



To: Town of Truckee Planning Commission

From: Chantal Birnberg, Associate Planner

RE: Planning Application #2025-00000131/EXT (Coldstream Commercial Development Permit Time Extension); 12848 and 12833 Deerfield Drive (APNs 018-850-018/19-000); Applicant/Owner: Built - Kurt Stitser

Approved by: Denyelle Nishimori, Community Development Director

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**Recommended Action:** That the Planning Commission adopt Resolution 2026-02, taking the following actions:

- 1) Determining the project to be exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines; and
- 2) Approving a two-year time extension for the previously approved Coldstream Commercial Development Permit and Sign Plan, based on the recommended findings and subject to the recommended conditions of approval.

**Project Summary:** The applicant is requesting approval of a two-year Time Extension for the previously approved Coldstream Commercial Development Permit and Sign Plan, which was approved by the Planning Commission on December 19, 2023 (Town of Truckee Application 2023-00000062, Commission Resolution 2023-19).

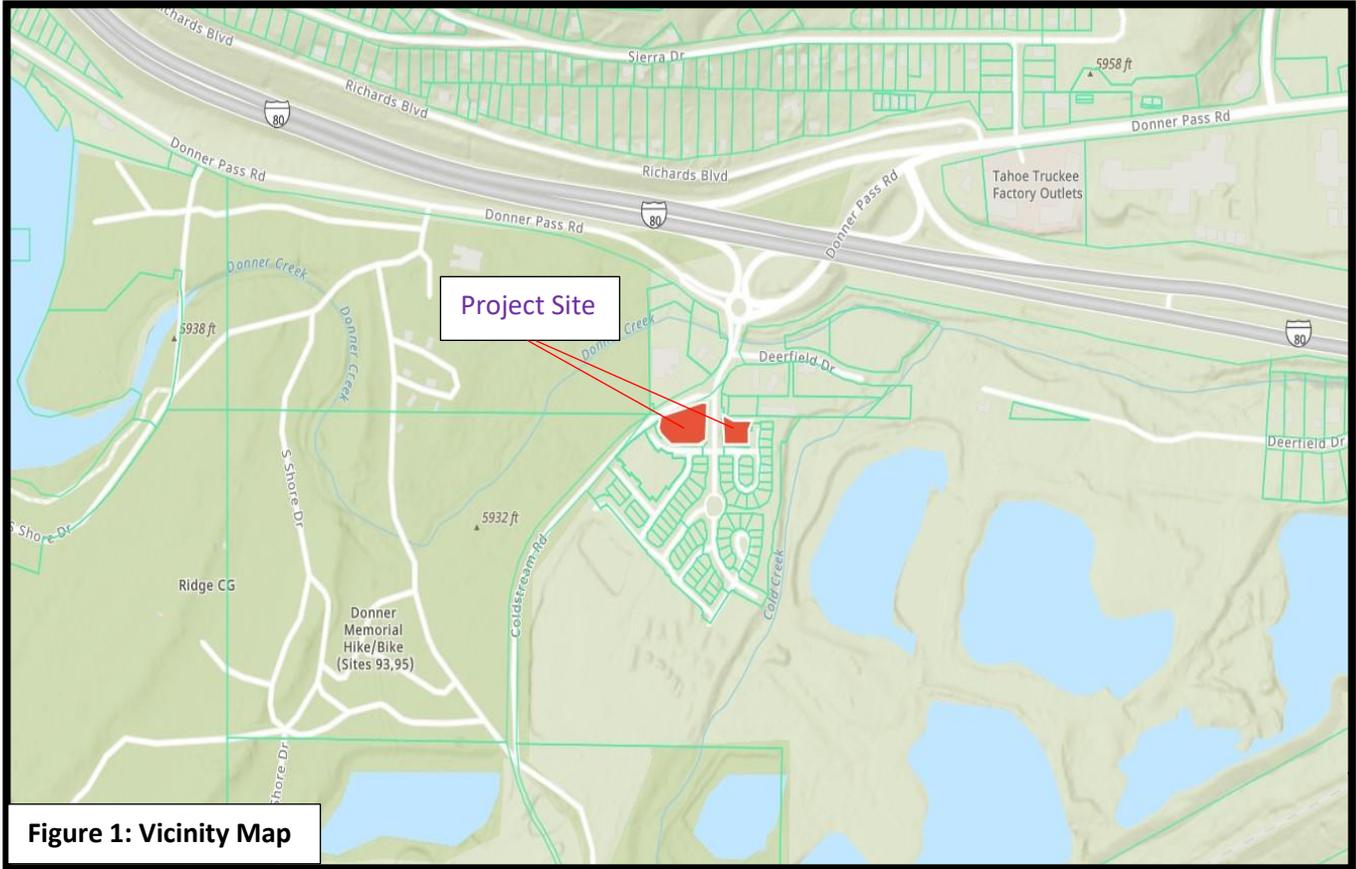
**Planning Commission's Role:** Under Development Code Section 18.84.055 (Time Extensions), the review authority which approved a land use entitlement may grant extensions up to a total of two years for each approved land use application. The Planning Commission was the original review authority for the Coldstream Commercial Development Permit and Sign Plan; therefore, the Commission is the review authority for the Time Extension request.

