TRPA
GOVERNING BOARD PACKETS

JUNE
1989
TAHOE REGIONAL PLANNING AGENCY
NOTICE OF SPECIAL MEETING

NOTICE IS HEREBY GIVEN that the Governing Board and the Advisory Planning Commission of the Tahoe Regional Planning Agency will conduct a joint meeting on Wednesday, June 7, 1989, commencing at 9:30 a.m. at the TRPA office, 195 U.S. Highway 50, Zephyr Cove, Nevada. The agenda is attached hereto and made a part of this notice.

NOTICE IS FURTHER GIVEN that commencing at 9:00 a.m. on the same day, in the same location, the Legal Committee will meet to discuss settlement of State of California/Villas v. TRPA and Placer County, U.S. District Court, Eastern District of California.

May 26, 1989

[Signature]
William A. Morgan
Executive Director
TAHOE REGIONAL PLANNING AGENCY
GOVERNING BODY AND ADVISORY PLANNING COMMISSION

TRPA Office 195 U.S. Highway 50
Zephyr Cove, Round Hill, Nevada

June 7, 1989 9:30 a.m.

OFFICIAL AGENDA

I  PLEDGE OF ALLEGIANCE

II ROLL CALL AND DETERMINATION OF QUORUM

III APPROVAL OF AGENDA

IV PROJECT REVIEW

A. Harrah's Parking Garage, Modification of Prior Approval, Douglas County APNs 07-150-01, -05, -06, -07, and -08 (Governing Board)

B. South Lake Tahoe Redevelopment Project No. 1, City of South Lake Tahoe (Governing Board)

C. Placer County, Modification of Placer County Government Center Permit to Exclude Department of Public Works Relocation, APNs 93-010-19, -35 and -36 (Governing Board)

V PUBLIC HEARING, EIS CERTIFICATION AND ORDINANCE ADOPTION

A. Final EIR/EIS for the Redevelopment Project No. 1
   1. Recommendation on Certification (Advisory Planning Commission)
   2. Certification (Governing Board)

B. Amendment of Plan Areas 004, Burton Creek, and 006, Fish Hatchery, to Delete Regional Health and Safety Facilities as Permissible Uses (004 Only), Reduce Maximum Community Noise Equivalent Levels (CNELs), Delete Special Areas #1, and Change Plan Area Boundary Between Plan Areas 004 and 006 (Governing Board)

VI REPORTS

A. Legal Committee Report and Board Action on Settlement of State of California/Villas v. TRPA and Placer County, U.S. District Court, Eastern District of California (Governing Board)

B. Other

VII ADJOURNMENT

NOTE: The redevelopment-related items will be acted on first and in the following order: V A. 1. and 2., IV A., and IV B.
MEMORANDUM

May 31, 1989

To: Governing Board and Advisory Planning Commission Members

Subject: Redevelopment Projects

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Enclosed is the relevant material for your review and consideration of the first proposed project under the recently approved redevelopment plan for the City of South Lake Tahoe. If the project proceeds, it will be the first step of a multi-million dollar program which will transform a mile and a quarter of Highway 50 into an example of how we can have thriving urban areas in the Tahoe Region and also meet TRPA's threshold standards. This project in itself involves approximately $80 million. It was very difficult to work out and some portions are and will remain controversial.

Decision making on this project is a monumental occasion. Being part of it will be something special. I hope you can be there so it is subject to a thorough and fair review.

Bill

William A. Morgan
Executive Director

WAM:jf

Enclosure
Project Name: Harrah's Parking Garage, Modification of Prior Approval

Application Type: Accessory Parking Garage to Primary Use (Gaming and Tourist Accommodation)

Applicant: Holiday Inns, Inc./Harrah's Tahoe

Applicant Representative: J.R. Hough

Location: East side of Highway 50 at Stateline Avenue, Douglas County, Nevada

Assessors Parcel Number/Project Number: 07-150-01, 05, 06, 07 and 08

Project Description: The applicant proposes to modify a parking garage project previously approved by TRPA in 1979. The project modification involves a reduction in parking garage spaces (3,572 spaces to 2,600 spaces), a reduction in the total project area (1,150,600 square feet to 1,052,600 square feet), a reduction in the parking garage footprint (152,800 square feet to 149,080 square feet), a reduction in the number of underground parking levels (three levels to one level), a conversion from two underground pedestrian tunnels to two above ground pedestrian overpasses to connect the garage with the casino/hotel), a minor redesign of onsite vehicular circulation, and provisions for a 368 space offsite employee parking lot (271 spaces were approved by TRPA subsequent to the original parking garage approval).

The proposed modified project includes a total of six levels of parking, five levels above grade (including roof top) and one level below grade with an average height of 40 feet. The parking garage is to be constructed in two phases. The first phase will include 1,500 parking spaces and is anticipated to commence construction after Embassy Suites is constructed. Phase II will follow Phase I construction and will include 1,100 additional parking spaces (see attached plans).

Code Review:

Chapter 3 - Special Provisions
Chapter 4 - Project Review
Chapter 5 - Environmental Documentation
Chapter 6 - Findings
Chapter 13 - Plan Area Statements
Chapter 18 - Permissible Uses
Chapter 20 - Land Coverage
Chapter 21 - Density
Chapter 22 - Height
Chapter 24 - Parking (Interim Rules)
Chapter 25 - Best Management Practices

JW:cs
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AGENDA ITEM IV. A.
Harrah's Parking Garage, Modification of Prior Approval

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Chapter 30 - Design Standards  
Chapter 62 - Grading/Construction Standards  
Chapter 64 - Grading Standards  
Chapter 65 - Vegetation Protection  
Chapter 77 - Revegetation  
Chapter 81 - Water Quality Control  
Chapter 91 - Air Quality Control

Staff Analysis:

A. Project History/Background: On January 21, 1979, Harrah's Tahoe received TRPA approval to construct a 3,572-space parking garage on the subject property. The approval was immediately challenged by the California Tahoe Regional Planning Agency et al. through litigation and the project has been enjoined since 1981. Upon TRPA's approval of the currently proposed project modifications, the plaintiffs to the 1979 litigation have agreed to dismiss the litigation and allow the construction of the modified parking garage to commence. Chapter 3 of the TRPA Code provides for projects approved by TRPA prior to the effective date of the Regional Plan, which are not complete, to proceed in accordance with the terms and conditions of the original TRPA approval. The proposed modifications have therefore been reviewed by Agency staff for consistency with the original approval and applicable provisions of the TRPA Code.

B. Environmental Documentation: The applicant has completed an Environmental Assessment (EA) in order to assess the potential environmental impacts of the project modifications. The EA addresses only those impacts resulting from the proposed modifications and compares the identified impacts with the original project and alternatives. No significant environmental impacts were identified and staff has concluded that the project, as conditioned, will not have a significant effect on the environment. A copy of the EA will be available at least five days before the Governing Board hearing at TRPA and is included in the Governing Board packet. Following is a summary of the environmental impacts and mitigations identified in the EA:

Environmental Impacts:

1. Parking: The proposed project modification, including the 368-space offsite employee parking lot will provide 3,841 total parking spaces which is within the recommended 90 to 95 percentile demand range of 3,624 to 3,879 spaces.

There will be an 846-space parking deficiency during construction of Phase I of the proposed modified project as compared to current parking conditions and an additional 371-space parking deficiency as a result of the Embassy Suites construction.

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If the required coverage removal associated with the first phase of the project is removed prior to occupancy of Phase I, a 1,109-space parking deficiency would result.

2. Traffic/Circulation: Highway 50 and Park Avenue intersection is currently operating at level of service (LOS) E, which is below acceptable standards. The proposed project will not generate any additional traffic and diversion of traffic as a result of the temporary closure of the Stateline access during Embassy Suites' construction will not result in any measurable increases in the volume/capacity (V/C) ratio for this intersection.

During construction of Phase I there would be a decrease in traffic through the Casino Core area due to the diversion of traffic to the temporary offsite parking lots.

3. Air Quality: Construction of the modified project would temporarily affect local air quality through the emissions of construction equipment and vehicles, and through dust caused by excavation and general soil disturbances.

During construction, the diversion of trips to temporary offsite parking lots would shift traffic on the street network, changing concentrations of carbon monoxide along these affected roadways. Based upon peak hour traffic volumes the maximum concentration of carbon monoxide in the area modeled would be slightly lowered during construction.

Upon completion of the modified project, the maximum concentration of carbon monoxide in the vicinity of the project site would be identical to that projected in the South Lake Tahoe Redevelopment Project No. 1 EIR/EIS. The modified project would not affect regional air quality in the Tahoe Basin. Some minor reduction in auto emissions may occur due to elimination or reduction of waiting times and travel distance to find a parking space during peak parking periods.

4. Land Coverage: The proposed modified project area will be reduced from 1,150,600 square feet (including Bill's) to 1,053,600 square feet as a result of the pending sale of the California portion of the property to Embassy Suites.

The applicant as a condition of the project approval in 1979, is required to reduce coverage onsite in an amount equal to nine percent of the existing nonconforming coverage within the Tourist/Commercial zone area (27,230 square feet) plus an amount of coverage equal to the proposed parking garage footprint (149,080 square feet) for a total reduction of 176,310 square feet.
5. Excavation: Construction of the modified project would require excavation of approximately 55,200 cubic yards of soil to an approximate depth of ten feet, which is considerably less than the currently approved project.

6. Storm Drainage: The amount of stormwater generated from the site with the modified project would be less than that currently generated due to the required coverage reductions.

7. Groundwater: The one subsurface level of the modified project would not extend below the average 15 foot groundwater level. If the groundwater level were closer to the surface than ten to 12 feet, interference could occur. Detailed groundwater monitoring on the proposed parking structure site would be necessary to determine if interference would occur. The existing approval allows three levels of underground parking which would make the likelihood of groundwater interference much greater as compared to the proposed modification.

Mitigation Measures:

1. Parking: Provide 371 temporary offsite parking spaces to offset the loss of parking due to a reduction in project area (Embassy Suites construction) and 846 temporary offsite parking spaces during Phase I construction of the parking garage. The applicant shall obtain TRPA approval for all temporary offsite parking prior to loss of existing parking and/or commencement of construction.

In order to avoid any additional temporary offsite parking requirements during Phase I construction and to allow an adequate construction staging area for Phase II construction, all required onsite coverage reductions should be deferred until completion of Phase II or until five years following commencement of Phase I, whichever comes first.

The additional 97-space offsite employee parking lot shall comply with TRPA Interm Interim Ordinance 87-8, Section 4.20.

2. Traffic/Circulation: No mitigation is required.

3. Air Quality: Although no significant impacts on air quality are expected, it is recommended that during peak parking periods the availability of parking in the garage be monitored. Signs should be erected when the garage is full, directing traffic to other parking areas.

4. Land Coverage: The applicant shall be required to remove a total of 176,310 square feet of coverage (149,080 square feet for the parking garage footprint and 27,230 square feet for the nine percent required reduction of nonconforming coverage) on the subject property upon completion of the project.
5. **Excavation:** All excavated material should be hauled to a location outside of the Tahoe Basin or to a TRPA approved site.

Whenever possible, all utilities shall occupy common trenches and shall be installed one at a time. Trench spoils shall be stored upgradient of the trench.

Replanting of all exposed surfaces, as per the required revegetation and slope stabilization plan shall be accomplished within the first growing season following disturbance.

There shall be no grading or land disturbance between October 15 and May 1 of each year or during periods of inclement weather or when snow is on the site. 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 rights-of-way swept clean when necessary.

6. **Storm Drainage:** The applicant shall be required to install a new storm drainage and water quality treatment system designed to meet the TRPA 208 Water Quality Plan requirements for the entire project area.

The applicant shall prepare and submit to TRPA for review and approval calculations and other necessary analyses demonstrating that the design of the surface water runoff control system for the entire project area will meet the requirements for surface and/or subsurface discharge as established in the Lake Tahoe Basin Water Quality Management Plan. Said calculations and analyses shall be prepared by a qualified civil engineer.

**Groundwater:** The applicant shall provide TRPA staff with a subsurface soil and geotechnical report. The report shall identify the elevation of the subsurface water table during peak spring runoff conditions at the location of the proposed parking garage. If the report shows that the construction of the proposed parking garage will interfere with the level or flow patterns of the natural subsurface water table, a design that prevents ground water from leaving the site as surface flow shall be developed.

C. **Plan Area Statement:** The project is located within Plan Area Statement 089A, Nevada South Stateline Resort Area. The Land Use Classification is Tourist and the Management Strategy is Mitigation. Agency staff has reviewed the subject Plan Area Statement and has identified the following items (underlined) as being applicable to the project modifications. Following each item is a brief statement addressing consistency.
1. Planning Statement:

This area should continue as a gaming area and the facilities devoted to unrestricted gaming activities should be allowed uses and may continue pursuant to the limitations set forth in the TRPA Compact as amended.

The proposed project is consistent with this statement in that it will provide an accessory parking structure for the existing gaming and tourist accommodation use.

2. Planning Considerations:

This area has traffic congestion problems at peak periods. This area is the major traffic generator within the Basin.

Based on the Environmental Assessment, no additional traffic will be generated as a result of the proposed project and traffic through the Casino Core area would temporarily decrease during construction due to the diversion of traffic to offsite parking areas.

This plan area is within Scenic Roadway Unit 31 and is targeted for restoration as required by the scenic threshold.

The proposed project involves a reduction in the total structure size. The structure will be constructed in the same location as originally approved and will be, for the most part, screened from view from the Highway 50 corridor by the existing Harrah's casino building. Upon completion of the proposed Embassy Suites project, the parking garage should be totally screened from the Highway 50 corridor. No degradation of the scenic quality rating for this area is anticipated as a result of the proposed project modifications.

D. Comparison of Original Project/Proposed Modifications:

Project Area: Harrah's total site area in 1979 included 2.3 acres in California and did not include the Bill's parcel. The parking garage was to be built in Nevada. Harrah's is currently anticipating the sale of the 2.3 acres in California to Embassy Suites for the construction of a hotel as a part of Redevelopment Project No. 1. Upon sale of the land, Harrah's total site area (including Bill's) will be approximately 1,053,600 square feet.

Land Coverage: As a condition of approval of the original project, Harrah's was required to reduce existing onsite coverage equal to the footprint of the proposed parking garage plus nine percent of the non-conforming coverage located within the Tourist/Commercial zone. This equated to 180,358 square feet of existing coverage that was to be removed. In addition, Harrah's was required to create a vehicular access connection to the Loop Road upon completion of the Loop Road. Any coverage associated with this access connection was to be offset on a one-for-one basis.

