

**TRPA
GOVERNING BOARD
PACKETS**

**FEBRUARY
1979**

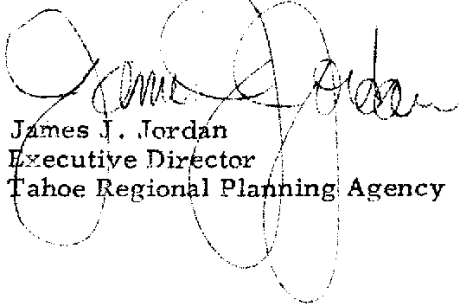
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February 1979

NOTICE OF MEETING OF THE
GOVERNING BODY OF THE
TAHOE REGIONAL PLANNING AGENCY

NOTICE IS HEREBY GIVEN that on February 28, 1979 at 10:00 a.m.
at the North Tahoe Recreation and Visitors Center, located at 8318 North Lake
Boulevard, in Kings Beach, California, the Governing Body of the Tahoe
Regional Planning Agency will conduct its regular meeting. The agenda for
said meeting is attached to and made a part of this notice.

Dated: February 16, 1979


By: James J. Jordan
Executive Director
Tahoe Regional Planning Agency

TAHOE REGIONAL PLANNING AGENCY
GOVERNING BODY

ACTION SHEET
REGULAR MEETING FEBRUARY 28, 1979

<u>Agenda Item</u>	<u>Action Taken</u>
Consent Calendar	Approved
Lake Tahoe Resort and Racquet Club, Administrative Permit for a 212 Room Hotel, Washoe County	Denied
Lakeside Community Hospital, Administrative Permit, Washoe County	Approved with findings and conditions
Southwood Glen, Administrative Permit for a 14 Unit Apartment, Washoe County	Approved with conditions
Boatworks, Modification of a Condition of Approval for an Administrative Permit for a Marina, Placer County	Continued to March at applicant's request
Sahara Tahoe, Modification of Conditions of Approval for an Administrative Permit for a Parking Garage, Douglas County	Continued to March at applicant's request
Harvey's Resort Hotel, Compliance with Previous Approval, Douglas County	Motion failed to accept the staff recommendation for the Governing Body to review the proposed modifications (in conjunction with pedestrian undercrossing to Harrah's Tahoe) under Section 7.12(4) of the Land Use Ordinance which requires an administrative permit for substantial modification to a commercial development of 3 or more acres. Motion carried to find that the proposed modifications are in substantial compliance with the 1973 Harvey's master plan.
General Plan Amendment	
* - 2.26 Acres Owned by Ancel Casentini, Douglas County, General Commercial to Medium Density Residential	Approved with direction to staff to prepare implementing ordinance
- Fairway Pines Property, Washoe County, Low and High Density Residential to Medium Density Residential	Approved and ordinance approved for first reading

<u>Agenda Item</u>	<u>Action Taken</u>
Adoption of Plan for the Attainment of Federal Air Quality Standards (Nonattainment Air Quality Plan)	The Governing Body urged that the Nevada Environmental Commission delay action on a nonattainment plan until after the March 28 TRPA Governing Body meeting. Should the Environmental Commission elect to take action on the Nevada portion of the plan prior to culmination of the bistate planning process, TRPA urges that such action be taken with the express reservation that any adopted plan would be reconsidered by the Commission when the bistate planning process is concluded. This recommendation is to be transmitted to the Nevada Environmental Commission by letter from Chairman Jim Henry.
Discussion of Policy on Grandfathering Shorezone Structures Constructed Prior to 1968	Approval of staff recommendation not to revise the Shorezone Ordinance at this time to grandfather all shorezone structures as of December, 1968. Staff was directed to initiate within the next six months an evaluation of the effectiveness of the Shorezone Ordinance for consideration by the Governing Body.
Determination on Agency Pierhead Line	Staff directed to prepare an ordinance recognizing the official pierhead line maps. A set of maps will be available at the March meeting showing both the Heikka pierhead line and the Williamson pierhead line.
Discussion on Processing Tentative Maps on Nonconforming Properties	No action was taken through failure to reach a dual majority vote from both states on a motion to express an intent to conform with the Land Use and Subdivision Ordinances with respect to processing tentative condominium maps on nonconforming properties.
Interpretation of Agency Action on Administrative Permit for Harrah's Parking Structure Regarding Connection to Loop Road	The Governing Body found that: 1) the opening of the Harrah's parking lot to the Loop Road was not a condition of approval to the parking garage; 2) Harrah's representation to the Board on January 24, 1979 that it intended to connect the parking lot to the Loop Road was a modification of the proposal before the Board, which modification was made prior to the Board's approval on January 25, 1979 of the parking structure

Agenda Item

Action Taken

project; 3) if the connection to be made is different from the one depicted on Sheet 4 dated Aug. 7, 1978 which was before the Board on January 25, 1979, that application would be made to TRPA by Harrah's for an appropriate modification of the permit previously approved; 4) any construction pursuant to the approval or modification thereof should it be necessary shall be in compliance with the Grading Ordinance. All of the foregoing reflects the intention of the Governing Body at its January 25, 1979 meeting as to its action on this project.

Staff Report on Pending Matters

- Cumulative Environmental Impact Assessments To be on the March meeting agenda
- Glenbrook Properties - Local Facilities Determination To be on the March meeting agenda
- On-Premise Signs No discussion
- Stateline Marina Breakwater No discussion

Mar West Ski Association Presentation Continued to 9:00 a.m. Thursday, March 29.

Ordinances

- Second Reading of Grading Ordinance Amendments Approved
- Second Reading of Ordinance Amending the Regional Plan to Incorporate as an Element the Lake Tahoe Basin Water Quality Management Plan Approved
- Second Reading of Ordinance to Implement the 208 Plan Continued to March meeting
- Second Reading of Ordinances Amending Sections 7.103 and 7.13 of the Land Use Ordinance Approved
- First Reading of Ordinance Establishing Indirect Source Review Standards and Procedures Continued to March meeting

TAHOE REGIONAL PLANNING AGENCY
GOVERNING BODY

North Tahoe Recreation and Visitors Center
8318 North Lake Boulevard, Kings Beach, California

February 28, 1979 10:00 a.m.
March 1, 1979 9:00 a.m.

NOTE: There will be a tour of the Tahoe-Truckee Sanitation Agency plant from 4:00 p.m. to 6:00 p.m. on February 28, 1979.

PRELIMINARY AGENDA

- I CALL TO ORDER AND DETERMINATION OF QUORUM
- II APPROVAL OF AGENDA
- III DISPOSITION OF MINUTES
- IV CONSENT CALENDAR
- V AGENCY REVIEW
 - A. Lake Tahoe Resort and Racquet Club, Administrative Permit for a 212 Room Hotel, Washoe County
 - B. Lakeside Community Hospital, Administrative Permit, Washoe County
 - C. Southwood Glen, Administrative Permit for a 14 Unit Apartment, Washoe County
 - D. Boatworks, Modification of a Condition of Approval for an Administrative Permit for a Marina, Placer County
 - E. Sahara Tahoe, Modification of Conditions of Approval for an Administrative Permit for a Parking Garage, Douglas County
 - F. Harvey's Resort Hotel, Compliance with Previous Approval, Douglas County
- VI GENERAL PLAN AMENDMENTS
 - A. 2.26 Acres Owned by Ancel Casentini, Douglas County, Fronting on Kingsbury Grade, from General Commercial to Medium Density Residential
 - B. Property Known as Fairway Pines Located at the Northeast Corner of Village Boulevard and Harold Drive, Washoe County, Nevada, From Low Density Residential and High Density Residential to Medium Density Residential
- VII PLANNING AND POLICY MATTERS
 - A. Adoption of Plan for the Attainment of Federal Air Quality Standards (Nonattainment Air Quality Plan)

- B. Discussion of Policy on Grandfathering Shorezone Structures Constructed Prior to 1968
- C. Determination on Agency Pierhead Line
- D. Discussion on Processing Tentative Condominium Maps On Nonconforming Properties
- E. Interpretation of Agency Action on Administrative Permit for Harrah's Parking Structure Regarding Connection to Loop Road

VIII REPORTS

- A. Staff Report on Pending Matters
 - 1. Cumulative Environmental Impact Assessments
 - 2. Glenbrook Properties - Local Facilities Determination
 - 3. On-Premise Signs
 - 4. Stateline Marina Breakwater
- B. Appeals of Staff Decisions
- C. Executive Session
- D. Business Manager Report
- E. Executive Director Report
- F. Legal Counsel Report
- G. Governing Body Members
- H. Public Interest Comments
 - 1. Far West Ski Association Presentation

IX ORDINANCES

- A. Second Reading of Grading Ordinance Amendments
- B. Second Reading of Ordinance Amending the Regional Plan to Include the Lake Tahoe Basin Water Quality Management Plan as an Element of the Regional Plan
- C. Second Reading of Ordinance Implementing the Lake Tahoe Basin Water Quality Management Plan
- D. Second Reading of Ordinances Amending the Land Use Ordinance
 - 1. Section 7.103 to Allow Land Coverage Not to Exceed 50% in the Public Service Land Use District
 - 2. Section 7.13 to Clarify Calculation of Limitations on Building Height

- E. First Reading of Ordinance Establishing Indirect Source Review Standards and Procedures
- F. First Reading of Ordinance Amending the Regional Plan for Property Known as Fairway Pines, Reclassified to Medium Density Residential, Washoe County

- X RESOLUTIONS
- XI PENDING MATTERS
- XII OTHER BUSINESS
- XIII ADJOURNMENT

CONSENT CALENDAR

<u>Item</u>	<u>Recommended Action</u>
Clearinghouse	
U.S. Forest Service, Lake Tahoe Basin Management Unit Acquisitions, Placer County	
1. 83.5 Acres 1/2 Mile West of Tahoe City	Support
2. 69.8 Acres 1/2 Mile North of Tahoe Vista	Support
3. .34 Acre 1 Mile North of Tahoe Pines	Support
Public Works	
Nevada Department of Highways, Mt. Rose Highway (Rt. 27) Improvements, Washoe County	Support
Agency Review	
Woodminster Tentative Map, Modification of Prior Approval to Permit Minor Building Relocation and Additional Land Coverage, Washoe County	Approval
North Shore Club, Modification of Condition of Approval Requiring Commencement of Construction Within 18 Months of TRPA Approval, Washoe County	Approval
Star Lake Investments Office Building, Administrative Permit for Replacement of Nonconforming Land Coverage, City of South Lake Tahoe	Approval



TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY AND RECOMMENDATION

Clearinghouse

U.S. Forest Service

Acquisitions: 83.5 Acres 1/2 Mile West of Tahoe City, Placer County
69.8 Acres 1/2 Mile North of Tahoe Vista, Placer County
.34 Acre 1 Mile North of Tahoe Pines, Placer County

Summary

The U.S. Forest Service is proposing to acquire approximately 154 acres of land in Placer County in three separate transactions. The acquisitions include 83.5 acres of land immediately adjacent to Tahoe City; 69.8 acres of land adjacent to the North Tahoe Public Utility District Regional Park in Tahoe Vista; and .34 acre parcel just north of Eagle Rock being donated to the Forest Service.

Tahoe Vista Property

This proposed acquisition abutts the North Tahoe Public Utility District Regional Park on the northerly and westerly boundaries of the park, with National Forest lands immediately to the east of the proposed acquisition. The subject property consists of approximately 13 acres of General Forest land, 14 acres of Recreation land, and 42 acres of Low Density Residential land. The property is relatively flat, with the exception of the General Forest section at the north-west corner of the property which is steep. The property is covered with native fir and pine trees.

TRPA Plans: The urban uses possible under the TRPA Land Use Plan would allow up to 170 units on the subject property, principally on the Low Density Residential land. This potential is reflected in the adopted Recreation Element, as well, which includes the subject property in the "Urban" classification, rather than the "Natural Environment Area" classification that would be more reflective of the intended dispersed recreation uses contemplated by the Forest Service. The adjacent Regional Park is identified as a day use recreation area on the adopted Recreation Plan, however, and the proposed uses under the Forest Service acquisition would compliment the day uses of the park by offering more extensive ski touring opportunities and similar pursuits.

Present Limitations on the Property: Although the TRPA Land Use Plan would permit approximately 170 units on the subject property, present sewer capacity limitations and the regulations on subdivision of land being imposed by the California Tahoe Regional Planning Agency severely constrain the practical development potential of the property.

Tahoe City Property

This proposed acquisition abutts California State Park land to the north and National Forest land along a portion of the westerly property boundary. The subject property includes approximately 64 acres of land designated General Forest by the TRPA General Plan, and approximately 19 acres of Low Density Residential land. The property is moderately sloped with steeper terrain along the westerly boundary. The vegetative cover is primarily second growth pine and fir trees.

TRPA Plans: The Low Density Residential portion of the subject property would be allowed up to 76 residential units under the TRPA Land Use Ordinance, and is recognized as within the Tahoe City Urban Area under the adopted Recreation Element. The remainder of the property is identified on the Recreation Plan as being appropriate for maintenance as a natural environment area. The intended dispersed recreation use contemplated by the Forest Service is consistent with that identification.

Present Limitations on the Property: As with the Tahoe Vista property, present sewer capacity constraints and the regulations of the CTRPA combine to severely limit the potential for development of the subject property in the foreseeable future.

Tahoe Pines Property

This acquisition is a single General Forest parcel bounded on two sides by National Forest land, and is being donated to the Forest Service.

TRPA Plans: The subject property is designated General Forest on the TRPA General Plan, with a potential for one single family residence. The property is near both the Kaspian Day Use Area and the Blackwood Canyon Area, both of which are recognized as intensive recreation areas in the TRPA Recreation Plan. The subject property is identified as being appropriate for maintenance as a natural environment area.

Recommendation

TRPA staff recommends support of all three proposed acquisitions.

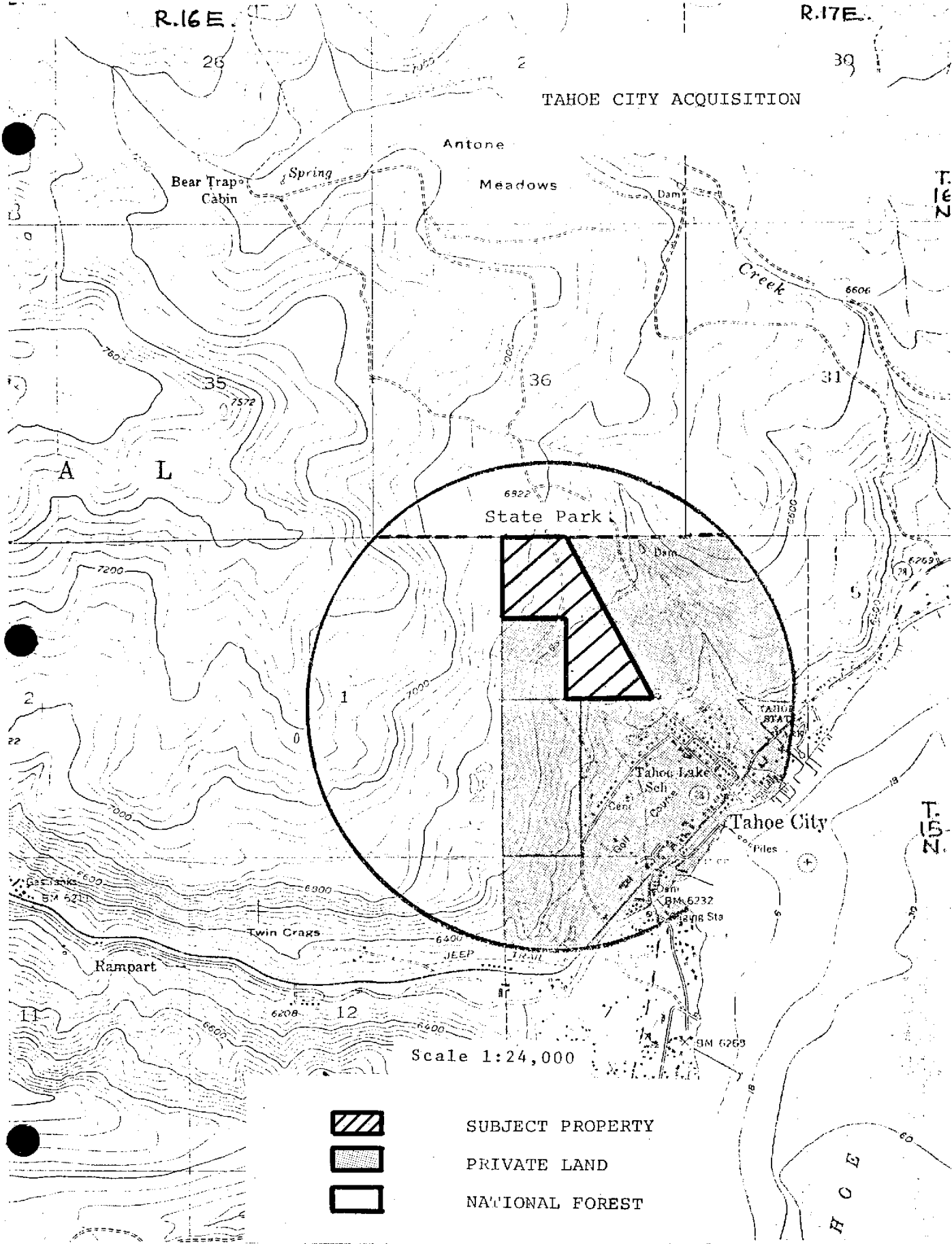
Advisory Planning Commission Recommendation

At the regular meeting of February 14, 1979 the Advisory Planning Commission recommended support of the subject acquisition.

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R.17E.

