



**PLANNING COMMISSION
STAFF REPORT
September 20, 2022**

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

DATA SUMMARY:

Application Number: 22PLN-18
Subject: InConcert Sierra Whispering Pines Specific Plan Amendments, Use and Development Review Permits.
Location/APN: 125 Crown Point Court/009-700-063
Applicant: Monroe Lovelady, Twin Cities Concert Association
Zoning/General Plan: SP-1A Zone/Business Park
Entitlements: Whispering Pines Specific Plan Amendments, Use and Development Review Permits
Environmental Status: Initial Study/Mitigated Negative Declaration

RECOMMENDATION:

That the Planning Commission recommend that the City Council approve the InConcert Sierra Project, as presented, or as modified by the Planning Commission, which includes the following actions:

1. Adoption of a Mitigated Negative Declaration, prepared for the project, as the appropriate level of environmental review, in accordance with the California Environmental Quality Act (CEQA) and Guidelines;
2. Adoption of a Mitigation Monitoring & Reporting Program (MMRP), implementing and monitoring all Mitigation Measures, in accordance with the California Environmental Quality Act (CEQA) and Guidelines;
3. Adoption of an Ordinance Amending the Whispering Pines Specific Plan and Rezoning the property to create a new Subarea – SP-1A.1 – Public Assembly Uses as presented; and,
4. Adoption of Findings of Fact and Conditions of Approval for the InConcert Sierra Project, as presented.

BACKGROUND:

Grass Valley Broadcasting Company formally occupied the building at 125 Crown Point Court. The property is currently in escrow with InConcert Sierra.

InConcert Sierra is a non-profit presenter and producer of Classical Music in Western Nevada County. Founded in 1946 as Twin Cities Concert Association, InConcert Sierra

presents up to 30 classical music events per year comprising regular season concerts, special concerts, educational programs, etc. The project aim is to provide additional venue space for various genres of music conventions, and conference facilities.

InConcert Sierra and Sierra Stages are both currently in service at different smaller venue facilities in Grass Valley and Nevada City located at: Seventh Day Adventist Church located at 12889 Osborne Road, Grass Valley, and the Nevada theater located in Downtown Nevada City at 401 Broad Street. Both existing entertainment businesses are proposed to take up space within an existing building site location at 125 Crown Point Court in the Whispering Pines Business Park thereby centralizing venues.

ICS will own and operate the building of approximately 41,600 square feet and expects to lease space for music and theatrical productions to other local and regional organizations.

Whispering Pines Specific Plan – The Whispering Pines Specific Plan was adopted in 1984. Within the specific plan area, the SP-1A Zone subarea totals 125 acres. The proposed long-range plan for this subarea is to develop as a Corporate District with a “campus” type character. Uses permitted in the SP-1A Zone include:

Permitted Land Use Categories	Examples
Administrative & Research	<ul style="list-style-type: none"> a. Research Testing b. Experimental Laboratory Facilities c. Division of Corporate Headquarters d. Instrument Design
Restricted Light Industrial	<ul style="list-style-type: none"> a. Semiconductor Manufacturer b. Products Assembly c. Printing and Publishing d. Finished Paper Products e. Photographic Processing
Warehouse/Showroom	<ul style="list-style-type: none"> a. Furniture b. Household Goods c. Commercial Goods of any nature
Employment Center Support	<ul style="list-style-type: none"> a. Restaurant b. Motel – Conference Center c. Automatic Branch Bank d. Gymnasium e. Caretaker Residence f. Day Care Facilities
Office/Professional	<ul style="list-style-type: none"> a. Attorneys b. Accountants c. Doctors d. Architects e. Real Estate Offices

PROJECT DESCRIPTION:

The project includes amendment of the Whispering Pines Specific Plan to allow public assembly concerts and associated uses within the Whispering Pines Specific Plan SP-1A Zone at the project site solely. The Project entitlements include a Text Amendment of the Whispering Pines Specific Plan, Amendment of the Whispering Pines Specific Plan Land

Use Map, Amendment of the Whispering Pines building standards, Use and Development Review Permits as outlined:

1. **Amendments of the Whispering Pines Specific Plan** –

- a. An Amendment of the Whispering Pines Specific Plan text is proposed to create a new Subarea – *SP-1A.1 – Public Assembly Uses*. The text amendment proposes to list Studio uses, such as art, dance, music uses, and theater, or performing arts uses as being permitted uses in the SP -1A.1 Zone with approval of a Use Permit.
- b. An Amendment of the Whispering Pines Specific Plan Map is proposed with zoning reflecting the SP-1A.1 Public Assembly Uses Land Use Designation.
- c. An Amendment of the Whispering Pines Specific Plan Building Standards for Building Height. Maximum building height in the Whispering Pines Specific Plan is 25 feet. The building height standards are proposed to be amended to permit 45 feet in height for the SP-1A.1. – *Public Assembly Uses*.

2. **Use Permit** – A Use Permit Application is required to allow studio uses and a performing arts center for InConcert Sierra in the SP-1A.1 Zone designation.

3. **Development Review Permit** – A Development Review Permit (i.e., Design Review) is required for the Architectural Building Design of the roof expansion for InConcert Sierra in the SP-1A.1 Zone designation.

Performances/Assembly Uses: Performances/Assembly Uses are proposed in three areas of the 41,600 square foot building as illustrated in **Exhibit F – Concert Hall (blue) Black Box (yellow) & Conference Center (lavender) Floor Plans:**



Concert Hall – The proposed 520-seat 9,500 square foot Concert Hall section of the building, identified in blue, will be utilized for acoustical (normally un-amplified) chamber, orchestral, choral, and theatrical performances. A sold-out orchestral performance with choir would result in a total occupancy of 670 persons. A concept is illustrated.



Black Box – The proposed 125 seat 2,500 square foot “Black Box” theater, identified in yellow, would provide a flexible configurable space for various theater and smaller musical performances. With a state crew performance ensemble, maximum total occupancy would be 175 persons. A concept is illustrated.



Conference Center – The proposed 3,000 square foot Conference Center, identified in lavender, could be configured in a variety of ways, and including use of smaller conference rooms which could reach a maximum occupancy of 350 persons.

It is expected that on rare occasions, two of these usages could occur simultaneously, but all three uses would not occur simultaneously.

Regular occupancy by employees of non-profit organizations for office space and building operations will not exceed 30 employees.

Days/Hours of Operation – Hours of operation vary depending on performances and conference schedules. Higher usage is expected on Saturday and Sunday afternoon and evenings. Smaller-occupancy operations will periodically occur on weekday evenings. Occasional larger-occupancy operations will occur on weekends.

Conference Center usage hours will normally be 8:00 a.m. to 5:00 p.m. on scheduled weekdays.

“Black Box” theater usage will be scheduled evenings 7:00 p.m. to 11:00 p.m. with periodic rehearsal and stage set construction activities from 8:00 a.m. to 7:00 p.m. on weekdays and weekends.

Concert Hall usage will be scheduled Sundays 12:00 p.m. to 5:00 p.m. and scheduled weekend evenings 7:00 p.m. to 11:00 p.m. with periodic rehearsals and stage configuration activities from 8:00 a.m. to 11:00 p.m. on weekdays and weekends.

Building Height Modifications – The existing single floor building will have two areas with roof heights raised to accommodate performance acoustics: one area of approximately 9,500 square feet to a maximum of 45 feet in height, and one of approximately 2,500 square feet to a maximum of 35 feet in height (see existing and two-story buildings below).



Parking – The 41,600 square foot building is served by existing onsite parking spaces totaling 204 spaces including 6 accessible ADA parking spaces resulting in a parking ratio of 1 parking space per 203 sq. ft. of building area. No additional on-site parking spaces are planned. However, negotiated parking agreements with adjoining property owners are required to provide additional off-street parking in adjacent property parking lots during evening and weekend operations as required to accommodate larger attended events.

Food/Beverage – Concession drinks and other items will be available to audiences for scheduled performances. Catered food will be prepared in the existing kitchen and available for selected Conference Center activities.

Outdoor Uses – No outdoor uses are proposed with the project.

Noise – With all activities indoors and with significant interior sound insulation planned for the performance spaces, the only sound or noise impact from this project will be from automobile traffic to and from the site as well as conversational noise in the parking lot.

Access, Parking and Circulation – Access to the 41,600 square foot building is from Crown Point Court. Access consists of a dual \pm 20-foot-wide ingress/egress driveway in the center of the site accessing Crown Point Court. No improvement of the access is proposed.

Lighting – No additional lighting is proposed with the project. Existing lighting consists of parking lot lighting and building lighting.

Signage – A monument sign is located on the site at the corner of Crown Point Court and Crown Point Circle. Refacing of the sign is permitted with approval of a sign permit.

SITE DESCRIPTION AND ENVIRONMENTAL SETTING:

The project site is entirely developed with buildings, parking, and landscaping. The project area is mostly developed with business park uses consistent with the Whispering Pines Specific Plan SP-1A Zone designation.

The Nevada County Airport is located approximately 4,700 feet (as the crow flies) from the project site. The project site is in the Compatibility Zone D – Traffic Pattern Zone land use designation according to the Nevada County Airport Land Use Plan.

ENVIRONMENTAL DETERMINATION:

Based upon the Initial Study, Parking was identified as having potentially significant impacts requiring mitigation. Other resource categories were determined to be less than significant or have no impact based upon site and project specific impacts.

In accordance with CEQA Section 15097, the Mitigated Negative Declaration includes a Mitigation Monitoring and Reporting Plan (MMRP). The MMRP identifies the mitigation measures that reduce potential project impacts to a less than significant level.

PUBLIC AND AGENCY COMMENTS:

Public notice of Intent to Adopt a Negative Declaration and Notice of Public Hearing for the project was prepared and posted pursuant to the CEQA Guidelines and State law. The Negative Declaration was circulated for a 20-day public review period commencing on August 26, 2022, and ending close of business on September 14, 2022 (**Attachment 1 – Initial Study/Mitigated Negative Declaration**).

Comment letters on the project are in **Attachment 5 – Comments on Initial Study/Negative Declaration**. A Response to Comments is in **Attachment 6**.

GENERAL PLAN AND ZONING:

General Plan: The City of Grass Valley General Plan designation is Business Park. The Business Park designation replaced the Planned Employment designation introduced in the 1982 General Plan. Business Park is a category as one of the two mixed use designations. The intent of the BP designation is to accommodate a variety of employment-generating land uses in a master-planned, campus type setting, designed to preserve and enhance the natural environment and to fully integrate into the larger community.

The Whispering Pines Specific Plan extends this concept by designating the subarea for primarily high quality “corporate park” type developments. The goal is to establish a “campus-type atmosphere” with a “whispering pines” theme to be achieved throughout the subarea per the development standards.

Multiple 2020 General Plan policies, goals and objectives support economic development and preservation of existing neighborhoods. The policies, goals and objectives include but are not limited to:

- 7-LUG** Create a healthy economic base for the community, including increasing employment opportunities through attraction of new and compatible industry and commerce, and through retention, promotion, and expansion of existing businesses.
- 18-LUO** Creation and retention of wealth in Grass Valley.
- 19-LUO** Employment opportunities for present and future residents.
- 20-LUO** An expanding local tax base.
- 24-LUO** Creation of an economy conducive to quality growth and development.

Zoning Designation – The property is within the Whispering Pines Specific Plan SP-1A Zone. The intent and purpose of the SP-1A Zone is to establish a mixed land use category to promote business and research parks, large individual corporate establishments, professional and administrative office complexes, and selected commercial activities as the predominate land use.

ANALYSIS:

Staff offers the following for Planning Commission and City Council consideration:

Whispering Pines Specific Plan Amendments/Land Use Compatibility – 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.

InConcert Sierra plans to occupy the entirety of the 41,600 square foot building for public assembly entertainment uses. Uses include Studio Uses, such as art, dance, music uses, and theater, or performing arts uses. The uses constitute relatively large-scale indoor facilities for group entertainment. No outdoor uses are proposed with the project. The proposed uses could generate an estimated $\pm 1,050$ attendees/employees should two of the larger proposed uses occur simultaneously. Except for parking, as discussed and mitigated below, the building can accommodate the intended uses, with minimal impact to adjoining properties as outlined and concluded in the Initial Study/Mitigated Negative Declaration. That is, although the project would generate large assembly entertainment uses periodically, the predominate use of the building is anticipated to be less intense than the current office use. Accordingly, use compatibility should not be at issue pending compliance with the parking mitigation measure noted.

Days/Hours of Operation – InConcert Sierra assembly/entertainment uses are in the evenings when many of the Whispering Pines neighboring businesses are closed. Hours of operation vary depending on performances and conference schedules. Higher usage is expected on Saturday and Sunday afternoon and evenings. Smaller-occupancy operations will periodically occur on weekday evenings. Occasional larger-occupancy operations will occur on weekends.

Traffic – A Traffic Study has been prepared by Prism Engineering dated April 28, 2022, for the InConcert Sierra Project. The objective of the Traffic Study is to investigate and analyze the potential for Vehicle Miles Traveled (VMT) impacts relating to the proposed venue location change of two existing performing arts businesses located in the greater Grass Valley/Nevada City area. The analysis of the traffic study is the proposed specific new location for these two existing performing arts businesses known as InConcert Sierra, and Sierra Stages, which are both currently in service at different smaller venue facilities in Grass Valley and Nevada City.

What is unique about the Traffic Study is that for the most part, the InConcert Sierra and Sierra Stages business traffic is already extant on the roadways but are going to two different venue locations. This collaborative project of combining the venue locations will cause all business traffic to relocate to the new location proposed at 125 Crown Point Court. This will change existing travel patterns towards the proposed facility where all concerts will be hosted, theater performances will take place, as well as all contain onsite all office facilities relating to these performing arts businesses.

The conclusions of the Traffic Study noted that the project will have significantly less vehicles in motion on less days, resulting in a minor reduction in greenhouse gas emissions (and VMT) during a year, and even on a monthly basis.

Parking – The project site includes 204 parking spaces including 6 accessible ADA parking spaces resulting in a parking ratio of 1 parking space per 203 sq. ft. of building floor area. No additional on-site parking spaces are planned.

As noted in the project description, the proposed 520-seat 9,500 square foot Concert Hall section of the building will be utilized for acoustical (normally un-amplified) chamber, orchestral, choral, and theatrical performances. A sold-out orchestral performance with choir would result in a total occupancy of up to 670 persons.

The proposed 125 seat 2,500 square foot “Black Box” theater would provide a flexible configurable space for various theater and smaller musical performances. With a state crew performance ensemble, maximum total occupancy would be 175 persons.

The proposed 3,000 square foot Conference Center could be configured in a variety of ways, including use of smaller conference rooms which could reach a maximum occupancy of 350 persons.

Regular occupancy by employees of non-profit organizations for office space and building operations will not exceed 30 employees.

It is expected that on rare occasions, two of these uses could occur simultaneously, but all three uses would not occur simultaneously. As such, if the Concert Hall and Conference Center were to be conducted at the same time, up to ±1,050 persons could occupy the site. Even if attendees doubled up for each vehicle, this would amount to 525 vehicles or 321 parking spaces short of the projected vehicle 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 following mitigation measure would reduce this potential impact to a less than significant level:

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, the applicant shall submit off-site parking agreements for review and approval that satisfy the event attendance. 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 above parking mitigation measure will reduce any parking deficiencies with the proposed project.

ATTACHMENTS:

Attachment 1 – Initial Study/Mitigated Negative Declaration with the following Exhibits, Tables, Attachments and Figures:

Exhibits:

- Exhibit A** – Vicinity Map
- Exhibit B** – Aerial Photograph
- Exhibit C** – Site Plan
- Exhibit D** – Site Photographs
- Exhibit E** – Proposed Floor Plan
- Exhibit F** – Colored Concert Hall, Black Box and Conference Center Floor Plans
- Exhibit G** – Existing and Proposed Building Height Increase
- Exhibit H** – Nevada County Airport Land Use Commission Correspondence dated August 23, 2022
- Exhibit I** – Theatre Seating Example
- Exhibit J** – Black Box Theatre Example

TABLES:

- Table 1** – Project Construction and Operational Estimates
- Table 1.-** Level of Service (LOS) Definitions
- Table 2** – VMT Calculation distances from Zip Code Centroid to Performing Arts Venue Locations (Old and New)
- Table 3** – VMT Calculations by Trip Generation

FIGURES:

- Figure 1** – Levels of Service of Local Roadways and Intersections 6:30 p.m. to 7:30 p.m.
- Figure 2** – Intersection Turning Movements Values 6:30 p.m. to 7:30 p.m.
- Figure 3** – InConcert Sierra Travel Patterns and Vehicle Totals by Zip Code Area
- Figure 4** – Sierra Stages Travel Patterns and Vehicle Totals by Zip Code Area
- Figure 5** – Sampling of how Google Map Tool was used to determine Trip Distances Between Zip Code Areas and Venue Locations
- Figure 6** – Project Site Proposed Building Modifications

- Attachment 2** – Mitigation Monitoring and Reporting Plan
- Attachment 3** – Findings and Conditions of Approval
- Attachment 4** – Ordinance No. _____ Rezoning the Properties to the Whispering Pines Specific Plan SP – 1A.1 Zone with **Exhibit A**.
- Attachment 5** – Project Comments
- Attachment 6** – Response to Comments



ATTACHMENTS

**CITY OF GRASS VALLEY
COMMUNITY DEVELOPMENT DEPARTMENT**



**Initial Study & Mitigated Negative Declaration – InConcert Sierra –
Whispering Pines Specific Plan Amendments, Use Permit and Development
Review Permit**

**125 Crown Point Court, Grass Valley, CA 95945
(22PLN-18)**



August 26, 2022

ATTACHMENT 1

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INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION

InConcert Sierra – Whispering Pines Specific Plan Amendments, Use Permit and Development Review Permits

In accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15063 (Initial Study), the City of Grass Valley has prepared this Initial Study to assess the potential environmental impacts of the proposed InConcert Sierra Project which includes entitlements of: 1) A text amendment of the Whispering Pines Specific Plan; 2) Amendment of the Whispering Pines Specific Plan Map; 3) Amendment of the Whispering Pines building standards; 4) Use Permit; and, 5) Development Review Permit. On the basis of the Initial Study, the City finds that the proposed project will not have a significant adverse effect on the environment and will not require the preparation of an Environmental Impact Report. Therefore, this Mitigated Negative Declaration has been prepared as the appropriate level of environmental review in accordance with CEQA and the CEQA Guidelines Sections 15063 and 15070 et. seq.

