



Planning Commission Meeting Minutes

February 21, 2023, 5:00 PM

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

1. Call to Order 5:01 PM

2. Roll Call- Chair Gove, Vice Chair Tarnay, Commissioner Riley, Commissioner Clarin. Commissioner Fraiman was noted absent.

3. Pledge of Allegiance

4. Public Comment:

Edward Vento, Executive Director of CATT:

Introduced self to commission and community as the new Executive Director of the Contractor's Association of Truckee Tahoe (CATT).

5. Approval of Minutes

5.1 January 17, 2023 Minutes - Regular Meeting

A motion was made by Vice Chair Tarnay and seconded by Chair Gove to approve the January 17, 2023, minutes as submitted.

Ayes: Chair Gove, Vice Chair Tarnay, Commissioner Riley, Commissioner Clarin

Noes: None

Absent: Commissioner Fraiman

Abstain: None

6. Public Hearings (Minor Review)

6.1 Application No. 2023-0000002/EXT (Truckee-Tahoe Lumber Company Redevelopment - "The Crossing" Time Extension); Owner/Applicant: Andrew Cross, CF Holding Company LLC; Agent: Lynette Dias, Urban Planning Partners; 10242 Church Street and 10322 Trout Creek (APNs 019-030-008 and 019-030-051)

The applicant is requesting approval of a one-year Time Extension to the previously approved Truckee-Tahoe Lumber Company Redevelopment (also called "The Crossing") which proposed to redevelop and reuse two lumber storage buildings on the existing Truckee-Tahoe Lumber Company (TTLC) site in the Railyard Master Plan area, located at 10242 Church Street and 10322 Trout Creek Road (APNs 019-030-008 and 019-030-051). The applicant was approved for Development Permits, a Planned Development, Minor Exceptions, and a Comprehensive Sign Program to demolish the existing 4,758 s.f. TTLC office/retail building located on the south side of 10242 Church Street; remove the outdoor lumber storage shelving units, redevelop the North and West Sheds, including addition of a second floor to the North Shed for a total of 21,439 s.f.; develop 66 onsite parking spaces; and develop an 18,000 s.f. outdoor plaza/gathering area.

Recommended Action: That the Planning Commission adopt Resolution No. 2023-01, taking the following actions:

- 1) Determining the application exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15061(b)(3); and
- 2) Approving the one-year Time Extension based on the recommended findings and subject to the recommended conditions of approval.

Clarifying Questions for Staff:

- Is the parking lot across the property line in the open space?
 - Yes. The existing conditions of the site extend beyond the property line.
- Does it get removed?
 - There's a condition of approval that requires removal of the asphalt and the existing chain link fence around the property.
- Is there a reason we are doing a one-year time extension, not a two-year? Is a two-year possible?
 - A two-year is possible, the applicant requested a one-year.
- Where is the trash enclosure on the easement?
 - The trash enclosure is not on the easement, the required landscape screening is located in the easement.
- How are they adding a second floor of 6,800 square feet but the table shows a difference of 2,985 square feet?
 - They are adding a second floor, but they are removing some floor area from the existing bottom floor and adding some articulation at the front of the shed and also adding exterior staircases that take away some of the floor area from the footprint.

Clarifying Questions for Applicant:

No clarifying questions for the applicant.

Chair Gove opened Public Comment.

Seeing none, Chair Gove closed Public Comment.

Deliberation:

- The setbacks in the specific plan are in place and have a maximum of a 25-foot setback. This one has a 93-foot setback. They got a variance as a minor exception when this passed originally. Minor usually means 10% or less and didn't agree with it then or now.
- Curious to expand on that issue.
- The setback is listed in the table from before and says "A maximum of a 25 foot from the edge of the sidewalk improvement to accommodate outdoor dining or gathering places, small plazas, etc.; that will be perceived as part of the public realm." Feels they are specifically excluding parking in front. The new parking will create the. Shouldn't have been an exemption. Doesn't feel it should have been considered a minor exemption.
- Is this part of the Railyard Master Plan?
 - The southern parcel is in the Railyard.
- The Artist Lofts has parking in front.
 - That isn't frontage to that building.
- Your issue is the parking lot in front of the building?
 - Yes.
- Was there a sense there was more of a benefit? What sparked the approval?
 - Planning Commission approved it.