TAHOE CITY ACQUISITION



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SUBJECT PROPERTY

PRIVATE LAND

NATIONAL FOREST

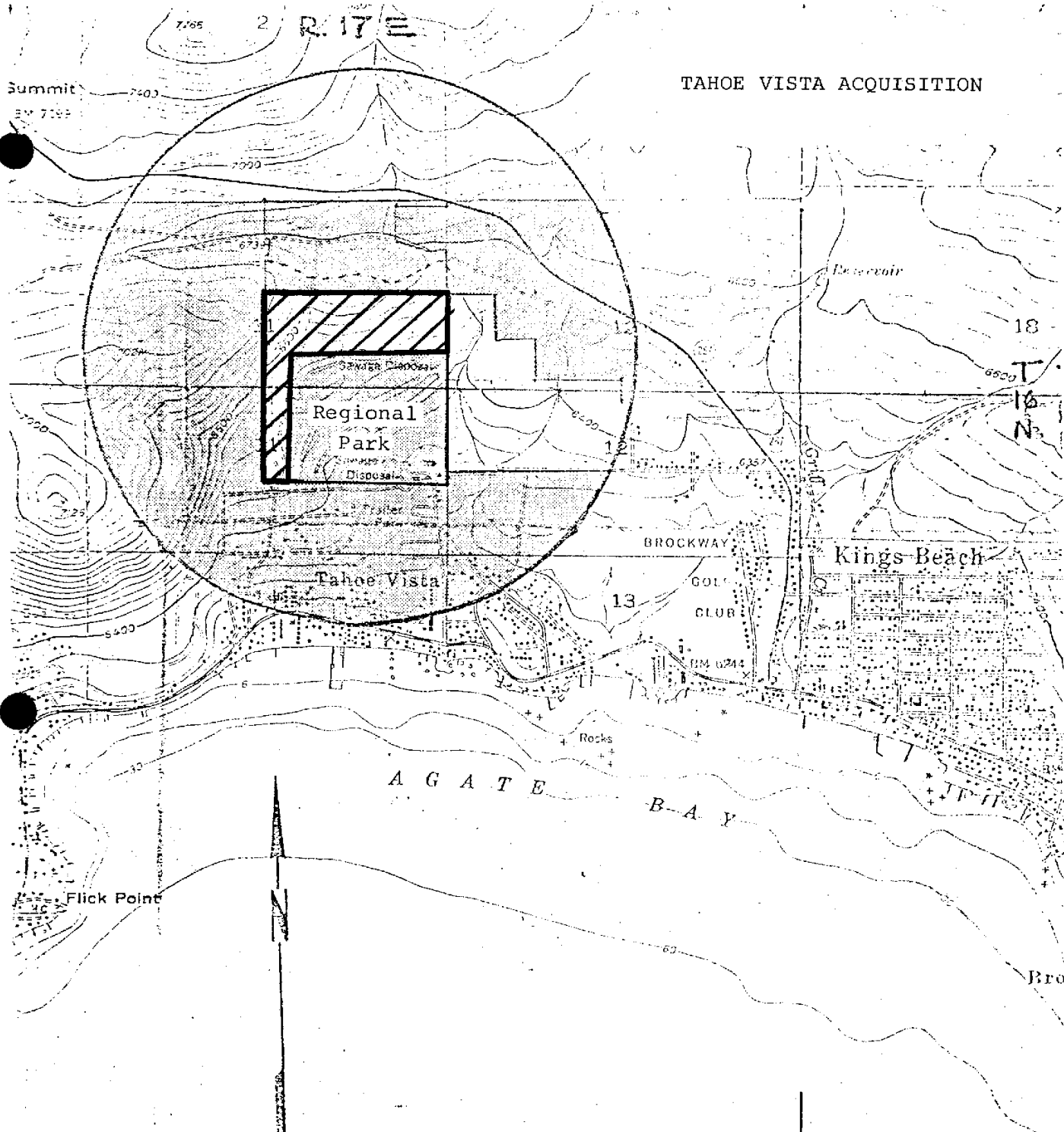
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TAHOE VISTA ACQUISITION

Summit 7500
BY 7188



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SUBJECT PROPERTY



PRIVATE LAND

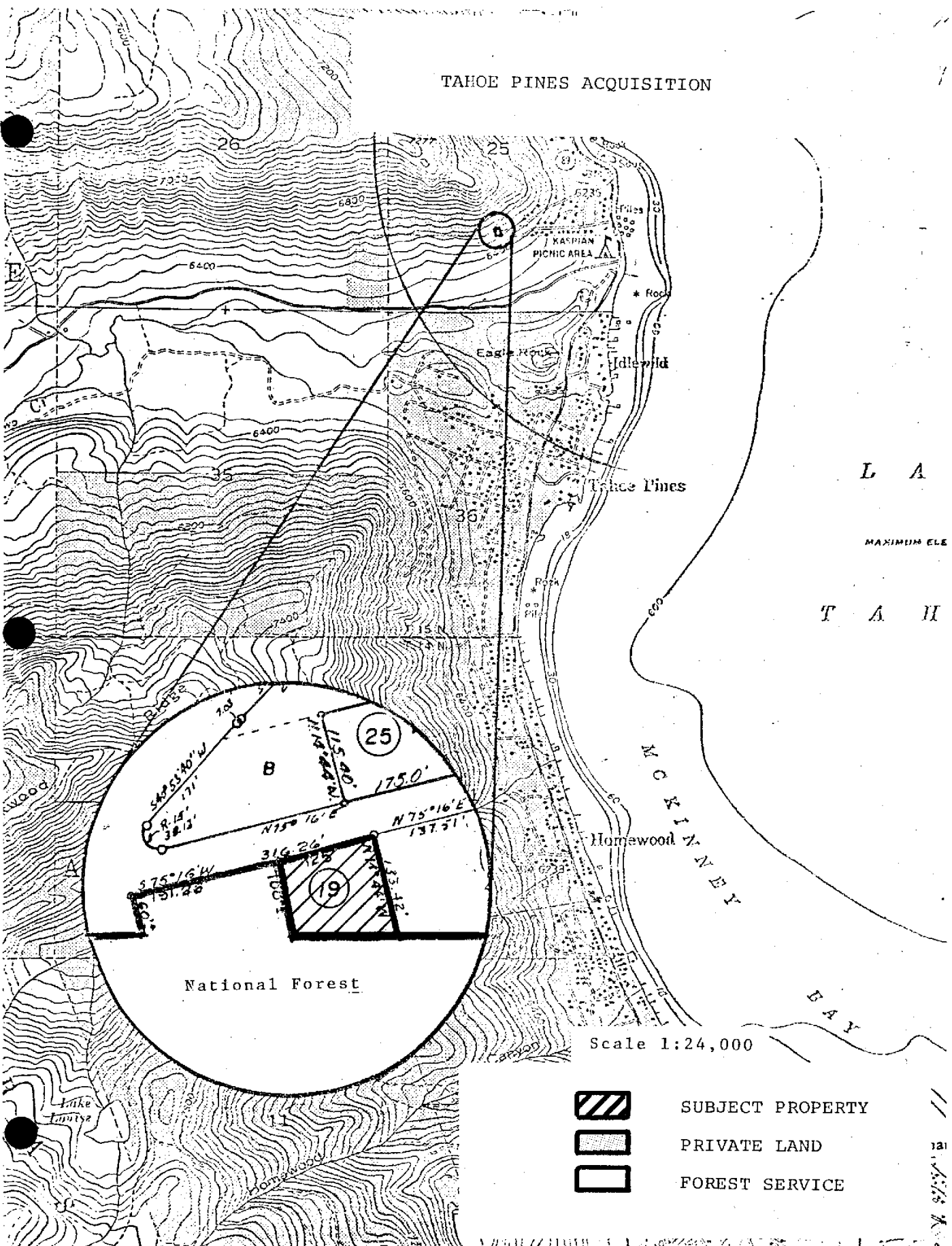


NATIONAL FOREST




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TAHOE PINES ACQUISITION



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-  SUBJECT PROPERTY
-  PRIVATE LAND
-  FOREST SERVICE

121
1/15/58

TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY AND RECOMMENDATION

Nevada Highway Department
Widening of Mt. Rose Highway (SR 27)
Washoe County

Project Description

The Nevada Department of Highways proposes to widen and repave 2.8 miles of the Mt. Rose Highway (SR 27). The currently proposed project begins at the intersection of SR 28 at Incline and connects an already improved section of SR 27 at Panoramic Point overlook, (see attached). Upon completion of the currently proposed project, roadway widening and resurfacing will be completed on SR 18 within the Tahoe Basin. The project is funded with Forest Highway Funds and incorporates substantial erosion and drainage controls which have been successfully demonstrated in the improvement of the adjoining section of highway.

Summary

The existing roadway on the 2.7 mile section of SR 27 will be widened from the present 26 foot paved surface to a 38 foot paved surface providing two 12 foot travel lanes with 7 foot paved shoulders. In addition, a 5 foot paved roadway ditch on a 6:1 slope will be constructed adjacent to cut and fill slopes. Extensive slope stabilization and drainage facilities conforming to the intent of the 208 Handbook of Best Management Practices are an integral part of the project. The project will utilize improved methods for slope stabilization and drainage developed during construction of an adjacent section of SR 27 which have been proven as effective management practices. The widening will closely follow the existing alignment and all work will be within the existing 200 feet right of way. A major benefit of the widening will be improved motorist safety. The project will also benefit water quality by stabilizing existing unstable slopes and correcting existing erosion problems within the highway right of way.

The proposed project includes two contracts. The first contract is for widening and repaving the existing highway, installing drainage structures and slope stabilization. A second contract will be in effect the year following initial construction for further slope stabilization, revegetation and providing for additional drainage facilities necessary to correct any drainage problems resulting from the project.

Slope Stabilization

A variety of methods are proposed to stabilize cut and fill slopes including:

1. 6" riprap with hydroseeding on 2:1 cut slopes
2. Fiberglass roving, 2" surface duff and hydroseeding on 3:1 and flatter cut slopes and on 6:1 fill slopes
3. Rock-filled gabions on 1-1/2:1 cut slopes
4. A concrete barrier curb placed at the toe of 1-1/1:1 cut slopes

5. Cut slopes with wire mesh treatment and concrete barrier curbs with and without underdrains.
6. Hydroseeding with fiberglass roving on 2:1 fill slopes
7. Gabion bench sections on cut slopes with and without concrete barrier curbs and underdrains.
8. Reinforced earth walls in limited areas of new earthen fill.

Previous Agency Action

An adjacent section of the Mt. Rose Highway (SR 27) was reviewed by TRPA in December, 1976. The APC provided favorable comment on the project and additionally recommended that the Nevada Highway Department pursue the commitment of annual Forest Highway Funds to help solve erosion control problems in the Tahoe Basin. The project currently under review by the Agency appears to contain the commitment sought by the APC since a substantial portion of the project cost is for erosion control and correction of drainage problems which result from the existing highway as well as new construction.

The Governing Body also forwarded favorable comments on the project with certain stipulations. All of the applicable stipulations of the earlier project have been incorporated into the design of the current project or otherwise provided for.

The Governing Body also recommended that a Public Hearing be conducted in the Incline area in its December 17, 1976 comment letter on the previous project. According to the Nevada State Highway Department, the Incline Village and Crystal Bay Advisory Committee have been involved in the current design phase and support the project.

Staff Recommendation

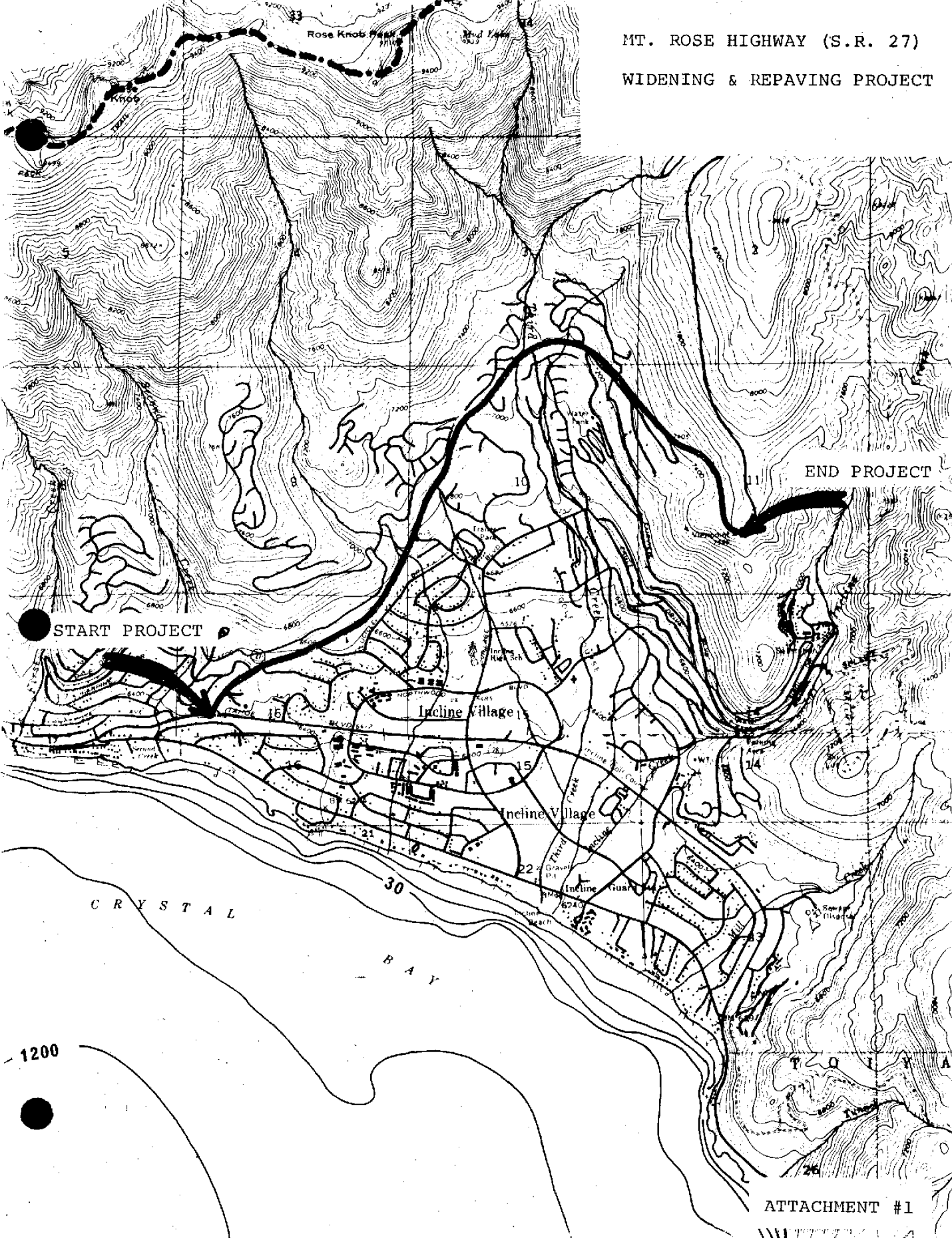
TRPA staff recommends that favorable comments be transmitted on the project with the following condition which has been agreed to by the applicant:

1. Final construction plans should indicate the precise areas of erosion controls and "v" ditches or other means to divert runoff away from cut slopes.

Advisory Planning Commission Action

At its regular February 14, 1979 meeting, the APC voted unanimously to support the project and further recommended that a letter be sent to Nevada commending the Nevada Highway Department for the job done to date on the Mt. Rose project.

MT. ROSE HIGHWAY (S.R. 27)
WIDENING & REPAVING PROJECT



TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY AND RECOMMENDATION

Woodminster Subdivision
Tentative Condominium Map
Modification of Prior Approval
Washoe County

Location and Description

The applicant, Osterlund Enterprises, represented by Milton Sharp of Sharp, Krater & Associates, Inc., is requesting Governing Board approval of a modification to the conditional approval granted by TRPA on June 28, 1978 for the Woodminster Subdivision. The project is located at the southwest corner of the intersection of Village Boulevard and Country Club Drive in Incline Village, Nevada. (See attachment #1) The project consists of 38 2- and 3-bedroom condominium townhouse units. There will be 38 covered parking spaces and 21 uncovered spaces.

The project was recently sold to a new owner. The new owner's architect has made some modifications to the proposed building and parking areas. The modifications will result in an increase of coverage over that approved by TRPA. The modifications do not result in any additional units or increase the proposed building heights.

Land Coverage

Below is a breakdown of the project's allowed coverage, approved coverage, and proposed coverage by land capability districts. (See attachment #2)

	<u>Allowed Coverage Percent</u>	<u>Allowed Coverage Square Feet</u>	<u>Approved Coverage</u>	<u>Proposed Coverage</u>
East Parcel IsD	20%	3,120	3,018	No change
East Parcel IsC	30%	27,990	20,154	21,996
West Parcel IsC	30%	40,772	31,489	37,300
Totals:		71,882	54,661	62,314

The proposed modifications include increasing the size of some of the units, rearranging the proposed parking places to provide concentrated parking, redirecting access walkways to the relocated parking areas, and the addition of another access driveway to a relocated parking area.

Slope Stabilization

The proposed modifications will result in new cut and fill slopes, none of which will be substantial. These cuts and fills will be restabilized according to the submitted slope stabilization and revegetation plan.

Infiltration trenches will be placed around the revised parking areas. The trenches will be designed to handle all stormwater flows emanating from the paved parking areas.

