

**NEVADA CITY TECH CENTER DEVELOPMENT AGREEMENT  
APPLICATION MATERIAL**

1. *Rezone Application (Development Agreement Amendment)*
2. *Applicant Statement*
3. *Proposed Development Agreement Language*

## CITY OF NEVADA CITY

### **GPA/ZONE CHANGE APPLICATION FILING INSTRUCTIONS & CHECKLIST**

This form must be filed with your application. Please check off (x) each item to verify that the required information is attached. Your application will not be accepted if any required item is missing.

- ( ) 1. The signed and completed Application form, including a letter of authorization from the property owner(s) if forms are signed by a Representative (attached).
- ( ) 2. Filing fees pursuant to the most recently adopted Resolution of the City Council.
- ( ) 3. Two copies of the property Grand Deed, verifying ownership and the legal description of each affected parcel.
- ( ) 4. The completed Project Information Questionnaire form (attached).
- ( ) 5. A written statement indicating the circumstances justifying a Rezoning or General Plan Amendment, including any changes in circumstances that justify a reclassification. Address all General Plan policies that support your proposal, explaining how the application is consistent with relevant policies.
- NA( ) 6. General Plan Amendments must include an economic analysis. The analysis shall address the impact of the proposed amendment, particularly the impact on the short and long-term jobs/housing balance, and the land use designations of the General Plan.
- ( ) 7. If this site is developed, provide a site plan, drawn to scale, showing all improvements.
- ( ) 8. Ten (10) hard copies and one (1) digital copy of a Zoning and/or General Plan Amendment exhibit, drawn to a recognized engineers or architects scale, no larger than 11" x 17", reflecting both existing and proposed zoning and General Plan designations. If the exhibit is larger than 8 1/2" x 11", provide one 8 1/2" x 11" reduction of each exhibit.
- ( ) 9. Photos (digital okay) of the site and a site plan reduction indicating where photos were taken.

**This checklist is applicable to General Plan Amendments and Zone Change applications only.** If your application includes another project, including a development plan or tentative map, please be sure to obtain the checklist for each type of project proposed. It is not necessary to duplicate forms or required attachments for projects that are filed concurrently on one application. To avoid delays in application submittal please call the Planning Department if you are unsure of any application requirement.

# LAND USE APPLICATION

*Please print or type in black ink*

Type of application(s) for which you are applying:

<input type="checkbox"/> Tentative Map	<input checked="" type="checkbox"/> Ordinance Amendment	<input type="checkbox"/> Certificate of Compliance
<input type="checkbox"/> Use Permit	<input type="checkbox"/> Zone Change	<input type="checkbox"/> Voluntary Merger
<input type="checkbox"/> Development Permit	<input type="checkbox"/> General Plan Amendment	<input type="checkbox"/> Home Business
<input type="checkbox"/> Administrative Dev. Permit	<input type="checkbox"/> Variance	<input type="checkbox"/> Temporary Commercial Permit
<input type="checkbox"/> Boundary Line Adjustment	<input type="checkbox"/> Setback Easement	<input type="checkbox"/> Management Plan
<input checked="" type="checkbox"/> Other (specify): <u>Cannabis permit and subdivision (submitted seperately).</u>		

**PROJECT DESCRIPTION:** Amendment to existing development agreement adding the following allowable uses to the existing restriction to only Employment Center uses:

Office and Employment uses; and Cannabis uses. Request to split DA into two separate agreements.

Assessor's Parcel No(s): Christopher Anderson (Ganesh Group, LLC), Robert Upton, Brian

Applicant Name(s): Stewart (Redwood Ventures, LLC), Jack Kasbergen (Providence Mine, LLC) and Spencer Campbell

Applicant Mailing Address: See Attachment A for all owner and parcel information and Signatures.

Telephone #: ( ) \_\_\_\_\_ E-Mail: \_\_\_\_\_ FAX#: \_\_\_\_\_

Property Owners Full Names: \_\_\_\_\_

Property Owner Mailing Address: \_\_\_\_\_

Telephone #: ( ) \_\_\_\_\_ E-Mail: \_\_\_\_\_

Name of Representative (if applicable): Marsha A. Burch (For Chris Anderson/Ganesh Group, LP)

Address of Representative: 131 S. Auburn Street, Grass Valley, CA 95945

Telephone #: (530) 272-8411 E-Mail: mburchlaw@gmail.com FAX#: NA

Site address(es): \_\_\_\_\_ Acreage(s): \_\_\_\_\_

Water Source: \_\_\_\_\_ Method of Sewage Disposal: \_\_\_\_\_

\*\*\*\*\*

I hereby acknowledge that I have read the instructions for filing this application and state under penalty of perjury that the information provided on all attached documents is correct.

