

A. SUBAREA SP – 1A

A.1 General Plan Business Park

A.2 Specific Plan Designation Corporate District

A.3 Existing Conditions The subarea totals 125 acres. The subarea is bordered by Idaho-Maryland Road on the north, Brunswick Road on the east, a power line easement along a portion of the west and is traversed by Whispering Pines Lane. The subarea is heavily wooded and consists of natural hill slopes and knolls which vary from near level to steep 2 to 1 slopes.

A.4 Planned Conditions The proposed long-range plan for this subarea is to develop as a Corporate District with a "campus" type character. A "campus" type character includes landscaped open space between buildings, screened service areas, uniform sign and street lighting standards and maintenance of the whispering pines theme throughout. The existing use may remain but are expected to eventually phase into office uses. This area will provide opportunities for corporate administrative offices and small and medium size research and development firms to locate in Grass Valley within a high quality development. Land uses within the subarea should be compatible with adjacent residential uses and buffered from them.

A.5 Permitted Land Use Categories The following uses are permitted provided that a development map has been approved:

Administrative and Research  
Characteristics

- a. Variable lot requirements;
- b. Traffic limited to employee vehicles and minor delivery;
- c. Visibility and design image important;
- d. Restriction promoted against vicinity impacts of noise, appearance, odor and dust;

- Examples
- a. Research and Testing;
  - b. Experimental Laboratory Facilities;
  - c. Division of Corporate Headquarters;
  - d. Instrument Design;
  - e. Data Processing

Restricted Light Industry  
Characteristics

- a. Variable lot size requirements;
- b. Traffic includes employee vehicles and delivery;
- c. Visibility moderately important;
- d. Restrictions may be necessary for noise, appearance, odor and dust;

\* From back of curb

Examples

- a. Semiconductor Manufacturer;
- b. Products Assembly;
- c. Printing and Publishing;
- d. Finished Paper Products;
- e. Photographic Processing;
- f. Machine Assembly;

Warehouse/Showroom  
Characteristics

- a. Small lot size requirements;
- b. Uses may be clustered in small centers;
- c. Traffic includes employees from surrounding business and minor generation from outside the area;
- d. Visibility, access and appearance important;

Examples

- a. Restaurant
- b. Motel – Conference Center
- c. Automatic Branch Bank
- d. Gymnasium
- e. Caretaker Residence
- f. Day Care Facilities

Office/Professional  
Characteristics

- a. Small lot requirements through similar uses should be clustered;
- b. Traffic split between vicinity business and area businesses;
- c. Visibility moderately important;

Examples

- a. Attorneys
- b. Accountants
- c. Doctors
- d. Architects
- e. Real Estate Offices
- f. Engineers

Accessory Uses  
Characteristics

- a. Administrative, professional and business offices and dining facilities associated with and accessory to a permitted use.

A.6 Conditional Uses

Urban Medium Residential

Characteristics

- a. Developed in conjunction with an industrial project or housing.
  - b. Follows uses and development standards of Subarea SP-1C.
- One and one-half (1.5) acres.

Churches

\* From back of curb

A.7 Minimal Parcel Size

A.8 Minimum Setback Requirements

Front Yard:

- a. Whispering Pine Lane  
Parking Setback – Forty (40) feet\*  
Building Setback – Forty (40) feet\*
- b. Local Streets  
Parking Setback – Fifteen (15) feet\*  
Building Setback – Thirty (30) feet\*
- c. Interior Sideyard – Twenty (20) feet\*
- d. Corner Sideyard – Thirty (30) feet\*

A.9 Building Design Standards

- a. The maximum height of all structures within the SP – 1A shall be limited to a maximum of two (2) stores, plus high bay, not to exceed twenty-five (25) feet in height except that heating, cooling, other roof equipment and fire storage facilities may extend above the 25 foot height provided they are screened and integrated into the architecture of the building.
- b. Materials. Exterior building walls may be of tilt-up concrete, textured concrete, brick or stone masonry, ornamental concrete block, wood, stucco, or flush metal panels. Sheet, ribbed, or corrugated metal panels, or prefabricated buildings should not be allowed.
- c. Colors may be light grey or earth tones. Bright, contrasting colors shall be avoided, except primary colors may be used as trim or accent with approval of the City Planner.
- d. Outdoor mechanical equipment, transformers, utility vaults and meters, fire protection apparatus, and other utilities shall be treated as an integral part of the building design. When it is necessary to locate such equipment between the front of the building and the street, it shall be screened from view.
- e. Building should be designed and oriented to maximize solar access and minimize heating and cooling requirements. Where appropriate, energy conservation methods such as glazed/double paned windows, recessed entryways, awnings and the use of solar collectors should be utilized.

\* From back of curb

**A.9.1 SUBAREA SP – 1A.1**

**A.9.2 General Plan** Business Park

**A.9.3 Specific Plan Designation** Public Assembly Uses

**A.9.4 Existing Conditions** This subarea is located at 125 Crown Point consisting of 5.53 acres (APN: 009-700-063).

**A.9.5 Planned Conditions** The existing 41,600 square foot building with parking and landscaping is to be used for Studio Uses, such as art, dance, music uses, and theater, or performing arts.

**A.9.6 Permitted Land Uses** Uses permitted in the SP – 1A Zone.

**A.9.7 Conditional Uses** Studio Uses, such as art, dance, music uses, and Theater, or performing arts.

**Examples** A large-scale indoor facility for group entertainment, other than sporting events. Examples of these facilities include: Civic theaters, and facilities for “live” theater and concerts.

**A.9.8 Building Design Standards** The maximum height of all structures within the SP – 1A.1 shall be limited to a maximum of forty-five (45) feet in height except that heating, cooling, other roof equipment and fire storage facilities may extend above the 25 foot height provided they are screened and integrated into the architecture of the building.

**A.9.9 Design Standards** All other standards of the SP – 1A.1 Zone shall comply with the SP – 1A Zone.

\* From back of curb



**Lance Lowe**

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**To:** GARY PIERAZZI  
**Subject:** RE: Public Comment on Proposed InConcert Sierra Whispering Pines Specific Plan Amendments, Use Permit and Development Permits (22PLN-18).

September 14, 2022

**Subject: Public Comment on Proposed InConcert Sierra Whispering Pines Specific Plan Amendments, Use Permit and Development Permits (22PLN-18).**

As you know, in February 2017 a lawsuit was filed, challenging the City's approval of two text amendments and it's adoption of a Negative Declaration. The lawsuit resulted in a settlement agreement by and between the City of Grass Valley and Citizens Advocating Responsible Development (CARD). Part of that settlement agreement was that the City conduct a Comprehensive Review of the Whispering Pines Specific Plan. (See settlement attachment) In 2020 the City proposed a Negative Declaration and Text Amendment to the Whispering Pines Specific Plan for a different proposal. In response to that 2020 proposal, is the letter (attached) sent to the City reminding the City of the terms of the settlement, regarding the comprehensive review of the Specific Plan.

It is my understanding that the Comprehensive Review has not been conducted, I am therefore asking the Planning Commission to recommend that the City Council *not* adopt 22PLN-18 until such time that the City has conducted and completed a Comprehensive Review of the Whispering Pines Specific Plan and made corresponding changes in accordance with CEQA as required by that 2017 settlement agreement.

Sincerely,

Gary Pierazzi

Presentation of Daniel Ketcham  
Grass Valley Planning Commission Sept. 20, 2022

I'm Daniel Ketcham and I reside at 11693 Brunswick Pines Road, exactly one parcel removed and to the east of the property you are considering this evening.

I have just two topic points tonight, both considered extremely relevant for your careful consideration.

The staff report before you appropriately identifies that the proposed use will create a property that is extremely under parked. It is projected that for some events the property will be parking deficient by 321 parking spaces. And that appears to be based on a large assumption that all attendees will arrive via two persons per vehicle. The proffered solution? Attendees will simply park on neighboring properties. No need to worry about agreements to do so, as the applicant will address that when the need actually arrives. This proposal, from a land use planning perspective, is both nonsensical and frankly embarrassing. To defer a highly critical property use requirement and NOT insure a proposed use has adequate parking from the inception, is simply negligent. Written agreements, ready for recordation, for reciprocal parking with neighboring properties should be a condition of approval...nothing less. As this proposal does not meet current parking requirements, a Variance is, in fact, required and seemingly not part of this proposal?

Over-Flight Zone: In his letter of August 23, Mike Woodman, Executive Director, Nevada County Transportation Commission essentially said "all good to go" as to the compatibility of this proposed use and the proximity to the Nevada County Airport. However, I can assure you such is NOT the case. The 1983 Whispering Pines Specific Plan recognized the risk of allowing uses that would permit a high concentration of persons in a given building. For an example, the exact proposal before you this evening. Appropriately, such uses were precluded in the then small and narrow overflight zone along Whispering Pines Lane at Brunswick Road. I can assure you that departure flight patterns have changed significantly since 1983. Similarly, the 2011 Airport Land Use Compatibility Plan entirely failed to recognize that the almost daily summertime parade of Cal Fire Bombers fly a southbound departure route directly over this very property. Last week during the Mosquito Fire, the bombers were making low elevation departures every 11-13 minutes, with one day making approximately 80 flights over this property. Nowhere in this report was there consideration given to this very onerous and risky flight pattern directly over this structure. What happens when a bomber loses an engine on departure at low elevation? They immediately hit the drop button and full the load is dropped in five seconds. Depending on the elevation, the drop can crush everything below on the ground...including structures.