2/15/79

Woodminster Subdivision
Modification of Prior Approval
Washoe County - Page Two

Local Action

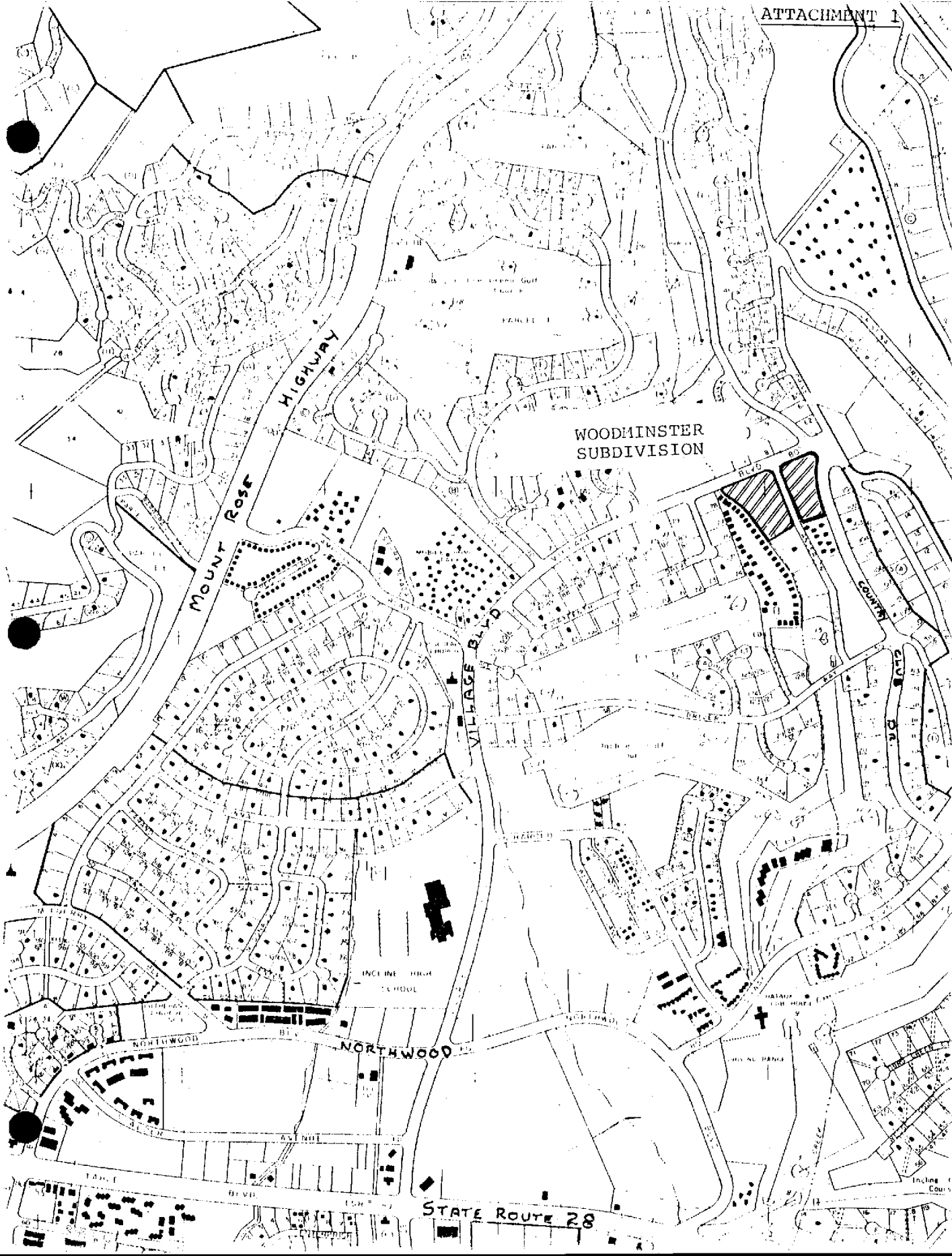
The Washoe County Regional Planning Commission approved the proposed modifications on January 5, 1979.

Recommendation

Agency staff recommends approval of the requested land coverage modifications with the following change to condition 18 of the June 28, 1978 approval:

"The maximum land coverage on the site after completion of the project shall not exceed the amounts of land coverage as stated in this staff summary and recommendation."

2/15/79



WOODMINSTER SUBDIVISION

MOUNT ROSE HIGHWAY

VILLAGE BLVD

NORTHWOOD BLVD

STATE ROUTE 28

INCLINE HIGH SCHOOL

COUNTRY CLUB DR

INCLINE CLUB HOUSE

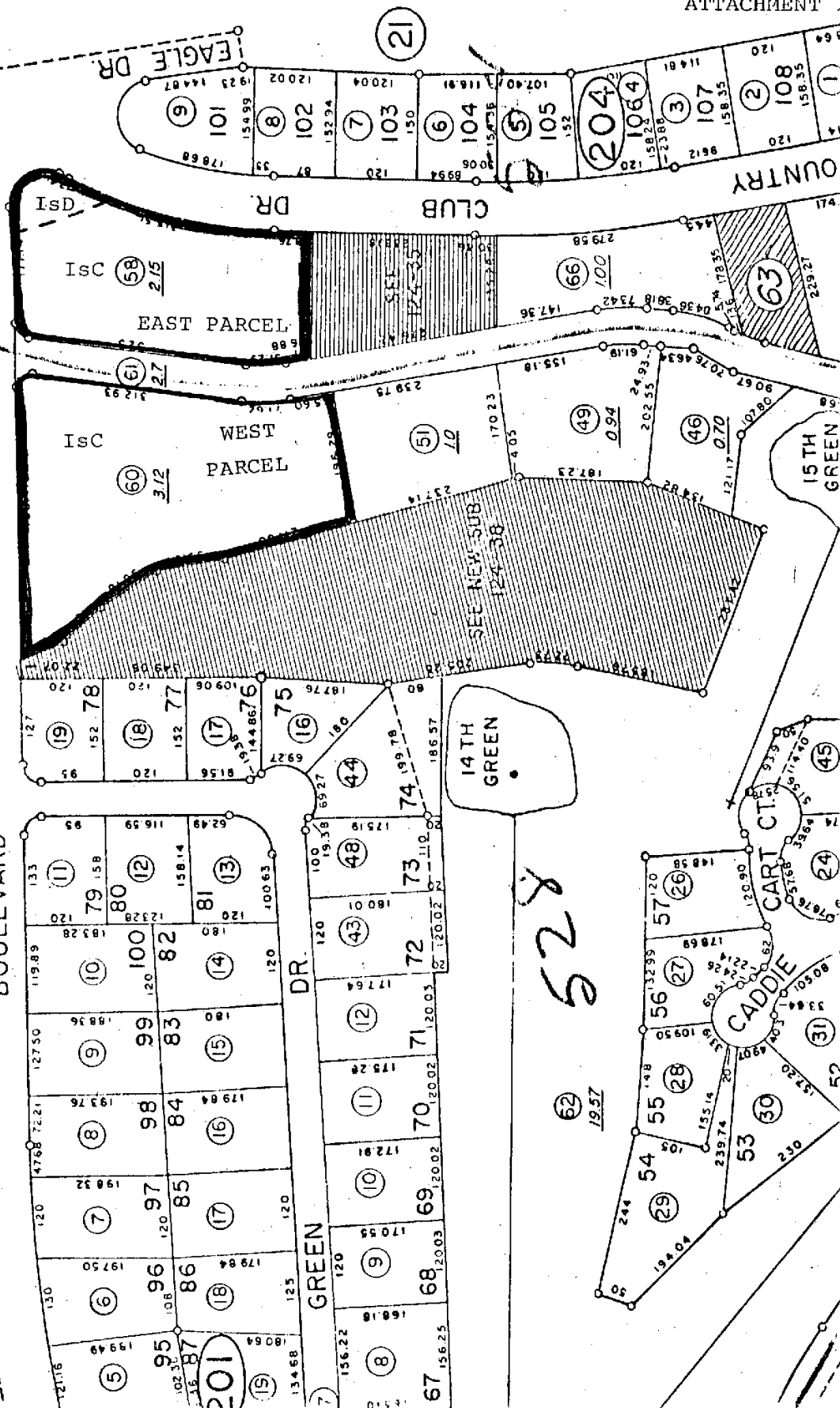
Incline Court

124-20

BOOK 125

FAIRWAY ESTATES NO. 2
PORTION S1/2 SEC. 10 & N1/2 SEC. 15 T16N R18E

BOULEVARD



528

19.57

201

204

21

COUNTRY

15TH GREEN

14TH GREEN

CADDIE

CART CT.

EAST PARCEL

WEST PARCEL

GREEN

DR.

DR

CLUB

DR

EAGLE DR

TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY AND RECOMMENDATION

North Shore Club
Modification of Condition of Approval
for an Administrative Permit for a Hotel and
Parking Structure Addition, Washoe County

Background

The applicant, North Shore Club, Inc., represented by Gregg W. Zive, has requested a modification of a condition of approval for an administrative permit issued by the Governing Board on February 22, 1978. The administrative permit issued will expire if substantial work is not initiated within eighteen (18) months following Governing Board approval (August 22, 1979). The applicant has requested that Condition No. 9 of the administrative permit for a hotel and parking structure addition be modified to allow for additional time to initiate the project. The request is based on delays incurred by the applicant which are legitimately beyond his control due to litigation to determine the validity of approvals.

Requested Modification

North Shore Club requests that Condition No. 9 be modified to allow 18 months after obtaining a final resolution of litigation on the project for initiation of the project.

Staff Recommendation

Agency staff finds the request to be reasonable and recommends that Condition No. 9 of the subject approval be modified as follows:

"Except for delays in work directly resulting from litigation challenging the validity of any approval required for this project, this approval expires eighteen (18) months from the date of Governing Body approval unless substantial work has commenced on the project."

2/20/79

TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY AND RECOMMENDATION

Star Lake Investments
Administrative Permit for the
Replacement of Nonconforming Land Coverage
City of South Lake Tahoe

Project Summary

The applicant, Star Lake Investors, is requesting approval of a replacement of nonconforming land coverage on two parcels located in the City of South Lake Tahoe (Parcel Nos. 31-290-19 and 31-290-20). The project is located at the corner of Lodi Avenue and Highway 50, 1-1/2 miles east of the South Shore Y. The applicant proposes the construction of a 2-story office building with nine offices and 31 parking spaces. In order to proceed with the proposed construction, existing nonconforming land coverage on the two parcels must be removed. (See Attachment #1)

Land Use Classification

The property consists of two land use districts: 1.56 acres of General Commercial adjacent to Highway 50 and .45 acre of High Density Residential located on the rear portion of the project site. The proposed modifications occur only within the General Commercial area. (See Attachment #1)

Existing Land Coverage

The portion of the two parcels adjacent to Highway 50 is currently almost 100% covered with asphalt paving and concrete pads. It has been used as an overnight recreation vehicle parking area and automobile storage area for a nearby auto dealership. The back portion classified both High Density Residential and General Commercial contains an existing mobile home park.

Required Replacement

Under Section 9.21(3)(b) of the Land Use Ordinance: "Nonconforming land coverage other than a building may be replaced... by a building or an extension of an existing building only if other land coverage on the same parcel is removed in an amount which is the lesser of (i) the amount of land coverage created by such building or extension, or (ii) such amount of land coverage so that the total land coverage on the parcel complies with the land coverage limitations of the use and land capability districts within which the parcel is located". The applicant has proposed the removal of an amount of existing nonconforming coverage so that the total land coverage on the project site after completion will be under the 70% allowed in General Commercial. Following is a breakdown of the existing, allowed and proposed coverages within the General Commercial area:

	<u>Square Feet</u>	<u>%</u>
Existing coverage	52,657	77.27
Allowed coverage	47,770	70
Proposed coverage	42,338	62.13

Star Lake Investments
Administrative Permit for the
Replacement of Nonconforming Coverage
Page Two

In order to achieve a site coverage reduction to 62% total land coverage, the applicant proposes to remove 10,313 square feet of existing land coverage.

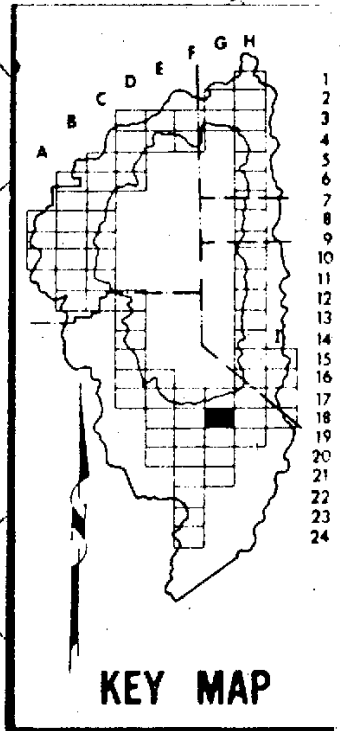
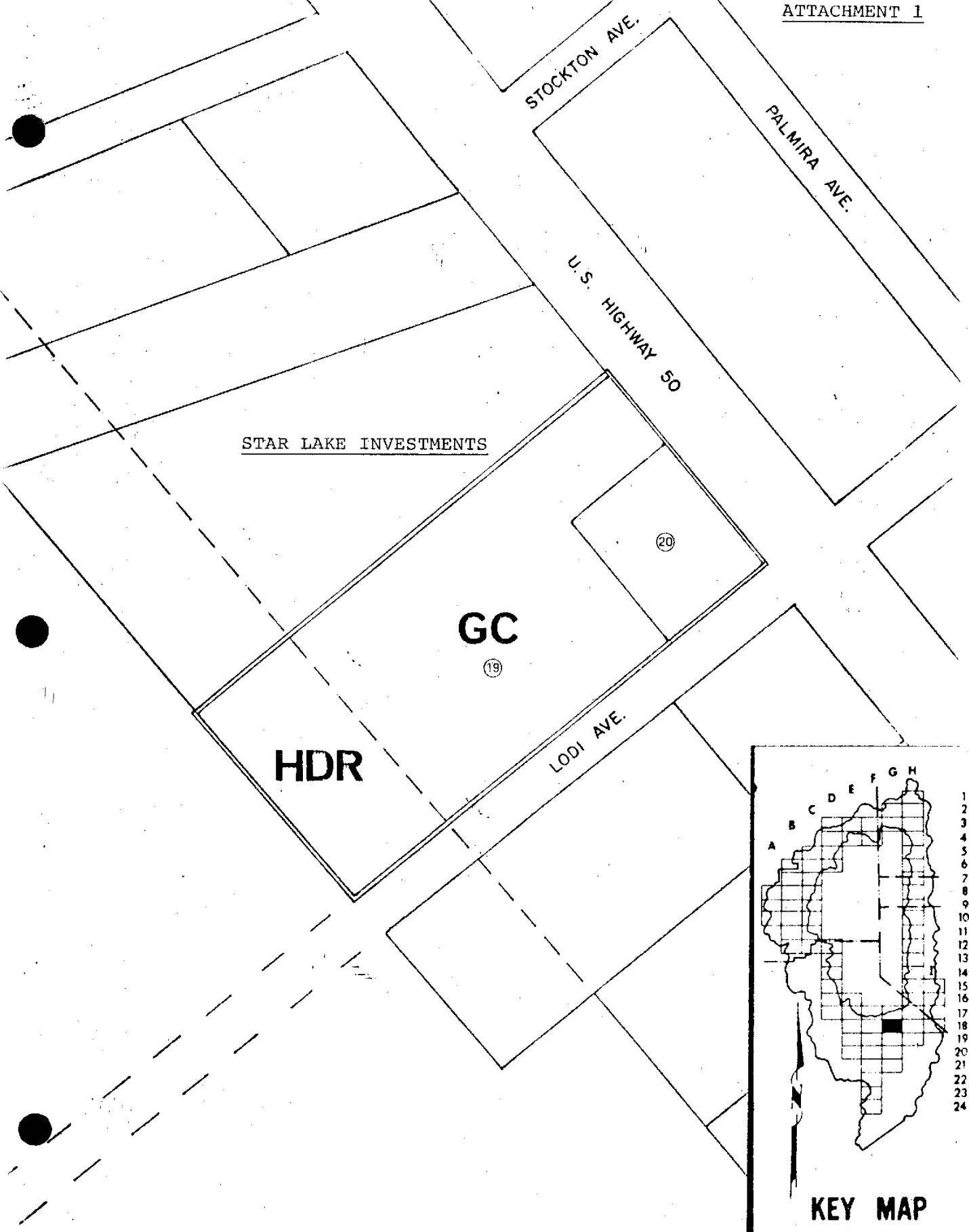
Local Agency Action

The City of South Lake Tahoe Architectural Review Committee approved the negative declaration on environmental impact on March 7, 1978. The California Tahoe Regional Planning Agency conditionally approved the project on July 7, 1978.

Recommendation

Agency staff recommends the requested replacement of nonconforming coverage be approved.

2/15/79





TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY AND RECOMMENDATION

Lake Tahoe Resort and Racquet Club
Administrative Permit for a 212 Room Hotel
Washoe County

Project Description and Location

The applicant, Jeffrey A. Lundahl, representing the property owner, Hubert A. Brugger, of Redwood City, California, is requesting an administrative permit as required under Section 7.12(14) of the Land Use Ordinance in order to construct a 212 room hotel and related facilities on the Tahoe Racquet Club property which is located on Tahoe Boulevard in Incline Village, Nevada. (See attachment #1) In addition to the administrative permit required under Section 7.12(14), the applicant is requesting an administrative permit as required under Section 9.21(3) of the Land Use Ordinance to be permitted to relocate existing nonconforming land coverage.

The total project area contains 13.51 acres and includes the total area of six Washoe County Assessor Parcels (Nos. 122-291-07, -10, -17, -19, -23, and -25), all of which are owned by Hubert A. Brugger, and 7,900 square feet of Assessor Parcel No. 122-291-03, a 2.69 acre parcel which is also owned by Mr. Brugger. (See attachment #2)

A .26 acre parcel located in the middle of the project area is under different ownership and is therefore not part of this project. This parcel contains an 8 unit apartment building.

