



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

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

DATA SUMMARY:

Application Number: 22PLN-55
Subject: Development Review Permit for the construction of an off-site secondary access driveway and overflow parking for Jada Windows located at 179 Clydesdale Court.
Location/APNs: No Address/009-680-050 & 009-680-052
Applicant: Kevin Nelson, Nelson Engineering
Zoning/General Plan: Light Industrial (M-1) Zone/Industrial
Entitlement: Development Review Permit
Environmental Status: Categorical Exemption

RECOMMENDATION:

Staff recommends the Development Review Committee approve the Development Review Permit, 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. Adopt Findings of Fact for approval of the Development Review Permit as presented in the Staff Report; and,
3. Approve the Development Review Permit in accordance with the Conditions of Approval, as presented in the Staff Report.

PROJECT DESCRIPTION:

The applicant is requesting a Development Review Permit for the construction of an off-site secondary access driveway and overflow parking for Jada Windows business located at 179 Clydesdale Court in the Whispering Pines Specific Plan SP-1A Zone. The secondary access connects with Whispering Pines Lane between a break in the landscape median at the northeast corner of the adjoining properties.

A total of 27 parking stalls are proposed for off-site employee parking to allow for customer on-site parking nearest the Jada Windows business.

Development Review – In accordance with Table 7 – 2 of the City’s Development Code, a Development Review Permit is required for Parking Lots. The design is subject to the City’s Parking and Landscaping Standards as discussed below.

Property Description – Access and parking are located over and across two adjoining undeveloped parcels. Assessor’s Parcel 009-680-050 is a ±2.97-acre parcel owned by Jada, Inc. (same owner of Beyer Trust) fronting Whispering Pines Lane. The connecting roadway is proposed to be over and across the frontage of the property. Adequate area remains for future development of the subject property and the proposed driveway and parking may be integrated and/or modified when the subject property develops in the future.

The driveway borders the Jada Windows business property and adjoining property to the west identified as APN: 009-680-052. The rear adjoining property is ±9.62-acres total. The property includes both a Proposed 60-foot Private Road and Utility Easement and existing 80-foot PG&E Easement (note the existing PG&E power poles in the photographs).

Access – Access is proposed at the northwest corner of the property fronting Whispering Pines Lane. Whispering Pines Lane is a two-lane street with center median with left turn lane.

Parking – 27 parking stalls are proposed with standard parking stall dimensions of 9-feet by 18-feet with 25-foot backing distances. ADA parking exists on the Jada Windows site. ADA stalls are therefore not provided with the project considering the distance and topography to the building served.

Grading/Retaining Walls – The Jada Windows property is approximately fifteen feet above the parking lot property. Along the adjoining property lines, slopes are approximately 30 percent. In lieu of retaining walls, 2:1 slopes are proposed along the west side of the roadway to shore up the roadway. The remainder of the parcels, where the parking lot is located, are relatively flat with 0% to 5% gradient.

Drainage – A bioswale drainage area is proposed at the east end of the property. The bioswale drainage area will be sized to ensure that pre and post development equal.

Landscaping – Two landscape islands are proposed in the middle of the parking lot. Additional landscaping can be installed around the perimeter of the parking lot and access road. No landscaping plans have been submitted with the application.

Tree Removal – The sloping bank west of the buildings is tree lined with a variety of trees. Many of the trees appear to have been planted when the properties developed as part of a landscaping plan. Accordingly, many of the trees are less than the 10-inch DBH required of the City’s Tree Preservation Ordinance.

Lighting – No lighting is proposed with the project.

SITE DESCRIPTION AND ENVIRONMENTAL SETTING:

The project site includes two parcels encompassing ±12.59-acres. The properties are flat (0 to 5%), undeveloped with grasses and other vegetation and appear to have been built up with fill. A grove of trees are located along the east and south sides of the properties. An 80-foot PG&E utility easement spans the entire length of the property from north to south. A proposed 60-foot private road and utility easement is proposed to accommodate the driveway connecting with 179 Clydesdale Court.