Public and Agency Review:

This Initial Study/Mitigated Negative Declaration is being circulated for a **20-day** public and agency review commencing **August 26, 2022**, and ending close of business on **September 14, 2022**. Copies of this Initial Study and cited references may be obtained at the City of Grass Valley Community Development Department at the address noted below. Written comments on this Initial Study/Mitigated Negative Declaration may also be addressed as noted below.

Project title: InConcert Sierra Whispering Pines Specific Plan Amendments, Use Permit and Development Review Permits – (22PLN-18) – located at 125 Crown Point Court, Grass Valley, CA 95945.

Lead agency name and address:

City of Grass Valley Community Development Department
125 E. Main Street
Grass Valley, CA 95945

Contact person, phone number, and e-mail:

Lance E. Lowe, AICP, Principal Planner
125 E. Main Street
Grass Valley, CA 95945
530-274-4716
lancel@cityofgrassvalley.com

Project Location and Site Description:

The project site is located at 125 Crown Point Court consisting of ±5.53 acres (APN: 009-700-063). The project site is in Section 25, Township 16N, Range 8E Mt. Diablo Base Meridian on City of Grass Valley 7.5-minute USA quadrangle. Approximate coordinates of the center of the site are 39.218170 north and -121.027550 west (**Exhibit A – Vicinity Map** and **Exhibit B – Aerial Photograph**).

Exhibit A - Vicinity Map

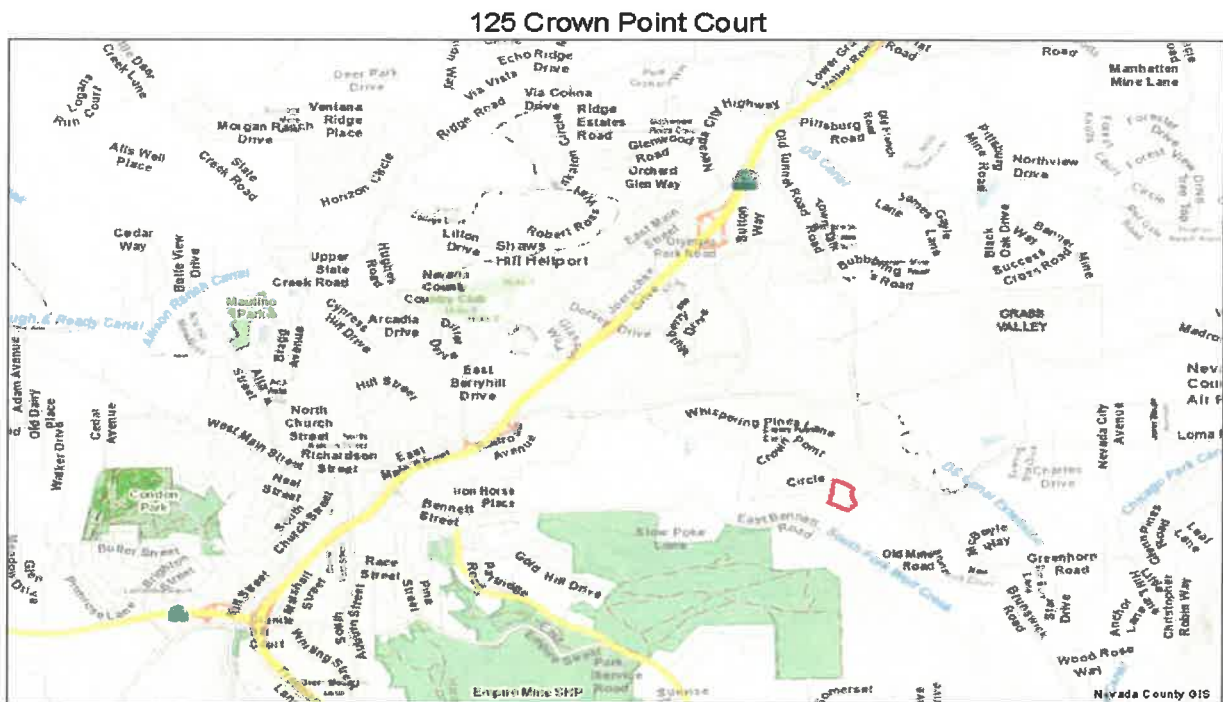
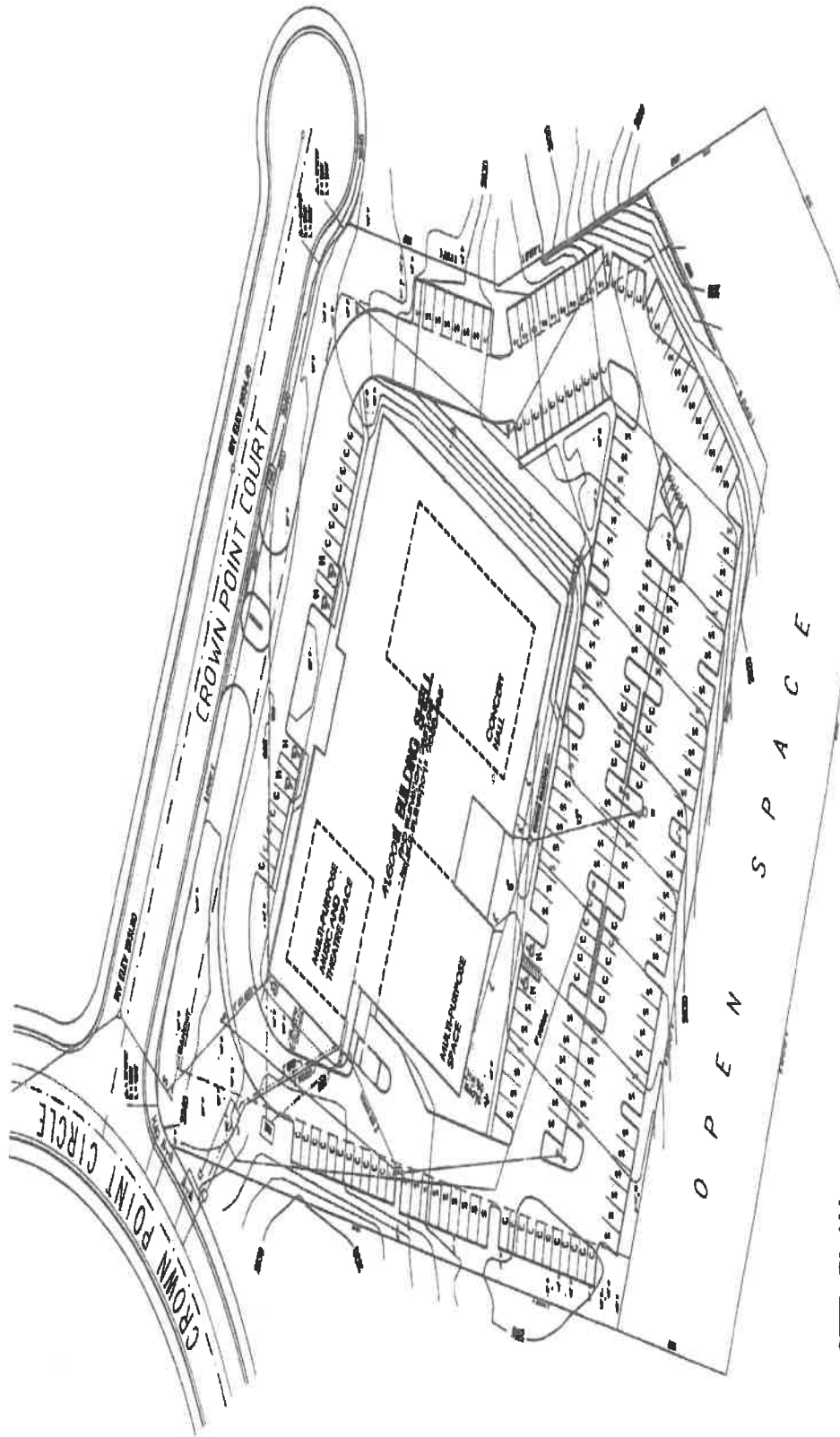


Exhibit B - Aerial Photograph



Exhibit C - Site Plan



GEN
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Existing Improvements:

The project site is entirely developed with buildings, parking, and landscaping. The 41,600 square foot building is served by existing onsite parking spaces totaling 204 standard and compact parking spaces including 6 accessible ADA parking spaces resulting in a parking ratio of 1 parking space per 203 sq. ft. of building area.

Surrounding Land Uses:

The project area is mostly developed with business park uses consistent with the Whispering Pines Specific Plan SP-1A Zone designation.

The Nevada County Airport is located approximately 4,700 feet (as the crow flies) from the project site. The project site is located in the Compatibility Zone D - Traffic Pattern Zone land use designation according to the Nevada County Airport Land Use Plan.

(Exhibit D – Site Photographs)



Project Objective:

InConcert Sierra is a non-profit presenter and producer of Classical Music in Western Nevada County. Founded in 1946 as Twin Cities Concert Association, InConcert Sierra presents up to 30 classical music events per year comprising regular season concerts, special concerts, educational programs, etc. The project aim is to provide additional venue space for various genres of music conventions, and conference facilities.

InConcert Sierra and Sierra Stages are both currently in service at different smaller venue facilities in Grass Valley and Nevada City. Current venue locations are: The Seventh Day Adventist Church located at 12889 Osborne Road, in Grass Valley, and the Nevada Theatre located in Downtown Nevada City at 401 Broad Street. Both existing entertainment businesses are proposed to take up space within an existing building site location at 125 Crown Point Court in the Whispering Pines Business Park thereby centralizing venues.

Project sponsor's name and address:

Twin Cities Concert Association
DBA InConcert Sierra
333 Crown Point Circle, Suite 125
Grass Valley, CA 95959
Attn: Monroe Lovelady

Background:

In September 1982, the City of Grass Valley adopted an updated General Plan. It designated 84 percent of the site as a suitable location for a planned employment center and the remainder as a manufacturing-industrial district. The General Plan recommends that a specific plan be prepared for planned employment centers prior to City approval of development plans.

The Specific Plan for the Whispering Pines Corporate Community was prepared in 1983 to meet these planning requirements, overcome site development obstacles and spell out how this area should be developed. The Specific Plan includes planning recommendations which are much more detailed than the General Plan, yet it is not as detailed as a subdivision proposal. The intermediate level of detail allows considerable flexibility on the part of each owner within the Specific Plan area to respond individually to changing market conditions within a guiding framework.

The Specific Plan also establishes a development concept as the basis for coordination among the landowners and provides guarantees for a managed environment, both of which are attractive to firms seeking locations in the community. The result should be higher returns to investment for landowners and developers, jobs added to the community, and needed tax revenues to public agencies.

PROJECT DESCRIPTION:

The relocation of InConcert Sierra and Sierra Stages requires amendment of the Whispering Pines Specific Plan. The Project entitlements include a Text Amendment of the Whispering Pines Specific Plan, Amendment of the Whispering Pines Specific Plan Land Use Map, Amendment of the Whispering Pines building standards, Use Permit and Development Review Permit as outlined:

1. Amendments of the Whispering Pines Specific Plan -

- a. An Amendment of the Whispering Pines Specific Plan text is proposed to create a new Subarea - *SP-1A.1 - Public Assembly Uses*. The text amendment proposes to list Studio uses, such as art, dance, music uses, and Theater, or performing arts uses as being permitted uses in the SP -1A.1 Zone with approval of a Use Permit.
- b. An Amendment of the Whispering Pines Specific Plan Map is proposed with zoning reflecting the SP-1A.1 Public Assembly Uses Land Use Designation.
- c. An Amendment of the Whispering Pines Specific Plan Building Standards for Building Height. Maximum building heights in the Whispering Pines Specific Plan is 25 feet. The building height standards are proposed to be amended to permit 45 feet in height for the SP-1A.1. - *Public Assembly Uses*.

2. Use Permit - A Use Permit Application is required to allow studio uses and a performing arts center for InConcert Sierra in the SP-1A.1 Zone designation.

3. Development Review Permit - A Development Review Permit (i.e. Design Review) is required for the Architectural Building Design of the roof expansion for InConcert Sierra in the SP-1A.1 Zone designation.

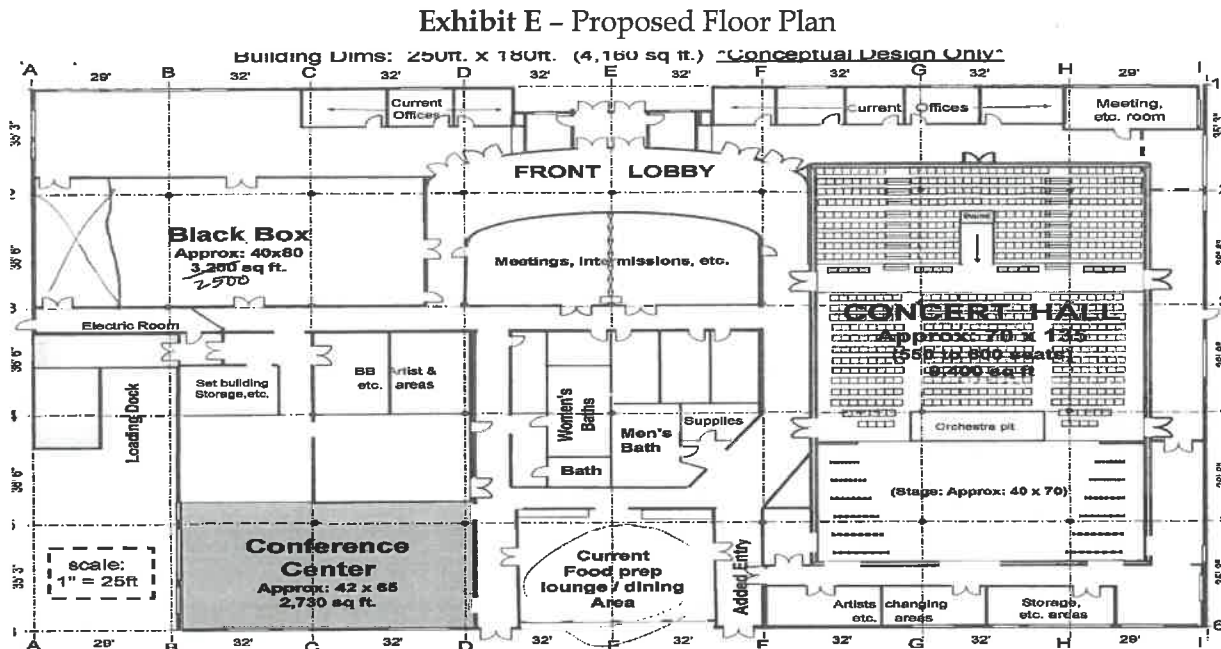
InConcert Sierra (ICS) is a fictitious business name for Twin Cities Concert Association, Inc. (TCCA). TCCA was founded in 1946 and has been in continuous operation since. The primary activity has been music concerts and music education for adults and youth. Major concerts with audiences of up to 500 persons have been presented every month except June through August for many years. Smaller performances and events occur in homes and other venues throughout the year. Major educational programs include Music on Wheels, presented at senior residence facilities, and the Composers Projects where youth and adults learn to compose original music.

ICS will own and operate the building of approximately 41,600 square feet and expects to lease space for music and theatrical productions to other local and regional organizations. According to ICS preliminary discussions with several other organizations have occurred, and in each case, there has been significant support for having this facility available in the Grass Valley community.

The project is planned in response to a significant demand within Western Nevada County and the surrounding region for professional level performance spaces for non-amplified music and theater. Because these uses are proposed to be housed in a building with significant additional

space, the project also meets the additional community demand for conference and group meeting space. The size of the facility with ample parking and a significant emergency power source also makes the space potentially useable as an emergency operations center.