The project area is bordered on the north by Tahoe Boulevard, on the east by the remainder of the 2.69 acre parcel owned by Mr. Brugger, and a parcel containing 101 condominium units, and on the west by land owned by the Incline Village General Improvement District. (See attachment #3) The 2.69 acre parcel owned by Mr. Brugger presently contains nonconforming land coverage associated with tennis club facilities (restaurant, bar, dressing rooms, banquet room, sport facility buildings, 6 tennis courts, swimming pool and whirlpool), which are proposed to be converted to private use only. The applicant's exclusion of this property from the subject project has been determined to be proper by Agency legal counsel.

Existing Facilities

The two westerly parcels comprising 6.16 acres of the project area presently contain 17 tennis courts, a clubhouse, pro shop building, viewing stands, a maintenance shop, a building containing 8 condominium units and a partially constructed foundation for 4 additional condominium units. (See attachment #4)

The two easterly parcels and the 7,900 square foot portion of the third parcel comprising a total of 2.09 acres of the project area presently contain 4 tennis courts, a building containing an 18 room hotel, accessory parking, and a small 225 square foot office building used by the Chamber of Commerce. (See attachment #4)

There are two parcels comprising 5.26 acres of the project area which are located between the westerly and easterly parcels described above. These two parcels are presently undeveloped and include the land on which the proposed 212 room hotel is to be constructed. (See attachment #4)

When the existing tennis facilities on the westerly and easterly parcels were constructed, approximately nine years ago, they were under different ownership. However, according to the applicant, for the past several years the two tennis facilities have been under common ownership and have been operated as one enterprise. The intent of the project is to

provide a planned family recreation-oriented destination resort hotel utilizing the existing tennis facilities on the westerly and easterly parcels, in conjunction with the proposed 212 room hotel complex to be located on the two middle parcels.

Proposed Facilities

On the two middle parcels, the applicant proposes to construct what will appear to be three new buildings, all of which will be interconnected with a continuous underground parking level. The total structure varies from 4 to 5 stories, including the underground parking level, and is to contain 212 hotel rooms, a large restaurant with an outdoor eating area, hotel lobby and an indoor/outdoor swimming pool. In addition to the hotel structure on the two middle parcels, the applicant proposes to construct a 47 space parking lot for hotel guests, a 35 space parking lot for the employee housing units, and accessory driveways and walkways.

The applicant proposes to modify the existing facilities on the two westerly parcels by converting the two most southerly tennis court clusters, each cluster containing 4 courts, to parking lots for hotel guests and employees. The existing 8 unit condominium structure is to be converted to employee housing. The applicant also proposes to complete the construction of the 4 unit condominium structure and convert its use to 8 employee housing units. The existing driveways are to be widened and a new driveway is to be constructed to provide access to the new parking lots. Except for the removal of the existing maintenance building and some walkways, the other existing tennis facilities are to remain.

The applicant proposes only minor modification to the existing facilities on the easterly parcels. The use of the existing 2 story structure, which presently contains 18 hotel rooms, is to be converted to hotel meeting rooms on the upper floor and hotel retail shops on the lower floor. The 4 existing tennis courts and the small Chamber of Commerce building are to remain and the existing 43 space parking lot is to provide parking for the retail shops and for the existing private club located on the adjoining parcel to the east.

In summary, the total complex as proposed will include within the project area the following facilities: 1) a 212 room hotel complex with accessory restaurant, lobby, swimming pool, meeting rooms and retail shops; 2) 13 outdoor tennis courts; 3) 16 employee housing units; 4) a 225 square foot Chamber of Commerce office building; and 5) a total of 370 parking spaces, 288 of which are uncovered open surface spaces and 82 of which are located on the lower floor of the hotel structure.

Land Use Classification

The two middle parcels and the easterly parcels which contain a total of 7.35 acres are classified Tourist Commercial by the Agency. Tourist Commercial permits hotel or motel units at a density of up to 40 units per acre. The proposed 212 hotel units create a density of 28.84 units per acre. Therefore, the proposed density and uses on the 7.35 acres classified Tourist Commercial conform to the use regulations set forth in the Land Use Ordinance.

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The two westerly parcels, containing a total of 6.16 acres, are classified Recreation by the Agency. The existing tennis courts and accessory facilities are permitted uses in the Recreation District. The 8 existing condominium units are legal, nonconforming uses that were established prior to the effective date of the Land Use Ordinance and therefore may be continued as proposed by the applicant.

Construction of the other 4 condominium units within the Recreation District as proposed by the applicant can only be permitted if the applicant can establish a "vested right" to complete construction. According to Agency legal counsel to establish a "vested right" the applicant must provide evidence showing that prior to February 10, 1972 substantial construction had been completed in conformance with a legal building permit. As of February 19, 1979, the applicant had not submitted any information in an attempt to establish a "vested right" to construct the 4 condominium units proposed as part of the project.

The applicant's proposal to provide required parking for hotel guests on land classified Recreation by the Agency would result in a use that is not specifically set forth in the Land Use Ordinance as a permitted use in that district. Pursuant to an administrative permit issued in accordance with Section 8.33 of the Land Use Ordinance, uses may be permitted in the Recreation District that are found to be appropriate and similar in nature to the permitted uses and specific purpose of the district. In this specific case, Agency staff and legal counsel recommend that the proposed hotel parking not be permitted in the Recreation District for the following reasons:

1. A hotel parking lot is not appropriate or similar in nature to the uses permitted in the Recreation District or the specific purpose of the district, which is to assure adequate public opportunity for outdoor recreation, including ski facilities, boating, day-use areas, and access to public and quasi-public beaches in urban core areas and settlement node areas.
2. To allow parking lots in the Recreation District to satisfy the parking requirement for uses that themselves are not permitted in that district establishes an undesirable precedent and is inconsistent with the precedent that has been established relative to this issue. The Sahara Tahoe Hotel was required to process a General Plan amendment in order to construct a parking garage on land that was classified Recreation. The developers of Still Water Cove were required to process a General Plan amendment to construct parking lots with tennis courts on the roofs on land that was classified Recreation.

Land Capability and Land Coverage

The entire project area is classified as an Inville, stoney, coarse, sandy loam soil, IsC, which is in a land capability level 6. Under Section 6.20 of the Land Use Ordinance, lands classified as land capability level 6 are permitted 30% land coverage.

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Although the Land Use Ordinance requires that in the Recreation District permitted land coverage conform to the land capability constraints, the area of this project that is classified Recreation contains 55,400 square feet of existing nonconforming land coverage which, under the provisions of Section 9.21 of the Land Use Ordinance, may be continued, replaced or relocated. The gross area classified Recreation is 6.16 acres. The total allowable land coverage is 80,500 square feet and the amount of existing land coverage is 135,900 square feet. Therefore, there is 55,400 square feet of existing nonconforming land coverage within the Recreation District.

The applicant proposes to replace 8,090 square feet of existing nonconforming land coverage in order to widen the existing driveways and to construct new driveways for improved internal circulation. The Land Use Ordinance, under Section 9.21, requires the applicant to reduce the amount of existing nonconforming land coverage by 10% to be allowed to relocate existing nonconforming land coverage to an area that is presently open space. Under this provision the ordinance requires the removal of 13,630 square feet of existing nonconforming land coverage, including the 8,090 square feet to be relocated. The applicant's plans show a total of 14,065 square feet of existing nonconforming land coverage to be removed from within the Recreation District.

The remainder of the project area, 7.35 acres, is classified Tourist Commercial which is allowed 50% land coverage under Section 7.83 of the Land Use Ordinance. The total allowable land coverage on the land classified Tourist Commercial is 160,100 square feet. There is 68,000 square feet of existing land coverage on the westerly parcels. The applicant proposes 81,900 square feet of new land coverage, resulting in a total amount of land coverage on the land classified Tourist Commercial of 149,900 square feet.

Tree Removal

The applicant's plans indicate that 72 of the 247 existing trees are to be removed and 175 trees are to remain. The site design has taken best advantage of the existing open areas.

Grading

Substantial grading will be required to construct the underground parking levels of the proposed hotel structure. The applicant's plans indicate that 8,490 cubic yards of material will be excavated to permit construction of the hotel. The plans also indicate that 4,760 cubic yards of that material will be used on the site for fill. The remaining 3,730 cubic yards is to be removed from the site and deposited at an approved location.

Slope Stabilization

The applicant's Information Report and plans identify adequate proposals for slope stabilization including rock riprap on embankments having a greater slope than 2:1 and extensive revegetation.

Storm Drainage

The applicant's site plan depicts the use of infiltration trenches to collect the stormwater runoff emanating from the proposed and existing asphalt surfaces, including the tennis courts, parking areas and driveways, and the proposed and existing buildings. The drainage plan does not, however, indicate how overflow from the infiltration trenches is to be transmitted to existing stable drainageways. Agency staff is concerned with this omission due to the difficulty likely to be encountered in attempting to connect the infiltration trenches into a common overflow system. If the project is approved, the drainage plan as presently proposed may have to be substantially modified to provide for proper transmission of overflow drainage.

Stream Environment Zone

The applicant's plans identify the limits of a stream environment zone (SEZ) that traverse the northeasterly corner of the project site. The stream enters the project site by way of a small culvert located under Tahoe Boulevard. The only intrusion proposed by the applicant into the SEZ is the construction of a bridge to provide adequate internal circulation within the project area.

Building Height

The maximum permitted average height of any structure in the Tourist Commercial District is 40 feet. The proposed structure is to vary in average height from 37 feet to 40 feet measured from the finished grade.

Parking

On November 28, 1978, Washoe County granted a variance from the terms of its parking requirements to allow the parking standard for motel units to be applied to this project instead of the standard for hotel units. The requirement for motel units of one parking space per unit was found to be more appropriate in this case than the requirement for hotel units of 2.5 parking spaces per unit which assumes that the hotel units are operated in conjunction with a hotel/casino complex. The required parking for certain uses accessory to the hotel, such as the restaurant, meeting rooms, and retail shops, was reduced based on the assumption that the use of these facilities will be by 50% hotel guests for which parking has already been provided. The total parking requirement for all the uses proposed within the project area, as per Washoe County code, is 370 spaces. The applicant proposes to provide these 370 spaces, 288 of which are to be open surface spaces (uncovered) and 82 of which are to be in the lower floor of the hotel structure (covered).

Traffic - Access and Internal Circulation

Access to the project will be from Tahoe Boulevard by way of two separate driveways. The driveways provide access to a single roadway system which meanders throughout the project area. This road system also provides access to the 101 condominium units located south of the project.

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In order to mitigate potential adverse impacts to traffic flow due to turning movements along Tahoe Boulevard, the applicant proposes to construct, as part of the project, a left-turn storage lane and right-turn acceleration and deceleration lanes within the right-of-way of Tahoe Boulevard. If the project is approved, the detailed construction drawings for these improvements will require approval by Washoe County, TRPA staff, and the Nevada Highway Department.

Traffic - Local Traffic Impacts

The applicant's traffic report states that the most significant traffic increases due to the proposed project will occur on Tahoe Boulevard to the west of the project site. At this location the project will cause an increase of about 10.7% of average daily traffic (ADT) and an increase of about 6.8% of average traffic during the peak month. The applicant estimates that for service levels B or C, which represent free flowing traffic, the capacity of this section of Tahoe Boulevard is approximately 13,300 ADT. The applicant projects that in 1980 the traffic volumes at this location will be 8,560 vehicles per average day and 14,550 vehicles per average day during the peak month. This information indicates that without the project the traffic volumes in 1980 along this section of Tahoe Boulevard will exceed the design capacity of the roadway for service levels B or C. With the project completed and the resulting 6.8% increase in peak traffic volumes realized, the traffic volume on an average day during the peak month will be 15,540 vehicles per day. This situation will result in less desirable service levels and obstructions to free flowing traffic and serious traffic congestion.

Traffic - Subregional Traffic Impacts

Although the applicant's traffic report indicates that the proposed project will increase traffic on all the highways providing access to Incline Village, the most serious impacts will result on State Highway 28 between Incline Village and North Stateline due to this section of highway being one of the most congested at the north end of Lake Tahoe. The applicant estimates that the capacity of this section of State Highway 28, at service levels D or E, is approximately 22,500 ADT. Service levels D and E are at the more congested end of the Nevada Department of Highways scale of service levels which ranges from level A to level F. Level F represents bumper-to-bumper traffic similar to the traffic congestion along U.S. Highway 50 at South Stateline during a peak summer day.

The applicant projects in his traffic report that in 1980 without the proposed project the traffic volumes along this section of State Highway 28 will reach 14,000 vehicles per average day (ADT) and as high as 23,800 vehicles per average day during the peak month. These projections show that in 1980 the capacity of this highway under service level E will be substantially exceeded. The applicant also states in his traffic report that, based on his estimates, the capacity of State Highway 28 at this location is already exceeded by demand.

The applicant's traffic report indicates that the proposed project will generate 361 additional vehicle trips on an average day and 500 additional vehicle trips on an average day during the peak month on the section of State Highway 28 between Incline Village and North Stateline. This additional traffic represents a 2.6% increase over the projected ADT in 1980 and a 2.1% increase over the projected average volumes during the peak month in 1980.

The applicant's assessment also indicates that the project will increase the total number of vehicle miles traveled in the Incline Village area by 2.9%. This increase amounts to approximately 1,171,000 additional vehicle miles traveled annually.

Traffic - Proposed Mitigation

The applicant's traffic report and information report contain numerous references to the owner's intent to market the proposed hotel as a destination resort and to discourage the use of the automobile. The applicant states that it is the intent to market and advertise so that approximately 50% of the guests can be transported by mass transit. Bus tours from the population centers of Northern California will be promoted and use of air transportation to Reno or South Lake Tahoe, with bus transport to Incline Village, will also be provided according to the applicant. The applicant states that the owner has three 50-passenger buses available and will provide additional shuttle buses when necessary.

It is unlikely that the proposed mitigation measures can be effectively implemented. It is unreasonable to assume that the applicant has the ability to implement these measures without the development of a regional or subregional public transportation system.

To encourage a diligent effort on the part of the applicant to operate the facility in a manner that would minimize reliance on the automobile, the Agency staff would suggest that the number of parking spaces on the site be substantially reduced to perhaps 60% of the number presently proposed. This reduction in parking would also help resolve the problem of the proposed parking area for hotel guests in the Recreation District.

Air Quality

The following three paragraphs constitute the summary and conclusion section of the applicant's air quality report prepared by John M. Collins, P.E. of Reno, Nevada:

"On the basis of the review presented in this assessment, the proposed Lake Tahoe Resort and Racquet Club project will not have an adverse (greater than 5 percent increase) impact on the air quality of the Tahoe Basin or Incline Village area. The proposed project is estimated to represent between 2.5 percent to 3.0 percent of the vehicular emissions in the Incline Village area.

"The proposed project will represent approximately 18 percent of the carbon monoxide concentration in the vicinity of the project and 35 percent and 40 percent for hydrocarbons and oxides of nitrogen. This is in line with a project of this size and traffic access configuration.

"In summary, the air quality impact of the proposed project will be minimal, but detectable. If the mitigation measures as outlined in the traffic report prepared by Sharp, Krater and Associates, Inc. are implemented the project impact can be lessened. The proposed Lake Tahoe Resort and Racquet Club will not endanger any ambient air quality standards."

Approvals

On November 29, 1978, the TRPA Governing Board found that the proposed project would generate less than 105 additional vehicle trips per day per acre. This action by the Governing Board would have allowed the proposed project to be considered on its merits prior to January 1, 1979 if the project could have been placed on the December agenda.

On December 5, 1978, the Washoe County Commissioners approved the proposed project under their Major Project Review procedure. The County's approval was subject to a number of conditions; however, Agency staff is not in receipt of a letter indicating the County's action or the conditions imposed.

Will-Serve Letters

Will-serve letters have been received from the North Lake Tahoe Fire Protection District, the Southwest Gas Corporation, and the Incline Village GID for water and sewer service and solid waste removal. A will-serve letter has also been received from the Sierra Pacific Power Company.

