

**Town of Truckee
California**

**PLANNING COMMISSION RESOLUTION NO. 2023-02
A RESOLUTION OF THE TOWN OF TRUCKEE PLANNING COMMISSION
APPROVING APPLICATION NO. 2023-00000006
(2023 GRAY'S CROSSING PJ'S EVENTS TEMPORARY USE PERMIT)**

WHEREAS, in 2004, the Town Council adopted the Gray's Crossing Specific Plan to create a comprehensive development that had a mix of uses such as a diversity of housing types, commercial uses, lodging, recreational, and open space components; and

WHEREAS, in 2006, the Planning Commission approved a Development Permit for a locker room and fitness center, golf shop, restaurant, and storage building; and

WHEREAS, in 2019, the Planning Commission approved a two-year Temporary Use Permit to host events within the dining building and adjacent outdoor dining and lawn area from May to October in 2019 and 2020 in the Recreation District of the Gray's Crossing Specific Plan Area, located at 11410 Henness Road (APNs 043-010-008 and 043-010-003); and

WHEREAS, in 2020, the COVID-19 pandemic required cancellation of all events and gatherings; and

WHEREAS, in 2021, the Planning Commission approved an additional two-year Temporary Use Permit between May to October in 2021 and 2022 with a requirement to return to the Planning Commission if an additional Temporary Use Permit was requested in 2023; and

WHEREAS, the Town of Truckee received an application requesting Temporary Use Permit approval to host 24 events (20 weddings and four community concert events) within the dining building and adjacent outdoor dining and lawn area from June to October 2023 in the Recreation District of the Gray's Crossing Specific Plan Area, located at 11410 Henness Road (APNs 043-010-008 and 043-010-003); and

WHEREAS, the Planning Commission required review of this Temporary Use for 2023; and

WHEREAS, a 10-day public review period was provided to allow Federal, State, and local agencies, interested persons and organizations, and other members of the public to review and comment on the project; and

WHEREAS, public notice was published in the *Sierra Sun* and mailed to property owners within 500 feet of the project site informing the public of the date, time, and location of the public hearing for consideration of the approval or denial of the Temporary Use Permit; and

WHEREAS, the Planning Commission held a public hearing on the matter at their regularly scheduled Planning Commission meeting beginning and ending on February 21, 2023, and considered all information and public comment related thereto;

THEREFORE BE IT RESOLVED, the Planning Commission hereby takes the following actions on Application 2023-00000006 (2023 Gray's Crossing PJ's Events Temporary Use Permit):

1. Approves the 2023 Gray's Crossing Events Temporary Use Permit in the Recreation District of the Gray's Crossing Specific Plan Area subject to the conditions of approval set forth in

Exhibit "A" (Conditions of Approval) attached hereto and incorporated herein.

2. Determines the project exempt from further environmental review in accordance with Section 15304(e) of the California Environmental Quality Act Guidelines.

BE IT FURTHER RESOLVED, the Planning Commission adopts the findings set forth in Exhibit "B" (Findings), in support of approval of these actions.

The foregoing Resolution was introduced by Commission Member _____ and seconded by Commission Member _____ at a Regular Meeting of the Truckee Planning Commission held on the 21st day of February 2023 and adopted by the following vote:

AYES:

NOES:

ABSENT:

Dave Gove, Chair
Town of Truckee Planning Commission

ATTEST:

Kayley Metroka, Administrative Technician

Attachments:

Exhibit A – Conditions of Approval
Exhibit B – Findings

PLANNING COMMISSION RESOLUTION NO. 2023-02

EXHIBIT "A"