ENVIRONMENTAL DETERMINATION:

The project qualifies for a Class 11 Categorical Exemption. A Class 11 Categorical Exemption consists of the construction or replacement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, including but not limited to: (b) small parking lots.

GENERAL PLAN AND ZONING:

General Plan: The Grass Valley 2020 General Plan identifies the site as Industrial. The Industrial designation is intended to accommodate a variety of industrial and service commercial uses.

Zoning: The property is within the Light Industrial (M-1) Zone. Typical uses in M-1 Zone are light manufacturing, automotive services, and warehousing/distribution uses. Private parking lots are accessory uses in all zones of the City.

ANALYSIS:

Per Table 7 – 2 of the City’s Development Code, the Development Review Committee is authorized to approve minor Development Review Permit applications such as minor parking lots, subject to design review in accordance with Section 17.44.160 of the Development Code and Community Design Guidelines.

A brief analysis of the Jada Windows Parking Lot Project design follows:

Development Potential – In review of the proposed off-site parking lot, review should occur to ensure that the 2.97-acre parcel contains adequate area to allow for future development. To that end, the proposed off-site parking lot project will not preclude development of the subject parcel and is likely to reduce future development costs with construction of the driveway and parking lot improvements, which will serve future development.

Use Easement – The driveway and parking improvements are located on property not owned by the applicant Beyer Trust. As this juncture, Beyer Trust representatives have obtained preliminary approval to use the property(s); however, formal use agreements have not been ratified. Accordingly, Condition of Approval A – 2 requires that prior to the approval of improvement plans, the applicant shall obtain use easements for all the improvements located on the adjoining properties. The use easement shall be to the satisfaction of the City Attorney and City Engineer.

Access – The connection of the driveway shall be improved to City commercial driveway standards. Condition of Approval A – 3 requires that prior to the issuance of a grading permit, the applicant shall revise the plans so that the driveway is designed per City Standard Detail ST – 9 for commercial driveways to the satisfaction of the City Engineer.

Drainage – A bioswale drainage area is proposed at the east end of the property. The bioswale drainage area is to be sized to ensure that pre-and-post development equal. Condition of Approval A – 4 requires that prior to the issuance of a grading permit, a final drainage plan, including drainage calculations shall be submitted for the project. The drainage plan shall be in accordance with the City's Master Drainage Plan.

Landscaping – No landscaping plans have been submitted with the application. Condition of Approval A – 5 requires that prior to the approval of improvement plans, the applicant shall submit a landscape plan prepared by a Licensed Landscape Architect. The Landscape plans shall include:

- a. Landscape islands shall be at a ratio of one landscape planter island per five vehicles.
- b. Shade trees shall be provided as a minimum rate of one for every 25 linear feet of landscaped area along the perimeter of the property.
- c. Interior landscaping in the parking areas shall be provided at a minimum ratio of 10 percent of the gross area of the paved lot (including all drive and parking aisles). Trees not less than five feet in height and 1-gallon container in size shall be planted throughout the parcel. At a minimum, one shade tree shall be provided for every five parking spaces.

Lighting – No lighting is proposed with the project. Lighting is required for the parking lot and required pedestrian path leading to the Jada Windows property as outlined below. Condition of Approval A – 6 requires bollard style lighting along the pedestrian path areas with parking lot lighting fixtures shall not exceed 20 feet. A photometric plan shall be submitted in accordance with Chapter 17.30.060 of the City's Development Code.

Trees – Condition of Approval A – 7 requires that prior to the removal of trees, the applicant shall obtain a tree removal permit from the Grass Valley Public Works Department. Mitigation of tree removal shall be in accordance with the City's Tree Preservation Ordinance. In addition, the applicant shall replant the site at a 1/1 ratio for trees to be removed.

Pedestrian Path – A pedestrian path should be provided from the parking lot to the building served at 179 Clydesdale Court. The pedestrian path could either parallel the driveway or terminate at the property line with stairs leading to the property. Condition of Approval A – 8 requires that a pedestrian path be installed concurrently with parking lot improvements.

Other standards development conditions have been imposed on the project as applicable.