Recommendation

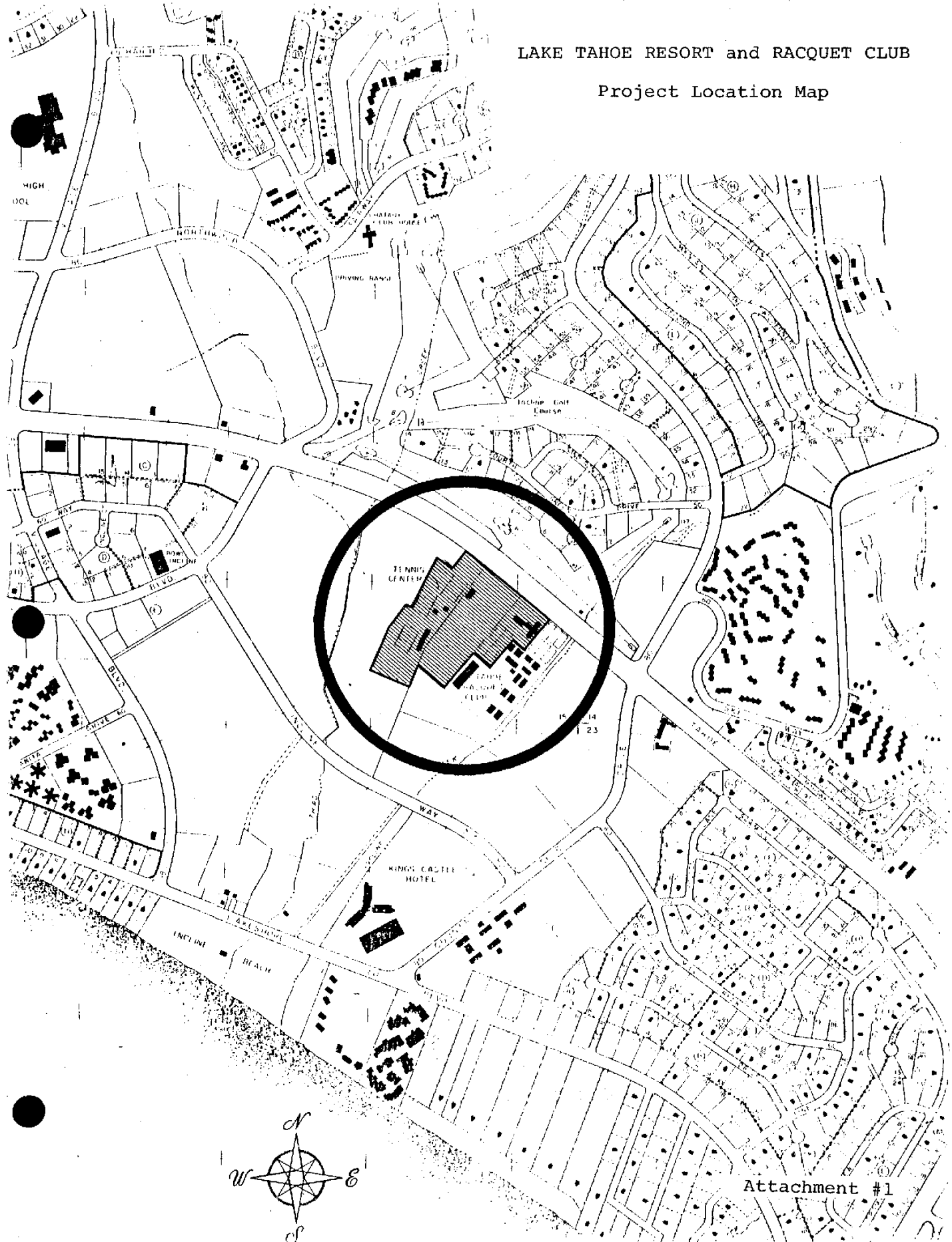
Agency staff recommends that the Governing Board deny the administrative permit for the Lake Tahoe Resort and Racquet Club based on the following:

1. The project proposes a use in the Recreation District consisting of a parking lot for required hotel guests' parking. This use is not appropriate or similar in nature to the permitted uses in that district or the specific purpose of that district.
2. The applicant has not provided any information to establish a "vested right" to construct the four condominium units in the Recreation District that are part of this project.
3. The applicant's own assessment of traffic impacts reveals that the proposed project will result in the generation of an additional 500 vehicle trips on an average day during the peak month on a section of State Highway 28 that presently, and to a more severe degree in 1980, is subjected to traffic volumes that are significantly greater than the roadway design capacity even at service level E. These additional trips will significantly worsen a traffic congestion problem that is presently a threat to the safety and welfare of the general public.
4. Although the applicant has outlined proposed traffic mitigation measures, he has not provided a substantial mechanism to insure implementation.
5. Although the applicant has indicated in the Information Report that efforts will be made to reduce reliance on the automobile by 50%, no disincentives in the form of reduced parking accommodation have been proposed.

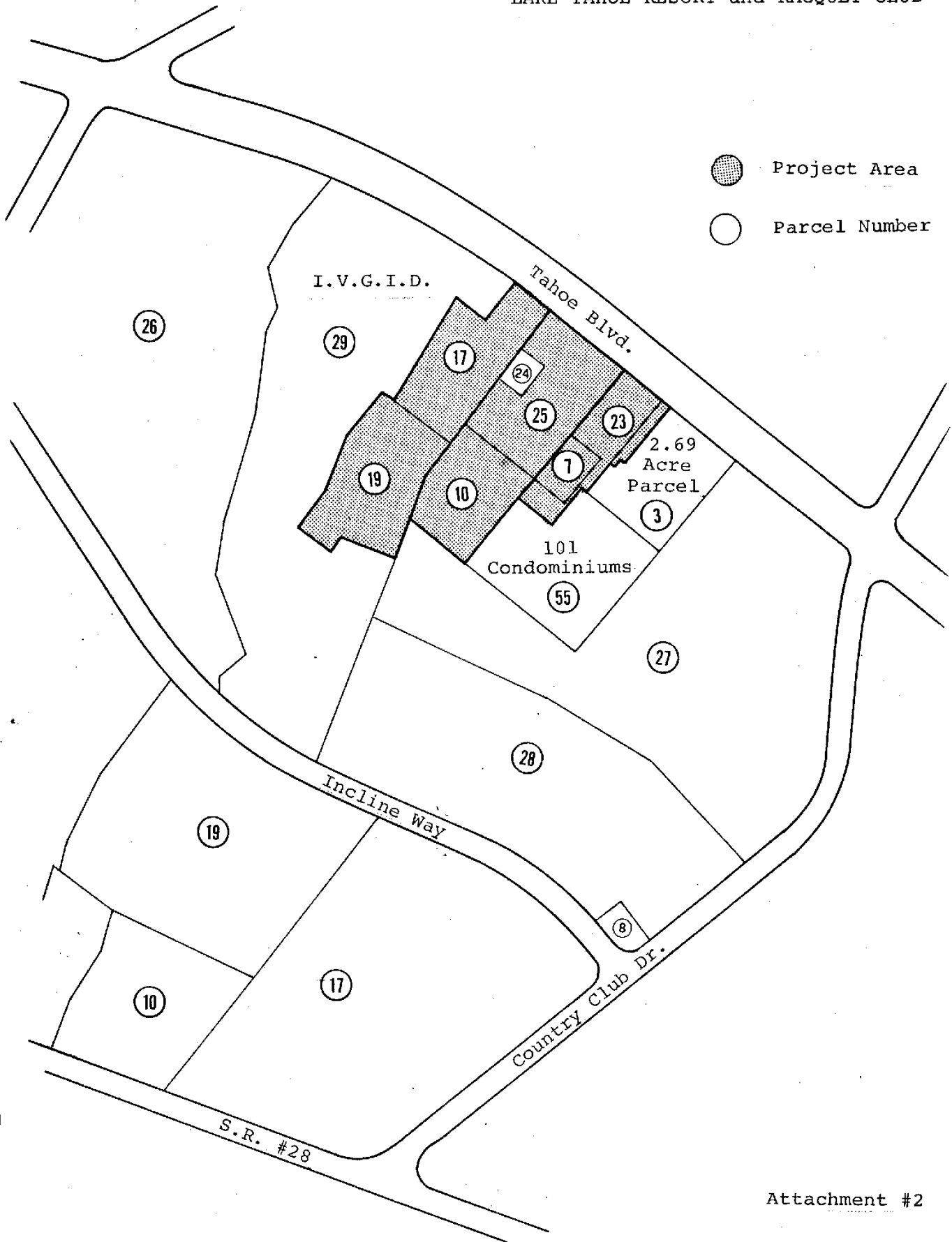
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LAKE TAHOE RESORT and RACQUET CLUB

Project Location Map



LAKE TAHOE RESORT and RACQUET CLUB



**POOR
QUALITY
ORIGINAL (S)
TO FOLLOW**



**HIGH DESERT MICROIMAGING, INC.
1225 FINANCIAL BLVD
RENO, NV 89502
(775) 359-6980**

Tahoe Boulevard

Easterly Parcels

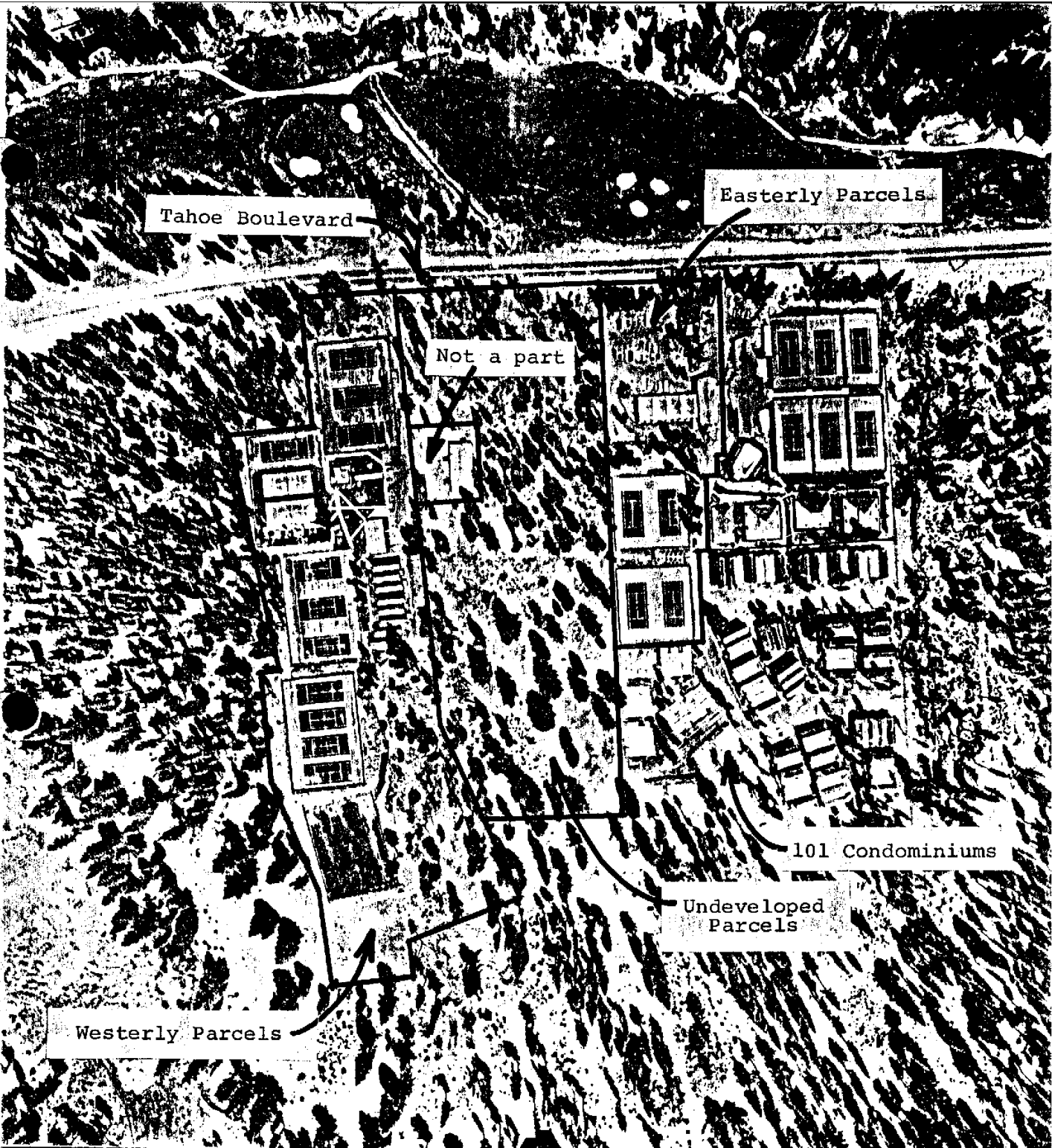
Not a part

101 Condominiums

Undeveloped
Parcels

Westerly Parcels

Attachment #4



TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY AND RECOMMENDATION

Lakeside Community Hospital
Administrative Permit
Washoe County

Project Description and Location

The applicant, Careage Corporation of Bellevue, Washington, is requesting an administrative permit as required under Section 7.12 of the Land Use Ordinance to construct a 64,816 square foot hospital and all necessary auxiliary facilities including 44 parking spaces. The facility is to be constructed on a 4.87 acre site located on the north side of Alder Avenue, 250 feet west of Village Boulevard (see attachment #1). The hospital will contain 30 beds, an operating room, recovery room, and other related facilities, i.e. medical testing laboratory, radiology room, emergency treatment area, pharmacy, business management facility, kitchen and dining area, storage area, and mechanical and electrical equipment areas.

The project area consists of two parcels: a 3.36 acre parcel, being Washoe County Assessor Parcel No. 124-051-07 and a 1.51 acre parcel being Assessor Parcel No. 124-051-10 (see attachment #2). The hospital facilities and required parking are to be constructed on the 3.36 acre parcel, and the 1.51 acre parcel, which fronts on Northwood Boulevard, is to be used to provide secondary access to the proposed hospital.

History

On April 26, 1978, the TRPA Governing Board denied without prejudice an administrative permit for the Lakeside Community Hospital pending completion of the Nonattainment Air Quality Plan and the General Plan Update. In January, 1979, Milton Sharp, representing Lakeside Community Hospital, indicated to Agency staff that his client wished to have the Governing Board reconsider the subject application prior to the completion of the Nonattainment Air Quality Plan and the General Plan Update, based on the conclusions contained in a revised and updated traffic and air quality report prepared by his firm. Mr. Sharp indicated that the project they wished to have reconsidered was identical in all respects to the project denied in April, 1978, except for the revised traffic and air quality report.

Land Use Classification and Land Coverage

Both parcels are classified General Commercial and are therefore allowed 70% land coverage. The total land coverage proposed on the 3.36 acre parcel is 40%, or 58,545 square feet. The total land coverage proposed on the 1.51 acre parcel is 7%, or 4,804 square feet. The amount of permitted land coverage in excess of that now being proposed on both parcels is to be utilized for possible future expansion of the facility. The hospital has been designed to allow for a 20 to 30 bed expansion.

Building Height

Section 7.13 of the Land Use Ordinance establishes a permitted height of 40 feet in the General Commercial use district. The proposed structure is an average height of 34 feet.

Public Facilities

The Incline Village General Improvement District will provide water supply, wastewater collection and disposal, garbage collection, and snow removal from the public streets. Southwest Gas will provide power service; the North Tahoe Fire Protection District will provide fire protection service; and Sierra Pacific Power Company will provide electricity.

Personnel and Housing

Representatives of the Careage Corporation estimate that operation of the hospital will require approximately 46 full time equivalent employees. Some employees will work part time only so that as many as 75 individuals may be employed in operation of the hospital. Approximately 70% of the employees will be nurses, administrators, or technicians. The remainder will be maintenance and housekeeping personnel. Doctors using the hospital will primarily be those who currently reside in and provide service for the community.

The applicant estimates that approximately two-thirds of the management and technically-qualified employees will have to be relocated from other areas to Incline Village. This relocation is expected to generate a demand for approximately 25 to 30 new dwelling units.

The applicant estimates that the majority of the nurses and administrator-technician personnel required to staff the hospital can be found presently living in Incline Village or the immediate vicinity. The applicant projects that the only type of personnel, of which the majority will live outside of Incline Village, are those holding nontechnical, minimum wage positions. The majority of these employees will most likely live in the secondary service area which is defined by the applicant as being that portion of Placer County between Brockway and Dollar Point. Considering all the 46 employees required to staff the proposed hospital, the applicant estimates that 19 will live within the secondary service area.

Storm Drainage and Erosion Control

The plans and reports submitted with the application establish adequate storm drainage and erosion control facilities to be constructed as part of the proposed project. All storm water runoff emanating from proposed impervious surfaces is to be directed into infiltration trenches to allow for onsite percolation. Overflow from the infiltration trenches is to be directed into stable, natural drainageways in the vicinity of the project.

The limits of the stream environment zone and 100 year flood plain for Wood Creek, which traverses the subject property along the westerly property line, have been identified by the applicant. The only construction activity proposed within these areas of water influence is that directly associated within improvements to presently eroding embankments adjacent to the creek. The eroding embankments are to be rock-lined to prevent further erosion.

All existing areas exhibiting characteristics for potential erosion and all cut and fill slopes resulting from construction of the project are to be either revegetated or stabilized with rock riprap.

Traffic Impacts

The traffic report prepared by Sharp, Krater & Associates compares the present impacts of traffic resulting from patients having to travel to hospitals outside of Incline Village to the projected impacts on traffic resulting from the proposed hospital. The report considers both altered traffic patterns as well as new traffic movements induced by the proposed hospital.

In order to assess traffic impacts relative to vehicle miles traveled, the report defines a primary service area for the proposed hospital as well as a secondary service area. The preliminary service area is considered to be the immediate area of Incline Village and Crystal Bay. The secondary service area is that portion of Placer County within the Tahoe Basin between North Stateline and Dollar Point.

The traffic report estimates the number of vehicle trips generated and vehicle miles traveled within the Tahoe Basin by patients traveling to the existing hospitals in Reno, Carson City, Truckee and South Lake Tahoe. The roadways affected by these traffic movements and accordingly assessed in the report are State Highway 28 to Kings Beach and Truckee in a westerly direction and to South Lake Tahoe and Carson City in a southerly direction; and State Highway 27 to Reno in a northerly direction.

The traffic report also assesses the impacts on the local street system in Incline Village resulting from the proposed hospital.

The traffic report contains numerous assumptions relative to traffic distribution, vehicle miles traveled, trips generated by hospital employees, outpatients, emergency vehicles and visitors, hospital use rates, and roadway capacities. These assumptions appear to be reasonably accurate and correct.

The report concludes that the proposed hospital will, by altering existing hospital-related traffic movements, reduce average daily traffic (ADT) on State Highway 28 at locations both west and south of Incline Village and on State Highway 27 north of Incline Village. The report identifies a 43% decrease in hospital-related traffic on State Highway 27, a 60% decrease on State Highway 28 between Incline Village and State Highway 50, and a 44% decrease on State Highway 28 between Incline Village and Crystal Bay. The projection that the proposed hospital will result in a decrease in traffic volumes on State Highway 28 between Incline Village and Crystal Bay is a significant benefit since that section of roadway is frequently subjected to traffic volumes well in excess of its present design capacity.

However, the report projects that the proposed hospital will result in a 114% increase in hospital-related traffic on State Highway 28 in the vicinity of Village Boulevard. More specifically, the report indicates that the proposed hospital will increase average daily traffic at this location on State Highway 28 by 204 vehicles per day. This additional traffic must be considered as a significant impact due to the determination in the applicant's traffic report that the average daily traffic at this location on State Highway 28 in 1978 (8070 ADT) exceeded the design capacity for service levels representing free flowing conditions (service levels B and C) by nearly 8%.

