

**Town of Truckee  
California**

**PLANNING COMMISSION RESOLUTION NO. 2023-20**

**A RESOLUTION OF THE TOWN OF TRUCKEE PLANNING COMMISSION  
APPROVING APPLICATION NO. 2023-00000121/EXT  
(THE VILLAGE AT GRAY'S CROSSING TIME EXTENSION #2)**

**WHEREAS**, in February 2004, the Town Council certified the Gray's Crossing Environmental Impact Report (SCH #2002072115) (EIR) and the Gray's Crossing Specific Plan that envisioned a comprehensive development with a mix of uses including a diversity of housing types, commercial uses, lodging, recreation, and open space components; and

**WHEREAS**, a Tentative Map for the Village Center was approved as part of the Gray's Crossing Specific Plan identified as the commercial core of the Gray's Crossing area, and included commercial with residential above, attached residential units, gas station lodging, and community amenities; and

**WHEREAS**, in 2006 a revised Tentative Map was approved by the Planning Commission with subsequent Development Permit which was approved in 2007 for the Village at Gray's Crossing which included commercial uses with residential units above, attached residential units, gas station, lodging, and community amenities; and

**WHEREAS**, the 2007 Development Permit has expired; and

**WHEREAS**, in 2019, the Planning Commission adopted Resolution 2019-17 (Planning Application 2017-00000160) approving the following: a Development Permit for new non-residential structures that contains 7,500 s.f. or more of total gross floor area for a 129-unit hotel (83,371 s.f.) with 4,989 s.f. conference center and pool, 17,192 s.f. of commercial space, 21 residential units above the commercial spaces, one residential fourplex, 24 townhomes, and disturbance of 26,000 s.f. or more of the site including realignment of the 10-foot wide Class I trail on the eastern portion of the property, a transit shelter, and landscape berming, and establishing a "Hotel," "Live/work quarters," and "parks and playgrounds" Tentative Map to redescribe the existing 15 parcels and easements (Lots D through R of Final Map No. 02-007, called the Village at Gray's Crossing Phase 1 Subdivision Map, Book 8, Map 182) into seven commercial lots, three common space/open space lots, one right-of-way lot, 24 townhome lots, 21 condominiumized lofts, one fourplex lot with four condominiumized units, associated easements and public improvements including realignment of the Class I trail, bus shelter on Edwin Way, and an offsite bus turnout on Henness Road; and a Comprehensive Sign Program approval for signage in the mixed-use development on Assessor's Parcel Numbers 043-050-025 to -027, 043-060-009 to -027, and 043-070-008 to -021 (old Assessor Parcel Numbers 043-050-021, 043-060-001, 043-060-002, 043-060-004 to 043-060-008, and 043-070-001 to 043-070-007) (collectively, the Project); and

**WHEREAS**, the 2019 land use entitlements were not exercised by September 2, 2021, as required by Resolution 2019-17; and

**WHEREAS**, on August 22, 2021, the applicant submitted a Time Extension prior to the expiration date of Resolution 2019-17 requesting a two-year time extension for the Development

Permits, Tentative Map for the condominiumization of the fourplex and five mixed-use buildings, and Comprehensive Sign Program; and

**WHEREAS**, on November 16, 2021 the Planning Commission adopted Resolution 2021-12 approving the two-year time extension until September 2, 2023; and

**WHEREAS**, on September 1, 2023, the applicant submitted a second Time Extension prior to the expiration date of Resolution 2021-12 requesting another two-year time extension for the Development Permits, Tentative Map for the condominiumization of the fourplex and five mixed-use buildings, and Comprehensive Sign Program; and

**WHEREAS**, the Planning Commission is the review authority for Time Extensions associated where the Planning Commission was the review authority; and

**WHEREAS**, public notice was published in the *Sierra Sun* and mailed to property owners within 500 feet of the Project site on December 4, 2023, informing the public of the date, time, and location of the public hearing for consideration of the approval or denial of the Project; 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**, the Planning Commission held a public hearing on the matter at their regularly scheduled Planning Commission meeting beginning and ending on December 19, 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 2023-00000121/EXT (The Village at Gray's Crossing Time Extension #2):

1. Approves a Time Extension for a period of two additional years from the effective date of approval of the first Time Extension for the Village at Gray's Crossing, as shown on the plans approved by the Planning Commission on August 20, 2019 in Resolution 2019-17, incorporated herein, and subject to the conditions of approval set forth in Exhibit A (Conditions of Approval).
2. Determines the two-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 19<sup>th</sup> day of December 2023 and adopted by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

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Mitch Clarin, Chair  
Town of Truckee Planning Commission