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Although the total project area will be reduced as a result of the sale of the California property to Embassy Suites, this will have no impact on the required coverage reductions. This is based on the fact that the original coverage reduction formula involved only those land areas located within the Tourist/Commercial zone. The California portion of the project area was zoned Commercial and was therefore not included in the original calculation for coverage reductions. In applying this coverage reduction formula to the current project area and modified parking garage, 176,310 square feet of existing onsite coverage would be required to be removed. The 4,048 square feet difference between the original reduction figure (180,358 square feet) and the current figure (176,310 square feet) is due to a proposed reduction in the parking garage footprint and a reduction in the amount of nonconforming coverage currently existing on the site.

The vehicular access connection to the Loop Road has already been constructed by Harrah's and an equal amount of coverage created as a result of the access construction has been removed.

Parking Garage Footprint: The amount of coverage associated with the original parking garage footprint was 152,800 square feet. The proposed parking garage modification involves a footprint of 149,080 square feet which is 3,720 square feet less in total coverage.

Parking Garage Height: The original parking garage included eight levels of parking with five above grade and three underground. The proposed parking garage modification provides for six levels of parking with five above grade and only one underground. Section 22.9 of the TRPA Code requires building modifications to comply with Chapter 22 Height Requirements wherever feasible. Due to the demonstrated need for parking and limitations on land coverage and excavation it is not feasible for the modified structure to comply with Chapter 22 Height Requirements.

The original project was approved at an average height of 40 feet. The proposed project, as modified, will maintain the same height as originally approved.

Parking Spaces: The original parking garage contained 3,572 parking spaces, resulting in approximately 4,884 total onsite parking spaces. The proposed parking garage modification provides 2,600 parking spaces, resulting in approximately 3,530 onsite parking spaces and 368 offsite parking spaces (located at the Crescent V Center). TRPA recognizes 271 of the proposed 368 offsite parking spaces as existing but could approve the additional 97. Therefore, the proposed modification includes a 97-space increase in current offsite parking. Combined onsite and offsite parking under this modification will provide approximately 3,841 total parking spaces. A complete parking demand analysis addressing the reduction in total parking spaces from the originally approved project and the addition of offsite parking is provided in the Environmental Assessment (EA) for the project. Based on the EA, no significant environmental impacts would result from the modified project, as mitigated.
Vehicular Circulation: The original circulation plan will be modified as a result of the proposed project to include the existing Loop Road access connection, to eliminate a maintenance road to the maintenance garage, and to convert the existing exit road at the southwest corner of the Harrah's casino building to an entrance road only. Elimination of the exit at the southwest corner of the property should lessen congestion on Highway 50 and a reduction in surface parking should lessen conflicts between pedestrians and vehicular traffic. Based on the EA, no significant impacts on vehicular circulation will occur as a result of the proposed project.

Density: The proposed reduction in the original project area through the sale of the California property to Embassy Suites will not have an impact on Tourist Accommodation unit density. In applying current density requirements contained in Chapter 21 of the TRPA Code to the area of the parcel originally designated as Tourist/Commercial zone, the allowable density for the subject property is 614 units. The existing Harrah's hotel has 535 units which is well within that allowed even with the reduced project area.

Conditions of Approval: The Governing Board approved the original project based on certain conditions being satisfied by the applicant. These conditions, as modified to incorporate present day requirements and mitigations recommended in the EA, are included as conditions of approval for the proposed modified project.

E. Required Findings: The following is a list of the required findings as set forth in Chapter 6 and 18 of the TRPA Code of Ordinances. Following each finding, Agency staff has briefly summarized the evidence on which the finding can be made.

1. The project is consistent with and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, Plan Areas Statements and Maps, the Code and other TRPA plans and programs.

   a. Land Use: The project modification involves no change in use from the originally approved project with the exception of the proposed offsite parking, which is considered a special use in the subject plan area. The parking garage is considered an accessory use to the existing primary use (Gaming and Tourist Accommodation). The project, as conditioned, includes all required water quality improvements for the project area.

   b. Transportation: The proposed project, according to the information contained in the EA, will have no significant adverse impacts on traffic or circulation. The proposed project involves the modification of a previously approved parking garage which will provide additional parking for an existing primary use.
c. Conservation: The proposed project includes a reduction of 176,310 square feet of existing onsite coverage which is consistent with the original coverage removal requirements. The proposed structure has been redesigned to reduce potential impacts on groundwater by eliminating two underground levels of parking and to reduce the overall footprint of the structure. No significant adverse impacts on vegetation, wildlife, fisheries, scenic quality, open space, stream environment zones, cultural or energy resources are anticipated as a result of the proposed project modifications.

d. Recreation: There are no impacts on recreation as a result of the proposed project modifications.

e. Public Services and Facilities: The proposed project involves modifications to a previously approved parking garage. No additional public services or facilities should be required for the subject project.

f. Implementation: The project does not require any development allocations and should not have any adverse impacts on the Implementation Element of the Regional Plan. In addition, gaming uses are restricted by the Compact.

2. The project will not cause the environmental threshold carrying capacities to be exceeded.

The basis for which this finding can be made is provided on the checklist entitled "Checklist: Article V(g) Findings" in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained on said checklist indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklist will be made available at the Governing Board hearing and at TRPA.

3. Wherever Federal, State, or local air and water quality standards applicable for the Region, whichever are strictest, must be attained and maintained pursuant to Article V(g) of the TRPA Compact, the project meets or exceeds such standards.

(Refer to paragraph 2, above.)

4. The project, to which the use pertains, is of such a nature, scale, density, intensity and type to be an appropriate use for the parcel on which, and surrounding area in which, it will be located.
The additional 97 offsite parking spaces will be located within the Crescent V Shopping Center parking lot. This area has been traditionally used as an offsite parking area for 271 employee parking spaces for Harrah's and is currently under lease by Harrah's. The additional parking is therefore an appropriate use for the parcel and the surrounding area.

5. The project, to which the use pertains, will not be injurious or disturbing to the health, safety, enjoyment of property, or general welfare of persons or property in the neighborhood, or general welfare of the region, and the applicant has taken reasonable steps to protect against any such injury and to protect the land, water and air resources of both the applicant's property and that of surrounding property owners.

The additional parking will be provided within the current leased area at the Crescent V Shopping Center and should not have any additional impacts over existing conditions.

6. The project, to which the use pertains, will not change the character of the neighborhood, detrimentally affect or alter the purpose of the applicable planning area statement, community plan and specific or master plan, as the case may be.

The subject parcel is currently used for parking to serve the Crescent V Shopping Center as well as offsite employee parking for Harrah's. The additional offsite parking will not change the character of the area. The subject Plan Area allows vehicle parking and storage facilities as special uses.

F. Required Actions and Findings: Agency staff recommends that the Governing Board approve the modifications to the parking garage approval by making the following motions and findings based on this staff summary, the Environmental Assessment, and the evidence contained in the record:

I. A motion, based on this staff summary, for the findings contained in Section E above, and a mitigated finding of no significant environmental effect.

II. A motion to approve the modifications, based on the staff summary, subject to the following conditions:

1. The Standard Conditions of Approval listed in Attachment Q.

2. Prior to commencement of construction the following special conditions of approval must be satisfied:
a. The final construction drawings for all site improvements shall be submitted to TRPA for staff review and approval. 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 and water quality treatment facilities for the project area.

b. The security required under Standard Condition I.2 of Attachment Q shall be determined based upon the permittee's submittal of the required Best Management Practices (BMP) plan and coverage removal plan and related cost estimates. Said security shall not be released until all required coverage has been removed and all required permanent BMPs have been installed. In addition, the permittee shall post a security deposit in an amount determined to be adequate by TRPA to ensure availability of all required temporary offsite parking (see Condition 2.0).

c. Calculations, plans and other necessary analyses demonstrating that the design of the surface water runoff control system will meet TRPA requirements for surface and/or subsurface discharge as well as those 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. The permittee shall obtain all required local, state and federal approvals applicable to the proposed project.

e. The permittee shall provide Agency staff with a subsurface soil and geological report. The report shall identify the elevation of the subsurface water table during peak spring runoff conditions at the location of the proposed parking garage. If the report shows the construction of the proposed garage will interfere with the level or flow patterns of the natural subsurface water table, a design that prevents groundwater from leaving the site as surface flow shall be submitted to TRPA for review and approval.
f. The permittee shall submit a projected project completion schedule to TRPA for review and approval. Said schedule shall include completion dates for each phase as well as coverage removal and BMP installations for the entire project area.

g. The permittee shall submit three sets of final construction drawings and site plans to TRPA.

h. The final construction drawings shall have notes indicating conformance to the following design standards for color, and roofs:

(1) Color: The color of this structure shall be compatible with the surroundings. Subdued colors in the earthtone and woodtone ranges shall be used for the primary color of the structure.

(2) Roofs: Roofs shall be composed of nonglare earthtone or woodtone materials that minimize reflectivity.

i. The permittee shall either consolidate parcels 07-150-01, 05, 06, 07 and 08 into one legal lot of record pursuant to applicable county subdivision ordinances and state subdivision laws, or record against the parcels a deed restriction, or other covenant running with the land, permanently assuring that all future land coverage calculations for the parcels shall be made as if these parcels had been legally merged.

j. The permittee shall provide a landscape plan and fertilizer management plan in accordance with the standards required in Sections 30.7 and 81.7 of the TRPA Code of Ordinances for TRPA staff review and approval.

k. The permittee shall submit a coverage removal plan delineating the amount and location of coverage to be removed in accordance with the TRPA-approved completion schedule.

l. The permittee shall submit a continuing maintenance and monitoring program for the stormwater collection and treatment system to TRPA staff for review and approval. The data provided under this program shall be adequate to determine continuing compliance with applicable requirements for surface and/or subsurface discharge.
m. The permittee shall submit a detailed construction plan describing the construction process for all phases of construction, e.g., spoil material storage, interim circulation plan, interim offsite parking and shuttle program, coordination with Embassy Suites construction, building material storage, etc., to TRPA staff for review and approval.

n. The permittee shall submit a plan to meet the 371-space and 846-space temporary offsite parking requirements to TRPA staff for review and approval. Said plan shall comply with TRPA requirements for temporary offsite parking (Interim Ordinance 87-8, Section 4.20, Chapter 24 of the TRPA Code). The approved plan shall be implemented prior to loss of existing parking and/or commencement of construction.

c. The permittee shall provide appropriate assurances to TRPA regarding the continuing availability of the additional 97-space offsite employee parking lot at the Crescent V Shopping Center.

3. The project shall proceed in the following sequence:

a. TRPA pregrade inspection.

b. Such trees as TRPA has authorized shall be removed and the initial phase of the vegetation protection plan shall be completed.

c. Installation of fencing for vegetation protection.

d. Installation of temporary erosion protection devices.

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.

3. Completion of structure foundations.

h. Removal of spoil materials, as required.

i. Final grading and installation of base for paved areas.

j. Paving.

k. Completion of structures.

AGENDA ITEM IV. A.
1. Landscaping and revegetation.

4. Whenever possible, all utilities shall occupy common trenches and shall be installed at one time. Trench spoil shall be temporarily 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 of each year nor during periods of inclement weather or when the site is wet or covered with snow.

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 deadline.

7. 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 rights-of-way swept clean when necessary to correct conditions caused by dirt tracked off the site.

8. Rehabilitation and cleanup of the site following construction must include removal of all construction waste and debris.

9. This permit shall expire two years and 318 days from the date the Court injunction in California Tahoe Regional Planning Agency, et al. vs. Harrah's Corporation, et al. is dissolved. This permit shall expire on said date without further notice unless the construction has commenced prior to this date and diligently pursued thereafter. Diligent pursuit is defined as completion of the project in accordance with the approved project completion schedule as it may be amended and approved by TRPA. The expiration date shall not be extended unless the project is determined by TRPA to be the subject of legal action which delayed or rendered impossible the diligent pursuit of the permit

10. If the construction is not completed within the approved project completion schedule, as it may be amended and approved by TRPA, this approval shall expire and the permittee or its successor in interest shall immediately remove all partially completed work and return the site, as far as possible, to its original condition.
11. Upon the completion of construction, physical barriers shall be provided to confine all vehicles to designated parking and driveway areas. The design and placement of the barriers shall be reviewed for approval by TRPA.

12. The existing land coverage on the site shall be reduced by 176,310 square feet upon completion of Phase II or until five years following commencement of Phase I, whichever comes first. All required coverage removal shall be consistent with the TRPA approved coverage removal plan and schedule.

13. Agency staff shall be notified at least 48 hours in advance of commencement of construction to schedule a pre-grading inspection.

14. All spoil materials and construction waste shall be removed to a TRPA approved site or to a site located outside of the Tahoe Basin.

15. The maximum height of the parking structure including all appurtenances shall not exceed elevation 160.125 feet, the elevation reference being the main casino floor elevation of 100.00 feet.

16. No travel lanes on Highway 50 or the Loop Road shall be closed between the hours of 9:00 a.m. to 12:00 midnight or blocked for purposes of construction relative to the parking garage.

17. This approval is specifically for a parking garage containing 2,600 parking spaces, and an additional 97 offsite parking spaces (368 total offsite spaces) located at Crescent V Center, resulting in not more than 3,841 total parking spaces in the Harrah's project area (3,483 spaces onsite and 368 spaces offsite).

The 368 offsite parking spaces shall be for employees only and the applicant shall provide continuing shuttle services between said parking lot and the Harrah's casino/hotel facility.

18. Within 18 months of completion of Phase II, Harrah's shall eliminate all offsite parking at the Crescent V site. In lieu of removal of offsite parking, Harrah's can conduct a revised parking demand analysis to demonstrate to TRPA that the 95th percentile parking demand, daily and hourly, exceeded supply during a 12 month period within the 18 months. The analysis shall be based on a number of
independent surveys, shall describe in detail how parking demand figures were derived, and shall demonstrate that significant adverse environmental impacts would result without continuation of the offsite parking. The analysis shall also discuss alternatives to continued offsite parking in the Stateline area, including transit or distant park and ride lots for casino employees. If TRPA does not agree that the parking analysis supports the retention of the offsite parking, the offsite parking shall be eliminated.

19. The architectural design of garage shall include elements that screen from public view all external mechanical equipment, and utility hardware on roofs, buildings or the ground. Roofs, including mechanical equipment and skylights, shall be constructed of nonglare finishes that minimize reflectivity.