Signature of (X) Property Owner(s) or ( ) Authorized Representative\*

\_\_\_\_\_  
Date: \_\_\_\_\_

**\*Representative may sign application if a Letter of Authorization from the owner(s) is provided.**

**CITY OF NEVADA  
PROJECT INFORMATION QUESTIONNAIRE**

*The information provided in this questionnaire will be used for preparation of the project Initial Study (environmental review) and for overall project review. All questions must be answered completely with legible responses, typed or in black ink, providing more than a simple "yes", "no" or "NA" response. Attach separate written discussion pages where needed to provide a complete response.*

**1. Project Description:**

- a. Describe the proposed project including any proposed phasing:

---

Amendment to existing Development Agreement.

---

- b. Are any exceptions to required standards proposed or required for this project (a Variance, a Petition for Exceptions or a Management Plan to encroach into any sensitive resources)? *If yes, identify the nature of the proposed variance, exception or management plan:*

No

---

- c. **Code Violations:** To your knowledge, are there any Code violations occurring on this property, including the issuance of a Warning Notice or a Citation for the subject property? \_\_\_ yes  no *If yes, describe:*

**2. Land Use:**

- a. Does this project have a relationship to a larger project or a series of projects?  
 yes \_\_\_ no *If yes, describe:*

---

The amendment of the Development Agreement will be accompanied by a cannabis permit application.

---

- b. Describe existing on-site land uses:

---

Existing office and professional uses and existing vacant buildings formerly owned and used by Grass Valley Group.

---

- c. Describe surrounding land uses, indicating distance to nearest residence:

---

See Attachment B.

---

- d. Describe project potential to change the character of the surrounding area, including the loss of open space.

---

Project will not change the character of the surrounding area, nor will it result in loss of open space.

---

e. Will this project displace any residential units?  yes  no *If yes, describe:*

\_\_\_\_\_

f. Will this project result in a population increase in the immediate project area?  
 yes  no Explain:

\_\_\_\_\_

g. List any specialized plans or zoning restrictions applicable to this project site, e.g., an "SP" zoning, a Master Plan, a Specific Plan, an Area Plan, an Airport Land Use Plan?

The Property is subject to a Development Agreement that is the subject of this application.

**3. Geology/Soils:**

a. A Preliminary Grading Plan is attached.  yes  no

b. A Soils/Geologic Report is attached.  yes  no

c. Slopes that exist on site prior to grading:

Gentle (0-10%) \_\_\_\_\_ sq. ft/acres \_\_\_\_\_ % of site

Rolling (10-30%) \_\_\_\_\_ sq. ft/acres \_\_\_\_\_ % of site

Steep (more than 30%) \_\_\_\_\_ sq. ft/acres \_\_\_\_\_ % of site

\_\_\_ 30%> slopes are cross-hatched or highlighted on the site plan or tentative map

d. Does the project propose to encroach into slopes of 30% or greater?  
*If yes, is a Management Plan included in this application?*  yes  no

e. Is the site on filled land?  yes  no *If yes, explain:*

\_\_\_\_\_

f. Are there existing erosion problems or geologic hazards occurring on this site, such as landslides, mudslides, ground failures, earthquake faults or similar hazards? *If yes, describe:* No.

g. Will a grading permit be required?  yes  no  
*If yes, have you attached a preliminary grading plan?*  yes  no

Describe proposed site grading: NA

How many cubic yards of soil will be imported, exported or moved on site?

\_\_\_\_\_

Maximum proposed depth and slope of any excavation and the type: \_\_\_\_\_

\_\_\_\_\_

Grading material sources or disposal sites: \_\_\_\_\_

\_\_\_\_\_

Transport methods and haul routes: \_\_\_\_\_

\_\_\_\_\_

The location and height of any proposed or required retaining walls: \_\_\_\_\_

\_\_\_\_\_

4. **Water Quality:**

a. Describe any water bodies on, or adjacent to, the property, including lakes, rivers, creeks, seasonal and/or perennial water courses, irrigation ditches or drainage swales.  
None.  
\_\_\_\_\_  
\_\_\_\_\_

b. Is there a floodplain on or within 100 feet of this project site? *If yes, is it identified on the Federal Emergency Management Agency (FEMA) maps and have you included a copy of that map with this application?* \_\_\_\_ yes  no

c. For development projects, describe impervious surfacing created by this project:  
No building is proposed.

