

# **Town of Truckee**

## **California**

### **PLANNING COMMISSION RESOLUTION NO. 2005-03**

#### **A RESOLUTION OF THE TOWN OF TRUCKEE PLANNING COMMISSION APPROVING A NEW DEVELOPMENT PERMIT AND USE PERMIT FOR THE PIONEER COMMERCE CENTER – PHASE 2**

**WHEREAS**, the Town of Truckee Town Council on May 17, 2001 adopted Resolution No. 2001-25, thereby approving a development permit and use permit for Phases 1 and 2 of the Pioneer Commerce Center project (Application No. 00-111), and the Planning Commission on May 8, 2002 adopted Resolution No. 2002-11, thereby approving minor modifications to the land use permits for Phases 1 and 2; and

**WHEREAS**, the property owner, Hidden Lake Properties as represented by Ciro Mancuso, is nearing completion of Phase 1 and will commence construction of Phase 2 in 2005; and

**WHEREAS**, the property owner requested major changes to the approved site plan, building elevations, and floor plans for Phase 2; and

**WHEREAS**, in accordance with Section 18.84.070 of the Development Code, the Planning Commission as the review authority must approve major changes to a project through a modification of land use permit, and if a modification of a land use permit is approved, any previously approved land use permit shall be deemed void and superseded; and

**WHEREAS**, the Truckee Community Development Department prepared an Initial Study for the project, the Initial Study concluded the project will not have a significant effect on the environment upon incorporation of mitigation measures into the project, and the Planning Commission adopted a Mitigated Negative Declaration for the project; and

**WHEREAS**, the Community Development Department published a public notice in the *Sierra Sun* and mailed the notice to property owners within 300 feet of the project site, informing the public of the availability of the Mitigated Negative Declaration and the date, time, and location of the public hearing for the consideration of the approval or denial of the planned development; and

**WHEREAS**, the Planning Commission held a public hearing on the project on February 9, 2005 and duly considered any and all public comments on the project.

**NOW THEREFORE BE IT RESOLVED**, the Planning Commission hereby approves a new development permit and use permit for development and uses in Phase 2,

incorporating the previously adopted conditions of approval for Phase 2 with the modifications to the site plan, building elevations, floor plans, and conditions approved by the Commission. The development permit and use permit are subject to the conditions of approval set forth in Exhibit A, Conditions of Approval, attached hereto and incorporated herein.

**BE IT FURTHER RESOLVED**, the development permit and use permit for Phase 2 approved by Town Council Resolution No. 2001-25 is hereby superseded by this resolution.

**BE IT FURTHER RESOLVED**, the Planning Commission hereby adopts the findings set forth in Exhibit C, Findings, in support of approval of the development permit and use permit, and the project staff report and Commission minutes of the February 9, 2005 public hearing and all other materials of the land use application are hereby incorporated herein by reference and provide a factual basis for the findings.

**PASSED AND ADOPTED** by the Town of Truckee Planning Commission on this 9th day of February, 2005 by the following vote:

**AYES:** Johnston, Litchfield, Olsen, Richards

**NOES:** None

**ABSTAIN:** Riley

**ABSENT:** None

  
\_\_\_\_\_  
Nancy Richards, Chair  
Town of Truckee Planning Commission

ATTEST:

  
\_\_\_\_\_  
Jaime LaChance, Secretary

**PLANNING COMMISSION RESOLUTION NO. 2005-03**  
**EXHIBIT A**

**CONDITIONS OF APPROVAL**

1. The development permit and use permit are approved for Phase 2 of the Pioneer Commerce Center as shown on the site plan, attached hereto as Exhibit B and incorporated herein, elevation plans, and floor plans approved on February 9, 2005 on file in the Community Development Department except as modified by these conditions of approval. The applicant is responsible for complying with all conditions of approval and providing evidence to the Town Planner of compliance with the conditions.
2. The effective date of approval shall be February 21, 2005 unless the approval is appealed to the Town Council. In accordance with Section 18.84.050 of the Development Code, the land use permit shall be exercised within two (2) years of the effective date of approval, and the project shall be completed within four (4) years of the effective date of approval. Otherwise the approval shall become null and void unless an extension of time is granted by the Planning Commission.
3. The Town Planner may authorize minor alterations to the approved plans and conditions of approval in accordance with Section 18.84.070(B)(1) of the Development Code. Major changes and alterations to the approved plans and conditions of approval shall be reviewed and approved by the Planning Commission in accordance with Section 18.84.070(B)(2) of the Development Code.
4. Except as modified by Commission Resolution No. 2005-02 and these conditions of approval, the project shall comply with all applicable provision and standards of the 2000 Development Code including, but not limited to the following:
  - General Development Standards as contained in Table 2-4 including site coverage, setbacks, and height limits;
  - Air Emissions in accordance with Section 18.30.030;
  - Drainage and stormwater runoff in accordance with Section 18.30.050;
  - Fences and walls in accordance with Sections 18.30.070 and 18.30.110(c);
  - Building height in accordance with Section 18.30.090;
  - Snow Storage in accordance with Section 18.30.130;
  - Solid Waste and recyclable materials storage for all residential and non-residential units in accordance with Section 18.30.150;
  - Open Space in accordance within Chapter 18.46;
  - Parking in accordance with Chapter 18.48;
  - Bicycle Parking in accordance with Section 18.48.090;
  - Exterior lighting in accordance with Section 18.30.060;
  - Scenic Corridor standards in accordance with Section 18.46.070;

- Outdoor Display and Sales in accordance with Section 18.58.190;
- Outdoor Storage and Work Areas in accordance with Section 18.58.200.