ATTEST:

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Kayley Metroka, Administrative Technician

Attachments:

Exhibit A – Conditions of Approval  
Exhibit B – Findings

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**EXHIBIT "A"**

**CONDITIONS OF APPROVAL**

General Conditions of Approval

1. A second Time Extension for a period of two additional years from the effective date of the previously approved Village at Gray's Crossing (Resolution 2019-17) and one previous two-year Time Extension (for a total of four years) is approved for a Development Permit, Tentative Map, and Comprehensive Sign Program to construct a 129-unit hotel (83,371 s.f.) with 4,989 s.f. conference center and pool, 17,192 s.f. of commercial space, 21 residential units above the commercial spaces, one residential fourplex, 24 townhomes, and disturbance of 26,000 s.f. or more of the site including realignment of the Class I trail on the eastern portion of the property, a transit shelter, landscape berming, and offsite bus turnout on the south side of Henness Road, and establishing a "Hotel," "Live/work quarters," and "parks and playgrounds" on Assessor's Parcel Numbers 043-050-025 to -027, 043-060-009 to -027, and 043-070-008 to -021 (old Assessor Parcel Numbers 043-050-021, 043-060-001, 043-060-002, 043-060-004 to 043-060-008, and 043-070-001 to 043-070-007) as shown on the site plans, elevations, floor plans, and civil drawings as approved by the Planning Commission on August 20, 2019 (Resolution 2019-17) and November 16, 2021 (Resolution 2021-17) on file in the Community Development Department. (***Planning Division Recommendation***)
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 Recommendation***)
3. All applicable conditions of approval in Planning Commission Resolution 2021-12 adopted on November 16, 2021, shall be incorporated into this Time Extension approval, with the following modifications:
  - A. Condition of Approval No. shall be replaced to read: "A Development Permit, Tentative Map, and Comprehensive Sign Program are hereby approved to construct a 129-unit hotel (83,371 s.f.) with 4,989 s.f. conference center and pool, 17,192 s.f. of commercial space, 21 residential units above the commercial spaces, one residential fourplex, 24 townhomes, and disturbance of 26,000 s.f. or more of the site including realignment of the Class I trail on the eastern portion of the property, a transit shelter, landscape berming, and offsite bus turnout on the south side of Henness Road, and establishing a "Hotel," "Live/work quarters," and "parks and playgrounds" on Assessor's Parcel Numbers 043-050-025 to -027, 043-060-009 to -027, and 043-070-008 to -021 (old Assessor Parcel Numbers 043-

050-021, 043-060-001, 043-060-002, 043-060-004 to 043-060-008, and 043-070-001 to 043-070-007) as shown on the site plans, elevations, floor plans, and civil drawings as approved by the Planning Commission on August 20, 2019 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, with modifications made at the August 20, 2019 Planning Commission***)

- B. Condition of Approval No. 2 shall be replaced to read: "The effective date of approval shall be January 2, 2024, unless the approval is appealed to the Town Council by 5:00 p.m. on December 29, 2023. The approved Time Extension grants a second two-year extension to the previously approved Development Permit, Comprehensive Sign Program, and Tentative Map to September 2, 2025. The Development Permit and Comprehensive Sign Program shall be exercised by September 2, 2025 (two years from the expiration date of the last two-year Time Extension and four years from the expiration date of the original approval) and the project shall be completed by September 2, 2027 (four years from the new effective date) per Development Code Section 18.84.050. The complete condominium plan application shall be filed with the Community Development Department no later than September 2, 2025, and the condominium plan shall be recorded within 90 days (no later than December 1, 2025) per Development Code Section 18.96.140.A. At the end of that time, the approval shall expire and become null and void unless the time limits of the Development Permit, Comprehensive Sign Program, and Tentative Map are further extended per Development Code Section 18.96.150." (***Planning Division Recommendation***)
- C. Condition No. 4 shall be modified to read as follows: "The project shall comply with all applicable provision and standards of the Development Code in effect on December 13, 2023 except where specifically modified by these conditions of approval. It is the applicant's responsibility to demonstrate compliance to the Planning Division prior to issuance of any grading or building permits. The provisions and standards include, but are not limited to, the following
- Air Emissions in accordance with Section 18.30.030;
  - Drainage and Stormwater runoff in accordance with Section 18.30.050;
  - Exterior Lighting and Night Sky in accordance with Section 18.30.060;
  - Fences, Walls, and Hedges in accordance with Section 18.30.070;
  - Grading and Vegetation Removal in accordance with Section 18.30.080;
  - Building Height in accordance with Section 18.30.090;
  - Property Maintenance in accordance with Section 18.30.100;
  - Snow Storage in accordance with Section 18.30.130;
  - Solid Waste/Recyclable Materials in accordance with Section 18.30.150;
  - Tree Preservation in accordance with Section 18.30.155;
  - Undergrounding of Utilities in accordance with Section 18.30.160;
  - Landscaping in accordance with Chapters 18.40 and 18.42;
  - Wetlands in accordance with Section 18.46.040;
  - Open Space in accordance with Section 18.46.060;
  - Parking in accordance with Chapters 18.48 and 18.50, unless modified;