FINDINGS:

1. The City received a complete application for Development Review Permit Application 22PLN-55.
2. The Community Development Department reviewed the project in accordance with the California Environmental Quality Act and Guidelines and determined that the project qualifies for an Accessory Structures Class 11 Categorical Exemption.
3. The Class 11 Categorical Exemption reflects the City's independent judgement and analysis as lead agency in accordance with the CEQA and the CEQA Guidelines.
4. The City of Grass Valley Development Review Committee reviewed the application at its regularly scheduled meeting on February 14, 2023.
5. The proposed use is consistent with the City's 2020 General Plan and any applicable specific plan.
6. The project is consistent with the applicable sections and development standards in the Development Code and Municipal Code.
7. The project, as conditioned, complies with the City of Grass Valley Community Design Guidelines.
8. The design, location, size, and characteristics of the proposed project are in compliance with any project-specific design standards in effect and any standards and guidelines for development review permits.
9. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity.
10. The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g. fire and medical) access and public services and utilities (e.g. fire protection, police protection, potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.), to ensure that the density, intensity, and type of use being proposed would not endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or welfare, or be materially injurious to the improvements, persons, property, or uses in the vicinity and zone in which the property is located.

A. CONDITIONS OF APPROVAL:

1. The approval date for this project is February 14, 2023. This project is approved for a period of one year and shall expire on February 14, 2024, unless the project has been effectuated (i.e., improvement plans approved) or the applicant requests a time extension that is approved by the Grass Valley Planning Commission pursuant to the Development Code.
2. Prior to the approval of improvement plans, the applicant shall obtain use easements for all the improvements located on the adjoining properties. The use easement shall be to the satisfaction of the City Attorney and City Engineer.
3. Prior to the issuance of a grading permit, the applicant shall revise the plans so that the driveway is designed per City Standard Detail ST – 9 for commercial driveways to the satisfaction of the City Engineer.
4. Prior to the issuance of a grading permit, a final drainage plan, including drainage calculations shall be submitted for the project. The drainage plan shall be in accordance with the City's Master Drainage Plan.
5. Prior to the approval of improvement plans, the applicant shall submit a landscape plan prepared by a Licensed Landscape Architect. The Landscape plans shall include:
 - a. Landscape islands shall be at a ratio of one landscape planter island per five vehicles.
 - b. Shade trees shall be provided as a minimum rate of one for every 25 linear feet of landscaped area along the perimeter of the property.
 - c. Interior landscaping in the parking areas shall be provided at a minimum ratio of 10 percent of the gross area of the paved lot (including all drive and parking aisles). Trees not less than five feet in height and 1-gallon container in size shall be planted throughout the parcel. At a minimum, one shade tree shall be provided for every five parking spaces.
6. Bollard style lighting along the pedestrian path areas shall be installed. Parking lot lighting fixtures shall not exceed 20 feet. A photometric plan shall be submitted in accordance with Chapter 17.30.060 of the City's Development Code.
7. Prior to the removal of trees, the applicant shall obtain a tree removal permit from the Grass Valley Public Works Department. Mitigation of tree removal shall be in accordance with the City's Tree Preservation Ordinance. In addition, the applicant shall replant the site at a 1/1 ratio for trees to be removed.
8. Concurrently with parking lot improvements, a pedestrian path shall be provided from the parking lot to the building served at 179 Clydesdale Court. The pedestrian path could either parallel the driveway or terminate at the property line with stairs leading to the property.

9. The applicant shall obtain the requisite building, plumbing, mechanical and electrical permits from the Building Division prior to commencement of site and building improvements.
10. 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. PRIOR TO ISSUANCE OF A GRADING PERMIT, THE FOLLOWING CONDITIONS SHALL BE SATISFIED:

1. The applicant shall submit to the Building Department for review and approval, an improvements and grading plan prepared by a Registered Civil Engineer; shall obtain a Grading Permit; and shall pay all appropriate fees for plan check and inspection. The grading and improvement plans shall include but not be limited to roadway/driveway slopes and elevations, curb, gutters, sidewalks, striping and signing, paving, water and sewer pipelines, storm drains, street/parking lot lights, accessible access from the sidewalk to the building and from the accessible parking spaces to the building, retaining walls, any necessary alteration of existing utilities, and all easements, in accordance with City Improvement Standards.