The provision and standards of the 2000 Development Code that shall be applied to this project shall be those provision and standards in effect on August 4, 2003.

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 final action by the approval authority. 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.
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.
6. The applicant shall construct 39 two-bedroom affordable housing residential units, or units with an equivalent number of bedrooms, subject to the following criteria:
  - a. The affordable housing units may be located either on-site or off-site within the Town of Truckee, subject to approval by the appropriate Town review authority for the housing development;
  - b. Prior to issuance of any grading and building permits for Buildings H, I, L, or M, the applicant shall have an approved affordable housing development plan by the appropriate review authority for the construction of the housing units.
  - c. Building permits may be issued for the boat storage buildings and Building J prior to the approval of an affordable housing development plan;
  - d. Prior to issuance of any grading and building permits for Buildings H, I, L, or M, performance guarantees will be required to ensure the Town-approved affordable housing development plan will be constructed within two years of the plan's approval;

**(Mitigation Measure 8c)**

7. All buildings and structures shall be setback a minimum of five (5) feet from western and eastern property lines.
8. All units of the boat storage buildings shall be accessible at all times.
9. Prior to improvement plan approval, a drainage report will be required for this new parcel. The project applicant shall provide identification of all existing drainage on the property and adjacent property which may affect this project. This identification shall show discharge points on all down stream properties as well as drainage courses after the proposed development for the 10 year and 100 year flows. The

applicant shall provide a method in which to treat the 20 year, 1 hour storm event per the requirements of the Lahontan Regional Water Quality Control Board. Pre-project stormwater flows should equal post project flows for the design year event, unless additional mitigations are proposed to provide for the increase in flows. **(Mitigation Measure 7a)**

10. Prior to commencement of any work on the site, the applicant shall obtain a building permit(s) for grading and construction of the building (s). Complete building plans and engineering in accordance with the Town Building Code will be required for all structures. The building plans shall include details and elevations for all State of California, Title 24, handicap regulations.
11. The final site and building designs for the project shall comply with the site plans and building elevations approved on February 9, 2005 on file in the Community Development Department. For project modifications and design elements not addressed by the Town Council in their design approval of the project, the Town Planner may impose additional requirements on the site and building designs to ensure consistency with the Town Design Guidelines.
12. Any mechanical equipment and trash enclosures shall be screened from public view. Screening shall be compatible in color with adjacent building materials. All flashing, vents, and gutters shall be painted in a color to blend with adjacent building colors. The trash enclosures shall be screened by a wooden fence with the same finish materials and colors as the buildings or a wall with split-face concrete masonry unit or similar material.
13. The project shall comply with all applicable Truckee Fire Protection District ordinances and requirements as determined by the District Fire Marshal. These ordinances and requirements may include, but not be limited to, installation of fire hydrants, minimum fire flow, automatic sprinkler systems for buildings, driveway and turnaround specifications, fuel clearance, and payment of fire mitigation fees.
14. Because the requested increase and change in floor space was not approved, the number of parking spaces in Phase 2 shall be decreased proportionately. The parking spaces to be eliminated shall be removed from the parking areas adjacent to Pioneer Trail.
15. The project shall provide landscaping in accordance with Chapters 18.40 and 18.42 of the Development Code except as modified as follows for the Phase II development:
  - a. Additional landscaping shall be provided along the southern property line to screen parking areas from Pioneer Trail. The landscaping shall be of sufficient type, size, and density to create a 90% screen, 30 to 42 inches in height within five years of installation. The location of the screen and the type, size, and density of landscaping materials shall be approved by the Town Planner.

- b. Landscape bulbs with groundcover and shrubs (trees may be allowed) shall be provided in the parking areas adjacent to the southern property line to break up parking spaces to ensure that there are no more than 12 contiguous parking spaces. The location and size of the landscape bulbs and the type, size, and density of landscaping materials shall be approved by the Town Planner.
  - c. Prior to issuance of the temporary or final certificate of occupancy for each phase, the applicant shall request an on-site inspection from the Planning Division and submit a landscape inspection fee in the amount established by the Town Fee Schedule. All landscaping shall be installed in accordance with the approved landscape plan and these landscape conditions prior to issuance of a temporary certificate of occupancy OR installation of the landscaping shall be guaranteed by a performance guarantee or other acceptable security prior to issuance of a temporary certificate of occupancy and installation shall be completed prior to issuance of a final certificate of occupancy.
16. Trees removed greater than 6 inches in diameter measured from the circumference breast height shall be replaced at a ratio of 1:2 (one replacement tree for every 2 removed). The majority of replacement trees shall consist of native evergreens. Replacement trees shall be primarily located within areas screening parking and driveway area from adjoining properties and public rights-of-way and within parking areas. Off-site planting of replacement trees will be permitted within the surrounding area if adequate landscape area is not available within the project site, contingent upon the receiving land owner/manager consent. Replacement tree locations, species and sizes shall be detailed on the final landscape plan. Replacement trees shall be required to be a minimum of 15 gallons. **(Mitigation Measure 3a)**
17. The applicant shall submit to the Planning Division a complete maintenance contract providing for proper maintenance of all landscaping and irrigation. The property owner shall maintain all plantings and irrigation, and in any case where required plantings have not survived, the property owner shall be responsible for replacement with equal or better plant materials.
18. Prior to issuance of any building permit for Phase II, the applicant shall submit a comprehensive signage plan for all signage to be located within the development, including monument/ground-mounted and building signage. The comprehensive signage plan shall include all information necessary to demonstrate compliance with the Town signage specifications as detailed in the Development Code. Furthermore, no signage shall be visible from I-80.
19. Prior to issuance of a building permit, the applicant shall submit a comprehensive fence plan for Phase II, identifying the exact location, dimensions, and materials. The comprehensive fence plan shall demonstrate compliance with the Town signage specifications as detailed in the Development Code and shall require approval by the Town Planner.

