



**DEVELOPMENT REVIEW
COMMITTEE
STAFF REPORT
November 14, 2023**

Prepared by: Amy Wolfson, City Planner

DATA SUMMARY

Application Number: 23PLN-24
Subject: Development Review Permit for outdoor furniture selection at the McKnight Center outdoor seating area, and master sign program amendment, and mural proposal
Location/APNs: 111, 117, 129 and 151 W McKnight Way/029-350-07 & 09
Applicant: Mesa Management
Representative: Jim Fitzpatrick, Solutioneer
Zoning/General Plan: Central Business (C-2)/Commercial
Entitlement: Development Review Permit
Environmental Status: Categorical Exemption

RECOMMENDATION:

1. That the Development Review Committee approve the outdoor furniture concept proposed for the outdoor spaces at the McKnight Crossing shopping center as presented, or as may be modified by the DRC, which includes the following actions:
 - a. Determine the project Categorical Exempt pursuant to Section 15301, Class 1, of the California Environmental Quality Act (CEQA) and Guidelines, as detailed in the staff report;
 - b. Adopt Findings of Fact for approval of the Development Review Permit as presented in the Staff Report; and,
 - c. Approve the Development Review Permit in accordance with the Conditions of Approval, as presented in this Staff Report.

BACKGROUND:

The Development Review Committee (DRC) reviewed a proposal for ±4,800 sq ft of outdoor dining space at the McKnight Center at their meeting held August 22, 2023, and the Planning Commission approved the project at their meeting on September 19, 2023. The project was approved with a condition that the applicant return to DRC with a furniture concept that addresses concerns regarding durability, weather resistance, and a style that compliments the architecture of the shopping center.

PROJECT PROPOSAL:

The applicant is proposing a furniture concept that features wood-looking aesthetics, made of durable composite material with metal support elements and/or accents, as well as compliance with accessibility standards. Planters at the Afternoon Deli dining location are proposed to be metal and square in form. The furniture concept will be featured throughout the outdoor dining/gathering areas at the McKnight Center.

REGULATORY DISCUSSION:

Review Authority: Pursuant to section 17.72.030 (D.3) GVMC, commercial projects in excess of 2,000 square feet, including outdoor use areas, require review by the Development Review Committee (DRC), and final action by the planning commission. The overall project was previously approved by the planning commission with a condition that the furniture concept come back before DRC.

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.

SITE DESCRIPTION AND ENVIRONMENTAL SETTING:

The McKnight Shopping Center is divided into four parcels which include: 101 W McKnight Way (APN: 029-350-007), 115 W. McKnight Way (APN: 029-350-008), and 111 – 151 W McKnight Way (APNs: 029-350-009 & 010). These four parcels are covered by a Declaration of Restrictions and Grant of Reciprocal Easements, including parking.

The retail shopping center is anchored by Target, SPD, Big 5 and Banner Bank with subordinate tenants of Papa Murphy's Pizza, Cash Advance, Baskin Robbins, Mountain Mike's Pizza, AT&T, Gig Mart, Fish & Chips, Essential Salon, Daily Donuts, All Seasons Pools and Spas, and H&R Block. A separate building hosting Golden Dragon, Trkac, and Afternoon Deli, is located on the southeast side of the retail center.

ENVIRONMENTAL DETERMINATION:

The proposed project qualifies for a Categorical Exemption pursuant to Section 15301, Class 1, of the California Environmental Quality Act (CEQA) and Guidelines. A Class 1 Categorical Exemption consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alternation of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The outdoor gathering spaces were previously approved. This approval is for the aesthetics and durability of the furniture selection. Therefore, the project is anticipated to result in no expansion of the existing use.

FINDINGS:

1. The City received a complete application for Development Review Application 23PLN-24.
2. The Grass Valley Development Review Committee reviewed Development Review Application 23PLN-24 at their regular meeting on August 22, 2023, and the Planning Commission approved the project on Tuesday, September 19, 2023 with a condition that the furniture concept return to DRC for approval.
3. The project, as conditioned, complies with the City of Grass Valley Community Design Guidelines, including furnishings selected “based on usefulness, durability, maintenance, and aesthetic detail. Styles of furnishings shall be consistent with or complimenting to styles existing in the project area.”
4. The proposed use is allowed within the applicable zone and complies with all other applicable provisions of this Development Code and the Municipal Code.

RECOMMENDED CONDITIONS (Outdoor Dining Furniture)

1. The approval date for the furniture component of this Development Review permit is November 14, 2023 with an effective date of Thursday, November 30, 2023 pursuant to Section 17.74.020 GVMC. This project is approved for a period of one year and shall expire on November 30, 2024 unless the project has been effectuated or the applicant requests a time extension that is approved by the Development Review Committee pursuant to the Development Code.
2. Final furniture selections shall feature wood-mimicking aesthetics and shall be made of durable materials such as composite wood and metal. Furniture shall not be made of natural wood or material that requires ongoing maintenance such as painting or sealing.
3. Final furniture selections shall be reviewed by the City Planner for substantial consistency with the furniture concept approved by the Development Review Committee (23PLN-24).
4. Final furniture selections shall be reviewed by the Building Official for compliance with California Building Code and ADA standards.
5. The applicant agrees to defend, indemnify, and hold harmless the City of Grass Valley in any action or proceeding brought against the City of Grass Valley to void or annul this discretionary land use approval.

