



Agenda Item: 7.2
Prepared by: Thomas Last, Community Development Director 

DATA SUMMARY

Application Number: 17PLN-05
Subject: Use Permit Application to establish a brewery and taproom.
Location/ APN: 141-143 East Main Street (APN: 08-348-03 and 04)
Applicant: Chris DeSena
Owner: Hans and Jan Nagler
Zoning/General Plan: Town Core-Historic (TC-H) Zone District/Commercial
Environmental Status: 15061 (b)(3) exemption

PROJECT DESCRIPTION:

The applicant is requesting approval of a Use Permit to operate a brewery and taproom in an existing 7,600 sq. ft. building that is currently occupied by Tripp's Auto Body. The applicant's plan include the following:

- The only exterior building change is the removal and a reduction in the size of the eastern garage door, and a new entrance door;
- Both garage door openings will have metal railing to separate the bar seating area from the sidewalk;
- A 1,700 sq. ft. taproom with bar and table seating;
- An area for a future kitchen;
- Approximately 5,600 sq. ft. for the brewery and storage area;
- Food trucks may periodically provide food service to the site off of Stewart Street.

SITE DESCRIPTION AND ENVIRONMENTAL SETTING:

The subject property is fully developed with an approximately 7,600 sq. ft. building. APN 08-348-04 provides access and frontage on Stewart Street and contains a ramp, stairs, and 5 parking spaces. Commercial and retail uses surround the property.

ENVIRONMENTAL DETERMINATION:

The project is considered exempt from the provisions of the California Environmental Quality Act (CEQA) and Guidelines pursuant to Section 15061 (b) (3). This section states that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. The use of this exemption can be relied upon where there is certainty that there is no possibility that the activity may have a significant effect on the environment. In this case, the project takes place on fully developed parcels and in an area that is developed in urban uses. There will be some minor exterior construction activities, including the exterior doors and new garage door, and tenant improvements to

the inside of the building. The operations, based on evidence from several local breweries, do not result in noise or odor, or other environmental issues. The use is surrounded by urban development and represents a partial redevelopment or reuse of a portion of an existing building. The project complies with the foregoing criteria and therefore is exempt from further environmental review.

GENERAL PLAN AND ZONING:

General Plan: The Grass Valley 2020 General Plan identifies the site as Commercial (COM). The Commercial General Plan designation includes all types of commercial retail and service establishments on the highway and along major streets. The proposed use is consistent with the General Plan policies, goals, and objectives, which aim to create a healthy economic base for the community, including increasing employment opportunities through attraction of new and compatible industry and commerce, and through retention, promotion and expansion of existing businesses.

Zoning: The Town Core-Historic (TC-H) Zone District is applied to the historic downtown area of Grass Valley. The intent of this zone is to strengthen the existing mix-used, pedestrian-oriented nature of the downtown. This zone implements, and is consistent with, the General Plan's Commercial land use designation. The TC-H Zone allows bars and taverns as permitted uses subject to approval of a use permit. The definition of bars and taverns includes brew pubs and breweries.

Section 17.72.060 of the Development Code requires the Planning Commission to make specific findings before it acts on a use permit. The following is a list of those findings followed by staff's response in italics:

1. **The use is consistent with the General Plan.** *The use is compatible with the types of retail commercial and commercial service uses described in the General Plan and will provide a new use in the downtown area. The fully developed site is located along a major city street. The proposed use is consistent with the General Plan and does not conflict with any specific General Plan policies.*
2. **Is the use allowed in the district and complies with all applicable provisions on the code.** *The TC-H Zoning allows for the proposed use under the definition of bar or tavern. Since the site is fully developed, the Development Code has limited applicability.*
3. **The design, location, size, and operating characteristics are compatible with existing and future land uses.** *The proposed use is compatible with the other commercial uses surrounding the property. Operating characteristics of a brew-pub are expected to be compatible with the other uses in the area. Local brew-pubs/breweries in Nevada City and Auburn are located in a variety of different areas and appear to be very compatible with a range of uses in each of those settings. The City is not aware of any land use conflicts or environmental impacts associated with those brew-pubs and breweries. The building is connected to City services and the property is located on a major City street and has two points of access.*

4. **The site is physically suitable for the site and will not be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood.** *The site is fully developed and the surrounding uses consist of retail and commercial uses. As noted in the previous section, staff does not anticipate the proposed uses to be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood.*

RECOMMENDATION:

Staff recommends the Planning Commission approve Use Permit 17PLN-05, subject to the findings and conditions noted below.

