



## Planning Commission Meeting Minutes

November 21, 2023, 5:00 PM

Town Hall – Administrative Center | 10183 Truckee Airport Road, Truckee, CA

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### **1. Call to Order** 5:03 PM

Chair Clarin stated Commissioner Cavanagh will be attending the meeting virtually under California Code, Government Code – GOV 54953 – Just Cause. The main modification to tonight's meeting is the general public will also have access to attend and or comment virtually through a Zoom meeting.

Commissioner Cavanagh disclosed she is attending virtually due to Just Cause Medical, and there is no one above the age of 18 years old in the room with her.

### **2. Roll Call-** Chair Clarin, Vice Chair Gove, Commissioner Taylor, Commissioner Cavanagh. Commissioner Fraiman is noted absent.

### **3. Pledge of Allegiance**

### **4. Public Comment:**

Chair Clarin opened Public Comment.

Seeing none, Chair Clarin closed Public Comment.

### **5. Approval of Minutes**

#### **5.1 July 18, 2023 Minutes - Regular Meeting**

Edits: None

**Commissioner Cavanagh made a motion that was seconded by Commissioner Taylor to approve the July 18, 2023 minutes as submitted. The motion passed and carried the following vote:**

**Ayes:** Chair Clarin, Commissioner Taylor, Commissioner Cavanagh

**Noes:** None

**Abstain:** Vice Chair Gove

**Absent:** Commissioner Fraiman

#### **5.2 September 27, 2023 Minutes - Special Meeting**

**Due to a lack of quorum, the September 27, 2023 Minutes were continued to the next meeting.**

#### **5.3 October 17, 2023 Minutes - Regular Meeting**

**Due to a lack of quorum, the October 17, 2023 Minutes were continued to the next meeting.**

## **6. Public Hearings (Minor Review)**

- 6.1 Application 2023-00000110/DP-UP-ZC-HDR (Bar of America Expansion); 10042 Donner Pass Road (APN 019-100-013); Owner/Applicant: Tom Turner, Bar of America LP; Agent: Ron Larkins, Ward-Young Architecture & Planning.** Jenna Gatto, Town Planner, on behalf of Laura Dabe, Associate Planner.

**Recommended Action:** That the Planning Commission adopt Resolution 2023-16, taking the following actions:

Determining the project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines; and

Approving the Development Permit, Use Permit, Zoning Clearance and Historic Design Review, subject to the recommended conditions of approval.

### **Clarifying Questions for Staff:**

- Would this be the largest restaurant in Truckee now, if approved?
  - We are unsure.
- The land-use issue - once that use goes away, it cannot come back, correct? And can it be replaced in any other building?
  - Correct. It could be on the second floor but not on the ground floor.

### **Clarifying Questions for Applicant:**

- How long did it take when you started this process to now?
  - We started this expansion in January. The big change is going from a real estate office to a restaurant and expanding the kitchen.
- Is your goal to do construction over winter and be ready for next summer?
  - Yes. We still have some engineering work to do and get a demo permit.
  - The application was submitted on August 10<sup>th</sup> to the town.
- I like the fact that HPAC has already seen this.
  - It is almost the same as we have now.
- There's no required employee housing, does the applicant provide any workforce housing? Since it may be now the largest restaurant in town?
  - We don't currently provide any workforce housing. We don't expect we will hire more than 3 or 4 more people. I just bought a building in Sparks, NV for employee housing.

### **Public Comment:**

Chair Clarin opened public comment.

Seeing none, Chair Clarin closed public comment.

### **Deliberation:**

- I see no reason not to support this.
- It seems pretty straightforward.
- Chair Clarin's name on the signature line of the resolution is spelled incorrectly.