20. The adequacy of all required temporary and permanent BMPs as shown on the final construction plans shall be confirmed at the time of the TRPA pregrading inspection. Any required modifications, as determined by TRPA, shall be incorporated into the project permit at that time.

21. Any normal construction activities creating noise in excess of the TRPA noise standards shall be considered exempt from said standards provided all such work is conducted between the hours of 8:00 a.m. and 6:30 p.m.

22. The permittee shall monitor the availability of parking in the parking garage during peak parking periods. When the garage is at full capacity, signs shall be erected at all parking garage entrances directing traffic to other parking areas.

23. This approval is based on the permittee's representation that all plans and information contained in the subject application are true and correct. Should any information or representation submitted in connection with the project application be incorrect or untrue, TRPA may rescind this approval, or take other appropriate action.

24. No parking along the loop roads shall be permitted after construction of the ROMA circulation alternative included in the South Lake Tahoe Redevelopment Plan.
ATTACHMENT Q
STANDARD CONDITIONS OF APPROVAL

This handout is divided into the following three sections:

I. Pre-Grading Conditions (Pre-activity, where applicable)
II. Construction/Grading Conditions
III. General Conditions/Design Standards

Please read all of the conditions carefully to avoid any delays in construction of your project.

I. PRE-GRADING/PRE-ACTIVITY CONDITIONS:

The following conditions must be completely complied with prior to any site disturbance or commencement of activity.

1. Final Construction Plans:

Final construction plans must be submitted to and reviewed by TRPA to determine conformance with the approval. Said plans shall clearly depict the following:

A. Slope stabilization methods to stabilize all existing and proposed cut and fill slopes.

B. Areas to be revegetated, including complete specifications for such revegetation.

C. Fencing for vegetation protection.

D. Temporary and permanent erosion control devices.

E. Utility trenches.

F. Dust control measures.

G. All water quality improvements (BMPs) required in the conditional approval. Drainage facilities shall be designed to be capable of retaining runoff water for a two (2) year, six (6) hour storm.

H. The final plans shall contain equipment specifications necessary to establish compliance with Standard Conditions IV. 1-6.

2. Securities:

A security shall be posted with the TRPA to insure proper installation of all improvements required by the TRPA as conditions of project approval. The security shall include an amount equal to 110 percent of the cost of the BMPs and other erosion control and water quality improvements required. For further information on the acceptable types of securities see Attachment J.
3. **Mitigation Fees:**

All required air quality, water quality, and excess coverage and offsite coverage mitigation fees shall be paid to TRPA. **ALL MITIGATION FEES ARE NON-REFUNDABLE.**

4. **Temporary BMPs:**

The following temporary BMPs are required to be installed on-site prior to any grading activity occurring:

A. Installation of temporary erosion controls.
B. Installation of vegetation protection measures.
C. Installation of construction site boundary fencing.

5. **Required Inspection:**

An on-site inspection by TRPA staff is required prior to any construction or grading activity occurring. TRPA staff shall determine if the on-site improvements required by Condition II (1) above have been properly installed. No grading or construction shall be undertaken by the permittee until receipt of TRPA notification that the pre-grading/pre-activity conditions of approval have been satisfied.

6. **Required Notices:**

The following notices to the TRPA are required prior to any grading or construction occurring on the project site:

A. **Notice for Pre-Grading Inspection:** The permittee shall notify the TRPA when all on-site improvements required under Condition II(1) above have been installed so that the required pre-grading inspection may be scheduled.

B. **Notice of Commencement of Construction:** The permittee shall notify the TRPA at least 48 hours prior to commencement of construction or grading on the project site. Said notice shall include the date when construction will commence.

II. **CONSTRUCTION/GRADING CONDITIONS:**

The following conditions shall be complied with during the grading and construction phase of the project.

1. All construction shall be accomplished in strict compliance with the plans approved by TRPA.
2. The TRPA permit and the final construction drawings bearing the TRPA stamp of approval shall be present on the construction site from the time construction commences to final TRPA site inspection. The permit and plans shall be available for inspection upon request by any TRPA employee. Failure to present the TRPA permit and approved plans may result in the issuance of a Cease and Desist Order by the TRPA.

3. Whenever possible, utilities shall occupy common trenches to minimize site disturbance.

4. There shall be no grading or land disturbance performed with respect to the project between October 15 and May 1, unless proper approvals are obtained from TRPA, as provided in the limited exemption described in Section 4.2.A of the TRPA Code of Ordinances.

5. Except as provided in Subsection 64.2.B of the Code of Ordinances, there shall be no grading at any time of the year during periods of precipitation and for the resulting period of time when the site is covered with snow or is in a saturated, muddy, or unstable condition.

6. All material obtained from any excavation work that is not contained within foundations, retaining walls, or by other methods approved by TRPA shall be removed from the subject parcel and disposed of at a site approved by TRPA.

7. Replanting of all exposed surfaces, in accordance with the revegetation and slope stabilization plan, shall be accomplished within the first growing season following disturbance, unless an approved construction/inspection schedule establishes otherwise.

8. All 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.

9. Soil and construction material shall not be tracked off the construction site. Grading operations shall cease in the event that a danger of violating this conditions exists. The site shall be cleaned up and road right-of-way swept clean when necessary.

10. During grading and construction, environmental protection devices such as erosion control devices, dust control, and vegetation protection barriers shall be maintained.

11. Loose soil mounds or surfaces shall be protected from wind or water erosion by being appropriately covered when construction is not in active progress or when required by TRPA.

12. Excavated material shall be stored upgrade from the excavated areas to the extent possible. No material shall be stored in any stream zone or wet areas.
13. Only equipment of a size and type that, under prevailing site conditions, and considering the nature of the work to be performed, will do the least amount of damage to the environment shall be used.

14. No washing of vehicles or construction equipment, including cement mixers, shall be permitted anywhere on the subject property unless authorized by TRPA in writing.

15. No vehicles or heavy equipment shall be allowed in any stream environment zone, or wet areas, except as authorized by TRPA.

16. All construction sites shall be winterized by October 15 to reduce the water quality impacts associated with winter weather as follows:

A. For sites that will be inactive between October 15 and May 1:

(1) Temporary erosion controls shall be installed;
(2) Temporary vegetation protection fencing shall be installed;
(3) Disturbed areas shall be stabilized;
(4) Onsite construction slash and debris shall be cleaned up and removed;
(5) Where feasible, mechanical stabilization and drainage improvements shall be installed; and
(6) Spoil piles shall be removed from the site.

B. For sites that will be active between October 15 and May 1, in addition to the above requirements:

(1) Permanent mechanical erosion control devices shall be installed, including paving of driveway and parking areas; and
(2) Parking of vehicles and storage of building materials shall be restricted to paved areas.

IV. GENERAL CONDITIONS/DESIGN STANDARDS:

1. Projects approved by TRPA shall be subject to inspections by TRPA at any reasonable time. The permittee shall be responsible for making the project area accessible for inspection purposes. TRPA shall not be liable for any expense incurred by the permittee as a result of TRPA inspections.

2. Construction shall be completed in accordance with an approved construction schedule. An extension of a completion schedule for a project may be granted provided the request is made in writing prior to the expiration of the completion schedule, a security is posted to ensure completion or abatement of the project and TRPA makes either of the following findings:
(a) The project was diligently pursued, as defined in subparagraph 4.12.C.(2) of the Code of Ordinances, during each building season (May 1 - October 15) since commencement of construction.

(b) That events beyond the control of the permittee, which may include engineering problems, labor disputes, natural disasters or weather problems, have prevented diligent pursuit of the project.

3. Water conservation appliances and fixtures shall be installed in all new facilities or when replaced in existing facilities: Low flow flush toilets; low flow showerheads (3 gpm rated maximum flow); faucet aerators; and water-efficient appliances (e.g., washing machines and dishwashers).

4. Water heaters shall not emit nitrogen oxides greater than 40 nanograms of nitrogen oxide (NO₂) per joule of heat output.

5. Space heaters shall not emit greater than 40 nanograms of nitrogen oxides (as NO₂) per joule of useful heat delivered to the heated space.

6. Wood heaters to be installed in the Region shall meet the safety regulations established by applicable city, county, and state codes. Coal shall not be used as a fuel source.

   (a) Emission Standards: Wood heaters installed in the Region shall not cause emissions of more than 15 grams of smoke per hour for noncatalytic wood heaters or six grams per hour for catalytically equipped wood heaters.

   (b) Limitations: Wood heaters shall be sited appropriately for the space they are designed to serve. Wood heaters shall not be installed in hotels, motels, and timeshare units of hotel/motel design, except in the common areas. Replacements of existing wood heaters shall be with units meeting the emission standards contained in 6(a) above.

   (c) List of Approved Heaters: TRPA shall maintain a list of wood heaters which may be installed in the Region. The list shall include the brand names, model number, description of the model and the name and address of the manufacturer. Wood heaters certified for use in either Colorado or Oregon shall be considered in compliance with 6(a), above.

7. Construction materials shall be secured to prevent them from rolling, washing, or blowing off the project site. Rehabilitation and clean-up of the site following construction must include removal of all construction waste and debris.
8. Plant species on the TRPA Recommended Native and Adapted Plant List shall be used for lawns and landscaping.

9. The following sizes and spacing shall be required for woody plant materials at time of planting:

(a) Trees shall be a minimum six feet tall or 1 1/2 inch caliper size or diameter at breast height;

(b) Shrubs shall be a minimum three gallon pot size where: upright shrubs have a minimum height of 18 inches and a minimum spread of 18 inches; and spreading shrubs have a minimum spread of 18-24 inches.

(c) Groundcovers shall be a minimum four inch pot size or one gallon container and shall be maximum 24 inches on center spacing.

10. Plant species not found on the TRPA Recommended Native and Adapted Plant List may be used for landscaping as accent plantings but shall be limited to borders, entryways, flower-beds, and other similar locations to provide accent to the overall native or adapted landscape design.

11. The following exterior lighting standards shall apply:

(a) Exterior lights shall not blink, flash or change intensity. String lights, building or roofline tube lighting, reflective or luminescent wall surfaces are prohibited.

(b) Exterior lighting shall not be attached to trees except for Christmas season.

(c) Parking lot, walkway, and building lights shall be directed downward.

(d) Fixture mounting height shall be appropriate to the purpose. The height shall not exceed the limitations set forth in Chapter 22 of the Code.

(e) Outdoor lighting shall be used for purposes of illumination only, and shall not be designed for, or used as, an advertising display. Illumination for aesthetic or dramatic purposes of any building or surrounding landscape utilizing exterior light fixtures projected above the horizontal is prohibited.

(f) The commercial operation of searchlights for advertising or any other purpose is prohibited. Seasonal lighting displays and lighting for special events which conflict with other provisions of this section may be permitted on a temporary basis.
Project Name: South Lake Tahoe Redevelopment Project No. 1

Application Type: Redevelopment (Tourist Accommodation and Commercial)

Applicant: South Lake Tahoe Redevelopment Agency

Co-Applicants: Embassy Suites and El Dorado Improvement Corporation

Location: Highway 50 and Ski Run Boulevard (Ski Run/Southwest Corner Site) and Highway 50 and Stateline Avenue (Embassy Suites Site)

Assessors Parcel Number/Project Number: 800-000-89/1 (Project Area), 800-000-89/2 (Ski Run and Sonora Public Right-of-Way and Public Sidewalk Easement Area), and 800-000-89/3 (Caltrans Right-of-Way)

Project Description: The project consists of the following components:

Ski Run Site (800-000-89/1):

A 300-suite, six-story (75 feet maximum height) hotel structure including a 14,250 square foot conference facility, a 2,000 square foot retail facility, and a 6,125 square foot restaurant/lounge as accessory uses.

Two hundred-fifty-one understructure parking spaces and 46 surface parking spaces for hotel guests.

Continuance of the existing marina. An expanded marina to accommodate 98 boat slips is anticipated in the future, but is not included as a part of this project. A marina master plan and additional environmental documentation will be required in order for the expanded marina to be approved.

A 16,100 square foot, two-story commercial retail and restaurant facility.

A 10,000 square foot public beach area.

A 150-space public parking lot.

A 4,500 square foot McDonald's restaurant (relocated) with 50 surface parking spaces.

Ten acres of landscaped open space, including a three acre park area and artificial wetland area.

Adjustment and consolidation of existing lot lines.

JW:cs 5/30/89

AGENDA ITEM IV.B.
A coverage reduction of 280,088 square feet.

Retirement of 393 existing tourist accommodation units (onsite and offsite).

Transfer of 16,100 square feet of existing commercial floor area for the marina retail building and 4,500 square feet of commercial floor area for the relocated McDonald's.

Relocation of approximately 750 feet of existing 16 inch sewer force main and 18 inch gravity sewer line.

Southwest Corner Site (800-000-89/1):

A 38,000 square foot, two-story commercial retail building.

A 242-space, two-story parking garage.

A 42-space surface parking lot.

Adjustment and consolidation of existing lot lines.

A coverage reduction of 4,493 square feet.

Transfer of 38,000 square feet of existing commercial floor area for the commercial retail building.

Embassy Suites Site (800-000-89/1):

A 400-suite, eight story (95 foot maximum height) hotel structure, including a 1,400 square foot commercial retail facility, a 6,400 square foot restaurant, a 1,925 square foot bar/lounge and a 6,020 square foot conference facility as accessory uses.

A 375-space understructure parking garage.

Nine tenths of an acre of landscaped open space.

A 100 foot by 150 foot "Gateway" pedestrian plaza.

Adjustment and consolidation of existing lot lines.

A coverage reduction of 25,794 square feet.

Retirement of 524 existing tourist accommodation units (offsite).

5/30/89
Public Rights-of-Way/Walkway Easement Area (800-000-89/2&3):

The proposed improvements within the new Ski Run Blvd. and Sonora Drive rights-of-way and the new public sidewalk easement area bordering Highway 50 (City of South Lake Tahoe), and the area between the existing Highway 50 curb and Highway 50 right-of-way paralleling the Ski Run site (Caltrans), as delineated on the proposed site plan are included as a part of the overall project, but for purposes of review and coverage tracking, are treated as separate project areas. The proposed modifications within these two project areas include:

Realignment of existing public rights-of-way for Ski Run Boulevard and Sonora Drive (City).

Relocation of existing coverage within realigned Ski Run Boulevard and Sonora Drive rights-of-way (City).

