



**PLANNING COMMISSION**  
**May 21, 2024**

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**Prepared by:** Lucy Rollins, Senior Planner

**DATA SUMMARY**

**Application Number:** 24PLN-08, 24PLN-09, 24PLN-10  
**Subject:** Use Permit applications for a reduction in the covered parking requirement for multifamily residential  
**Location/APNs:** 210 Sutton Way / APN 035-412-004  
228 Sutton Way / APN 035-412-003,  
265 Sutton Way / APN 035-412-025  
**Applicant:** Cascade Housing Association  
**Representatives:** Denni Ragsdale and Kristi Isham  
**Zoning/General Plan:** Multiple Family Residential (R-3) / Urban High Density (UHD)  
**Entitlement:** Use Permit  
**Environmental Status:** Common Sense Exemption (Section 15061(b)(3))

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**RECOMMENDATION:**

1. That the Planning Commission approve the Use Permit applications for the exception to the covered parking standard for multifamily residential at 210, 228, and 265 Sutton Way as presented, or as modified by the review authority, which includes the following:
  - a. Determine the proposed project at 210 Sutton Way (24PLN-08) Exempt pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) and Guidelines, as detailed in the staff report;
  - b. Determine the proposed project at 265 Sutton Way (24PLN-09) Exempt pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) and Guidelines, as detailed in the staff report;
  - c. Determine the proposed project at 228 Sutton Way (24PLN-10) Exempt pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) and Guidelines, as detailed in the staff report;
  - d. Adopt Findings of Fact for approval of the Use Permits as presented in the Staff Report; and
  - e. Approve the Use Permits for the exception to the covered parking requirements subject to the Conditions of Approval, attached to the Staff Report.

**BACKGROUND:**

**210 Sutton Way (Cedar Park Apartments):** The existing 81-unit multifamily apartment complex was built in 2004, according to Nevada County Assessor's Office Records. The units include 80 deed-restricted low-income units, comprised of 36 two-bedroom units, 32 three-bedroom units, and 12 four-bedroom units. The facility also includes one two-bedroom manager's unit. The complex encompasses 13 residential structures, one community building, and a play area in the center of the complex. The project was approved with 193 parking spaces, 81 of which were covered by freestanding carports to comply with parking standards.

**228 Sutton Way (Oak Ridge Apartments):** The existing 80-unit multifamily apartment complex was built in 1998, according to City records. The units include 79 deed-restricted very low-income units, comprised of 24 two-bedroom units, 31 three-bedroom units, and 24 four-bedroom units. The facility also includes one three-bedroom manager's unit. The complex encompasses 14 residential structures and one community building. The project was approved with 144 parking spaces, 67 of which were covered by freestanding carports to comply with parking standards.

**265 Sutton Way (Glenbrook Apartments):** The existing 52-unit multifamily apartment complex was built in 2005, according to City records. The units include 51 deed-restricted low-income units, comprised of 23 two-bedroom units and 28 three-bedroom units. The facility also includes one two-bedroom manager's unit. The complex encompasses 7 residential structures and one community building. The project was approved with 110 parking spaces, 56 of which were covered by freestanding carports to comply with parking standards.

In February 2023, a winter storm caused several of the carports to collapse under the snow load at each of the three complexes, and many more began to show signs of failure (Attachment 3). Following this damage, the applicant filed an insurance claim with Farmers Insurance and received \$178,149.91 for the damage to the carports at Cedar Park Apartments, \$177,499.76 for Oak Ridge Apartments, and \$128,103.06 for Glenbrook Apartments (Attachment 5). The removal of all carports by Element 26 Contracting cost \$60,000 for Cedar Park Apartments, \$48,000 for Oak Ridge Apartments, and \$39,000 for Glenbrook Apartments according to invoices from the contractor (Attachment 6). These demolition costs left approximately \$118,000, \$129,500, and \$89,000 remaining of the claim payouts for each complex, respectively.

At the time of demolition, the applicant did not pull a Demolition Permit from the City for the removal of the carports. However, in March 2023, a Building Permit application was submitted to the City to add to and update the lighting in each complex. City staff became aware of the need for a Demolition Permit and replacement of the removed carports and informed the applicant. The applicant immediately applied for and received a retroactive Demolition Permit after providing the required documentation.

### **PROJECT PROPOSAL:**

The Use Permit applications are for an exception to the covered parking requirement for multifamily housing established in Section 17.36.040, Table 3-3 of the Grass Valley Municipal Code, seeking to allow all parking at 210, 228, and 265 Sutton Way apartment complexes to be uncovered. The parking requirements for multifamily housing with two or more units are as follows:

- Studio and 1-bedroom units: 1 covered space per unit plus 1 space for each 5 units for guest parking

- 2-bedroom and larger units: 2 covered space per unit plus 1 space for each 5 units for guest parking

Section 17.36.080.B of the Municipal Code allows for a reduction in the required parking spaces through a use permit or minor use permit (depending on the amount of reduction requested) based on quantitative information provided by the applicant that documents the need for fewer spaces. In this case, the applicant is not seeking a reduction in the total number of spaces, but a reduction in the number of covered spaces to a degree that requires a Use Permit.