Performances/Assembly Uses: Performances/Assembly Uses are proposed in three areas of the 41,600 square foot building as illustrated in Exhibit E.



See **Exhibit F** on following page – *Concert Hall, Black Box & Conference Center Colored Floor Plans*

Concert Hall – The proposed 520-seat 9,500 square foot Concert Hall section of the building, identified in blue, will be utilized for acoustical (normally un-amplified) chamber, orchestral, choral, and theatrical performances. A sold-out orchestral performance with choir would result in a total occupancy of 670 persons.

Black Box – The proposed 125 seat 2,500 square foot “Black Box” theater, identified in yellow, would provide a flexible configurable space for various theater and smaller musical performances. With a state crew performance ensemble, maximum total occupancy would be 175 persons.

Conference Center – The proposed 3,000 square foot Conference Center, identified in lavender, could be configured in a variety of ways, and including use of smaller conference rooms could reach a maximum occupancy of 350 persons.

Exhibit F – Concert Hall, Black Box & Conference Center Floor Plans



It is expected that on rare occasions, two of these usages could occur simultaneously, but all three uses would not occur simultaneously.

Regular occupancy by employees of non-profit organizations for office space and building operations will not exceed 30 employees.

Days/Hours of Operation – Hours of operation vary depending on performances and conference schedules. Higher usage is expected on Saturday and Sunday afternoon and evenings. Smaller-occupancy operations will periodically occur on weekday evenings. Occasional larger-occupancy operations will occur on weekends.

Conference Center usage hours will normally be 8:00 a.m. to 5:00 p.m. on scheduled weekdays.

“Black Box” theater usage will be scheduled evenings 7:00 p.m. to 11:00 p.m. with periodic rehearsal and stage set construction activities from 8:00 a.m. to 7:00 p.m. on weekdays and weekends.

Concert Hall usage will be scheduled Sundays 12:00 p.m. to 5:00 p.m. and scheduled weekend evenings 7:00 p.m. to 11:00 p.m. with periodic rehearsals and stage configuration activities from 8:00 a.m. to 11:00 p.m. on weekdays and weekends.

Building Height Modifications – The existing single floor building will have two areas with roof heights raised to accommodate performance acoustics: one area of approximately 9,500 square feet to a maximum of 45 feet in height, and one of approximately 2,500 square feet to a maximum of 35 feet in height (see existing and two-story buildings below).



Exhibit G – Existing and Proposed Building Height Increase

Parking - The 41,600 square foot building is served by existing onsite parking spaces totaling 204 including 6 accessible ADA parking spaces resulting in a parking ratio of 1 parking space per 203 sq. ft. of building area. No additional on-site parking spaces are planned. However, negotiated parking agreements with adjoining property owners are required to provide additional off-street parking in adjacent property parking lots during evening and weekend operations as required to accommodate larger attended events.

Food/Beverage - Concession drinks and other items will be available to audiences for scheduled performances. Catered food will be available for selected Conference Center activities.

Outdoor Uses - No outdoor uses are proposed with the project.

Noise - With all activities indoors and with significant interior sound insulation planned for the performance spaces, the only sound or noise impact from this project will be from automobile traffic to and from the site as well as conversational noise.

Access, Parking and Circulation - Access to the 41,600 square foot building is from Crown Point Court. Access consists of a dual ± 20 -foot-wide ingress/egress driveway in the center of the site accessing Crown Point Court.

Lighting - No additional lighting is proposed with the project. Existing lighting consists of parking lot lighting and building lighting.

Signage - A monument sign is located on the site at the corner of Crown Point Court and Crown Point Circle. Refacing of the sign is permitted with approval of a sign permit.

Topography - The site is relatively flat with less than 5% grades throughout. The site and buildings will be improved to meet ADA accessibility standards upon renovation, where required.

Drainage - The site drains from north to south with drainage outfall into the open space areas at the south end of the property. No additional drainage improvements are proposed with the project.

Utilities - Water Supply: The subject property is served by Nevada Irrigation District (NID). Extension and/or upgrade of NID water facilities is not required for the project.

Sanitary Sewer - The subject property is served by the City of Grass Valley for sewer. Extension and/or upgrade of City sewer facilities is not required for the project.

Dry Utilities - Dry utilities (i.e., natural gas, electrical supply, telephone, cable) are located along Crown Point Court. Extension and/or upgrade of dry utilities is not required for the project.

General Plan Land Use Designation - The City of Grass Valley General Plan designation is Business Park. The Business Park designation replaces the Planned Employment designation introduced in the 1982 General Plan. Business Park is a category as one of the two mixed use designations. The intent of the BP designation is to accommodate a variety of employment-

generating land uses in a master-planned, campus type setting, designed to preserve and enhance the natural environment and to fully integrate into the larger community.

The Whispering Pines Specific Plan extends this concept by designating the subarea for primarily high quality “corporate park” type developments. The goal is to establish a “campus-type atmosphere” with a “whispering pines” theme to be achieved throughout the subarea per the development standards in Chapter 4 of the Whispering Pines Specific Plan.

Zoning Designation – The property is within the Whispering Pines Specific Plan SP-1A Zone. The intent and purpose of the SP-1A Zone is to establish a mixed land use category to promote business and research parks, large individual corporate establishments, professional and administrative office complexes, and selected commercial activities as the predominate land use

Regulatory Setting and Required Agency Approvals

The following City of Grass Valley, Responsible and/or Trustee Agency permits are required prior to approval of the InConcert Sierra Project:

- City of Grass Valley Community Development Department – Building Plan Approvals and Conditions of Approval/Mitigation Measure compliance verification.
- City of Grass Valley Building and Fire Departments – Building Plan and Fire Apparatus Approvals.
- Nevada County Environmental Health Department (NDEHD) – An operator’s permit shall be obtained from Nevada County Environmental Health Department for the project for the serving of food and beverages.
- Nevada County Transportation Commission (NCTC) – Land Use Consistency with the adopted Nevada County Airport Land Use Compatibility Plan dated September 21, 2011 is required by NCTC.

Evaluation of Environmental Impacts:

- 1) A brief explanation is required for all answers except “NO Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to a project like the one involved (e.g. the project falls outside a fault rupture zone). A “NO Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) **“Potentially Significant Impact”** is appropriate if there is substantial evidence that an effect is significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an Environmental Impact Report (EIR) is required.
- 4) **“Potentially Significant Unless Mitigation Incorporated”** applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
- 5) **“Less-Than-significant Impact:”** Any impact that is expected to occur with implementation of the project, but to a less than significant level because it would not violate existing standards.
- 6) **“No Impact:”** The project would not have an impact to the environment.
- 7) Earlier analyses may be used where, pursuant to Tiering, Program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or Negative Declaration.
- 8) Lead agencies are encouraged to incorporate into the checklist reference to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture & Forestry Resources | <input checked="" type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input type="checkbox"/> Geology/Soils | <input checked="" type="checkbox"/> Greenhouse Gases | <input type="checkbox"/> Haz/Hazardous Mat. |
| <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input checked="" type="checkbox"/> Transportation | <input type="checkbox"/> Util./Service Systems |
| <input type="checkbox"/> Wildfire | <input type="checkbox"/> Man. Findings/Significance | <input type="checkbox"/> None |

DETERMINATION: (To be completed by the Lead Agency) On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


Lance E. Lowe, AICP, Principal Planner


Date

EVALUATION OF ENVIRONMENTAL IMPACTS:**I. AESTHETICS –**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
--	--------------------------------------	---	------------------------------------	-----------

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

SETTING

The aesthetic value of an area is a measure of its visual character and quality, combined with the viewer response to the area (*Federal Highway Administration, 1983*). The visual quality component can best be described as the overall impression that an individual viewer retains from residing in, driving through, walking through, or flying over an area. Viewer response is a combination of viewer exposure and viewer sensitivity. Viewer exposure is a function of the number of viewers, the number of views seen, the distance of the viewers, and the viewing duration. Viewer sensitivity relates to the extent of the public's concern for a particular view shed (*U.S. Bureau of Land Management, 1980*).

The *City of Grass Valley 2020 General Plan* notes that the City does not contain any officially designed scenic highways or vistas, but generally acknowledges the City and its surroundings as having a wide range of landscapes, scenic vistas and visual resources.

Sources of existing light and glare in the project area are streetlights, residential lighting and parking lot lighting from adjoining land uses.

IMPACTS

- a)&b) The project includes extension of the existing roof for auditorium events. As illustrated, the design and materials are consistent with the existing architecture of the building. The project will not have a substantial adverse effect on a scenic vista or substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway. No impact will occur.

- c) Distinguishing between public and private views is important when evaluating changes to visual character or quality, because private views are views seen from privately-owned land and are typically associated with individual viewers, including views from private residences. Public views are experienced by the collective public and include views of significant landscape features and along scenic roads. According to CEQA (Pub. Resources Code, § 21000 et seq.) case law, only public views, not private views, are protected. For example, in *Association for Protection etc. Values v. City of Ukiah* (1991) 2 Cal.App.4th 720 [3 Cal. Rptr.2d 488], the court determined that “we must differentiate between adverse impacts upon particular persons and adverse impacts upon the environment of persons in general.” As recognized by the court in *Topanga Beach Renters Assn. v. Department of General Services* (1976) 58 Cal.App.3d 188 [129 Cal.Rptr. 739]: “[A]ll government activity has some direct or indirect adverse effect on some persons. The issue is not whether [the project] will adversely affect particular persons but whether [the project] will adversely affect the environment of persons in general.” Therefore, the focus in this section is on potential impacts to public views. Sensitive public viewers in the surrounding area would primarily consist of motorists, pedestrians, and bicyclists travelling along Whispering Pines Court.

Generally, new development, if not carefully designed, can result in adverse impacts on sites open to public view. Adopted policies of the City’s General Plan Community Design Element (Chapter 10 of the 2020 General Plan) aim to preserve the desirable physical and design features in Grass Valley and carry them over into new development so that old and new development appear compatible. The City’s Community Design element states that new development within established areas shall be consistent in terms of scale, design, and materials.

The architectural design of the project includes architectural detailing, natural materials and colors consistent with the existing building and adjoining buildings in accordance with the Whispering Pines and the City’s Community Design Guidelines as illustrated in the project description. This potential impact is less than significant.

- d) Existing sources of day and nighttime light within and around Grass Valley include those common to developed areas, including motor vehicle lights along Crown Point Court, City and County streetlights, parking lot lighting, building lighting and signage in the project area.

No additional lighting is proposed for the building renovation, so no additional impacts will occur.

II. AGRICULTURE RESOURCES & FOREST RESOURCES—	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SETTING

“Agricultural Land” is defined as prime farmland, farmland of statewide importance, or unique farmland, as defined by the *United States Department of Agriculture Land Inventory* and monitoring criteria, as modified for California.

The project site is developed, within an urban setting. No agricultural operations or forestry lands have existed on the project site for many years as defined according to the *U.S. Department of Agriculture*. Although, the property contains trees, the project site does not fall under the definition of forest lands as defined by *Public Resources Code Section 12220(g)*.

IMPACTS

- a)&b) The project site is designated as “*Urban and Built-up Land*” as defined according to the *U.S. Department of Agriculture*. As defined, “*Urban and Built-up Land* is used for residential, industrial, commercial, construction, institutional, and public administrative purposes. Highways and other transportation facilities are also mapped as a part of *Urban and Built-up Land* if they are a part of the surrounding urban areas.”

The *California Resources Agency farmland mapping program* does not identify the project site or vicinity as having Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The proposed project area has been designated for urban development zoned for office professional and similar uses according to the *Whispering Pines Specific Plan*.

Considering no farmland as defined by CEQA exists within the project area, the proposed project will not involve conversion of farmland or zoning for agricultural use, including any farmlands under Williamson Act Contract. No impact will occur.

- c)-e) As noted in the project setting above, the project will not conflict with existing zoning or cause the rezoning of forest land (as defined in Public Resources Code Section 12220(g), timberland (as defined by Public Resources Code Section 4526), or timberland zoned timberland Production (as defined by Government Code Section 51104(g)).

All improvements will occur within the existing building footprint. However, should trees require removal due to ADA or other improvements, the applicant will be required to obtain a Tree Removal Permit from the City of Grass Valley in accordance with *Chapter 12.36 of the City's Municipal Code*. Prior to removing trees, the City's Tree Permit standards requires mitigation for the loss of protected trees with payment of in-lieu fees or replanting on-site or combination thereof. No impact will occur.

III. AIR QUALITY –

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in a cumulative considerable net increase in any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SETTING

The project is located within the *Northern Sierra Air Quality Management District's (NSAQMD)* jurisdiction. The overall air quality in Nevada County is good but two known air quality problems exist, Ozone and Suspended Particulate Matter (PM-10). Nevada County is a "non-attainment" for both pollutants. PM-10 in Grass Valley meets federal ambient ozone standards but exceeds the more stringent State standards in the winter, primarily due to smoke created from wood stoves and fireplaces. Violations in the summer months have been noted during forest fires or periods of open burning. PM-10 is usually associated with dust generated during construction. Western Nevada

County is a non-attainment area for the federal 8-hour ozone standard and the entire county is non-attainment for the state one-hour ozone standard.

The NSAQMD has adopted standard regulations and conditions of approval for projects that exceed certain air quality threshold levels to address and mitigate both short-and long-term air quality emissions. The NSAQMD has established the below thresholds of significance for PM-10 and the precursors to ozone, which are reactive organic gases (ROG) and nitrogen oxides (NOx). The NSAQMD has developed a three-tiered approach to significance levels A through C: A project with emissions meeting Level A thresholds require the most basic mitigations; projects with projected emissions in the level B range requiring more extensive mitigations; and those projects which exceed Level C thresholds, requiring an Environmental Impact Report to be prepared, which may result in even more extensive mitigations.

IMPACTS

- a) The InConcert Project does not conflict with or obstruct implementation of an air quality plan prepared by NSAQMD. No impact will occur.
- b-c) Project building construction will be required to comply with NSAQMD standard threshold regulations and air quality mitigations and therefore will not result in a cumulative considerable net increase in any pollutant for which the project region is non-attainment under applicable federal or state ambient air quality standards.

Construction-related emissions vary substantially depending on the level of construction activity, length of the construction period, specific construction operations, types of equipment, number of personnel, wind, precipitation conditions, and soil moisture content. In its developed condition as a transient recreational use, air pollutant emissions would be generated by, but not limited to emissions from proposed HVAC units and vehicle trips.

Energy use emissions are generated by on-site natural gas and propane consumption for space and water heating and cooling. Area source emissions are generated by landscape maintenance equipment, consumer products, and architectural coatings.

Operational emissions include mobile source emissions, energy use emissions, and area source emissions. Mobile source emissions are generated by motor vehicle trips. According to the traffic analysis, the project will have significantly less vehicles in motion on less days, resulting in a minor reduction in greenhouse emissions (and VMT) during a year, and even on a monthly basis.

In review of the project, the *California Emission Estimator Model (CalEEMod) Version 2016.3.2*, emissions modeling program was used to estimate air pollutant emissions associated with the InConcert Project. CalEEMod quantifies construction emissions associated with the use of off-road equipment, on-road worker commute, construction delivery and haul trucks, and application of architectural coatings. The software calculates construction emissions by construction phase based primarily on anticipated equipment (e.g., graders, dozers, forklifts), hours of use, estimated area of disturbance, number of vehicles, and distance of vehicle trips.

According to *CalEEMod* modeling results, air quality impacts for both construction and long-term operational (occupancy) phases would be less than significant for all regulated air pollutants. That is, the daily emissions are all below the Level B thresholds adopted by NSAQMD as quantified in Table 1:

TABLE 1 – Project Construction and Operational Emissions Estimates

	ROG (lbs/day)	NOx (lbs/day)	PM ₁₀ (lbs/day)	CO (lbs/day)
Project Construction Impacts	49.96	39.96	28.35	21.62
Project Operational Impacts	1.158	.0392	2.980	.0329
Level A Thresholds				
NSAQMD- Significance Thresholds	ROG (lbs/day)	NOx (lbs/day)	PM ₁₀ (lbs/day)	N/ A
	<24 lbs/day	<24lbs/day	<79lbs/day	
Level B Thresholds				
Maximum Project Emissions	ROG (lbs/day)	NOx (lbs/day)	PM ₁₀ (lbs/day)	N/ A
	24-136 lbs/day	24/136 lbs/day	79-136 lbs/day	
Level C Thresholds				
Maximum Project Emissions	ROG (lbs/day)	NOx (lbs/day)	PM ₁₀ (lbs/day)	N/ A
	>136 lbs/day	>136 lbs/day	>136 lbs/day	

As shown in Table 1 daily emissions generated by construction and operation of the proposed project would not exceed the thresholds of significance in the NSAQMD Guidelines. As a result, the proposed project would not result in potentially significant air quality impacts and would not conflict with or obstruct implementation of the NSAQMD air quality plan and standards. Moreover, the proposed InConcert Sierra Project would not violate the thresholds of significance established by NSAQMD for ozone precursors and PM₁₀, the two criteria pollutants which the region is classified as non-attainment.

