

**Town of Truckee
California**

**PLANNING COMMISSION RESOLUTION 2023-01
A RESOLUTION OF THE TOWN OF TRUCKEE PLANNING COMMISSION
APPROVING APPLICATION 2023-00000002/EXT
(TRUCKEE-TAHOE LUMBER COMPANY REDEVELOPMENT – “THE CROSSING”
TIME EXTENSION)**

WHEREAS, on January 19, 2021, the Town of Truckee Planning Commission adopted Resolution 2021-01, approving the Truckee-Tahoe Lumber Company Redevelopment - The Crossing (Application 2020-00000002) by taking the following actions: 1) Approved a Development Permit for demolition of a 4,758 s.f. office/retail building, redevelop and reuse two shed buildings to create 21,685 s.f. of commercial space, develop 35 parking spaces, and develop an 18,000 s.f. outdoor plaza/gathering place on the existing Truckee-Tahoe Lumber Company (TTLIC) site in the Downtown Extension (DE) district of the Truckee Rail Yard Master Plan Area located at 10242 Church Street (APN 019-030-008); 2) Approved a Development Permit for over 26,000 s.f. of site disturbance in the Public Facilities (PF) zoning district for 31 parking spaces, landscaping, and trash enclosure associated with the commercial use on 10322 Trout Creek Road (APN 019-030-051); 3) Approved a Planned Development to allow commercial uses, including 31 parking spaces, landscaping, trash enclosure, bioswale, and snow storage, in the Public Facility (PF) zoning district located at 10242 Church Street (APN 019-030-008); 4) Approved Minor Exceptions to the front setback and streetwall articulation standards for the North and West Sheds in the Downtown Extension (DE) district of the Truckee Rail Yard Master Plan Area located at 10242 Church Street (APN 019-030-008); 5) Approved a Comprehensive Sign Program for a ground-mounted center sign for a multi-tenant site located at 10242 Church Street (APN 019-030-008); and 6) Determined the project exempt from further environmental review in accordance with exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Sections 15183 and 15311 and Public Resources Code 21166; and

WHEREAS, on January 3, 2023, the Town of Truckee received Application 2023-00000002, requesting approval of a one-year Time Extension to the previously approved Truckee-Tahoe Lumber Company Redevelopment – “The Crossing”; and

WHEREAS, the Truckee Development Code allows Time Extension approvals for land use permits for a period or periods not exceeding a total of two years; and

WHEREAS, the Planning Commission is responsible for the review and consideration of Time Extensions for projects previously reviewed and approved by the Commission; and

WHEREAS, a 10-day public review period was provided to allow Federal, State, and local agencies, interested persons and organization, 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 about the project and the date, time, and location of the public hearing for consideration of the approval or denial of the Truckee-Tahoe Lumber Company Redevelopment – “The Crossing”; 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 public comment, testimony, evidence, and information related thereto.

THEREFORE BE IT RESOLVED, the Planning Commission hereby takes the following actions on Application 2023-00000002/EXT (Truckee Tahoe Lumber Company Redevelopment – “The Crossing” Time Extension):

1. Approves a Time Extension for a period of one additional year from the effective date of approval of the previously approved Truckee-Tahoe Lumber Company Redevelopment – “The Crossing”, as shown on the plans approved by the Planning Commission on January 19, 2021, incorporated herein, and subject to the conditions of approval set forth in Exhibit A (Conditions of Approval).
2. Determines the one-year Time Extension approval to be exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3); and

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

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, Secretary

Attachments:

Exhibit A – Conditions of Approval
Exhibit B – Findings

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EXHIBIT A

CONDITIONS OF APPROVAL

1. A Time Extension for a period of one additional year from the effective date of approval of the previously approved Truckee-Tahoe Lumber Company Redevelopment – “The Crossing” is approved to demolish a 4,758 s.f. office/retail building, redevelop and reuse two shed buildings to create 21,685 s.f. of commercial space, develop 35 parking spaces, and develop an 18,000 s.f. outdoor plaza/gathering place on the existing Truckee-Tahoe Lumber Company (TTL) site in the Downtown Extension (DE) district of the Truckee Railyard Master Plan Area located at 10242 Church Street (APN 019-030-008), a Development Permit for 26,000 s.f. of site disturbance in the Public Facility (PF) zoning district located at 10322 Trout Creek Road (APN 019-030-051), a Planned Development application to allow commercial uses, including 31 parking spaces, landscaping, trash enclosures, bioswale, and snow storage, in the PF zoning district located at 10322 Trout Creek Road (APN 019-030-051), Minor Exceptions for the front setback and streetwall articulation standards for the North and West Sheds in the DE district of the Railyard Master Plan Area located at 10242 Church Street (APN 019-030-008), and a Comprehensive Sign Program for a ground-mounted center sign for a multi-tenant site in Downtown Truckee, as described in the Planning Commission staff report dated January 19, 2021 on file in the Community Development Department and as shown on the plan set approved by the Planning Commission on January 19, 2021, except as modified by these conditions of approval. 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)***
2. The applicant is responsible for complying with all conditions of approval and providing evidence to the Community Development Director of compliance with the conditions. A matrix or letter shall be submitted as part of any grading or building permit application. Review of building permits will not commence until an itemized list of conditions of approval and status is provided. As part of the matrix or letter, the applicant shall identify any changes made to the approved plan set design. ***(Planning Division)***
3. All applicable conditions of approval in Planning Commission Resolution 2021-01 adopted on January 19, 2021, shall be incorporated into this Time Extension approval, with the following modifications:
 - A. Condition No. 3 shall be replaced to read: “The effective date of the Time Extension approval shall be March 6, 2023, unless the approval is appealed to the Town Council by 5:00 pm on March 3, 2023. The land use permit approvals for the Truckee-Tahoe Lumber Company Redevelopment – “The Crossing” have been extended one-year from the original effective date of Resolution 2021-01. The land use permits are required to be exercised per Development Code Section 18.84.050 (Time Limits and Phasing) by February 1, 2024 and the project shall be completed by February 1, 2026. Otherwise, the approval shall become null and ovoid unless an extension of times is

granted by the Planning Commission, in compliance with Section 18.54.055 (Time Extensions).” **(Planning Division)**