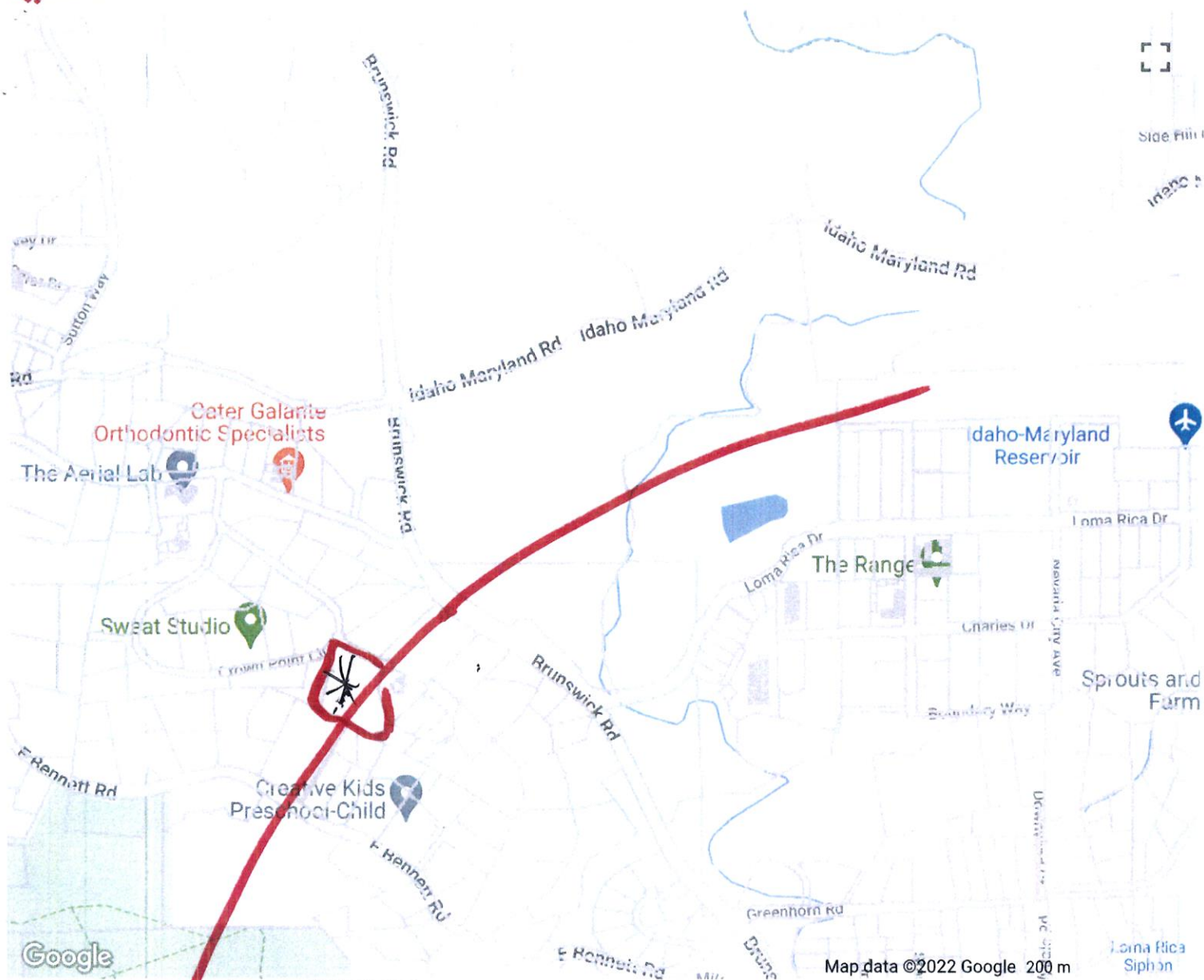
## Page Three

See page 2-24 where risk level in Zone D states *that 20% to 30% of aviation accidents take place in this zone. I quote: Risk concern is primarily with uses for which potential consequences are severe. For example very high intensity activities in a confined area.* This describes exactly what is proposed before you.

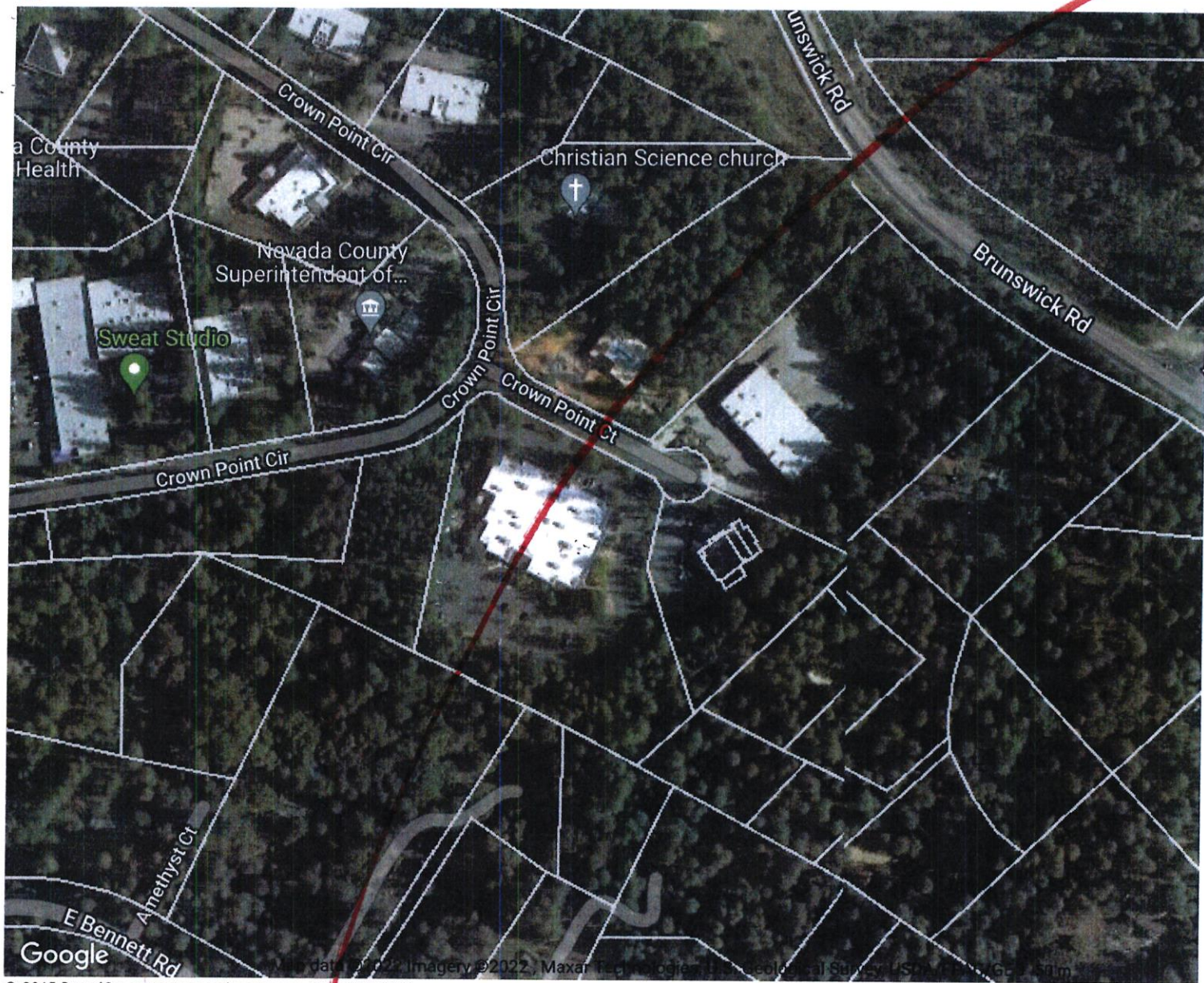
**In closing** I ask that you deny this proposal before you until such time the applicant can demonstrate legitimate and sufficient parking to support the proposed use AND further study is completed to ascertain the impact of a location directly below a heavily used and hazardous flight zone.

2. **Findings for off-site parking Variance.** The approval of a Variance to allow some or all of the parking spaces required for a nonresidential project to be located off-site, or to allow in-lieu fees or facilities instead of the required on-site parking spaces, shall require that the review authority first make both of the following findings in compliance with Government Code Section 65906.5, instead of those required by Subsection F.1, above.
    - a. The Variance will be an incentive to, and a benefit for, the nonresidential development; and
    - b. The Variance will further facilitate access to the nonresidential development by users of public transit facilities, and other modes of transportation (e.g., guideway facilities).
  3. **Finding for reasonable accommodation.** The review authority may also grant a Variance or Minor Variance to the site planning or development standards of this Development Code in compliance with this Section, based on the finding that the Variance or Minor Variance is necessary to accomplish a reasonable accommodation of the needs of a disabled person in compliance with the Americans with Disabilities Act (ADA).
- G. Conditions of approval.** In approving a Variance or Minor Variance, the review authority may impose conditions of approval to ensure that the project will comply with the findings required by Subsection F. (Findings required), above. The violation of any required condition shall constitute a violation of this Section and may constitute grounds for denial of the Certificate of Occupancy and/or revocation of the permit.
- H. Post review procedures.** The procedures and requirements in Chapter 17.74 (Permit Implementation, Time Limits, and Extensions), and those related to appeals and revocation in Article 9 (Development Code Administration), shall apply following a decision on a Variance or Minor Variance application.