- Understands there is some environmental benefit to reuse the existing buildings.
- Feels there is an issue with starting off the new developments with not following the regulation that is there – to make things more walkable and bikeable.
- States that is not a new development, it is a redevelopment of an existing. Also feels the landscaping mitigates the parking lot.
- Putting a parking lot in front puts a barrier between people coming in on a bus and getting to the location.
- Feels it is a win-win doesn't have any issues with supporting this.

A motion was made by Commissioner Clarin and seconded by Chair Gove to adopt Resolution No. 2023-01, determining the application exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15061(b)(3); finding that there is no possibility that the time extension may have a significant effect on the environment and approving the one-year Time Extension based on the recommended findings and subject to the recommended conditions of approval.

Ayes: Chair Gove, Commissioner Riley, Commission Clarin
Noes: Vice Chair Tarnay
Absent: Commissioner Fraiman
Abstain: None

The motion passed with a 3-1 vote.

Chair Gove recused self from Item 7.1 and called a brief recess to exit the room.

Vice Chair Tarnay reconvened the meeting.

7. Public Hearings (Major Review)

7.1 Application No. 2023-00000006/TUP (2023 Gray's Crossing PJ's Events Temporary Use Permit); Owner/Applicant: Hayes Parzybok, Tahoe Club Company (11410 Henness Road; APNs 043-010-008 and 043-010-003)

The applicants are requesting Temporary Use Permit approval to hold 24 events (four community concerts and 20 weddings) with amplified music at the PJ's Restaurant and adjacent outdoor dining/lawn area at Gray's Crossing from June to October in 2023.

Recommended Action: That the Planning Commission adopt Resolution No. 2023-02, taking the following action:

- 1) Determining the project categorically exempt from CEQA per Section 15304(e); and
- 2) Approving the Temporary Use Permit based on the recommended findings and subject to the recommended conditions of approval.

Applicant Presentation:

Jesse Langridge, General Manager Tahoe Mountain Club, representing Applicant, Hayes Parzybok.

Clarifying Questions for Staff:

- At the prior hearing for this permit- was there a sense the applicant wouldn't be coming back for another use permit?
 - That was the stated intent at the time. The Planning Commission added the year 2022 as a buffer knowing that construction timelines can change.