2. The project plans shall include the following note:

All trees to be saved shall be enclosed by a construction barrier placed around the dripline zone of the tree. The construction barrier shall consist of four-foot-tall mesh safety fencing in a bright color. The fencing shall be tied to six-foot tall metal poles spaced a maximum of twenty feet apart. Each pole shall be placed with two feet below the surface of the ground.

3. The applicant shall submit to the Building Department for review and approval two copies of a detailed Soils Engineering Report and Engineering Geology Report certified by a Civil Engineer registered in the State of California. In addition to the California Building Code requirements, the report shall specify the pavement structural sections for the proposed roadways in relation to the proposed traffic indexes. The improvements and grading plans shall incorporate the recommendations of the approved Soils Engineering Report and Engineering Geology Report. The project developer shall retain a civil engineer, soils engineer, and engineering geologist to provide professional inspection of the grading operations. If work is observed as not being in compliance with the California Building Code and the approved improvements and grading plans, the discrepancies shall be reported immediately in writing to the permittee, the Building Official, and the Engineering Division.
4. The improvements and grading plans shall be signed by all other jurisdictional agencies involved (i.e. NID), prior to receiving City Engineer approval.

5. Per the Development Code, the Grading Permit shall expire one (1) year from the effective date of the permit unless an extension is granted by the City Engineer (for up to 180 days).

C. PRIOR TO INITIATING GRADING AND/OR CONSTRUCTION OF THE SITE IMPROVEMENTS, THE DEVELOPER SHALL INITIATE THE FOLLOWING:

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. A minimum of forty-eight (48) hours prior to commencement of grading activities, the developer's contractor shall notify both the Planning and Engineering Divisions of the intent to begin grading operations. Prior to notification, all grade stakes shall be in place identifying limits of all cut and fill activities. After notification, Planning and Engineering staff shall be provided the opportunity to field review the grading limits to ensure conformity with the approved improvement and grading plans. If differences are noted in the field, grading activities shall be delayed until the issues are resolved.
3. Placement of construction fencing around all trees designated to be preserved in the project shall be completed.
4. Submittal of two copies to the Engineering Division of the signed improvement/grading plans.

D. DURING CONSTRUCTION, THE FOLLOWING CONDITIONS SHALL APPLY:

1. The developer shall keep adjoining public streets free and clean of project dirt, mud, materials, and debris during the construction period.
2. Where soil or geologic conditions encountered in grading operations are different from that anticipated in the solid and/or geologic investigation report, or where such conditions warrant changes to the recommendations contained in the original soil investigation, a revised soil or geologic report shall be submitted by the applicant, for approval by the City Engineer. It shall be accompanied by an engineering and geological opinion as to the safety of the site from hazards of land slippage, erosion, settlement, and seismic activity.
3. No trucks may transport excavated material off-site unless the loads are adequately wetted and either covered with tarps or loaded such that the material does not touch the front, back, or sides of the cargo compartment at any point less than six inches to the top of the cargo compartment. Also, all excavated material must be properly disposed of in accordance with the City's Standards Specifications.

E. PRIOR TO FINAL INSPECTION, THE FOLLOWING CONDITIONS SHALL APPLY:

1. The applicant shall submit final landscape and irrigation plans, prepared by a licensed landscape architect, for review and approval by the Planning and Engineering Divisions. Landscaping design shall comply with all provisions of the City's Water Efficient Landscape Ordinance.
2. The applicant shall obtain final approval from the City of Grass Valley, fire, planning, engineering, and building divisions.
3. The applicant's landscape architect shall submit a letter specifying that the landscaping and irrigation has been installed in accordance with the approved landscape plans.
4. Prior to opening of the parking lot and issuance of a certificate of occupancy, the applicant shall conduct an irrigation audit pursuant to the requirements of the MWEL. This shall be conducted by a third-party certified landscape irrigation auditor that did not install or design the landscape and irrigation. Prior to the audit City must confirm the selected auditor complies with MWEL requirements.