20. Prior to issuance of any grading permit, building permit, and/or improvement plans for Phases II and III of the Pioneer Commerce Center development, the developer shall either submit a revised on-site snow storage plan, approved by the Town Planner, to meet the standards of Section 18.30.130 of the Town's Development Code, or the developer can submit a snow hauling plan, to be approved by the Town Planner, that meets the intent of Section 18.30.130. **(Mitigation Measure 8b)**
21. Prior to issuance of any temporary or final certificates of occupancy, the property owner shall grant an aircraft overflight easement to the Truckee Tahoe Airport District. The easement shall include the language shown in the "Typical Overflight Easement" sample provided in Exhibit D2 of the Airport Land Use Planning Handbook (CalTrans Division of Aeronautics, December 1993). The easement shall be reviewed and approved by the Town Planner prior to its recordation in the Nevada County Recorder's Office. **(Airport District Regulation)**
22. To ensure that the project will not expose residents and occupants of the project to noise levels in excess of Town standards, prior to issuance of a building permit, all interior areas shall comply with the interior noise level standard of 45 dBA CNEL. **(Mitigation Measure 10a)**

Mitigation measures such as acoustical rated windows and acoustical rated building materials shall be incorporated into the design of the building to reduce the interior noise levels to 45 dBA CNEL. Prior to issuance of any building permits, a noise analyst shall certify on the building plans that noise mitigation measures have been incorporated into the building design to reduce interior noise levels to 45 dBA CNEL and such measures are shown on the building plans.

23. As part of any lease agreement for the rental of a residential unit, the following language shall be included in the lease:

*This property is in the area subject to overflights by aircraft using the Truckee Tahoe Airport, and as a result, residents and guests may experience inconvenience, annoyance or discomfort arising from the noise of such operations. State law (Public Utilities Code Section 21670 et seq.) establishes the importance of public use airports to protection of the public interest of the people of the State of California. Residents and guests of property near a public use airport should therefore be prepared to accept such inconvenience, annoyance or discomfort from normal aircraft operations.*

24. A dust suppression plan shall be prepared concurrently with and made a part of the improvement, grading, and construction plans for the project. The dust suppression plan shall note any and all methods necessary to comply with the following:
  - Open burning of site-clearing vegetation shall be prohibited. Site cleared vegetation shall be treated by other legal means including, but not limited to,

- chipping, shredding, and grinding. The dust suppression plan shall note how site cleared vegetation will be disposed.
- Clearing, earth-moving, and excavation operations and other grading activities shall cease when the wind speed exceeds 20 miles per hour averaged over one hour.
  - During clearing, demolition, earth-moving, and excavation operations and other grading activities, fugitive dust emissions shall be controlled by dust-preventative measures to ensure regular stabilization of dust emissions. Materials excavated or graded shall be sufficiently watered or applied with dust palliatives to prevent amounts of dust. If watering is used, areas with disturbed soils shall be watered at least twice daily, in the late morning after excavation and grading has commenced and after work is done for the day. Materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust.
  - Graded areas that will not be covered with structures or other improvements shall be revegetated to minimize dust and erosion. Revegetation shall occur within one month after completion of grading and excavation for the project. Portions of the construction site to remain active longer than three months after completion of the project shall be seeded and watered until grass cover is grown and maintained.
  - The Town Planner may require other best available control measures (BACM) to control particulate matter emissions from the site during construction.
25. To offset PM10 emissions from vehicle tail pipes and re-entrained road dust to the level of zero from these sources, prior to issuance of any building permit for the development of the parcels, an air quality mitigation fee of \$132.00 per 1,000 s.f. of gross floor area will be required. Prior to issuance of any building permit for Phase 2, a fee of \$132.00 for every 1,000 s.f. of gross floor area constructed in Phase 1 shall be paid in its entirety. **(Mitigation Measure 2a)**
26. If artifacts, paleontological or cultural, or unusual amounts of stone, bone, or shell are uncovered during construction activity, all construction activities shall cease within a 200-foot radius of the find. The Town Planner shall be notified of the find, and an archaeologist shall investigate the find to determine the extent and location of the discovered materials. The archaeologist shall amend the cultural resources evaluation conducted on the site to determine the significance of the discovered materials and to identify mitigation measures to eliminate or reduce any significant effects to a less than significant level in accordance with the CEQA Guidelines. The Town Planner shall require the mitigation measures to be incorporated into the project and to be implemented prior to recommencement of construction activity. Construction shall not recommence until authorized by the Town Planner. **(Mitigation Measure 4a)**
27. Prior to issuance of any building permits for Phases II and III, the developer shall obtain a permit from the Nevada County Environmental Health Department for the removal of the two remaining septic tanks located on-site.