The report does point out that with increased congestion, reduced speeds, and increased interference to traffic movement (service levels D and E), possible capacity of State Highway 28 at this location could be as much as 13,000 to 17,000 ADT. The additional traffic generated from the hospital will cause the traffic volumes at this location to reach the more congested service levels sooner than might otherwise occur.

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Air Quality

The applicant's air quality report assesses the estimated number of vehicle trips generated and miles traveled in the Tahoe Basin by patients of the proposed hospital in comparison to the estimated number of vehicle trips generated and miles traveled by patients using other hospitals. The report concludes that, although the proposed hospital will result in an 81% net increase in hospital-oriented vehicle trips within the Tahoe Basin because the traffic generation will be more concentrated after completion of the proposed hospital, net vehicle miles traveled per day will decrease by 30%. The net reduction in vehicle miles traveled has a direct effect on reduction of pollutants emitted from vehicles.

However, the report indicates that air quality may be adversely impacted at particular locations where the proposed hospital results in additional vehicular traffic. The report concludes that adverse air quality impacts are most likely to occur at the intersection of Tahoe Boulevard and Village Boulevard where the increase in traffic due to the proposed hospital is greatest. The applicant points out, though, that even at this critical location there will be no violation of the state air quality standard.

Need

According to the feasibility report prepared by the Board of Directors of the Lakeside Community Hospital, the hospital as proposed will have a positive cash flow after the first year of operation, thereby suggesting by inference that there exists a need for the facility. Estimates of revenues and expenses used in the analysis are based on experience of existing small-sized hospitals in Nevada and a conservative population base for the area to be served, according to the report.

On the other hand, it is the opinion of some governmental agencies that the estimates and statistics used in the Lakeside Community Hospital feasibility report are overly optimistic or exaggerated. The State of Nevada Office of Health Planning and Resources, the Golden Empire Health Systems Agency, and the State of Nevada Department of Human Resources have pointed out that, in their view, it would seem to be impossible for the Lakeside Community Hospital to make a profit. Their opinions consider that "no hospital in Nevada of less than 50 beds has operated at a break-even point or made a profit in the last three years. All of them have had to receive local governmental financial support". The need for the proposed hospital is therefore nonexistent using the Lakeside Community Hospital method of analysis. Similarly, the Nevada State Medical Facilities Plan does not indicate a need for the proposed hospital.

Approvals

In a letter dated February 12, 1979, D. Brent Carithers, Senior Building Inspector for Washoe County, informed Milton Sharp that the administrative permit granted by Washoe County on March 9, 1978 for the Lakeside Community Hospital remains valid.

Staff Position on Critical Issues

Housing: Based on the applicant's identification of the demand for housing generated from the proposed hospital in comparison to the substantial increases in building activity in Washoe County (from 1977 to 1978 a 92% increase and an increase from

68 permits issued in 1975 to 766 permits issued in 1978) and recent approvals by Washoe County and TRPA of projects designed to provide low income housing, Agency staff does not suspect that the proposed hospital will create a significant problem relative to housing supply in Incline Village.

Traffic: Agency staff concurs with the applicant's conclusion that the proposed hospital will reduce traffic on State Highways 27 and 28 in the fringe areas of Incline Village. Agency staff considers these reductions in traffic to represent positive impacts resulting from the proposed hospital. Agency staff considers the substantial increases in traffic in the vicinity of the intersection of State Highway 28 and Village Boulevard, as identified in the applicant's traffic report, to be an adverse impact that should be mitigated to the greatest extent possible. Don Pray, of the Nevada Highway Department, requested at the February 13, 1979 Development Review Committee meeting that if the project is approved the applicant be required to participate in funding the improvements to the above-mentioned intersection and adjoining roadways that the Highway Department deems are necessary to mitigate the traffic impacts resulting from the project.

Air Quality: Based on the applicant's assessment of air quality impacts resulting from the proposed hospital and the data assessed by Agency staff relative to the severity of the air quality problems in Incline Village, Agency staff concludes that the proposed hospital will not result in significant degradation of air quality.

Need: It appears from reviewing all the information contained in the subject application relative to the financial feasibility and need for the proposed hospital that there is a definite divergence of opinion. However, it seems to Agency staff that Washoe County's approval of the Lakeside Community Hospital certainly establishes the County's general support for the facility and possibly a responsibility for financial assistance from the County if the hospital does not realize the revenues which are projected.

Recommendation

Agency staff recommends that based on the analysis and conclusions contained in this staff summary and the additional information contained in the applicant's Information Report, the Governing Body find, as required under Section 8.33 of the Land Use Ordinance, that the establishment, maintenance, or operation of the Lakeside Community Hospital will not be detrimental to health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such proposed use, or detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the Region, and will not cause any substantial harmful environmental consequences on the land of the applicant or on other lands or waters.

Agency staff further recommends that based on the above-recommended finding the Governing Board conditionally approve an administrative permit for the subject application. The recommended conditions of approval are:

1. Each of the following conditions shall be completely performed prior to the issuance of any building or grading permits:
 - a. The final construction drawings for all site improvements shall be submitted to and approved by Agency staff. The final construction drawings shall clearly depict: 1) slope stabilization methods to be performed to stabilize all existing and proposed cut and fill slopes and areas denuded of vegetation; 2) areas to be revegetated, including complete specifications for such revegetation; 3) fencing for vegetation protection; 4) temporary and permanent erosion control devices; 5) measures to be taken for dust control; and 6) all drainage facilities.
 - b. An undertaking by corporate surety or other similar and appropriate document guaranteeing the performance of landscaping, revegetation, and proper installation of slope stabilization and drainage facilities as shown on the final construction drawings shall be posted with the permit-issuing authority as provided in Section 7.130 of the Grading Ordinance. The undertaking or other document shall provide that the Agency may enforce the same and use the funds provided therein to assure compliance with the landscaping, revegetation and slope stabilization and drainage plans.
 - c. Calculations and other necessary analyses demonstrating that the design of the surface water runoff control system will meet the requirements for surface and/or subsurface discharge as established in the Uniform Regional Runoff Quality Guidelines as well as other requirements set forth in the Lake Tahoe Basin Water Quality Management Plan. Such calculations and analyses shall be prepared by a qualified civil engineer and submitted to the Agency for staff review and approval.
 - d. All authorizations (except building and grading permits) from appropriate public authority applicable to the proposed development shall be obtained, i.e. state highway encroachment permits.
2. Upon the issuance of building and grading permits, construction shall proceed in the following sequence:
 - a. Such trees as TRPA has authorized shall be removed and the initial phase of the vegetation preservation and protection plan shall be completed.
 - b. Installation of fencing for vegetation protection.
 - c. Installation of temporary erosion protection devices.
 - d. Prior to the removal of spoil materials from the construction site, a separate grading permit shall be obtained from the permit-issuing authority for offsite disposal of spoil materials.

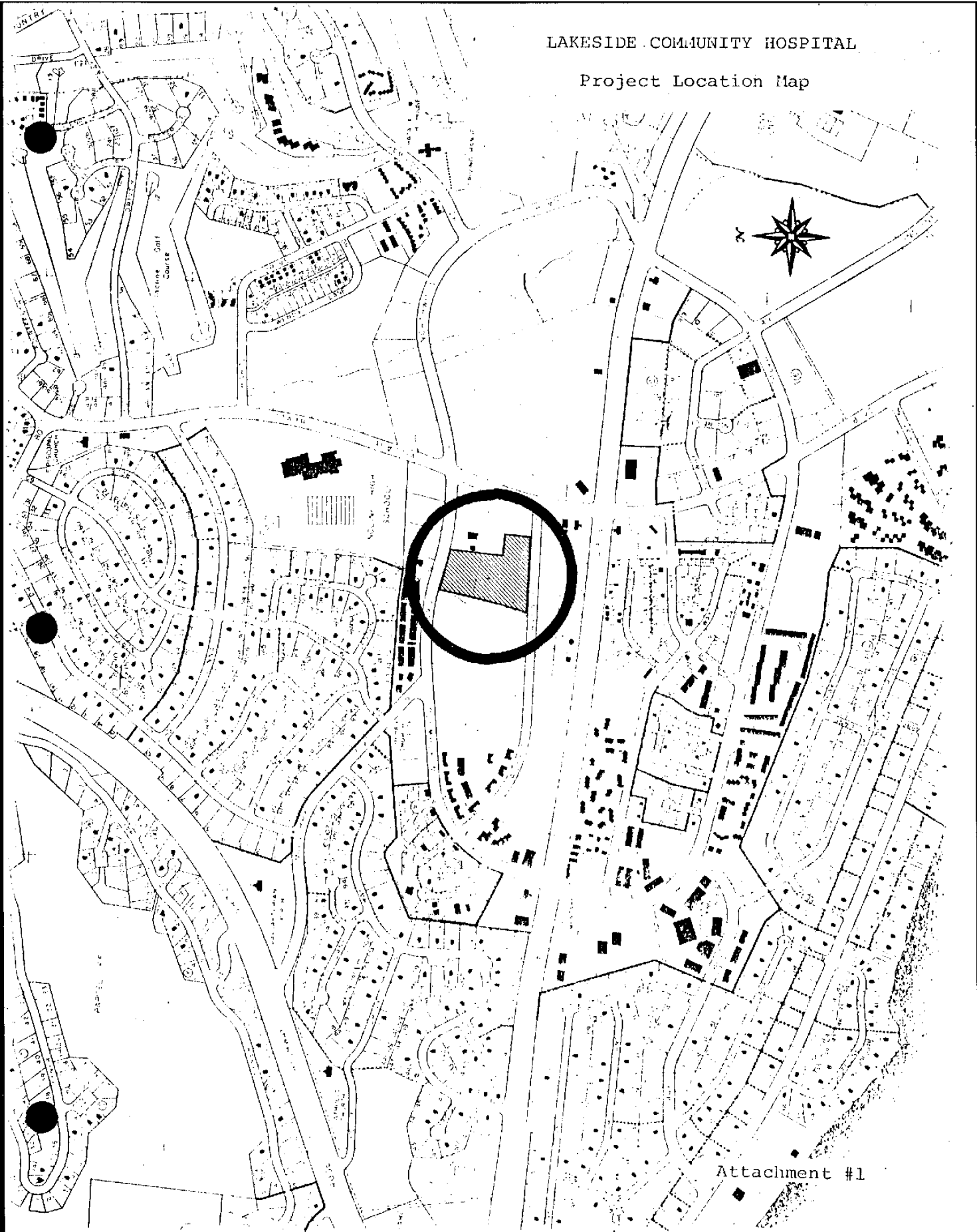
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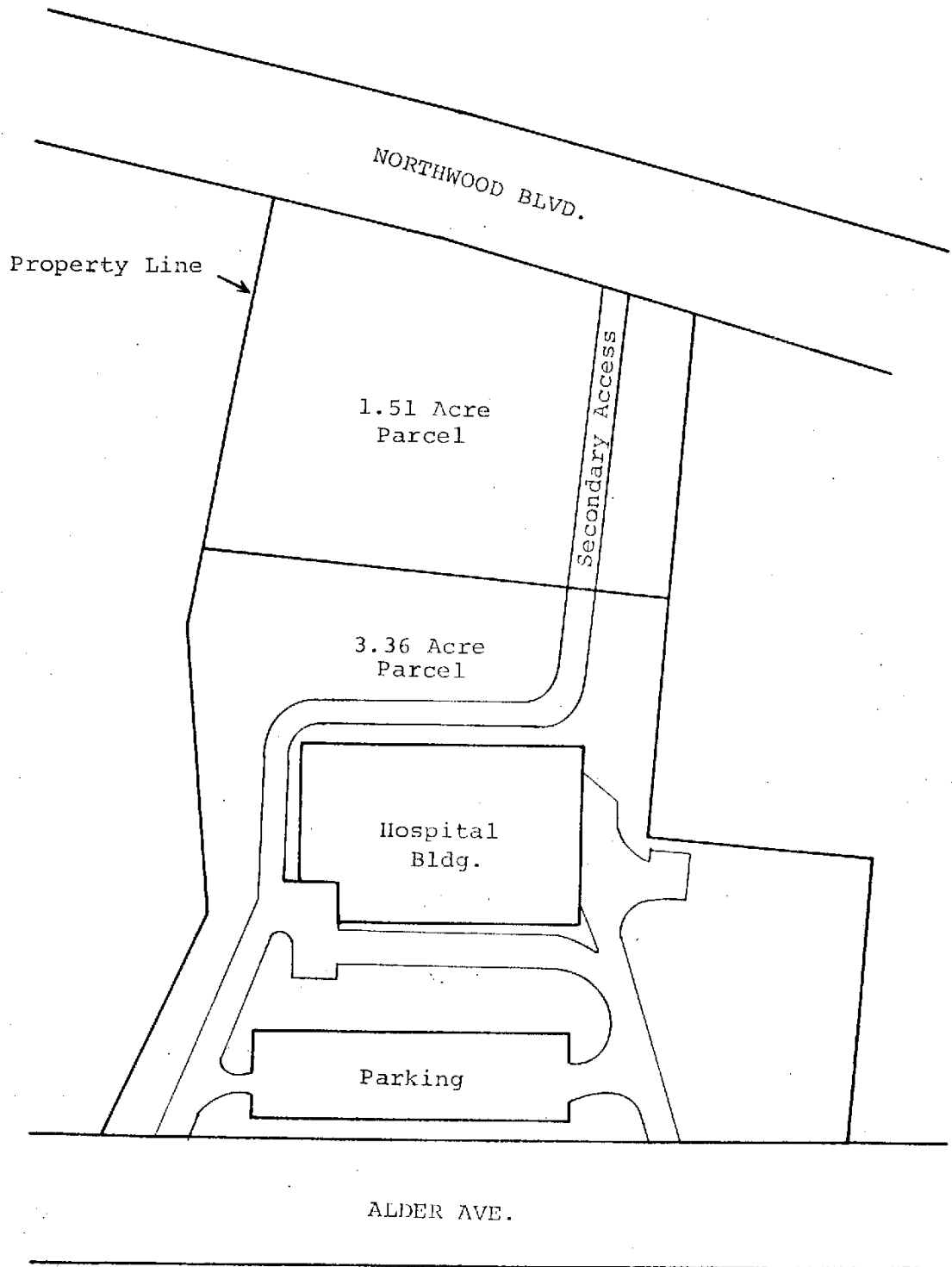
- e. Installation of utilities including water mains and fire hydrants required by the fire department.
 - f. Completion of rough grading including installation of mechanical stabilization devices.
 - g. Completion of structure foundations.
 - h. Final grading and installation of base for paved areas.
 - i. Completion of structures.
 - j. Paving.
 - k. Landscaping and revegetation.
3. Compliance with all requirements and conditions of the permit-issuing authority. None of said requirements and conditions shall be waived or modified without the concurrence of TRPA.
 4. Whenever possible, all utilities shall occupy common trenches and shall be installed at one time. Trench spoil shall be stored upgradient of the trench.
 5. There shall be no grading or land disturbance performed with respect to the project during periods of inclement weather or when there is snow on the site.
 6. Replanting of all exposed surfaces, as per the revegetation and slope stabilization plan, shall be accomplished within the first growing season following disturbance. Planting shall be accomplished prior to October 15.
 7. Trees and natural vegetation to remain on the site shall be fenced for protection. Scarring of trees shall be avoided and, if scarred, damaged areas shall be repaired with tree seal.
 8. Areas to be paved shall be paved prior to October 15.
 9. Mud shall not be tracked off the construction site. Grading operations shall cease in the event that a danger of tracking mud offsite exists. The site shall be cleaned up and road right-of-way swept clean when necessary.
 10. During construction, environmental protection devices such as adequate erosion control devices, dust control and vegetation protection barriers shall be maintained.
 11. Rehabilitation and cleanup of the site following construction must include removal of all construction waste and debris.
 12. Except for delays in work directly resulting from litigation challenging the validity of any approval required for this project, this approval expires eighteen (18) months from the date of Governing Body approval unless substantial work has commenced on the project.

13. Except for delays in work directly resulting from litigation challenging the validity of any approval required for this project or the interruption is not at the fault of the applicant, construction of all improvements shall be completed within twenty-four (24) months from the initiation of construction. If the construction is not completed within said time, this approval shall expire and the applicant or his successor in interest shall immediately remove all partially completed work and return the site, as far as possible, to its original condition.
14. All other permits issued by any other agencies regarding this development shall assure compliance with the conditions of TRPA.
15. This approval becomes invalid if a local government permit for this project expires or will-serve letters are cancelled.
16. Upon the completion of construction, physical barriers shall be provided to confine all vehicles to designated parking and driveway areas. The design of the barriers shall be reviewed for approval by Agency staff.
17. The maximum land coverage on the site after completion of the project shall not exceed 58,600 square feet on Washoe County Assessor Parcel No. 124-051-07 and 4,900 square feet on Washoe County Assessor Parcel No. 124-051-10.
18. Agency staff shall be notified at least 48 hours prior to the commencement of construction. This notification shall include: a) who will be doing the work; b) when the work will commence; and c) when the completion of work is expected.
19. A separate grading permit shall be required for disposal of all earthen material removed from the construction site. This grading permit must be approved by the Agency staff.
20. The applicant shall provide the funding necessary to construct the improvements to the intersection of Tahoe Boulevard and Village Boulevard and adjoining roadways that the Nevada Highway Department deems are required to mitigate to the greatest extent possible the adverse impacts to traffic movement resulting from the additional traffic generated from the Lakeside Community Hospital.

LAKESIDE COMMUNITY HOSPITAL

Project Location Map







TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY AND RECOMMENDATION

Southwood Glen
Administrative Permit for a
14 Unit Apartment Complex
Washoe County

Project Location and Description

The applicant, Glen Rieken, is requesting approval of a 14 unit apartment complex located in Incline Village, Nevada. The subject 1.04 acre parcel (Washoe County Assessor's Parcel No. 122-223-18) is located at the corner of Southwood Boulevard and Oriole Way within the core area of Incline Village. (See attachment #1) The project proposes the construction of 14 townhouse apartment units located in one duplex building and three 4-plex buildings. The applicant proposes 21 parking spaces on the site. Two accesses will serve the project; one will be onto Southwood Boulevard; the other will be off of Oriole Way.

