

**TOWN OF TRUCKEE
California**

RESOLUTION 2024-12

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF TRUCKEE UPHOLDING THE
PLANNING COMMISSION'S DECISION, DENYING THE APPEAL OF THE VILLAGE AT
GRAY'S CROSSING CAR WASH, APPROVING THE VILLAGE AT GRAY'S CROSSING CAR
WASH, AND FINDING IT EXEMPT FROM FURTHER ENVIRONMENTAL REVIEW**

EXHIBIT "C"

FINDINGS

DEVELOPMENT PERMIT FINDINGS

1. The proposed development is allowed by Article II (Zoning Districts and Allowable Land Uses) within the applicable zoning district with the approval of the applicable land use permit and complies with all applicable provisions of this Development Code, the Municipal Code and the Public Improvement and Engineering Standards.

The project is located within the Gray's Crossing Specific Plan Area, which is the primary regulatory document for the area. The project is located within the Village Center District and Neighborhood Commercial (CN) zoning district of the Gray's Crossing Specific Plan; "Gas station/car wash" is a permitted use within the Village Center District. The Gray's Crossing Specific Plan does not identify standards for setbacks, site coverage, signage, lighting, or snow storage. For reference, the Development Code standards for the Neighborhood Commercial (CN) zoning district are included in the Planning Commission staff report dated January 16, 2024. Where a specific Gray's Crossing standard is provided, the Gray's Crossing standard is the governing standard. In general, when there is no standard identified in a specific plan, the zoning ordinance (Development Code) is the default. The Development Code standards for snow storage, parking, signage, and lighting were used in this review. Overall, with incorporation of the conditions of approval, including mitigation measures from the Gray's Crossing Specific Plan EIR, the project is in compliance with the Development Code, the Municipal Code, and PIES. This finding is further supported by the discussion contained in the "Discussion and Analysis" section of the Planning Commission staff report dated January 16, 2024 and the "Specifics of the Appeal" section of the Town Council staff report dated March 12, 2024.

2. The proposed development is consistent with the General Plan, any applicable Specific Plan and/or Master Plan, the Trails Master Plan, the Truckee Tahoe Airport Land Use Compatibility Plan and the Particulate Matter Air Quality Management Plan.

The project site is located within the Gray's Crossing Specific Plan Area land use designation of the 2025 General Plan. This designation allows commercial, residential, recreational, and community facilities. The project is located within the Village Center District and Neighborhood Commercial (CN) zoning district of the Gray's Crossing Specific Plan. "Gas station/car wash" is a permitted use within the Village Center District of the Gray's Crossing Specific Plan. The Gray's Crossing Specific Plan does not identify standards for setbacks, site coverage, signage, lighting, or snow storage. For reference, the Development Code standards for the Neighborhood Commercial (CN) zoning district

are included in the Planning Commission staff report dated January 16, 2024. Where a specific Gray's Crossing standard is provided, the Gray's Crossing standard is the governing standard. In general, when there is no standard identified in a specific plan, the zoning ordinance (Development Code) is the default. Overall, with incorporation of the conditions of approval, including mitigation measures from the Gray's Crossing Specific Plan EIR, the project is in compliance with the General Plan and the Gray's Crossing Specific Plan. The site is located outside of the Truckee Tahoe Airport Land Use Compatibility Plan area and no trails are identified on the project site in the Trails and Bikeways Master Plan but a larger trail system is incorporated into the Gray's Crossing subdivision and along the eastern side of the Village at Gray's Crossing. Conditions of approval and mitigation measures have also been incorporated related to air quality and dust emissions to ensure compliance with the Particulate Matter Air Quality Management Plan. This finding is further supported by the discussion contained in the "Discussion and Analysis" section of the Planning Commission staff report dated January 16, 2024 and the "Specifics of the Appeal" section Town Council staff report dated March 12, 2024..

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.