<b><u>Lot Coverage:</u></b>	<b><u>EXISTING</u></b>		<b><u>PROPOSED</u></b>	
building coverage	_____	%	_____	%
surfaced areas	_____	%	_____	%
landscaped areas	_____	%	_____	%
permanent open space (excluding <i>required</i> landscaping)	_____	%	_____	%
Total	100	%	100	%

d. Describe any discharge to surface waters that will result from this project, including any wastewaters other than storm water runoff that may be present in the discharge:  
None.  
\_\_\_\_\_  
\_\_\_\_\_

e. Identify the water body or feature that receives runoff waters, describing proposed methods for treating and controlling runoff before it enters the drainage or watercourse.  
\_\_\_\_\_  
\_\_\_\_\_

f. Will a permit be required from the California Regional Water Quality Control Board?  
\_\_\_\_ yes  no *If application for a State permit has been made, provide the permit #: \_\_\_\_\_.*

g. Are there any wetlands or riparian areas on this site? \_\_\_\_ yes  no

*If yes, describe:* \_\_\_\_\_

Will wetlands be affected by the proposed project? \_\_\_\_ yes  no

Will an Army Corps of Engineers wetlands permit be required? \_\_\_\_ yes  no

*If yes, is correspondence to or from the Army Corps attached?* \_\_\_\_ yes  no

h. Does this project propose to encroach into the required buffer from any perennial or seasonal waterbodies or riparian area? \_\_\_\_ yes  no

*If yes, is a Management Plan included in this application?* \_\_\_\_ yes \_\_\_\_ no

5. **Air Quality:**

- a. Describe any air pollutants, i.e. dust, smoke, fumes or odors, which may be generated by this project both during and after construction (short and long term impacts).

None.

\_\_\_\_\_

\_\_\_\_\_

- b. Is the project site mapped within an area known to contain naturally occurring asbestos?

\_\_\_ yes  no Source of information: \_\_\_\_\_

6. **Transportation/Circulation:**

- a. A traffic study is included with this application. \_\_\_ yes  no

- b. Does this project require/include a Petition for Exceptions? \_\_\_ yes  no

- c. Describe the access roads serving this project:

<u>Road name</u>	<u>Right of Way width</u>	<u>Surfacing</u>	<u>Finish grade</u>
Providence Mine Road	City standards	Asphalt	
_____	_____	_____	_____

- d. Is the access road serving the site a dead-end road? \_\_\_ yes  no If yes, what is the distance to the nearest through road?

\_\_\_\_\_

- e. Who provides the road maintenance for each road accessing your project?

Nevada City

\_\_\_\_\_

\_\_\_\_\_

- f. Will this project result in substantial or cumulative impacts to the circulation system in this area? \_\_\_ yes  no Explain:

The DA amendment will provide for office and professional uses, which already exist within the development, and will allow for cannabis uses that will result in traffic impacts that will be less than the original use of existing buildings as a tech center.

- g. What road improvements are proposed? \_\_\_\_\_

None.

\_\_\_\_\_

\_\_\_\_\_

- h. Describe how this project provides for pedestrian needs, pursuant to Sec. L-II 4.1.8 of Zoning Regulations and the Nevada County Non-Motorized Pedestrian Plan:

The project connects to pedestrian trails and pedestrian access to the site for workers will be encouraged and facilitated.

- i. Describe how this project will provide transportation alternatives pursuant to Sec. L-II 4.1.9 and General Plan Policy RD-4.3.1, including:

- 1) The estimated number of employees or residents that will work/live on the project site. Approximately 150 employees

- 2) Identify existing and potential alternatives to individual automobile use, including but not limited to, access to public transportation services, bicycle racks, or provisions for developer-sponsored carpooling or bussing.  
Carpooling and pedestrian access will be encouraged and facilitated. Bicycle racks will be installed and  
all employees will be encouraged to use alternative transportation.
- 3) Proposals to incorporate one or more measures into the project to ensure use of viable alternatives.  
Maintian and mark trails leading into Nevada City. Also, install bike racks, connect employees through  
an app or other means to develop a carpooling system.
- 4) For projects employing 50 or more persons: describe feasible measures for reducing auto dependence.  
See above.

There will be no construction on the site. Sections 7 through 10 are not applicable.

