Data Summary

Location: Located southerly of Golden Gate Terrace, at the northwest corner of the Idaho Maryland Road and Sutton Way Intersection.

Assessor's Parcel No. 09-540-16
Applicant: Kurt Pinkham
Representative: Geddings Engineering
Zoning: M-1, Light Industrial District
General Plan: Manufacturing/Industrial
Environmental Status: This project is exempt from CEQA review.

Recommendation: Approve, by motion, the Development Review (04DRC-02) Application subject to the Findings and Conditions of approval listed on pages 3-12 of this report.

II. Situation/Description: The project consists of a 6,050 square foot building for “Bob’s Carpet” with retail, warehouse and offices located on a 13,737 square foot parcel. The height of the building would range from 20 to 35 feet. The structure consists of various elevations, tiering and staggered walls. The lot coverage of the project is 42%. The proposed structure is located in the southern portion, with the parking area along the northern portion of the property. The site is a previously disturbed area.

Fourteen (14) parking spaces are required for the retail, warehouse and offices. The project identifies 15 parking spaces. The material proposed for the project includes brown and dark brown colored stucco for the body, tan for the trim, and corrugated “corten” roofing. Corrugated “corten” has been included as part of the deck and stairs screening and retaining wall siding.

The proposed improvements include a 26-foot wide access driveway from Golden Gate Terrace. The property contains a 20-foot slope easement along
Idaho Maryland Road. The City has abandoned this easement for other projects in the area.

**III. Environmental Setting:** The 13,737 square foot parcel is currently vacant. The site slopes down from the north and the west to Idaho Maryland Road and Sutton Way. The property has been disturbed as part of the original subdivision, and is covered with non-native grasses. To the west and north are commercial uses, and to the south and east are vacant lots.

**IV. Environmental Status:** The project is categorically exempt from environmental review pursuant to the California Environmental Quality Act (CEQA), Section 15332, In-Fill Development Projects. This exemption applies to projects consistent with the applicable general plan and zoning designation and all applicable general plan policies as well with applicable zoning designation and regulations; the proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban commercial uses; the project has no value as habitat to endangered, rare or threatened species; approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and, the site can be adequately served by all utilities and public services. The project is consistent with the General Plan and Zoning and the site contains full urban services. The property is not within and area with development constraints; specifically, not within a floodplain, and not containing potential historical resources. The project is consistent with the foregoing criteria and therefore is exempt from the provisions of CEQA.

The traffic study confirms that the project would not have an impact on circulation. The project is anticipated to generate 9.5 PM peak hour trips, and does not exceed the City of Grass Valley traffic policy. Any additional project information necessary to disclose the project’s environmental impacts should be discussed at the Development Review Committee meeting.

**V. General Plan Analysis:** The Grass Valley 2020 General Plan identifies the site as Manufacturing/Industrial. The General Plan indicates that the most appropriate zoning district is the Light Industrial “M-1” District. Several Land Use Policies of the General Plan promote infill development. The use reflects an infill development. In addition, the General Plan encourages a continued healthy economic base through the retention and expansion of existing businesses. The project would be consistent with the General Plan designation. Related General Plan goals, objectives or policies that relate to the proposed project are as follows:

- **9-LUO**  Preservation of existing neighborhoods.
- **1-LUP**  Maintain a General Plan that reflects the needs of the total community, including residents, business and industry.
- **4-HP**  Enhance the appearance of City entryways, commercial areas, and streetscapes, in part through the use of elements
in the design standards that complement Grass Valley’s historic heritage.

1-CDG   Preserve and enhance the existing community.
6-CDO   Improvement of the appearance of entrances to the community, Downtown, other neighborhoods and commercial districts.

VI. Zoning Considerations: The property is zoned M-1 (Light Industrial) Zoning District. This zoning district identifies commercial retail as an allowed use. The project meets the City of Grass Valley’s development standards for the M-1 Zoning District relative to lot size, setbacks, height and other development standards in the zoning district. The design of the carpet store is consistent with the City of Grass Valley Design Guidelines.