Existing Environmental Setting

The site is gently sloping from north to south, with slopes of 5 to 9%. The existing tree cover consists of pine, fir, and cedar trees. The trees will be preserved as a natural buffer to traffic noises. Of the 65 trees identified on the site, 9 will be removed. The center of the site has been previously disturbed for the placement of sewer lines. The applicant proposes to revegetate these areas as part of the project.

Land Use

The property is zoned R-3 by Washoe County which allows multiple residential development. The TRPA land use classification on the property is High Density Residential (HDR), which allows up to 15 units to the acre. The subject site would be allowed 16 units under the current classification; the applicant proposes 14 units. HDR parcels under 2 acres are allowed up to 50% coverage under Section 9.23 of the TRPA Land Use Ordinance. The applicant proposes 21,883 square feet of coverage, of 48.3% coverage.

Land Capability

The soils on the site have been identified as IsC, Inville, stony, coarse, sandy loam, 2 to 9% slopes, capability district 6, allowable coverage 30%.

Height

The maximum allowable height in HDR is 35 feet. The 2-story buildings will have an average height of 35 feet.

Grading

The building foundations will be stepped to fit with the existing contours. The cuts and fills associated with the project will in no case exceed 2 feet in vertical height. These cuts and fills will be stabilized and revegetated.

Drainage

Stormwater from the buildings will be collected in infiltration trenches located under the building driplines. Stormwater flows emanating from the paved parking surfaces will be collected in infiltration trenches designed and sized to handle and percolate the flows

on the site. The applicant will improve the existing eroding drainageways located adjacent to Southwood Boulevard and Oriole Way. The improvements include installation of culverts under the access driveways and rock lining the channels.

Revegetation

The applicant has submitted a detailed revegetation plan identifying areas to be revegetated and specifications of plant types that will be used. Revegetation will occur in those areas disturbed by the proposed construction and those areas disturbed by previous activities on the site.

Traffic

The proposed 14 unit apartment complex will be located within the core area of Incline Village. The project is anticipated to generate approximately 98 vehicle trips per day. The project's location within the core area should encourage other modes of transportation for some trips, such as walking, bicycling or busing. The project is located within 1/2 mile of the major shopping complex in Incline. Most other retail and professional offices are located within the core area and are accessible from the project without the necessity of automobile use. The project is well served by other local streets which may reduce the need to use Highway 28 for business, shopping, or pleasure trips. The applicant has designed the access points to the project to minimize the potential conflicts with autos stacking on Southwood Boulevard at the intersection of Southwood Boulevard and Highway 28. The provision of separated parking lots will encourage the use of Oriole Way by tenants of the southeast units. Due to the size, location, and design considerations, the project should have minimal impacts upon the traffic levels and flows within the Incline area.

Public Services

Agency staff has received copies of will-serve letters from the required service providers. The letters indicate that service capacity exists to service the project with all the necessary services.

Local Agency Action

The Washoe County Regional Planning Commission recommended approval of the project on December 15, 1978. The Washoe County Commissioners conditionally approved the project on January 16, 1979.

Recommendation

Agency staff recommends that the Governing Board approve the subject project with the following conditions:

1. Each of the following conditions shall be completely performed prior to the issuance of any building or grading permits:
 - a. The final revegetation, slope stabilization, and drainage plans shall be submitted to and approved by the Agency staff. These plans shall clearly depict revegetation and/or other methods of slope stabilization to be performed by the applicant for all existing and proposed cut and fill slopes

and areas denuded of vegetation. These plans shall also depict: fencing for vegetation protection; temporary and permanent erosion control devices; dust control; and all drainage facilities.

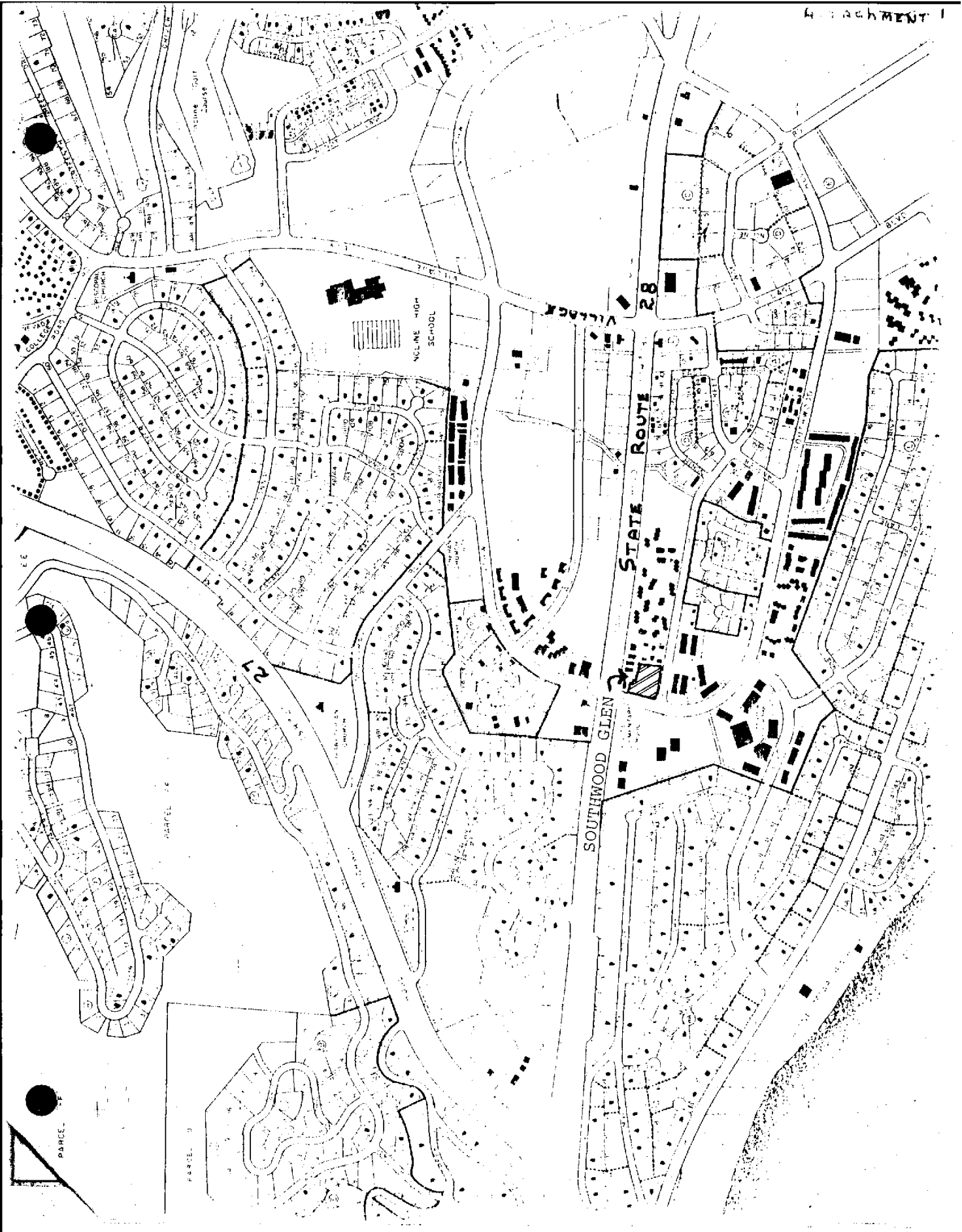
- b. An undertaking by corporate surety guaranteeing the performance of landscaping, revegetation, and proper installation of slope stabilization and drainage facilities shall be posted with the permit-issuing authority as provided in Section 7.140 of the Grading Ordinance.
 - c. Calculations and other necessary analyses demonstrating that the design of the surface water runoff control system will meet the requirements for surface and/or subsurface discharge as established in the Uniform Regional Runoff Quality Guidelines as well as other requirements set forth in the Lake Tahoe Basin Water Quality Management Plan. Such calculations and analyses shall be prepared by a qualified civil engineer and submitted to the Agency for staff review and approval.
 - d. All authorizations (except building and grading permits) from appropriate public authority applicable to the proposed development shall be obtained, i.e. state highway encroachment permits.
 - e. The final construction drawings for all site improvements shall be found by Agency staff to be in substantial conformance with the plans and information submitted as part of this application and this finding so indicated in writing to the permit-issuing authority.
2. Upon the issuance of building and grading permits, construction shall proceed in the following sequence:
- a. Such trees as TRPA has authorized shall be removed and the initial phase of the vegetation preservation and protection plan shall be completed.
 - b. Installation of fencing for vegetation protection.
 - c. Installation of temporary erosion protection devices.
 - d. Prior to the removal of spoil materials from the construction site, a separate grading permit shall be obtained from the permit-issuing authority for offsite disposal of spoil materials.
 - e. Installation of utilities including water mains and fire hydrants required by the fire department.
 - f. Completion of rough grading including installation of mechanical stabilization devices.

- g. Completion of structure foundations.
 - h. Final grading and installation of base for paved areas.
 - i. Completion of structures.
 - j. Paving.
 - k. Landscaping and revegetation.
3. Compliance with all requirements and conditions of the permit-issuing authority. None of said requirements and conditions shall be waived or modified without the concurrence of TRPA.
 4. Whenever possible, all utilities shall occupy common trenches and shall be installed at one time. Trench spoil shall be stored upgradient of the trench.
 5. There shall be no grading or land disturbance performed with respect to the project between October 15 and May 1, unless the proper approvals for same are obtained.
 6. Replanting of all exposed surfaces, as per the revegetation and slope stabilization plan, shall be accomplished within the first growing season following disturbance. Planting shall be accomplished prior to the October 15 grading and land disturbance deadline.
 7. Trees and natural vegetation to remain on the site shall be fenced for protection. Scarring of trees shall be avoided and, if scarred, damaged areas shall be repaired with tree seal.
 8. Areas to be paved shall be paved prior to October 15.
 9. Mud shall not be tracked off the construction site. Grading operations shall cease in the event that a danger of tracking mud offsite exists. The site shall be cleaned up and road right-of-way swept clean when necessary.
 10. During construction, environmental protection devices such as adequate erosion control devices, dust control and vegetation protection barriers shall be maintained.
 11. Rehabilitation and cleanup of the site following construction must include removal of all construction waste and debris.
 12. This approval expires eighteen (18) months from the date of Governing Body approval unless substantial work has commenced on the project.

2/15/79

13. Construction of all improvements shall be completed within twenty-four (24) months of the date of Governing Body approval. If construction is not completed within said time, this approval shall expire and the applicant or his successor in interest shall immediately remove all partially completed work and return the site, as far as possible, to its original condition. If the applicant or his successor in interest fails to do so, the permit-issuing authority or the Agency may have the work performed at the applicant's or his successor's in interest expense, costs to constitute a lien against all the real property which is the subject of this approval.
14. All other permits regarding the development shall comply with these conditions.
15. No structure shall exceed an average height of 35 feet measured from the natural grade.
16. This approval becomes invalid if a local government permit for this project expires or will-serve letters are cancelled.
17. Physical barriers shall be provided to confine any vehicles to designated parking and driveway areas.
18. The maximum land coverage on the site after completion of the project shall not exceed 21,883 square feet.
19. Agency staff shall be notified at least 48 hours prior to the commencement of construction. This notification shall include: a) who will be doing the work; b) when the work will commence; and c) when the completion of work is expected.

2/15/79



TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY AND RECOMMENDATION

Boatworks Marina
Modification of Condition
of Approval
Placer County

Proposed Modification

On May 26, 1977, the TRPA Governing Board conditionally approved the plans for the renovation of the Boatworks Marina located in Tahoe City (see Attachment 1). The applicant, John Kearns, now requests that condition #12 of that approval be modified to permit him to retain an existing filled area and further extend it lake-ward. Instead of removing the 5,869 square feet of fill as approved, the applicant proposes to retain this area, plus fill an additional 10,395 square feet (see Attachment 2). The purpose of the modification according to the applicant is to construct a bicycle path and prevent negative impacts which he feels will occur if the steel bulkhead is modified.

The removal of the 5,864 square foot area of fill located lake-ward and southwest of the applicant's property was a condition accepted by the applicant and noted on the approved plans. Condition #12 as approved states:

"The removal of the existing steel bulkhead located southwest of the marina and shown on the improvement plans shall be completed prior to October 15, 1977."

This is also a condition of approval for Lahontan Regional Water Quality Control Board, CTRPA, Placer County and the U. S. Army Corps of Engineers.

Analysis

The applicant has submitted the attached letter from Dr. Charles Goldman stating that the impact of removing the subject bulkhead on shorezone erosion would be minimal for the reasons stated in points 1 through 3. The Lahontan Regional Water Quality Control Board, in a letter dated September 15, 1978 (attached), generally concurs with Dr. Goldman's analysis in regards to erosion.

Agency staff would also agree with Dr. Goldman's analysis, particularly with the conclusion that the marina itself would be the major obstacle to the natural processes of the shoreline. The erosion problem was brought to staff's attention when the property owner to the west complained of erosion on his property.

2/20/79

It was staff's opinion that the square and unnatural section of the steel bulkhead may be impeding the littoral drift and also deflecting the wave action in such a manner as to aggravate the problems on the adjoining property.

Neither Agency staff nor Lahontan concurs with Dr. Goldman's point #4 in regards to water quality or his conclusion that the overall impact of the realignment and removal of the bulkhead would be negative. As stated in the letter from Lahontan, the recontouring of the shoreline to approximate a more natural shoreline with proper mitigation methods should not have a negative, but in fact, would have a positive visual impact by removing an existing storage area and a minimal but positive environmental impact on the shorezone.

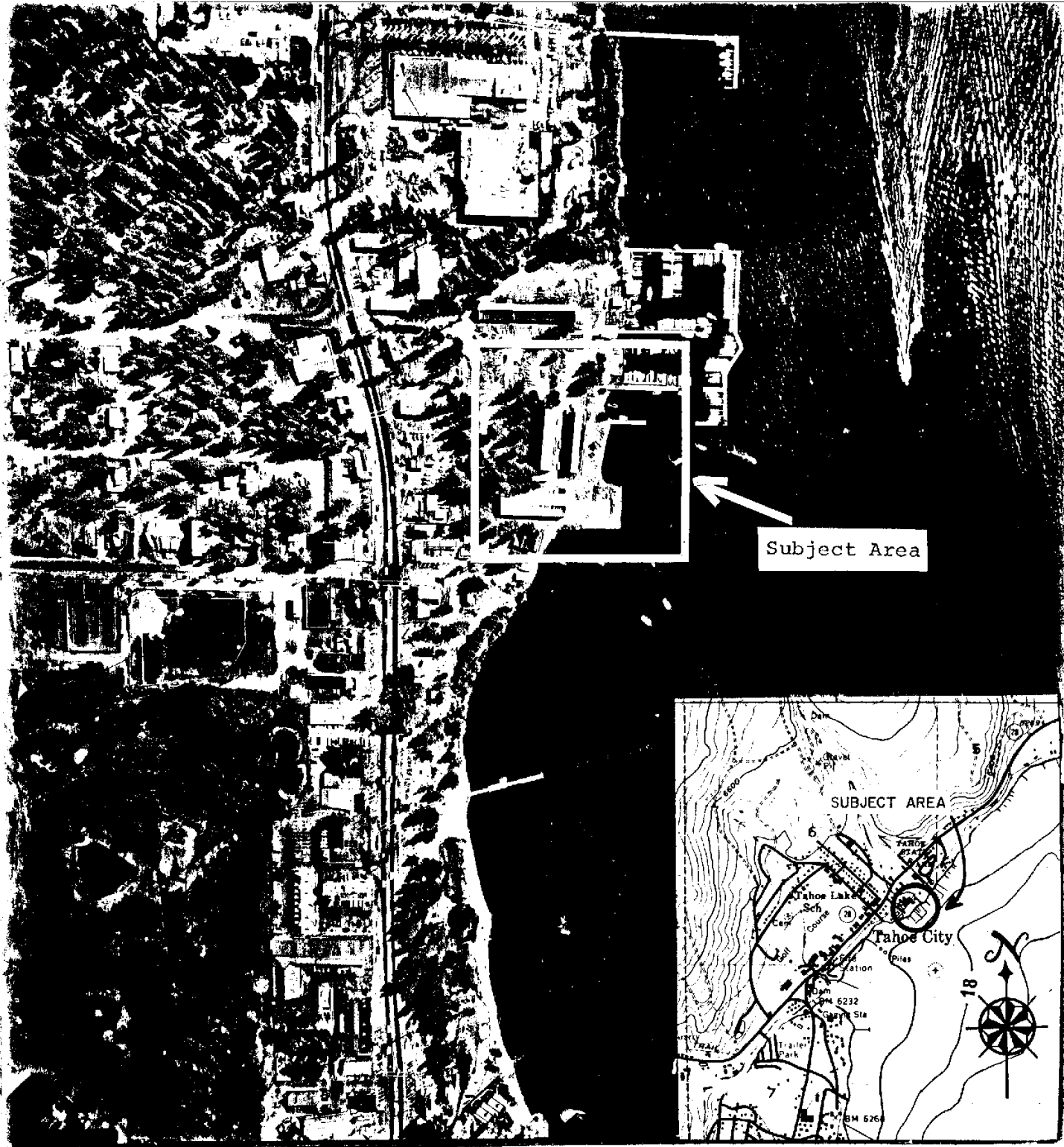
With regard to the applicant's new proposal, it should be noted that Section 11.20 of the TRPA Shorezone Ordinance prohibits fill in the lake except at those locations where such fill is found to be beneficial to existing shorezone conditions or water quality and clarity.