- An eight-month delay in issuance in the building permit? Is that the cause of delay here? Is that a common amount of time for a building permit to be issued?
 - There was a delay in the submittal of the application and the payment for processing the application. Because there was a 2 1/2-month delay there, that took up time before starting the review of the building permit.
- Is that a normal turn around for a building permit process?
 - It can be. A lot of the timelines are dependent on how quickly the applicants turn around their corrections on the building permit and how well it was done in the first place. This one had three sets of corrections.
- Is that clear to the applicant when they are coming into the process? Is there something they are referring to for the submittals?
 - Yes, the Town provides checklists and the applicants hire professionals that understand the building code.
- Is it correct that a temporary use permit can be requested for multiple years in a row? Truckee has stores that request a temporary use permit every year for as long as they have been in existence.
 - That's correct. At a certain point there is some discretion used with a temporary use permit. A TUP is for a use that is not normally allowed in a zoning district. So, if it is being asked for consistently over multiple years, we have to ask the question, "when does it become a permanent use that we should consider under those parameters?" It also depends on the impacts it has on the neighborhoods. For example, an outdoor retail sale at a retail store doesn't seem intrusive. If it becomes beyond what a normal retail business would incur that would be something the Town would consider during their future renewal if it was becoming a nuisance. It is generally a pathway to allow for something or give a little leeway but not necessarily approve it outright because there may be challenges with that temporary use permit.
- Is this setting a precedent for members of the public to challenge those temporary use permits more so? Has that been done before?
 - The Town has received complaints regarding other temporary use permits that have occurred. We don't think it sets a precedent unless there are verifiable complaints and we can see that there are incompatibilities with the surrounding land uses.
- Truckee does have some commercial businesses that are adjacent to residential buildings- so that could theoretically be a conflict in those locations as well, correct?
 - If there are conflicts and if they are outside of the realm of what they are supposed to be doing to be compatible, then yes. Given that it is ongoing, is this something the commission wants to continue reviewing as a temporary use permit.
- How is this situation different from the homes in Sierra Meadows neighborhood who hear the concerts in the park, the rodeo, and the carnival every summer? Is that a permanent use or temporary use?
 - Those are approved under the Town's special events permit which is for community events on public property. The amphitheater music events with amplified music ends at 8:30PM. The carnival and rodeo may have extended hours, but they are just for one long weekend a year, opposed to 24 events every year.
- If we are moving this over to Old Greenwood, are we just moving the problem to another neighborhood? Will they still have the traffic and crowds?
 - There will likely be more people that go to the new site than currently. But there is more parking. Feel the traffic issues at Gray's Crossing can be mitigated and can continue to be mitigated at Old Greenwood if necessary.
- Originally weren't they talking about converting the golf cart storage building?
 - I believe that is something they are still thinking about but it could be in their long-term plan.
- Regarding the condition of approval stating access has to be maintained versus our Town allows street parking all summer long. How is that different?

- The Town allows for on-street parking but, in general, the expectation is to maintain access for emergency vehicles.
- And elsewhere in the Town when street parking is allowed are we required to have a 20 foot access route?
 - Presumably other places in Town the roads are wider because they are built to a public roadway standard. If cars are parked on both sides of the road there is typically a 20-foot right of way. The special events are typically in publicly zoned, not neighborhoods with narrow streets. Can't think of any large-scale events that are in any private neighborhood.
- In the staff report, a "regular restaurant event" is an event with no outdoor amplified music, correct?
 - Correct.
- Regarding Condition of Approval #8 – Does prohibiting the future TUPs include the public events?
 - The condition says they can have up to 4 community events. The Planning Commission can change that number if they would like. 4 community events can be done at the staff level.
- The applicant mentioned they did everything that was expected of them, but it was required for them to pave and improve the parking area and that hasn't been completed. Is there a disconnect there?
 - Correct, that did not happen. When the grading permit came in, it didn't seem like the best approach to that parking area. Since the design could not be more integrated similar to the original approval, staff thought the reconfiguration required an amendment to the underlying land use approval or it should go back to revegetating the area.
- What is staff's sense on where people will go if they are not using this auxiliary parking?
 - The applicant stated it will mostly be for community events and using the public right-of-way on the Prosser Dam Road and Henness Road. That seems to be an appropriate use of the public right-of-way.
- The applicant decided to book events 8-9 months ahead. Did staff discuss with the applicant and encourage them not to book those events since they didn't have approval yet?
 - That is a tricky one because with those events they have to be booked so far out. it isn't necessarily on staff's radar to think about the weddings at Gray's Crossing to be honest. The applicants are well aware they said they would get this Old Greenwood House up and running by 2021-2022. It seemed like they were making good progress with the Old Greenwood House Zoning Clearance approval and with the building permit. Unfortunately, they were not able to pull the permit quickly enough to do the renovations. There were no conversations with staff regarding the bookings but the applicant was well aware of the timelines.
 - Staff was also not aware the applicant was coming back this year so since staff didn't know they were going to do this, staff couldn't have known to give them a preemptively warning to not book events.
 - It sounds like the financing was another factor the applicants weren't anticipating, they likely thought they would get their building permit going and be able to do the work last summer and there was a curveball with financing and the multiple reviews with their building permit. Three revisions is a lot, so there would many things that were not anticipated.
- Has there been a demo inspection?
 - There has not been a demo inspection, but the permit has been pulled and paid for.
- Why does the applicant keep a complaint log, shouldn't the authorities keep that log?
 - The idea was that they would call them, and they could remediate the issue as soon as possible. Agree it is a flawed system but there isn't a way to check.
 - It could be done differently, recalling other projects- it is a similar process. Staff does check in and see if there have been complaints filed, and staff are available to take complaints as well.