**A motion was made by Vice Chair Gove and seconded by Commissioner Taylor to adopt Resolution 2023-16, taking the following actions: Determining the project exempt from the**

**California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines; and Approving the Development Permit, Use Permit, Zoning Clearance and Historic Design Review, subject to the recommended conditions of approval. The motion passed and carried the following vote:**

**Ayes:** Chair Clarin, Vice Chair Gove, Commissioner Taylor, Commissioner Cavanagh

**Noes:** None

**Absent:** Commissioner Fraiman

**Abstain:** None

## **7. Public Hearings (Major Review)**

- 7.1 Application No. 2022-00000153/UP-ZC (Mountain Brew Use Permit); 11260 Donner Pass Road (APN 018-760-002-000); Applicant: Soaring Seven, LLC; Owner: American Petroleum, LLC; Agent: Rob Wood, Millenium Planning. Associate Planner, Chantal Birnberg**

**Recommended Action:** That the Planning Commission adopt Resolution No. 2023-15, approving the following actions based on the recommended findings and subject to the recommended conditions of approval:

Adopt a Mitigated Negative Declaration (State Clearinghouse No. 2023080650):

Approve the Use Permit; and

Approve the Zoning Clearance.

**Vice Chair Gove recused self from Item 7.1**

**Applicant presentation by: Rob Wood, Millennium Planning & Engineering.**

### **Clarifying Questions for Staff:**

- Are they proposing EV chargers? If so, how many?
  - Yes, unsure how many but they are also proposing some EV bike chargers.
- Is bike charging a state law now?
  - No, the car charging is.
- To clarify, the drive through is allowable because it is zoned highway commercial?
  - Yes. It is a sensible place for a drive through being off Interstate 80.

### **Clarifying Questions for Applicant:**

- There are three bike parking spaces in the front, correct?
  - The rendering makes it look like there are three bike parking spaces, but the space is quite large, it can fit more than three. We can provide measurements of the space if requested. There is also space in the back of the building for additional bike parking.
- Where will the bike EV chargers be? Did they anticipate where the informal bike parking will go?
- Your sign says "Bottle Shop", do you plan on getting a beer and wine license? Isn't one of the uses behind the Chevron station a school, doesn't that matter?
  - That is correct.
  - Staff: There is no *permitted* school. The alcohol license they have applied for is a restaurant beer and wine license, so it is not the same as a liquor license. In our Development Code, beer and wine sales does not require additional entitlements like liquor sales.

- What treatment is going to be occurring in the underground tanks.
  - They're basically like underground bioretention. Is mended soil and gravel. You won't see it. It is under the parking area.
- Is this similar to something that is required at a gas station?
  - It is required on every project. All projects require all surface runoff from impervious surfaces to be filtered.
- Do you have partnerships with local businesses to help supply the café model?
  - Yes, Mountain Brew was designed for that. We are working with local companies. For example, Cornerstone Bakery is going to make our pastries.
- Do you consider opening both restrooms for guests during the holiday season or busy times?
  - We may or may not choose to make it an employee only restroom.
  - Part of that was not having to make staff wait for a restroom. We will see how business practices go when we are open.

### **Public Comment:**

Chair Clarin opened public comment.

Seeing none, Chair Clarin closed public comment.

### **Deliberation:**

- It seems most of the mitigation measures are in there.
- I like the fact that it is repurposing an existing structure. It makes sense to have a coffee shop restaurant in this location.
- It is a great way to connect the west end of town.
- It is nice to see it come back around.

**Commissioner Cavanagh made a motion that was seconded by Commissioner Taylor to adopt Resolution No. 2023-15, approving the following actions based on the recommended findings and subject to the recommended conditions of approval: Adopt a Mitigated Negative Declaration (State Clearinghouse No. 2023080650): Approve the Use Permit; and Approve the Zoning Clearance. The motion passed and carried the following vote:**

**Ayes:** Chair Clarin, Commissioner Cavanagh, Commissioner Taylor

**Noes:** None

**Absent:** Commissioner Fraiman

**Abstain:** Vice Chair Gove

## **7.2 Application 2023-00000101/DP-UP-SP (West River Street Park); 10257 West River Street (APN 019-130-004); Owner: Town of Truckee; Applicant: Nola Mitchell, Town of Truckee Engineering Division. Jenna Gatto, Town Planner, on behalf of Laura Dabe, Associate Planner.**

The applicant is requesting land use approvals to allow construction of a public park located at 10257 West River Street (APN 019-130-004) in Downtown Truckee. The project area includes 1.1 acres of the 1.43-acre site which was the location of the former Nevada County Maintenance Yard. The site is located in the DMU (Downtown Mixed Use) zoning district and the Downtown Truckee Plan Area land use designation of the 2040 General Plan. The proposed park would feature walking paths, seating areas, landscaping, natural children's play areas, restroom facilities, and public river access.