**7. Biological Resources:**

- a. Is the required Biological Inventory attached?  yes  no
- c. Is a Management Plan for encroachment into sensitive biological resources required?  
 yes  no  If yes, is it included in the Inventory?  yes  no
- c. How many native oaks exist on the project site? \_\_\_\_\_
- d. How many oaks have trunk diameters of 36" or more, measured at breast height (4')?  
 \_\_\_\_\_
- e. Number, size, type and location of trees that will require removal, including those for road and sewage disposal construction (as shown on site plan):  
 \_\_\_\_\_
- f. Is a Tree Protection Plan for trees to be retained attached or addressed in your Biological Inventory?  yes  no
- g. Does this project have the potential to preclude the future use of any natural resource i.e., forests or water?  yes  no *If yes, explain:*  
 \_\_\_\_\_
- h. Has this site been logged site in the last 10 years?  yes  no
- If yes, was a Timber Harvest Plan approved?  yes  no
- Is there an active Timber Harvest Plan on file?  yes  no
- If yes to either, a copy of the approved and/or proposed Plan(s) is attached.*

**8. Mineral Resources:**

- a. Is this site mapped as an MRZ-2, Significant Mineralized Area, by the State Dept. of Conservation?  yes  no



b. Does this project have the potential to deplete any non-renewable minerals?

\_\_\_ yes \_\_\_ no *If yes, explain:*

---

**9. Risk of Upset/Health Hazards**

a. Have you included the required Nevada County Hazardous Materials/Waste Statement with this application? \_\_\_ yes \_\_\_ no

b. Do you have knowledge, or is there evidence, of any past, potentially hazardous materials use, including underground fuel storage tanks, dumpsites, or surface or subsurface mining activity?

\_\_\_ yes \_\_\_ no

*If yes, a Phase I Assessment must be submitted with this application. Contact the County Department of Environmental Health for information regarding what research must be conducted for the specified past use.*

c. Does this project propose the handling, storage or transportation of any potentially hazardous materials, toxic substances, flammables or explosives? \_\_\_ yes \_\_\_ no

*If yes, briefly describe the potentially hazardous materials:*

---

---

d. Will the proposed project include the use of hazardous materials in quantities greater than 55 gallons, 200 cubic feet or 500 pounds? \_\_\_ yes \_\_\_ no

*If yes, have you attached a Hazardous Materials Inventory Statement with this application? \_\_\_yes \_\_\_no*

e. Does this project propose, or will this project result in, the generation of hazardous waste as defined by the California Health & Safety Code, Chapter 6.5?

\_\_\_yes \_\_\_ no

f. Does this project propose fuel tanks, either above or below ground? *If yes, in what quantities?*

---

g. Is this project site within two air miles of an airport? \_\_\_ yes X no

*If yes, is the project site mapped with the boundaries of an airport Comprehensive Land Use Plan (CLUP)? \_\_\_ yes \_\_\_no*

**10. Noise:**

a. Is a Noise Study attached? \_\_\_ yes X no

b. Describe any noise-sensitive land uses (homes, schools, hospitals, churches, libraries, nursing homes) within a half-mile of the project site.

---

- c. Describe any noise that will be generated by this project both during and after construction; identifying the noise source and the hours of operation for the noise generating use, including any outdoor activity areas, i.e., storage yards, outdoor music, playgrounds, animals pens.

Some indoor construction will occur to create office and work spaces within existing buildings.

---

---

**11. Public Services:**

- a. List agencies providing the following public services to your project site:

Fire Protection: Nevada City

Domestic water: Nevada Irrigation District

Sewage disposal: Nevada City

Road maintenance: Nevada City

Other special districts: None

- b. If public sewer is proposed, how many EDUs are allocated to this site? \_\_\_\_\_  
c. How many EDU's are required for the proposed use? \_\_\_\_\_  
d. Is trash and recycling service available to serve the project site?  yes  no  
e. As a result of this project will there be significant amounts of solid waste generated, including stumps or inert matter?  yes  no *If yes, describe how the solid waste will be handled/removed:*

\_\_\_\_\_  
\_\_\_\_\_

- f. Within what Fire Severity zone is the project site mapped (Moderate, High or Very High) on the CalFire Fire Severity Hazard maps? Yes.

