominium map application submitted by Martin Wood of SCO Planning and Engineering on behalf of property owner, Nevada County Publishing Co. to allow the property owner to create two saleable condominium units, along with three common space lots at the existing building located at 464 Sutton Way
Location/APN: 464 Sutton Way
Owner: Nevada County Publishing Co.
Applicant: Martin Wood, SCO Planning & Engineering
Zoning/General Plan: Central Business District (C-2) / Commercial (C)
Entitlements: Tentative Parcel Map
Environmental Status: Categorical Exemption

RECOMMENDATION:

1. That the Planning Commission approve the Tentative Parcel Map application for the condominium conversion as presented, or as may be modified at the public hearing, which includes the following actions:
 - a. Determine the Tentative Parcel Map project Categorically 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 Tentative Map Application as presented in the Staff Report;
 - c. Approve the Tentative Map for the division of a ± 1.37 parcel two saleable condominium units, along with three common space lots as presented and in accordance with the Conditions of Approval, attached to the Staff Report.

BACKGROUND:

This property was originally developed in the County and subsequently annexed to the City in 2002. The existing parcel was originally part of a larger parcel subdivided in 1978, with the resultant parcel labeled Parcel 1 of that map (Book 12 of Parcel Maps, Page 104). The property is built out with a commercial building with two suites used as a restaurant/bar and a newspaper publishing site.

PROJECT DESCRIPTION:

The proposed tentative map involves the subdivision of a ±1.37-acre into five lots, including two commercial condominium units with sizes of 10,991 and 8,649 square feet. Three lettered common space parcels are reserved for gas/electric meters, fire panels, and parking and landscaping use. The tentative map is subject to the standards contained in Article 8 of Chapter 17 of the City Municipal Code (subdivision ordinance) and the California Subdivision Map Act. The submitted Tentative Map application is consistent with the requirements of City's subdivision ordinance. There is no additional development proposed at this time. The site is served by NID water and City sewer.

SITE DESCRIPTION AND ENVIRONMENTAL SETTING:

The project site is entirely developed with a building with two suites, a parking lot, and associated landscaping. The site is surrounded by commercial uses on all sides, consisting, of retail,, restaurant, office, and personal service uses.

GENERAL PLAN AND ZONING:

General Plan: The Grass Valley 2020 General Plan identifies the site as Commercial (COM). 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 C-2 Zoning designation applies to existing auto-oriented areas. The C-2 zone permits a full range of retail and restaurant uses.

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 includes division of existing commercial buildings into common-interest ownership where no physical changes occur. The proposed tentative map is intended to allow individual sale and ownership of existing suites in an existing structure and will not include any changes to or expansion of the commercial property.

FINDINGS:

1. That the proposed condominium conversion is consistent with the general plan, and any applicable specific plan, and that none of the findings for denial in Subsection C of Section 17.81.060 GVMC can be made. The findings shall apply to each proposed parcel as well as the entire subdivision, including any parcel identified as a designated remainder in compliance with Map Act Section 66424.6
2. The Planning Commission reviewed the project in compliance with the California Environmental Quality Act and recommends that the Planning Commission find the project qualifies for a Class 1, Categorical Exemption (Existing Facilities) in accordance with the California Environmental Quality Act and CEQA Guidelines.

RECOMMENDED CONDITIONS:

1. The approval date for this tentative map is July 15, 2025 pursuant to Section 17.81.080 GVMC. This project is approved for a period of three (3) years and shall expire on July 21, 2028, unless the Tentative Parcel Map has been filed with the County Recorder's Office or the applicant requests a time extension that is approved by the Grass Valley Planning Commission pursuant to the Development Code or unless otherwise provided for by the Subdivision Map Act.
2. It shall be the applicant's responsibility to file a Notice of Exemption, which can be prepared by staff at the applicant's request.
3. The applicant agrees to defend, indemnify, and hold harmless the City in any action or proceeding brought against the City to void or annul this discretionary land use approval.
4. Prior to recording the final/parcel map, the applicant must apply for NID service for each newly created parcel and pay applicable connection fees, per NID Rules and Regulations.
5. Prior to recording the final/parcel map, 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.
6. Prior to recording the final/parcel map, the subdivider shall provide the Engineering Division an acceptable method, such as a property owners association, tenant agreement, and/or CC&R's to maintain 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 City Planner (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.
7. All existing sewer laterals to the City sewer main shall include or be modified to include a cleanout, sewer backwater valve, and a pressure relief device.
8. One of the following must be met for parcel separation pursuant to the California 2022 Building Standards Codes as modified and adopted by the City of Grass Valley and Nevada County:
 - a. Condominium conversions are required to meet the California Building Code (CBC) requirements for exterior walls on property lines per table 601

and 705.5. These tables require (minimum) 1-hour walls on both sides of the new property line(s), OR

- b. Dedicated access easements and contractual agreements that permit the owners of portions of the building located on either side of the lot line to access the other side(s) for the purposes of maintaining fire and life safety systems necessary for the operation of the building shall be provided for review and approval.
9. Project shall be in compliance with the vegetation management requirements of the City of Grass Valley Municipal Code Section 8.16.200 and its subsections.
 10. Project shall be in compliance with California Fire Code section 907.2.11.2 for smoke alarm requirements.
 11. Project shall be in compliance with California Fire Code sections 915.2.1-915.5.3 for all Carbon monoxide detector requirements.
 12. Project shall be in compliance with California Fire Code section 906 for all Portable Fire extinguisher requirements.
 13. All plans must be submitted and examined for fire and life safety according to the current California Fire Code for compliance.

ATTACHMENTS:

1. Aerial Map/Vicinity Map
2. Application Materials
3. Tentative Condominium Map