28. If soil contamination or underground tanks are uncovered during construction activity, all construction activities shall cease. The Town Planner and the Nevada County Department of Environmental Health shall be notified, and the applicant shall apply for permits for a proper site investigation. The Nevada County Department of Environmental Health shall conduct a site investigation, determine the extent of the contaminated material or underground tanks found, and establish an appropriate method of disposal of the contaminated soil or tanks. Construction shall not recommence until authorized by the Town Planner.
29. No industrial wastes are to be disposed on-site, unless a specific method of their disposal and design has been approved by the Nevada County Environmental Health Department, in accordance with Chapter 6.5 of the California Health and Safety Code, Hazardous Wastes Control.
30. Pursuant to Section 21089 of the California Public Resources Code and Section 711.4 et seq. of the California Fish and Game Code, fees in the amount of \$1,250.00 and \$32.00 shall be submitted to the Planning Division within five (5) working days of this permit approval of the project. A check in the amount of \$1,282 shall be made payable to the County of Nevada and submitted to the Town Planning Division. No grading or building permits shall be issued until the fees are paid. The fees are required to be collected on behalf of the Department of Fish and Game and are not for Town purposes.
31. The applicant shall pay all required impact fees as required by each respective District, including fire, school, and recreation fees. The requirements of the responsible agencies and special districts commenting on this project are attached to this approval and incorporated by reference. Enforcement and clarification to any of these agency / district requirements and the necessary timing for satisfying these requirements is at the discretion of the respective agency / district. Commenting agencies include:
  - Nevada County Department of Environmental Health
  - Truckee Fire Protection District
  - State of California Regional Water Quality Control Board, Lahontan Region
  - Northern Sierra Air Quality Management District
32. The applicant shall submit a comprehensive Solid Waste Storage Area Plan to the Town Engineer for Phase II prior to the issuance of a building permit for the construction of the Pioneer Commerce Center. The storage size for the solid waste and recyclables shall comply with the Development Code, unless the requirements are reduced by the Town Engineer. **(Mitigation Measure 14a)**
33. A drainage study shall be submitted to analyze the existing and projected storm water runoff from the project site and the capacity of off-site drainage facilities from the project site. If the drainage facilities do not have sufficient capacity, the drainage study shall identify drainage improvements (both on-site and off-site) to decrease the amount of stormwater runoff from the site and/or increase the capacity

of Town and/or CalTrans drainage facilities to accommodate the project's stormwater runoff. The study shall conclude that the project's stormwater runoff will not result in flooding impacts on Interstate 80 or surrounding properties.

34. Hours of operation of construction activities shall be limited from 7 a.m. to 7 p.m. or dusk, whichever occurs first, Monday through Saturday. No construction shall be permitted on Sundays. Interior construction activities may occur after these hours if such activities will not result in exterior noise audible at property lines. Improvement, grading, and building plans shall note these limited hours of construction.
35. The net release of runoff from the project site onto adjoining parcels and rights-of-way, including State drainage facilities for Interstate 80, shall not be greater than pre-construction levels of the runoff release from the site based on a 100-year storm event peak discharge.
36. Prior to issuance of grading or building permits (or approval of improvement plans), the applicant shall modify and update the project's NPDES general permit for stormwater discharges and the Storm Water Pollution Prevention Plan. The applicant shall submit documentation to the Town Planner demonstrating that these modifications have been made.
37. The drainage and erosion control plan shall include a maintenance plan for temporary and permanent best management practices. In addition to the requirements of the Town Engineer and Lahontan RWQCB, the maintenance plan shall identify what entity will be responsible for ensuring its implementation and the mechanism by which the maintenance plan will be implemented (e.g., CC&R's, business owner association).
38. During the period of construction including periods of inactivity, the Town Engineering Division and/or Building and Safety Division shall conduct weekly inspections of temporary best management practices for drainage and erosion control. If the Town determines that BMP's are ineffective, damage, inappropriate, and/or missing, the applicant shall correct the deficiency as directed by the Town.
39. Prior to issuance of any grading permits (or approval of improvement plans), on-site personnel conducting grading, drainage, and erosion control work shall be given water quality protection/BMP awareness training. The training shall address all issues identified in the Regional Water Quality Control Board's letter to the Town of Truckee dated February 8, 2005. The applicant shall provide documentation to the Town Engineer demonstrating that the training has been completed.
40. In addition to these conditions of approval, the applicant shall comply with all requirements of the Town Engineer. These requirements include, but are not limited to, the following:

- A. A drainage and erosion control plan shall be prepared by a licensed engineer in accordance with the requirements of the Town Building Code and Development Code and any requirements imposed by the Chief Building Official and Town Engineer. No grading shall occur on the site and no grading or building permits shall be issued for the project until the plan is submitted to and approved by both the Chief Building Official and Town Engineer. The plan shall:
1. Incorporate all requirements and standards of the Lahontan Regional Water Quality Control Board (RWQCB) including requirements and standards following the Project Guidelines for Erosion Control for the Truckee River Hydrologic Unit as adopted by the Regional Board, the Storm Water Pollution Prevention Plan, and the National Pollution Discharge Elimination System permit.
  2. Include, but not be limited to, calculations of existing runoff coefficient conditions; complete culvert design, including loss calculations, at each affected crossing; runoff calculations of existing runoff and potential runoff from the construction of structures and other impervious surfaces; calculations for 20-year and 100-year floods of the drainage course both before and after project completion; off-site flows which are conveyed through the project site; location of off-site discharge points; ability of drainage courses to accommodate expected runoff volumes; boundaries of all existing drainage easements.
  3. Analyze the existing and projected stormwater runoff from the project site and the capacity of off-site drainage facilities from the project site to determine if the existing drainage facilities have sufficient capacity to accommodate the increased stormwater runoff from the project site. If the drainage facilities do not have sufficient capacity, the plan shall identify drainage improvements (both on-site and off-site) to decrease the amount of stormwater runoff from the site and/or increase the capacity of Town drainage facilities to accommodate the project's stormwater runoff. The plan shall conclude that the project's stormwater runoff will not result in flooding impacts on Pioneer Trail or surrounding properties.
  4. Incorporate any and all improvements necessary to comply with the Town Building Code, Development Code, provisions of this condition, and the requirements of the Lahontan RWQCB.
- B. Construction work associated with the replacement of Town and/or Caltrans drainage facilities required as part of this project shall comply with the erosion control regulations of Section 18.30.050(C) of the Development Code. The Town Engineer shall verify that temporary and permanent erosion control measures consistent with Section 18.30.050(C), the Regional Water Quality Control Board's Truckee River Hydrologic Unit Project Guidelines for Erosion Control, and the State of California Stormwater Best Management Practices Handbook are incorporated into the project's

improvement plans prior to their approval and all work is done in accordance with the approved improvement plans.