- g. Will this project result in the need for additional public services including fire, police, water, sewage disposal or recreation, including annexation to a special district?  
 yes  no *If yes, describe:*

\_\_\_\_\_

**12. Utilities & Services Systems:**

- a. List the public utilities that are available to serve the project site and the entities that provides service:

Telephone: AT&T

Electricity: PG&E

Gas (propane or natural gas) No

High speed internet service: Fiber optics

- b. Will this project require the extension of service for any energy source?  
 yes  no *If yes, describe:*

\_\_\_\_\_  
\_\_\_\_\_

- c. Will this project require the recording of a new utility easement?  
 \_\_\_ yes  no *If yes, the proposed easement must be shown on the site plan.*
- d. Describe how this project maximizes energy efficiency, i.e., utilizes alternative energy sources, pursuant to General Plan policies EC-8.6.1, EC-8.6.4 & 14.2:  
 The existing buildings will be upgraded as feasible to increase energy efficiency.  
 \_\_\_\_\_  
 \_\_\_\_\_
- e. What type of sewage disposal system is proposed for this project (public sewer, individual septic systems, community system, centralized system)?  
 Existing public sewer system connection.  
 \_\_\_\_\_

**13. Aesthetics:**

- a. Will there be a change to any highly visible ridgelines or any scenic viewsheds?  
 \_\_\_ yes  no  
*If yes, is a Management Plan included in this application?* \_\_\_ yes \_\_\_ no
- b. Is this project visible from a scenic highway, a large population center, or a public recreation area? \_\_\_ yes  no *If yes, describe:*  
 \_\_\_\_\_  
 \_\_\_\_\_
- c. Does this project propose any outdoor storage, activity or use (other than parking)?  
 \_\_\_ yes  no *If yes, describe the use:*  
 \_\_\_\_\_  
 \_\_\_\_\_
- d. Does this project propose new fencing?  yes \_\_\_ no *If yes, describe fence type, height, materials and colors:*  
 Some of the existing fencing will be repaired and/or replaced pursuant to applicable City regulations.  
 \_\_\_\_\_  
 \_\_\_\_\_
- e. Will this project require the installation of new overhead utility lines, visible from public roadways or adjacent properties? \_\_\_ yes  no *If yes, describe:*  
 \_\_\_\_\_
- f. Is any new exterior lighting proposed? \_\_\_ yes  no  
*If yes:*  
 Is the location of all exterior lighting shown on the site plan? \_\_\_ yes \_\_\_ no  
  
 Is a comprehensive Lighting Plan included in this application, which describes existing and proposed lighting, the number and type of light fixtures, i.e., compact-fluorescent, metal-halide, incandescent; the location (wall-mounted, pole); and type of shielding to prevent off-site light spill? \_\_\_ yes \_\_\_ no

**14. Agriculture:**

- a. Is this project site mapped on the State Dept. of Conservation Important Farmlands Map, as Prime, Unique or a Farmland of Statewide or Local Importance?  
 yes  no *If yes, is a Management Plan for encroachment into important agricultural lands included with this project?*  yes  no
  
- b. Is this project site, or an adjacent site, contracted for an Agricultural Preserve (Williamson Act),  yes  no
  
- c. Is there a Conservation Easement recorded for the project site, or an adjacent site?  
 yes  no
  
- d. Is there an agricultural use established on or adjacent to this parcel?  
 yes  no *If yes, describe the use:*  
\_\_\_\_\_  
\_\_\_\_\_
  
- e. Is the project site irrigated?  yes  no   
*If yes, what is the water source (well, treated, raw water, or?):*  
\_\_\_\_\_
  
- f. Has the site ever been evaluated under the LESA (Land Evaluation & Site Assessment) system?  yes  no   
*If yes, a copy of the evaluation is attached.*
  
- g. Will this project prohibit or decrease agricultural production, on or off-site?  
 yes  no *If yes, describe:*  
\_\_\_\_\_

No construction is proposed. This section is not applicable.

**15. Cultural Resources:**

- a.  A letter from the North Central Information Center is attached, recommending whether an on-site Cultural Resources Inventory be conducted.
  
- b.  An Inventory was conducted and is attached.
  
- c.  An Inventory is not attached because:  
 The North Central Information Center determined that an inventory is not required due to project size or sensitivity level (see letter).  
 An on-site inventory was conducted for a previous project and is on file with the Planning Department, County File No#: \_\_\_\_\_.

**16. Recreation:**

- a. Describe any public recreational facilities existing or proposed on the project site, including trails. Describe any known historic, public use of this site.  
There are existing trails on the site and the trails will be maintained and marked. No changes to the trails are proposed.  
\_\_\_\_\_  
\_\_\_\_\_

**Development project information (not applicable to Tentative Maps)**

**17. Proposed use:**

- a. Proposed use/occupancy type: continued office and professional uses; addition of cannabis processing
- b. Building type & hazard classification: \_\_\_\_\_
- c. Days & hours of operation: Regular business hours, with some evening and weekend hours.
- d. Total number of employees: Approximately 150 employees
- e. Describe any outdoor activity proposed, including area square footage:  
None.  
\_\_\_\_\_  
\_\_\_\_\_
- f. Number of parking spaces, pursuant to Sec. L-II 4.2.9.f. of Zoning Regulations:

	<u>Required</u>	<u>Proposed</u>
Regular stalls:	_____	_____
Compact stalls:	_____	_____
Wheelchair accessible:	_____	_____
<b>TOTAL:</b>	_____	_____

- g. Are loading bays or drop off areas proposed or required? Existing loading bays will be used.  
\_\_\_\_\_

**18. Building Characteristics of each proposed building:**

- a. Building size in square feet (existing and proposed):  
1st floor \_\_\_\_\_ 3rd floor \_\_\_\_\_  
2nd floor \_\_\_\_\_ 4th floor \_\_\_\_\_
- b. If assembly area without fixed seats, state UBC and/or designed occupancy: \_\_\_\_\_
- c. Building height, measured from average finished grade to highest point \_\_\_\_\_
- d. Proposed exterior building:

	<u>Materials</u>	<u>Colors</u>
Roofing:	_____	_____
Siding:	_____	_____
Trim:	_____	_____
Windows:	_____	_____
- e. Describe proposed architectural features or details (roof overhangs, offsets, wainscoting, etc) incorporated to comply with applicable County Design Guidelines:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**19. Building Permits:** List any building or grading permits related to this project that have been applied for and/or issued.

\_\_\_\_\_  
Building and/or grading permits were issued when the tech center buildings were originally constructed.  
\_\_\_\_\_

20. **Signage:** Existing signs may be updated but the size and location will not change.

\_\_\_ A Comprehensive Sign Plan been submitted that identifies:

- \_\_\_ a. Number of signs
- \_\_\_ b. Total sign square footage
- \_\_\_ c. Sign style (wall sign, monument, free-standing)
- \_\_\_ d. Sign lighting
- \_\_\_ e. Sign placement/location
- \_\_\_ f. Design, e.g., colors, materials, lettering style

21. **Residential Projects** None

a. Number of dwelling units:

Single-family \_\_\_\_\_

Multiple-family \_\_\_\_\_

b. If multiple family or condominium project, number of dwelling units with:

One Bedroom \_\_\_\_\_

Two Bedrooms \_\_\_\_\_

Three Bedrooms \_\_\_\_\_

Four or More Bedrooms \_\_\_\_\_

c. Does this project include a conversion of residential real property to a condominium project? \_\_\_ yes \_\_\_no

If yes, have you provided tenant notice pursuant to Sec. 66427.4 of the Subdivision Map Act, and attached a report on the impact to tenants are required by Sec. 66427.4?

\_\_\_ yes \_\_\_ no

If yes, you must provide verification of such notice.

Is that documentation attached? \_\_\_ yes \_\_\_ no



***I understand that failure to provide a complete and accurate response to all questions on this form may deem this application incomplete and may result in project processing delays.***

Signature of ( ) Property Owner(s) or ( ) Authorized Representative that completed this document:

\_\_\_\_\_

Date: \_\_\_\_\_

**NEVADA CITY**  
**HAZARDOUS MATERIALS / WASTE STATEMENT**

APN: \_\_\_\_\_ Property Owner: \_\_\_\_\_

**Hazardous sites:** General Plan policy requires the County pursue the cleanup of sites contaminated by mine waste or other hazardous materials prior to approving land use projects. Where hazardous waste or hazardous materials may occur on a project site, a Phase I site assessment may be required prior to processing or approving your project. Respond to the following questions and provide the requested information:

This site has been reviewed by the City for past project approvals. This section 1 is not applicable.

1. Is there evidence of any past, potentially hazardous use on or near the project site, including underground fuel storage tanks, dumpsites, artillery ranges, surface or subsurface mining activity?

**Yes Provide a Memo from the County Dept. of Environmental Health that adequate information is on file to accept the project for processing.**

**No List the research and/or source of information justifying your response.**

\_\_\_\_\_  
\_\_\_\_\_

**Hazardous use.** It is the applicant’s responsibility to understand the definition of “hazardous material” and “hazardous waste,” as defined in the California Health & Safety Code, Chapter 6.5. The storage of hazardous materials and the generation of hazardous waste are regulated under federal, state and county codes. The storage of hazardous materials in quantities equal to or greater than, a total weight of 500 pounds, or a total volume of 55 gallons, or 200 cubic feet at standard temperature and pressure for compressed gas; or the generating of hazardous wastes in any quantity, requires a permit from the Nevada County Department of Environmental Health.

