

**DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT
March 12, 2024**

This item was continued from the February 27, 2024 meeting due to lack of presence from an applicant representative.

Prepared by: Amy Wolfson, City Planner

DATA SUMMARY:

Application Number: 20BLD-442

Subject: Add exterior staircase to a priority 4 rated building within the City's Historic District

Location/APN: 138 East Main Street/008-343-020

Applicant: Russell Davidson, project architect

Zoning/General Plan: Town Core/Commercial

Entitlement: Building Permit

Environmental Status: Categorical Exemption

RECOMMENDATION:

That the Development Review Committee approve the proposed exterior staircase as may be modified at the public meeting, and which includes the following actions:

1. Determine the project Categorically Exempt as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA) and Guidelines;
2. Adoption of Findings of Fact for approval of the exterior staircase as presented in the Staff Report; and
3. Approval of the exterior staircase in accordance with the Conditions of Approval as presented in the Staff Report.

BACKGROUND:

In August 2020, the applicant filed a building permit for the exterior staircase but was told a lot line adjustment would be required to accommodate the staircase and the applicant withdrew the permit. The building was built some time before 1977 according to city records. and is considered a Priority 4 building per the city's historic rating system. A Priority 4 rating is applied to properties that are designated as modern infill, with a total loss of historic fabric.

PROJECT DESCRIPTION:

138 and 142 East Main Street have a common owner, who is willing to record an easement over 142 East Main Street to accommodate the staircase. The city currently leases 142 East Main for a city parking lot. The staircase will be added to the east side of the building, within the adjacent parking lot. It will be setback approximately 35 feet from East Main Street, and

approximately 84 feet from Richardson Street. The staircase material will be a weathered steel and will necessitate the addition of a shed roof, replacement of a window to a door, and relocation of a window, all on the second floor.

The Historical Commission considered the project at their regular meeting held on February 13, 2024 and recommended approval of the project as presented.

HISTORIC DESIGN GUIDELINES:

For properties rated Priority 4, preservation is not an objective according to the Design Review Guidelines for the 1972 Historic Townsite. In these cases, the guidelines for new construction apply. Alterations to the properties may occur that are compatible with the overall character of the district. Demolition applications for structures in this category are generally handled through normal city permitting procedures.

SITE DESCRIPTION AND ENVIRONMENTAL SETTING:

The property is located between East Main Street and Richardson Street, within the original boundaries of the 1872 townsite. It is bordered by a priority 2 rated building to the west and a commercial parking lot to the east.

ENVIRONMENTAL DETERMINATION:

The project qualifies for a Class 1 Categorical Exemption. A Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.

GENERAL PLAN AND ZONING:

General Plan - The project area has a land use designation of Commercial with a Town Center overlay, according to the City of Grass Valley 2020 General Plan. The Commercial designation is a broad category intended to encompass all types of retail and commercial service establishments and the Town Center overlay is intended to designate selected properties for mixed uses whereby special development criteria may be applied pursuant to the development code.

Zoning - The property is within the Tow Core zoning designation and within the Historical combining zone (TC-H). The primary intent of this zone is to strengthen the mixed-use, pedestrian-oriented nature of the existing historic downtown. The Historical combining zone is intended to identify important cultural resource sites and structures in the city, to ensure that any proposal to alter the state of the site or structure is carefully considered prior to implementation.

FINDINGS:

In accordance with Section 17.81.060 of the Development Code, the Development Review Committee is required to make specific findings before it approves a Development Review Permit.

1. The Community Development Department determined the project is Categorically Exempt as the appropriate environmental review in accordance with the California Environmental Quality Act (CEQA).
2. The Grass Valley Historical Committee reviewed the application at its regularly scheduled meeting on February 13, 2024.
3. The Grass Valley Development Review Committee reviewed the application at its regularly scheduled meeting on February 27, 2024.
4. The project is consistent with the applicable sections and development standards in the Development Code.
5. The project, as conditioned and to the extent feasible, complies with the City of Grass Valley Community Design Guidelines and the Design Review Guidelines for the 1872 Historic Townsite.
6. The proposed use is allowed within the applicable zone and complies with all other applicable provisions of this Development Code and the Municipal Code.
7. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity.

A. RECOMMENDED CONDITIONS:

1. The effective approval date for this permit is March 14, 2024 (16 days after approval pursuant to 17.74.020 of the municipal code). The Development Review Permit is approved for a period of 1 year and shall expire on March 14, 2025 unless the project has been effectuated (i.e., building permit has been obtained) or the applicant requests a time extension that is approved by the Grass Valley Development Review Committee pursuant to the Development Code.
2. The project shall be constructed in accordance with the plans approved by the Development Review Committee for Building Permit 20BLD-442 unless changes are approved by the Development Review Committee prior to commencing such changes. Minor design changes may be approved by the Community Development Department as determined appropriate by the Community Development Director. Major changes, as determined by the Community Development Director, shall be approved by the Development Review Committee.
3. Prior to issuance of a building permit, the applicant shall review the lease agreement with the City to determine if updates are required due to the loss of a parking space. If required, an updated lease agreement shall be executed prior to issuance of a building permit.

4. Prior to issuance of a building permit, a deed restriction requiring an access easement, to be prepared in substantial conformance to the form provided in Exhibit A, shall be reviewed by city staff prior to recording at the Nevada County Recorder's Office.
5. This plan has not been reviewed by Fire, Building or Engineering Departments. Prior to construction, the applicant shall obtain the requisite building, permits from the building division, in compliance with the California Codes.
6. 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:

Attachment 1 – Vicinity Map

Attachment 2 – Aerial Photograph

Attachment 3 – Staircase Improvement Plans

Conditions of Approval Exhibit A – Sample Deed Restriction