

Town of Truckee

California

PLANNING COMMISSION RESOLUTION NO. 2005-02

A RESOLUTION OF THE TOWN OF TRUCKEE PLANNING COMMISSION APPROVING A PLANNED DEVELOPMENT FOR THE PIONEER COMMERCE CENTER – PHASES 1, 2, AND 3

WHEREAS, the Town of Truckee Town Council on May 17, 2001 adopted Resolution No. 2001-25, thereby approving a planned development for Phases 1 and 2 of the Pioneer Commerce Center project (Land Use Application No. 00-111), and the Planning Commission on May 8, 2002 adopted Resolution No. 2002-11, thereby approving minor modifications to the planned development; 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 several modifications to the approved planned development; 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 planned development for Phases 1, 2, and 3 of the Pioneer Commerce Center as set forth in Exhibit A, Planned Development, attached hereto and incorporated herein.

BE IT FURTHER RESOLVED, the planned development approved by Town Council Resolution No. 2001-25, as set forth in Exhibit A of that resolution, is hereby superseded by this resolution.

BE IT FURTHER RESOLVED, the Planning Commission hereby adopts the findings set forth in Exhibit B, Findings, in support of approval of the planned development, 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 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

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EXHIBIT A

PLANNED DEVELOPMENT

The following modifications to the Development Code are hereby adopted for the property described as follows: Parcels 1 to 13, as shown on Parcel Map No. 01-076, filed on the 8th day of October, 2002, in Book 19 of Parcel Maps at Page 95, Document No. 2002-0040392, Nevada County Records. For purposes of this planned development, Phase 1 shall mean Parcels 5 to 11 and that portion of Parcel 13 south of Pioneer Trail; Phase 2 shall mean Parcels 1 to 4 and that portion of Parcel 13 north of Pioneer Trail; and Phase 3 shall mean Parcel 12. If conflicts occur between the requirements of the Development Code and the requirements of the Planned Development, the requirements of the Planned Development shall control.

1. Section 18.12.050 (Floor Area Ratio Criteria) of the Development Code is modified as follows. The maximum cumulative floor space allowed for Phases 1 and 2 shall not exceed 235,600 s.f. of gross floor area.

2. In accordance with Section 18.58.140.F (Mixed Use Development – Allowed Land Uses) of the Development Code, the following commercial uses that are not otherwise allowed in the Manufacturing/Industrial zoning district shall be deemed permitted uses in Phases 1 and 2:
 - Health / fitness center
 - Indoor recreation center
 - Membership organizational facilities
 - Schools - Public and private
 - Convenience store
 - Alcoholic beverage sales, other than beer and wine
 - Plant nurseries and garden supply stores
 - Retail stores - General merchandise
 - Second hand stores
 - Banks and financial services
 - Car wash
 - Business and professional offices
 - Repair / maintenance - Consumer products
 - Ice skating rinks
 - Libraries and museums
 - Outdoor commercial recreation
 - Theaters and meeting halls
 - Auto part sales
 - Furniture, furnishing and equipment stores
 - Restaurants – Counter service / table service
 - Bars and drinking establishments
 - Automated teller machines
 - Business support services
 - Medical services - Clinics and labs
 - Personal services
 - Broadcasting studios

3. The following uses, listed as conditional uses in the M zoning district, shall be deemed permitted uses in Phases 1 and 2:
 - School – Specialized Education and Training
 - Employee Housing