Construction emissions are temporary in nature but have the potential to represent a significant short term air quality impact. Operation of off-road construction equipment and vehicles, mobile sources (e.g. delivery vehicles, construction worker vehicles), and architectural coatings generate PM, Nox, and ROG emissions. Generation of these emissions are a function of the types and number of heavy-duty and off-road equipment used and the intensity and frequency of their operation, as well as vehicle trips per day associated with delivery of construction materials, the importing and exporting of soil, vendor trips, and worker commute trips, and the ROG concentration of architectural coatings. Fugitive dust emissions are also among the pollutants of greatest concern during construction activities and depend greatly on required operations, number and type of vehicles, vehicle speeds, local soil and weather conditions, and extent of site disturbance.

Construction of the InConcert Sierra Project would involve interior demolition, interior tenant improvements and architectural coating activities.

The nearest sensitive receptors (i.e. residential uses) are located ± 200 feet from the project site to the south and west. Impacts of the InConcert Sierra Project site will result from initial long-term operation of the assembly use facility. Initial construction-related air pollutant emissions would originate from mobile and stationary sources including but not limited to construction equipment exhaust, dust resulting from painting, and asphalt and/or concrete paving, as applicable.

Since operational emissions would be in accordance with accepted thresholds and construction-related emissions would be short-term, the proposed project's emissions are not anticipated to expose sensitive receptors to substantial pollutant concentrations. Therefore, impacts are anticipated to remain less than significant.

- d) The project will not result in other emissions (such as those leading to odors adversely affecting a substantial number of people) No impact will occur.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES –				
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect state or federally protected wetlands. (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IV. BIOLOGICAL RESOURCES –

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SETTING

The project site is entirely developed with the 41,600 square foot of building, parking and landscaping. No additional development is proposed, which may affect Biological Resources.

IMPACTS

a) No biological impacts will occur as no development is occurring. No impact will occur.

b-c) The project will not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

Additionally, the project will not have a substantial adverse effect on state or federally protected wetlands. (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. No impact will occur.

d) The project will not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. No impact will occur.

e) The project will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. No impact will occur.

f) The property has been slated for urban development according to the *Nevada County General Plan and City of Grass Valley 2020 General Plan*. The project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. No impact will occur.

V. CULTURAL RESOURCES –

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

TRIBAL CULTURAL RESOURCES –

Would the project:

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set for the in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

SETTING

The site contains an existing 41,600 square foot building and related parking, landscaping, and lighting. Except for an increase in the roof height and interior tenant improvements within the existing footprint, no additional site disturbance is proposed.

IMPACTS

- a-c) The project will not cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5. of the Public Resources Code. No impact will occur.

The project will not directly or indirectly destroy a unique archaeological resource or site. No impact will occur.

The project will not disturb any human remains, including those interred outside of formal cemeteries. No impact will occur.

- c-e) The project will not impact resources listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k). No impact will occur.

The project will not impact a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set for the in subdivision (c) of Public Resources Code Section 5024.1. No impact will occur.

VI. ENERGY –

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SETTING

Electricity and natural gas are the two primary forms of energy used in the City of Grass Valley and are provided by *Pacific Gas and Electric (PG&E)*. Grass Valley has already implemented programs that have resulted in or will lead to benefits in the form of energy efficiency, renewable energy, and water efficiency.

Energy conservation standards for new residential and commercial buildings were originally adopted by the *California Energy Resources Conservation and Development Commission* in June 1977; have been updated periodically since and have been updated again last year (*Title 24, Part 6 of the California Code of Regulations*). In general, Title 24 requires the design of building shells and building components to conserve energy. The standards are updated periodically to allow for consideration and possible incorporation of new energy efficiency technologies and methods.

In July 2008, the *California Building Standards Commission* adopted the nation's first green building standards. The *California Green Building Standards Code* (Part II, Title 24) was adopted as part of the *California Building Standards Code* (*Title 24, California Code of Regulations*). Part 11 establishes voluntary standards on planning and design for sustainable site development.

energy efficiency (in excess of California Energy Code requirements), water conservation, material conservation, and internal air contaminants.

IMPACTS

- a)&b) Renovation of the 41,600 square foot building is subject to compliance with *Title 24* energy efficiency standards and *Green Building Codes* adopted by the City of Grass Valley. Approved building plans will be in accordance with Title 24 and Green Building Standards for energy efficiency standards. The project will not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Due to the Green Building recycling and Title 24 energy provisions, these impacts are considered less than significant.

VI. GEOLOGY AND SOILS –

Would the project:

- a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in the Building Code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SETTING

Nevada County is part of the Sierra Nevada Range, a geologic block approximately 400 miles long and 80 miles wide which extends in a north-south bank along the eastern portion of California. The terrain of Nevada County is distinctly characterized by two features of the Sierra Nevada. The western third of the county is comprised of rolling foothills which form a transition between the low-lying Sacramento Valley and the mountains to the east. The area extending from the Yuba County line to just northeast of Grass Valley/Nevada City area is generally comprised of metavolcanic (Mesozoic Jura-Trias Metavolcanic) and granite (Mesozoic Granitic) formations.

Grass Valley is not within an Alquist-Priolo zone as defined in DMG Special Report 42 (DMG 1997). However, ground movement can be felt in Grass Valley from earthquakes at intermediate distances (i.e. the Truckee earthquake of 1968) and from distant earthquakes (i.e. Winters-Vacaville 1892 event).

IMPACTS

- a) The project will not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault.

The project is not anticipated to be subject to strong seismic ground shaking, seismic-related ground failure, including liquefaction or landslides. No impact will occur.

- b) The project will not result in substantial soil erosion or the loss of topsoil. No impact will occur.
- c) The project is not located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse. No impact will occur.
- d) The project is not located on expansive soil, as defined in the Building Code, creating substantial risks to life or property. No impact will occur.
- e) The project will not entail the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater. No impact will occur.
- g) The project will not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. No impact will occur.

VII. GREENHOUSE GASES –

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Generate Greenhouse emissions, either directly or indirectly, that may have a significant impact on the environment. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with any applicable plan, policy or regulation of any agency adopted for the purpose of reducing the emissions of greenhouse gases. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

SETTING

The City of Grass Valley has not conducted a greenhouse gas emissions inventory or adopted a Climate Action Plan, performance standards, or a GHG efficiency metric.

However, the City has adopted an *Energy Action Plan* and the *Grass Valley 2020 General Plan* includes numerous goals, policies, and programs which, if implemented, will reduce Grass Valley's impacts on global climate change and reduce the threats associated with global climate change to the City. CEQA Guidelines Section 15064.4 provides direction to lead agencies in determining the significance of impacts from GHG emissions. Section 15064.4(a) calls on lead agencies to make a good faith effort, based upon available information, to describe, calculate or estimate the amount of GHG emissions resulting from a project. The lead agency has the discretion to determine, in the context of a particular project, how to quantify GHG emissions.

Greenhouse gasses (GHG) include gases that can affect the earth's surface temperature. The natural process through which heat is retained in the troposphere is called the greenhouse effect. The greenhouse effect traps heat in the troposphere through a process of absorbing different levels of radiation. GHG are effective in absorbing radiation which would otherwise escape back into space. Therefore, the greater the amount of radiation absorbed, the greater the warming potential of the atmosphere. GHG are created through a natural process and/or industrial processes. These gases include water vapor (H₂O), carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs), Perfluorocarbons (PFCs) and sulfur hexafluoride (SF₆).

Since 2005, the California legislature adopted several bills, and the Governor signed several Executive Orders, in response to the impacts related to global warming. Assembly Bill 32 states global warming poses a serious threat to California and directs the Air Resources Board to develop and adopt regulations that reduce GHG emissions to 1990 levels by the year 2020. Senate Bill 97 requires an assessment of projects GHG emissions as part of the CEQA process. SB 97 also required the *Office of Planning and Research* to develop guidelines to analyze GHG emissions.

The NSAQMD has not adopted thresholds of significance for GHG emissions. Due to the nature of global climate change, it is not anticipated that a single project would have a substantial impact on

global climate change. Although it is possible to estimate a project's emissions, it is not possible to determine whether or how an individual project's relatively small incremental contribution might translate into physical effects on the environment.

IMPACTS

- a)&b) Calculating the Greenhouse Impacts on an individual project is difficult to qualify or quantify. The GHG emissions from the proposed project would not individually generate GHG emissions enough to measurably influence global climate change. However, change in occupancy from an office to an entertainment assembly use would result in changes of Vehicle Miles Traveled (VMT) resulting in changes in CO₂ and other greenhouse gas emissions due to vehicle miles traveled, energy use, and solid waste disposal.

According to the *Final Traffic Study prepared by Prism Engineering dated June 15, 2022*, the project will have significantly less vehicles in motion on less days, resulting in a major reduction in greenhouse gas emissions and VMT during the course of a year, and even on a monthly basis. The proposed project consisting of InConcert Sierra, Sierra Stages, and a Conference Center facility, will have operations taking place typically on different days. Coordination of schedules will need to take place. InConcert Sierra for instance, has an event once a month resulting in less VMT and Greenhouse Gases than an office use. **Table 1** provides the project and operational emission estimates:

Table 1 - Project Construction and Operational Emissions Estimates

	ROG (lbs/day)	NO _x (lbs/day)	PM ₁₀ (lbs/day)	CO (lbs/day)
Project Construction Impacts	49.96	39.96	28.35	21.62
Project Operational Impacts	1.158	.0392	2.980	.0329
Level A Thresholds				
NSAQMD- Significance Thresholds	<24 lbs/day	<24lbs/day	<79lbs/day	N/A
Level B Thresholds				
Maximum Project Emissions	24-136 lbs/day	24/136 lbs/day	79-136 lbs/day	N/A
Level C Thresholds				
Maximum Project Emissions	>136 lbs/day	>136 lbs/day	>136 lbs/day	N/A

As noted in the Air Quality Section of this Initial Study, the above impacts are within the acceptable level of impacts as viewed by the NSAQMD. In addition, the following project components and California Green Building Code requirements apply to the proposed assembly use project:

- Toilets and showers shall be low flow.
- All exterior lighting shall be high efficacy and be controlled by a manual on/off switch.
- All high efficacy light fixtures shall be certified as "high-efficacy" light fixtures by the California Energy Commission.

- The renovation shall be constructed in accordance with Title 24 Energy Standards.

The above CA Green Building Code requirements coupled with the analysis in the Air Quality Section of this Initial Study, assure that Greenhouse Gas impacts remain less than significant.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VIII. HAZARDS AND HAZARDOUS MATERIALS –				
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures to a significant risk of loss, injury or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SETTING

Based upon a search of the *Nevada County's Environmental Health Department's* website, the proposed project site is not listed in any database of hazardous materials sites. Hazardous materials stored and used onsite and on surrounding properties would be associated with common construction and household chemicals used. However, these chemicals are purchased legally and do not constitute a health hazard.

The Grass Valley City Fire Department responds to all calls for emergency services within City limits that include, but are not limited to fires, emergency medical incidents, hazardous materials incidents, public assists, traffic and vehicle accidents and other situations. The City's closest fire station is located on Sierra College Drive, which is staffed 24 hours a day. This station is located just over ± 3 miles from the project site. In the Grass Valley area, industrial and commercial facilities that use, store, or dispose of hazardous materials present the greatest potential hazards. A search of available environmental records conducted indicates that the project site is not listed as a hazardous materials site and no listed sites occur within an ASTM standard distance radius.

IMPACTS

a&b) The proposed project does not involve an activity that may create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. No impact will occur.

c&d) The proposed project does not involve an activity that will emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. No impact will occur.

The property is not listed on the City's Hazardous Waste Site or Nevada County's Contaminated Sites lists. In addition, staff conducted a record search on the *State's Geotracker*, *Envirostor* and *Department of Conservation websites* and found no evidence of abandoned mine or hazardous waste sites in the project vicinity. No impact will occur.

e) The project site is located approximately 1 mile (as the crow flies) from the Nevada County Airport. As required by the Public Utilities Code, the Airport Land Use Commission adopted the *Nevada County Airport Land Use Compatibility Plan*. The compatibility plan's purpose is to promote compatibility between the airport and surrounding land uses with respect to height (e.g. height of structures), safety (e.g. number of persons per acre), and noise (e.g. noise sensitive land uses). According to the Nevada County Airport Land Use Compatibility Plan, the project site is located in Land Use Compatibility Zone D of the area of influence.

On August 23, 2022, the Executive Director of the Nevada County Airport Land Use Commission (NCALUC) provided correspondence indicating that:

"After reviewing the project details and the proposed number of event attendee and employees on site, I find that the proposed project does not contain characteristics likely to result in inconsistencies with the compatibility criteria set forth in the Nevada County Airport Land Use Compatibility Plan and give approval of the project on behalf of NCALUC." (Exhibit H - *Nevada County Airport Land Use Commission Correspondence dated August 23, 2022*).

f&g) The project will not impair implementation of or physically interfere with an emergency response plan or emergency evacuation plan. No impact will occur.

The Grass Valley region has a generally high potential for wildland fires of devastating intensity. This is due to the presence, particularly in less urban settings, of heavier timber, woodland and brush, the occurrence of steep slopes, dry weather conditions and human activity. Generally vegetative areas over 8% slope are considered as fire hazardous (*City of Grass Valley GP*). Existing City standards for the development provide adequate access, fire flows, and other facilities to maintain an appropriate level of fire protection. Specifically, the project is required to comply with the *California Building Code* and *California Fire Code*. Based upon these standards, the project is not anticipated to expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fire. This impact is less than significant.

IX. HYDROLOGY AND WATER QUALITY –

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. Result in substantial erosion or siltation on or off site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? or,	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IX. HYDROLOGY AND WATER QUALITY –

- e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Potentially
Significant
Impact

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Less Than
Significant
With
Mitigation
Incorporation

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Less Than
Significant
Impact

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No Impact

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SETTING

The property is in the Whispering Pines Specific Plan area. The immediate area is built out with business park and similar type uses in accordance with the Whispering Pines Specific Plan.

The properties are located in Flood Zone X (Areas determined to be outside the 500-year flood plain) according to the *Flood Insurance Rate Map for the County of Nevada, Map No. 06057C0650E dated February 3, 2010*.

IMPACTS

- a) Except for an increase in the height of the building, no additional square footage is proposed with the project. All existing infrastructure has been constructed with limited onsite improvements being required such as accessible ADA improvements. According, the project will not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. No impact will occur.
- b) Treated water is available and provided by Nevada Irrigation District (NID). The project will not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of NID services. This impact is less than significant.
- c) The project will not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would result in substantial erosion or siltation on or off site.

The project will not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site. The project will not impede or redirect flood flows. No impact will occur.

- d) The developed portion of the property is not within an area of the 100-year flood plain according to FEMA Map panel number 06057C0650E dated February 3, 2010.

The project will not expose people or structures to a significant risk of loss and is not subject to inundation by seiche, tsunami, or mudflow. No impact will occur.

- e) The project will not contribute additional storm water into the existing drainage improvements constructed on the project site. No impact will occur.

X. LAND USE AND PLANNING --

Would the project:

- | | Potentially
Significant
Impact | Less Than
Significant
With
Mitigation
Incorporation | Less Than
Significant
Impact | No Impact |
|--|--------------------------------------|---|------------------------------------|-------------------------------------|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

SETTING

The City of Grass Valley 2020 General Plan Land Use Map (updated February 2007) identifies the property and area within the Whispering Pines Specific Plan Area. The Whispering Pines Specific Plan and SP - 1A designates the property for Business Park and similar compatible uses.

IMPACTS

- a) The project site is surrounded by urban development consisting of professional offices and business park type uses. The project is surrounded by existing development and will not physically divide an established community. No impact will occur.
- b) Multiple Whispering Pines Specific Plan and 2020 General Plan policies, goals and objectives support mixed-use development, infill development and additional recreational opportunity/facilities in the City, including, but not limited to:

- 7-LUG Create a healthy economic base for the community, including increasing employment opportunities through attraction of new and compatible industry and commerce, and through retention, promotion, and expansion of existing businesses.
- 18-LUO Creation and retention of wealth in Grass Valley.
- 19-LUO Employment opportunities for present and future residents.
- 20-LUO An expanding local tax base.
- 24-LUO Creation of an economy conducive to quality growth and development.
- 18-CDP Endeavor to locate new entertainment and retail facilities in the Downtown area through redevelopment, public/private partnerships and other development tools.

Development of the property will not divide an established community or conflict with any applicable land use plan, policy or regulation. No impact will occur.

XI. MINERAL RESOURCES –

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SETTING

The City of Grass Valley adopted a *General Plan Mineral Management Element (MME)* on August 24, 1993. The MME contains four resource areas defined as: MRZ – 1 through MRZ – 4. The designations are described as follows:

MRZ – 1: Areas where adequate information indicates that no significant mineral deposits are present.

MRZ – 2: Areas where adequate information indicates that significant mineral deposits are present or where it is judged that there is a high likelihood for their presence.

MRZ – 3: Areas containing mineral deposits, the significance of which cannot be evaluated from available data.

MRZ – 4: Areas where available information is inadequate for assignment to any other MRZ zone.