The currently approved plans indicate that approximately 5,864 square feet of filled surface area will be removed while approximately 5,956 square feet of the shorezone will be filled. Staff finds that realignment of the shoreline and the removal of existing fill would meet the requirements of Section 11.20 due to the positive visual and environmental impacts which would result.

Staff finds the proposal to retain the existing 5,864 square feet of fill area plus create approximately 10,395 square feet of new surface area fill within Lake Tahoe does not meet the requirements of Section 11.20. Dr. Goldman's letter and the proposed modification of approval are silent in regards to any positive impacts of extending the filled area into the waters of Lake Tahoe.

Recommendation

Agency staff recommends denial of the request to modify condition #12 to permit the retention and further extension of the existing bulkhead located in the southwesterly corner of the marina. Agency staff further recommends that the Governing Board direct the applicant to modify the subject bulkhead as per the approved plans on or before May 1, 1979, and request that Placer County not release the \$25,000 landscaping bond until the completion of all proposed landscaping which would include the modification of the subject bulkhead.



Subject Area

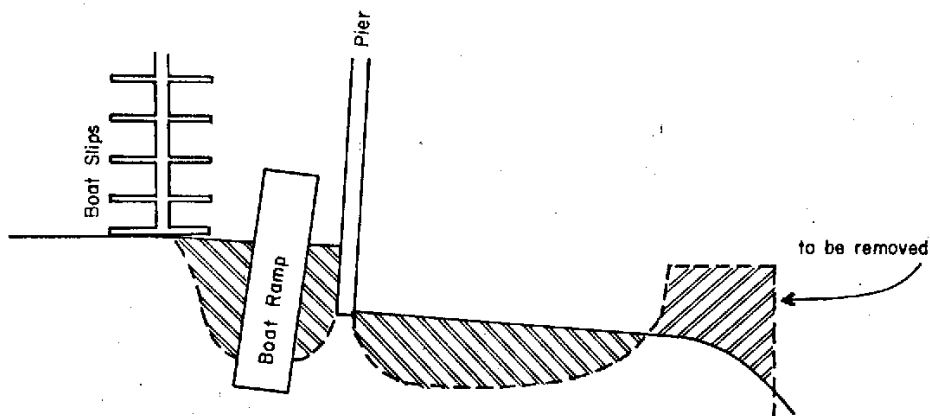
BOATWORKS

Modification of a Condition
of Approval

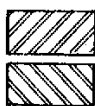
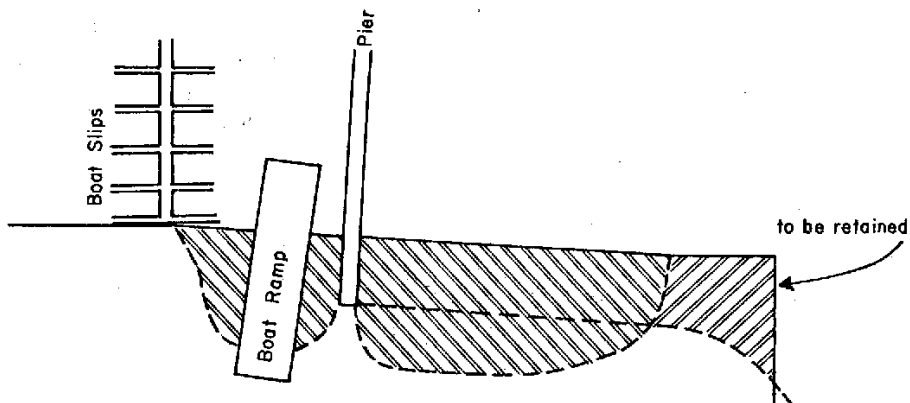
BOATWORKS

Modification of a Condition
of Approval

APPROVED PLANS



PROPOSED MODIFICATIONS



Existing Fill

Proposed Fill

ECOLOGICAL RESEARCH ASSOCIATES

CHARLES R. GOLDMAN, PH.D., CONSULTANT

2094 ALTA LOMA • DAVIS, CALIFORNIA 95616 • (916) 758-1358

May 3, 1978

Mr. John Kearne
The Boatworks Marina
P. O. Box 42
Tahoe City, CA 95730

Dear Mr. Kearns,

The purpose of this letter is to summarize my observations which were made on 27 April 1978 concerning the proposed bulkhead reduction at the southwestern edge of your marina and associated matters related to possible beach erosion. Specifically, I observed firsthand the physical layout and the erosional-depositional patterns associated with the existing bulkhead. Also, I have considered the consequences of the Tahoe Regional Planning Agency Condition 12 of their June 1977 permit requiring the removal of a portion of the existing bulkhead with installation of a new one about 30 feet in from the lake. The purpose of this plan was to reduce erosion. A diagram of the alternative configurations is attached.

I have concluded that the action required by Condition 12 of the TRPA permit would not be helpful from the standpoint of controlling beach erosion for the following reasons:


- 1) The configuration of the existing bulkhead and the beach area immediately west of the existing bulkhead (area A on the attached diagram) strongly suggest that currents would be slowed when reaching this zone, and any transported particles of silt or sand would settle out. That is, the physical configuration of structures and shoreline alone suggests that this area is a depositional zone, not an erosional zone.
- 2) I observed and photographed deposits of sand and detached periphyton along the beach and immediately offshore from area A. There is no question that such deposits occurred through deposition from reduced current and reduced water turbulence; erosion in this area would definitely have prevented these fresh deposits from occurring.
- 3) Along-shore currents are presently deflected by the Boatworks harbor which extends into the lake much further than the retaining wall. Even if the retaining wall was relocated 30 feet, the harbor structures would continue to act as the dominant factor in deflecting currents.

Page Two
Mr. Kearne
May 3, 1978

- 4) Removal of the existing dike and fill will introduce into the lake particulate matter which may be aesthetically objectionable and noticeable from the Commons Beach and adjacent public areas.

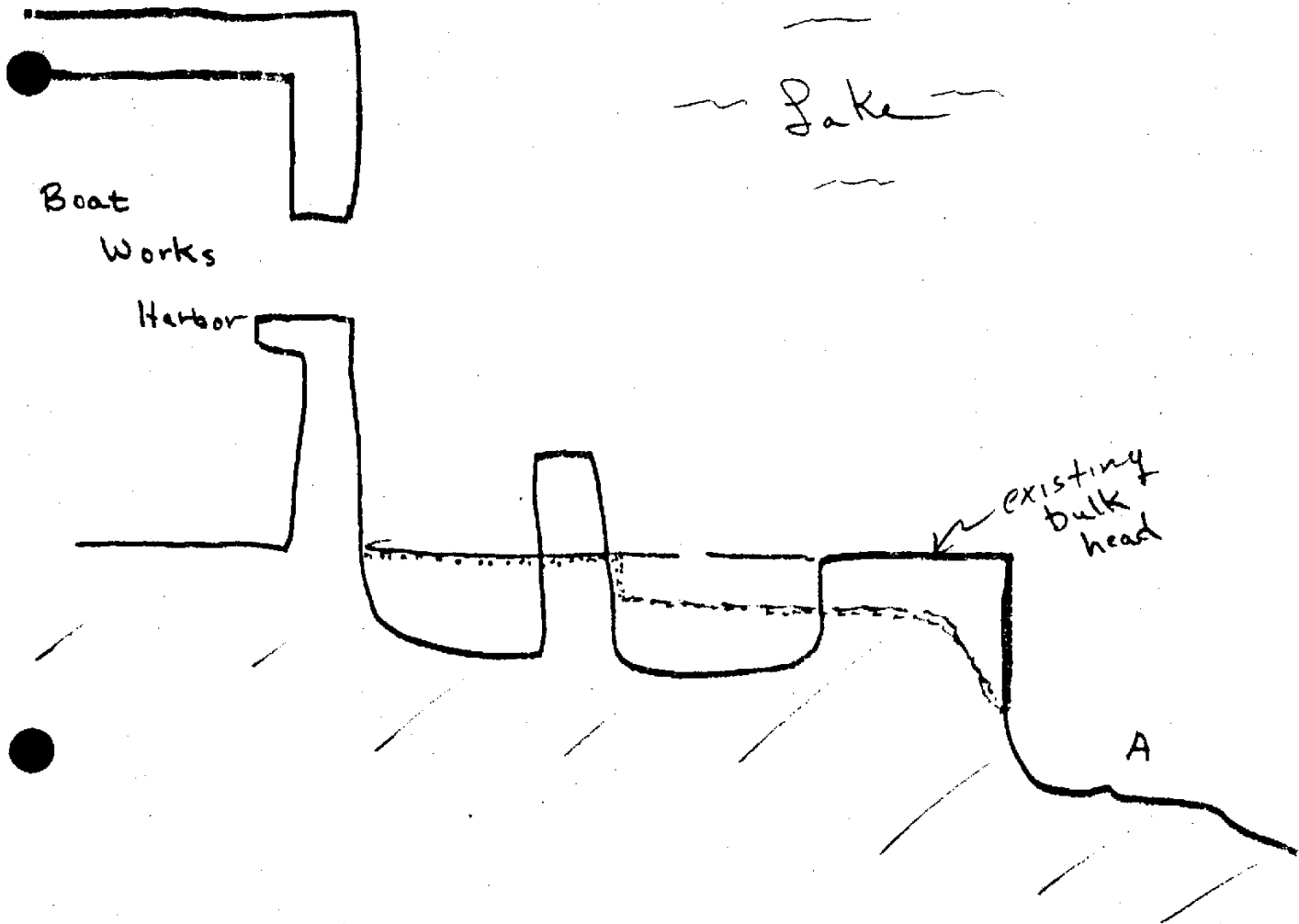
From the above considerations, I would expect that the overall environmental impact of the proposed dike realignment to be negative. Please note that additional information on current patterns and velocities under various wind conditions can be obtained if you so desire, but I doubt that they would alter the opinions expressed above. I would suggest that on the basis of the evidence presented above that you request reconsideration of the Condition 12 by the TRPA. I will be glad to discuss the findings of this investigation further with you and TRPA staff members.

Sincerely,



Charles R. Goldman
Limnologist

CRG/mj
Enclosure



~ ~ ~ Lake ~ ~ ~

Boat Works
Harbor

existing bulk head

A

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD—
LAHONTAN REGION992 LAKE TAHOE BOULEVARD
P. O. BOX 14367
SOUTH LAKE TAHOE, CALIFORNIA 95702

(916) 544-3481



RECEIVED

SEP 19 1978

LAKE REGIONAL
PLANNING AGENCY

September 15, 1978

Mr. John V. Kearns
Tahoe Boat Company
P. O. Box 1314
Tahoe City, CA 95730

Dear Mr. Kearns:

REQUEST TO FILL IN LAKE TAHOE AT THE BOATWORKS MARINA

Your letter to us dated July 14, 1978, requested that we allow Tahoe Boat Company to retain an existing fill in Lake Tahoe at the southwest corner of your property and add a new fill behind a new steel bulkhead extending from the existing fill to the southwest wall of the Boatworks Marina. On April 8, 1977, this Board received a report of waste discharge from you describing extensive dredging and related improvements at the Boatworks, including plans to remove the existing fill you now propose to retain. In response, we adopted waste discharge requirements for the Boatworks, Board Order No. 6-77-56, on May 12, 1977. These requirements specify removal of approximately 1,050 cubic yards of the fill at the southwest corner of your property, as shown on Attachment "A" (copy enclosed). Considering the amount of fill which you agreed to remove at that time, the Board allowed you to fill approximately 780 cubic yards behind new retaining walls as shown in Attachment "A", in adopting those requirements.

We understand your current proposal is to extend the southwest fill area and relocate the adjacent retaining wall shown in Attachment "A" approximately 35 feet offshore to the straight dashed line shown on Attachment "A"; a considerable volume of fill would be added in Lake Tahoe, with none removed. The only way the Regional Board could allow such modifications would be to adopt revised waste discharge requirements for your marina and rescind Board Order 6-77-56.

Regional Board staff has reviewed the report prepared by Dr. Charles R. Goldman, Limnologist, attached to your July 14, 1978 request. Staff has additionally conducted an on-site investigation and reviewed other pertinent information and concluded Dr. Goldman is correct in his assertion that removal of the fill shown in Attachment "A" will not significantly reduce shoreline erosion to the southwest. We disagree, though, with his assumption that the overall environmental impact of the proposed fill removal and retaining wall realignment would be negative. Proper mitigation measures will virtually eliminate the siltation problem referred to in his report, and removal of the artificial fill will increase aquatic habitat and recreational space in the lake as well as remove a portion of a structure which impairs visual enjoyment of the lake from shore.

September 15, 1978

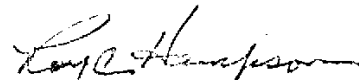
Your July 14, 1978 letter implies we should approve your new proposal because Placer County is "considering" a bike and pedestrian path along the shoreline, and that a safety hazard would result if this were implemented. We could not revise waste discharge requirements solely to mitigate possible safety problems from a facility tentatively proposed by the county. If you feel public safety is a problem, that matter should be taken up directly with Placer County.

In a personal conversation with Regional Board staff, you indicated all land reclaimed from Lake Tahoe, if your new proposal is approved, would be landscaped and available for public use by means of a bicycle trail and foot path. We have seen no concrete proposals for assuring long term public access by means of public easement dedication, down-zoning, or any other means. Additionally, no detailed plot plans have been prepared, and it is doubtful the entire land area to be gained by implementing your new proposal would be necessary for construction of a bike trail and foot path.

Permission from other public agencies including Tahoe Regional Planning Agency, California State Lands Commission, and Placer County would have to be gained before your new proposal could be implemented. Since staff does not believe the project would be beneficial to water quality, we can not recommend those agencies approve your project at this time.

You have the privilege of submitting a detailed report of waste discharge describing your new proposal and requesting revised waste discharge requirements. Due to the Regional Board's long standing policy of prohibiting filling in Lake Tahoe, it is doubtful such a request would be granted.

Very truly yours,


ROY C. HAMPSON
EXECUTIVE OFFICER

cc: Tahoe Regional Planning Agency
Placer County Planning Department
California State Lands Commission
U. S. Corps of Engineers

TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY AND RECOMMENDATION

Sahara Tahoe
Modification of Conditions of Approval
for an Administrative Permit for a
Parking Structure, Douglas County

Background

The applicant, Sahara Tahoe Corporation, has requested clarification and/or modification of five conditions of approval contained in an administrative permit for a parking structure issued December 20, 1978 by the Governing Board. The conditions of approval were discussed with and accepted by the applicant at the time of approval and were formally transmitted by letter on January 22, 1979. On February 6, 1979, subsequent to conversations with Agency staff regarding procedural requirements, the applicant transmitted the request for clarification and/or modification of the five conditions in question. (See attached letter.)

Conditions In Question

The applicant has requested clarification and/or modification of the following conditions which raise questions regarding the timing of construction and removal of open surface parking contained within the project area as approved by the Governing Board:

Condition No. 11 - existing wording

"Except for delays in work directly resulting from litigation challenging the validity of any approval required for this project, this approval expires eighteen (18) months from the date of Governing Body approval unless substantial work has commenced on the project."

Applicant's Position

The applicant has requested an interpretation of this section in light of a Complaint for Declaratory and Injunctive Relief filed in U.S. District Court, District of Nevada, on January 15, 1979. It is the position of the applicant that the injunction sought would fall within the intent of this condition and would stay the running of the eighteen month period specified in the condition.

Staff Recommendation

The staff recommends that Condition No. 11 be interpreted to include such litigation as referenced above and any delays resulting from this litigation be added to the eighteen (18) month period in which the Governing Board approval is effective.

Condition No. 12 - existing wording

"Except for delays in work directly resulting from litigation challenging the validity of any approval required for this project, construction of all improvements shall be completed within twenty-four (24) months of the date of Governing Body approval. If construction is not completed within said time, this approval shall expire and the applicant or his successor in interest shall immediately remove all partially completed work and return the site, as far as possible, to its original condition. If the applicant or his successor in interest fails to do so, the permit-issuing authority or the Agency may have the work performed at the applicant's or his successor's in interest expense, costs to constitute a lien against all the real property which is the subject of this approval. "

Applicant's Position

The applicant similarly requests a determination that the above-referenced litigation would stay the running of the twenty-four (24) month period referenced in Condition No. 12.

In addition, it is the interpretation of the applicant that eighteen (18) months would be allotted for initiation of construction, beginning on the date on which pending litigation is settled, and that twenty-four (24) months would be allotted for final completion of construction beginning on the same date. The applicant does not believe that the project could be reasonably constructed within the six (6) month period following the period in which initiation of the project must begin. The applicant requests that the twenty-four (24) month period for completion of the project begin upon commencement of substantial work on the project.

Staff Recommendation

Agency staff recommends that the above-referenced litigation affecting the initiation of substantial construction on the project be interpreted as staying the requirement for completion of the project until the litigation is resolved. Further, it was the intent of staff in writing Condition No. 12 that the twenty-four (24) month period for completion of the project should operate after commencement of substantial work on the project. Agency staff recommends that Condition No. 12 be modified as follows:

"Except for delays in work directly resulting from litigation challenging the validity of any approval required for this project, construction of all improvements shall be completed within twenty-four (24) months from the date of commencement of substantial work on the project as required by Condition No. 11. If construction is not completed within said time, this approval shall expire and the applicant or his successor in interest shall immediately remove all partially completed work and return the site, as far as possible, to its original condition. If the applicant or his successor in interest fails to do so, the permit-issuing authority or the Agency may have the work performed at the applicant's or his successor's in interest expense, costs to constitute a lien against all the real property which is the subject of this approval."

Condition No. 14 - existing wording

"Except for delays in work directly resulting from litigation challenging the validity of any approval required for this project, this approval becomes invalid if a local government permit for this project expires or will-serve letters are cancelled."

Applicant's Position

The applicant requests that this condition be interpreted to include the above-referenced litigation.