A Time Extension involves a review of whether the previously approved project remains consistent with the Development Code and General Plan in effect when the Time Extension application is deemed complete. A Time Extension is not a new review of the project. If changes to the Development Code and/or General Plan have been adopted since approval, modifications to the project and/or project conditions of approval may be required.

**Location/Setting:** The project area is located at 12848 and 12833 Deerfield Drive (Figure 1). Both parcels are vacant, however through the approval of improvement plans for the Coldstream Specific Plan, some utilities, retention and detention facilities, and off-street parking areas were previously installed.

The western parcel is bounded by commercial (hotel) uses to the north, the project parcel to the east, Donner Memorial State Park to the west and Coldstream Commons, a multi-family residential development to the south. The eastern parcel is bounded by Coldstream single-family residential to the

east and south; the Truckee River Legacy Trail and Chevron gas station to the north and the western project parcel to the west.



**Project Site Information:**

**General Plan Designation:**

Plan Area - Coldstream Specific Plan

**Zoning District:**

Village Mixed-Use Commercial (MUC)

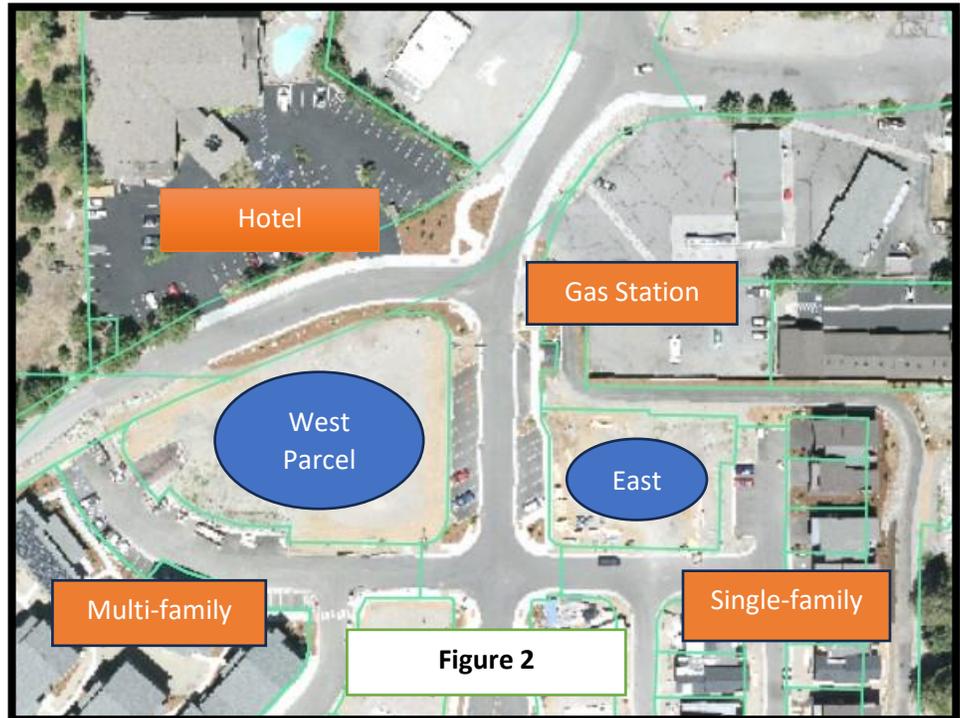
**Project Site Size:**

West Parcel: 0.75 acre  
East Parcel: 0.33 acre

**Discussion/Analysis:**

***Background***

The Coldstream Commercial Development Permit Project was approved by the Planning Commission on December 19, 2023 (Town of Truckee Application 2023-00000062, Commission Resolution 2023-19). The project included two commercial shell buildings with a



total of 19,732 square feet of commercial space and 2,261 square feet of outdoor dining and required approval of the following land use entitlements:

- 1) **Development Permit** for projects with 7,500 square feet or more of floor area and/or 26,000 square feet or more of site disturbance; and
- 2) **Sign Plan** to approve signage for the multiple tenant site.

As the spaces are leased with a specific use, the tenants will be required to submit plans to the Town of Truckee for planning, zoning, use and building approval. Either Zoning Clearance or Zoning Verification approval will be required to establish each new use that falls under the permitted uses in Table 4-1 (Permitted Uses) of the Coldstream Specific Plan (CSP) and for any future changes of use that occur; Use Permit approval will be required for any conditionally allowed uses identified in Table 4-1. A total of 89 parking spaces are proposed for the project, with spaces provided adjacent to both buildings and as on street parking as allowed by the CSP.