VII. Development Review Considerations: On March 9, 2004, April 12, 2005, and September 13, 2005 the Development Review Committee provided review of the proposed plan. The applicant has revised the plan reflecting the recommendations from the Development Review Committee (DRC), which includes revising the design of the building to enhance the visual appearance of the structure, additional colors, retaining walls, trash enclosure and material variations for the body of the structure reflect those comments. The plans include corrugated corten over portions of the structure, retaining walls, and stucco around the trash enclosure. Topographic site constraints limit the potential development of the property and require the 4 to 13-foot retaining wall. The trash enclosure, landscaped planting areas at the base, and the cascading landscaping at the top, as well as the design features of the wall, limit the visual impact of the retaining wall.

VIII. Alternatives: The Planning Commission should review the application and either approve or deny the applications. The Planning Commission can continue the items with direction to the applicant for design changes. Should the Commission support the project as proposed, approval would be subject to a set of findings.

IX. Recommended Action: By motion, approve the proposed Development Review 04DRC-02 Application, subject to Findings and Conditions of Approval.

X. Findings:

1. Development Review Application 04DRC-02 was received by the City on March 2, 2005. The application was deemed complete by the City on March 23, 2005.

2. That the project is exempt from environmental review pursuant to Section 15332 (infill projects) of the California Environmental Quality Act (CEQA) Guidelines upon findings that the project is consistent with the General
Plan and the Zoning Ordinance, as well as no significant impacts on the environment were identified.

3. The 2020/General Plan for the City designates the project site as Manufacturing/Industrial land use designation. The construction of the project is consistent with the General Plan designation and the zoning of M-1, Light Industrial Business District.

4. The project complies with the General Plan Policies, and densities, complies with the development standards identified in the Zoning Ordinance.

5. The site is physically suited for the proposed development.

6. The project is consistent with the Grass Valley Community Design Review Guidelines.


9. A traffic report was prepared and is consistent with the City’s traffic threshold policy. The study concluded that this project generates P.M. peak hour trips at critical intersections below the City’s threshold policy and therefore may rely on the payment of traffic impact fees.

**XI. Conditions:**

1. All plans shall be implemented in accordance with the plans provided by the applicant and approved by the Grass Valley Planning Commission for Development Review Application 04DRC-02 unless changes are approved by the Commission prior to commencing such changes. Minor changes may be approved by the Community Development Department as determined appropriate by the Community Development Director.

2. 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.
Prior to the issuance of the Grading Permit, the following conditions shall apply:

3. The applicant shall submit to the City Engineer for review and approval, a grading plan prepared by a Registered Civil Engineer; shall obtain a Grading Permit; and shall pay all appropriate fees for plan check and inspection at the time of issuance. The grading plans shall include parking lot elevations, building foundation and footprint, graded slopes and elevations, curb and gutters, parking lot lights, striping and signing, paving, water and sewer pipelines, storm drains, sidewalk along property frontage, and easements.

4. The applicant shall submit to the City Engineer for review and approval, improvement plans prepared by a Registered Civil Engineer; shall enter into an agreement with the City Engineer to complete the public improvements; and shall post sufficient surety guaranteeing the construction of the improvements.

The improvements shall include street and utility information including all concrete curb and gutter, street lights, striping and signing, paving, water lines, storm drain lines and sewer lines necessary. All improvements shall be in accordance with the City of Grass Valley Improvement Standard.

5. Final landscape and irrigation plans shall be submitted for review and approval by the Community Development Director. Landscape design shall comply with all provisions of Article 16C of the Grass Valley Zoning Ordinance regarding water efficiency and shall comply with Section 14-21(a) of the Grass Valley Zoning Ordinance which requires that a minimum of 20 percent of the improved project site area be devoted landscaping and provide 50% shade coverage of the parking areas. Landscaping and irrigation shall be installed in accordance with the approved plans.