- C. The applicant shall provide easements and improvements, to be approved by the Town Engineer and installed prior to issuance of a certificate of occupancy, for pedestrian connections from Building H to the eastern right-of-way connection and Building J to the western right-of-way connection. The easements shall be recorded and detailed on the improvement plans.
- D. The Traffic Impact Fee adopted by the Town of Truckee, creating and establishing the authority for imposing and charging traffic impact fee, within the Town, shall be paid prior to occupancy of the building. The fee shall be based on the latest fee schedule adopted by the Town Council in effect at the time of building permit issuance.
- E. Prior to issuance of any building permits, the applicant shall pay a "fair-share" contribution of 13% of intersection improvements at the Pioneer Trail/Donner Pass Road intersection. This contribution includes all buildings in Phases 1 and 2. If the intersection improvements are added to the Town's updated Capital Improvement Program prior to issuance of any building permits, the "fair share" contribution shall be for Phase 1 only. The cost of the intersection improvements will be determined by the Town Engineer.  
**(Mitigation Measure 13b)**
- F. All proposed trees to be planted within the public right-of-way, as depicted on the landscape plan, shall be required as proposed and shall be located a minimum of three (3) feet from any and all edges of the proposed sidewalk. Modifications to the preliminarily approved landscape plan within the right-of-way will need to be approved by the Town Planner and Town Engineer.
- G. All trees to be planted within the Pioneer Trail right-of-way shall be appropriate for the site and utilize root barriers and/or root guards to ensure that the roots of the trees will not interfere with the proposed side walks and road pavement. Additionally, the Town Engineer, prior to the installation of the landscaping, shall approve all tree types within a right-of-way.
- H. If the proposed trees within the right-of-way cause damage to the existing road and pedestrian infrastructure on Pioneer Trail due to uprooting trees, the applicant and/or subsequent property owners shall be responsible to maintain and/or repair the proposed sidewalk and pavement where necessary. If damage is found within the subject right-of-way, the Town Engineer shall assess the damage and determine the appropriate course of action to remedy the cause (i.e., damage caused by roots or natural decay of infrastructure).
- I. Prior to improvement plan approval, the project proponents shall be required to prepare three sets of improvement plans at 1"=20', on 24"x 36" plan

sheets stamped by a licensed civil engineer to the satisfaction of the Town Engineer for all work in the proposed public right-of way and easement areas. The plans shall incorporate proposed grades within those areas (including curb, gutter, and a 4' concrete sidewalk on both sides of the proposed roadways), as well as proposed methods by which to accommodate drainage and necessary best management practices (BMPs).

Improvement plans shall also incorporate cost estimates for all work to be performed within the Town maintained right-of-way. Said improvement plans shall be accompanied by appropriate plan check fees to be calculated by the Town Engineer at the time of plan submittal. Public improvement plan check fees and inspection fees are calculated using the estimated construction costs of portions of work within the proposed right-of-way and easement areas. The plan check fee is equal to the following formula based upon the estimated construction costs:

3% of valuation from \$0 to \$20,000  
1.5% of valuation from \$20,000 to \$100,000  
1% of valuation above \$100,000

The inspection fee, due prior to beginning of construction, is also based upon the estimated construction costs using the following formula:

4% of valuation from \$0 to \$20,000  
3% of valuation from \$20,000 to \$100,000  
1.5% of valuation above \$100,000

- J. Prior to issuance of any temporary or final certificate of occupancy, the applicant shall be required to offer for dedication to the Town of Truckee 20' drainage easements centered along all drainage paths where the identified drainage paths are contributed to by this project.
- K. Prior to issuance of any building permits, the developer shall submit a plan to the Town Engineer that will grant a 40 feet wide easement to the Coachland Mobile Home Park on APN 19-410-28, in order to remedy the queuing problem at the intersection of Pioneer Trail and Donner Pass Road. The plan shall also include a time line detailing the timing and relocation of the existing intersection, also to be approved by the Town Engineer. The existing Coachland driveway shall be relocated approximately 300 feet to the west of its current location. A 40' wide access easement will be required and it will not be eligible for public maintenance. Construction of the new driveway must be complete by December 31, 2007. **(Includes Mitigation Measure 13a)**
- L. Prior to issuance of any temporary or final certificate of occupancy, an offer of dedication for frontage improvements shall be completed.

- M. Prior to issuance of any temporary or final certificate of occupancy, the applicant shall be required to enter into maintenance and hold harmless agreement for any and all frontage improvements.
- N. Prior to issuance of any temporary or final certificate of occupancy, all roadway and utility infrastructure shall either be bonded for or be constructed and approved by the respective responsible agencies. All utilities shall be placed underground.
- O. Prior to issuance of any building permits and issuance of any temporary or final certificate of occupancy, the project will need to be approved by the Lahontan Regional Water Quality Control Board.