**APPLICATION NO. 2023-00000006/TUP
2023 GRAY'S CROSSING PJ'S EVENTS TEMPORARY USE PERMIT**

CONDITIONS OF APPROVAL

General Conditions of Approval

1. A Temporary Use Permit is approved to allow 24 events at the PJ's at Gray's Crossing restaurant and adjacent outdoor dining and lawn area from June to October 2023, approved at 11410 Henness Road, APNs 043-010-008 and 043-010-003, as described in the February 21, 2023 Planning Commission staff report on file in the Community Development Department. The applicant is responsible for complying with all conditions of approval and providing evidence to the Community Development Director of compliance with each condition. (***Planning Division Recommendation***)
2. The effective date approval shall be March 6, 2023 unless the approval is appealed to the Town Council by 5:00 pm on March 3, 2023. (***Planning Division Recommendation***)
3. The Community Development Director may authorize minor alterations to the approved plans and conditions of approval in accordance with Sections 18.84.070.B.1 of the Development Code only if the Community Development Director finds such changes and alterations to be in substantial compliance with the approved project. For minor project modifications and design elements not addressed by the Planning Commission in their design approval of the project, the Community Development Director may impose additional requirements on the project to ensure consistency with the Town Development Code. Major changes and alterations to the approved plans and conditions of approval shall be reviewed and approved by the Planning Commission in accordance with Sections 18.84.070.B.2 of the Development Code. (***Planning Division Recommendation***)
4. Any fees due to the Town of Truckee for processing this project shall be paid to the Town within thirty (30) calendar days of the final invoice. Failure to pay such outstanding fees within the time specified shall invalidate any approval or conditional approval granted by this action. No permits, site work, or other actions authorized by this determination shall be permitted, authorized, or commenced until all outstanding fees are paid to the Town. (***Planning Division Recommendation***)
5. The applicant shall defend, indemnify, and hold harmless the Town and its agents, officers, and employees from any claim, action, or proceeding against the Town to attack, set aside, void, or annul the approval of the Town Council, which action is brought within the time period provided for by State law. (***Planning Division, Town Attorney***)

Temporary Use Permit Conditions of Approval

6. 24 events at PJ's at Gray's Crossing, the outdoor dining area, and the adjacent lawn area are permitted from June to October 2023 as follows:

Wedding Dates (Private Events):
Varies, but typically 4:00 PM – 10:00 PM

1. 06/03/23 (Saturday)
2. 06/10/23 (Saturday)
3. 06/16/23 (Friday)
4. 06/17/23 (Saturday)
5. 06/23/23 (Friday)
6. 06/24/23 (Saturday)
7. 07/01/23 (Saturday)
8. 07/07/23 (Friday)
9. 07/08/23 (Saturday)
10. 07/28/23 (Friday)
11. 07/29/23 (Saturday)
12. 08/04/23 (Friday)
13. 08/05/23 (Saturday)
14. 08/12/23 (Saturday)
15. 08/26/23 (Saturday)
16. 09/09/23 (Saturday)
17. 09/23/23 (Saturday)
18. 09/30/23 (Saturday)
19. 10/07/23 (Saturday)
20. 10/21/23 (Saturday)

Concert Dates (all Tuesdays)
5:00 PM – 8:00 PM

1. 06/27/2023
2. 07/25/2023
3. 08/29/2023
4. One future date pending

- *Concerts:* Performances from 5:30 PM to 8:00 PM. The concert series are proposed to be free to the community with food and beverages available for purchase at PJ's.
- *Events/Weddings:* 20 events/weddings from 4:00 PM to 10:00 PM. All events and restaurant operations, including breakdown of the events, shall cease at 11 PM. The applicants shall post the event on the Tahoe Mountain Club and PJ's Restaurant websites.

(Planning Division Recommendation)

Changes to the schedule may be approved by the Community Development Director, but the quantity of events shall not be modified. If changes to the schedule are requested, notice to the Town and the Homeowner's Association shall be provided at least two weeks in advance of the date of the event. A calendar of events shall be posted at PJ's Restaurant and shall be available on the Tahoe Mountain Club website. **(Planning Division Recommendation)**

7. No amplified sound or music is allowed for private events/weddings. The community concerts may have music/sound (amplified or non-amplified) up to 8:00 PM. **(Planning Division Recommendation)**
8. No future Temporary Use Permits for private events will be approved at this location. Up to four community events that are open to the public with amplified music ending at 8 PM could be reviewed through a Temporary Use Permit at the staff level, provided the findings for a Temporary Use Permit can be made by the Community Development Director. **(Planning**

Division Recommendation)