FINDINGS:

1. Determine the project exempt from the provisions of the California Environmental Quality Act (CEQA) and Guidelines;
2. The proposed use is consistent with the General Plan;
3. The proposed use is allowed within the applicable zone and complies with all other applicable provisions of this Development Code;
4. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity; and
5. The site is physically suitable in terms of designs, 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.

CONDITIONS OF APPROVAL:

1. The use shall operate in accordance with the application and plans provided by the applicant and approved by the Grass Valley Planning Commission for Use Permit 17PLN-05. The Community Development Director may approve minor changes as determined appropriate. The Planning Commission must approve all changes deemed major in nature.
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.
3. Any food trucks used to serve customers must obtain approval from the County Environmental Health Department.

4. Prior to issuance of building permits, the applicant shall provide the following information to the Engineering Department:
 - a. An engineering study that provides estimated sewage generation from the brewery. This study shall include specific details on the type of discharge. See Municipal Code Section 13.20.080 for specific limits.
 - b. Install or upgrade the existing sewer backflow device if required.
 - c. Install grease interceptor if required.
 - d. All sidewalks fronting the property with cracks greater than ¼" in width or ½" or more of vertical displacement shall be repaired or replaced.
 - e. Obtain an encroachment permit for any work in the public right-of-way.

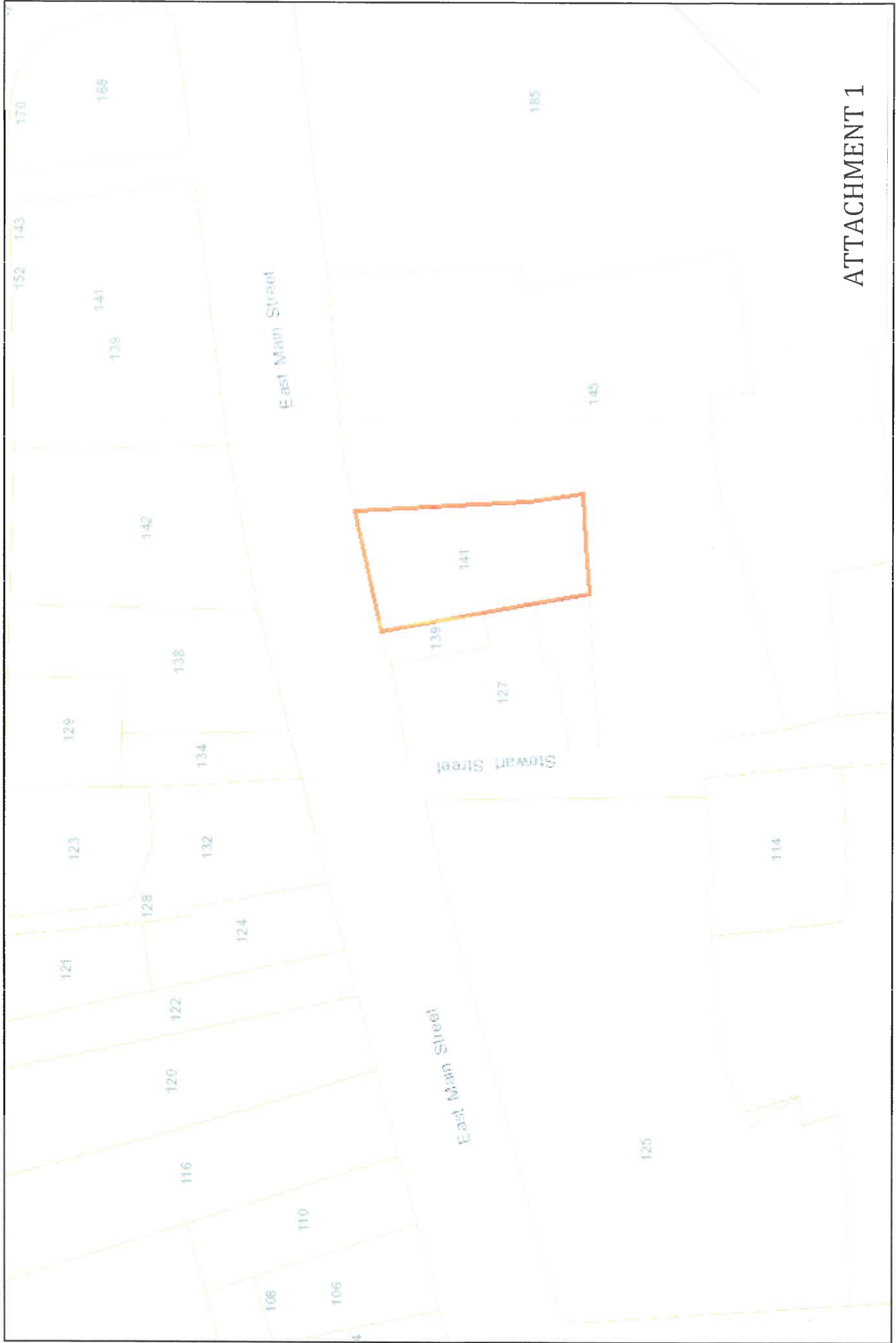
Attachments:

1. Location Map
2. Aerial Photograph
3. Site and Floor Plans

ATTACHMENTS

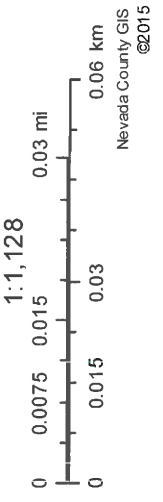


141-143 East Main Street

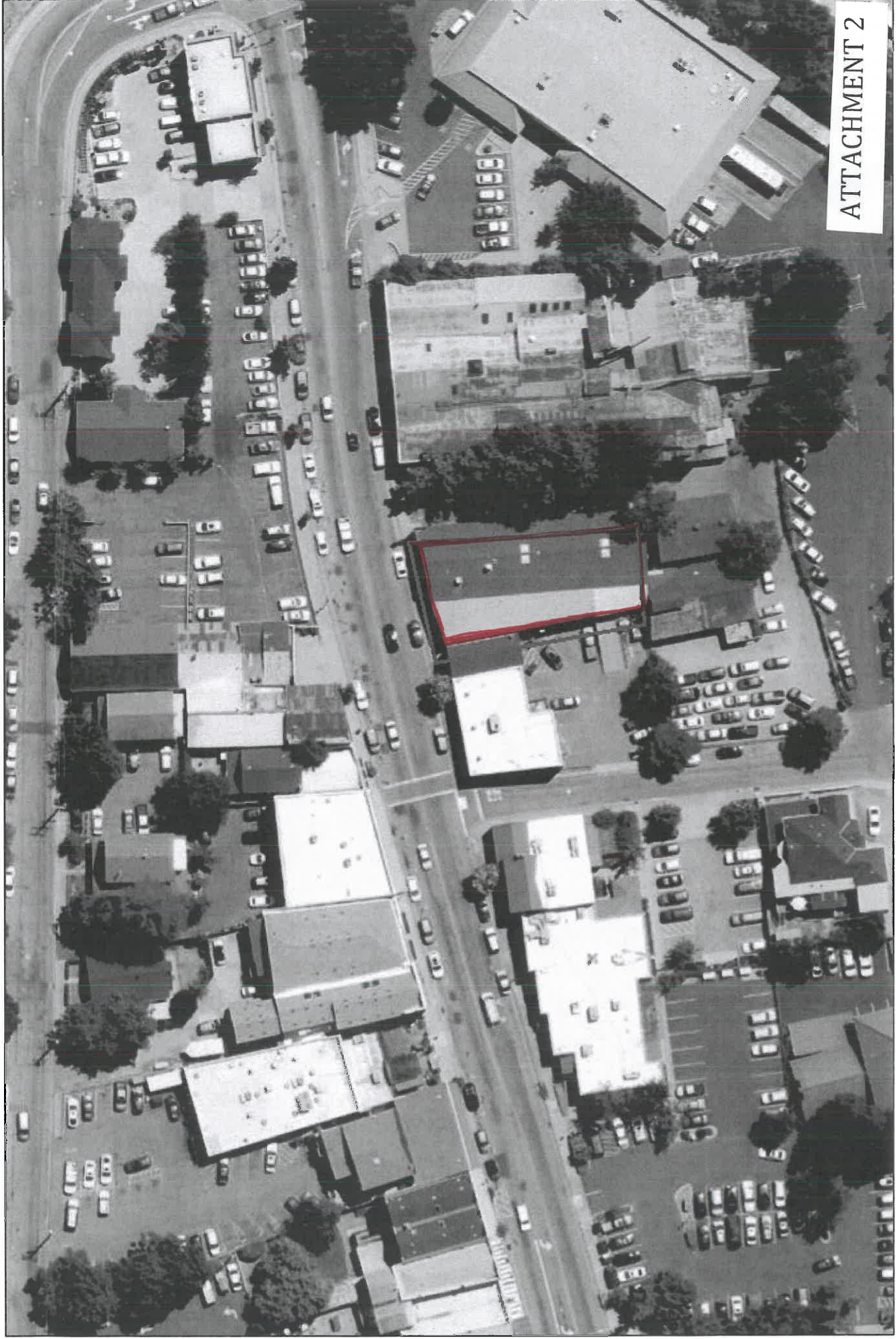


ATTACHMENT 1

March 15, 2017

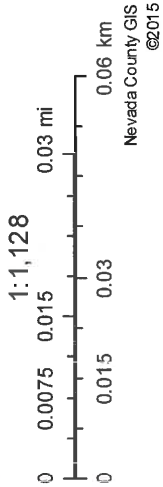


141-143 East Main Street



ATTACHMENT 2

March 15, 2017