ATTACHMENTS:

Attachment 1 – Location Map

Attachment 2 – Aerial Photograph

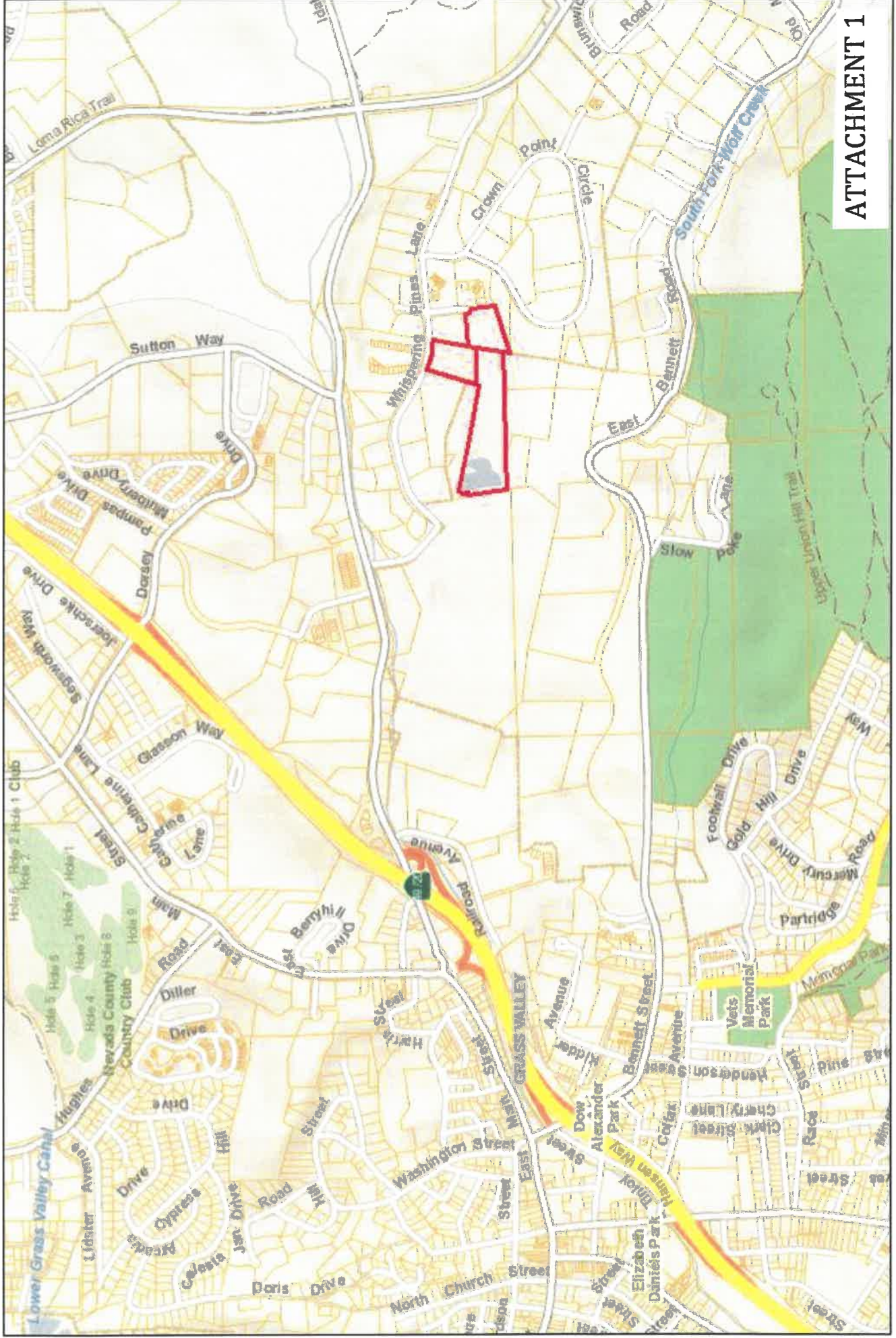
Attachment 3 – Site Photographs

Attachment 4 – Project Plans



ATTACHMENTS

179 Clydesdale Court



ATTACHMENT 1

179 Clydesdale Court

