



**PLANNING COMMISSION
STAFF REPORT
JULY 16, 2024**

Prepared by: Amy Wolfson, City Planner

DATA SUMMARY

Application Number: 24PLN-22
Subject: Conditional Use Permit to allow a bar/taproom within the Central Business (C-2) zoning designation.
Location/ APN: 151 West McKnight /029-350-007
Applicant: Christopher Gage of Sitrine Architecture, on behalf of business owner, River Dog Taproom 4
Zoning/General Plan: Central Business (C-2)
Environmental Status: Exempt pursuant to CEQA Guidelines Section 15301

RECOMMENDATION:

That the Planning Commission approve the Conditional Use Permit application to allow a bar/taproom use as presented, or as may be modified at the public hearing, which includes the following actions:

1. A recommendation that the Conditional Use Permit is Categorically Exempt pursuant to Section 15301, Class 1, of the California Environmental Quality Act (CEQA) and Guidelines, as detailed in the staff report; and
2. Adopt Findings of Fact for approval of the Conditional Use Permit as presented in the Staff Report; and
3. Approve the Conditional Use Permit to allow the bar/taproom as presented in accordance with the Conditions of Approval, attached to the Staff Report.

BACKGROUND:

According to Assessor's records, the Target Shopping Center (formally Kmart) was constructed in 1981. The existing shopping center has been undergoing extensive renovation over the past three years. In March of this year the city approved an outdoor patio addition for the subject tenant suite and informed the applicant about the Use Permit requirements bar/taproom use.

PROJECT DESCRIPTION:

This is a proposed Conditional Use Permit to allow a taproom use at the subject site. Pursuant to table 2-10 of the City Municipal Code this use requires a Use Permit.

The site is already developed, though will require some interior improvement to make the space suitable for the taproom use. Operating hours will vary depending on the day of the week but will be for a maximum of 10 hours on Fridays and Saturdays, opening at noon and

closing by 10 p.m. Food served will consist of small bites such as cheese plates and pizza, along with local beers and wine. The applicant plans to include non-amplified music on weekends only, not to exceed a 3-hour duration.

ENVIRONMENTAL DETERMINATION:

Pursuant to the California Environmental Quality Act (CEQA), an Initial Study is required to be prepared in the absence of an applicable exemption pursuant to CEQA Guidelines. In this case, the Use Permit is consistent with Categorical Exemption Class 1, which applies to “existing facilities” that involve “negligible or no expansion of use.” The proposed Use Permit does not involve any physical expansion of the building or use area and the taproom use, as conditioned, is similar in intensity to uses that are already allowed within the C-2 zoning designation such retail and restaurant uses.

GENERAL PLAN AND ZONING:

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

Zoning: The C-2 Zoning designation applies to existing auto-oriented areas. The C-2 zone permits a full range of retail and restaurant uses.

FINDINGS:

1. That the Grass Valley Planning Commission reviewed Use Permit application 24PLN-22 at its regular meeting on June 16, 2024;
3. That, the project is exempt from environmental review pursuant to Sections 15301, Class 1 of the California Environmental Quality Act (CEQA) Guidelines;
4. That the proposed Use Permit, as conditioned, is consistent with the Grass Valley General Plan;
5. That the proposed Use Permit, as conditioned, is consistent with the Grass Valley Development Code;
6. That, as conditioned, the Use Permit will not adversely affect the health or safety of persons residing or working in the neighborhood or the property and will not be materially detrimental to the public welfare or injurious to property or improvements of the environment in the neighborhood.

CONDITIONS OF APPROVAL:

1. This conditional use permit authorizes the taproom use 151 West McKnight Way, Suite L at the Target Shopping Center, APN: 029-350-007. This use shall operate in accordance with the application materials as approved by the Grass Valley Planning Commission for

Use Permit 24PLN-22. The Community Development Director may approve minor changes as determined appropriate. The Planning Commission must approve all changes deemed major in nature. The City shall have full discretion to determine the required level of review for any proposed changes.

2. Any noise generated, including music entertainment, shall at all times be compliant with Chapter 8.28 of the City Municipal Code.
3. The commercial retail food facility shall obtain a food facility permit from Nevada County Department of Environmental Health (NCDEH) in accordance with applicable California Retail Food Code Requirements. To begin the permitting process:
 - a.) Submit a major food facility plan check application packet for review and written approval, along with applicable plan review fees. The plan review submittal (electronic or paper) shall contain designs/plans drawn to scale for the construction/"build out" of the retail food facility space.
 - b.) The submittal packet shall include but not limited to: equipment manufacturer specification cut sheets, specific design of the commercial kitchen and warewash area, any proposed ventilation exhaust engineering details, any proposed retail area, food storage areas including mezzanines and basements, janitorial areas, restrooms for both customers and staff, plumbing details, hot water demand calculations, a proposed food and beverage menu, flooring, integral coving, wall, and ceiling finish schedules, and operational plan if applicable.
 - c.) If submitted in paper form, please include 2 sets of plans along with the items described in b.)
 - d.) If submitted in electronic form, only 1 set of plans is required, along with the items described in b.)
 - e.) The plan check submittal shall be approved by NCDEH before ANY construction of the food facility can begin. The facilities shall pass a final construction inspection with NCDEH, submit for annual Certificate of Operation health permits, and pay all applicable fees prior to opening.
4. The proposed project shall comply with applicable regulations which are enforced by Nevada County Department of Environmental Health (NCDEH) as the Local Enforcement Agency (LEA) pertaining to the storage and management of solid wastes (Title 14, California Code of Regulations (14 CCR), Title 27, California Code of Regulations (27 CCR) & Nevada County Code, Chapter IV, Article 8).
5. 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.

Attachments:

1. Aerial and Vicinity Map Exhibits
2. Applications
3. Site Plan Exhibit