**Applicant Presentation by Nola Mitchell, Town of Truckee Engineering Division**

**Recommended Action:** That the Planning Commission adopt Resolution 2023-17, taking the following actions:

Determining the project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning) of the CEQA Guidelines; and

Approving the Development Permit, Use Permit and Sign Plan, subject to the recommended conditions of approval.

**Clarifying Questions for Applicant:**

- Where is the river front trail? Where is that going?
  - In terms of accessing the river, it is an informal scramble down, there are designated paths throughout the park itself. There is stepping down on stone steps. Once you get further down, that is where you scramble down to access the river.
- Since access is more informal, maybe that makes it more amenable to people concerned to more commercial operations operating out of this park.
- I didn't see any way finding signage included at the park. Giving people direction on which direction the Legacy Trail is, or distance to downtown might be helpful to include.
  - There was some discussion on adding way finding signage. The Legacy Trail will continue to have that signage. We wanted to look at it more downtown-wide before adding more.
- Why is the whole parcel not being a park? Why are we separating out two potential parcels for commercial development and not making the whole thing a public park?
  - That goes back to the long planning process we went through for this site. It all started with the River Revitalization plan and through this process this is preferred alternative that came out of it to have some mixed uses to maybe draw people to the area.
  - At a staff level, we were talking about the benefits of having eyes on parks. When you have adjacent uses sometimes those businesses without knowing, take on observing what's happening and that creates behavioral patterns where people know certain areas are being monitored. It is good to mix parks with other uses.
- Is the plan to sell those lots or to be a landlord?
  - The plan is to parcel out the lots, sell them, and let them get developed separately.
  - That is something the Assistant to the Town Manager has been working on and those sale agreements would come with some parameters around them that are different than if you were just a buyer of a property. Part of that is the town's interest in looking at what those future uses would be.
  - To clarify the parking – the trailhead parking is being built as part of the Legacy Trail. The park itself will have six spaces as part of its frontage. We have also been working on the West River Streetscape project and are spending a lot of time and money to make that street bikeable and walkable. The parking lot on the north side of West River Street, we have acquired the land. We don't currently have a project in the works where we were actively designing a parking lot there so there could be potential for these commercial businesses to develop more parking.
- Did I see some pedestrian crossing of the railroad tracks over there?
  - We just got a grant to look at the potential of an undercrossing overcrossing. There will be a study started in the next year or so.
- On the Legacy Trail connectivity where will this connect?
  - There will be a bridge built over the Truckee River that will connect the Legacy Trail to this site.
- If this is ever used as event space, we will have people walking across the railroad tracks on Bridge Street. This is not a very good crossing for Pedestrians. I would encourage the parking comes hand in hand with that plan.

- Are events allowed to be held there? Like the free concerts that are happening in the amphitheater downtown. There is an amphitheater in the park.
  - The town doesn't intend to use this as a commercial or public event space.
  - There will not be a reservation system for the park. If there is ever a desire for an event, they would have to go through the town's Special Event Process, which would look at things like safety and parking.
- Is this a rec and park project? So, who is taking care of this?
  - The Town's Facilities Department will manage the operations and all aspects of maintaining the park.
- Facilities falls under which department?
  - The Public Works Department. The Facilities Department has been involved in the park plans and made sure the landscaping is appropriate and everything they will be managing is feasible for staff.
  - This park is similar to the plaza areas the town already manages, so the town is comfortable managing this park.
- Would this be the biggest park Facilities would be taking care of?
  - Yes, but they are already maintaining trails which is similar so it is not a stretch.
- Was there any conversation to dedicating this to the Recreational District and having them maintain it?
  - Not that I'm aware of.
- Did the town buy this property from the county?
  - If we did, it was around \$1.00. I don't think we spent real cash on it.
- Regarding the monument sign – why is it 21 feet?
  - We have a condition to modify the size of the sign for your consideration.
- As the trail crosses the river on the north side, what will the cement transition to?
  - It is a paved AC surface.
- Why pavers and not asphalt through the park?
  - It was an aesthetic consideration to match the rest of the park and West River Streetscape and maintenance is easier versus concrete. You can patch certain areas of the pavers without repouring it.
- What was the envisioned use for the area of DG?
  - That is a flatter area of the park, it is for people to hang out in or mill around. It is a flat area before the decent down to the river.
- Do we have an idea of the grade change from the upper landing to the river access portion?
  - It is about 10-15 feet.
- Was getting rid of some of the railing taken into consideration?
  - The rail on the edge of the park is there because the drop off to the river is very steep. The rail up top is necessary, so people don't trample the vegetation and direct people through the park.
- How much material are you planning on moving and removing from this site?
  - The export of soil is around 1,800 yards and this is to get the park close to where it may have been naturally before it was flattened.
- Is that including the two potential building sites on either side?
  - We are grading those paths. They will likely be reengineered when the commercial development buildings are built there.
- On the native blend grass, the mow free mix, how tall does that get?
  - It is a tri blend of native grass. One of them is a "running grass" and can fill voids and makes the tri blend stronger for use. The town also wanted the opportunity to mow it. This has been developed to be self-regenerating.