Creation of a new eight foot wide public sidewalk within the proposed public walkway easement area (City).

Reduction of 14,553 square feet of existing coverage within the proposed Ski Run Boulevard and Sonora Drive rights-of-way, and the proposed public sidewalk easement area (City).

Reduction of 11,724 square feet of existing coverage (sidewalk) within the existing Highway 50 right-of-way (Caltrans).

NOTE: Any required improvements beyond those indicated on the proposed site plan, i.e., turn lanes requiring additional coverage, etc., and any required improvements within the Highway 50 right-of-way, i.e., right turn lanes onto Ski Run Boulevard, etc., are not considered as a part of this project and will require separate project applications and approvals.

Site Description: The proposed project area includes three non-contiguous sites comprising approximately 23.43 acres, exclusive of public rights-of-way, public walkway easements and water bodies. The Ski Run site is 16.42 acres, the Southwest Corner site is 3.02 acres, and the Embassy Suites site is 3.99 acres in size. The Ski Run and Southwest Corner sites are composed of a cluttered combination of hotels, gas stations, various commercial uses, parking areas, and coniferous trees. The Embassy Suites site consists of an existing paved parking lot serving the Harrah's hotel/casino facility with a number of mature pine trees. The Ski Run site is currently 78.3 percent covered, the Southwest Corner site is 75.6 percent covered and the Embassy Suites site is 92.2 percent covered. The Ski Run/Sonora rights-of-way and public walkway easement area is currently 82.3 percent covered, and the Highway 50 right-of-way area is currently 100 percent covered.
Code Review:

Chapter 4 - Project Review
Chapter 5 - Environmental Documentation
Chapter 6 - Findings
Chapter 13 - Plan Area Statements
Chapter 15 - Redevelopment Plans
Chapter 18 - Permissible Uses
Chapter 20 - Land Coverage
Chapter 21 - Density
Chapter 22 - Height
Chapter 23 - Noise
Chapter 24 - Driveway/Parking
Chapter 25 - Best Management Practices
Chapter 27 - Basic Services
Chapter 29 - Historic Resources
Chapter 30 - Design Standards
Chapter 32 - Regional Plan/Thresholds
Chapter 33 - Allocations
Chapter 34 - Transfers
Chapter 38 - Tracking/Banking
Chapter 50 - Shorezone/Lakezone Review
Chapter 51 - Permissible Uses
Chapter 52 - Existing Structures
Chapter 53 - Shorezone Tolerance Districts
Chapter 61 - Special Reports
Chapter 62 - Grading/Construction Standards
Chapter 64 - Grading Standards
Chapter 65 - Vegetation Protection
Chapter 71 - Tree Removal
Chapter 75 - Sensitive Plants/Fire Hazards
Chapter 77 - Revegetation
Chapter 78 - Wildlife Resources
Chapter 81 - Water Quality Control
Chapter 91 - Air Quality Control
Chapter 93 - Air Quality Mitigation

Staff Analysis:

A. Environmental Documentation: An Environmental Impact Report/Statement (EIR/EIS) has been prepared in order to assess the potential environmental impacts of the project. The Final EIR/EIS is scheduled to be certified by the TRPA Governing Board at the special June Board meeting, prior to hearing the subject project. The Final Project EIR/EIS and the Plan EIR/EIS identifies the following significant impacts and mitigation measures attributable to the project:
Summary of Significant Impacts:

1. **Land Use**: Development of 700 tourist accommodation units.

   Development of 58,600 square feet of commercial floor area.

   Existing business and residences will be displaced and/or relocated.

2. **Geology/Soils**: The project would result in approximately 23 acres of grading.

   Offsite erosion and sedimentation could result from large-scale excavation proposed for the two hotel structures. Excavation of two sublevels from the Embassy Suites site and one sublevel from the Ski Run site could result in thousands of cubic yards of material to be removed.

   Potential seiche hazards would affect the proposed Ski Run beachfront areas and the Tahoe Marina hotel buildings.

   Temporary disruption of Stream Environment Zone (SEZ) involving relocation of approximately 8,608 square feet of existing coverage to noncovered areas and removal of approximately 169,328 square feet of existing SEZ coverage.

3. **Hydrology**: Construction of two sublevels of the Embassy Suites hotel and one sublevel of the Tahoe Marina hotel may encounter groundwater. Dewatering during and after construction may be required.

4. **Water Quality**: There would be an overall decrease in impervious coverage. This would reduce runoff and increase water quality generated from runoff.

   Implementation of the Storm Water Management component would reduce nutrient loadings at the marina which would reduce algae buildup.

   Contamination of groundwater may occur during the removal of fuel storage tanks and/or petroleum contaminated soil. If the tanks have leaked this problem and any contaminated soil can be corrected.

   The project includes infiltration trenches and detention ponds to accommodate a 20 year/one hour storm and will reduce the amount of surface runoff.

   Runoff water will accumulate in different locations than before.
5. **Transportation/Circulation**: The proposed project would add 7,533 daily vehicle trip ends (DVTE) to the local circulation system. Chapter 15 requires a reduction of all of the project’s DVTE plus an additional 732 DVTE (8,265); the South Lake Tahoe Redevelopment Demonstration Plan proposes a reduction of the project's DVTE plus an additional ten percent (8,286). Under the existing circulation system, proposed land use retirements would eliminate 6,014 DVTE. An additional 2,251-2,272 DVTE need to be eliminated to meet the targets.

Existing plus project Highway 50 eight-hour traffic volumes would be 16 percent greater than 1981 baseline volumes on Highway 50 west of Park Avenue, of which only three percent is attributable to the project.

The addition of project traffic to existing traffic volumes would result in an increase in the volume/capacity (V/C) ratio at three signalized intersections currently operating at Level of Service (LOS) D or worse. With the exception of the Ski Run Boulevard/Highway 50 intersection, which will have an increase in the V/C ratio or 0.05, all of these intersections will have an increase of 0.02.

Project development would have no significant impacts on transit usage as proposed for the South Lake Tahoe Redevelopment Area.

The proposed project would reduce the number of driveways accessing adjacent streets.

Access to Osgood Avenue west of Ski Run Boulevard would be eliminated with the construction of the Southwest Corner component.

6. **Parking**: Displacement of approximately 371 parking spaces for Harrah’s would occur as a result of Embassy Suites construction.

Neither the Ski Run site nor the Stateline site would have sufficient parking according to the City of South Lake Tahoe parking ordinance. An independent parking analysis indicates that both sites would have sufficient parking supply to accommodate peak parking demand.

7. **Air Quality**: During peak periods, construction activities would add up to 0.48 tons of particulates/day. On average, construction activities would add up to 0.06 tons of particulates/day.

Stationary source emissions appear for each hotel to be within TRPA limitations. Cumulatively, the two hotels could exceed limits, but this could be offset by retirement of existing uses.
Under existing and future year conditions, project development would result in slight increases or decreases in carbon monoxide concentrations, depending on receptor location. Although these increases could make attainment of standards more difficult, Chapter 15 targets can be met.

8. **Noise**: Residences near development sites would experience short-term adverse noise impacts from construction (85-90 dBA within 50 feet of construction sites and haul routes).

9. **Biological Resources**: Potential for temporary and permanent degradation of Ski Run SEZ vegetation.

   The Ski Run component could have an impact on *Rorippa subumbellata* habitat, but would not affect existing plants.

10. **Visual Resources**: The Ski Run site would be significantly enhanced by removal of many existing man-made features, expanded view corridor, more landscaping and screening, and compatible architecture. The Embassy Suites site, which has few man-made features and provides some distant views of the ridgeline, would be only slightly improved. Low scenic quality ratings from affected landscape units would remain unchanged. Higher travel route ratings for affected units would result, but threshold ratings would not be attained by this project alone. Existing views from key public recreation areas would not be significantly impacted.

   The two-story retail building proposed for the southwest corner would create a consistent, unified design character along Highway 50 and Ski Run Blvd., but would increase the sense of building mass if not properly designed.

11. **Cultural Resources**: One potentially historic cabin would be removed from the Ski Run site and relocated.

12. **Public Services/Utilities**: Adequate water supplies would not be available for fire protection for the Ski Run development unless mitigation is implemented (2,250 gallons/minute for two hours).

   Water supply for Embassy Suites development fire protection would be provided by Edgewood Water Company (3,750 gallons/minute for three hours).

   Average daily water demand would be 97,160 gallons at Ski Run and 56,000 at Embassy Suites.

   Hotel water use for Embassy and Ski Run would be partially off-set by proposed room retirements.

5/30/89

**AGENDA ITEM IV.B.**
One thousand-four hundred eighty-four or more sewer units must be acquired and retired to serve the project, as required by STPUD.

Ski Run development could cause significant adverse impacts on gravity sewer lines, and possibly utility lines under Highway 50, unless mitigated.

Embassy Suites development could be adequately served by existing gravity line nearby.

At Ski Run site, the existing above-ground Sierra Pacific electrical distribution system would be redesigned and replaced.

CP National can adequately serve the project with natural gas. CP Natural would abandon/relocate some gas lines on the Ski Run site.

The Ski Run component would result in removal and replacement of telephone lines and equipment. The Embassy Suites component would not impact existing equipment.

The Ski Run component would result in the removal and replacement of some existing cable lines and equipment, and the installation of new connections. The Embassy Suites component would not impact existing service.

Police services will be provided by the City of South Lake Tahoe Police Department.

Fire services will be provided by the City of South Lake Tahoe Fire Department.

13. **Energy**: There will be a need for additional energy during construction of new hotels and commercial uses.

14. **Public Safety**: Water quality may be affected by leaks or spills from underground fuel tanks.

The Ski Run marina area is subject to seiche waves which could cause minor damage to boats, piers, fueling facilities, and the hotel subsurface parking facility.

The Embassy Suites site is not susceptible to seiche or earthquake-generated water hazards.

15. **Land Coverage**: The project area consists of 819,878 square feet (80.3%) of existing land coverage. The project proposes 509,503 square feet (49.9%) of land coverage (310,375 square feet reduction), which is 4,433 square feet (.4%) in excess of that permitted under Chapter 15 of the TRPA Code.

5/30/89
The project area currently has 637,732 square feet of excess land coverage. With implementation of the required coverage reductions under Chapter 15 (314,808 square feet), the project will have 245,192 square feet of excess coverage remaining that must be mitigated under Chapter 20 of the TRPA Code.

16. Public Benefits: The project would provide the necessary public benefits to be eligible for increased building height, with the possible exception of a deficiency in the two acre SEZ restoration and/or artificial wetland requirement.

Commercial facilities or concessions which have operated on the beach area in the past, i.e., sailboard/sailboat rentals, etc., could impact the public beach area if allowed to continue.

Summary of Mitigation Measures:

1. **Land Use:** Retirement of 917 existing tourist accommodation units.

   Transfer of 58,600 square feet of existing commercial floor area.

   The City/Redevelopment Agency shall conduct land acquisition activities in accordance with State law.

2. **Geology/Soils:** All site grading shall meet TRPA Code requirements.

   Structures shall meet standards of earthquake safety in the Uniform Building Code.

   All lands from which coverage is transferred shall be restored in accordance with Chapter 20 of the TRPA Code.

3. **Hydrology:** No portion of the excavation for the Tahoe Marina hotel shall exceed maximum high groundwater level, nor exceed five feet below natural grade, measured where the bottom of the excavation meets the foundation wall, exclusive of footing excavations, pursuant to the TRPA Code, Subsection 64.7.A. Embassy Suites hotel and parking structure shall be designed to not interfere with groundwater.

4. **Water Quality:** Install landscaping adjacent to all new structures and facilities.

   Install sediment and grease traps in appropriate areas.

   Apply all applicable TRPA Best Management Practices.

   Removal and installation of all hazardous materials must be in accordance with all current regulations.

5/30/89

AGENDA ITEM IV.B.
All material excavated that does not meet applicable TRPA and Lahontan waste discharge standards should be hauled out of the Tahoe Basin to a state approved site.

Soil testing and appropriate remedial measures shall be undertaken at both gas stations on the Ski Run site. Any detection of leakage must be corrected by the applicant(s) in accordance with state standards.

5. Transportation/Circulation: The applicant(s) should demonstrate that a minimum of 110 percent of the trip generation attributed to each project component is retired prior to occupancy of each component.

If ROMA right-of-way retirement does not occur, the Redevelopment Agency must retire an equivalent number of units/uses elsewhere in the Redevelopment Plan Area.

The applicant(s) shall participate in the transit concept plan implementation.

The applicant(s) should implement the following intersection improvements on a fair share traffic contribution basis:

- Addition of second northbound left-turn lane at Ski Run Boulevard and Highway 50
- Modified signalization at Pioneer Trail and Highway 50 to allow for protected right-turns from Pioneer Trail northbound onto Highway 50
- Modified signalization at Park Avenue and Highway 50 to allow for protected right-turns from Park Avenue eastbound onto Highway 50

The Redevelopment Agency shall provide an access roadway to Osgood Avenue via Paradise Avenue.

6. Parking: To mitigate loss of parking spaces due to Embassy Suites construction, Harrah's shall provide 371 temporary parking spaces near the Harrah's site until the Harrah's parking garage is completed.

A parking management plan shall be developed to facilitate shared parking operations for the Ski Run component. The parking plan shall provide for a maximum of 83 parking spaces for the Tahoe Queen on the Ski Run site, with the balance being provided by the Southwest Corner site. This plan shall be reviewed and approved by TRPA and the City of South Lake Tahoe prior to occupancy of the Ski Run hotel.
The Southwest Corner parking garage should be constructed prior to occupancy of the Ski Run hotel.

7. **Air Quality:** Design insulation/HVAC systems to assure compliance with TRPA requirements.

All combustion appliances to be installed in new structures shall be in compliance with Chapter 91 of the TRPA Code. Provide inventory of new combustion appliances to ensure compliance.

Provide inventory of combustion appliances to be eliminated as units are retired to ensure adequacy of offsets, if needed.

Best Available Control Technology should be applied to all new sources of air pollution.

8. **Noise:** Restrict hours for noise generating construction activities to 8:00 a.m. to 6:30 p.m., erect temporary noise walls around construction sites and use electric solenoidal pavement breakers instead of pneumatic devices.

9. **Biological Resources:** Develop drainage and revegetation plan to enhance wetland and riparian vegetation at the Ski Run site and retain existing riparian vegetation where possible and appropriate.

Prepare a protection and management plan for *Rorippa* habitat.