6/26-30  
fly up to @PIN





# **Nevada County Airport**

## **LAND USE COMPATIBILITY PLAN**

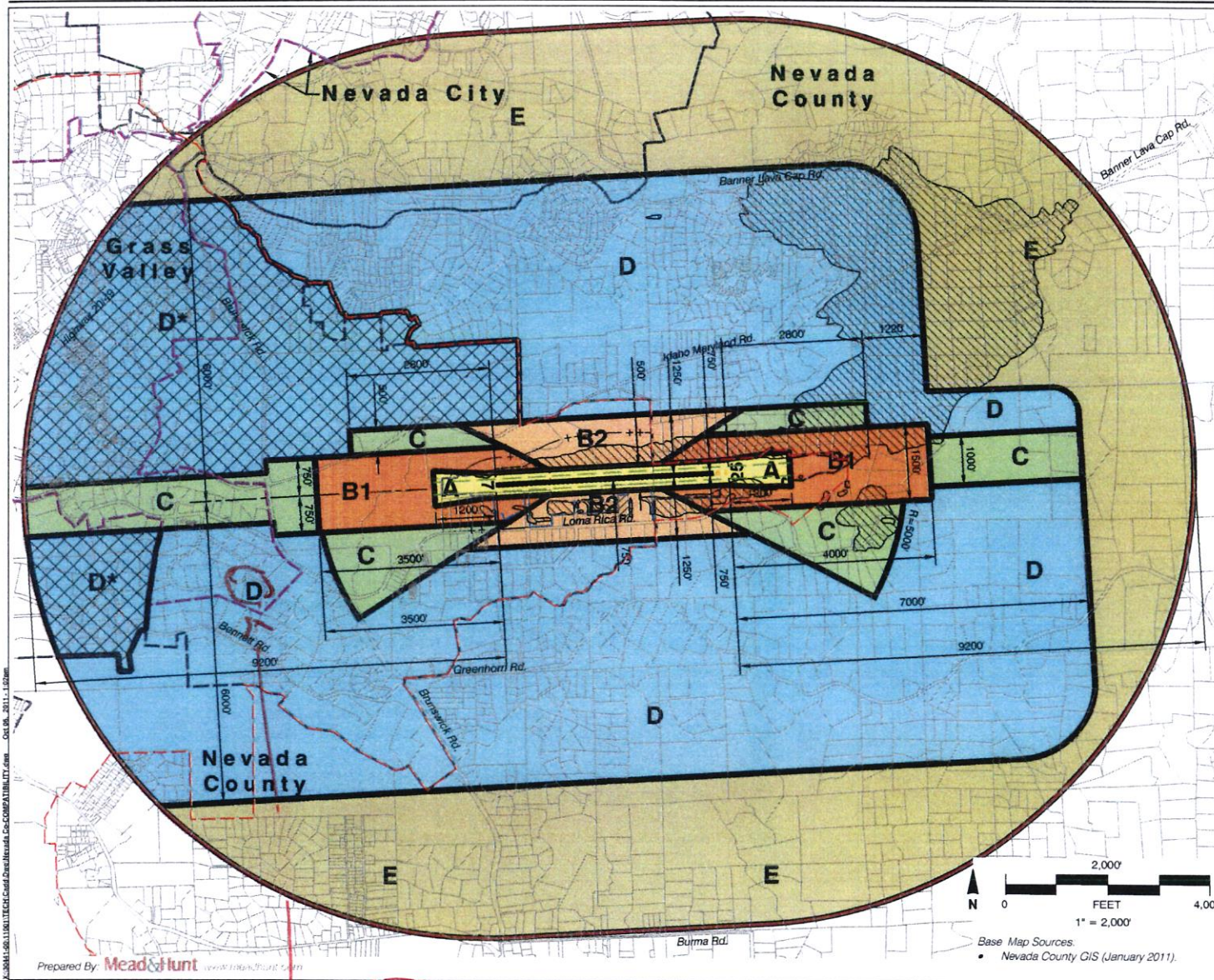


**Nevada County Airport Land Use Commission**

**Adopted September 21, 2011**







*Handwritten note:* Airport location




Zone	Locations	Maximum Densities / Intensities			Req'd Open Land <sup>3</sup>	Additional Criteria	
		Residen- tial (du/ac) <sup>1</sup>	Other Uses (people/ac) <sup>2</sup>	Aver- age <sup>6</sup> Single Acre <sup>7</sup>		Prohibited Uses <sup>4</sup>	Other Development Conditions <sup>5</sup>
<b>A</b>	<i>Runway Clear Zone</i>	0	0	0	All Remain- ing	<ul style="list-style-type: none"> <li>› All structures except ones with location set by aeronautical function</li> <li>› Assemblages of people</li> <li>› Objects exceeding FAR Part 77 height limits</li> <li>› Storage of hazardous materials</li> <li>› Hazards to flight <sup>8</sup></li> </ul>	<ul style="list-style-type: none"> <li>› Mostly on existing or future airport property or other public lands</li> <li>› Aviation easement dedication on remainder</li> <li>› NCALUC airspace review required for all objects</li> </ul>
<b>B1</b>	<i>Inner Approach Zone</i>	0.10 (average parcel size ≥ 10.0 ac.)	50	100	30%	<ul style="list-style-type: none"> <li>› Children's schools, day care centers (&gt; 15 children), libraries</li> <li>› Hospitals, nursing homes</li> <li>› Buildings with &gt; 2 habitable floors above ground</li> <li>› Highly noise-sensitive uses (e.g., outdoor theaters)</li> <li>› Aboveground bulk storage of hazardous materials <sup>9</sup></li> <li>› Critical community infrastructure facilities <sup>10</sup></li> <li>› Hazards to flight <sup>8</sup></li> </ul>	<ul style="list-style-type: none"> <li>› Locate structures maximum distance from extended runway centerline</li> <li>› Minimum NLR of 25 dB in residences (including mobile homes) <sup>11</sup></li> <li>› NCALUC airspace review required for objects &gt; 3,106 feet MSL west of Airport and 3,192 feet MSL east of Airport <sup>12</sup></li> <li>› Aviation easement dedication</li> </ul>
<b>B2</b>	<i>Sideline Zone</i>	0.33 (average parcel size ≥ 3.0 ac.)	100	300	No Req't	Same as Zone B1	<ul style="list-style-type: none"> <li>› Locate structures maximum distance from runway</li> <li>› Minimum NLR of 25 dB in residences (including mobile homes) <sup>11</sup></li> <li>› NCALUC airspace review required for objects &gt; 3,106 feet MSL <sup>12</sup></li> <li>› Aviation easement dedication</li> </ul>
<b>C</b>	<i>Inner Turning Zone and Extended Approach Zone</i>	0.5 (average parcel size ≥ 2.0 ac.)	100	300	20%	<ul style="list-style-type: none"> <li>› Children's schools, day care centers (&gt; 15 children), libraries</li> <li>› Hospitals, nursing homes</li> <li>› Buildings with &gt; 3 habitable floors above ground</li> <li>› Highly noise-sensitive uses (e.g., outdoor theaters)</li> <li>› Hazards to flight <sup>8</sup></li> </ul>	<ul style="list-style-type: none"> <li>› Minimum NLR of 20 dB in residences (including mobile homes) <sup>11</sup></li> <li>› NCALUC airspace review required for objects &gt; 3,106 feet MSL west of Airport and 3,192 feet MSL east of Airport <sup>12</sup></li> <li>› Recorded overflight notice required</li> </ul>
<b>D</b>	<i>Traffic Pattern Zone</i>	4.0 and 20.0 in Urban Overlay Zone D*	200 and No Limit in Urban Overlay Zone D*	600	10%	<ul style="list-style-type: none"> <li>› Highly noise-sensitive uses</li> <li>› Hazards to flight <sup>8</sup></li> </ul>	<ul style="list-style-type: none"> <li>› NCALUC airspace review required for objects &gt; 3,207 feet MSL</li> <li>› Recorded overflight notice required</li> <li>› Children's schools, hospitals, nursing homes discouraged <sup>13</sup></li> </ul>
<b>E</b>	<i>Other Airport Environs</i>	No Limit <sup>15</sup>			No Req't	<ul style="list-style-type: none"> <li>› Hazards to flight <sup>8</sup></li> </ul>	<ul style="list-style-type: none"> <li>› Airspace review required for objects &gt; 3,257 feet MSL</li> <li>› Real estate disclosure required</li> <li>› Major spectator-oriented sports stadiums, amphitheaters, concert halls discouraged beneath principal flight tracks <sup>14</sup></li> </ul>
	<i>Height Review Overlay Zone</i>	Same as Underlying Compatibility Zone			Not Applica- ble	Same as Underlying Compatibility Zone	<ul style="list-style-type: none"> <li>› Airspace review required for objects &gt; 35 feet tall <sup>12</sup></li> <li>› Aviation easement dedication</li> </ul>