#### **Clarifying Questions for Staff:**

- The town owns a parcel, and it is proposing to parcel off two slivers of land for future commercial businesses, but has yet to identify how parking and other things will work for these other uses?
  - That is essentially correct. We know that there's interest in commercial development on both sides of the park. There is also a new state law that exempts projects in this part of Truckee from providing parking. However, the town is building parking along West River Street and across the street.
  - There will be a trailhead parking across the river which is about 30 spaces. We have also acquired an large easement where long term, will be parking as well.
- Even with the moving of the Transit Center to where it's currently being built, this would still be exempt? What is the state law?
  - Bill AB2097. As long as The Depot stays where it is and it functions as a depot, anyone within half a mile radius is exempt from providing parking.
- The Depot is moving though?
  - It is currently within half a mile today.
  - We still have the Amtrak stop, by definition, that qualifies.
- So, to the east of the park, there is trailhead parking?
  - There is trailhead parking to the south and parking along West River Street and parking on the north side of West River Street that will be built as well. We do not have a number of spaces yet because the easement is still being finalized.
  - The decision to sell the parcels was made in advance of that state law being in effect. Back then the interested developers were looking at providing parking.
- Are those developers still interested?
  - Yes.
  - The town initially did an RFP process in the initial planning phases for the park. Part of that process was to have interested developers make proposals knowing we wanted a park component. Those discussions helped shape the park design.
- Do these developers already own pieces of land in town?
  - Yes.
- Can you share some of the parameters around what that commercial development might be? If that is known.
  - That is under the Assistant to the Town Manager, Hilary Hobbs, and she hasn't finalized those agreements yet. Part of that is so there's flexibility for their teams to look at proposals and shape them more.
  - There are some expectations of when their projects would start and finish. We are also limiting certain uses that we think wouldn't work in this location like a school or industrial. There are things we haven't flushed out yet like if workforce housing will be part of these projects. There are a lot of moving parts to this project and we are trying to figure out what the most beneficial use to this site and most feasible.
  - What you see on both sides of the park are currently just placeholders.
  - There is some expectation that if a developer comes forward we would want to work with the future development to ensure the park's space works well with the potential development.
- Is the town currently negotiating?
  - Yes.
- Is there a contingency plan if the developers say they no longer want to move forward?
  - Milton Design Group has out together a plan of what to do with those sections of land to make them tie into the park short and long term. Other than that we are relying on those sites developing and we are currently in the negotiation process.
  - If either of them back out, Council could do another RFP and solicit additional developer interest.
- What if they buy the property and then decide not to do anything with it?
  - That is worked out with the purchase and sale agreement. There will be certain terms and milestones that will need to be met to avoid that.

- Are there LOIs in place to support that purchase and sale agreement?
  - I don't think it's as formalized as an LOI, I think there's a mutual understanding they are still interested. We do have some sense of where each developer is with their concept.
- Do we know if the undocumented fill is clean at this point?
  - We believe it is. It is between 8-19 feet of soil. We do have a soil management plan that goes with this site. There is a strategy approved by Nevada County Environmental Health in place for all soil that gets pulled out. They test it and determine how it gets reused.