10. **Visual Resources:** Preserve existing healthy trees on the sites when feasible.

Develop appropriate landscape plans and visual buffers.

Develop appropriate lighting plans.

Select building materials and colors compatible with and complementary to the natural setting.

The applicant(s) shall submit final site plans, building elevations, and landscape plans to TRPA and the South Lake Tahoe Redevelopment Agency for review and approval.

All buildings other than the hotel buildings must comply with Chapter 22 height requirements.

Require protection plan and security deposit for preservation of critical vegetation on the Ski Run site.

On the Ski Run site, parking or storage of recreational vehicles and buses in the public parking lot within the view corridor should be prohibited.

5/30/89

AGENDA ITEM IV.B.
The public parking lot on the Ski Run hotel site should be recessed as much as feasible without interfering with groundwater to minimize interference with views to the lake.

11. Cultural Resources: Avoid removal or disturbance of identified historical/archaeological sites.

All grading and excavation activities should be conducted in accordance with Chapters 29 and 64 of the TRPA Code.

If SHPO determines that the cabin on the Ski Run site is a historic structure, the applicant should preserve and relocate it, and otherwise perform studies required by SHPO. SHPO review should be completed and the required plan implemented prior to any site grading in the immediate vicinity of the structure.

12. Public Services/Utilities: Sufficient fire flow and water storage for Ski Run site shall be arranged through one or more of the following methods:

- Use of STPUD wells (requires Fire Chief approval)
- Use of water storage surplus resulting from Harrah's transfer to Edgewood Water Company
- Use of existing Heavenly Valley reservoir (new parallel pipeline may be required)

Incorporate water conservation measures into structures and landscaping systems.

The applicant(s) shall provide evidence of adequate water service and demonstrate the availability of adequate water supplies to meet all requirements of STPUD, TRPA and other agencies having jurisdiction with respect to water supply.

Analyze existing water lines and capacities and replace or install new lines as necessary.

Water mains must be sized to carry flows plus the average peak hourly flows.

Leak detection systems should be installed for all water supply lines.

In order for the two hotels to receive maximum credits for fire protection water supply, they must conform to the Fire Codes outlined in Subsection 5.13.2, paragraphs S-Y.
One thousand-four-hundred-eighty-four or more sewer units must be acquired and retired, as may be required by STFUD. Adequate capacity, as determined by STFUD, must be available.

The 16 inch force main from the Bijou Pump Station will need to be relocated. New and/or modified connections will be necessary. The pump station and sewer lines must be functioning prior to commencement of construction for the Ski Run hotel.

Odor scrubbers should be provided if odors from the sewer system are noticeable.

Upgrading of sewer lines under Highway 50 should be implemented, if required.

Precise sewage flow estimates must be made prior to commencement of construction.

Some modifications to the existing electrical service lines may be necessary.

The applicant(s) should pay their fair share of any required relocations/replacements of electrical or natural gas supply facilities.

The applicant(s) should coordinate construction with TCI Cablevision.

Contact the Police Department and Caltrans prior to construction for input on pedestrian and vehicular traffic and lighting issues.

All development must meet the State of California Uniform Fire Codes.

13. **Energy**: All new development shall comply with State and Federal energy efficiency standards.

14. **Public Safety**: The Ski Run site landscaping plans should include a berm on the north side of the hotel structure to protect against seiche waves.

15. **Land Coverage**: Proposed land coverage must be reduced by an additional 4,433 square feet to comply with Chapter 15 of the TRPA Code. Existing excess land coverage must be mitigated in accordance with Chapter 20 of the TRPA Code. Based on a construction estimate of $80,000,000 excess coverage mitigation for the project would require payment of a $1,225,960 mitigation fee, reduction of an additional 245,192 square feet of land coverage, or a combination thereof.

16. **Public Benefits**: The applicant(s) shall demonstrate full compliance with all required height bonus provisions of Chapter 15 prior to commencement of construction, including, if necessary, an increase in the SEZ restoration/artificial wetland area to comply with the two acre requirement.
No commercial facilities or concessions should be permitted on the public beach which interfere with access to the public beach.

B. **Plan Area Statement:** The project is located within Plan Area Statement 089B, California South Stateline Resort Area and 091, Ski Run. The Land Use Classification is Tourist and the Management Strategy is Redirection in both Plan Area Statements. Agency staff has reviewed the subject Plan Area Statements and has identified the following items (underlined) as being applicable to the project. Following each item is a brief statement addressing consistency.

1. **Planning Statement (089B):**

   This area should continue as a major tourist center with an emphasis on redirection through redevelopment.

   The Embassy Suites hotel component of the project will provide 400 hotel suites within the casino core area. The project, as designed, is consistent with the Redevelopment Plan.

   **Planning Statement (091):**

   This area should be redeveloped to continue to provide tourist accommodations and services with scenic and environmental improvements.

   The Ski Run hotel component of the project will provide 300 suites and related services with significant improvements in scenic and environmental quality. The project will provide additional public views of Lake Tahoe, ten acres of landscaped open space including a three acre park and artificial wetland area, compatible architectural building design, installation of water quality improvements, and a significant reduction in land coverage.

2. **Planning Considerations (089B):**

   This area has traffic congestion problems at peak periods.

   Based on the Project EIR/EIS, the proposed project, as mitigated, will not diminish the current level of service. In addition, the retirement of existing commercial and tourist accommodation operations, including elimination of a majority of the existing driveways along Highway 50 should reduce current traffic congestion levels.

   This area contains Scenic Roadway Unit 32 and Scenic Shoreline Unit 31 and the roadway unit is targeted for restoration as required by the scenic threshold.
Based on the Project EIR/EIS, the Embassy Suites hotel and related landscaped plaza would improve the existing scenic quality in the roadway unit. The Embassy Suites hotel structure should not be visible from the Shoreline Unit.

The USFS has identified bald eagle habitat in this plan area.

The USFS and TRPA's staff biologist have confirmed that there are trees along the edge of Lake Tahoe within this plan area that provide perch sites for bald eagle feeding. The Embassy Suites hotel structure and related improvements are in excess of one-half mile from the subject feeding trees and according the TRPA's staff biologist should not have any adverse impact on the bald eagle habitat.

The South Lake Tahoe Demonstration Redevelopment Plan is in this plan area.

The subject project is consistent with the South Lake Tahoe Demonstration Redevelopment Plan.

Planning Considerations (091):

Extensive modifications to the SEZ and barrier beach have occurred.

The project, as conditioned, requires that either two acres of existing SEZ located on the Ski Run site be restored or a two acre artificial wetland be created. In addition, approximately 169,328 square feet of existing land coverage within the SEZ area will be removed and the land restored as a result of the project. No modifications of the shorezone area are included in this project.

Local flooding problems exist.

The project will include regrading of the project site and the installation of adequate drainage facilities to minimize flooding problems. The reduction of coverage and the establishment of vegetation will reduce the amount of runoff as well.

Traffic congestion and noise problems are common along Highway 50.

Based on the Project EIR/EIS, traffic noise levels along Highway 50 would decrease as a result of the proposed project. In addition, with the increased building setbacks and landscaping provided in the project, any noise impacts from Highway 50 should be adequately buffered. With the required retirement of existing tourist accommodation units and the reduction of existing access drives along Highway 50, traffic congestion should be reduced from current levels.
Extensive water quality, dredging, siltation, and parking problems exist at the marina.

The proposed project includes public parking facilities adequately sized to accommodate the marina. All proposed improvements associated with the existing marina, i.e., commercial building, walkways, etc., will include all required water quality improvements. The applicant is in the process of preparing a marina master plan which will further address the issues of water quality, dredging, siltation and parking.

Additional fire hydrants are needed in this area.

The proposed project will include all required fire protection facilities.

The SEZ in this area should be considered for reclassification to man-modified.

A land capability challenge was approved by TRPA for the Ski Run site which identified all SEZ areas. The project, as conditioned, includes the restoration of two acres of existing SEZ land onsite.

This area would be a good location for a redevelopment demonstration project.

The proposed project is a redevelopment demonstration project.

Scenic Roadway Unit 33 and Scenic Shoreline Unit 31 are in this area and are targeted for restoration as required by the scenic threshold.

Based on the Project EIR/EIS, the Ski Run component of the project would significantly improve the scenic quality along Roadway Unit 33 through the removal of many existing man-made features, expanded view corridor, landscaping and screening, and compatible architecture. The project, as conditioned, should not degrade the overall scenic shoreline rating. Maintenance of the rating is consistent with the threshold policy which requires travel route ratings to be maintained or improved.

3. Special Policies (089B):

Redirection in this plan area should be consistent with an adopted Redevelopment Plan and Community Plan.

The proposed project is consistent with the adopted Redevelopment Plan.
All activities within the South Lake Tahoe Demonstration Redevelopment Plan Area shall be subject to the special provisions of the adopted redevelopment plan.

The proposed project includes the special provisions of the adopted redevelopment plan.

Special Policies (091):

The stream environment zones in this area shall be evaluated as soon as possible. They should then be designated for restoration or reclassification.

A land capability challenge was approved by TRPA for the Ski Run site which identified all SEZ areas. The project, as conditioned, requires a minimum of two acres of SEZ restoration and/or creation of two acres of artificial wetland and restoration of all SEZ lands where coverage is to be removed on the Ski Run site.

The Ski Run Marina area should be retained as a viewpoint to the lake and any expansion or modification should be consistent with an approved marina master plan.

The proposed project includes retention of the existing marina and a significant increase in the existing view corridor from Highway 50 to the lake. A marina master plan is in the process of being prepared to allow a future expansion of the existing marina.

Undergrounding of utilities in this area should be encouraged.

All new utilities within the project area will be underground.

Additional public/private parking should be authorized on a special use basis.

The proposed project includes both public and private parking facilities. The special use findings required to approve the overall project are included in Section F, below.

Redirection of development should initially occur by means of a special design district and public/private development agreements.

The proposed project is consistent with the special design requirements contained in the adopted Redevelopment Plan and with the Redevelopment Agreement.

Uses incompatible with scenic restoration should not be located on Highway 50 and Ski Run Boulevard corridors.
Based on the Redevelopment Plan and Project EIR/EIS, the proposed project is compatible with scenic restoration and will improve current scenic quality ratings along the Highway 50 and Ski Run Boulevard corridors.

C. Land Coverage:

1. Land Capability Districts: The land capability classifications of the project area consist of class 7, 5, 4, 1b (SEZ), and backshore lands. The total project area is approximately 1,020,562 square feet in size, exclusive of public rights-of-way, public walkway easements and water bodies.

2. Existing Coverage (Project Area):

<table>
<thead>
<tr>
<th>Area</th>
<th>Coverage (sq ft)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Backshore Area</td>
<td>105 square feet</td>
</tr>
<tr>
<td>Class 1b Area</td>
<td>303,139 square feet</td>
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<tr>
<td>Class 4 Area</td>
<td>11,500 square feet</td>
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<tr>
<td>Class 5 Area</td>
<td>93,139 square feet</td>
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<tr>
<td>Class 7 Area</td>
<td>411,995 square feet</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>819,878 square feet</strong> (80.3% of total area)</td>
</tr>
</tbody>
</table>

3. Proposed Coverage (Project Area):

<table>
<thead>
<tr>
<th>Area</th>
<th>Coverage (sq ft)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Backshore Area</td>
<td>105 square feet</td>
</tr>
<tr>
<td>Class 1b Area</td>
<td>133,811 square feet</td>
</tr>
<tr>
<td>Class 4 Area</td>
<td>3,010 square feet</td>
</tr>
<tr>
<td>Class 5 Area</td>
<td>92,570 square feet</td>
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<tr>
<td>Class 7 Area</td>
<td>280,007 square feet</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>509,503 square feet</strong> (49.9% of total area)</td>
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</tbody>
</table>

4. Permissible Coverage (Project Area): Chapter 15 of the TRPA Code establishes the permissible land coverage for commercial and tourist accommodation projects located within the redevelopment area. Based on the calculations provided in the Project EIR/EIS, the proposed project must include a reduction in existing land coverage of 38.4 percent, or 314,808 square feet. The proposed project, as designed, includes a reduction of 310,375 square feet (37.9%) of existing land coverage. In order for the proposed project to comply with Chapter 15 coverage reduction requirements, an additional 4,433 square feet of coverage must be reduced.

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AGENDA ITEM IV.B.
5. **Excess Coverage Mitigation (Project Area):** Chapter 20 of the TRPA Code requires excess coverage mitigation of projects having existing coverage in excess of that allowed under the Bailey land capability system. The proposed project has approximately 637,732 square feet of existing excess coverage. Based on an estimated construction cost of $80,000,000 and the reduction of 314,808 square feet of existing coverage required to comply with Chapter 15, the applicant will be required to either reduce an additional 245,192 square feet of existing coverage within the same hydrologic area, pay a mitigation fee of $1,225,960, or a combination thereof. This mitigation will be adjusted accordingly based on the applicant's submittal of a detailed construction cost estimate.

6. **Existing Coverage (City Public Rights-of-Way/Walkways):**

<table>
<thead>
<tr>
<th>Class 1b Area</th>
<th>Class 7 Area</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>15,475</td>
<td>43,716</td>
<td>59,191</td>
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7. **Proposed Coverage (City Public Rights-of-Way/Walkways):**

<table>
<thead>
<tr>
<th>Class 1b Area</th>
<th>Class 7 Area</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>19,752</td>
<td>26,290</td>
<td>46,042</td>
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</table>

8. **Allowed Coverage (City Public Rights-of-Way/Walkways):**

<table>
<thead>
<tr>
<th>Class 1b Area</th>
<th>Class 7 Area</th>
<th>Total</th>
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</thead>
<tbody>
<tr>
<td>251</td>
<td>14,020</td>
<td>14,271</td>
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9. **Existing Coverage (Caltrans Right-of-Way):**

<table>
<thead>
<tr>
<th>Class 1b Area</th>
<th>Class 7 Area</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2,293</td>
<td>10,835</td>
<td>13,128</td>
</tr>
</tbody>
</table>

10. **Proposed Coverage (Caltrans Right-of-Way):**

<table>
<thead>
<tr>
<th>Class 1b Area</th>
<th>Class 7 Area</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>1,404</td>
<td>1,404</td>
</tr>
</tbody>
</table>
11. Excess Coverage Mitigation (Public Rights-of-Way/Walkways): As discussed above, Chapter 20 of the TRPA Code requires excess coverage mitigation of projects having existing coverage in excess of that allowed under the Bailey land capability system. The City public rights-of-way/walkway area has approximately 44,920 square feet of existing excess coverage. This amount of excess coverage will be required to be mitigated in accordance with Chapter 20 by either reducing existing land coverage within the same hydrologic area or paying an excess coverage mitigation fee. The 13,149 square feet of existing coverage being reduced within the City rights-of-way and walkway easement area may be applied toward this required mitigation. The portion of the project within the Caltrans Highway 50 right-of-way involves removal of 11,724 square feet of existing sidewalk and the replacement of 1,404 square feet of existing sidewalk only. This work is considered exempt under Chapter 4 of the Code and is therefore not subject to excess coverage mitigation. The 11,724 square feet of coverage being removed may be banked against the Caltrans right-of-way area for future use or transfer.