6. A detailed engineered drainage plan shall be submitted for the review and approval by the City Engineer. The drainage plan shall be designed so that off-site concentrated storm water flows will resemble pre-development conditions for a model storm event as determined by the City Engineer. The site drainage system shall incorporate sand/oil separators, or other approved methods to prevent site contaminants from impacting downstream watersheds. If onsite detention is necessary, applicant shall submit a proposed program to ensure that facilities are maintained to ensure that the detention facilities work properly.

7. The applicant shall submit to the City Engineer for review and approval, a detailed Soils Report certified by a Civil Engineer registered in the State of
California and qualified to perform soils work. The report shall include a minimum of geotechnical investigation with regard to liquefaction, expansive soils, and seismic safety. Additionally, the report shall verify the R-value of the existing soil in public roadways and specify the recommended structural section of pavement in such streets. The grading plan shall incorporate the recommendations of the approved Soils Report.

8. The applicant shall have the property adequately tested by a licensed professional, as prescribed by the Northern Sierra Air Quality Management District (NSAQMD), to determine the presence of serpentine, ultramafic rock or naturally occurring asbestos. Upon determination by Nsaqmd, an Asbestos Dust Mitigation Plan shall be submitted for approval. The Airborne Toxic Control Dust Mitigation Plan shall be implemented during grading and construction as required by the Nsaqmd and approved by the Nevada County Environmental Health Department.

9. A Dust Mitigation Plan shall be submitted for review and approval by the Northern Sierra Air Quality Management District and City Engineer. Dust mitigation measures shall be implemented in accordance with the approved Dust Mitigation Plan. The dust mitigation plan and improvement plans shall include the following notes:

- The applicant shall be responsible for ensuring that all adequate dust control measures are implemented in a timely manner during all phases of project development and construction.
- All material excavated, stockpiled, or graded shall be sufficiently watered, treated, or covered to prevent dust from leaving the property boundaries and causing a public nuisance or a violation of an ambient air standard. Watering should occur at least twice daily, with complete site coverage.
- All land clearing, grading, earth moving, or excavation activities on the project shall be suspended as necessary to prevent excessive windblown dust when winds are expected to exceed 20 mph.
- All inactive portions of the development site shall be covered, seeded, or watered until a suitable cover is established. Alternatively, the applicant shall be responsible for applying City approved non-toxic soil stabilizers (according to manufactures specifications) to all inactive construction areas (previously graded areas which remain inactive for 96 hours) in accordance with the local grading ordinance.
- All areas with vehicle traffic shall be watered or have dust palliative applied as necessary for regular stabilization of dust emissions.
- All material transported off-site shall be either sufficiently watered or securely covered to prevent public nuisance.
- Paved streets adjacent to the project shall be swept or washed at the end of each day, or as required to remove excessive accumulations of silt and/or mud which may have resulted from activities at the project site.
10. The developer shall post a cash deposit with the City for erosion and temporary drainage and/or sedimentation control of the project site in the amount of $5,000. A detailed grading and permanent erosion control plan shall be submitted for review and approval by the Engineering Department prior to commencing site grading. Erosion control measures shall be implemented in accordance with the approved plans and any expenses made by the City to enforce the required erosion control measures will be paid by the deposit.

11. If any of the improvements which the applicant is required to construct or install is to be constructed or installed upon land in which the applicant does not have title or interest sufficient for such purposes, the applicant shall obtain such title or authorization by the affected parties prior to issuance of permits for the work.

12. Handicap ramps and parking shall be provided as required by State of California Title 24.

13. The applicant shall be responsible for constructing frontage improvements for Idaho-Maryland Road and Sutton Way for the property. All improvements shall be constructed per City Standard. Idaho-Maryland Road improvements shall be constructed to provide for an ultimate cross section of 84-feet of right-of-way with a 64-foot curb-to-curb street, curb, gutter and sidewalk, a 10-foot area for utilities between the face of curb and the right-of-way line in accordance with the City’s road standard, or as otherwise approved by the City Engineer. Sutton Way improvements shall be constructed to provide for an ultimate cross section of 72-feet of right-of-way with a 52-foot curb-to-curb street, curb, gutter and sidewalk, a 10-foot area for utilities between the face of curb and the right-of-way line in accordance with the City’s road standard, or as otherwise approved by the City Engineer. The structural section for both streets shall be designed for a minimum traffic index of 8.0 (unless otherwise approved by the City Engineer).