Table 2A

## Basic Compatibility Criteria




Zone	Noise and Overflight Factors	Safety and Airspace Protection Factors
<b>A</b> Runway Clear Zone	<i>Noise Impact: Very High</i> <ul style="list-style-type: none"> <li>▶ Mostly above CNEL 65 dB</li> </ul>	<i>Risk Level: Very High</i> <ul style="list-style-type: none"> <li>▶ Includes Runway Protection Zones and Building Restriction Line as indicated on Airport Layout Plan (ALP) drawing</li> <li>▶ Nearly 40% of off-runway general aviation accidents near airports occur in this zone</li> <li>▶ Object heights restricted to &lt;35 feet in some areas</li> </ul>
<b>B1</b> Inner Approach Zone	<i>Noise Impact: High</i> <ul style="list-style-type: none"> <li>▶ Typically above CNEL 60 dB</li> <li>▶ Single-event noise sufficient to disrupt wide range of land use activities including indoors if windows open</li> </ul>	<i>Risk Level: High</i> <ul style="list-style-type: none"> <li>▶ Encompasses areas overflowed by aircraft at low altitudes—typically only 200 to 400 feet above the runway elevation.</li> <li>▶ Some 10% to 20% of off-runway general aviation accidents near airports take place here</li> <li>▶ Object heights restricted to &lt;35 feet in some areas</li> </ul>
<b>B2</b> Sideline Zone	<i>Noise Impact: Moderate to High</i> <ul style="list-style-type: none"> <li>▶ Mostly above CNEL 60 dB</li> <li>▶ Exposed to loud single-event noise from takeoffs and jet thrust-reverse on landing; also from pre-flight run-ups</li> </ul>	<i>Risk Level: Low to Moderate</i> <ul style="list-style-type: none"> <li>▶ Area not normally overflowed by aircraft; primary risk is with aircraft (especially twins) losing directional control on takeoff</li> <li>▶ About 3% of off-runway general aviation accidents near airports happen in this zone</li> <li>▶ Object heights restricted to &lt;35 feet in some areas</li> </ul>
<b>C</b> Inner Turning Zone and Extended Approach Zone	<i>Noise Impact: Moderate</i> <ul style="list-style-type: none"> <li>▶ May exceed CNEL 55 dB</li> <li>▶ Primary aircraft traffic pattern south of airport</li> <li>▶ Aircraft typically at or below 1,000-foot traffic pattern altitude; individual events occasionally loud enough to intrude upon indoor activities</li> </ul>	<i>Risk Level: Moderate</i> <ul style="list-style-type: none"> <li>▶ Includes areas where aircraft turn from base to final approach legs of standard traffic pattern and descend from traffic pattern altitude</li> <li>▶ Zone also includes areas where departing aircraft normally complete transition from takeoff power and flap settings to climb mode and have begun to turn to their en route heading</li> <li>▶ Minimal aircraft traffic north of airport except by fire attack aircraft during fire season</li> <li>▶ Some 10% to 15% of off-runway general aviation accidents near airports occur here</li> <li>▶ Object heights restricted to as little as 35 feet</li> </ul>
<b>D</b> Traffic Pattern Zone	<i>Noise Impact: Moderate</i> <ul style="list-style-type: none"> <li>▶ Noise more of a concern with respect to individual loud events than with cumulative noise contours</li> <li>▶ Portions of the 55-CNEL contour extend into this zone</li> <li>▶ Traffic pattern north of airport is modified to account for high terrain northeast of airport</li> <li>▶ Urban Overlay Zone D* reflects relatively high ambient noise level of urbanized area</li> </ul>	<i>Risk Level: Low</i> <ul style="list-style-type: none"> <li>▶ About 20% to 30% of general aviation accidents take place in this zone, but the large area encompassed means a low likelihood of accident occurrence in any given location</li> <li>▶ Risk concern is primarily with uses for which potential consequences are severe (e.g. very-high-intensity activities in a confined area)</li> <li>▶ Airspace concern is generally with object heights &gt;100 feet above runway elevation except to northeast where terrain is higher</li> </ul>
<b>E</b> Other Airport Environs	<i>Noise Impact: Low</i> <ul style="list-style-type: none"> <li>▶ Beyond the 55-CNEL contour</li> <li>▶ Occasional overflights intrusive to some outdoor activities</li> </ul>	<i>Risk Level: Low</i> <ul style="list-style-type: none"> <li>▶ Risk concern only with uses for which potential consequences are severe (e.g. very-high-intensity activities in a confined area)</li> </ul>
 Height Review Overlay Zone	<i>Noise Impact: Low</i> <ul style="list-style-type: none"> <li>▶ Individual noise events slightly louder because high terrain reduces altitude of overflights</li> </ul>	<i>Risk Level: Moderate</i> <ul style="list-style-type: none"> <li>▶ Modest risk because high terrain constitutes airspace obstruction</li> <li>▶ Key concern is tall single objects (e.g., antennas)</li> </ul>

Table 2B

## Compatibility Zone Delineation

To: [info@cityofgrassvalley.com](mailto:info@cityofgrassvalley.com)

Subject: Public Comment on Proposed InConcert Sierra Whispering Pines Specific Plan Amendments, Use Permit and Development Permits (22PLN-18).

The City of Grass Valley has a Energy Action Plan that includes a target of 100% of new construction meeting Title 24 Green Building and Energy Efficiency Standards and a target of 100% of new developments meeting State required Zero-Net-Energy Goals by 2035.

### **Whispering Pines Project**

With the adding of a new roof to the building at the Whispering Pines site, I ask that the project install roof-top solar on the roof to meet the goals of the Energy Action Plan. The conceptual drawing appears to show that the roof won't be shaded by vegetation.

To meet zero-net energy goals, it also would be prudent to eliminate the use of natural gas and make the buildings be all-electric. Backup storage could be provided, but it may not be necessary since an event scheduled to occur during a PSPS would probably be cancelled since the probable attendees would have more to worry about than attending a concert. Note: Nearly 60% of new homes nationwide are all-electric.

### **Energy Action Plan:**

Strategy 2.1: Prepare for the inclusion of renewable energy systems in new construction and large retrofit projects in order to meet California Zero Net Energy Goals by providing informational materials when available.

These informational materials could include a checklist of actions that would help meet the Energy Action Plan goals, such as roof-top solar, LED lighting, and electric space heating and appliances. Other items for community benefit include walkable community options, nearby public transit, smoke-free buildings and playground access.

### **Conclusion**

I would suggest that. In the future, when a new development such as Whispering Pines is proposed, that the City of Grass Valley suggest to the developer that the plans submitted be zero carbon energy eliminating any use of fossil fuels as an energy source. This would eliminate the need for extensive retrofitting in the future.

Thank you for your consideration.

Don Rivenes, Member of the Grass Valley Energy Action Plan Working group  
108 Bridger Ct  
Grass Valley CA 95945



## Taylor Day

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**From:** John Bush [REDACTED]  
**Sent:** Tuesday, September 20, 2022 1:08 PM  
**To:** Public Comments  
**Subject:** InConcert Sierra's Crown Point community center project

You don't often get email from [REDACTED]. [Learn why this is important](#)

Greetings,

I wish to express my support for InConcert Sierra's Crown Point community center project. I have lived in Western Nevada County for 25 years and have seen a number of attempts to establish a full spectrum performing arts center began and ultimately disband. I believe the proposed project of InConcert Sierra has a very strong possibility of succeeding for the following reasons:

1. The vibrant and growing arts community is an essential element of the economic and cultural life of our community. Studies by the Nevada County arts Council have demonstrated this fact.
2. This project is not an attempt to find land and to correct a building. The land and the building exist and are eminently suitable for the necessary remodeling and updating required by the project.
3. The project is well-funded and appears to be on track to obtain the necessary monies to complete the project.
4. The project is designed not as a niche for InConcert Sierra, but as a full spectrum center to be used by the arts community, businesses, governmental agencies, and non-profit and civic organizations.
5. The completion of the project may will be an essential element in the continued growth of Nevada County as we attract new residents, visitors, and businesses to become part of our growing and dynamic community.

I respectfully ask that InConcert Sierra's Crown Point Community Center project be approved.

Sincerely,

John Bush, PsyD

## Taylor Day

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**From:** John & Nina Stillwell [REDACTED]  
**Sent:** Monday, September 19, 2022 6:04 PM  
**To:** Public Comments  
**Subject:** Crown Point Community Project

You don't often get email from [REDACTED]. [Learn why this is important](#)

I am writing to voice my support for InConcert Sierra's Crown Point Community project.

It would be great for all that live in Nevada County to have a performance space and event center which would attract performers to the area and provide a venue to encourage youth participation in an excellent facility.

InConcert Sierra is a well-supported organization run by caring and meticulous professionals and I have confidence that what they are proposing will be done with the highest quality.

Nina Stillwell

## Taylor Day

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**From:** Aimee Retzler [REDACTED]  
**Sent:** Monday, September 19, 2022 2:12 PM  
**To:** Public Comments  
**Subject:** Letter of Support for InConcert Sierra's Crown Point community project

You don't often get email from [REDACTED]. [Learn why this is important](#)

Dear Grass Valley planning commission members,

I am writing to voice my support for InConcert Sierra's Crown Point community project.

This building will fill a significant number of arts and other community needs: create a 10,000 square foot, state-of-the-art, acoustic concert hall; a Blackbox theater; and a conference/event space with an adjoining, already existing kitchen. There are no venues such as this within a 50-mile radius that have the amenities needed to support the growth of our nonprofit sector.

I got an opportunity to tour the building several months ago at the invitation of Ken and Julie Hardin. I got super excited about the potential this has for InConcert Sierra, and for the larger community as a whole. Sierra Harvest is accustomed to hosting several large events each year in support of our local food and farming community. This venue is ideal to host our annual Sustainable Food & Farm Conference, our annual fundraising luncheon, and other educational events.

I strongly support this project and think it will create a sustainable future for the Grass Valley/Nevada City arts and culture district, encourage tourism, expand city and county revenues, and provide for community vitality that will enhance our highly desirable area.