D. Structure Height: Chapter 15 of the TRPA Code provides for additional building height above that permitted in Chapter 22 for the two tourist accommodation buildings proposed in the subject project (Tahoe Marina and Embassy Suites hotels) based on certain findings being made and certain public benefits being provided. Based on the Project EIR/EIS and staff's analysis of the proposed project, the required benefits included in the project, as conditioned, allows a maximum height benefit of 170 feet to be divided between the two hotel buildings. The Code sets the maximum height limit for the Tahoe Marina hotel at 75 feet and the maximum height limit for the Embassy Suites hotel at 95 feet. In order for the Governing Board to approve this additional height, findings 5 through 15 of Section F, below, must be made.

All other proposed buildings, with the exception of the two hotel buildings, are subject to the provisions of Chapter 22 of the TRPA Code. Following is an analysis of the proposed building heights for all other buildings and structures included in the proposed project:

<table>
<thead>
<tr>
<th>Proposed Building</th>
<th>Allowed Height</th>
<th>Proposed Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marina Commercial</td>
<td>36'-6&quot;</td>
<td>36'-6&quot;</td>
</tr>
<tr>
<td>McDonald's</td>
<td>36'-6&quot;</td>
<td>36'-6&quot;</td>
</tr>
<tr>
<td>SW Corner Commercial</td>
<td>38'-6&quot;</td>
<td>38'-6&quot;</td>
</tr>
<tr>
<td>Parking Garage</td>
<td>24'-0&quot;</td>
<td>24'-0&quot;</td>
</tr>
</tbody>
</table>

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AGENDA ITEM IV.B.
This analysis is based on preliminary building elevations and topographical information. The maximum allowable height for each building shall be confirmed upon the applicant's submittal of final construction plans and detailed topographical data. The Redevelopment Plan sets the maximum height for the flat roofed design of the proposed parking garage at 20'-0" which is 4'-0" less than that permitted under Chapter 22 of the TRPA Code. The flat roofed portion of the parking garage, as designed, is 16'-0" in height, which complies with the Redevelopment Plan. The parking garage also includes a number of column accent structures that are approximately 24'-0" in height, which comply with Chapter 22 of the TRPA Code.

E. Other Issues:

1. South Lake Tahoe Redevelopment Plan: The proposed project has been analyzed by both City of South Lake Tahoe and TRPA planning staff for consistency with the adopted Redevelopment Plan. The proposed project, as conditioned, is consistent with the land use, open space/day use, circulation and transit, drainage, and design elements of the Redevelopment Plan. The City of South Lake Tahoe Planning Commission unanimously approved the proposed project and make all necessary findings relating to the project's consistency with the Redevelopment Plan on May 24, 1989. The City Council will hear this project on June 6, 1989.

2. Redevelopment Agreement: An agreement regarding the South Lake Tahoe Redevelopment Demonstration Plan was entered into by the City of South Lake Tahoe, the South Lake Tahoe Redevelopment Agency, the Tahoe Regional Planning Agency, the Attorney General of the State of California, the League to Save Lake Tahoe, and the project proponents (El Dorado Improvement Corp. and Embassy Suites, Inc.). The purpose of the agreement was to resolve the controversies surrounding adoption and implementation of the Redevelopment Plan so that the Plan, including the Stateline and Ski Run project, could be implemented in a manner that addresses the interests and concerns of the parties while ensuring the protection and enhancement of the environment. Agency staff has reviewed this agreement and has determined that the project, as conditioned, is consistent with said agreement.

3. Density: Based on a project area of 23.43 acres and an allowed density of 36.44 units per acre for the proposed mixed tourist accommodation (91.1%) and commercial (8.9%) uses, the maximum number of units allowed is 853. The project includes 700 total tourist accommodation units, which is well within the allowed density.

F. Required Findings: The following is a list of the required findings as set forth in Chapters 5, 6, 15, 18, 20, 22, and 33 of the TRPA Code of Ordinances. Following each finding, Agency staff has briefly summarized the evidence on which the finding can be made.

5/30/89
1. The project is consistent with and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, Plan Area Statements and Maps, the Code and other TRPA plans and programs.

   a. Land Use: The proposed project is consistent with the subject Plan Area Statements and with the adopted Redevelopment Plan. Based on the Redevelopment Plan and Project EIR/EIS, the project, as mitigated, will not have any significant adverse environmental impacts on land use, housing, noise, air quality, water quality or community design.

   b. Transportation: Based on the Redevelopment Plan and Project EIR/EIS, the proposed project, as mitigated, will not have any significant adverse environmental impacts on transportation. The proposed project is consistent with the TRPA Regional Plan Goals and Policies and the TRPA Regional Transportation Plan.

   c. Conservation: Based on the Redevelopment Plan and Project EIR/EIS, the proposed project, as mitigated, will not have any significant adverse environmental impacts on vegetation, wildlife, fisheries, soils, shorezone, scenic quality, open space, stream environment zone, cultural or energy resources.

   d. Recreation: The proposed project includes the retention of the existing marina facilities, an additional 10,000 square feet of public beach access, three acres of public park, and 2,000 lineal feet of bike paths. Based on the Redevelopment Plan and Project EIR/EIS, the project, as mitigated, will not have any significant adverse environmental impacts of recreation resources.

   e. Public Services and Facilities: Based on the Redevelopment Plan and Project EIR/EIS, the proposed project, as mitigated, will not have any significant adverse environmental impacts on public services and facilities.

   f. Implementation: The proposed project involves retirement and transfer of existing development with an overall reduction in tourist accommodation units. Any development of additional commercial floor area will be either by transfer or allocation consistent with the TRPA Regional Plan and Code of Ordinances. The project will not have any known adverse impacts on the Implementation Element of the Regional Plan.

2. The project will not cause the environmental threshold carrying capacities to be exceeded.
The basis for which this finding can be made is provided on the checklist entitled "Checklist: Article V(g) Findings" in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained on said checklist indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklist will be made available at the Governing Board hearing and at TRPA.

3. Wherever Federal, State, or local air and water quality standards applicable for the Region, whichever are strictest, must be attained and maintained pursuant to Article V(g) of the TRPA Compact, the project meets or exceeds such standards.

(Refer to paragraph 2, above.)

4. Changes or alterations have been required in or incorporated into the project which avoid or reduce the significant adverse environmental effects on land use, soils, hydrology, water quality, transportation/circulation, parking, air quality, noise, biological resources, visual resources, cultural resources, public services/utilities, energy and public safety to a less than significant level.

Based on the Redevelopment Plan and Project BIR/EIS, and the information contained in this staff summary, the mitigations included in the project as conditions of approval will avoid or reduce any significant adverse effects on land use, soils, hydrology, water quality, transportation/circulation, parking, air quality, noise, biological resources, public services/utilities, energy and public safety to a less than significant level.

5. A 2,000 foot linear park and bikeway is provided as a part of the project.

The proposed project includes in excess of 2,000 lineal feet of bikeway and a 100 foot wide linear parkway through the artificial wetland area. In addition, a public bikeway will be provided along Highway 50, replacing the existing sidewalk.

6. The Stateline site project is on the landward side of Highway 50, adjacent to a cluster of high rise buildings where there is a high floor area ratio (approximately 1.0), provides a transition in height from high rise to low rise, and is 50 percent lower in height than the adjacent high rise building.

The proposed Embassy Suites hotel site is located adjacent to the existing Harrah's casino building on the landward side of Highway 50. Adjacent buildings include Harvey's, Harrah's, High Sierra and Caesar's casinos, all of which are high rise buildings and have a high
floor area ratio. The proposed hotel building steps up in height from the street to a maximum height of 95 feet, which is 50 percent lower than the adjacent Harrah's casino and hotel building. The building, as designed, provides a transition in height from high rise to low rise.

7. **Public open space in the demonstration redevelopment plan area is being provided by redevelopment projects consolidating development in the same jurisdiction through design and room retirement of which 80 percent is occurring within the redevelopment plan area.**

The proposed project provides a consolidation of development within three noncontiguous sites through transfer and retirement of existing development. The project, as conditioned, will retire 917 existing tourist accommodation units, with at least 80 percent occurring within the redevelopment plan area.

8. **Additional public access to Lake Tahoe and 10,000 square feet or more of additional public beach area being provided by redevelopment projects.**

The proposed project, as designed, will provide additional public access to Lake Tahoe, both physically and visually through increases in the view corridor from Highway 50 and marina related improvements, public parking, pedestrian bike paths and 10,000 square feet of additional public beach area.

9. **Additional public access to Lake Tahoe through marina facilities is being provided by redevelopment projects.**

The existing marina will be retained as a part of the project and will be fully accessible to the public. In addition, marina related improvements such as the 16,100 square foot marina retail and restaurant building, restrooms, picnic areas, and public parking will compliment the existing marina facility.

10. **Additional open views of Lake Tahoe from Highway 50 of at least 150 feet of width of view corridor, exclusive of existing public rights-of-way are being provided by redevelopment projects.**

The proposed project, as designed, will remove a number of existing structures currently blocking views to Lake Tahoe from Highway 50 and will provide in excess of 150 feet of view corridor width, exclusive of the existing Ski Run Boulevard right-of-way.

11. **At least four acres of additional wetlands or SEZ restoration are being provided by redevelopment projects.**

AGENDA ITEM IV.B.
The proposed project, as conditioned, is required to provide at least two acres of additional wetlands and/or SEZ restoration. In addition to the two acre wetland/SEZ restoration to be provided on the Ski Run site, there are four other water quality improvements (Basin "A1", "A2", "B", and "E") involving SEZ restoration and artificial wetlands which are required to be implemented as a part of the overall redevelopment plan. Drainage Basin "B" and "E" are required to be funded and approved prior to commencement of construction of this project. The additional two acres of artificial wetland and/or SEZ restoration required to meet the four acre requirement shall be provided through the development of these four drainage projects.

12. A project is located next to a major water/land transportation interface and both hotel projects are in close proximity to a major ski area.

The proposed Ski Run hotel is located adjacent to an existing marina on Lake Tahoe and Highway 50. Both the Ski Run and Embassy Suites hotels are located in close proximity to Heavenly Valley Ski Area.

13. When viewed from major arterials, scenic turnouts, public recreation areas or the waters of Lake Tahoe, the additional height will not cause a building to extend above the forest canopy, when present, or a ridgeline.

The Project EIR/EIS analyzed the visual impacts of the proposed project as viewed from Heavenly Valley Ski Area, El Dorado Beach Recreation Area and Lake Tahoe. The proposed buildings, as concluded in the EIR/EIS, will not extend above the forest canopy or any ridgeline as viewed from the selected viewpoints.

14. With respect to that portion of the building which is permitted the additional height, the building has been designed to minimize interference with existing views within the area to the extent practicable.

The hotel structure at the Ski Run site has been sited and designed to provide increased views of Lake Tahoe from the Highway 50 corridor. The Ski Run hotel component has been designed to preserve existing stands of trees on the site, including the stand on the northeast corner ranging from 85 to 105 feet in height. In addition, the Ski Run hotel building has been designed around an existing grove of trees in order to preserve the existing tree canopy and to provide additional screening of the hotel structure. The design of this building maintains a forested effect when viewed from the lake as well. The Embassy Suites hotel has been designed within a specified building envelope as set out in the Redevelopment Plan and, as such, provides a transition from high rise to low rise buildings. In addition, the Embassy Suites building has been designed so as not to block views of the forested ridgeline which backdrops the site.
15. The additional height is the minimum necessary to feasibly implement the project and there are no feasible alternatives requiring less additional height.

Several alternative designs were studied for both hotel structures to accommodate the proposed number of tourist accommodation units. Due to the proximity of the construction sites to the water table, the goal of reducing coverage by nearly 50 percent, and the need to achieve the unit count, the alternatives of providing all parking below grade or distributing the building mass over a larger footprint were rejected. The architectural guidelines require steep pitched roofs to contribute to the alpine character of the design, which also reduces the usable space of the rooms on the upper floors. In addition, both hotel structures are required under the Redevelopment Plan to be designed within a set building envelope to allow for a stepped transition from the streetscape and surrounding structures.

16. The project, to which the use pertains, is of such a nature, scale, density, intensity and type to be an appropriate use for the parcel on which, and surrounding area in which, it will be located.

The Ski Run hotel component consolidates existing development into a uniform design scheme and, at the same time, creates substantial onsite reductions of coverage which tends to balance the proposed development with the open space amenities. The existing clutter of tourist accommodation and commercial structures in the Ski Run area would be replaced with compatible architecture and landscaped open space. The Embassy Suites component will provide additional tourist accommodation units and related accessory uses, i.e., restaurant, meeting facilities, etc., immediately adjacent to the casino core area. The existing surface parking lot would be replaced with a landscaped plaza, including outdoor seating areas and a water feature, and a hotel structure which has been architecturally designed to compliment and to provide a transition to the adjacent buildings.

17. The project, to which the use pertains, will not be injurious or disturbing to the health, safety, enjoyment or property, or general welfare of persons or property in the neighborhood, or general welfare of the region, and the applicant has taken reasonable steps to protect against any such injury and to protect the land, water and air resources of both the applicant's property and that of surrounding property owners.

The project will enhance the land, water and air quality of the existing sites and the neighboring properties. The Redevelopment Plan and Project EIR/EIS identifies appropriate mitigation for all potentially significant environmental impacts that could occur as a result of the project. All recommended mitigations required to avoid or reduce these impacts to a less than significant level have been incorporated into the project as conditions of approval.