# Exhibit B

## UTILITIES

**SEWER:**  
TRUCKEE SANITARY  
DISTRICT 1204 JOERGER  
DRIVE TRUCKEE, CA 96161  
(530) 587-3804

**POWER:**  
TRUCKEE DONNER PUD  
11570 DONNER PASS ROAD  
P.O. BOX 309 TRUCKEE, CA  
96160  
(530) 587-3896

**TELEPHONE:**  
SBC COMMUNICATIONS  
12424 EASBART  
AVENUE AUBURN, CA  
95602

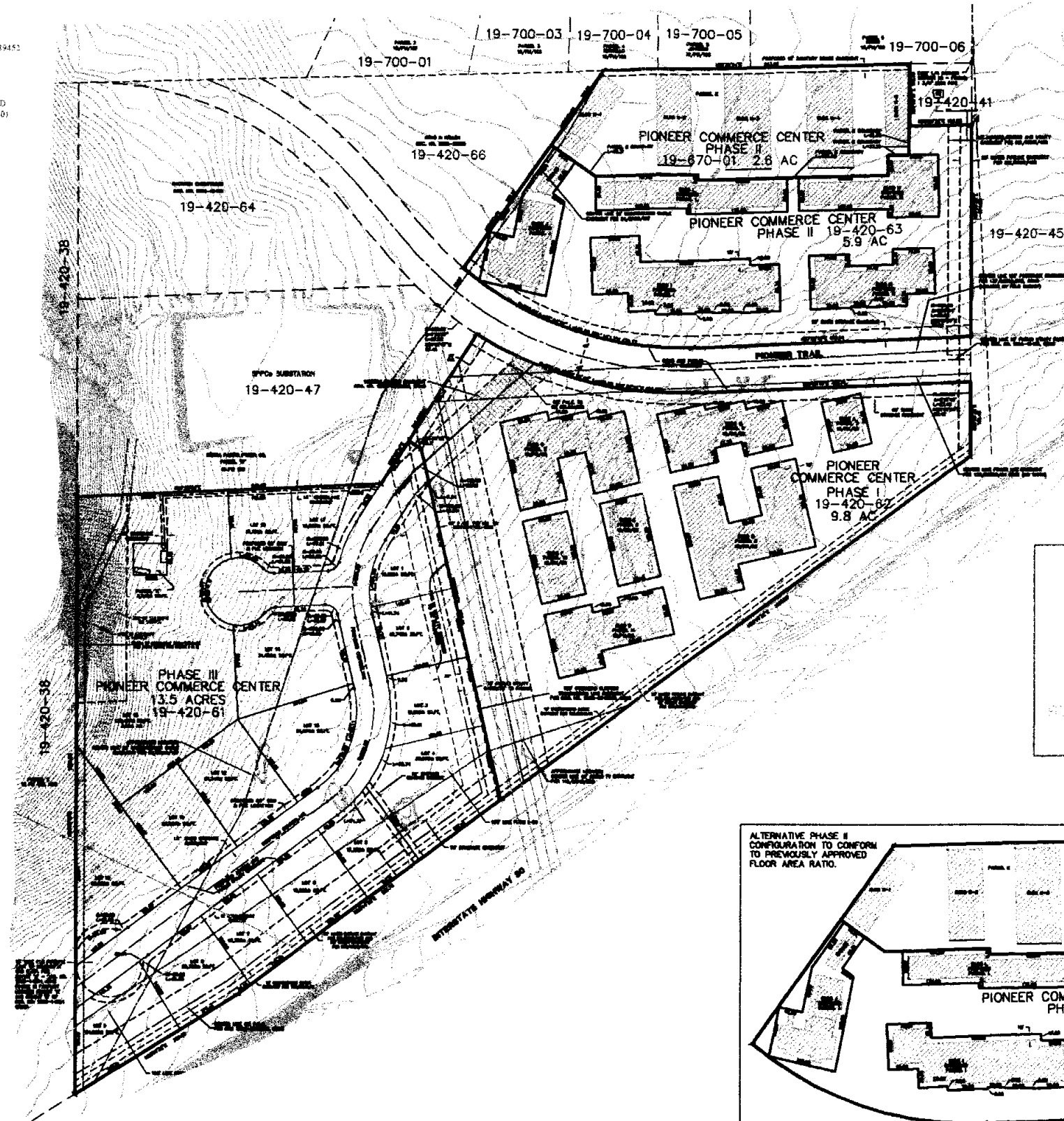
**WATER:**  
TRUCKEE DONNER PUD  
11570 DONNER PASS ROAD  
P.O. BOX 309  
TRUCKEE, CA 96160  
(530) 587-3896

**GAS:**  
SOUTHWEST GAS  
218 INCLINE COURT  
INCLINE VILLAGE, NV 89452  
(800) 530-3426

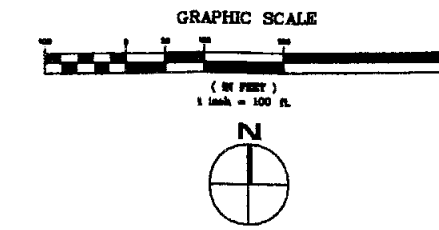
**CABLE TV:**  
USA MEDIA  
10997 WEST RIVER ROAD  
TRUCKEE, CA 96151 (530)  
587-6100