Thank you for your time and consideration,



Aimee Retzler  
Executive Director  
she/her



[www.sierraharvest.org](http://www.sierraharvest.org) | 530.265.2343  
313 Railroad Ave. Suite 201 | Nevada City, CA 95959

*Now is the perfect time to get to know your local farms! Shop the [Nevada County Food & Farm Guide](#) to get to know local growers, what they grow, and where to buy. Or visit us for U-Pick at [Food Love Farm](#), open for the whole family to harvest veggies, herbs, and flowers each Tuesday from 4 – 7 from now until November.*



## Taylor Day

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**From:** Lance Goddard [REDACTED]  
**Sent:** Monday, September 19, 2022 12:59 PM  
**To:** Public Comments  
**Subject:** Crown Point Community Project

[You don't often get email from [REDACTED]. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

Dear members of the Planning Commission,

I am writing to express my wholehearted support for the proposal by InConcert Sierra to establish this project. We bought property here in 1992 and have watched the community grow and prosper. The idea of such a project and the potential venues it will provide will help to make this a destination for additional visitors as well as to enhance the local life in so many ways. In addition to bringing in visitors the arts and culture of our community will be enriched greatly by this project.

Thank you for the opportunity to comment on this amazing proposal.

Sincerely,

Lance Goddard



## Taylor Day

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**From:** Susie Monary-Wilson [REDACTED]  
**Sent:** Monday, September 19, 2022 12:35 PM  
**To:** Public Comments  
**Subject:** Support for InConcert Sierra's Performing Arts Center

You don't often get email from [REDACTED]. [Learn why this is important](#)

Dear planning commission members,

We are writing to voice our support for InConcert Sierra's Crown Point Community project.

This building will fill a significant number of arts and other community needs: create a 10,000 square foot, state-of-the-art, acoustic concert hall; a Blackbox theater; and a conference/event space with an adjoining, already existing kitchen. There are no venues such as this within a 50-mile radius; InConcert and nonprofit organizations and community groups and members will be able to utilize the building for a myriad of unmet events and meeting needs.

We strongly support this project and think it will create a sustainable future for the Grass Valley/Nevada City arts and culture district, encourage tourism, expand city and county revenues, and provide for community vitality that will enhance our highly desirable area. We hope you will support this wonderful endeavor.

Sincerely,  
Susie Monary-Wilson  
John Wilson  
14444 Homburg Way  
Nevada City

## Taylor Day

---

**From:** Valarie Bush [REDACTED]  
**Sent:** Monday, September 19, 2022 8:45 AM  
**To:** Public Comments  
**Subject:** Planning Commission InConcert Sierra

You don't often get email from [REDACTED]. [Learn why this is important](#)

September 16, 2022

I am writing to the members of the Planning Commission to voice my support for InConcert Sierra's Crown Point Community project.

I have supported the arts in Nevada County for over 25 years ago. I believe it is crucial that we continue to build out Grass Valley's environment, recreation, arts, and education. These are drivers for a successful, attractive, enriching, and strong economy and community.

This complex will fill a significant number of arts and other community needs: its 10,000 square foot, state-of-the-art, acoustic concert hall; Blackbox theater; and a conference/event space with an adjoining, already existing kitchen are very much needed. There are no venues such as this within a 50-mile radius; InConcert Sierra and nonprofit organizations and community groups and members will be able to utilize the building for a myriad of unmet events and meeting needs.

Importantly, because of the facility's large size and the existing 500KW emergency generator with an uninterrupted power supply, the building can be used as an emergency shelter/staging area for disaster and crisis response.

I strongly support this project and think it will create a sustainable future for the Grass Valley/Nevada City arts and culture district, encourage tourism, expand city and county revenues, and provide for community vitality that will enhance our highly desirable area.

Kind regards,

Valarie Bush

[valarie@choosewellnessnow.com](mailto:valarie@choosewellnessnow.com)

[www.choosewellnessnow.com](http://www.choosewellnessnow.com)

530/575-1865

Choose Wellness Now

## Taylor Day

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**From:** Linda Lyon [REDACTED]  
**Sent:** Sunday, September 18, 2022 4:57 PM  
**To:** Public Comments  
**Cc:** Julie Hardin  
**Subject:** InConcert Sierra's Crown Point Community project

You don't often get email from [REDACTED] [Learn why this is important](#)

Hello,

I am writing this email to show my strong support for InConcertSierra's proposed building project on Crown Point Circle.

This project will not only house InConcertSierra, but also Music in the Mountains. Both organizations deserve an acoustical theater that showcases their respective talents. It will also offer Sierra Stages a brand new box theater that offers a myriad of opportunities to stage a variety of plays.

No where close to Grass Valley can one find such a venue; I believe the closest is the Harris Center in Folsom and that is not an easy drive, particularly in the evenings or during inclement weather.

The opportunity to have a world class performing arts center in Grass Valley will attract the businesses and talent Grass Valley desires; It will boost our hospitality industry and attract more residents.

The possibilities for the venue are limited to one's imagination; perhaps art shows, a dance studio, wedding receptions, business meetings and student activities.

I highly encourage you to support this venture, as it is an excellent addition to our community.

Thank you,

Linda Lyon  
19227 Windmill Lane  
Grass Valley, CA 95949  
530-274-8644



## Taylor Day

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**From:** jeffrey leiter [REDACTED]  
**Sent:** Sunday, September 18, 2022 12:26 PM  
**To:** Public Comments  
**Subject:** Re Planning Commission InConcert Sierra

[You don't often get email from [REDACTED]. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

September 16, 2022

Members of the Grass Valley Planning Commission,

I have been supporting the arts ever since I moved here over 20 years ago. As you leaders know one of Grass Valley's most important assets is its top notch environment, recreation, arts, and education. These are drivers for a successful, enriching, and strong economy.

The new acoustic concert hall being proposed by InConcert Sierra with an adjoining black box theater and conference facility would greatly enhance our already desirable cultural and economic success. There is no other facility with these qualities (especially an acoustical concert hall) within 50 miles.

I ask you to vote in favor of the variance to allow InConcert Sierra (this is our 75th year) the right to invest in our community by building this multi-million dollar facility.

We have meant with and have the support of the arts and cultural community.

Much thanks for your consideration.

JEFF Leiter, Former Mayor, City of Berkeley

12440 Gayle Lane, Nevada City  
[jsleiter@mac.com](mailto:jsleiter@mac.com)

## Taylor Day

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**From:** Barry and Bonnie Howard [REDACTED]  
**Sent:** Sunday, September 18, 2022 12:14 PM  
**To:** Public Comments  
**Subject:** Comments for Sept 20 Planning Commission meeting

You don't often get email from [REDACTED] [Learn why this is important](#)

Dear Planning Commission Members,

I am writing in support of two proposed projects before the commission on September 20:

1) InConcert Sierra's proposed Crown Point Community Project.

The proposed creation of an acoustic Concert Hall, Conference Center, and Black Box Theater fills current gaps within our local infrastructure that will create a positive economic resource for our community. This project also provides much needed venue spaces for our nonprofit and for-profit arts groups and businesses, as well as a positive impact on tourism, another crucial economic driver.

I strongly encourage your support of this project.

2) Bright Futures for Youth/NEO building renovation project

This project is another important and necessary venue for our local youth and homeless population that will strengthen the fabric of our community by creating a safety net for those in need.

Thank you,  
Barry and Bonnie Howard  
12313 Banner Mountain Trail  
Nevada City, CA 95959

## Taylor Day

---

**From:** Peter Mason [REDACTED]  
**Sent:** Sunday, September 18, 2022 12:03 PM  
**To:** Public Comments  
**Subject:** InConcert Sierra Project - 125 Crown Point

You don't often get email from [REDACTED]. [Learn why this is important](#)

September 18, 2022

To: Grass Valley Planning Commission

Re: *InConcert Sierra Project – 125 Crown Point Court*

I am writing to urge the Planning Commission and City of Grass Valley to approve the Project proposed by InConcert Sierra for 125 Crown Point Court.

The Grass Valley and Nevada City communities have a long history of supporting the performing arts, including music, theater, and dance. The InConcert Sierra Project builds upon this history and fills at least two needs in the community: (i) the creation of an acoustic concert hall; and (ii) the creation of a small flexible theater space (or a “black-box theatre”).

**Concert Hall:** While the community has several venues for performances, none is designed to support the concerts presented InConcert Sierra and the other longstanding classical music organization in the community, Music in the Mountains. Although both InConcert Sierra and Music in the Mountains have been able to find and adapt to the available venues, compromises have been made in programming and in the audience experience. The creation of a dedicated acoustic concert hall as part of the InConcert Sierra Project would allow for more diverse programming and an improved audience experience and would support the future growth of classical music and other acoustic music performances in the community.

**Black Box Theatre:** At present, the only venue available in Grass Valley and Nevada City for community theater productions is the Nevada Theatre. The Nevada Theatre is a blessing for community theater groups, but demand for production slots exceeds supply. In addition, as a larger venue with 240 seats, it is relatively expensive for community theater groups to mount a production at the Nevada Theatre and a challenge to fill the seats. Having a Black-Box Theatre with a smaller capacity as part of the InConcert Sierra Project would immediately double the number of venues available for community theater productions and would create opportunities for more productions by existing and future community theater groups.

For the reasons set forth above, I would like to express my strong support for the Planning Commission and City approvals of the InConcert Sierra Project.

Peter Mason

PS. I have been executive director for Sierra Stages (one of the existing community theater groups) since its inception in 2008, and am a resident of the City of Grass Valley.



## Taylor Day

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**From:** Joan Goddard [REDACTED]  
**Sent:** Saturday, September 17, 2022 3:47 PM  
**To:** Public Comments  
**Subject:** Crown Point Community project

You don't often get email from [REDACTED] [Learn why this is important](#)

Dear planning commission members,

I am wholeheartedly in favor of the InConcert Sierra's Crown Point Community project.