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AGENDA ITEM IV.B.
18. **The relocation of existing coverage is to an equal or superior portion of the project area.**

The proposed project includes an overall reduction of 314,808 square feet of existing coverage within the project area. Based on the Project EIR/EIS, all coverage relocation will be primarily to existing disturbed areas and to equal or superior portions of the sites. There will be approximately 8,608 square feet of coverage within the SEZ areas that will be relocated to uncovered portions of the SEZ. These uncovered areas, however, consist of landscaped lawn areas and are not presently acting as true SEZs. Due to the fact that approximately 169,328 square feet of existing coverage within the SEZs will be removed and restored as a result of the project, there will be a net environmental benefit relative to the relocation of coverage within the SEZ area. All other coverage relocation will be to high capability land areas.

19. **When outside of a community plan, the additional height is consistent with the surrounding uses. (This finding is not applicable to the two hotel structures.)**

The proposed buildings are within a community plan boundary, but the community plan has not been completed. The proposed buildings consist of one and two-story structures which are consistent with the surrounding commercial and tourist accommodation uses. In addition, the proposed buildings are consistent with Chapter 22 of the TRPA Code and with the design criteria specified in the adopted Redevelopment Plan.

20. **The maximum height at any corner of two exterior walls of the building is not greater than 90 percent of the maximum building height. (This finding is not applicable to the parking garage or the two hotel structures.)**

The Southwest Corner retail building, the Marina retail building and the McDonald's building, as presented in the elevation drawings, are in conformance with Chapter 22 of the TRPA Code, and no exterior walls of the buildings are greater than 90 percent of the maximum building height.

21. **The accessory use meets all criteria specified by Chapter 18 of the TRPA Code. (This finding is applicable to the proposed commercial uses within the two hotel structures and associated outdoor seating areas only.)**

The accessory uses related to the Ski Run hotel consist of one restaurant, restaurant deck, a conference facility, one bar, one lobby lounge area, a swimming pool, health facility and less than 2,000 square feet of retail space. The retail space will be utilized for
sundries, ski rental, and guest related conveniences. The accessory uses related to the Embassy Suites hotel consist of a restaurant, restaurant deck (in plaza area), a lounge, a deli and gift shop, a hotel lobby, a swimming pool, and meeting rooms. During the summer months, the outdoor restaurant decks for each hotel will be used as accessory seating for the restaurants. There will be no separate entrances for the accessory uses, the uses are compatible with the size and patronage of the hotels, the uses do not rely on separate parking and they will not be separately advertised.

22. The accessory use is designed to serve the primary use. (This finding is applicable to the proposed commercial uses within the two hotel structures and associated outdoor seating areas only.)

The accessory uses as described in Finding 22, above, are designed to serve the primary use. These uses are incidental and secondary to the primary use and, while open to the public, are intended to serve hotel guests. These uses will operate as part of the hotels, not independently from the hotels. Bars, restaurants, meeting rooms, swimming pools, and equipment rentals are specifically cited as examples of accessory uses to tourist accommodation facilities under Chapter 18 of the TRPA Code.

G. Required Actions and Findings: Agency staff recommends that the Governing Board approve the project by making the following motions and findings based on this staff summary and the evidence contained in the record:

I. A motion based on this staff summary, for the findings contained in Section F, above, and a mitigated finding of no significant environmental effect.

II. A motion to approve the project, based on the staff summary, subject to the following conditions:

A. The Standard Conditions of Approval listed in Attachment Q.

B. Prior to commencement of construction the following special conditions of approval must be satisfied:

1. The final construction plans shall include, but not be limited to, the following:

   a. Existing and proposed land coverage calculations for each land capability district within the proposed project area and within the proposed public rights-of-way/walkway easement area.

   b. Temporary erosion control devices and measures.
c. Vegetation protective fencing.

d. Location of all recorded and proposed easements.

e. Floor plans delineating proposed uses and floor area calculations consistent with Chapter 18, 33 and 34.

f. Building elevations delineating proposed height and height calculations consistent with Chapter 15 (hotels) and Chapter 22 (all other buildings).

g. Delineation of all trees and vegetation to be saved and removed.

h. Delineation of all existing coverage to be relocated with coverage calculations breaking down all hard and soft coverage by land capability district.

i. Existing, relocated and new utility lines and facilities including trench details.

j. Revised site plan (Ski Run site) delineating an additional coverage reduction of 4,433 square feet.

k. Revised site plan (Ski Run site) delineating full compliance with all public benefit requirements for additional building height in compliance with Chapter 15.

l. Revised site plan (Ski Run site) delineating the following:

(i) Corner radii on the north leg of Sonora Avenue shall be a minimum of 20 feet.

(ii) The north leg of Sonora shall be a minimum of 26 feet wide, striped for one 14 foot (minimum) northbound lane and one 12 foot (minimum) southbound lane.

(iii) At the intersection, the pedestrian/bicycle facility parallel to U.S. 50 shall be located a minimum of 30 feet north of the proposed U.S. Highway 50 curb. No more than one extension from the parallel facility to the curb shall be provided for crossing U.S. Highway 50.

5/30/89

AGENDA ITEM IV.B.
m. Delineation of all property line adjustments and consolidations (existing and proposed).

2. The applicants (Redevelopment Agency, El Dorado, and/or Embassy Suites) shall submit plans, cost estimates, a maintenance program and an installation schedule for the installation of all required water quality improvements (BMPs) in accordance with the TRPA 208 Water Quality Plan. All required permanent BMPs shall be installed upon completion of each respective phase of the project.

3. The security required under Standard Condition I.2. of Attachment Q shall be determined upon the applicant's submittal of the required BMP plan and related cost estimate.

4. The applicant(s) shall mitigate excess coverage consistent with Chapter 20 of the TRPA Code. The amount of excess coverage mitigation required shall be determined upon the applicant's submittal of final coverage calculations, final site plans and a detailed construction cost estimate for each project area.

5. The applicant(s) shall submit a projected construction completion schedule for all phases of the project.

6. The applicant(s) shall submit a landscape plan and fertilizer management plan in accordance with the standards required in Sections 30.7 and 81.7 of the TRPA Code for TRPA review and approval. The landscape plan shall include a berm on the north side of the Ski Run hotel structure to protect against seiche waves.

7. The applicant(s) shall provide evidence that all basic service requirements for paved roads, water, sewer and electricity will be met in accordance with Chapter 27 of the TRPA Code. One thousand-four-hundred-eighty-four or more sewer units shall be acquired by the Redevelopment Agency and retired, as may be required by STPUD. Precise sewage flow estimates shall be made prior to commencement of construction.

8. To ensure protection of existing trees necessary for visual screening, a special tree protection report shall be prepared by a qualified professional and submitted to TRPA for review and approval. Said report shall identify measures required to ensure damage will not occur to mature trees as a result of excavation or construction, including an adequate security deposit to be posted by the applicant.
9. The applicant shall submit a protection and management plan for the Rorippa habitat on the Ski Run site for TRPA review and approval.

10. All parcels comprising the subject project area(s) for the project shall have recorded against them a deed restriction or other covenant running with the land, permanently assuring that the calculations for land coverage, density, parking, height, and impact mitigation for the parcels shall always be made as if the parcels had been legally merged.

11. The applicant(s) shall demonstrate that an irrevocable commitment to funding for the following public improvements has been obtained or secured and provide sufficient evidence of intent and ability to complete the measures:
   a. Site acquisition for Ski Run Boulevard View Corridor and Ski Run Beach.
   b. Drainage Basin "B" for the Stateline Area.
   c. Drainage Basin "E" for the Ski Run Area.
   d. Open space acquisition of the linear park/wetland area for the Ski Run site.
   e. Open space plaza at the Embassy Suites site.
   f. Ski Run park improvements near the Ski Run marina.
   g. Transit coordination of shuttle service provided by private businesses and STAGE.
   h. Improvements on public beach access such as restrooms, picnic tables, signs and litter collection.
   i. Acquisition of 90 percent of the private land within the Loop Road right-of-way in California as shown in the TRPA Regional Transportation Plan and as defined in the South Lake Tahoe Demonstration Redevelopment Plan.
   k. Tahoe Meadow linear park improvements including bike trail, fencing and landscaping.
   l. Creation of 70 affordable housing units through rehabilitation and new construction.

5/30/89
m. Establish a revolving $600,000 loan fund for housing rehabilitation.

n. The following roadway and intersection improvements:

- Osgood Avenue realignment and connection with Paradise Avenue

- Addition of second northbound left-turn lane at Ski Run Boulevard and Highway 50

- Addition of second westbound left-turn lane at Pioneer Trail and Highway 50

- Addition of second eastbound right-turn lane at Park Avenue and Highway 50

12. Where funding for any of the measures listed in Condition 11, above, is the responsibility of El Dorado or Embassy Suites, as determined by the Redevelopment Agency, a security deposit acceptable to TRPA shall be required in accordance with Subsection 15.10.G. of the TRPA Code. Said security deposit shall be determined based on the cost to provide the measure. The applicant(s) shall submit cost estimates for each of the listed measures.

13. The applicant(s) shall obtain project approval by TRPA and all other agencies of jurisdiction for the following:


b. Drainage Basin "E" for the Ski Run Area.

c. Open space plaza at the Embassy Suites site.

d. Ski Run park improvements near the Ski Run marina.

e. Improvements on public beach access such as restrooms, picnic tables, signs and litter collection.

f. The following roadway and intersection improvements:

- Osgood Avenue realignment and connection with Paradise Avenue (Improvements to be completed prior to Southwest Corner construction)

- Addition of second northbound left-turn lane at Ski Run Boulevard and Highway 50 (Improvements to be completed prior to occupancy of Ski Run hotel)
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- Addition of second westbound left-turn lane at
  Pioneer Trail and Highway 50 (improvements to be
  completed prior to occupancy of Ski Run hotel)

- Addition of second eastbound right-turn lane at
  Park Avenue and Highway 50 (improvements to be
  completed prior to occupancy of Ski Run hotel)

14. Harrah's shall obtain approval and provide a temporary
    offsite parking facility to accommodate the displace-
    ment of 371 existing parking spaces during Embassy
    Suites construction and until the Harrah's parking
    garage is completed. This temporary parking facility
    shall be in place prior to Embassy Suites construction.

15. The applicant(s) shall submit a plan demonstrating
    compliance with all required unit of use retirement,
    land coverage retirements and commercial floor area
    transfer provisions of the TRPA Code. Said plan shall
    delineate the type, location and amount of units and
    coverage being retired and/or transferred and shall
    include a proposed demolition/retirement/transfer/
    restoration schedule, method(s) of site demolition and
    restoration, and confirmation that 80 percent of the
    required retirement will occur within the redevelopment
    plan area.

16. The applicant(s) shall submit a permanent maintenance
    plan for the required artificial wetland/SEZ restora-
    tion area. Said plan shall include a monitoring
    program, an estimate of annual maintenance and moni-
    toring costs and a proposed method of ensuring con-
    tinued maintenance and monitoring of the artificial
    wetland/SEZ restoration area.

17. The applicant(s) shall submit a snow removal and
    storage plan in accordance with Subsection 30.5.C and
    Section 81.3 of the TRPA Code for TRPA review and
    approval. The plan shall include measures to ensure
    public protection from unloading snow in areas adjacent
    to sloping roofs.

18. The applicant(s) shall submit an exterior lighting plan
    in accordance with Section 30.8 of the TRPA Code for
    TRPA review and approval.
19. The applicant (Redevelopment Agency) shall provide full-time project inspection and reporting services for TRPA on all phases of construction to ensure compliance with all conditions of approval. A proposed inspection program shall be prepared and submitted to TRPA for review and approval.

20. The applicant(s) shall submit a dust control plan to be implemented during construction and a disposal plan for all construction debris and soil to TRPA for review and approval.

21. The applicant(s) shall provide an analysis conducted by a qualified professional to determine whether any soils on the site(s) are contaminated or whether there exists on the site any underground storage tanks, and whether any remedial action is necessary to protect human health, the environment and the waters of the state pursuant to state law. If remedial action is required, such action shall be initiated prior to construction or in conjunction with construction, as determined by TRPA, and shall be completed prior to occupancy. Any detection of leakage shall be corrected by the applicant(s) in accordance with state requirements.

22. The applicant (Embassy/El Dorado) shall provide a program to coordinate the hotel operations with the various shuttle services and local transit operations. The applicant shall work with the other parties to develop incentives for transit consistent with the hotel's operations. The applicant(s) shall provide a minimum of two shuttle buses of at least 12-passenger capacity for each hotel facility.

23. The applicant(s) shall submit building material and color samples for TRPA review and approval. Building materials and colors shall be compatible with and complimentary to the natural setting.

24. The applicant(s) shall submit a complete plan of construction for the project, including construction phasing, coordination of construction and demolition work with continuing adjacent business operations, construction access/parking, material storage areas, coordination of utility related construction, temporary BMPs, street sweeping/site cleanup, construction hours/days, equipment list, etc.
25. The applicant(s) shall coordinate with the Police Department and Caltrans on pedestrian and vehicular traffic and lighting issues.

26. The applicant(s) shall submit a construction noise control plan for TRPA review and approval. Said plan shall include best available noise mitigation technology, i.e., soundwalls, berms, landscaping, electric solenoidal pavement breakers, muffled equipment, etc., and shall restrict noise generating construction activities to the hours of 8:00 a.m. to 6:30 p.m.

C. Prior to occupancy the following Special Conditions of Approval shall be satisfied:

1. The applicant shall demonstrate that all required units of use retirement (524 units for Embassy/393 units for Ski Run) has been satisfied in accordance with Section 34.5 of the TRPA Code and Section 2.7 of the Redevelopment Agreement, and that all coverage retirement/transfer/restoration has been satisfied in accordance with Chapters 15 and 20 of the TRPA Code.

2. The applicant (El Dorado) shall submit a plan to relocate or otherwise protect the historic structure identified in the Project EIR/EIS on the Ski Run site. Said plan and relocation shall be approved by SHPO and TRPA, and implemented.

   No grading or other site disturbance shall be permitted in the immediate vicinity of the structure until it has been relocated pursuant to the approved plan.

3. The applicant (Redevelopment Agency/El Dorado) shall submit a plan to relocate Fire Station #3 located on the Ski Run site. Said plan and relocation shall be reviewed and approved by TRPA, and implemented.

4. The applicant (El Dorado) shall prepare and implement a parking management plan for the Ski Run site to facilitate shared parking operations. Said plan shall be subject to TRPA review and approval, and shall include provisions to park a maximum of 83 vehicles for the Tahoe Queen, with the balance of the Tahoe Queen parking on the Southwest Corner site.
5. The applicant(s) shall demonstrate that approximately 110 percent of the total trip generation attributed to each project component has been retired prior to occupancy of said component such that at the conclusion of the project a net reduction of 732 trips shall have occurred.