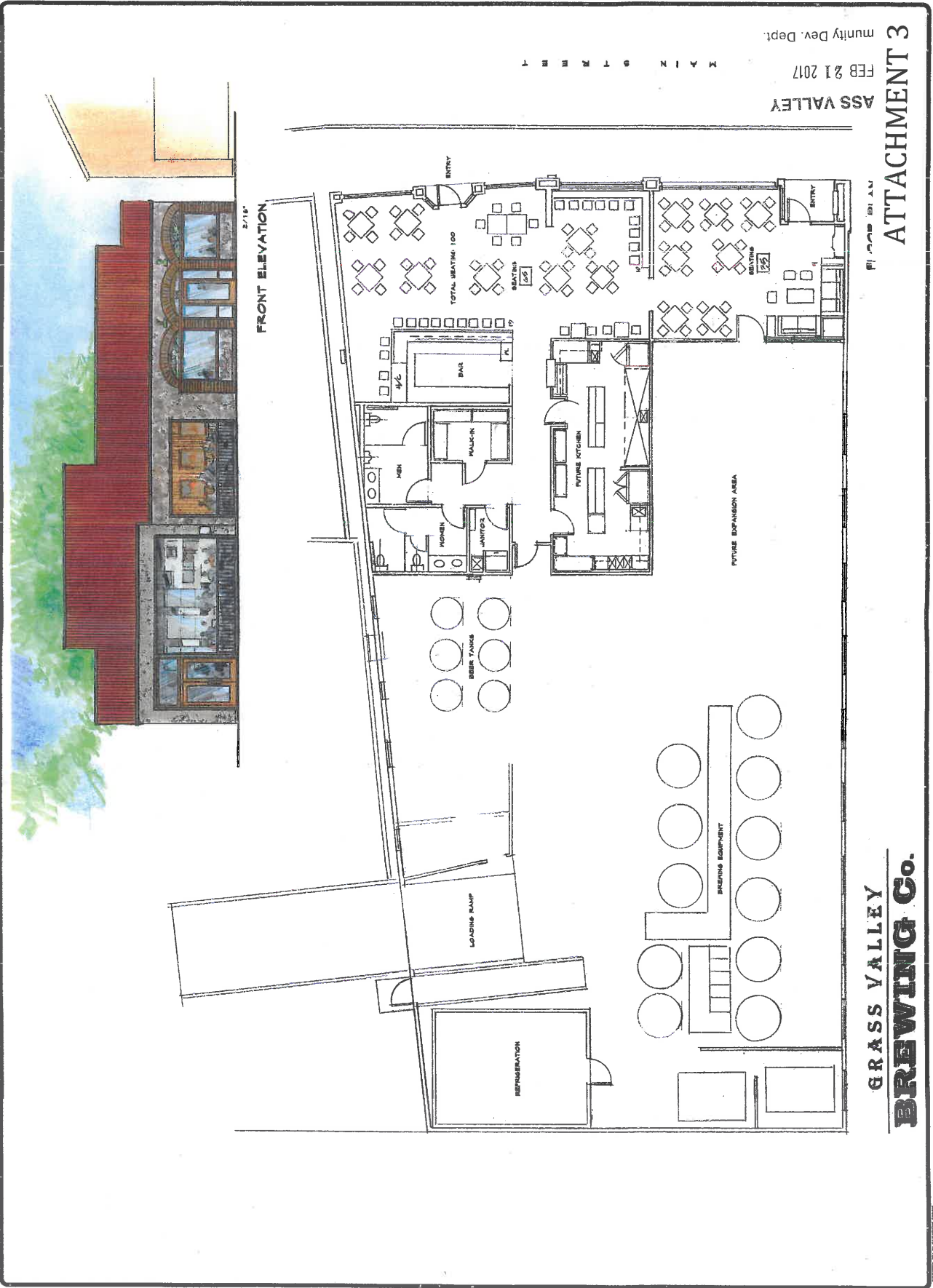


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GRASS VALLEY BREWING CO.

PROPOSED FLOOR PLAN

DATE	NO. OF SHEETS
9/7/16	1
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9/7/16	1
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9/7/16	1



GRASS VALLEY BREWING Co.

ATTACHMENT 3