This building on Crown Point Circle will fill a significant number of arts and other community needs: create a 10,000 square foot, state-of-the-art, acoustic concert hall; a Blackbox theater; and a conference/event space with an adjoining, already existing kitchen. There are no venues such as this within a 50-mile radius; InConcert and nonprofit organizations and community groups and members will be able to utilize the building for a myriad of unmet events and meeting needs.

This will be a big WIN for our community! A complex such as this will create a sustainable future for the Grass Valley/Nevada City arts and culture district, encourage tourism, expand city and county revenues, and provide for community vitality that will enhance our highly desirable area.

I know you will appreciate the value of this project. Just imagine the possibilities!

Sincerely,

Joan Goddard

[530] 477-7509

Sent from my iPad

## Taylor Day

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**From:** Vivian Tipton [REDACTED]  
**Sent:** Saturday, September 17, 2022 3:13 PM  
**To:** Public Comments  
**Subject:** support of InConcert Sierra's Crown Point Community project

You don't often get email from [REDACTED]. [Learn why this is important](#)

Dear planning commission members,

I am writing to voice my support for InConcert Sierra's Crown Point Community project. As the executive director for Hospice of the Foothills, the prospect of a conference center and additional event space would fill a gap we often experience in planning for our education of clinical staff, and fundraising events.

As a community member whose children and grandchildren reside in the community, I am excited for the cultural and economic value this venue will bring to our community.

This building will fill a significant number of arts and other community needs: create a 10,000 square foot, state-of-the-art, acoustic concert hall; a Blackbox theater; and a conference/event space with an adjoining, already existing kitchen. There are no venues such as this within a 50-mile radius; InConcert and nonprofit organizations and community groups and members will be able to utilize the building for a myriad of unmet events and meeting needs.

I strongly support this project and think it will create a sustainable future for the Grass Valley/Nevada City arts and culture district, encourage tourism, expand city and county revenues, and provide for community vitality that will enhance our highly desirable area.

Thank you...

Viv Tipton



**Viv Tipton**  
Executive Director  
Hospice of the Foothills  
11270 Rough and Ready Hwy  
Grass Valley, CA 95945



## **Taylor Day**

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**From:** Sheila Baker [REDACTED]  
**Sent:** Saturday, September 17, 2022 3:02 PM  
**To:** Public Comments  
**Cc:** Julie Hardin  
**Subject:** InConcert Venue - Grass Valley

You don't often get email from [REDACTED] [Learn why this is important](#)

Dear planning commission members,

I am writing to voice my support for InConcert Sierra's Crown Point Community project to be located on Crown Point Circle.

This building will fill a significant number of arts and other community needs: create a 10,000 square foot, state-of-the-art, acoustic concert hall; a Blackbox theater; and a conference/event space with an adjoining, already existing kitchen. There are no venues such as this within a 50-mile radius; InConcert and nonprofit organizations and community groups and members will be able to utilize the building for a myriad of unmet events and meeting needs.

I strongly support this project and think it will create a sustainable future for the Grass Valley/Nevada City arts and culture district, encourage tourism, expand city and county revenues, and provide for community vitality that will enhance our highly desirable area.

Thank you,

Sheila Baker

629 E. Broad St, Nevada City, CA

530-265-3106

## Taylor Day

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**From:** Charles Lindquist [REDACTED]  
**Sent:** Saturday, September 17, 2022 1:38 PM  
**To:** Public Comments  
**Subject:** Support for InConcert Sierra's Crown Point project

You don't often get email from [REDACTED]. [Learn why this is important](#)

Dear planning commission members:

I am writing in support for InConcert Sierra's 125 Crown Point Circle project.

This building will fill a significant number of arts and other community needs: create a 10,000 square foot, state-of-the-art, acoustic concert hall; a Blackbox theater; and a conference/event space with an adjoining, already existing kitchen. There are no venues such as this within a 50-mile radius; InConcert and nonprofit organizations and community groups and members will be able to utilize the building for a myriad of unmet events and meeting needs.

Grass Valley and Nevada City in particular, as well as surrounding communities will all benefit from this, making our area a even more desirable area to visit and/or live in. I personally hope to attend many of the events that this facility will host. I personally am making a financial commitment to this project.

Regards

Charles Lindquist  
129 Horizon Circle  
Grass Valley, CA  
530-272-9325

## Taylor Day

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**From:** Mary Anne Davis [REDACTED]  
**Sent:** Saturday, September 17, 2022 12:46 PM  
**To:** Public Comments  
**Subject:** Support for InConcert Sierra's Performing Arts Project

You don't often get email from [REDACTED]. [Learn why this is important](#)

Dear Planning Commission Members,

I am writing in strong support of InConcert Sierra's proposed Crown Point Community Project.

As a resident of Nevada County for 35 years, I am so excited about the proposed creation of an acoustic Concert Hall, large Conference Center, and a Black Box Theater as presented by InConcert Sierra for our community's use. This project fills many gaps within our local infrastructure that will create a positive economic resource while providing much-needed venue spaces for our nonprofit as well as for-profit arts groups and businesses.

As a local event manager and producer, I can attest to the fact we need a larger venue to host nonprofit fundraisers and events, especially since the Foothills Event Center was sold and removed from the list of possible venues. (Yet even being too small, it did work for certain events).

As a musician, having more options for performance space would be incredible. Even more incredible would be an acoustic performance hall that we just don't have within at least 50 miles.

As someone who believes tourism is very important to the viability of our future, I know people would travel to attend performances and events here, utilize our hotels and restaurants and shop in our stores. It's a win-win-win.

I strongly encourage your support of this project. There is absolutely no downside to this project, and there are so many positives.

Thank you,

Mary Anne Davis  
Grass Valley, CA  
[REDACTED]



## Taylor Day

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**From:** Ken Getz [REDACTED]  
**Sent:** Saturday, September 17, 2022 7:17 AM  
**To:** Public Comments  
**Subject:** Support for InConcert Sierra's Crown Point Community Project

You don't often get email from [REDACTED]. [Learn why this is important](#)

Dear planning commission members,

I am writing to voice my support for InConcert Sierra's Crown Point Community project.

Besides the much-needed concert hall, this project will provide a theatrical venue that is even more needed. As the Center for the Arts has made its Off Center Stage unavailable to local community theater groups for the duration (and maybe permanently), there is currently only a single viable theater space in western Nevada County. Having a black-box theater available as part of this new project will be an invaluable resource to the community.

I strongly support this project and think it will create a sustainable future for the Grass Valley/Nevada City arts and culture district, encourage tourism, expand city and county revenues, and provide for community vitality that will enhance our highly desirable area.

Thank you.

Ken Getz

Music Director, Sierra Stages Community Theatre

[keng@sierrastages.org](mailto:keng@sierrastages.org)

## Taylor Day

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**From:** Julie Hardin [REDACTED]  
**Sent:** Friday, September 16, 2022 12:29 PM  
**To:** Public Comments  
**Subject:** Support of upcoming projects before the GV planning commission

You don't often get email from [REDACTED]. [Learn why this is important](#)

Dear Planning Commission Members,

I am writing in support of two proposed projects before the commission on September 20:

1) InConcert Sierra's proposed Crown Point Community Project.

The proposed creation of an acoustic Concert Hall, Conference Center, and Black Box Theater fills current gaps within our local infrastructure that will create a positive economic resource while providing much needed venue spaces for our nonprofit and for-profit arts groups and businesses - as well as a positive impact on tourism, another crucial economic driver.

I strongly encourage your support of this project.

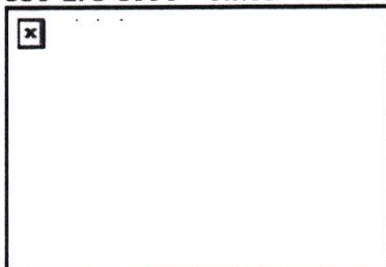
2) Bright Futures for Youth/NEO building renovation project

Another important and necessary venue for our local youth and homeless population that will strengthen the fabric of our community by creating a safety net for those in need.

Thank you,  
Julie Hardin

—  
**Julie Hardin, Executive Director**

530-273-3990 - office • 530-559-2181 - cell



**[Visit Website](#)**

## Taylor Day

---

**From:** Chris Maher [REDACTED]  
**Sent:** Friday, September 16, 2022 11:02 AM  
**To:** Public Comments  
**Cc:** Jennifer Singer  
**Subject:** NEO Youth Center

You don't often get email from [REDACTED] [Learn why this is important](#)

Dear GV Planning Commission,

As a nearby property owner, BriarPatch Food Co-op whole-heartedly endorses the approval of Use Permit 22PLN-36, for the relocation and reopening of NEO Youth Center to 220 Litton Drive in Grass Valley. For over a decade, NEO (Bright Futures for Youth) has been a shining example of the good that can come when the community invests in the well-being of our area youth. NEO serves our community by offering a safe, supervised environment for teens and pre-teens to gather, play, and direct their creative energies in positive ways.

Further, BriarPatch and NEO have developed a strong neighborly relationship over the years. They have shared meeting space for our staff, and we have offered donations of food and drinks. We are proud and happy to know they are close by, and we look forward to many more years of community cooperation with them on Litton Drive.

Thank you for your part in building and strengthening our community.

Chris



Chris Maher

General Manager  
he/him/his

(530) 272-2667 X100 | Fax: (530) 272-5355

[chris@briarpatch.coop](mailto:chris@briarpatch.coop)

290 Sierra College Drive | Grass Valley | California | 95945





## Taylor Day

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**From:** Gudrun Zomerland [REDACTED]  
**Sent:** Thursday, September 15, 2022 9:10 PM  
**To:** Public Comments  
**Subject:** Crown Point Project

You don't often get email from [REDACTED] [Learn why this is important](#)

Dear Planning Commission members:

I am writing in support for the Crown Point Community building proposed by InConcert Sierra.