- Bicycle Parking in accordance with Section 18.48.090;
- Signs in accordance with Section 18.54 and 18.56;
- Multi-Family Residential Projects in accordance with Section 18.58.180
- Outdoor Display and Sales Standards in accordance with Section 18.58.190. **(Planning Division Recommendation)**

D. The following new condition shall be incorporated into the project as Condition of Approval No. 79:

Prior to building permit issuance, required parking, required landscaping, and required site improvements shall be prohibited within easements unless either: (i) 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 improvements can remain in place in perpetuity notwithstanding any other provision of the easement; or (ii) 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.

The language of the agreement is required to be reviewed and approved by the Community Development Director and Town Attorney. The recorded written consent shall be required prior to building permit issuance. **(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 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 Extensions for Land Use Permits**

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

*The applicant has completed construction of right-of-way infrastructure improvements, recorded the Final Map for the Village at Gray's Crossing, and applied for building permits for the townhomes, fourplex, and mixed-use buildings. Building permits for three townhomes have been finalized and a number of the townhomes and the fourplex are under construction. This finding is further supported in the "Discussion/Analysis" section of the December 19, 2023 Planning Commission staff report.*

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

*The 2019 approval included a number of conditions of approval that were required to ensure consistency with the 2025 General Plan, the Gray's Crossing Specific Plan, and the Development Code. The Gray's Specific Plan has not been modified since the approval of the project. The 2040 General Plan was adopted in May 2023. No new policies or programs were adopted for the Gray's Crossing Specific Plan area in the 2040 General Plan. The 2040 General Plan directs the Town to "Continue to implement the Gray's Crossing Specific Plan until built out." In 2019, the proposed project was found to be consistent with the Gray's Crossing Specific Plan. Extension of the land use entitlement will allow for the project to be implemented as identified in the Specific Plan. Aside from the new requirements for easements described in the December 19, 2023 staff report, no new changes have been made to the Development Code that would impact the project. With incorporation of changes to Condition of Approval No. 79, related to use of the easement, as well as incorporation of the previously approved conditions of approval, the project is consistent with the Development Code and the findings for the Time Extension can be made. This finding is further supported in the "Discussion/Analysis" section of the December 19, 2023 Planning Commission staff report.*

**Time Extensions for Tentative Map**

3. There have been no changes to the provisions of the General Plan, any applicable Specific Plan, or this Development Code applicable to the project since the approval of the Tentative Map causing the subdivision to become inconsistent with the General Plan or any applicable Specific Plan, or to not comply with any applicable provision of this Development Code.

*The 2019 approval included a number of conditions of approval that were required to*

*ensure consistency with the 2025 General Plan, the Gray's Crossing Specific Plan, and the Development Code. All of the previously approved conditions are included as part of the Time Extension approval. The Gray's Specific Plan has not been modified since the approval of the project. While a new General Plan was adopted in May 2023, no changes were made to any Tentative Map and subdivision requirements that affect this project. The Development Code has been amended several times since 2019; however, these amendments do not necessitate any changes to the previous Tentative Map conditions of approval. This finding is further supported in the "Discussion/Analysis" section of the December 19, 2023 Planning Commission staff report.*

4. There have been no changes in the character of the site or its surroundings that affect how the policies of the General Plan or other standards of this Development Code apply to the project, causing the proposed subdivision to become inconsistent with the General Plan or any applicable Specific Plan, or to not comply with any applicable provision of this Development Code.

*Other than the site improvements completed as part of this project, no changes to the site or capacity of community resources have been identified that would impact this project.*

5. There have been no changes to the capacities of community resources, including but not limited to, water supply, sewage treatment or disposal facilities, roads or schools so that there is no longer sufficient remaining capacity to serve the project.

*All applicable special districts, utility companies, and Town departments with an interest in this application have been notified. No objections were filed and no new concerns were raised. All of the relevant conditions of approval have been incorporated into the Conditions of Approval. This finding is further supported in the "Discussion/Analysis" section of the December 19, 2023 Planning Commission staff report.*