9. The applicants shall appoint an onsite manager or monitor for all events who can immediately respond to questions and complaints from neighbors. A phone number, dedicated for complaints, shall be provided on all noticing documents and on the Tahoe Mountain Club/PJ's Restaurant website so that any complaints can be immediately addressed. The complaint phone line shall create automated text records of the complaints received. The applicants shall maintain a complaint log which details the date, time, complaint description, and description of any actions made to remedy or further document the cause of the complaint. The name and address of the complainant shall also be noted, if provided. The log shall be available for review by the Town, Gray's Crossing Homeowner's Association, and Gray's Crossing residents at any time. A weekly log of the complaints, along with automated text records, shall be submitted to the Town of Truckee Planning Division. (***Planning Division Recommendation)***
10. The temporary events shall be in compliance with the Town of Truckee Noise Ordinance. The applicants will be required to demonstrate compliance if requested by the Town of Truckee. All onsite managers and monitors shall be educated in the requirements of the Temporary Use Permit and Noise Ordinance. (***Planning Division Recommendation)***
11. The recommendations of the June 5, 2019 noise analysis shall be implemented for all community concert events where amplified music will be used, including requirements related to the maximum decibel level and requirements to turn off background music during speeches and to reduce microphone outputs, as follows:
 - Speakers should be oriented to the northwest (towards scoreboard / dirt mound).
 - A maximum of one subwoofer should be used during amplified music events.
 - Sound levels from the music should not exceed 80 dB at a point 50 feet in front of the speaker.
 - Due to variability of the sound generated during amplified speech (people speaking into the microphone), background music shall be turned off during speeches so the speaker does not need to increase his/her volume to be heard over the music. Overall microphone output levels during speeches shall be reduced.
 - All music is required to cease by 10 pm.
 - PJ's staff shall periodically monitor sound levels at 6:00 PM and 7:00 PM at the 50-foot reference distance during events to ensure compliance is being maintained. The findings of the monitoring shall be logged in an event log that shall be submitted to the Planning Division weekly in conjunction with the complaint log. The log shall also include when the amplified music has been turned off. (***Planning Division Recommendation)***
12. The applicant shall distribute the information sheet that identifies allowed quantities, locations, and orientation of speakers, maximum volumes, and notices of residential neighbors nearby to event planners, organizers, musical acts, and any other pertinent groups prior to setup of the event. The onsite manager shall ensure that the requirements of the information sheet are adhered to. (***Planning Division Recommendation)***
13. By May 1, 2023 or when the snow melts and the site is accessible, whichever is later, the unpermitted mulched parking area, between the third tier of the existing parking lot and Prosser Dam Road shall be closed off with boulder barriers and revegetated back to its natural state. Temporary irrigation shall be used to establish the vegetation. No parking shall be allowed in this area. A Planning inspection is required once completed. (***Planning Division Recommendation)***

14. No fireworks or pyrotechnics shall be allowed at both the weddings/events and concerts. **(Planning Division Recommendation)**
15. The site occupied by the Temporary Use shall be cleaned of debris, litter, or any other evidence of the Temporary Use upon completion or removal of each event, wedding, or concert, and shall thereafter be used in compliance with the provisions of the Specific Plan and the 2006 Development Permit approval (Resolution 2006-06). **(Planning Division Recommendation)**
16. Any new structure or any new electrical service connection shall require a Building Permit unless specifically exempted by the Town Building Code. **(Planning Division Recommendation)**
17. The applicant shall incorporate waste reduction and recycling into event planning and implementation. The applicant is encouraged to prohibit non-reusable items such as plastic water bottles, bags, and utensils. All events must have appropriate receptacles, with signage, for separate trash and recycling collection. Town can provide assistance with signage and other recycling collection resources if needed. The applicant shall maintain sufficient waste and recycling service subscriptions with Tahoe Truckee Sierra Disposal.

If event waste combined with the regular venue waste totals four cubic yards of trash and 100 gallons of food waste per week, a food waste collection service is required for back-of-house food waste. To comply, the applicant can subscribe to Tahoe Truckee Sierra Disposal's food waste collection service. Town resources, including containers, signage, and staff training are also available to assist with food waste collection. Please contact Town staff for help estimating food waste volume generation. **(Planning Division Recommendation)**
18. For weddings/events, a maximum of 200 guests shall be allowed at the PJ's restaurant, outdoor dining area, and adjacent lawn areas. No maximum is required for the community concerts. **(Planning Division Recommendation)**
19. All weddings greater than 175 guests shall be required to provide a shuttle service to transport guests from their accommodations to the event and back. The applicant team shall provide the wedding party local contacts and pricing information for shuttle services in Truckee. **(Planning Division Recommendation)**
20. An unobstructed width of not less than 20 feet shall be maintained along all adjacent public roads (Hennes Road and Prosser Dam Road) and driveways at all times. At a minimum, temporary signs prohibiting parking near the intersection of Hennes Road and the PJ's parking lot entrance shall be required for all concerts and during wedding events with greater than 100 guests. Temporary signage prohibiting parking shall also be required on one side of Hennes Road and Prosser Dam Road. Temporary signs shall be well-designed and shall be the minimum size necessary to ensure parking does not occur on the designated side of the road. The temporary signage design shall be reviewed and approved by the Community Development Director. Signage shall be displayed one hour prior to the start of the event and removed immediately after the event. If the parking restrictions do not result in the maintenance of 20 feet of unobstructed access, additional measures may be required by the Community Development Director, including, but not limited to, use of parking attendants to direct parking, an off-site parking/shuttle program, or a reduction of allowed number of guests. **(Planning Division Recommendation)**