IMPACTS

- a)&b) The *General Plan Mineral Management Element* does show the site as being near an area classified as having significant mineral deposits. The project properties are located near one of the two areas identified in the *Mineral Management Element (MME)* as being targeted for mining conservation. However, should mining activities be proposed in the area, the MME includes a policy statement that requires a proposed mine project to address potential impacts on the urban uses based upon the nature of the mining activities. According to the MME, the proposed project is not anticipated to result in the loss of availability of a known mineral resource or locally known minimal resource. No impact will occur.

XII. NOISE—

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

XII. NOISE—

standards established in the local general plan or noise ordinance, or as applicable standards of other agencies?

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
b) Generate excessive ground borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SETTING

The project is located within an existing relatively noise free business park with office and similar uses. Due to the proximity of the Nevada County Airport, periodic airplane overflight noise is the sole noise source in the project vicinity.

IMPACTS

- a) During initial tenant improvement building construction, an increase in ambient noise levels is anticipated to occur. Noise levels would vary depending on the type of equipment used, how it is operated, and how well it is maintained.

Noise exposure at any single point outside the project work area would also vary depending upon the proximity of equipment activities to that point. The property lines of the nearest existing residential uses are located approximately 300 feet away from where the construction activities would occur on the project site.

In accordance with the City's Municipal Code, construction activities will be temporary in nature and will occur between normal working hours of 7:00 a.m. to 6:00 p.m. Monday through Friday and not at all on Sunday and legal holidays.

Considering the distance to sensitive receptors and the type of equipment used for the project, it is not anticipated that construction noise will exceed ± 65 dB, during the working hours from 7:00 a.m. to 7:00 p.m. This potential impact is less than significant.

- b) The project will not generate excessive ground borne vibration or ground borne noise levels. No impact will occur.
- c) The project is located within two miles of the Nevada County Airport; however, due to the acoustical tenant improvements associated with the assembly/music use, the project

will not expose people residing or working in the project area to excessive noise levels. No impact will occur.

XIII. POPULATION AND HOUSING –

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SETTING

The project relocates existing entertainment businesses within an existing 41,600 square foot building with an established developed area. No new facilities are proposed with the project.

IMPACTS

- a) The project will not induce substantial unplanned population growth in the area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure). No impact will occur.
- b) The project will not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. No impact will occur.

XIV. PUBLIC SERVICES —

Would the project:

- a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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XIV. PUBLIC SERVICES —

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SETTING

The proposed project area is within the City of Grass Valley and is served by the following public services:

Fire Protection: The City of Grass Valley Fire Department provides fire protection and emergency medical services within the City. The Ophir Hill Fire Protection District serves lands east of the City limits, and the Nevada County Consolidated Fire District (NCCFD) serves the area generally north, west, and south of the City limits.

The Fire Department is part of the tri-agency Joint Operating Agreement that includes the Nevada City Fire Department and NCCFD. The Fire Department has three locations: Fire Station #1 (474 Brighton Street), Fire Station #2 (213 Sierra College Drive), and administrative offices at City Hall (125 East Main Street). Equipment includes three front line engines, one reserve engine, one Office of Emergency Services (OES) engine, a ladder truck, one air support unit, and five staff vehicles.

Police Protection: The Department currently employs 27 FTE sworn members and 3 FTE civilian staff. Based upon Grass Valley's population of 13,041 the department's ratio of police officers per 1,000 residents is 2.1.

Schools: Throughout Grass Valley, the Grass Valley School District serves K-5 students and the Nevada Joint Union School District serves students in grades 9 - 12. In addition, through inter-district contracts (which can be retracted), 467 students from Grass Valley currently attend schools in other school districts.

Parks: The Grass Valley public parks and recreation system is comprised of approximately 108 acres of City Park lands, including seven developed parks (Dow Alexander, Elizabeth Daniels, Glenn Jones, Minnie, Memorial, De Vere Mautino, and Condon and one underdeveloped park Morgan Ranch) within the City limits.

IMPACTS

- a) The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of City's public services. These impacts are considered less than significant.

XV. RECREATION –

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might, have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SETTING

The City owns and maintains eight park/recreation facilities. These include three parks currently classified as "community parks": Condon Park, Mautino Park, and Memorial Park. One of the eight parks, Morgan Ranch, is still undeveloped. In addition, the City contracts with Nevada County Historical Society to operate the Pelton Wheel Mining Museum/Glen Jones Park. An inventory of City owned/operated parks and recreation facilities include: Memorial Park, 8.4 acres; Condon Park, 80 acres; Pelton Wheel Mining Museum/Glen Jones Park, 1.7 acres; Brighton Street Park (Minnie Street), 1.6 acres; Elizabeth Daniels Park, 0.3 acres; Dow Alexander Park, 0.5 acres; Morgan Ranch Park, 4.08 acres; and Mautino Park, 12.5 acres.

Additional park/recreational facilities within the City of Grass Valley but owned and maintained by entities other than the City are: Nevada County Country Club, 58 acres; Sierra College fields, 7.95 acres; Hennessy School, 3 acres.

The City's Quimby Act park ratio is five acres per 1,000 residents. The City has a park/population ratio of thirteen acres per 1,000 persons.

IMPACTS

- a)&b) The project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. No impact will occur.

The project does not include recreational facilities or require the construction or expansion of recreational facilities which might, have an adverse physical effect on the environment. No impact will occur.

XVI. TRANSPORTATION/TRAFFIC –

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SETTING

As of July 1, 2020, Senate Bill 743 went into effect. SB 743 is now the appropriate metric for assessing transportation impacts in accordance with CEQA. SB 743 was codified in *Public Resources Code Section 21099* and required changes to the CEQA Guidelines. Pursuant to Section 21099, the criteria for determining the significance of transportation impacts must promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses. To that end, the *Office of Planning and Research (OPR)* proposed, and the *California Natural Resource Agency* certified and adopted, changes in the CEQA Guidelines that identify Vehicle Miles Traveled (VMT) as the most appropriate metric to evaluate a project's transportation impacts.

Consequently, the past practice of automobile delay, as measured by "Level of Service" and other similar metrics, generally no longer constitutes a significant environmental effect under CEQA. However, Level of Service (LOS) is still evaluated for General Plan consistency and the imposition of Traffic Impact Fees to fund the City's Capital Improvement Program.

A Traffic Study has been prepared by Prism Engineering dated April 28, 2022, for the InConcert Sierra Project. The objective of the Traffic Study is to investigate and analyze the potential for Vehicle Miles Traveled (VMT) impacts relating to the proposed venue location change of two existing performing arts businesses located in the greater Grass Valley/Nevada City area. The analysis of the traffic

study is the proposed specific new location for these two existing performing arts businesses known as InConcert Sierra, and Sierra Stages, which are both currently in service at different smaller venue facilities in Grass Valley and Nevada City.

What is unique about the Traffic Study is that for the most part, the InConcert Sierra and Sierra Stages business traffic is already extant on the roadways but is going to two different venue locations. This collaborative project of combining the venue locations will cause all business traffic to relocate to the new location proposed at 125 Crown Point Court. This will change existing travel patterns towards the proposed facility where all concerts will be hosted, theatre performances will take place, as well as all contain onsite all office facilities relating to these performing arts businesses.

The questions to be answered within the Traffic Study are: “what impact, if any, will the relocation of these two existing performing arts businesses to a single location have on air quality and Vehicle Miles Traveled (VMT), as well as any potential impact to the traffic operations on local roadways?”

The Traffic Study addresses these questions and provides a qualitative and creative methodology to determining whether VMT is expected to increase or decrease once the proposed changes to venue location are realized. Technically, the regional traffic model which calculates VMT is not sensitive enough to properly detect such a change in VMT for small projects based on only on relocation, and especially since the project traffic already exists in two places in Nevada County. Another reason is that the current customer base for these two businesses is known and specific to zip code, a factor not available in the traffic model. This zip code factor is known through yearly ticket sales, and is the primary factor used in the traffic study to most appropriately determine how vehicle distance totals (VMT) in travel to and from the proposed site would differ if changed from the existing sites. In theory, VMT could only have an increase if drivers to these existing venues will end up traveling even farther distances to get to the new proposed location. The traffic study addresses, in a qualitative and quantitative analysis, the estimated change to existing VMT (plus or minus). In addition, the analysis also juxtaposed the proposed project VMT and traffic operations with the existing zoning at 125 Crown Point Court and the previous tenant use (The Grass Valley Group Business Park Use).

- a) The project will not conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. However, on-site parking is deficient for larger events.

The project site includes 204 parking spaces including 6 accessible ADA parking spaces resulting in a parking ratio of 1 parking space per 203 sq. ft. of building floor area. No additional on-site parking spaces are planned.

As noted in the project description, the proposed 520-seat 9,500 square foot Concert Hall section of the building will be utilized for acoustical (normally un-amplified) chamber, orchestral, choral, and theatrical performances. A sold-out orchestral performance with choir would result in a total occupancy of up to 670 persons.

The proposed 125 seat 2,500 square foot “Black Box” theater would provide a flexible configurable space for various theater and smaller musical performances. With a state crew performance ensemble, maximum total occupancy would be 175 persons.

The proposed 3,000 square foot Conference Center could be configured in a variety of ways, including use of smaller conference rooms could reach a maximum occupancy of 350 persons.

Regular occupancy by employees of non-profit organizations for office space and building operations will not exceed 30 employees.

It is expected that on rare occasions, two of these uses could occur simultaneously, but all three uses would not occur simultaneously. As such, if the Concert Hall and Conference Center were to be conducted at the same time, up to 1,050 persons could occupy the site. Even if attendees doubled up for each vehicle, this would amount to 525 vehicles or 321 parking spaces short of the projected vehicle 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:

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, the applicant shall submit off-site parking agreements for review and approval that satisfy the event attendance. 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.

- b) CEQA Section 15064.3 establishes a Vehicle Miles Traveled (VMT) threshold for land use projects. Section 15064.3 notes that generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high-quality transit corridor should be presumed to cause a less than significant transportation impact according to the *CEQA Guidelines*. Moreover, projects that decrease vehicle miles traveled in the project area compared to existing conditions should also be presumed to have a less than significant transportation impact.

Two methods were used to calculate VMT for the existing uses and the proposed project: A Zip Code method that looked at literal distances traveled based on ticket sales, and a typical Trip Generation calculation method using assumptions for average trip lengths by land use.

Existing Conditions and Traffic Constraints for Local Intersections and Roadways – The existing traffic conditions were obtained from a recent traffic study in the area (*Traffic Impact Analysis for the Idaho Maryland Mine Project, Nevada County prepared by KD Anderson dated March 24, 2020*) and the appropriate weekday evening times were selected as relevant for this performing arts project. Specifically, the time-of-day scenario selected was the 6:30 to 7:30 p.m.

scenario, and the results of this data show that LOS A and LOS B conditions were the typical conditions of traffic during this evening time period. **Figure 1** shows these values on a map at various intersection locations. It can be seen that LOS B conditions surround the project site on Idaho Maryland Road, Whispering Pines Road and Brunswick Road. **Table 1**, Level of Service (LOS) definitions, shows the meaning of what LOS A versus LOS B means, and all other values through LOS F. The City of Grass Valley identifies LOS D or better as the acceptable Level of Service at intersections and roadways in community regions, so with all local intersections in the region operating at LOS B conditions, this means that traffic conditions are two levels better than the acceptable LOS D.

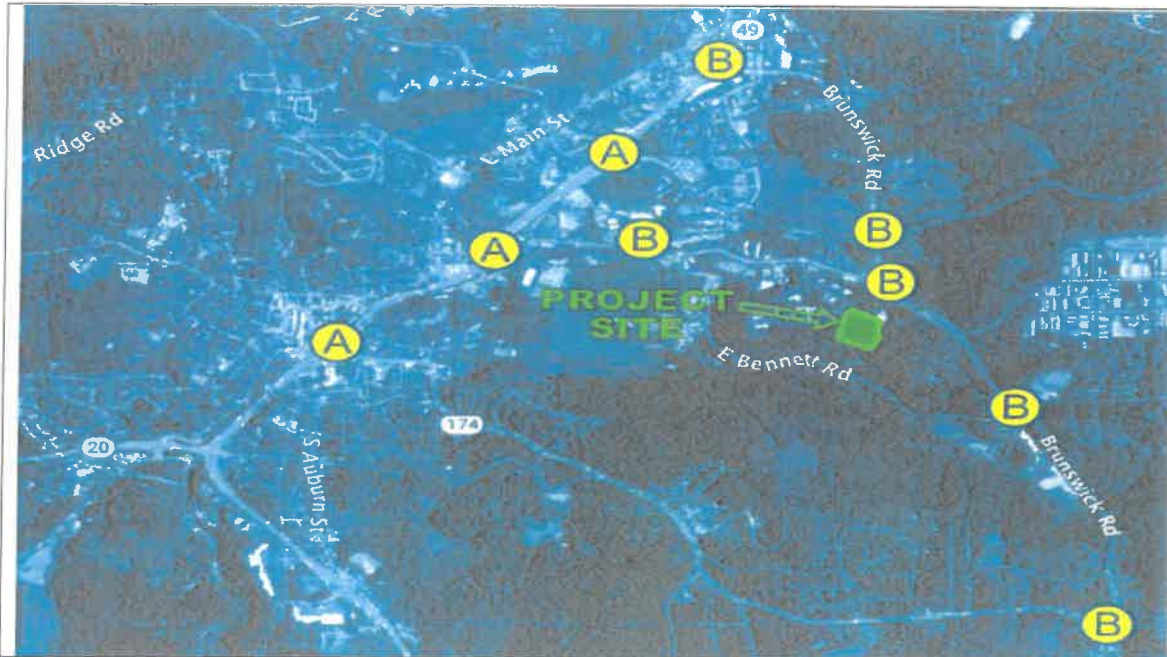


FIGURE 1. LEVELS OF SERVICE OF LOCAL ROADWAYS AND INTERSECTIONS 6:30 PM TO 7:30 PM

² **TRAFFIC IMPACT ANALYSIS FOR THE IDAHO-MARYLAND MINE PROJECT, Nevada County, CA, Prepared by KDAnderson & Assoc. March 24, 2020**

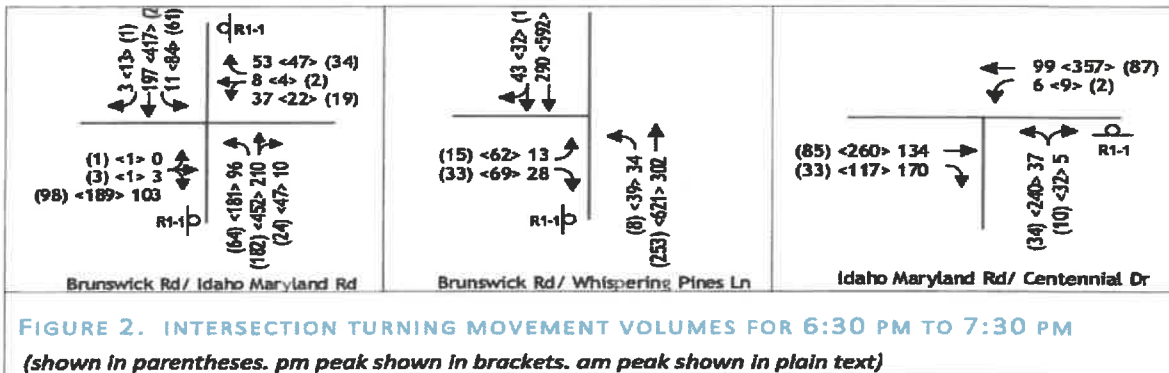
The LOS shown in yellow circles in **Figure 1** (LOS A and LOS B at all intersections) indicate that there is no evening congestion in the study area; average delay in between 10 and 20 seconds (as shown in **Table 1**).

The time of analysis as stated before, is 6:30 p.m. to 7:30 p.m., which generally coincides with the time of arrival for evening performing arts events and shows. This intersection turning movement data is shown for key intersections in the following **Figure 2**. These volumes yield LOS A and LOS B conditions as depicted in **Figure 1**.