## PARCEL AREA SUMMARY

PARCEL	SIZE
PHASE I TOTAL	425,114 SF
PARCEL 7 (BLDG A)	8,300 SF
PARCEL 8 (BLDG B)	33,808 SF
PARCEL 9 (BLDG C)	19,381 SF
PARCEL 11 (BLDG D)	20,500 SF
PARCEL 9 (BLDG E)	12,000 SF
PARCEL 10 (BLDG F)	12,000 SF
PARCEL 5 (BLDG G)	28,490 SF
PHASE I COMMON AREA	292,587 SF
PHASE II TOTAL	369,108 SF
PARCEL H (BLDG H)	18,384 SF
PARCEL I (BLDG I)	32,018 SF
PARCEL J (BLDG J)	20,710 SF
PARCEL K (BLDG K)	112,988 SF
PARCEL L (BLDG L)	20,717 SF
PARCEL M (BLDG M)	18,138 SF
PHASE II COMMON AREA	144,838 SF
PHASE III TOTAL	368,284 SF
LOT 1	18,128 SF
LOT 2	18,748 SF
LOT 3	19,010 SF
LOT 4	36,072 SF
LOT 5	17,222 SF
LOT 6	19,985 SF
LOT 7	18,750 SF
LOT 8	20,705 SF
LOT 9	24,085 SF
LOT 10	36,804 SF
LOT 11	22,827 SF
LOT 12	24,343 SF
LOT 13	24,774 SF
LOT 14	31,689 SF
LOT 15	130,777 SF
LOT 16	15,300 SF
LOT 17	16,537 SF
ACCESS/UTILITY EASEMENT	82,556 SF



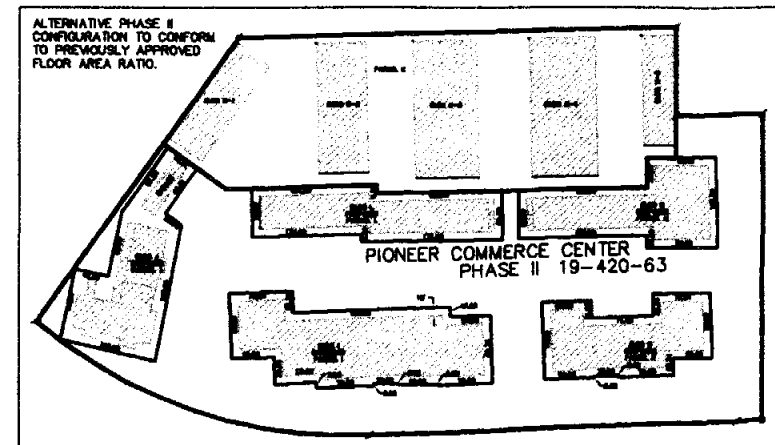
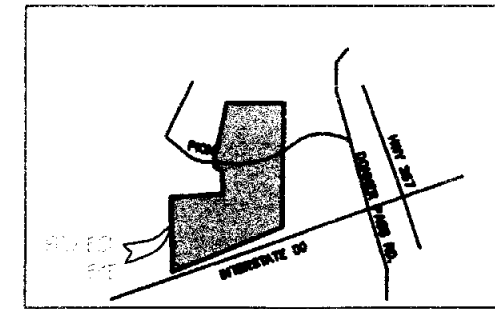
PREPARED BY THE FOLLOWING:  
DATE: MAY 2004  
APPROVED BY THE FOLLOWING:  
DATE: MAY 2004  
REVISIONS: 1-1 (19-420-61) 19-420-61  
2-1 (19-420-62) 19-420-62  
3-1 (19-420-63) 19-420-63  
4-1 (19-420-64) 19-420-64  
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38-1 (19-420-98) 19-420-98  
39-1 (19-420-99) 19-420-99  
40-1 (19-420-100) 19-420-100



SEE PARCEL MAP 01-076 PAGE 65 BOOK 18 NEVADA  
COUNTY FOR THE FOLLOWING UTILITY EASEMENTS ALONG  
PIONEER TRAIL  
81-28545 ORNC  
2002-007261 ORNC  
2001-023227 ORNC  
80-33581 ORNC

## DEVELOPMENT INFORMATION

**OWNER:**  
HIDDEN LAKE PROPERTIES INC.  
P.O. BOX 2870  
OLYMPIC VALLEY, CA 96146  
(530) 587-2167  
**SITE ADDRESS:**  
APN 19-420-61, 62 & 63  
19-420-61  
PIONEER TRAIL  
TRUCKEE, CA 96161



## ACUMEN ENGINEERING COMPANY

130,550,808  
330,550,808  
Post Office Box 3487  
Truckee, CA 96160

**PIONEER COMMERCE CENTER**  
A PORTION OF SECTION 10, T. 16 N., R. 17 E., M.D.M.  
PIONEER TRAIL, TRUCKEE, CALIFORNIA  
APN's 19-420-61, 62, & 63, 19-670-01  
NEVADA COUNTY

**CLIENT NAME:**  
HIDDEN LAKE PROPERTIES  
INC.  
P.O. BOX 2870  
OLYMPIC VALLEY, CA  
96146

**FILE:** Pioneer Tentative Map 180CT2004.dwg  
**SCALE:** 1" = 100'  
**DATE:** 18 OCTOBER 2004  
**REVISIONS:**

**DESCRIPTION:**  
**TENTATIVE  
AMENDED  
PARCEL  
MAP**

**SHEET:**  
**C1**

OF 3 SHEETS

**PLANNING COMMISSION RESOLUTION NO. 2005-03**  
**EXHIBIT C**

**FINDINGS**

1. The proposed development is:
  - A. Allowed by Article II (Zoning Districts and Allowable Land Uses) within the applicable zoning district and complies with all other applicable provisions of this Development Code, the Municipal Code, and the Public Improvement and Engineering Standards; and
  - B. Consistent with the General Plan, any applicable Specific Plan, the Trails Master Plan, and the Particulate Matter Air Quality Management Plan.