- Does revegetating need a plan submittal?
 - No, they need to revegetate without plans and the Town will go out and do an inspection.

Clarifying Questions for Applicant:

- You said you pulled your permit and started construction; did you have the demo inspection?
 - Believe all of that has taken place.
- Do you know where you are in the process of rehabilitating this building?
 - It has been a week so currently marking and getting ready for demolition prior to renovation.
- Has there been a demo inspection?
 - Unsure.
- Why would you book events without a guarantee there is a place for these people to go?
 - It was assumed the building permit process would be quicker. It was not known the regulations to get the loan approval would require the permit in hand.
- If the Planning Commission denies this permit tonight, what will you tell the people who have already booked events?
 - There have been and will continue to be hard conversations and refunding deposits to the customers.
- There have been canceled weddings, but still have one every weekend?
 - Not currently. With the current cancellations there are 14 private events this summer starting in June and 1 in October. It is not every single weekend anymore.
- Is that going to make a difference in the Planning Commission's decision? The private events dropped from 20 to 14.
- Do you know why the parking did not get paved originally?
 - Unsure the exact reason. The only big need for the parking lot to be paved was for the public events.
- Are they planning on paving or rehabilitating the area?
 - To my knowledge the plan is to revegetate the area.
- Since the renovation is starting now, and since it is mostly interior, is there any way things will be ready in 4 months?
 - No, there is earth work that needs to be done and with moratorium until May that will not begin.
- Is the golf cart storage conversion still on the table?
 - Don't believe so.
- Do these events affect the solvency of the company?
 - Yes, the events help offset the losses which occurred by operating all of those venues including the golf course and PJ's.
- If you couldn't have amplified music until 10pm, does that put you out of business in the start?
 - It would be a significant impact to the business, yes.

Vice Chair Tarnay Opened Public Comment

Public Comment:

Mike Rogers, Resident of Gray's Crossing:

Asks the Commission to focus on the greater public good. The Town has been more than lenient on the previous extensions. Some have not materialized like the parking. Gray's Crossing is a neighborhood and currently more than 50% of residents are full-time residents. The noise after

8PM and the traffic is not fair to residents. The private events are the issue.. Feels the town has bent over backwards trying to work with them.

Robin Hensley, Resident of Gray's Crossing:

Here to object the approval. Asks to please read the public comments in full to make an informed vote. Tahoe Mountain Club has been selling these weddings out of the permit process. Regarding the noise complaints- states residents do not call to complain the night of the event because it is someone's wedding. Doesn't feel the permit should be approved.

David Gray, Resident of Gray's Crossing:

Feels the issues are noise and every event is extremely audible on the patio. The sound travels really well. There is a difference between a private event where the community gets no access; at least the concerts benefit the community a- large and a lot of people in the community attend them.

Mike Brown, Resident of Gray's Crossing:

Gives the example of a neighbor having a 200-person party every weekend. The PC is here to represent the community. These private events do not serve the community. This temporary permit has been going on for four years even during COVID. The process being delayed shouldn't be put on the Town. They used to use the fife, music travels and cuts through. This is a major problem for the entire community.

Adiran Kimber, Resident of Gray's Crossing:

Lives on the other side of Gray's Crossing over half a mile away as the crow flies and can still hear the music. Feels the music is too loud. Feels the accountability over the past four years hasn't been there. Doesn't feel like the residents have been treated respectfully.