- B. Condition No. 5 shall be modified to read as follows: “Except as modified by these conditions of approval, the project shall comply with all applicable provisions and standards of the Railyard Master Plan (amended November 2016 and the Development Code including, but not limited to the following:
- a. General Development Standards as contained in Table 2-11 of the Development Code;
 - b. Railyard Master Plan General Development Standards as contained in Table 5-2 of the Railyard Master Plan;
 - c. Air Emissions in accordance with Section 18.30.030;
 - d. Drainage and stormwater runoff in accordance with Section 18.30.050;
 - e. Building Height in accordance with Section 18.30.090;
 - f. Snow Storage in accordance with Section 18.30.130;
 - g. Exterior Lighting in accordance with Section 18.30.060;
 - h. Solid Waste/Recyclable Materials in accordance with Section 18.30.150;
 - i. Open Space in accordance with Section 18.46.060;
 - j. Off-Street Loading Space Requirements in accordance with Section 18.84.100;
 - k. Property Maintenance in accordance with Section 18.30.100;
 - l. Parking in accordance with the Railyard Master Plan Parking Management Plan and Chapters 18.48 and 18.50 of the Development Code;
 - m. Landscaping in accordance with Chapters 18.40 and 18.42.

The property located at 10322 Trout Creek Road (APN 019-030-051), which is not located in the Railyard Master Plan, to be compliance with the Development Code standards and provisions in effect on December 13, 2022, the Development Code in effect at the time the Truckee-Tahoe Lumber Company Redevelopment – “The Crossing” Time Extension application was determined to be complete for processing. The property located 10242 Church Street (APN 019-030-008) is subject to the Railyard Master Plan (amended November 2016) and the August 11, 2017 Development Code, which was in effect at time of execution of the Development Agreement.” **(Planning Division)**

- C. Condition No. 63 shall be modified as follows: “Prior to building permit issuance, the applicant shall provide evidence that any existing projections or encroachments into easements are not exacerbated by new structures, including extensions of roof eaves or building footprint/foundation modifications. No new required site improvements, including required landscaping, required parking, or other required site improvements, shall be located in easements unless the easement is amended, with the consent of all entities with an interest in the easement, to clarify that the parking, landscaping, and/or other improvement can remain in place in perpetuity notwithstanding any other provision of the easement, or all entities with an interest in the easement provide written consent for the parking, landscaping, and/or other improvements to remain in place in perpetuity, which such consent is absolute, irrevocable, permanent, supersedes the easement to the extent it is inconsistent with the easement, and is recorded in the official records of Nevada County.” **(Planning Division)**

- D. Condition No. 75 shall be modified as follows: As determined by the Community Development Director in coordination with the District Fire Marshal, the project shall comply with all applicable Truckee Fire Protection District ordinances and requirements related to the construction or installation of physical infrastructure, facilities, and improvements and the payment of mitigation fees for the construction of facilities and the purchase of equipment. These ordinances and requirements may include, but not be limited to, roads and driveways, installation of fire hydrants and extinguishers, minimum fire flow, fire department access and safety, automatic sprinkler and alarm system for the building, driveway and width, and paving specifications, wildland fire protection, compliance with defensible space requirements for Zone 0, vegetation management plan to address the creation and maintenance of defensible space around the project area, and payment of fire mitigation fees. The physical infrastructure, facilities, and improvements shall be installed at the time of development and completed prior to temporary occupancy of buildings and the land, and the mitigation fees shall be paid in accordance with adopted Council rules for administration of the mitigation fee program. The project must also have Fire Protection Water in accordance with Section 507 of the Fire Code and Fire Apparatus access in accordance with Section 503 of the Fire Code. **(TFPD)**
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 issuance of a 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)**
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)**

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EXHIBIT B

FINDINGS

TIME EXTENSION

- 1. The permittee has made a good faith effort to exercise the permit and has exercised due diligence in seeking to establish the permit.**

This finding is supported by the discussion section contained in the “Discussion/Analysis” section of the Planning Commission staff report dated February 21, 2023. The applicants have submitted a building permit application for the project that has gone through two rounds of comments from the Town, with a third revision submitted on January 23, 2023, which is currently under review with the Town.

- 2. The land use permit(s) and approved use are in compliance with this Development Code, the General Plan and any applicable Specific Plan and/or master plan.**

This finding is supported by the discussion section contained in the “Discussion/Analysis” section of the Planning Commission staff report dated February 21, 2022. The project is subject to the Railyard Master Plan and a Development Agreement, which includes specific parking and affordable housing requirements. No changes have been made to these documents that affect the project. The Development Code has been amended since the original date of approval for the project, which includes specific requirements for required site improvements in easements. With incorporation of a new condition of approval requiring the easement holder’s explicit approval of improvements in the easement, the project is consistent with the Development Code and Railyard Master Plan. The project remains in compliance with the 2025 General Plan, which was in effect at the time of the original project approval and has not been amended.