*These findings are supported by the findings contained in Council Resolution No. 2001-25. The approved modifications for Phase 2 are minor, and the circumstances and characteristics of the surrounding area have not changed substantially in the last five years. Thereby, the findings of Council Resolution No. 2001-25 are still fitting for this project.*

2. The proposed development is consistent with the design guidelines, achieves the overall design objectives of the design guidelines, and would not impair the design and architectural integrity and character of the surrounding neighborhood.

*This finding is supported by the findings contained in Council Resolution No. 2001-25. The approved modifications for Phase 2 are minor, and the circumstances and characteristics of the surrounding area have not changed substantially in the last five years. Although minor modifications have been made to the layout and size of the buildings, the design of the buildings is still consistent with the Council's approval and completed buildings in Phase 1. Thereby, the findings of Council Resolution No. 2001-25 are still fitting for this project.*

3. The approval is in compliance with the requirements of the California Environmental Quality Act (CEQA) and there would be no potential significant adverse effects upon environmental quality and natural resources that would not be properly mitigated and monitored, unless a Statement of Overriding Considerations is adopted.

*This finding is supported by Commission Resolution No. 2005-01, adopting a Mitigated Negative Declaration for the project.*

4. The design, location, size, and operating characteristics of the proposed development will be compatible with the existing and future land uses in the vicinity.

*This finding is supported by the findings contained in Council Resolution No. 2001-25. The approved modifications for Phase 2 are minor, and the circumstances and*



*characteristics of the surrounding area, including the existing and future land uses in the vicinity, have not changed substantially in the last five years. Thereby, the findings of Council Resolution No. 2001-25 are still fitting for this project.*

5. Granting the approval will not be detrimental to the public health, safety, or welfare of the Town, or injurious to the property or improvements in the vicinity and zoning district in which the property is located.

*This finding is supported by the findings contained in Council Resolution No. 2001-25. The approved modifications for Phase 2 are minor, and the circumstances and characteristics of the surrounding area, including the existing and future land uses in the vicinity, have not changed substantially in the last five years. Thereby, the findings of Council Resolution No. 2001-25 are still fitting for this project.*

6. The site for the proposed development is:
  - A. Physically suitable for the type and density/intensity of development being proposed;
  - B. Adequate in size and shape to accommodate the use and all fences and walls, landscaping, loading, parking, yards, and other features required by this Development Code; and
  - C. Served by streets adequate in width and pavement type to carry the quantity and type of traffic generated by the proposed development.

*This finding is supported by the findings contained in Council Resolution No. 2001-25. The approved modifications for Phase 2 are minor, and the circumstances and characteristics of the surrounding area, including the existing and future land uses in the vicinity, have not changed substantially in the last five years. Thereby, the findings of Council Resolution No. 2001-25 are still fitting for this project.*

7. There are adequate provisions for public and emergency vehicle access, fire protection, sanitation, water, and public utilities and services to ensure that the proposed development would not be detrimental to public health and safety. Adequate provisions shall mean that distribution and collection facilities and other infrastructure are installed at the time of development and in operation prior to occupancy of buildings and the land, and all development fees have been paid prior to occupancy of buildings and the land.

*This finding is supported by the findings contained in Council Resolution No. 2001-25. The approved modifications for Phase 2 are minor, and the circumstances and characteristics of the surrounding area, including the existing and future land uses in the vicinity, have not changed substantially in the last five years. Thereby, the findings of Council Resolution No. 2001-25 are still fitting for this project.*

8. The proposed development is consistent with all applicable regulations of the Nevada County Department of Environmental Health and the Truckee Fire Protection District for the transport, use, and disposal of hazardous materials.

*This finding is supported by the findings contained in Council Resolution No. 2001-25. The approved modifications for Phase 2 are minor, and the circumstances and characteristics of the surrounding area, including the existing and future land uses in the vicinity, have not changed substantially in the last five years. Thereby, the findings of Council Resolution No. 2001-25 are still fitting for this project.*

9. The proposed development does not involve grading, or performance guarantees are not necessary to guarantee restoration of the site or completion of the development project, given the particular circumstances of the development.

*Performance guarantees are not necessary based on the following: grading has been completed for Phase 2, all required infrastructure to the site have been constructed, and Phase 1 has been completed. These reasons support the finding that Phase 2 will be completed.*

10. The proposed development includes one or more of the project features listed in Section 18.12.050(B) of the Development Code, and the floor area increase is proportional to the public benefit provided by the project, including exemplary design and environmental sensitivity.

*The increase in floor area ratio was previously approved by the Town Council by Resolution No. 2001-25. This finding is supported by the findings contained in Council Resolution No. 2001-25.*

11. The increased intensity will not create unmitigable traffic circulation impacts in the site vicinity or elsewhere in the Town.

*This finding is supported by a traffic analysis report prepared by LSC Transportation Consultants and approved by the Town Engineer. The report concluded that development in Phase 2, along with future development in Phase 3, may have significant traffic impacts in the area, but such impacts may be mitigated by improvements. These mitigation improvements have been incorporated into the project as conditions of approval.*

12. The proposed development includes one or more project features listed in Section 18.46.050(E)(2) of the Development Code, and the reduction of open space is proportional to the benefit provided by the project.

*This finding is supported by the discussion contained in the "Planned Development Modifications – Open Space" section of the February 9, 2005 Commission staff report, whereas additional open space will be required in Phase 3 to counterbalance the reduced open space in Phase 2.*