14. Prior to initiating grading and/or construction of the site improvements for the project, the developer shall initiate the following:
   a. A minimum of forty-eight (48) hours prior to commencement of grading activities, the developer’s contractor shall notify both the Community Development and Engineering Departments 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, Community Development 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.
b. Submit for review and approval by the Fire Department, a Fire
Safety Plan.
c. Pay all development impact fees in accordance with the City’s Fee
Schedule.
d. Sewer connection clearances shall be secured from the
Engineering Department.

15. The applicant shall offer to dedicate by separate instrument to the City for
public use, all the public streets right-of-way or easements necessary to
install, maintain, and re-install all public improvements described on the
Improvement Plans.

16. The applicant shall obtain a sewer connection permit from the City
Engineer, in accordance with the City’s Wastewater Ordinance.

17. A CD-ROM with an AutoCAD drawing file of the public improvements shall
be submitted to the Engineering Department.

18. The Grading plans shall provide adequate protection of those trees
located westerly of the project on the neighboring property. The applicant
shall replace any trees damaged during the grading and construction of
the project with 24-inch box replacements.

19. The applicant shall abandon the existing slope easement along Idaho-
Maryland Road and Sutton Way in accordance with California Civil Code.

Prior to the Issuance of the Building Permit, the following conditions shall
apply:

20. Install street light standard and luminaries of the design, spacing, and
locations approved by the City Engineer.

21. The following items shall be submitted as part of the Building Permit
Application package and be subject to the review and approval of the
Planning Department:

A) Building and appurtenant structure exterior colors and materials. Paint chips of the proposed color scheme shall be submitted.
B) Signage program including all graphics or lettering proposed and color scheme.
C) Final Landscape and Irrigation Plans
D) Final Exterior Photo-metric Lighting Plans including detail on light fixtures and illumination. All pole and wall lights shall reflect a historic design.
E) Utility meter, transformer, irrigation control unit location and screening

All of the aforementioned plans shall incorporate all of the design specifications and criteria as shown on the site plan approved and modified by the Planning Commission on May 17, 2005, unless otherwise modified as specified by Condition #1.

22. Prior to the issuance of a building permit, the applicant shall pay the appropriate amount to the City of Grass Valley Traffic Impact Fee Program and the Nevada County Regional Transportation Mitigation Fee Program.

23. The applicant shall submit plans that identify the location of the fire hydrant, fire sprinklers and fire alarms to the City Fire Department for the project.

24. A final photo-metric lighting plan, overlaid onto the project site plan shall be submitted for review and approval by the Planning Division. Consistent with the City’s Community Design Guidelines, lighting spill over shall not exceed 0.5 foot candles along the property boundaries, the residential uses on the property, and all environmentally sensitive open space. Use of bollard lighting, rather than pole lights, shall be optimized within the entry and exit driveways into the parking lot and for walkway areas. All pole lights set within the interior of the parking lot shall not exceed 20’ feet in height.

25. Prior to issuance of building permits, Waste Management of Grass Valley (WMGV) shall approve the plan for the trash/recycling container. The trash/recycling container shall be of adequate size to accommodate the trash and recycling needs of proposed use. The plan shall also be designed for adequate access and servicing by WMGV. The applicant shall provide verification to the Community Services Department that the trash/recycling container has been approved by WMGV. The trash/recycling container shall be installed in accordance with the approved plan prior to occupancy of the building.

26. The Sign Permit for all signs on the property shall be submitted and approved prior to the issuance of the building permit, the sign permit shall include the size, color and design for the wall and monument sign. The design of the signs shall be consistent with the design of the structure.