While a separate application was filed for each property, these Use Permits are presented as one item for consideration as they are the same request by the same owner for neighboring properties.

According to a December 2023 quote from Element 26 Contracting, the cost to replace the carports at each of the three apartment complexes would be \$436,000 for Cedar Park Apartments (210 Sutton Way), \$348,800 for Oak Ridge Apartments (228 Sutton Way), and \$261,600 for Glenbrook Apartments (265 Sutton Way). In comparison, as stated previously, the remaining balance from the claim payouts for each complex is approximately \$118,000 for Cedar Park Apartments, \$129,500 for Oak Ridge Apartments, and \$89,000 for Glenbrook Apartments.

Cascade Housing Association is an affordable housing provider that has been operating the deed-restricted units at Cedar Park Apartments, Oak Ridge Apartments, and Glenbrook Apartments since their respective completion dates. As deed-restricted complexes, the operator cannot increase rents to cover the costs in the same manner a for-profit operator might. Further, the State of California passed Senate Bill 721 in 2018, which requires additional inspections, and possible improvements, for exterior elevated elements (i.e., decks, balconies, stairways) on all buildings with three or more multifamily dwellings by January 1, 2025. The applicant expressed to staff that the financial burden of replacing the carports exceeds the available funding for operation while also meeting State requirements and providing adequate lighting throughout the complex, and therefore requests an exception to covered parking requirements.

### **GENERAL PLAN AND ZONING:**

**General Plan:** The Urban High Density (UHD) General Plan designation is intended to accommodate town house or row house styles, higher density apartments, and condominiums without distinction as to owner- or renter-occupancy.

**Zoning:** The Multiple Family Residential (R-3) zone is applied to areas of the city that are appropriate for a variety of higher density housing types, located in proximity to parks, schools, and public services. The R-3 zone is consistent with and implements the Urban High Density (UHD) designation of the General Plan. Chapter 17.36 outlines the parking requirements for multifamily housing units, as described previously in this staff report. Additionally, Section 17.36.080 of the Development Code requires the review authority to make a finding that the applicant has provided sufficient documentation for the need for a reduction in parking standards. This finding is contained in the Findings section below.

### **SITE DESCRIPTION AND ENVIRONMENTAL SETTING:**

**210 Sutton Way (Cedar Park Apartments):** The subject site is located on the west side of Sutton Way north of the Dorsey Drive intersection. The site was developed in 2004 with the Cedar Park Apartments, which includes 13 residential structures, one community structure, and a park. There are no waterbodies or streams located on the property.

**228 Sutton Way (Oak Ridge Apartments):** The subject site is located on the east side of Sutton Way north of the Dorsey Drive intersection. The site was developed in 1998 with the Oak Ridge Apartments, which includes 14 residential structures and one community structure. There are no waterbodies or streams located on the property.

**265 Sutton Way (Glenbrook Apartments):** The subject site is located on Sutton Way south of the Plaza Drive intersection. The site was developed in 2005 with the Glenbrook Apartments, which includes 7 residential structures and one community structure. There are no waterbodies or streams located on the property.

### **ENVIRONMENTAL DETERMINATION:**

The proposed projects are exempt from CEQA under State CEQA Guidelines Section 15601(b)(3) (Common Sense Exemption). This section states that an “activity is covered by the common sense exemption that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.” There is no possibility that the proposed exception from the covered parking requirement will result in a physical change to the environment. Each property is fully developed with residential structures, community structures, and paved parking areas. Currently, there are no carports on the sites. The proposal would not result in any development and, therefore, would not disturb the physical environment. Any future development would be subject to review under Chapter 17.72 of the Grass Valley Municipal Code and CEQA. Therefore, no further environmental review is required.

### **FINDINGS:**

The approval of Use Permits for an exception to the multifamily covered parking requirement at 210, 228, and 265 Sutton Way shall first require the review authority to make the following findings:

1. The City received a complete application for Use Permit Applications 24PLN-08, 24PLN-09, and 24PLN-10.
2. The Planning Commission reviewed the projects in compliance with the California Environmental Quality Act and concluded that the projects qualify for Common Sense Exemptions in accordance with the California Environmental Quality Act and CEQA Guidelines Section 15601(b)(3).
3. A reduction in parking standards, as allowed by Section 17.36.070 of the Grass Valley Municipal Code, may include a reduction in the number of covered parking spaces.
4. The applicant has provided sufficient quantitative information, pursuant to Section 17.36.070, to document a need for a reduction/elimination of the covered parking standard.

5. The proposed project is consistent with the general plan and any applicable specific plan.
6. The proposed project is allowed within the applicable zone and complies with all other applicable provisions of this development code and the Municipal Code; and
7. The site is physically suitable for the project and will not be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood.

**RECOMMENDED CONDITIONS:**

1. The approval date for Planning Commission review is \_\_\_\_\_<TBD>\_\_\_\_\_ with an effective date of Thursday, \_\_\_\_\_<TBD>\_\_\_\_\_ pursuant to Section 17.74.020 GVMC.
2. 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. Universal Applications
2. Use Permit Applications
3. Carport Failures
4. Construction Proposals
5. Insurance Claims
6. Demolition Invoices
7. Site Plans
8. CalHFA Regulatory Agreements
9. CTCAC Regulatory Agreements