TABLE 1. LEVEL OF SERVICE (LOS) DEFINITIONS

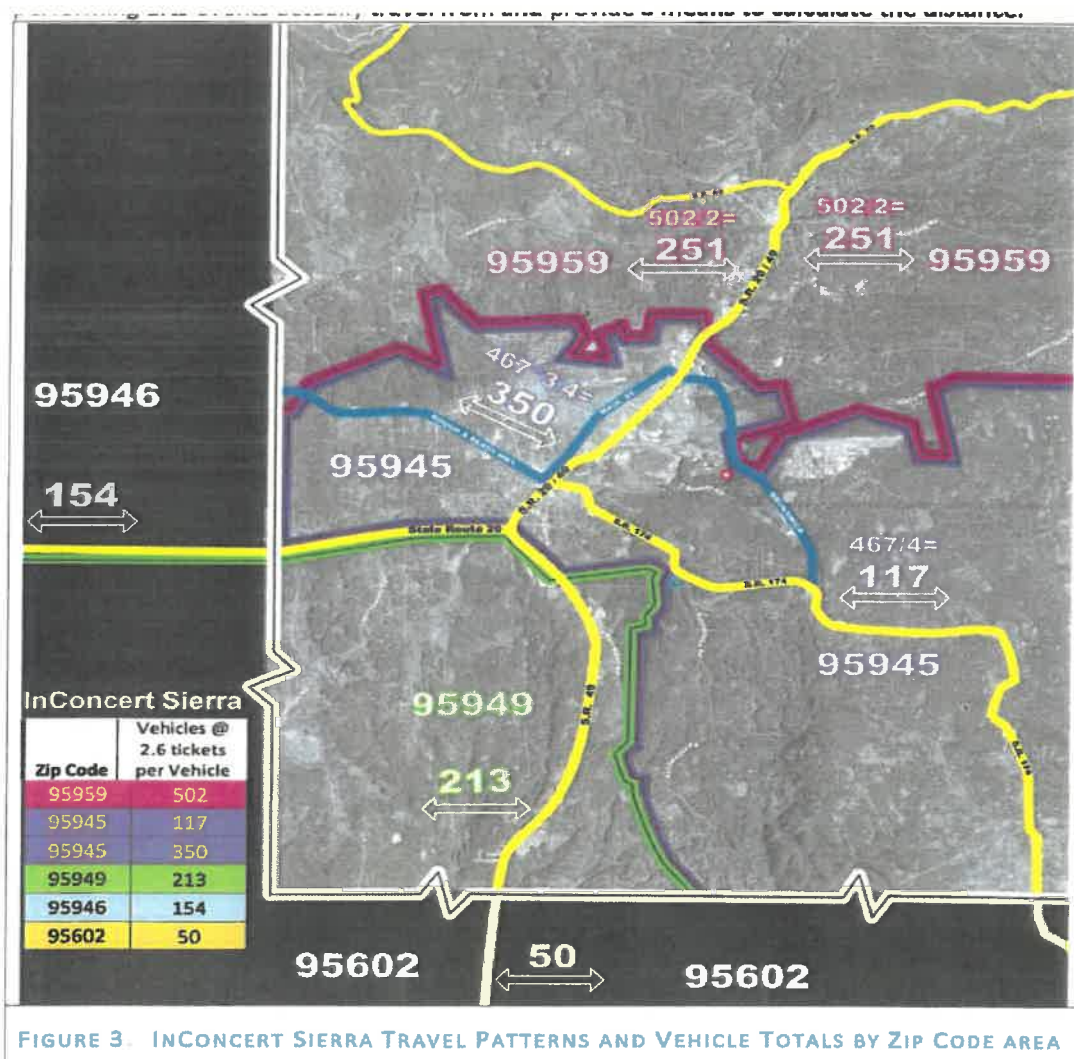
LOS	Signalized Intersection	Unsignalized Intersection
A	Uncongested, all queues clear in a single-signal cycle. Delay < 10.0 sec	Little or no delay. Delay < 10 sec/veh
B	Uncongested operations, all queues clear in a single cycle. Delay > 10.0 sec and < 20.0 sec	Short traffic delays. Delay > 10 sec/veh and < 15 sec/veh
C	Light congestion, occasional backups on critical approaches. Delay > 20.0 sec and < 35.0 sec	Average traffic delays. Delay > 15 sec/veh and < 25 sec/veh
D	Significant congestion. Cars wait more than one cycle. No long queues. Delay is 35.0 - 55.0 sec	Long traffic delays. Delay > 25 sec/veh and < 35 sec/veh
E	Severe congestion, long queues...may block nearby intersections. Delay > 55.0 sec and < 80.0 sec	Very long traffic delays, failure, extreme congestion. Delay > 35 sec/veh and < 50 sec/veh
F	Total breakdown, stop-and-go operation. Delay > 80.0 sec	Intersection blocked by external causes. Delay > 50 sec/veh

Sources: Highway Capacity Manual, 6th Edition Transportation Research Board, 2016. Sec/veh – seconds per vehicle



It can be seen from Figure 2 that the hourly volumes shown for the 6:30 p.m. to 7:30 p.m. time period (shown in parenthesis) is about 25% of those shown for the more congested p.m. peak hour from 3:30 p.m. to 4:30 p.m. What this means is that traffic for the evening time period coinciding with the proposed project traffic would be about one-fourth (1/4) of that just three hours earlier. In other words, the project will not cause any significant traffic operations impact. Even the worst-case assignment of traffic all out Idaho Maryland Road towards the freeway would result in traffic volumes that are still less than the worst 3:30 p.m. to 4:30 p.m. peak. Since there are multiple pathways the existing plus proposed project volumes at all intersections will be at approximately 50% of the 3:30 p.m. to 4:30 p.m. totals.

Existing Performing Arts Business Travel Patterns and VMT Totals by Zip Code Method
– Ticket sales for InConcert Sierra monthly events were utilized for this analysis because the data also included a zip code category in the database sales. A zip code map of Nevada County was utilized to graphically document the geographical locations where customers/patrons of the performing arts events actually travel from and provide a means to calculate the distance.



The combination of distance code centroid or concentration area of homes, and ticket sales, can be multiplied/calculated to yield vehicle miles traveled, or VMT. **Figures 3** and **Figure 4** show the vehicle totals by zip code in the study area for the InConcert Sierra venue (located at the Seventh Day Adventist Church located at 12889 Osbourne Road, Grass Valley). These maps and vehicle totals were utilized, along the Google Maps tool to ultimately determine the trip length for both existing and proposed locations.

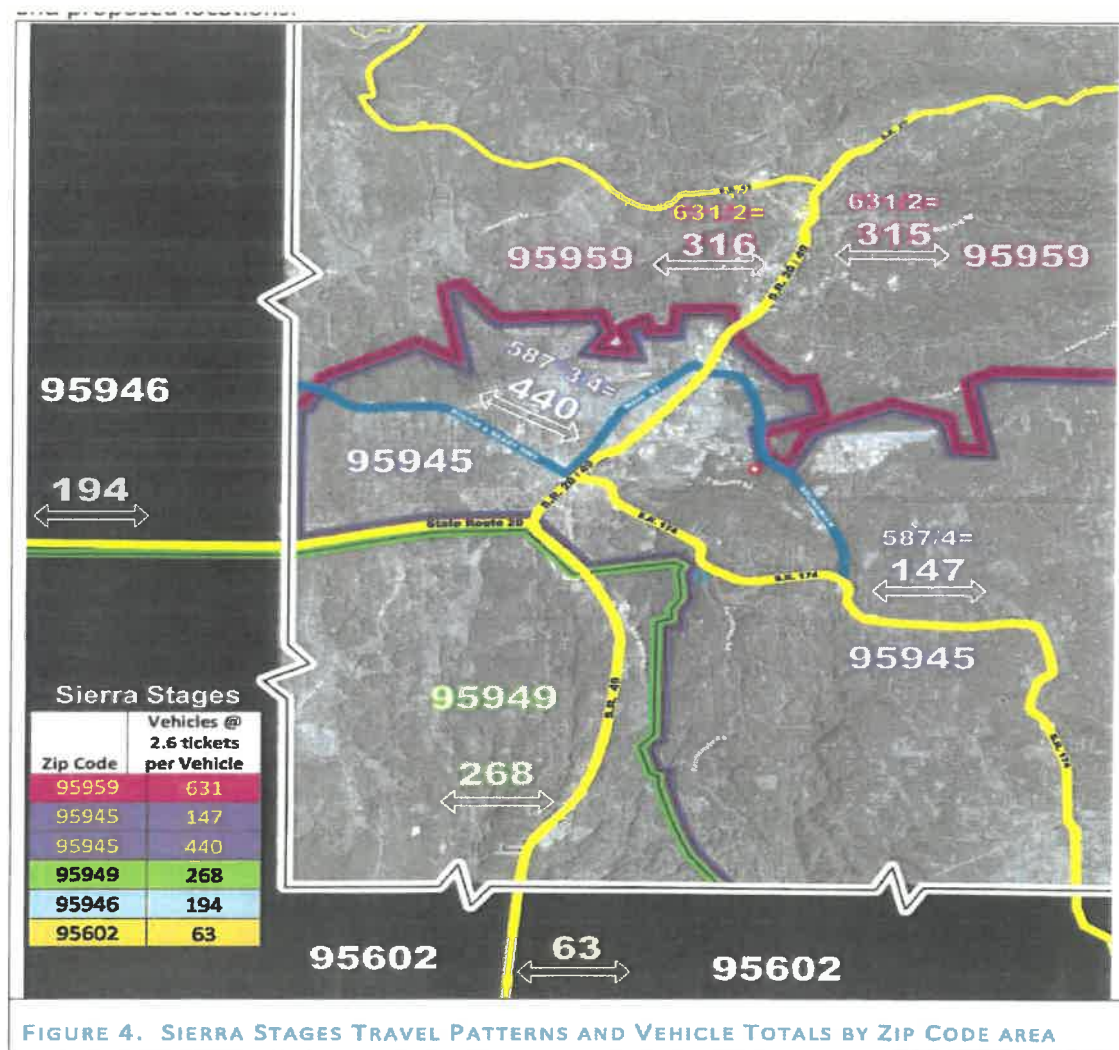
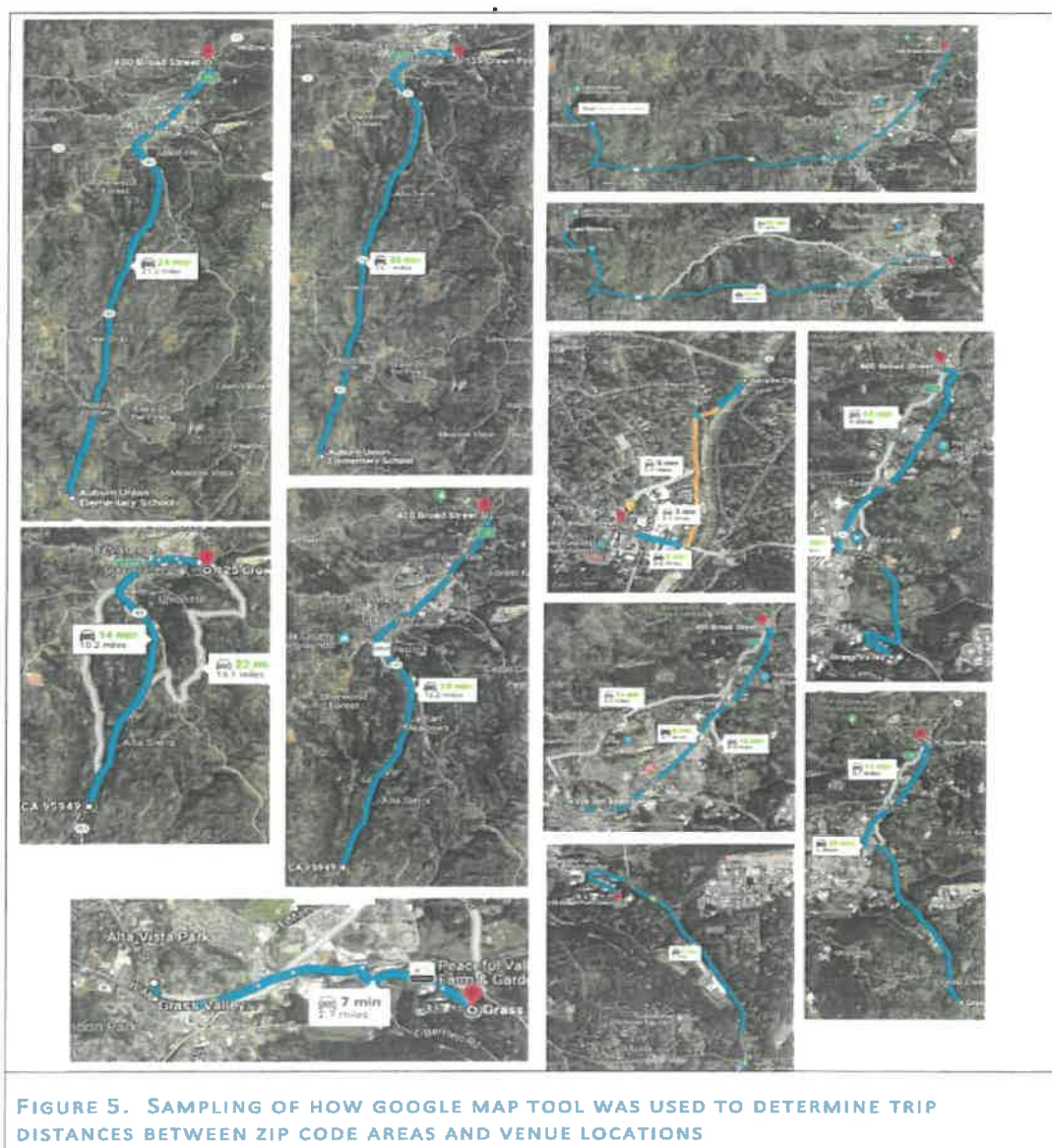


Figure 5 shows how the Google Maps distance measure tool from point to point was used to determine the distance to each one of the existing and proposed performing arts business locations from the centroid of the various zip code areas associated with ticket sales.



All distances between zip code centroids or where the density of residential development exists were measured to and from each of the existing and proposed performing arts venue locations (125 Crown Point Court, 400 Broad Street and 12889 Osborn Road). This trip length data by zip code to and from venues were compiled into "Table 2 – VMT Calculations: which follows:

TABLE 2. VMT CALCULATIONS. DISTANCE FROM ZIP CODE CENTROID TO PERFORMING ARTS VENUE LOCATIONS (OLD AND NEW).

					YEARLY**		MONTHLY**		DAILY VMT			
VENUE	ZIP CODE	YEARLY TICKET SALES	Yearly Number of VEHICLES*	Miles from Venue to ZIP Code Centroid		VMT Estimate from ZIP Code Centroids		VMT Estimate from ZIP Code Centroids		Existing DAILY # of CARS	VMT Estimate from ZIP Code Centroids	
				OLD	NEW	OLD	NEW	OLD	NEW		OLD	NEW
InConcert Sierra	95959	1305	502	5.8	4.3	1813	4317	44	360	42	485	360
	95959 east	304	117	2.1	3.0	490	701	41	58	10	41	58
	95945 west	911	350	3.4	2.7	2382	1891	189	158	29	198	158
	95949	553	213	9.7	10.2	8132	4345	144	362	18	344	362
	95946	401	154	12.7	13.3	3912	4096	134	341	13	326	341
	95602	130	50	19.2	19.2	1930	1920	161	160	4	161	160
	OTHER	852	328	25	25	14400	26400	1967	1367	27	1367	1367
4455			1714									
TOTALS>				78.0	77.7	45098	33671	2922	2806	148	2922	2806
WEIGHTED AVERAGE TRIP LENGTH>>				10.2	9.8						typical daily VMT	

*assuming 2.6 passengers per vehicle

**These are intermediate calculations and are for a yearly and monthly total, and do not represent the typical DAILY VMT values shown in last column

				YEARLY**		MONTHLY**		DAILY VMT				
VENUE	ZIP CODE	YEARLY TICKET SALES	Yearly Number of VEHICLES*	Miles from Venue to ZIP Code Centroid		VMT Estimate from ZIP Code Centroids		VMT Estimate from ZIP Code Centroids		Existing DAILY # of CARS	VMT Estimate from ZIP Code Centroids	
				OLD	NEW	OLD	NEW	OLD	NEW		OLD	NEW
Sierra Stages	95959	1641	631	0.5	4.3	841	5428	158	1357	7	53	452
	95945 east	382	147	6.0	3.0	1741	881	440	220	5	147	73
	95945 west	1145	440	4.7	2.7	4184	2378	1035	594	2	345	198
	95949	695	268	11.2	10.2	8134	5463	1634	1366	11	545	455
	95946	504	194	12.7	13.3	3912	5150	1481	1288	60	494	429
	95602	163	63	19.2	19.2	1930	2414	640	603	0	223	201
	OTHER	1071	412	25	25	26400	18952	5180	4738	0	1717	1579
5601		2155										
TOTALS>				85.0	78.7	22248	40665	2158	10166	86	3522	3389
WEIGHTED AVERAGE TRIP LENGTH>>				9.8	9.4					typical daily VMT		

*assuming 2.6 passengers per vehicle

**These are intermediate calculations and are for a yearly and monthly total, and do not represent the typical DAILY VMT values shown in last column

PERFORMING ARTS BUSINESS TOTALS>>	143.0	133.4	128	74336	11452	12972		6445	6195
WEIGHTED AVERAGE TRIP LENGTH>>	10.0	9.6							

worst case VMT, if
both events happen on
same day (not likely)
due to parking
conflicts

Table 2 shows the final ticket, vehicle, and VMT totals for both the InConcert Sierra business and the Sierra Stages business. 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 were converted into number of vehicles by zip code using a 2.6 vehicle occupancy rate, and then the yearly VMT totals were calculated by zip code for each business. The subsequent columns show how these yearly VMT totals were converted into monthly VMT totals and finally into the analysis relevant daily VMT totals as shown. The conversion factor for InConcert Sierra to determine a daily VMT was knowing that they have one concert per month today, and that also becomes the worst-case daily VMT total since all of these venue trips took place on the same day/evening. The Sierra Stages business has between 36 and 45 events per year (three shows with 12-15 performances for each per year), and so to be conservative, 3 events per month were assumed as the worst-case situation that would yield the highest VMT calculation for a single day (last columns). The InConcert Sierra venue has a value of 2,992 daily VMT on the day of the concert, and with the new location this drops to 2,806, an improvement. The Sierra Stages daily high VMT is 3,522 and

decreases to 3,389 with the change of location. Overall, VMT for the combined events goes from 6,445 to 6,195, a drop in VMT with the project. It should be noted that it is not likely that InConcert Sierra and Sierra Stages would have a performance on the same night, unless overflow parking was arranged in advance.