I recently was part of a group of people invited by InConcert Sierra to view the Crown Point Building, to hear about their plans for the building, and the community outreach and support they had already received from various, interest groups for their project.

Since I am a classical music fan, I was delighted that they would finally have a true concert hall with the acoustics appropriate for the genre. They had also reached out to other art-oriented venues in the county who expressed strong interest in utilizing their space and a separate, multi-purpose theater. In addition, the building has enough room for a conference center, replete with a wonderful kitchen and cafeteria, that could be utilized by any business, locally or otherwise.

We were also told that they will have a huge generator that can turn the building into an emergency shelter, if the need for one should arise. With the numerous power outages we have had in Nevada County over the last few years and the constant danger of wildfires, this would be a truly blessed addition to the emergency resources in our county.

Given that our county is already growing into an attractive "lifestyle" choice for people from all over California and elsewhere, the Crown Point Building would provide even more quality in the form of improved artistic endeavors, and attract alternatives for businesses outside the county for conventions and retreats. All this could only increase business throughout the county,

I would love to see the Crown Point Community project come to fruition and urge you to vote yes on it.

Thank you, Gudrun Zomerland (resident of Penn Valley)

## Taylor Day

---

**From:** Sara Langlands [REDACTED]  
**Sent:** Thursday, September 15, 2022 8:18 PM  
**To:** Public Comments  
**Subject:** In support of Crown Point Community project

You don't often get email from [REDACTED] [Learn why this is important](#)

To the Grass Valley Planning Commission,

I am writing to voice my support for InConcert Sierra's Crown Point Community project.

This is an exciting project that will fill a significant number of arts and other community needs—create a 10,000 square foot, state-of-the-art, acoustic concert hall; a Blackbox theater; and a conference/event space. There are no venues such as this within a 50-mile radius; InConcert Sierra and other nonprofit organizations and community groups will be able to utilize the building for a myriad of currently unmet needs.

Importantly, because of the facility's large size and the existing 500KW emergency generator with an uninterrupted power supply, the building can be used as an emergency shelter/staging area for disaster and crisis response.

I strongly support this project and think it will create a sustainable future for the Grass Valley/Nevada City arts and culture district, encourage tourism, expand city and county revenues, and provide for community vitality that will enhance our highly desirable area.

Thank you,  
Sara Langlands



## Taylor Day

---

**From:** K & S Porter [REDACTED]  
**Sent:** Wednesday, September 14, 2022 4:26 PM  
**To:** Public Comments  
**Subject:** Crown Point Community Project

[You don't often get email from [REDACTED]. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

City of Grass Valley Planning Commission Members:

I'm writing to express my support for the proposed changes in zoning and permitted use of the building at 125 Crown Point Court. InConcert Sierra proposes to purchase the currently under-utilized building and convert it into a facility for a variety of community uses, including an acoustic concert hall, a "black box" theater, a large conference and meeting space with an adjoining food preparation area, and office space for multiple community nonprofit organizations.

Representatives from a variety of local organizations and government agencies have seen plans and toured the facility, and are virtually unanimous in support of the planned uses, and very anxious to have the conference and meeting space available due to a current lack of available space for rent.

I believe the proposed modifications will create a facility that will serve important community needs, and add to our area's ability to generate revenues from increased tourism.

I urge your support for the proposed zoning and usage changes.

Thank you for your consideration.

Keith Porter  
12968 Burma Rd.  
Grass Valley, CA 95945

[REDACTED]

## Taylor Day

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**From:** Steve Mendoza [REDACTED]  
**Sent:** Wednesday, September 14, 2022 9:16 AM  
**To:** Public Comments  
**Subject:** Support for the Crown Point Community Project

You don't often get email from [REDACTED] [Learn why this is important](#)

Dear Planning Commission members:

I am writing to the members of the Planning Commission to voice my support for InConcert Sierra's Crown Point Community project.

This project will provide our community with a state-of-the-art, acoustic concert hall, a Blackbox theater, and a conference/event space with an adjoining, already existing kitchen. InConcert Sierra, other nonprofit organizations, and community groups and members will be able to utilize the building for a myriad of unmet events and meeting needs.

Additionally, because of the facility's large size and the existing 500KW emergency generator with an uninterrupted power supply, the building can be used as an emergency shelter/staging area for disaster and crisis response.

I strongly support this project and think it will be a tremendous boost to the local economy and create a sustainable and positive future for the Grass Valley/Nevada City arts and culture district and associated businesses.

Steve Mendoza  
Grass Valley

## RESPONSE TO COMMENTS

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In response to the comments received on the InConcert Sierra Project (22PLN-18), staff offers the following for Planning Commission and City Council consideration. The following pages identify the comments received followed with a staff response addressing the specific environmental issue raised. The comments provided herein, identified in *italic text*, are listed in chronological order by date of receipt.

### **Letter 1 – Email Correspondence received September 14, 2022, from Gary Pierazzi:**

*As you know, in February 2017 a lawsuit was filed, challenging the City's approval of two text amendments and its adoption of a Negative Declaration.*

*The lawsuit resulted in a settlement agreement by and between the City of Grass Valley and Citizens Advocating Responsible Development (CARD). Part of that settlement agreement was that the City conduct a Comprehensive Review of the Whispering Pines Specific Plan. (See settlement attachment)*

*In 2020 the City proposed a Negative Declaration and Text Amendment to the Whispering Pines Specific Plan for a different proposal. In response to that 2020 proposal, is the letter (attached) sent to the City reminding the City of the terms of the settlement, regarding the comprehensive review of the Specific Plan.*

**Response:** In accordance with applicable Sections 1.5 (a) & (b) the Settlement Agreement specifies that (a) "...the City agrees to initiate a comprehensive review of the Specific Plan, including designation and land uses, to determine whether any updates or amendments to the Specific Plan are necessary to allow an appropriate range of uses while mitigating impacts from such uses."

(b) As determined by the outcome of City's comprehensive review of the Specific Plan, City agrees to fully comply with the requirements of CEQA with regards to any update or amendments to the Specific Plan.

Staff acknowledges that it has yet to complete a comprehensive review of the Whispering Pines Specific Plan (WPSP) with the appropriate level of environmental review as outlined in the Settlement Agreement. Although the City has agreed to a comprehensive review of the WPSP, the Settlement Agreement does not bar the City from making minor amendments to the WPSP altogether.

To that end, although the InConcert Sierra Project under consideration amends the WPSP, the project constitutes a minor amendment of the WPSP that applies to a singular parcel with existing improvements. The 125 Crown Point Court property making up ±5.53 acres (APN: 009-700-063) contains an existing 41,600 square foot building with parking, landscaping, and lighting improvements. Except for a roof height increase and interior tenant improvements, the InConcert Sierra project will utilize existing improvements as is. No further development of the property is slated with the project.

The current uses permitted in the SP-1A Zone include Administrative and Research, Restricted Light Industrial, Warehouse/Showroom, Employment Center Support, Office/Professional Uses and Churches with a Use Permit. Upon review of the proposed project, the proposed InConcert Sierra uses are akin to the uses permitted in the SP-1A Zone.



Specifically, when evaluated from an environmental perspective, the contemplated uses are anticipated to be environmentally better than uses currently permitted in the SP-1A Zone. That is, the conclusions contained in the Initial Study/Mitigated Negative Declaration have determined that air quality and Vehicle Miles Traveled (VMT) impacts will be less impactful than existing permitted uses in the SP-1A Zone. Accordingly, it is Staff's opinion that Sections 1.5 (a) and (b) are inapplicable to the InConcert Sierra Project (22PLN-18) in that the project is not a comprehensive evaluation of the WPSP but a site-specific project applicable to the sole property of 125 Whispering Pines Court. The City acknowledges that a comprehensive review of the Specific Plan with appropriate level of environmental review is forthcoming per the Settlement Agreement.

## **Letter 2 – Presentation of Daniel Ketcham dated September 20, 2022:**

Presentation identifies three issues: 1) Parking Mitigation; 2) Parking Variance Requirement; and 3) Nevada County Airport Land Use Compatibility Determination.

*1. Parking Mitigation – “The staff report before you appropriately identifies that the proposed use will create a property that is extremely under parked. It is projected that for some events the property will be parking deficient by 321 parking spaces. And that appears to be based on a large assumption that all attendees will arrive via two persons per vehicle. The proffered solution? Attendees will simply park on neighboring properties. No need to worry about agreements to do so, as the applicant will address that when the need actually arrives. This proposal, from a land use planning perspective, is both nonsensical and frankly embarrassing. To deter a highly critical property, use requirement and NOT insure a proposed use has adequate parking from the inception, is simply negligent. Written agreements, ready for recordation, for reciprocal parking with neighboring properties should be a condition of approval...nothing less.”*

**Response:** The Whispering Pines Specific Plan Section B.4 c. specifies that parking for nonresidential uses shall be required in accordance with the Grass Valley Zoning Ordinance.

There are 204 off street parking spaces on the ±5.53-acre site. The Initial Study/Mitigated Negative Declaration identifies a parking deficiency for uses such as a full capacity Concert or where two of the contemplated uses Concert Hall (670 persons), Black Box Theater (175 persons) or Conference Center (350 persons) occur simultaneously. To this end, InConcert Sierra clarified proposed events and use of the building. A full capacity concert of 670 would preclude the use of other venues for separate events. If two uses occur simultaneously, they would not exceed 670 occupants in total. Typical occupancy of the Concert Hall is estimated to be 350; Conference Center is estimated to be typically 200; and Black Box Theater is estimated to be 75.