### **Public Comment:**

**Monty Cleeves, Riverside Drive Resident:** There is no snow storage and currently all of the snow is stored on the west side. I do not see any snow storage. When did the town decide to sell those pieces of property? Tonight, it appears you are being asked to approve the lot split as well. Who takes over that snow storage? Where are the tubers going to park? To see the plan for the park is three years old. It doesn't show the parking along the legacy trail.

**Curtis Cook, Riverside Drive Resident:** The majority of the town knows the people who own Truckee Winery and Fifty-Fifty. Why isn't this site being used for workforce housing or affordable housing? Has phase 2 been done? Has Lahontan looked at this? Why isn't there a CEQA report? Are there any grants to offset this project and the traffic that is now going to go down Riverside Drive? Are you going to offer them any grants to offset the projects on West River Street? Who is going to police the homelessness with the new park?

**Rolf Godon, Riverside Drive Resident:** The idea of the park and concept is great. Tonight has more than exemplified the questions that need to be addressed. The current renderings have not been publicly vetted. It was indicated that you sent out notices within 500 feet. Our neighborhood has never been approached, heard, concerned. Feels left out of the loop. This project needs to be further looked at with the questions raised tonight.

**Kristin Crone, Riverside Drive Resident:** Not one time was the word "resident" used in this plan. There is a noise and light requirement. There has been a huge amount of traffic. That is a concern that it is an urban park in a historical district. What an urban park brings is not what we are looking for. Very concerned about the pollution and environmental impact is going to be. Very concerned about the garbage impact.

**Lucas McClelland:** I think commercial uses are the best uses in this area. We as residents have been overlooked in a lot of ways. There is custodial. Give workers a place to live. Having workers on the top of the buildings would also help keep an eye on the park. Why is the town spending money on a new park and not helping property owners get relief to fix up the almost dilapidated homes on the street? We are missing out on the whole strip and only focusing on this small part of the street. Some solution should be worked out so the property owners can restore these homes.

**Chair Clarin closed public comment.**

### **Deliberation:**

- There should be more than six parking spaces for a park this size. Especially if there will be two buildings added eventually.
- I heard concerns regarding snow storage, parking, noise, traffic, and not enough notice to neighbors.
- The monument sign for 21 feet is way too big.
  - Staff: Condition #31 states the sign must comply with the Development Code and puts that under the Community Development Director's authority.



- We flagged it as an inconsistency in the review.
- Parking is the most outstanding.
- I disagree. If we are concerned about traffic and pedestrian safety, why add parking when we don't want to create vehicular dominance in an area we are trying to reactivate for pedestrian accessibility.
- We have so much parking down by the railyard that is never full. People should drop their cars and walk to the park.
- I agree, but the route they would take is unsafe crossing the railroad.
- We want this to be a pedestrian amenity, is there a mechanism we have to ask for pedestrian railroad crossing?
- I don't see a family parking by the Beacon and walking to the park.
- They're going to park on West River Street, whether it's allowed or not.
- I think we need to look at other parks that are in a center of downtowns and don't have its own designated parking like Wingfield Park in Reno. That is a very successful park.
- Having two commercial businesses adjacent that will not have parking is not going to work.
- If we were to take a straw pull, I am leaning a continuation or a no.
- I also have concerns about who will be policing this space.
  - This design was reviewed and discussed extensively with our police department. Especially the restroom and the hours it would be available. Our police officers are very are familiar with the unhoused in our community and how our common public spaces are being used. They feel very confident in how this is designed and policing it.
- I would like to have more information on what is going to happen to these two commercial spaces. It is hard to approve this project without knowing what is happening on the remainder of the parcel.
- Regarding the design of the park- how do we feel about that?
- I like it, I'd ride my bike to it.
- I like the connectivity to the Legacy Trail.
- How do you know that Wingfield Park is successful?
- I have spent time in it and know some of the neighbors. They utilize it for actual events. It is much bigger and highly utilized. They have a parking lot for the trailhead for the walking path.
- If we do decide to continue this item, maybe we should create a list of questions we want answered or have someone work with the planners of Wingfield Park.
  - Staff: Regarding snow removal – we have not decided if we will be removing snow in the park itself for the winter. The park does have a lot of opportunities for storing snow. The park is part of the West River Streetscape project so it will be maintained. The snow removal will operate like we do downtown, we have an off-haul operation in the nighttime. We can develop a snow removal plan as part of this.
  - The West River Streetscape project will have paver sidewalks that connect this site all the way to Bridge Street with sidewalks on both sides for pedestrian access. Our general plan we just adopted had a lot of policies in it to get people out of their cars and have more pedestrian/bicycle access. There are also policies in the general plan about limiting parking. We have a parking lot on West River Street.
  - We are currently proposing six spaces on the frontage of the park but we did not put spaces in front of the future commercial spaces. There is also space on Mill Street for on street parking that is not part of the calculation.
- Is the parking on Mill Street going to be bigger when finished?
  - Staff: The long term plan will have head-in parking on Mill Street.
- It is four spots, one being handicap?
- Correct.
- What would your list of issues be for approving this?