- Live/Work Quarters
 - Child Day Care Facilities
 - Veterinary clinics, animal hospitals, kennels, and boarding uses
 - Commercial parking and vehicle storage
4. The maximum cumulative floor space for commercial uses in Phases 1 and 2 shall not exceed 55,660 s.f. of gross floor area. Of this 55,660 s.f. of gross floor area, retail floor space shall not exceed 7,200 s.f.; gym or health fitness floor space shall not exceed 6,500 s.f.; and floor space for a deli/restaurant shall not exceed 2,500 s.f. Commercial floor area within an manufacturing / industrial business approved in accordance with Section 18.58.040 (Accessory Uses – General Standards) of the Development shall not be counted towards this maximum cumulative floor space.
 5. Section 18.46.070 (Scenic Corridor Standards) of the Development Code is modified as follows.
 - a. Buildings, structures, and parking areas in Phase 1 shall be allowed at distances less than 100 feet from the Interstate 80 right-of-way as depicted on the site plan approved by Town Council Resolution No. 2001-25.
 - b. Buildings and structures in Phases 1 and 2 may have a height of greater than 25 feet within the scenic corridor area as depicted on the site plan and building elevations approved by Town Council Resolution No. 2001-25.
 - c. Buildings and structures in Phase 3 that are setback a minimum distance of 100 feet from the Interstate 80 right-of-way may have a height of greater than 25 feet.
 - d. Buildings, structures, and parking areas on Lots 4, 5, 6, 7, 8, and 9 in Phase 3, as shown on the approved tentative map for Phase 3, Exhibit A of Commission Resolution No. 2005-05, shall be setback a minimum of 50 feet from the Interstate 80 right-of-way.
 6. The open space requirement for the Manufacturing / Industrial zoning district, as set forth in Table 2-8, is modified as follows.
 - a. The open space requirement for Phases 1 and 2 shall be the open space as depicted on the site plans approved by Town Council Resolution No. 2001-25 for Phase 1 and Planning Commission Resolution No. 2005-03 for Phase 2.
 - b. The open space requirement for Phase 3 shall be as follows: The minimum open space for Lots 10 and 15 as shown on the approved tentative map shall be 2.6 acres, and the minimum open space for the remaining parcels shall be 20%.
 7. The Planning Commission shall be the review authority for all land use applications, including zoning clearances and minor use permits, for development and uses on Lots 4, 5, 6, 7, 8, and 9 in Phase 3, as shown on the approved tentative map for Phase 3, Exhibit A of Commission Resolution No. 2005-05.

8. Outdoor retail, storage, and activity areas shall be prohibited on Lots 4, 5, 6, 7, 8, and 9, in Phase 3, as shown on the approved tentative map for Phase 3, Exhibit A of Commission Resolution No. 2005-05.
9. Woodstoves and other wood-burning devices shall be prohibited on all parcels in Phases 1, 2, and 3.

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EXHIBIT B

FINDINGS

1. The proposed development is:

A. Allowed within the subject zoning district;

The allowed uses are primarily manufacturing and industrial which are allowed in the Manufacturing/Industrial (M) zoning district. The commercial uses are allowed as part of a mixed use development in accordance with Section 18.58.140 of the Development Code.

B. Generally complies with all applicable provisions of the Development Code and Public Improvement and Engineering Standards relating to both on- and off-site improvements that are necessary to accommodate maximum flexibility in site planning and property development and to carry out the purpose, intent, and requirements of the respective zoning district, including prescribed development standards and applicable design guidelines; and

Except for the floor area ratio, open space requirements, and scenic corridor standards, the project complies with all applicable provisions of the Development Code and PIES, as discussed in the findings contained in Commission Resolution Nos. 2005-03 and 2005-05.

C. Consistent with the General Plan, any applicable Specific Plan, the Trails Master Plan, and the Particulate Matter Air Quality Management Plan.

The project is consistent with the General Plan, Trails Master Plan, and AQMP, as discussed in the findings contained in Commission Resolution Nos. 2005-03 and 2005-05.

2. The proposed project would produce a comprehensive development of superior quality than which might otherwise occur from the strict application of the provisions and standards identified in the Development Code.

This finding is supported by the discussion in the "Planned Development Modifications" section of the February 9, 2005 Commission staff report and the findings contained in Council Resolution No. 2001-25.

The modifications to the scenic corridor standards in Phase 3 are based on the specific characteristics and circumstances of the property and future development in Phase 3. The conditions prohibiting outdoor storage and activity areas, maintaining a setback of 50 feet, and requiring review by the Planning Commission for the lots

adjacent to I-80 and special design guidelines for all development will produce development of superior quality in Phase 3

3. 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 Commission Resolution Nos. 2005-03 and 2005-05.

4. The approval of the Planned Development 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.

5. The design, location, size, and operating characteristics of the proposed development 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 Commission Resolution Nos. 2005-03 and 2005-05.

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 the 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 Commission Resolution Nos. 2005-03 and 2005-05.

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 Commission Resolution Nos. 2005-03 and 2005-05.

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 Commission Resolution Nos. 2005-03 and 2005-05.