Kathy Allor, Resident of Gray's Crossing:

Agrees with all neighbors' public comments. Doesn't feel they should be able to have events at PJ's. Wants to make sure it is not just amplification of music; large bands could also be something discussed and not approved.

Vice Chair Tarnay closed public comment.

Staff Responses to Public Comment:

None.

Applicant Responses to Public Comment:

None.

Deliberation:

- Appreciative of the public coming out and aware this is still an issue prior to the first permit being pulled.
- Wants to represent the community and the community's best interest.
- Doesn't feel the applicant has been making a good faith effort.
- Struggle with supporting staff's recommendation to approve for the year.
- Wonder if Old Greenwood has the space. Are there places these people could still have their events while they wait for the Old Greenwood House to be completed.
- Agree this should no longer continue.
- Feels this should follow the rules of Tahoe Donner and their events.
- Wondering if we were to go with staff's recommendation, since there are only 14 events this year- Is there a way to limit to the 14 or currently booked weddings for the year? And limit

to only allowing currently booked weddings? If someone cancels, they wouldn't be able to sell their spot to someone else.

- It does seem like the applicant wasn't booking without approval. They thought they would have the new location ready when taking the bookings.
- Personally, lives in Sierra Meadows and can hear the music from Music in the Park and deals with the noise as well as the traffic.
- Feels the benefit of the private events to the community is to keep the solvency of the golf course and fitness center so they don't go under and can be open to the community.
- Permitting a single-family home is very different than the process of permitting a commercial building; so, doesn't feel the two can be compared.
- Likes the idea stated before- just allowing the events that are currently booked.
- There seems to be universal support for the public concerts that end at 8pm. That seems unfair to be okay with letting the public concerts amplify their music until 8pm but not allowing the private events to do the same.
- Agrees with the public comment mentioning the live bands. Music from a live band with instruments will likely be just as loud as amplified music.
- Interested if the Planning Commission would be open to allowing amplified music for the 14 sold weddings until 8pm and if that would allow the fitness center and the golf course to remain solvent.
- The solvency wasn't raised as a factor to consider in this meeting.
- It was raised every other time.
- Solvency means nothing to the other two commissioners.
- Feels like we have to look at what is in front of us.
- Can the weddings be held during the day and be completed by 8pm, maybe also add a condition if the event is over 100 guests or 75 guests require a shuttle to alleviate the car traffic?
- In support of the shuttle condition.
- Not so sure about the amplified music going to 8pm at a wedding.
- Codes exist to protect all three entities.
- The neighbors willingly moved across the street from a golf course and restaurant and a place that holds community concerts 14-15 times a year.
 - **Staff:** The concerts were not part of the original project. The concerts were added when Paradigm8 took over. They were not with the original developer of Gray's Crossing. Doesn't feel it is fair from a neighborhood perspective to say the neighbors anticipated that would have been part of what was happening at that location. They likely understood there would be golf events because of the golf course being there.
- There is zero public pushback on the public events. Feels it is a problem the community doesn't have an issue with amplified music if they can attend, but has an issue with it if they cannot attend. 100% supporting the 8pm amplified music, not 10pm.
- Sees a wedding as a private unique experience and everyone around receives the impact. The public music events are a community benefit because they are open to everyone.
 - **Staff:** Maybe there is a compromise in what the Planning Commission is discussing- let the 14 weddings continue and add additional music events for the community so there is a shift in balance since the neighbors enjoy having the public music events. Is there something to discuss there?
- They only have 14 as of now, and if some or all cancel on their own, there is a possibility there could be zero weddings.
- Feels they shouldn't be allowed to resell the spots if one of the 14 drops out.
- Is that something we can regulate and keep tabs on?
 - **Staff:** It would be a challenge. They could give us a list of who they have now, and we could check it again. Most of the times there is a contract so we could look at their current contracts and monitor it that way.
- Feels neutral on the shuttles.
- Like the idea of not having music after 8pm.