ATTACHMENTS:

1. Applicant’s statement
2. Applicant’s presentation

McKnight Crossing – Development Review Committee – Applicant Letter 11.6.2023

City of Grass Valley
Community Development Department
Attn: Amy Wolfson – City Planner
125 E Main Street
Grass Valley, CA 95945

Via Email

RE: Proposed Improvements at McKnight Crossing for Development Review Committee

Amy,

Thank you for efficiently working with our Team to make improvements at the Center.

Thank you to the DRC Members for their support in the August meeting. The items the DRC put forth to the Planning Commission were well received and supported unanimously.

In our August 2023 DRC Meeting, there was a Committee request that we spend some time thinking about a couple items, and return to the DRC:

1. **Outdoor Gathering Spaces:**

- Furniture
 - That the furniture selected would be appropriate for the Grass Valley Environmentals
- ADA Accessibility
 - To confirm the areas and furniture would be ADA compliant

2. **Farmers Market:**

- Committee Members directed Staff to work with our Team, to conduct Outreach with potential Operators
- Thoughtfully consider the feedback for how the Market would operate relative to space and a new built environment
- Return to DRC for review

Proposal for the November 14, 2023 DRC:

- Outdoor Gathering Spaces
 - Furniture
 - We ordered furniture based on the Attached Decision Tree for consideration of the environmental aspects and came to the same decision as the City
 - Scheduled to arrive January 2024, impacted by supply chain issues
 - If proves satisfactory, expectations are the entire order can be received April 1
 - We request some flexibility combined with City review
 - ADA Accessibility
 - All Furniture and Gathering Spaces will be ADA Accessible and ADA compliant
 - City will have the opportunity to review in Plan Check. The Center seeks to de-risk the project and often exceeds Building Code requirements.

-
- **Farmers Market:**
 - At this time, we do not have anything to formally propose, and may come back to DRC early next year with a proposal
 - Actions taken since August:
 - We met with several operators, Staff, the Chamber of Commerce and others
 - We investigated local Farmers Markets and Best Practices in general
 - We continue to monitor the Parking Lot to observe operational characteristic by day part for car counts, flow and future possibilities
 - In addition, we are exploring an option to have a “pilot” Farmers Market, without the structures, to evaluate operations, prove to tenants the Market is viable, prior to a commitment to invest in the broader infrastructure recently considered

Applicant Request:

1. Approve the Furniture for the Outdoor Gathering Spaces with language that provides the City necessary controls while allowing the Center some flexibility in the exact item selected.
 - The Materials ARE: Durable, low maintenance, ARE NOT: wood, requiring painting
 - See Attachment

Center Updates:

- Thank you to Grass Valley and all those involved in our re-imagining project, we appreciate it
- Most of the façade and infrastructure improvements have been accomplished
- Big 5 has successfully transitioned into their new modernized space
- Below Five is in third round of Plan Check Comments, contractor selected and ready to begin the build
- Landscaping Plans approved, materials and plants being secured and introduced soon
- The Center is excited to announce the first of several new tenants
 - Sweet Spot – A bakery specializing Cakes and Treats with fresh ingredients, mixed by hand
- Other updates:
 - Finalizing Plans to introduce the Daughters of the American Revolution Plaque to Patriots Point
 - Introduced a Flag Donation Drop Off Box adjacent to Patriots Point
 - With Center Parking Lot restriping, we will introduce a couple Veterans / Military only parking spaces
- **Grand Re-Opening Celebration:**
 - Scheduled for Spring 2024
 - Planning a celebration where all are invited

Thank you for the opportunity to present these additional improvements and innovations. We ask for support for this Application in an effort to finalize the Center, and make it an integral part of the Grass Valley Community.

Jim Fitzpatrick

Authorized Agent
Mesa Management
Special Projects



Outdoor Furniture Selection

DRC

November 14, 2023

November 6, 2023



Grass Valley – Furniture Selection Decision Tree



Both City & Center Came to the Same Decision



@ The GROVE

Downtown Grass Valley materials selection



Same / Similar Conclusions



Proposed Conditions of Approval

GOAL: Provide City confidence there will be oversight, while allowing the Center some flexibility.

NOTE: We have ordered the example provided. Supply Chain issues have caused a delay in receiving.

(Expected Delivery January 2024 – can have all Furniture delivered April 1, 2024)
We are asking for flexibility, to not have to declare an exact SKU / product, so we can verify upon receiving actual furniture

- **Define what materials will be used:**
 - Composite Materials
 - Low to no maintenance
 - Reasonable cost
 - Achieves ADA Accessibility requirements
 - Comfortable and Inviting
 - Durable for Environmental extremes – Hot

- **Define what Materials will not be used:**
 - Natural Wood
 - Requires ongoing maintenance
 - Requires Painting
 - Likely need to be replaced

- **Final Furniture Selection reviewed and approved by Staff (Plan Check)**
 - Consistent with Grass Valley environmental and maintenance concerns
 - Consistent with City selected furniture on Mill Street
 - Achieves ADA and Accessibility requirements