The proposed building architecture generally meets the intent of the Gray's Crossing Specific Plan and Town's design guidelines. The architecture of a car wash use has challenges due to the nature of the program. Wall articulation and fenestration are generally not required to accommodate the 100-foot tunnel. The applicant has worked with staff on modifying the design to be more consistent with the Village at Gray's Crossing and the design guidelines of the Specific Plan, including reducing the "box-like" design and adding roof articulation, where possible. The materials proposed are consistent with the Village at Gray's Crossing and primarily includes metal batten siding and vertical and horizontal wood siding, which are consistent with the Gray's Crossing Specific Plan. The polycarbonate door is considered a plastic, vinyl, or similar material which is typically discouraged by the Town's design guidelines. However, due to the nature of a car wash tunnel, which requires customer occupancy in their idling vehicles, a clear door that lets in light and can withstand impact is appropriate. Additionally, the polycarbonate door is necessary to attenuate noise that may impact neighboring properties. This finding is further supported by the discussion contained in the "Discussion and Analysis" section of the Planning Commission staff report dated January 16, 2024.

4. The land use permit 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.

The Town certified the Gray's Crossing Specific Plan Final Environmental Impact Report (SCH #2002072115) in February 2004 based on a finding that the Gray's Crossing Specific Plan will not result in significant environmental impacts with the incorporation of mitigation measures with the exception of Impact 4.4.6 (Cumulative Air Quality) and Impact 4.2.12 (Cumulative Traffic on I-80) for which the impacts are identified as significant and unavoidable and overriding considerations were adopted. It is staff's opinion that the mitigation measures developed for the project are adequate in meeting

the requirements of the California Environmental Quality Act (CEQA) as well as the goals and policies of the General Plan. The project is determined to be exempt from additional environmental review pursuant to Public Resources Code Section 21083.3 and State Section 15183, Project Consistent with a Community Plan or Zoning of the California Environmental Quality Act. This determination is based on the following findings:

- a) There are no environmental effects of the Project that are peculiar to the parcel(s) on which the Project would be located, because: (i) there is nothing unique or peculiar about the parcel(s) which would distinguish such impacts from other parcels in Truckee upon which similar uses are located; and (ii) all effects of the Project on the environment will be substantially mitigated by uniformly applied development policies or standards previously adopted by the Town, including but not limited to 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, etc.;*
- b) All environmental effects of the Project were analyzed as in the EIR because the EIR analyzed the full effects of development on the Project site, and the proposed Project is substantially similar to, and no more intense than, the development previously approved and analyzed in the EIR. A traffic analysis, noise study, and emissions study were conducted specifically for the Project and impacts were found to be similar to or less than those analyzed in the EIR;*
- c) There are no potentially significant offsite or cumulative impacts that were not adequately discussed in the EIR because the EIR addressed all reasonably foreseeable, potentially significant offsite and cumulative impacts, including without limitation traffic impacts. Since the certification of the Gray's Crossing EIR, the California Highway Patrol (CHP) facility was constructed by the State of California. This project was not initially envisioned during certification of the Gray's Crossing EIR. However, the EIR for the CHP facility assigned 28 PM peak trips to the project, which is lower than a typical industrial or service commercial project that would have been otherwise developed at the site. Further, a traffic analysis conducted specifically for the Project determined that there were no impacts to traffic even with the constructed CHP facility. A traffic analysis was also conducted for the proposed car wash and no impacts to traffic were identified ; and*
- d) There are no new significant effects or previously identified significant effects that will be substantially more severe than discussed in the EIR as a result of substantial new information which was not known at the time the EIR was certified.*

This finding is further supported by the "Specifics of the Appeal" section of the Town Council staff report dated March 12, 2024.

5. 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.

There are adequate provisions for public and emergency vehicle access, fire protection, sanitation, water, and public utilities and services. The parcel is served by public water and sewer. Additionally, the site is adjacent to parcels that are currently under construction with access from Edwin Way, a privately maintained road with public access. All utility agencies have reviewed the project and no objections were filed and all conditions of approval have been incorporated.

6. The subject site is physically suitable for the type and density/intensity of development being proposed, 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 served by streets adequate in width and pavement type to carry the quantity and type of traffic generated by the proposed development.

The site is physically suitable for the type and density that is being proposed. The project meets the standards of the Gray's Crossing Specific Plan and Development Code. A traffic study was conducted to ensure that no traffic impacts will occur with the development of this project. All parking, landscaping, and snow storage for the site remain on-site. All roadways to serve the project site are existing and in compliance with Town roadway requirements.

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

The project proposes the use of chemical cleaning products in the car wash. The project will be consistent with all Nevada County Environmental Health Department, Tahoe-Truckee Sanitation Agency, and Lahontan Regional Water Quality requirements for treatment of waste water.