



PLANNING COMMISSION MEMO

Meeting Date: May 17, 2022

To: Town of Truckee Planning Commission

From: Chantal Birnberg, Associate Planner

RE: Application 2021-000000112/VAR (The Rock Golf Net); Owner/Applicant: 267 Partners LP and Truckee Tahoe Airport District; Agent: Rebecca Thayer/MWA; 11249, 11177 Brockway Road and 10031 Reynold Way (APNs 019-450-018, 019-950-023, -029)

Approved by: Denyelle Nishimori, Community Development Director

Recommended Action: That the Planning Commission adopt Resolution 2022-06, approving the Variance for a 35-foot high golf net, determining the project exempt from the California Environmental Quality Act (CEQA) per Section 15303 of the CEQA Guidelines.

Project Summary: The applicant is requesting **Variance** approval to construct 320 linear feet of 50-foot-high golf netting across three parcels (11249, 11177 Brockway Road and 10031 Reynold Way (APNs 019-450-018, 019-950-023, -029)). The variance requests modification of the Development Code standard for maximum fence height in the CG (General Commercial) and REC (Recreation) zone districts from a maximum of six feet to 50 feet. A Variance is required for modifications and adjustments to the standards of the Development Code when, because of special circumstances applicable to the property, the strict application of the Development Code deprives the property owner privileges enjoyed by other property owners in the vicinity and under identical zoning districts.

Purpose of this Memo: This memo serves to update and supplement the March 15, 2022 Staff Report (Attachment 2). After publication of the March 15, 2022 Staff, the applicant submitted additional information on the proposed project. Staff has reviewed the additional information and updated the analysis and findings to reflect new submittals. The Commissioners should refer to the March 15, 2022 Staff Report for the bulk of the information and analysis, and refer to this Memo for any changes.

Discussion/Analysis:

General Plan Consistency

The project area is located in both the Commercial (C) and Open Space Recreation (OSR) land use designations of the Town's 2025 General Plan. The OSR land use designation is applied to areas where developed recreational uses would be compatible with the natural resources in the area. This designation is intended to minimize suburban and rural residential sprawl; to protect significant vistas, wildlife movement corridors, biological resource areas; and to accommodate recreational uses. The Commercial land use designation is applied to existing and planned areas of commercial uses. The Commercial designation is applied based on location of existing commercial uses and the suitability of areas for places for commercial uses in areas close to the Town core.

The project site is also located in the Brockway Road Neighborhood Area/Brockway Road Corridor. The following General Plan goal and policy relate to the proposed project:

Goal CC-14: Enhance the character and qualities of the Brockway Road Corridor as a gateway to Truckee.

BR-P1: Preserve and improve the character of the Brockway Road Corridor, including preservation of the corridor's open qualities, which provide an important transition from the developed areas of

the Town to the open space of the Martis Valley to the south. This could be accomplished through screening with vegetation, use of landscaped buffers or interspersing development nodes with green space and landscaped areas.

In February, staff requested visual simulations depicting the proposed (50-foot-high) golf netting as viewed from the public way in order to analyze whether the granting of a variance for additional height would be consistent with preserving the Brockway Road Corridor's open qualities and/or significant vistas as directed in Policy BR-P1. At that time, the applicant declined to provide these simulations and staff felt there was inadequate information to determine consistency with the 2025 General Plan goals and policies for the Brockway Road Neighborhood area. However, on March 15, the applicant provided three visual simulations of the golf net and has since provided a fourth vantage point per staff's request. These simulations are included as Attachment 3.

The four vantage points show fencing that is often obscured by the tree line or existing buildings. Location two denotes the most visible section of fencing, yet staff believes that the existing view at this vantage point would not be considered a significant vista nor representative of the Brockway Corridor's open qualities. Staff also drove Brockway Road in both directions and did not find that the golf net fencing would be visible on approach to The Rock center.

Upon visiting the site and review of the simulations, staff believes that with the existing vegetation and buildings, the proposed golf net would not impair the Brockway Road Corridor's open qualities or character as viewed from the public way. Staff believes that the proposed project is consistent with the General Plan as it pertains to Brockway Road Corridor.

Development Code Consistency

The proposed golf net fencing is not consistent with Development Code standards for fence height. The height standards can be adjusted with Variance approval if the Commission can make all the required findings. The required findings are discussed in Attachment #1 as well as in the March 15, 2022 Staff Report.

In February, staff requested data on frequency of stray balls entering the property, frequency or extent of property or personal damage caused by errant balls and asked if the consultant could speak to the protective ability of the applicant proposed 50-foot-high golf net versus the consultant proposed 141-foot-high-golf net and the 50-foot-high net compared with the staff supported 35-foot-high golf net. The applicant declined to provide this information. However, on March 15, the applicant provided a letter from the consultant, Tanner Consulting (Attachment #4). This letter did not provide any data, however the consultant does state that a 50-foot-high net "... will result in golf balls still being able to easily exit the golf course property and enter the Rock Commercial development."

To support the granting of a variance, the Development Code directs staff to find that the variance is the minimum departure from the requirements necessary to grant relief. Staff struggles to make this finding in the absence of data and has many unanswered questions. What is the magnitude of the errant golf ball problem and will a 50-foot-tall net prevent a significant amount of golf balls from entering the property? What is the quantified benefit of a 50-foot-tall golf net versus a 141-foot-tall net? If the applicant's consultant finds a 50-foot-tall net not to be effective, why is it proposed? Staff is not able to determine the extent of the errant golf ball issue the net proposes to resolve, nor the minimum departure from Development Code standards necessary to prevent any issue that may or may not exist. Staff understands that explicit numerical data on the number of errant golf balls may not be available, but believes there must be some information indicating the scale of the problem. Has the applicant filed insurance claims from golf ball damage over the life of The Rock commercial center? Are there tenant complaints or claims? Does Ponderosa Golf course have claims or complaints from damage due to golf balls leaving their course at this spot? As mentioned in the March 15th Development Code Consistency section, staff does not have the information necessary to approve a 50-foot-high golf net as the minimum departure necessary to afford relief. Without additional information, and acknowledging the maximum structure height in the REC zone district, staff's recommendation remains at 35 feet.

Public Communication: Notice of the public hearing was published in the *Sierra Sun* on March 7, 2022 and May 6, 2022 and mailed to property owners within 500 feet of the project site, as listed on the current Nevada County Assessor Tax Roll. As of the date of publication of this staff report, no public comments have been received.

Attachments:

1. Draft Planning Commission Resolution 2022-06
2. March 15, 2022 Staff Report and Attachments
3. Golf Net Visual Simulations
4. Letter from Tanner Consulting, March 13, 2022