- I want to know the plan for the two commercial space, more conversation about snow storage, a better understanding from engineering on what is being stored on the property now then where that gets moved to.
- Understanding from engineering what is being stored on the property now, and where that gets moved to?
- Our main spot for storing snow is the Railyard Development in the balloon track.
- We don't have any proposals for the commercial buildings.
- What is the contingency plan if nothing comes to fruition?
- Can I make an assumption that the lights are going to follow the dark sky compliant lighting?
- Yes. There is a condition in the resolution that requires compliance with the town's Dark Sky Compliance.
- Noise is going to come with snow removal, regardless of where that goes.
- Part of living downtown means putting up with these things for the convenience and beauty of being downtown.
- You would have to listen to snow removal anywhere you live in Truckee.
- It's worse downtown.
- I agree, you trade off some of the peace and quiet to get the amenities of downtown.
- When does it become too much?
- That is up to the homeowners who choose to live downtown.
- That is too subjective to base our opinion on.
  - Staff: Those future commercial projects would come back to the planning commission for you to review. They haven't been submitted currently.
- It is parking for me, everything else I can deal with. The parking downtown in the railyard is always full.
- The intent is for access to the river and not for events.
- This may be a non-concern because there may not ever be events in this space.
  - Staff: Events would be considered separately. All events go through a process and part of that process includes managing the flow of people and parking. So, we could require shuttle service for guests if we ever got to that point. The town has no interest in events currently. The intent of this park is to enjoy the river because that came out of several town processes to create more access to the river.
  - Staff: We did calculate the parking plan. If there is additional desire for a parking calculation, we have already done one.
- The parking calculation done was modeled after a ten-acre park; is this ten-acre lot similar in intensity similar to the West River Street Park?
  - Staff: Yes, it was the most similar example we could find to use. The example was a ten-acre park with a playground, picnic area, and a hiking trail. From this calculation it said we only needed three parking spaces, we doubled that.
- Would the shovels go next spring on this project?
  - Staff: Yes, we are hoping to start construction next year.
  - Staff: We have grant funding that has very restrictive timeframes. We don't want to jeopardize losing over \$500,000 worth of grant funding with a continuance longer than a month.
  - From a staff perspective, we would want to better understand what additional information you are requesting. There are some things we cannot provide because we do not know what the future development projects are.
- What's the drop-dead date on the grant funding?
  - Staff: Our contract ends March 1<sup>st</sup>, 2024, but we have a bunch of hoops we have to jump through on our end like scheduling and availability to meet the grant.
- I don't have any further questions for staff, the park needs more parking.
  - Staff: It's not the same as a development application. This is a town-driven project where the council was okay with the proposed parking. We cannot require parking because it is a new project. The council has put significant funding into Tart Connect to get the community to use alternative transportation.

- Staff: Putting uses in these spaces will slow the traffic down and regulate itself.
- Staff: We have a separate committee, the River Revitalization Steering Committee, who is working on revitalizing this area of downtown. The goal of this park is to provide access to the river.
- This park creates a benefit for all. The neighbors are going to take the brunt of it, but overall, it is a benefit.
- I am comfortable approving the park.
- We should add to the motion to take the neighborhood into consideration, and snow removal.
- We should add Riverside Drive, Mill Street and Foxmead to the snow storage plan.
- Add a heightened parking enforcement along Riverside and increased enforcement.
  - Staff: Foxmead is a private road.