Other Project Traffic – There are other trips taking place to and from the existing venues and the proposed location at 125 Crown Point Court, such as employee trip, deliveries, etc. However, the number of vehicle trips related to employee trips are small, and these employee related trips would not be taking place at the same time as the venue patron traffic but would be more during the daytime work shift (8 a.m. to 5 p.m.). There are also rehearsal related traffic volumes which could add up to as many as 70 choir members, but this will not take place on the same day or time as a monthly concert. In addition, there are board meetings up to 10 persons, 10 times a month for 10 months out of the year (a total of 100 meetings during normal workday hours). These trips represent traffic for up to about 25 additional vehicle trips which is not a significant factor when compared to the total for the musical concerts or theater events. On a daily VMT basis however, this will add approximately 500 additional VMT to the totals, which is still over conservative.

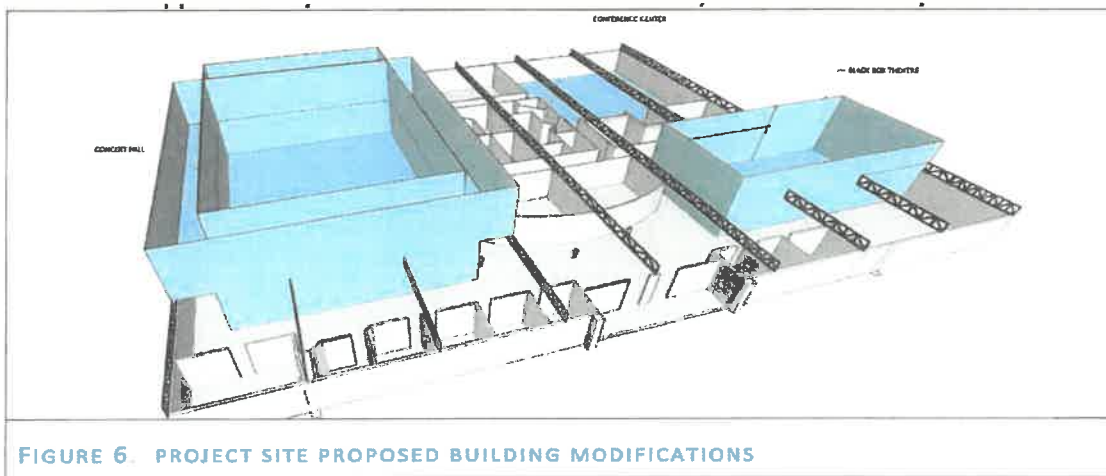


FIGURE 6. PROJECT SITE PROPOSED BUILDING MODIFICATIONS

Proposed Performing Arts Businesses Vehicle and VMT Totals by Trip Generation Method – VMT in this methodology was calculated using an ITE Trip Generation Rate for the existing facility (that used to be the Grass Valley Group) and the Business Park Category (770) was used based on 41,600 square feet of building space. The proposed performing arts facilities in the same building (after modifications) is based on the number of physical seats available in the Concert Hall and the Black Box Theater, and was assumed full capacity (worst case) for these shows.

TABLE 3. VMT CALCULATIONS BY TRIP GENERATION.**EXISTING CONDITIONS: Grass Valley Group Building (41,600 SF)**

ITE Trip Generation Manual Trip Generation Period (770 Business Park)	ITE Trip Generation Rate per KSF GFA	KSF of Facility	Trips	Vehicle Miles Traveled (VMT)*	
DAILY TRIPS	12.44	41.6	517.5	15525	
AM PEAK TRIPS	1.40	41.6	58.2	1747	
PM PEAK TRIPS	1.26	41.6	52.4	1572	

*Nevada County Census information indicates that 72.2% of all workers drive alone to work (source: Census data: ACS 2020 5-year). This equates to 31,731 people who have an average commute time of 24.7 minutes. Only 6.6% carpool. Workers commuting IN to Nevada County = 4,506 and OUT = 11,230, or about 1/3 of total, which a distance of 50 miles for commutes to and from other counties was assumed. Average trip distance overall = 30 miles.

PROPOSED CONDITIONS in 41,600 SF Building, but using only 16,200 SF for 3 Uses

ITE Trip Generation Manual Trip Generation Period	CAPACITY of Space in Persons	Carpool Factor	Cars	Vehicle Miles Traveled (VMT)*	Difference between Project and Business Park
CONCERT HALL	600	2.6	231	4523	-11002
BLACK BOX THEATER	150	2.6	58	1085	-14441
MULTI PURPOSE/CONFERENCE	300	1.5	200	6000	-9525

*Values taken from VMT Analysis tables for InConcert Sierra and for Sierra Stages (9.8 miles and 9.4 miles weighted average trip length respectively), and factored up to account for new increased audience capacity at new location facility (125 Crown Point Court). Average trip length assumed for Conference Center was 15 miles.

In Table 3 above, it can be seen that there is a significant reduction in VMT for the proposed project when compared to the existing business park land use. In fact, the VMT is expected to be less than one-third (1/3) of the VMT impact of the existing land use. In Table 3, the Business Park use would generate a daily VMT of 15,525, compared to the proposed 600 seat InConcert Sierra venue which would have a daily VMT of only 4,523 based on the weighted average trip length of 9.8 miles (taken from Table 2 calculations). The Conference Center uses would also be slightly more than just one-third (1/3) of the Business Park daily total VMT.

The Appendix of this report contains the US CENSUS information used to calculate home to work trip length assumptions used in Table 3 for Business Park traffic (assumptions shown in noted on Table 3).

VMT will significantly reduce with the Project – The project will have significantly less vehicles in motion on less days, resulting in a minor reduction in greenhouse gas emissions (and VMT) during a year, and even on a monthly basis. The proposed project consisting of InConcert Sierra, Sierra Stages and a Conference Center event taking place during the daytime hours, once a month. In the event of a Conference Center event taking place during the daytime hours, this will not conflict with an evening show. It should be noted that of a

30-day month, there are four weekends, and this would coincide with four evening weekend shows (three for Sierra Stages and one for InConcert Sierra). Through staggering of weekend scheduling, these two performing arts businesses can adequately share the proposed facility and parking.

Daily VMT of Project is estimated to be one-third of business park use – When the Project facility has an activity or event, which is not every day, the amount of VMT will be approximately one-third of the amount that the Business Park use would generate. This report shows that the estimated VMT of the proposed project will actually significantly reduce VMT totals on a daily basis (see **Tables 2 and 3**) with the land use change. On a monthly basis and yearly basis this reduction is even larger since there are many days where no significant activity would take place at the site (with the exception of business operation office and the employees which happens daily and has been estimated at around 500 VMT daily). These low VMT numbers for the Project, less than 6,000 VMT for the Conference Center, compares to a Business Park VMT for the same facility which is calculated at 15,000 VMT.

Moreover, the InConcert Sierra project was evaluated through the screening process provided by the *Nevada County Transportation Commission (NCTC)*. The following results were verified, based upon project specific screening:

- The project is located in Travel Analysis Zone (TAZ) 1211. (The number of the travel analysis zone from Nevada County Travel Demand Model in which the parcel is located)
- TAZ 1211 VMT is 8.9 miles per vehicle (The metric average for the entire TAZ)
- Subarea VMT is 16.5 miles per vehicle (the VMT metric average for the entire subarea)
- % Difference is -46.1 (compares TAZ results to subarea results; positive values indicate TAZ results are greater than the subarea; 0% indicates TAZ and subarea results are equal; and, negative values indicate TAZ results are less than the subarea)

Total VMT per Service Population

- Threshold 14.2 (the maximum VMT metric to pass screening)
- Within a low VMT Yes (The project passes screening)

Using the VMT screening method, the project passes the VMT thresholds established by NCTC and is therefore determined to have a less than significant impact.

The project will not cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system. This impact is considered less than significant.

- c) The project will not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment). No impact will occur.

- d) The roadways of Whispering Pines Court, Crown Point Circle, and Whispering Pines Lane are ± 40 feet in width with two travel lanes and parking on each side of the street. Arterial streets include Brunswick Road to the south and Idaho Maryland Road to the east/west providing evacuation routes. The project has been reviewed by the City of Grass Valley Fire Department for emergency response. The project has been determined by the City of Grass Valley Fire Department to be in compliance with the City of Grass Valley fire standards and City Development Code. The project will not result in inadequate emergency access. This impact is less than significant.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XVII. UTILITIES AND SERVICE SYSTEMS –				
Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Generate solid waste in excess of State and local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SETTING

Solid waste within the project area is collected by Waste Management, a licensed private disposal company. Solid waste is transported to the company's transfer station located on McCourtney Road.

Domestic water service to the proposed development is provided by Nevada Irrigation District (NID) via existing water lines that were installed following development in the project area. According to the City's General Plan EIR, water supplies are adequate to supply growth anticipated in the General Plan, which included the project site.

Sanitary sewer is already provided by the City of Grass Valley. Sewer fees are calculated based upon the use and demand.

IMPACTS

- a) The project will not require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects. No impact will occur.

- b)-c) Existing water connections are provided by Nevada Irrigation District. The project will have sufficient water supplies available to serve the project and reasonably foreseeable future during normal, dry and multiple dry years. This potential impact is less than significant.

The City's wastewater treatment facility, which serves the project has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments. This impact is less than significant.

- d)-e) The project will not generate solid waste in excess of State and local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.

The project will comply with federal, state and local management and reduction statutes and regulations related to solid waste. These potential impacts are less than significant.

XIX. WILDFIRES –

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks and thereby expose project occupants to, pollution concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or on-going impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

XIX. WILDFIRES –

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- | | Potentially
Significant
Impact | Less Than
Significant
With
Mitigation
Incorporation | Less Than
Significant
Impact | No Impact |
|---|--------------------------------------|---|-------------------------------------|--------------------------|
| d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

SETTING

The Grass Valley region has a generally high potential for wildland fires of devastating intensity. This is due to the presence, particularly in less urban settings, of heavier timber, woodland and brush, the occurrence of steep slopes, dry weather conditions, and human activity. Generally, vegetative areas of over 20% slope are considered as fire hazardous areas. The City limits have a distinct urban/wildland interface area. The greatest threat for wildfire hazards is from those that may originate outside the City in unincorporated Nevada County. Historical data on wildfires in or near Grass Valley is kept on the Firehouse Reporting Data System. Because of the extended urban/wildland interface area, the City has participated in regional efforts to reduce wildfire risks to the City and surrounding areas. These efforts include participation in *Nevada County's Local Hazard Mitigation Plan* and the *Fire Safe Council of Nevada County Community Wildfire Protection Plan*. *Nevada County OES* and the *Fire Safe Council* also maintain historical fire records.

IMPACTS

- a) The project has been reviewed by the City of Grass Valley Fire Department. The project will not substantially impair an adopted emergency response plan or emergency evacuation plan. This impact is less than significant.
- b)-c) The project area is developed and has relatively flat topography. The project will not exacerbate wildfire risks and thereby expose project occupants to pollution concentrations from a wildfire or the uncontrolled spread of a wildfire.

The project will not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or on-going impacts to the environment. All utilities serving the site are installed underground in accordance with City of Grass Valley Development Standards. These impacts are considered less than significant.

- d) The project will not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. This impact is considered less than significant.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE –

Would the project:

- | | Potentially
Significant
Impact | Less Than
Significant
With
Mitigation
Incorporation | Less Than
Significant
Impact | No Impact |
|--|--------------------------------------|---|-------------------------------------|--------------------------|
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| a)-c) This environmental analysis provides evaluation of the potential environmental effects of the proposed project, including project effects on the quality of the environment, fish and wildlife habitat (including special status species), and cultural resources. These potential impacts are considered less than significant. | | | | |

REFERENCES The following references used in preparing this report have not been attached to this report. The reference material listed below is available for review upon request of the Grass Valley Community Development Department, 125 East Main Street, Grass Valley, CA 95945.

- Federal Highway Administration, 1983
- U.S. Bureau of Land Management, 1980
- City of Grass Valley 2020 General Plan
- City's 2020 General Plan Certified Environmental Impact Report (SCH#98082023)
- Association for Protection etc. Values v. City of Ukiah (1991)
- Topanga Beach Renters Assn. v. Department of General Services
- United States Department of Agriculture land inventory
- Public Resources Code Section 12220(g).
- U.S. Department of Agriculture
- California Department of Forestry and Fire Protection
- Northern Sierra Air Quality Management District (NSAQMD)
- California Emission Estimator Model (CalEEMod) Version 2016.3.2
- California Department of Fish and Wildlife (CDFW)

- United States Army Corps of Engineers
- Section 404 of the Clean Water Act
- California Department of Fish and Wildlife (CDFW) Code Section 1600 et. seq.
- California Natural Diversity Database
- United States Fish and Wildlife Service (USFWS)
- Wetlands Delineation Manual (Environmental Laboratory, 1987)
- Migratory Deer Ranges Nevada County General Plan map
- USGS Topographic Quadrangle for Grass Valley
- Natural Wetlands Inventory (NWI) and HDD datasets
- Migratory Bird Treaty Act (MBTA)
- Resource Management Plan, Best Management Practices (BMPs)
- Chapter 12.36 of the City of Grass Valley Municipal Code
- Pacific Gas and Electric (PG&E)
- California Energy Resources Conservation and Development Commission in June 1977
- California Green Building Standards Code (Part II, Title 24) was adopted as part of the California Building Standards Code (Title 24, California Code of Regulations).
- Cultural Resources Inventory prepared by Sean Michael Jensen, M.A., July 2019
- City of Grass Valley Historic Building Ordinance
- City of Grass Valley Historic Commission
- City of Grass Valley Development Review Committee
- North Central Information Center (NCIC)
- Native American Heritage Commission (NAHC)
- United Auburn Indian Community (UAIC)
- Geologic Map of the Colfax - Grass Valley Area (Tuminas, 1981).
- California Geological Survey Open File Report 96-08, Probabilistic Seismic Hazard Assessment for the State of California
- California Fault Parameters
- The 1997 edition of California Geological Survey Special Publication 43, Fault Rupture Hazard Zones in California
- Cal/EPA Air Resources Board Regulation 93105
- Asbestos Airborne Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations (ATCM)
- City of Grass Valley Energy Action Plan
- Nevada County Airport Land Use Compatibility Plan
- Mountain Counties Hydrologic region overlay zone (DWR 2011)
- Flood Insurance Rate Map for the County of Nevada, Map No. 06057C0633E dated February 3, 2013.
- General Plan Mineral Management Element (MME) on August 24, 1993
- Noise Equivalent Level (CNEL)
- California Airport Noise Regulations
- Public Resources Code Section 21099
- Office of Planning and Research (OPR)
- California Natural Resource Agency
- 10th Edition of the Institute of Transportation Engineers (ITE)
- Nevada County Transportation Planning Agency (NCTPA)
- City of Grass Valley Capital Improvement Program
- Grass Valley Traffic Impact Fee Program
- Nevada County's Local Hazard Mitigation Plan

- Fire Safe Council of Nevada County
- Nevada County Office of Emergency Services (OES)
- Fire Safe Council
- OPR Technical Advisory on Evaluating Transportation Impacts in CEQA
- Nevada County Transportation Commission (NCTC)
- City of Grass Valley 2019-2027 Housing Element
- City of Grass Valley Historic 1872 Townsite
- City of Grass Valley Development Code
- CA Department of Forestry and Fire Prevention
- City of Grass Valley Municipal Code
- Nevada County General Plan and General Plan EIR
- City of Grass Valley Grading Ordinance
- Background Report, City of Grass Valley General Plan Update, November 1998
- Soil Survey of Nevada County, United States Department of Agriculture, Soil Conservation Service
- Online soil survey maps and data from USDA - <http://websoilsurvey.nrcs.usda.gov>

EXHIBITS

- Exhibit A** – Vicinity Map
- Exhibit B** – Aerial Photograph
- Exhibit C** – Site Plan
- Exhibit D** – Site Photographs
- Exhibit E** – Proposed Floor Plan
- Exhibit F** – Concert Hall, Black Box and Conference Center Floor Plans
- Exhibit G** – Existing and Proposed Building Height Increase
- Exhibit H** – Nevada County Airport Land Use Commission Correspondence dated August 23, 2022
- Exhibit I** – Theatre Seating Example
- Exhibit J** – Black Box Theatre Example

TABLES

- Table 1** – Project Construction and Operational Estimates
- Table 1.-** Level of Service (LOS) Definitions
- Table 2** – VMT Calculation distances from Zip Code Centroid to Performing Arts Venue Locations (Old and New)
- Table 3** – VMT Calculations by Trip Generation

FIGURES

- Figure 1** – Levels of Service of Local Roadways and Intersections 6:30 p.m. to 7:30 p.m.
- Figure 2** – Intersection Turning Movements Values 6:30 p.m. to 7:30 p.m.
- Figure 3** – InConcert Sierra Travel Patterns and Vehicle Totals by Zip Code Area
- Figure 4** – Sierra Stages Travel Patterns and Vehicle Totals by Zip Code Area
- Figure 5** – Sampling of how Google Map Tool was used to determine Trip Distances Between Zip Code Areas and Venue Locations
- Figure 6** – Project Site Proposed Building Modifications



NEVADA COUNTY AIRPORT LAND USE COMMISSION

Grass Valley • Nevada City • Nevada County

File: 0040.1.4

August 23, 2022

Monroe Lovelady
P.O. Box 205
Nevada City, CA 95959

SUBJECT: InConcert Sierra Consistency Review – Nevada County Airport Land Use Compatibility Plan

The Nevada County Airport Land Use Commission (NCALUC) has delegated the review and consistency determination of major land use actions to the NCALUC Executive Director. The project site at 125 Crown Point Court in Grass Valley, California, is located within Compatibility Zone D (Traffic Pattern Zone) of the Nevada County Airport Land Use Compatibility Plan. The project includes a Specific Plan Amendment and a Supplemental Use Permit application for InConcert Sierra to purchase and convert the exiting office building, to a venue for the performing arts and a community meeting and conference center.