27. The final building plans shall identify the monument sign located outside the right of way and away from the Idaho Maryland Road and Sutton Way Intersection.

28. Required fire flow for this building 2000 (two-thousand) g.p.m., at 20 psi residual. A fire sprinkler system would be required if the fire flow cannot
be obtained at the closest fire hydrant. If only the minimum fire flow is obtained, the building would need to be provided with a fire alarm system. The building may be required to have a fire sprinkler system based upon high piled storage capabilities and commodity loading.

29. If installed, the fire sprinkler system would be monitored as required by the California Fire & Building Codes.

**During Construction, the following Conditions shall apply:**

30. 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.

31. If any hazardous waste is encountered during the construction of this project, all work shall be immediately stopped and the Nevada County Environmental Health Department, the Fire Department, the Police Department, and the City Inspector shall be notified immediately. Work shall not proceed until clearance has been issued by all of these agencies.

32. Prior to final preparation of the subgrade and placement of pavement base materials, all underground utilities shall be installed and service connections stubbed out behind the hardscape improvement. Public utilities, Cable TV, sanitary sewers, and water lines, shall be installed in a manner which will not disturb the street pavement, curb, gutter and sidewalk, when future service connections or extensions are made.

33. If grading is to take place between October 15 and April 15, both temporary and permanent erosion control plans shall be submitted for review and approval along with the grading plan. Permanent erosion control measures shall include hydroseeding of all graded slopes within 60 days of completion of grading. Erosion control measures shall be installed prior to October 15.

34. The developer shall keep adjoining public streets free and clean of project dirt, mud, materials, and debris during the construction period.

35. Where soil or geologic conditions encountered in grading operations are different from that anticipated in the soil 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.
36. Prior to placing the initial lift of asphalt and after all aggregate base is placed, all new, repaired and replaced public sewer pipelines and storm drain pipelines shall be video inspected at the expense of the contractor/developer. All videotapes shall be submitted to the City. If any inadequacies are found, they shall be repaired prior to the placement of the final lift of asphalt.

37. All driveways shall be per City standards for commercial developments.

38. If any existing city streets are damaged during construction, the contractor/developer shall be responsible for repair at no cost to the City.

39. If grading or other construction operations unearth archeological or historical artifacts or resources, construction activities shall cease. The Planning Department shall be notified of the extent and location of discovered materials so that they may be recorded by a qualified archaeologist. Disposition of artifacts shall comply with state and federal laws. A note of this requirement shall be clearly delineated on the grading and building plans of the project.

40. During project construction, all excavation and construction equipment shall be kept clear from the setback lines.

Prior to the Acceptance of Public Improvements and exoneration of Bonds, or other forms of Security, the following Conditions shall be satisfied:

41. Sufficient surety (Maintenance Bond) guaranteeing the public improvements for a period of one year shall be provided.

42. If substantial changes in the size, alignment, grades, etc. during construction, original "as-built" plans on the standard size sheets will be certified by the Civil Engineer and returned to the City Engineer's office.

43. Prior to issuance of a certificate of final occupancy, pursuant to sections 16C-06 through 16C-09 of the Zoning Ordinance, the applicant shall provide the following:
   a. A letter signed by a licensed landscape architect that the landscaping and irrigation have been installed in accordance with the approved plans.
   b. Provide a copy of the landscape maintenance contract, or the bond or cash security guaranteeing the maintenance of the landscaping and irrigation for one year.

44. The Applicant shall replace and repair any damaged existing curb, gutter, and/or sidewalk as part of the improvement/grading plans.
Ongoing Conditions:

45. All truck unloading shall take place on the property. No unloading of trucks shall take place on Golden Gate Terrace.

46. The applicant or landowner shall maintain the landscaping, signage, buildings, and grounds of the property in good condition. Once a deterioration of the quality of such items is noted and documented by the City, the Development Review approval (04DR-02) on this project may be brought before the Planning Commission for enforcement action.

Exhibits:
1. Location Map
2. Site (APN) Map
3. General Plan 2020 Map
4. Project Plans