21. The applicants shall assign staff to manage and direct all traffic related to the event and shall ensure that traffic exiting the event is routed to Prosser Dam Road rather than on Henness Road. Assigned staff shall be located at the parking lot exit prior to the end of the event. Traffic attendants shall be trained and shall be provided appropriate safety equipment (e.g., safety vests, flashlights, light wands). The traffic attendants shall be required to wear and use the safety equipment. **(Planning Division Recommendation)**
22. No signs associated with either event type shall be permitted to be placed outside of the site, except as required by Condition of Approval No. 20. **(Planning Division Recommendation)**
23. The applicants shall comply with all requirements of the Truckee Fire Protection District, including application for the recently adopted California Fire Code and maintaining fire lanes. A Truckee Fire Protection District special event permit application shall be required for any event that is utilizing a tent or temporary membrane structure larger than 400 square feet. **(TFPD)**
24. The applicants shall comply with all requirements of the Truckee Sanitary District (TSD). **(TSD)**
25. The applicants shall comply with all requirements of the Nevada County Department of Environmental Health (NCDEH). Sewage disposal is required to be provided by Truckee Sanitation District, domestic water shall be provided by the Truckee Public Utility District, and PJ's Bar and Grill Restaurant is required to have and maintain a current permit to operate from the NCDEH. **(NCDEH)**

PLANNING COMMISSION RESOLUTION NO. 2023-02

EXHIBIT "B"

**APPLICATION NO. 2023-00000006/TUP
2023 GRAY'S CROSSING PJ'S EVENTS TEMPORARY USE PERMIT**

FINDINGS

Temporary Use Permit

1. Adequate parking would be provided in areas not located within the public right-of-way or affecting an existing parking area so as to interfere with more than 10 percent of on-site parking, established disabled accessible parking, or with vehicular or pedestrian circulation.

The proposed 2023 Gray's Crossing Events will use onsite parking. With the 200-person occupancy cap for weddings and requirement for shuttles, the parking area will be adequate for the private wedding events. Community public concerts may use the public right-of-way. A condition is proposed to ensure that access to the site will be maintained for community events. The project was reviewed by the Engineering Division and no objections were filed.

2. The proposed temporary use is in compliance with all applicable Town, State, and Federal laws.

With incorporation of the recommended conditions of approval, the proposed 2023 Gray's Crossing Events Temporary Use Permit is in compliance with all applicable Town, State, and Federal laws. The applicants will be required to comply with any pertinent COVID-19 regulations in effect.

3. The Fire Chief has determined that the proposed use would not create a fire safety hazard.

The Truckee Fire Protection District was routed the proposed Gray's Crossing Events Temporary Use Permit and no objections were filed. A condition of approval requiring compliance with the Truckee Fire Protection District's requirements, including fire lane access, is included in the Conditions of Approval.

4. The subject property is located within a commercial, industrial, or public use zoning district.

The property is located within the Recreation District of the Gray's Crossing Specific Plan which is intended to provide tourist-oriented land uses ranging from country club and restaurant, health and fitness center, 18-hole golf course, driving range, golf course, play grounds, and pedestrian/bike trail.

5. If the use is occurring on Town-owned property, permission from the Town Manager or other designee has been obtained.

The 2023 Gray's Crossing Events Temporary Use Permit private events are proposed wholly on private property owned by the Tahoe Club Company, LLC (Tahoe Mountain Club). Any on-street parking has been reviewed by the Engineering Division and, with incorporation of the parking management plan, no objections have been filed.

6. Operation of the use would not create adverse traffic safety impacts nor result in detrimental impacts upon the neighborhood in which it is to be located.

With the 200-person occupancy cap for weddings, the Temporary Use Permit will not create adverse traffic safety impacts. Traffic management and signage requirements are required to help mitigate traffic impacts associated with popular concerts. With the recommended conditions of approval, the Temporary Use Permit would not negatively impact the neighborhood and exiting traffic will be directed to Prosser Dam Road rather than through Henness Road.

7. The establishment, maintenance, or operation of the temporary use would not be detrimental to the public health, safety, or welfare of persons residing or working in the neighborhood of the proposed use.

With the recommended conditions of approval, the 2023 Gray's Crossing Events Temporary Use Permit will not be detrimental to the public health, safety, or welfare of persons residing or working in the neighborhood. This finding is further described in the "Discussion/Analysis" section of the February 21, 2023 Planning Commission staff report. The expectation is that this Temporary Use Permit will be the last Temporary Use Permit approved and no future temporary use permits will be allowed. This is temporary in nature and will not have a permanent impact on the residential character of the Gray's Crossing residential neighborhood.

8. Approved measures for removal of the use and site restoration have been required to ensure that no changes to the site will limit the range of possible future land uses otherwise allowed by this Development Code.

The events are set up and broken down on the day of the event. All events are temporary and no permanent structures or modifications of the site are required.