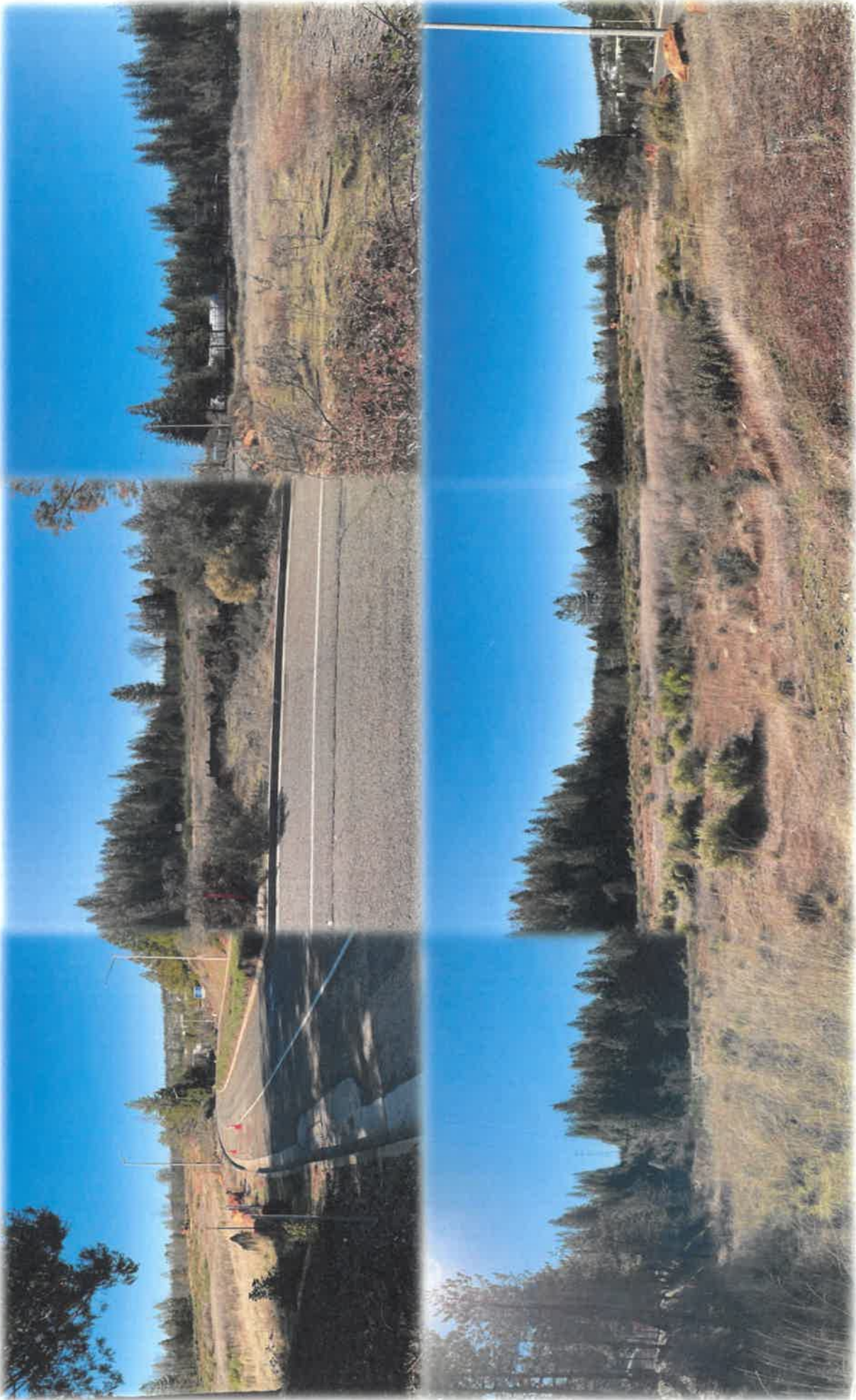


ATTACHMENT 2

February 1, 2023
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1:4,514
0 0.0375 0.075 0.15 mi
0 0.05 0.1 0.2 km

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ATTACHMENT 3