After reviewing the project details and the proposed number of event attendee and employees on site, I find that the proposed project does not contain characteristics likely to result in inconsistencies with the compatibility criteria set forth in the Nevada County Airport Land Use Compatibility and give approval of the project, on behalf of the NCALUC.

Please let me know if you have any questions regarding this project.

Thank you,

Mike Woodman, Executive Director
Nevada County Airport Land Use Commission
Nevada County Transportation Commission



EXHIBIT I

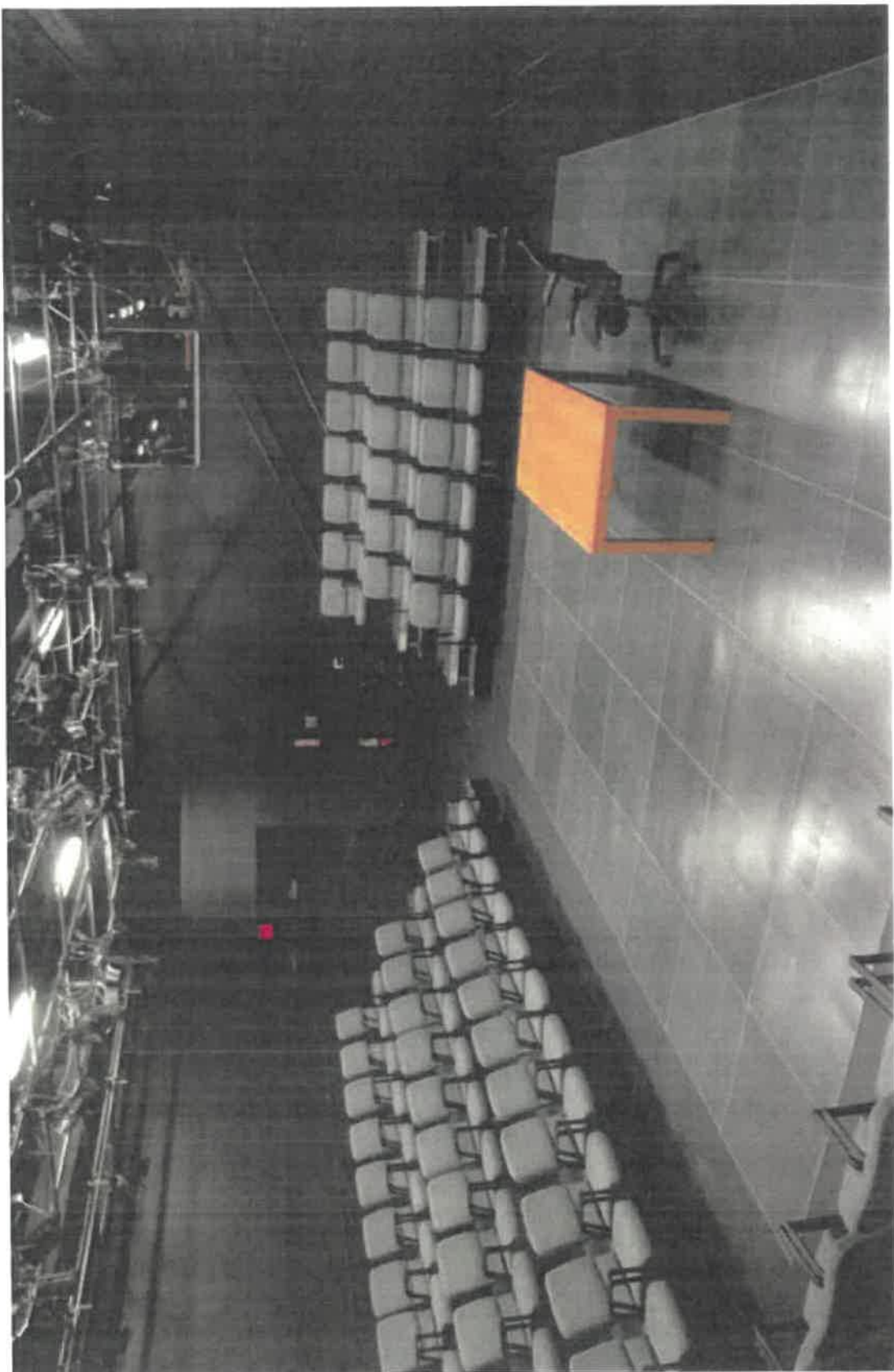


EXHIBIT J

**MITIGATION MONITORING
& REPORTING PLAN**

**INCONCERT SIERRA - WHISPERING PINES SPECIFIC
PLAN AMENDMENTS, USE PERMIT AND
DEVELOPMENT REVIEW PERMITS
(22PLN-18)**

City of Grass Valley

September 20, 2022

Prepared by:

City of Grass Valley
Community Development Department
125 E. Main Street
Grass Valley, CA

AUTHORITY AND PURPOSE

Pursuant to the California Public Resources Code, Section 21081.6, the City of Grass Valley is required to implement a Mitigation Monitoring and Reporting Plan for the InConcert Sierra Project located at 125 Crown Point Court, Grass Valley, CA 95945.

The purpose of this Mitigation Monitoring and Reporting Plan is to ensure compliance with, and effectiveness of, the Mitigation Measures set forth in the Mitigated Negative Declaration prepared for the project.

RESPONSIBILITIES

The City of Grass Valley Community Development Department (CDD) will have primary responsibility for the operation of the Mitigation Monitoring and Reporting Plan. The CDD is responsible for managing all technical advisors and coordinating monitoring activities. The CDD is responsible for directing the preparation and filing of Compliance Reports.

MITIGATION MONITORING MATRIX

The following is a list of Mitigation Measures as presented in the Mitigated Negative Declaration prepared for the project. The Mitigation Monitoring and Reporting Program (MMRP), will be considered for adoption by the City of Grass Valley City Council concurrently with consideration of the Mitigated Negative Declaration prepared for the project. The City Council may direct that changes be made to the measures contained in this document prior to its adoption.

IN CONCERT SIERRA PROJECT MITIGATION MONITORING MATRIX

No.	Impact	Mitigation Measure	Phase	Responsible Person/ Agency	Frequency of Monitoring/Reporting	VERIFICATION AND IMPLEMENTATION	
						Date Report Recieved	Notes
XVI.	PARKING	<p>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, the applicant shall submit off-site parking agreements for review and approval that satisfy the event attendance. 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.</p>	2 & 4	CDD	OG		

Findings and Conditions of Approval – InConcert Sierra Whispering Pines Specific Plan Amendments, Use Permit and Development Review Permits (22PLN-18)

FINDINGS:

In accordance with Section 5.5 of the Whispering Pines Specific Plan, the City Council is required to make the following specific findings before it approves an amendment to the Whispering Pines Specific Plan.

1. The City received a complete application for the Whispering Pines Specific Plan Amendment 22PLN-18.
2. The Community Development Department prepared an Initial Study/Mitigated Negative Declaration as the appropriate environmental review in accordance with the California Environmental Quality Act (CEQA). Mitigation Measures were incorporated into the project to fully mitigate all potentially significant impacts on the environment.
3. The Planning Commission has independently reviewed, analyzed, and considered the Initial Study/Mitigated Negative Declaration prior to making its decision on the project. The Mitigated Negative Declaration reflects the independent judgement of the City of Grass Valley, as lead agency.
4. The 2020 General Plan designates the project site as Business Park. The proposed uses are consistent with the General Plan or any applicable Specific Plan.
5. Changes in the community have occurred since the adoption of the Specific Plan warranting an amendment as requested.
6. The change will benefit the Whispering Pines Specific Plan area.
7. The change is in conformance with the adopted Whispering Pines Specific Plan.
8. The change will not adversely affect adjacent properties and can be properly serviced.
9. The physical constraints of the property are such that the Whispering Pines Specific Plan Amendment is warranted.
10. The project is consistent with the applicable sections and development standards in the Development Code.
11. The project, as conditioned, complies with the City of Grass Valley Community Design Guidelines.

Findings and Conditions of Approval – InConcert Sierra Whispering Pines Specific Plan Amendments, Use Permit and Development Review Permits (22PLN-18)

12. The proposed use is allowed within the applicable zone and complies with all other applicable provisions of this Development Code and the Municipal Code.
13. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity.

A. GENERAL/DESIGN CONDITIONS OF APPROVAL:

1. The approval date for the Use and Development Review Permits *is October 11, 2022*. This project is approved for a period of one (1) year and shall expire on *October 11, 2023*, unless the project has been effectuated (i.e., a building permit has been issued) or the applicant requests a time extension that is approved pursuant to the Development Code.
2. The project shall be constructed in accordance with the Project Description on file with the Community Development Department (22PLN-18) approved by the City Council. Minor design changes may be approved by the Community Development Director when determined to be substantially compliant with the City Council's Approval. Major design changes not in substantial compliance shall be approved by the Planning Commission as determined by the Community Development Director.
3. The applicant shall file a Notice of Determination (NOD), including payment of associated Fish and Game and County Recorder fees, in the office of the County Clerk within (5) days after the approval date of the project. The applicant shall provide a copy of the NOD to the City.
4. Prior to construction, the applicant shall obtain building, plumbing, electrical and mechanical permits from the Community Development, Building Division.
5. The applicant shall obtain a tree removal permit from the Grass Valley Public Works Department.
6. 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.

B. DURING CONSTRUCTION, THE FOLLOWING CONDITIONS SHALL APPLY:

1. That prior to any work being conducted within the State, County or City right-of-way, the applicant shall obtain an Encroachment Permit from the appropriate Agency.
2. Placement of construction fencing around all trees designated to be preserved in the project shall be completed.

**Findings and Conditions of Approval – InConcert Sierra Whispering
Pines Specific Plan Amendments, Use Permit and Development
Review Permits (22PLN-18)**

3. The applicant shall submit a Dust Mitigation Plan for review and approval by City Engineer. Dust mitigation measures shall be implemented in accordance with the approved Dust Mitigation Plan. The dust mitigation plan shall include the following:
 - a. Persons responsible for ensuring that all adequate dust control measures are implemented in a timely and effective manner shall be shown on the improvement plans.
 - b. All material excavated, stockpiled, or graded shall be sufficiently watered, treated, or covered to prevent fugitive dust from leaving the property boundaries and/or causing a public nuisance. Watering during summer months should occur at least twice daily, with complete coverage of disturbed areas.
 - c. All areas with vehicle traffic shall be watered or have dust palliative applied as necessary to minimize dust emissions.
 - d. All on-site vehicle traffic shall be limited to a speed of 15 mph on unpaved roads.
 - e. All land clearing, grading, earth moving, or excavation activities on a project shall be suspended as necessary to prevent excessive windblown dust when winds are expected to exceed 20 mph.
 - f. All inactive portions of the development site shall be covered, seeded, watered, or otherwise stabilized until a suitable cover is established.
 - g. All material transported off-site shall be either sufficiently watered or securely covered to prevent it being entrained in the air, and there must be a minimum of six (6) inches of freeboard in the bed of the transport vehicle.
 - h. Paved streets adjacent to the project shall be swept or wasted at the end of each day, or more frequently, if necessary, to remove excessive accumulations or visibly raised areas of soil which may have resulted from activities at the project site.
 - i. Prior to final occupancy, the applicant shall reestablish ground cover on the site through seeding and watering.
4. The contractor shall comply with all Occupational Safety & Health administration (OSHA) requirements.
5. The applicant shall obtain final approval from the City of Grass Valley, fire, planning, engineering, and building divisions.

ORDINANCE NUMBER _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY
AMENDING THE WHISPERING PINES SPECIFIC PLAN.**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GRASS VALLEY AS FOLLOWS:

SECTION 1. The Whispering Pines Specific Plan is hereby amended as shown in **Exhibit “A”**. Bold text represents new text of the SP – 1A.1 Zone, which is to be added to the SP – 1A Zone.

SECTION 2. In compliance with Whispering Pines Specific Plan, the City Council adopts the following findings in support of the Whispering Pines Specific Plan Amendments:

1. The proposed amendments are consistent with the General Plan. *Rationale: The 2020 General Plan acknowledges the previously adopted Whispering Pines Specific Plan and identifies policies reflected in the Whispering Pines Specific Plan. The proposed amendments allow for a site-specific use that is compatible with adjoining uses in the SP – 1A Zone.*

2. Changes in the community have occurred since the adoption of the Specific Plan warranting an amendment as requested. *Rationale: The Whispering Pines Specific Plan was adopted in 1984 with a range of uses that were common 40 years ago but are less common today. The proposed amendments would permit a site-specific public assembly use in the existing 41,600 square foot building with approval of a Use Permit by the Planning Commission. The site-specific use is not anticipated to have any negative impacts on adjoining land uses in the Whispering Pines Specific Plan area as outlined in the Initial Study/Mitigated Negative Declaration prepared for the project.*

3. The change will benefit the Whispering Pines Specific Plan area. *Rationale: Occupancy of the existing 41,600 square foot building with a use that primary operates during off hours from adjoining uses will benefit the Specific Plan area. From an air quality and Vehicle Miles Traveled standpoint, the site-specific use is anticipated to be less impactful than the current office uses formally occurring in the building.*

ORDINANCE NUMBER _____

4. The change is in conformance with the adopted Whispering Pines Specific Plan.

Rationale: The Whispering Pines Specific Plan includes policies, goals, and objectives to reduce land use conflicts and environmental impacts. The site-specific use is compatible with adjoining land uses in the Whispering Pines Specific Plan area.

5. The change will not adversely affect adjacent properties and can be properly serviced.

Rationale: The amendments permit use of the existing 41,600 square foot building for public assembly use. The InConcert Sierra public assembly uses have been evaluated and have been determined to be compatible with adjoining uses.

6. The physical constraints of the property are such that the Whispering Pines Specific Plan Amendment is warranted.

Rationale: There are no physical constraints associated with the property. The 41,500 square foot building is appropriate for the contemplated public assembly use and will not have negative impacts on adjoining uses.

7. The project is consistent with the applicable sections and development standards in the Development Code.

Rationale: The project is consistent with the Development Standards in the Development Code.

8. The proposed amendments would not be detrimental to the public interest, health,

safety, convenience, or welfare of the City. *Rationale: The proposed amendments and project have been evaluated and do not result in any significant changes that could be detrimental to the public interest, health, safety, convenience, or welfare.*

9. On September 20, 2022, the Grass Valley Planning Commission conducted a public hearing on the proposed amendments and provided a recommendation of approval as Development Code Amendments noted in **Exhibit “A”**.

10. The Community Development Department prepared an Initial Study/Mitigated

ORDINANCE NUMBER _____

Negative Declaration as the appropriate level of environmental review for the project. The environmental review was circulated for public review commencing on August 26, 2022, and ending close of business on September 14, 2022.

11. The City Council concurs with the recommendations of the Planning Commission and determines the Initial Study/Mitigated Negative Declaration as the appropriate level of environmental review for the proposed amendments to the Whispering Pines Specific Plan.

SECTION 3. The City Council amends the Whispering Pines Specific Plan through its approval of this ordinance as referenced and noted in **Exhibit "A"**.

SECTION 4. This ordinance shall take effect thirty (30) days from and after the date of its adoption and a summary of said ordinance shall be published once within fifteen (15) days upon its passage and adoption in The Union, a newspaper of general circulation printed and published in the Grass Valley Area.

INTRODUCED and first read on the 11rd day of October 2022

PASSED AND ADOPTED this 25th day of October 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ben Aguilar, Mayor

ATTEST:

Taylor Day, Deputy City Clerk

APPROVED AS TO FORM:

Michael Colantuono, City Attorney

PUBLISH DATE: _____

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.

Lance Lowe

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

RESPONSE TO COMMENTS

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.