- **Staff:** Staff's recommendation is to no longer allow any amplified music or any amplification at all for private events, but the four community concerts would be allowed to have amplified music until 8pm and that would start this year. Based on the continuous complaints received over the last five years.
- Feels this would be very disappointing to the people who booked their wedding to not have a band or any amplification of any sort. Can't envision a wedding without any amplifications. So willing to say allow it until 8pm and have a daytime wedding.
- Doesn't feel there will be any weddings if there is no amplification. Even guests getting up to speak might not be heard.
- If these were daytime weddings with amplified music and everything is done by 6pm, could the restaurant open at 7pm for the public to be a win-win?
- No, that wouldn't be feasible to do both in one day.
- Would be comfortable with amplified sound if done by 6pm.
- Feels even an 8pm end time for the amplified music will cancel people out.
- The people who signed up for these events didn't know they were tentative.
 - **Staff:** If it helps to understand where staff's recommendation is coming from – Staff recognizes these weddings were booked so that any change is going to potentially cause a cancelation or a change in plans. Staff is trying to potentially have the venue still available even though we should have had a TUP come in last year, not a month or so before these weddings. Staff sees this as a compromise so the people who still want to have their wedding at this location could do so, but the primary concern is staff is hearing the neighbors are finding the noise to be intrusive and a nuisance. Staff's approach was to let the events still go on, but without any kind of noise the neighbors are hearing throughout the community.
- Still struck by the special events schedule being every single weekend and sometimes Friday and Saturday.
- Now that they're down to 14, that is a big drop.
- They are losing weddings because the venue is not ready.
- Feels we should go with staff's recommendation but bring the amount of private events down to the 14 that are currently booked.
- Supports the no amplified music and needs to have a shuttle if the event is more than 100 guests.
- Feels the venue is going to get 100% cancelations with no amplified music allowed.
- Maybe that is a win-win then.
- Also like the idea of allowing more public events.
- Would like to write a condition of approval to stick to the 14 events that are booked now and allow for an increase in the community concerts.
- Would also like to add a condition that 100 guests would trigger the shuttle bus requirement.
- Let's add as many public concerts that gets them to the 24 allowed events.

A motion was made by Commissioner Clarin and seconded by Commissioner Riley to adopt Resolution No. 2023-02, determine the project categorically exempt from CEQA per Section 15304(e) (Minor Altercations to Land) and approve the Temporary Use Permit based on the recommended findings and subject to the recommended conditions of approval, with the following amendments:

- **Condition of Approval 6: Reduce the allowed private events from 20 to 14 (dates to be provided by the applicant) and increase the allowed community events from four to 10. No new private events can be scheduled if any of the private events are canceled after February 21, 2023.**
- **Condition of Approval No. 19: Reduce the threshold for shuttle service requirements from 175 guests to 100 guests.**

Ayes: *Vice Chair Tarnay, Commissioner Riley, Commission Clarin*

Noes: None
Absent: Commissioner Fraiman
Abstain: None
Recused: Chair Gove.

The motion passed 3-0.

8. Staff Reports

None.

9. Information Items

- The town is approaching adoption of the General Plan, Downtown Plan and the Certification of the EIR.
- There will be back-to-back meetings on Tuesday, March 21st and Wednesday, March 22nd.
- The Council will be doing the same process on Tuesday, April 11th, potentially for a final decision.
- Hoping to get all documents out 2 weeks prior to the March meetings.
- We can accept written public comments as well as verbal in person.

10. Commission Member Reports

Vice Chair Tarnay:

Attend the public transportation workshop - part of a Council meeting.

Commissioner Riley:

None.

Commissioner Clarin:

Reading the General Plan Update.

11. Adjournment at 6:53PM To the next meeting of the Planning Commission, March 21, 2023, 5:00 PM at 10183 Truckee Airport Road, Truckee, CA 96161.

Respectfully submitted,

Kayley Metroka