2. **Will hazardous materials be used, or will hazardous waste be generated from the facility resulting from this project? Check the appropriate response and provide the listed information.**

**Yes** A Hazardous Materials Inventory Statement (HMIS), obtained from the Department of Environmental Health, must be filed with this project application.

**No** Explain why no hazardous materials are used for the proposed use or business:

The existing and proposed uses are office and professional uses. Any cannabis use on the property will be subject to a separate review and approval.

**ATTACHMENT A**

<b>Owner Name</b>	<b>Parcel Information</b>
<p>Ganesh Group, LP  Christopher Anderson  P.O. Box 179  Penn Valley, CA 95946  <a href="mailto:chris@Jahlibyrd.com">chris@Jahlibyrd.com</a>  (530)414-3380  Representative: Marsha A. Burch  Law Office of Marsha A. Burch  131 S. Auburn Street  Grass Valley, CA 95945  <a href="mailto:mburchlaw@gmail.com">mburchlaw@gmail.com</a>  530-272-8411</p>	<p>400 Providence Mine Road  APN 005-100-092</p>
<p>Robert Upton  12555 Dunbar Road  Glen Ellen, CA 95442  <a href="mailto:rupton@campusproperty.com">rupton@campusproperty.com</a>  Cell 415-298-8633</p>	<p>12555 Dunbar Road  Glen Ellen Ca 95442  APN 005-190-47, 48  005-190-51,52,53  05-560-01, 02, 03, 04, 05</p>
<p>Brian Stewart  Redwood Ventures, LLC  121 San Anselmo Ave, #2741  San Anselmo, CA 94960  Email <a href="mailto:bstewart@redwoodparksco.com">bstewart@redwoodparksco.com</a>  Cell 415-377-5586</p>	<p>351-356 Providence Mine Road  APN 005-190-056, 057, 058, 059, 060,  061</p>
<p>Jack Kasbergen  Providence Mine, LLC  31870 County Road 27  Woodland, CA 95695  Email <a href="mailto:jackkasbergen@aol.com">jackkasbergen@aol.com</a>  Telephone 530-304-0170</p>	<p>310 Providence Mine Road  APN 005-190-049</p>
<p>Spencer Campbell  357 Providence Mine Road  Nevada City, CA 94949  Email <a href="mailto:spencer@therapyofawakening.com">spencer@therapyofawakening.com</a>  Telephone (530)334-0266</p>	<p>357 Providence Mine Road  APN 005-190-062</p>

[signatures on following page]



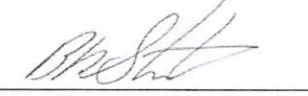
The undesigned owners collectively submit the application to amend the Development Agreement for the Tech Center parcels, as described in the materials submitted to the City.

Date: April 20, 2021

Date: April 5, 2021

Signed: 

Christopher Anderson  
Ganesh Group, LP

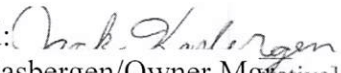
Signed: 

Brian Stewart, Manager  
Redwood Ventures, LLC

Date: April 3, 2021

Date: April 9, 2021

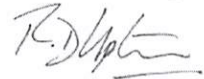
NEVADA CITY TECH CENTER, LLC, a  
California limited liability company

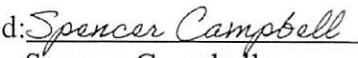
Signed:   
Jack Kasbergen/Owner [Mgtative]  
Providence Mine, LLC Robert Upton,  
Trustee

By: CAMPUS PROPERTIES, LLC, a  
California limited liability company,  
Manager

By: Robert and Linda Upton  
Trust, Manager

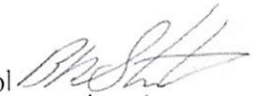
Date: April 10, 2021



Signed:   
Spencer Campbell

Date: April 5, 2021

357 Providence, LLC

Ro 

## **ATTACHMENT B**

The site is referred to as the “Tech Center” property, located at 400 Providence Mine Road in Nevada City. The 160-acre parcel is wooded, and existing development on the property includes office and professional uses. A 12.9-acre portion of the original Tech Center property (designed as development reserve/open space) was subdivided in 2017 and the City approved “The Grove” housing development was approved, but has not been constructed. When these homes are developed, they will be the closest residences to the property.

The property is bordered by Lone Pine Road, a mining road, to the west; mixed uses within the jurisdiction of Nevada City to the south; and residential uses, two elementary schools, and incorporated Nevada City to the east. The Nevada City Wastewater Treatment Plant, Deer Creek environs, and primarily undeveloped wooded hillsides are found to the north.