The Planning Commission took action to adopt Resolution 2023-19, approving the Coldstream Commercial Development Permit and Sign Plan. (See Attachment #3 for links to the December 19, 2023 staff report, meeting minutes and final Resolution 2023-19.) As identified in Condition of Approval #4, the effective date of approval for the project was January 1, 2024.

In accordance with the Town's timeframes for land use entitlements pursuant to Development Code Section 18.84.050 (Time Extensions), the project approvals expired on January 1, 2026 unless a Time Extension request is submitted. Prior to the expiration date of the entitlements, a Time Extension application was filed by the applicant with the Town of Truckee. Approval by the Town is now required to extend the life of the land use entitlements.

### ***General Plan, Specific Plan and Development Code Consistency***

To approve the Time Extension, the Planning Commission must determine that the project is consistent with the General Plan, Development Code, and Specific Plan in effect when the Time Extension application was deemed complete. However, all projects within the CSP boundaries are also subject to a Development Agreement (DA) adopted concurrently with the CSP in September 2014. Upon execution of the DA, the land use regulations, standards, and policies in effect at that time became vested for all projects approved under the agreement. Accordingly, projects governed by the Development Agreement are vested under the 2013 Development Code, the adopted CSP, and the 2025 General Plan for the 20-year term of the agreement. Because of this vesting, the applicable regulatory framework has not changed since the project's original approval and the project remains consistent.

### ***Time Extensions***

Time extensions may be granted by the review authority to extend the time to establish an approved use, as identified in Development Code Section 18.84.055 (Time Extensions). The extension request is required to be filed with the Town in advance of the expiration date. The burden of proof is on the applicant to establish, with substantial evidence, why the permit should be extended.

The review authority may impose conditions on the approved extension deemed reasonable and necessary to ensure that the approval will remain in compliance with the findings for the applicable land use permit and to bring the project into compliance with the General Plan and Development Code.

In accordance with Section 18.84.055, the Commission may grant an extension of up to two years to the initial time limit, only if all the following findings can be made:

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

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.

The Code identifies that the entitlement for the first phase of development shall not be deemed exercised until the permittee has obtained all necessary building permits for the first phase and has diligently pursued construction. Diligent pursuit requires, at a minimum, the completion of the installation of foundations for all structures in the first phase of the project.

The applicant has requested a two-year time extension for the land use entitlements, consistent with the Development Code time extension limits, and believes the findings can be made to support this request. Multiple Conditions of Approval have been satisfied, including the approval and recordation of an easement abandonment, and all building permits have been approved by staff. The permits are ready to be issued upon payment of the required permit fees. Based on staff's understanding of the time extension request and the challenges currently facing the commercial real estate market, staff finds that the applicant has made a good faith effort to pursue the project and that granting an additional two years will provide adequate time to complete the permit process.

### ***Special Districts and Utilities***

All applicable special districts, utility companies, and Town departments with an interest in this application have been notified. No objections were filed. The project will be required to be in compliance with all utility and special agency requirements.

**Environmental Review:** Staff recommends that the Planning Commission find the Time Extension exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines, which states that where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

**Public Communication:** The public hearing notice was published in the *Sierra Sun* on January 9, 2026, and mailed on to all affected property owners within 500 feet of the project site as shown on the latest current tax roll of Nevada County. As of the date of publication of this staff report, no public comment has been received on the application.

**Staff Summary and Recommendation:** Staff recommends approval of a two-year time extension for the Coldstream Commercial Development Permit and Sign Plan, as allowed under the Development Code time extension limits. A two-year time extension would extend the expiration date for the project to January 1, 2028.

All relevant conditions of approval from the previous approval have been incorporated into draft Planning Commission Resolution 2026-02. No changes to the project have been proposed by the applicant, and the project is consistent with the 2025 General Plan, Coldstream Specific Plan and the 2013 Development Code. With incorporation of the recommended conditions of approval, it is staff's opinion that the required findings to approve the Time Extension can be made.

**Alternative Actions:** Other actions that the Planning Commission may take as an alternative to the recommended action include:

1. Continue the public hearing to a date and time certain. The Planning Commission may request additional information from the applicant and/or staff. (If new information is presented at the next meeting, the public portion of the hearing must be reopened on the new information submitted.)
2. Find that an exemption to CEQA is not suitable and require additional environmental review.

3. Land Use Permits

- a. Approve the Time Extension subject to adding, modifying, or eliminating any provision or condition of approval of the project.
- b. Deny the Time Extension on the basis that one or more of the required findings cannot be made.

**Attachments:**

1. Draft Planning Commission Resolution 2026-02
2. Applicant-Provided Letter of Justification
3. December 19, 2023 Planning Commission Meeting Links:
  - [Staff Report](#)
  - [Resolution 2023-19](#)
  - [Meeting Minutes](#)