To calculate parking demand, the Traffic Study prepared for the project uses historical event ticket sales to project vehicle occupancy. (It should be noted that the ticket sales totals compiled were for yearly sales totals for the Year 2019 before the COVID shutdowns). These tickets sales were converted into number of vehicles by zip code using a 2.6 vehicle occupancy rate. For parking purposes, staff projected a more conservative vehicle occupancy rate of 2 persons per vehicle.

It is expected that on rare occasions, two of these uses could occur simultaneously, but all three uses would not occur simultaneously. InConcert Sierra has provided further clarification of the intended uses. A full

capacity Concert of 670 would preclude the use of other venues for separate events. If two uses occur simultaneously, they would not exceed 670 occupants in total. Typical occupancy of the Concert Hall is estimated to be 350; Conference Center is estimated to be typically 200; and Black Box is estimated to be 75. In accordance with Table 3-3 of the City's Development Code, the City's Parking Standard for Theaters, auditoriums, and places of assembly is 1 space for each 4 seats or 1 space for each 100 sf. of assembly area, whichever would yield more spaces. For the project, the 1 parking space per 4 seats yields more parking spaces. Based upon the number of seats as outlined above, the number of parking spaces required is 249 parking spaces. Using the City's Development Code Table 3-3 Parking Standards, the site is therefore deficient by 45 parking spaces. However, the Traffic Study prepared for the project utilizes historic ticket sales to project Vehicle Miles Traveled. These tickets sales were converted into number of vehicles by zip code using a 2.6 vehicle occupancy rate. Even if a more conservative estimate of attendees doubled up for each vehicle, this would amount to 335 ( $670/2=335$ ) vehicles or 131 on-site parking spaces short of the projected vehicle parking estimates. This shortage in parking is at issue with the City's Development Code parking standard, however, the applicant has indicated that negotiated parking agreements with adjoining property owners will provide additional off-street parking in adjacent property parking lots during evening and weekend operations as required to accommodate larger attended events. The lack of on-site parking may present a significant parking impact. However, the following mitigation measure would reduce this potential impacts to a less than significant level.

To ensure that parking is not at issue, the Planning Commission recommended that the Parking Mitigation be required prior to the issuance of a building permit vs. prior to the first capacity event for the tenant improvements as follows:

**TRANS 1 – Mitigation Measure:**

~~Prior to the first event in which two uses are occurring at the same time, requiring in excess of 204 parking spaces~~ **Prior to the issuance of a building permit**, the applicant shall submit off-site parking agreements for review and approval that satisfy the event attendance **in accordance with Section 17.36.080 et seq. of the City's Development Code**. The final parking agreements shall be for a duration that is commensurate with the event and shall be to the satisfaction of the Community Development Director and City Engineer.

The InConcert Sierra applicant is agreeable to the Mitigation Measure as recommended by the Planning Commission.

2. *Variance Requirement – “As this proposal does not meet current parking requirements, a Variance is, in fact, required and seemingly not part of this proposal? (Section 17.72.070 of the City's Development Code relating to Parking Variances was attached to the Presentation Letter).*

**Response:** Section 17.72.070. Variance Section 17.72.070 of the City's Development Code is not the governing section of the City's Development Code for the InConcert Sierra Project. Section 17.72.070 allows some or all the parking spaces required for a nonresidential project to be located off-site or allows in-lieu fees or facilities instead of the required on-site parking spaces provided Variance Findings are made in the affirmative.

This section of the City's Development Code has been applied to the City's Downtown District exclusively where off-street parking cannot be met, and no adjoining parking uses may be available. In



this instance, if there are adjoining parking opportunities, then some or all the parking spaces may be allocated off-site. If there are no other means for on-site or off-site parking, an applicant may pay parking in-lieu fees.

To allow a Variance for parking that allows either some or all the parking spaces to be located off-site or the payment of parking mitigation fees for the InConcert Sierra Project does not solve the deficiency in parking considering there is alternative parking solutions on adjoining parcels. As such, this section was inappropriately cited and does not apply to the InConcert Sierra Project.

The appropriate Section of the Development Code is Section 17.36.080 that permits a reduction in parking spaces with shared parking on adjoining properties. Specifically, Sections 17.36.080 A.1. and A.2 are the applicable parking sections of the City's Development Code:

**17.36.080 Reduction of parking requirements.**

**A. Shared On-Site Parking.**

1. Where two or more uses on the same site or adjacent parcels have distinct and differing peak parking usage periods (e.g., a theater and a bank), a reduction in the required number of parking spaces may be allowed in the following manner:
  - a. Upon approval of a minor use permit in compliance with Section 17.72.060, the Director may reduce the total parking space requirement by up to a maximum of twenty percent; or,
  - b. Upon approval of a use permit, in compliance with Section 17.72.060, the Commission may reduce the total parking space requirement by twenty percent or more.
2. Approval shall also require a recorded covenant running with the land, recorded by the owner of the parking lot, guaranteeing that the required parking will be maintained exclusively for the use served for the duration of the use.

**B. Reduction of Required Parking.** The review authority may reduce the number of parking spaces required by Section 17.36.040 (number of parking spaces required), above through the granting of a use permit or minor use permit (depending on the amount of reduction requested) in compliance with Section 17.72.060, based upon quantitative information provided by the applicant that documents the need for fewer spaces (e.g. sales receipts, documentation of customer frequency, information on parking standards required for the proposed land use by other cities, etc.).

The Parking Mitigation Measure recommended by the Planning Commission provides further clarification that the project shall be mitigated in accordance with Section 17.36.080 of the City's Development Code.

Section 17.72.070 of the City's Development Code is not the applicable section of the City's Development Code for the InConcert Sierra Project. Section 17.72.070 allows some or all the parking spaces required for a nonresidential project to be located off-site, or to allow in-lieu fees or facilities instead of the required on-site parking spaces provided the following Variance Findings are made in the affirmative:

- a. The Variance will be an incentive to, and a benefit for, the nonresidential development; and,
- b. The variance will further facilitate access to the nonresidential development by users of public transit facilities and other modes of transportation.

The application of this section of the City's Development Code has been applied to the City's Historic Downtown District where off-street parking cannot be met, and no adjoining parking uses are available.



In this instance, if there are adjoining parking opportunities then some or all the parking spaces may be allocated off-site. If there are no opportunities for on-site or off-site parking, an applicant may pay parking in-lieu fees or facilities instead of the required parking facilities. To allow a Variance for parking that allow either some or all the parking spaces to be located off-site or the payment of parking mitigation fees for the InConcert Sierra Project will not solve the need to project specific parking. Accordingly, this section does not apply to the InConcert Sierra Project.

*3. Overflight Zone Determination – “In his letter of August 23, Mike Woodman, Executive Director, Nevada County Transportation Commission essentially said “all good to go” as to the compatibility of this proposed use and the proximity to the Nevada County Airport. However, I can assure you such is NOT the case. The 1983 Whispering Pines Specific Plan recognized the risk of allowing uses that would permit a high concentration of persons in a given building. For an example, the exact proposal before you this evening. Appropriately, such uses were precluded in the-then small and narrow overflight zone along Whispering Pines Lane at Brunswick Road. I can assure you that departure flight patterns have changed significantly since 1983. Similarly, the 2011 Airport Land Use Compatibility Plan entirely failed to recognize that the almost daily summertime parade of Cal Fire Bombers fly a southbound departure route directly over this very property. Last week during the Mosquito Fire, the bombers were making low elevation departures every 11-13 minutes, with one day making approximately 80 flights over this structure. What happens when a bomber loses an engine on departure at low elevation? They immediately hit the drop button and the full load is dropped in five seconds. Depending upon the elevation, the drop can crush everything below on the ground....including structures.”*

*See page 2-24 where risk level in Zone D states that 20% to 30% of aviation accidents take place in this zone. I quote: Risk concern is primary with uses for which potential consequences are severe. For example, very high intensity activities in a confined area. This describes exactly what is proposed before you.”*

**Response:** Mike Woodman, Executive Director, Nevada County Airport Land Use Commission provided correspondence dated August 23, 2022, stating that after reviewing the project details and the proposed number of event attendee and employees on site, it was determined that the proposed project does not contain characteristics likely to result in inconsistencies with the compatibility criterial set forth in the Nevada County Airport Land Use Compatibility Plan and gives the approval of the project, on behalf of the Nevada County Airport Land Use Commission (NCALUC).

Supplemental correspondence dated October 13, 2022, substantiating the conclusions of the August 23, 2022, correspondence has also been provided in **Exhibit G** of the Initial Study/Mitigated Negative Declaration.

### **Letter 3 – Correspondence from Don Rivenes:**

*With the adding of the new roof to the building at the Whispering Pines site, I ask that the project install roof-top solar on the roof to meet the goals of the Energy Action Plan. The conceptual drawing appears to show that the roof won't be shaded by vegetation.*

*To meet zero-net energy goals, it would be prudent to eliminate the use of natural gas and made the buildings be all electric. Backup storage could be provided, but it may not be necessary since an event*

*scheduled to occur during a PSPS would probably be cancelled since the probable attendees would have more to worry about than attending a concert. Note: Nearly 60% of new homes nationwide are all electric.*

**Response:** The City has adopted the CA Green Building Code. The applicant shall be required to comply with the applicable Green Building Code at the time of building permit application completeness.