# MARSHA A. BURCH

ATTORNEY AT LAW

131 South Auburn Street  
GRASS VALLEY, CA 95945

Telephone:  
(530) 272-8411  
mburchlaw@gmail.com

April 20, 2021

Via email: [Amy.Wolfson@nevadacityca.gov](mailto:Amy.Wolfson@nevadacityca.gov)

Amy Wolfson, City Planner  
Nevada City  
317 Broad Street  
Nevada City, CA 95959

Re: 400 Providence Mine Road – Development Agreement

Dear Amy:

This office represents Chris Anderson (Ganesh Group, LP), the owner of Parcels 1 and 2 located at 400 Providence Mine Road. In response to our discussion with you and the City Attorney over the past several months, this letter includes a request for an amendment to the 2015 Development Agreement (“DA”) covering the property. Mr. Anderson and the other owners, Robert Upton (Nevada City Tech Center, LLC), Brian Stewart (Redwood Ventures, LLC), Jack Kasbergen (Providence Mine LLC), and Spencer Campbell, seek the amendments described below.

We request a change to the text in the DA to allow cannabis businesses consistent with the underlying zoning designation of Light Industrial. One purpose of the amendment would be to allow cannabis businesses to be located on the Subject Property, as set forth in Nevada City Land Use Code sections 17.142.030 and 17.142.040.

We also request a change to the text in the DA to allow for office uses. There are several office uses that have been approved by the City within the development area and they are constructed and operating. We wish to clarify that future office uses within the development area are allowed.

The following amendments to the DA would be required (shown in bold/blue for new language and strikethrough for language to be removed):

**1. Section 1.6 in Article I:**

1.6 Land Use Plan. "Land Use Plan" as used herein refers to that Land Use Plan Map attached hereto as Exhibit "C". Said Land Use Plan may be amended from time to time by mutual consent of the parties hereto and in conformance with the provisions of Government Code Section 65868. The term Land Use Plan herein shall include any such amendments properly approved and executed. Notwithstanding the fact that the Subject Property is zoned LI-Light Industrial, the only uses permitted on the Subject Property are the permitted, conditional, and accessory uses consistent with City's prevailing regulations for the EC-Employment Center zoning district and including these additional land uses: Permitted accessory uses typically associated with the technological, research and development, and a digital campus, ~~such as classrooms, child care facilities, and other similar uses that support such a business,~~ **and the following: (1) Offices, administrative and executive, as defined in Chapter 17.48.020(E) of the Nevada City Municipal Code; and (2) cannabis businesses as defined in Chapter 17.48.020 of the Nevada City Municipal Code. For the purposes of this Agreement, and in accordance with Chapter 17.44.020(E), the City interprets "Offices, administrative and executive" to include professional offices, including but not limited to medical, wellness and professional services.**

**2. Section 2.1 in Article II:**

2.1 Permitted Uses. The Subject Property shall be used and developed only for such uses as are permitted by the Employment Center zoning district regulations, **and for offices, administrative and executive, as defined in Chapter 17.48.020(E) of the Nevada City Municipal Code; and (2) cannabis businesses as defined in Chapter 17.48.020 of the Nevada City Municipal Code**, as set forth in the Zoning Ordinance of the City, and as further defined or restricted by the terms of the Development Program and this Agreement. **For the purposes of this Agreement, and in accordance with Chapter 17.44.020(E), the City interprets "Offices, administrative and executive" to include professional offices, including but not limited to medical, wellness and professional services.**

Article I, paragraph 1.8 provides that the parties may amend the DA by mutual consent of the parties. The amendments described above will allow for the productive use of portions of the Subject Property that have long been unutilized, and will allow cannabis businesses and offices that will be compatible with other uses on the Subject Property. The amendment to add these two use types is consistent with the underlying Light Industrial zoning.

Amy Wolfson, City Planner  
April 20, 2021  
Page 3 of 3

The Parties also request that after the DA is amended as requested above, it be split into two separate development agreements with identical terms. One would cover the properties owned by Ganesh Group, LP, and the other would cover the properties owned by the remaining owners. This would facilitate any future amendment requests in light of the fact that the owners other than Ganesh Group, LP have similar office uses on their parcels.

If you have any questions, please do not hesitate to contact me. We look forward to hearing from you.

Sincerely,

A handwritten signature in black ink, appearing to read "Marsha A. Burch".

Marsha A. Burch  
Attorney

cc: Chris Anderson  
Robert Upton  
Brian Stewart  
Jack Kasbergen  
Andy Cassano  
Spencer Campbell