**Commissioner Taylor made a motion that was seconded by Commissioner Taylor to adopt Resolution 2023-17, taking the following actions: Determining the project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning) of the CEQA Guidelines; and Approving the Development Permit, Use Permit and Sign Plan, subject to the recommended conditions of approval along with the following amended conditions of approval: Heightened parking enforcement and increased signage on Riverside Drive, Mill Street and Foxmead. Engineering Division to prepare comprehensive snow storage plan. Consider the adequacy of parking and its impacts on the surrounding residential neighborhoods. The motion passed and carried the following vote:**

**Ayes:** Chair Clarin, Commissioner Taylor, Commissioner Cavanagh

**Noes:** Vice Chair Gove

**Absent:** Commissioner Fraiman

**Abstain:** None

**7.3 Planning Application 2023-00000051/ AMD- MUP (Tahoe Donner Marina Amendment); 12915 Donner Pass Road; APN 018-340-007-000.** Lucas Kannall, Assistant Planner

The applicant is requesting an Amendment and Minor Use Permit to add a 2,223 square foot expansion to an existing deck, remove an existing picnic area, add two ADA accessible ramps to the deck expansion, construct a 176 square foot bar, implement a parking management plan and allow alcohol sales at an existing facility located at 12915 Donner Pass Road (APN 018-340-007-000).

**Recommended Action:** That the Planning Commission determine the project to be exempt from CEQA pursuant to Section 15301 (Existing Facilities) and approve the Amendment and Minor Use Permit for the project based on the recommended findings and subject to the recommended conditions of approval.

**Commissioner Cavanagh recused herself from Item 7.3.**

**Applicant Presentation by Rob Wood, Principal Planner, Millennium Planning & Engineering**

**Clarifying Questions for Staff:**

- Can you describe the height of the windscreen?
  - The commercial regulation for railings is 42". At that height, it would exceed our requirement for fencing or walls or anything that is a partition.
- It doesn't go above that though.
  - When the deck is included, it would exceed it from the ground level, which is what would be viewed by the public. Because the deck is elevated.

- I don't agree with that.
  - It is unusual. We don't allow windscreens on docks so there isn't a comparable of appropriateness.
- I'm struggling with them being 3 ½ feet instead of the 6 feet in the code.

#### **Clarifying Questions for Applicant:**

- The parking management plan includes a shuttle from Truckee High, does it also include a shuttle from anywhere in Tahoe Donner to serve its members?
  - The space at the high school has been plenty. We have never had the need to have one at Trout Creek. If the high school location becomes a limiting factor, we may look at other areas in Tahoe Donner.
  - Our patrons like the circle drop off and someone goes and parks and grabs the shuttle.
- Has glare-resistant glass been explored?
  - Yes. There are opportunities to have glare-resistant glass and we are looking into that.

#### **Public Comment:**

None

#### **Deliberation:**

- I think a glare resistant glass should be taken into consideration.
- I am okay with a six-foot railing, glazed, with anti-glare glass.
- I like that.

**A motion was made by Vice Chair Gove and seconded by Commissioner Taylor to adopt Resolution 2023-18 determining the project to be exempt from CEQA pursuant to Section 15301 (Existing Facilities) and approve the Amendment and Minor Use Permit for the project based on the recommended findings and subject to the recommended conditions of approval, with the following modified condition: Condition #5, allowing a six-foot railing, glazed with anti-glare glass. The motion passed and carried the following vote:**

**Ayes:** Chair Clarin, Vice Chair Gove, Commissioner Taylor

**Noes:** None

**Absent:** Commissioner Fraiman

**Abstain:** Commissioner Cavangh

#### **8. Staff Reports**

- We will have a full agenda for December with Trails End Map Modification, Village and Gray's Time Extension and a commercial project in the Coldstream Specific Plan. Potentially some Development Code Amendments.
- Denyelle Nishimori will be presenting a land-use applications update for Council on November 28, 2023.

#### **9. Information Items**

None

#### **10. Commission Member Reports**

None

- 11.** **Adjournment.** 8:23 PM To the next meeting of the Planning Commission, December 19, 2023, 5:00 PM at 10183 Truckee Airport Road, Truckee, CA 96161.

Respectfully submitted,

*Kayley Metroka*