6. The applicant(s) shall prepare an open space restoration and management plan for all new open space areas for TRPA review and approval.

D. The following special conditions of approval shall be satisfied:

1. The architectural design of this project shall comply with all applicable Redevelopment Plan design guidelines and include elements that screen from public view all external mechanical equipment, and utility hardware on roofs, buildings or the ground. Roofs, including mechanical equipment and skylights, shall be constructed of nonglare finishes that minimize reflectivity.

2. Permanent BMPs, as provided for in the Lake Tahoe Basin Water Quality Management Plan, including retrofitting, shall be required for the entire project area and shall be completely installed upon completion of the project. Permanent BMPs for each project phase shall be installed upon completion of each respective phase.

3. The adequacy of all required temporary BMPs as shown on the final construction plans shall be confirmed at the time of the TRPA pre-grading inspection. Any required modifications, as determined by TRPA, shall be incorporated into the project permit at that time.

4. This approval is based on the permittee's representation that all plans and information contained in the subject application are true and correct. Should any information or representation submitted in connection with the project application be incorrect or untrue, TRPA may rescind this approval, or take other appropriate action.

5. The Ski Run Marina shall not provide storage, moorage or launching of marina craft that exceed TRPA's single event noise standard of 82 dBA at 50 feet. The applicant shall establish a complaint receiving and
reporting system for marina noise including regulations so that repeat offenders are reported to the City's enforcement agencies, and are not permitted service in the marina. The applicant shall post conspicuous notices of the noise standards set out in Subsection 23.2.A(3) of the TRPA Code at the marina.

6. No use of loudspeakers or similar devices for amplifying sound outdoors for the purpose of advertising products or services or to attract patrons shall be permitted. The applicant shall install and maintain all required noise mitigation devices in accordance with the TRPA approved noise mitigation plan.

7. All proposed commercial floor area is approved subject to a transfer of existing commercial floor area on a one for one basis. In the event an allocation for commercial floor area is made available from the City of South Lake Tahoe to offset some of the proposed floor area subsequent to this approval, TRPA must review and approve the use of said allocation.

8. Any commercial uses identified on the final construction plans as accessory shall be subject to the following conditions:

   a. There shall be no separate entrance for the accessory use;
   b. The accessory use shall be compatible with the size and patronage of the primary use;
   c. The accessory use shall not rely on separate parking;
   d. The accessory use shall not be separately advertised;
   e. The use season of the accessory use shall correspond to that of the primary use;
   f. The accessory use shall not generate additional vehicle trips; and
   g. Where applicable, the accessory use shall be principally for service or repair rather than sales.
9. This approval does not permit any modifications to the existing marina other than those activities considered exempt from TRPA review under Chapter 52.

10. Groundwater interception or interference is prohibited except as set forth in Condition 18. In the event groundwater is intercepted during excavation activities, excavation work shall cease and the applicant shall contact TRPA for further direction.

11. Removal of authorized trees shall be in accordance with Chapter 71 of the TRPA Code.

12. Open burning for any purpose related to the disposal of building materials or any other debris or waste shall be prohibited.

13. In the event of a funding shortfall for the construction of the loop roads, TRPA shall not allocate the City's share of the commercial floor area reserved for the City and El Dorado County's Community Plan preparation process, except for approximately 24,000 square feet which may be required to implement this project and minor expansions allowed by Chapter 33 of the TRPA Code.

14. There shall be no commercial floor area allocations for the Embassy Suites hotel or the Tahoe Marina hotel buildings. Accessory uses consistent with Section 18.2 and Subsection 33.3.A(1) of the TRPA Code, however, may be permitted as a part of the hotel facilities. No commercial operations, i.e., sailboard/sailboat rentals, etc. shall be conducted on the public beach area so as to prevent public access to any portion of the beach area.

15. The Embassy Suites hotel component of the project shall have 100 percent valet parking and shall provide at least 320 onsite parking spaces.

16. The applicant (Embassy/El Dorado) agrees to support all efforts in advocating implementation of a policy requiring a fee to be charged, on a equitable basis, for hotel guests and casino patron parking. If such a policy is implemented by the casinos, then the applicant shall implement the same policy.
17. For the Stateline (Embassy) component of the project there will be no gaming on the parcel, no joint marketing of the hotel with any casino in the Lake Tahoe region, and no contractual agreements for the joint use of private facilities (such as parking, kitchens, restaurants, meeting space, laundry, or offices), between the hotel and any Stateline, Nevada casino business, except for offsite employee parking, transit, easements for access, rights-of-way, or utilities, and/or through arm's length contractual arrangements for the use of private facilities offered to business entities in general.

18. No portion of the Ski Run hotel building excavation shall exceed five feet below natural grade, measured at the location where the bottom of the excavation meets the foundation wall, exclusive of footing excavation. Any dewatering that may be required during excavation on the sites shall be pumped or otherwise routed to a detention basin or settling pond upon TRPA approval. No portion of the Embassy Suites hotel building excavation shall intercept groundwater.

19. The applicant (El Dorado) shall provide public beach access in accordance with those areas designated on the approved site plan. The beach areas shall be dedicated to public use and shall be no less than 10,000 square feet in size. The applicant shall provide and maintain amenities for use by the public, including restrooms, picnic tables, litter receptacles, and signage. The signage shall identify access to the beach and the location of restroom facilities. In addition, if approved by the other agencies with jurisdiction, the applicant shall install and maintain a string of floating buoys along with existing marina channel to cordon off swim areas.

20. The applicant (El Dorado) shall operate the Tahoe Marina hotel parking as valet only and shall provide no less than 250 onsite parking spaces for guests.

21. All water lines shall have leak detection systems installed.

22. No recreational vehicles or buses shall be permitted to park or be stored in the public surface parking lot located on the Ski Run site.
23. Any existing wells that are to be abandoned shall be capped in accordance with City/County Environmental Health Division standards to prevent possible contamination of the aquifers and hazards associated with uncapped wells.

24. The vehicle trips associated with the retirement of existing uses, i.e., hotel units, gas stations, fire station, etc., shall not be available for transfer, except where approved as a part of this project.

25. Insulation/HVAC systems shall be designed to comply with state and federal requirements.

26. The applicant (Redevelopment Agency) shall inventory all combustion appliances to be retired as units are retired to ensure adequacy of offsets.

27. All heating equipment, boilers and appliances shall conform to Chapter 91 of the TRPA Code. Best Available Control Technology shall be applied.

28. Water conservation measures shall be incorporated into the design of all structures and landscape irrigation systems.

29. Upgrading of sewer lines under Highway 50 shall be completed by the applicant(s) if required by STPUD.

30. The applicant(s) shall pay for their fair share of required relocations/replacements of electrical or natural gas supply lines and shall coordinate construction activities with TCI Cablevision.

31. All areas from which land coverage is being transferred and/or relocated shall be restored in accordance with Chapter 20 of the TRPA Code.

32. The applicant(s) shall avoid removal or disturbance of identified historical/archaeological sites.

33. Grading and excavation activities shall be in accordance with Chapter 29 and 64 of the TRPA Code.

34. Any material excavated from the sites that does not meet TRPA and Lahontan waste discharge standards shall be hauled out of the Basin to a state approved disposal site.
35. Storage of any boats or trailers in the public parking lot at the Ski Run site shall be prohibited.

36. The public parking lot on the Ski Run site shall be recessed as much as feasible to minimize interference with views to the Lake.
ATTACHMENT Q
STANDARD CONDITIONS OF APPROVAL

This handout is divided into the following three sections:

I. Pre-Grading Conditions (Pre-activity, where applicable)
II. Construction/Grading Conditions
III. General Conditions/Design Standards

Please read all of the conditions carefully to avoid any delays in construction of your project.

I. PRE-GRADING/PRE-ACTIVITY CONDITIONS:

The following conditions must be completely complied with prior to any site disturbance or commencement of activity.

1. Final Construction Plans:

Final construction plans must be submitted to and reviewed by TRPA to determine conformance with the approval. Said plans shall clearly depict the following:

A. Slope stabilization methods to stabilize all existing and proposed cut and fill slopes.
B. Areas to be revegetated, including complete specifications for such revegetation.
C. Fencing for vegetation protection.
D. Temporary and permanent erosion control devices.
E. Utility trenches.
F. Dust control measures.
G. All water quality improvements (BMPs) required in the conditional approval. Drainage facilities shall be designed to be capable of retaining runoff water for a two (2) year, six (6) hour storm.
H. The final plans shall contain equipment specifications necessary to establish compliance with Standard Conditions IV. 1-6.

2. Securities:

A security shall be posted with the TRPA to insure proper installation of all improvements required by the TRPA as conditions of project approval. The security shall include an amount equal to 110 percent of the cost of the BMPs and other erosion control and water quality improvements required. For further information on the acceptable types of securities see Attachment J.
3. Mitigation Fees:

All required air quality, water quality, and excess coverage and offsite coverage mitigation fees shall be paid to TRPA. ALL MITIGATION FEES ARE NON-REFUNDABLE.

4. Temporary BMPs:

The following temporary BMPs are required to be installed on-site prior to any grading activity occurring:

A. Installation of temporary erosion controls.
B. Installation of vegetation protection measures.
C. Installation of construction site boundary fencing.

5. Required Inspection:

An on-site inspection by TRPA staff is required prior to any construction or grading activity occurring. TRPA staff shall determine if the on-site improvements required by Condition II (1) above have been properly installed. No grading or construction shall be undertaken by the permittee until receipt of TRPA notification that the pre-grading/pre-activity conditions of approval have been satisfied.

6. Required Notices:

The following notices to the TRPA are required prior to any grading or construction occurring on the project site:

A. Notice for Pre-Grading Inspection: The permittee shall notify the TRPA when all on-site improvements required under Condition II(1) above have been installed so that the required pre-grading inspection may be scheduled.

B. Notice of Commencement of Construction: The permittee shall notify the TRPA at least 48 hours prior to commencement of construction or grading on the project site. Said notice shall include the date when construction will commence.

II. CONSTRUCTION/GRADING CONDITIONS:

The following conditions shall be complied with during the grading and construction phase of the project.

1. All construction shall be accomplished in strict compliance with the plans approved by TRPA.
2. The TRPA permit and the final construction drawings bearing the TRPA stamp of approval shall be present on the construction site from the time construction commences to final TRPA site inspection. The permit and plans shall be available for inspection upon request by any TRPA employee. Failure to present the TRPA permit and approved plans may result in the issuance of a Cease and Desist Order by the TRPA.

3. Whenever possible, utilities shall occupy common trenches to minimize site disturbance.

4. There shall be no grading or land disturbance performed with respect to the project between October 15 and May 1, unless proper approvals are obtained from TRPA, as provided in the limited exemption described in Section 4.2.A of the TRPA Code of Ordinances.

5. Except as provided in Subsection 64.2.B of the Code of Ordinances, there shall be no grading at any time of the year during periods of precipitation and for the resulting period of time when the site is covered with snow or is in a saturated, muddy, or unstable condition.

6. All material obtained from any excavation work that is not contained within foundations, retaining walls, or by other methods approved by TRPA shall be removed from the subject parcel and disposed of at a site approved by TRPA.

7. Replanting of all exposed surfaces, in accordance with the revegetation and slope stabilization plan, shall be accomplished within the first growing season following disturbance, unless an approved construction/inspection schedule establishes otherwise.

8. All 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.

9. Soil and construction material shall not be tracked off the construction site. Grading operations shall cease in the event that a danger of violating this conditions exists. The site shall be cleaned up and road right-of-way swept clean when necessary.

10. During grading and construction, environmental protection devices such as erosion control devices, dust control, and vegetation protection barriers shall be maintained.

11. Loose soil mounds or surfaces shall be protected from wind or water erosion by being appropriately covered when construction is not in active progress or when required by TRPA.

12. Excavated material shall be stored upgrade from the excavated areas to the extent possible. No material shall be stored in any stream zone or wet areas.
13. Only equipment of a size and type that, under prevailing site conditions, and considering the nature of the work to be performed, will do the least amount of damage to the environment shall be used.

14. No washing of vehicles or construction equipment, including cement mixers, shall be permitted anywhere on the subject property unless authorized by TRPA in writing.

15. No vehicles or heavy equipment shall be allowed in any stream environment zone, or wet areas, except as authorized by TRPA.

16. All construction sites shall be winterized by October 15 to reduce the water quality impacts associated with winter weather as follows:

A. For sites that will be inactive between October 15 and May 1:
   (1) Temporary erosion controls shall be installed;
   (2) Temporary vegetation protection fencing shall be installed;
   (3) Disturbed areas shall be stabilized;
   (4) Onsite construction slash and debris shall be cleaned up and removed;
   (5) Where feasible, mechanical stabilization and drainage improvements shall be installed; and
   (6) Spoil piles shall be removed from the site.

B. For sites that will be active between October 15 and May 1, in addition to the above requirements:
   (1) Permanent mechanical erosion control devices shall be installed, including paving of driveway and parking areas; and
   (2) Parking of vehicles and storage of building materials shall be restricted to paved areas.

IV. GENERAL CONDITIONS/DESIGN STANDARDS:

1. Projects approved by TRPA shall be subject to inspections by TRPA at any reasonable time. The permittee shall be responsible for making the project area accessible for inspection purposes. TRPA shall not be liable for any expense incurred by the permittee as a result of TRPA inspections.

2. Construction shall be completed in accordance with an approved construction schedule. An extension of a completion schedule for a project may be granted provided the request is made in writing prior to the expiration of the completion schedule, a security is posted to ensure completion or abatement of the project and TRPA makes either of the following findings:
(a) The project was diligently pursued, as defined in subparagraph 4.12.C.(2) of the Code of Ordinances, during each building season (May 1 - October 15) since commencement of construction.

(b) That events beyond the control of the permittee, which may include engineering problems, labor disputes, natural disasters or weather problems, have prevented diligent pursuit of the project.

3. Water conservation appliances and fixtures shall be installed in all new facilities or when replaced in existing facilities: Low flow flush toilets; low flow showerheads (3 gpm rated maximum flow); faucet aerators; and water-efficient appliances (e.g., washing machines and dishwashers).

4. Water heaters shall not emit nitrogen oxides greater than 40 nanograms of nitrogen oxide (NO₂) per joule of heat output.

5. Space heaters shall not emit greater than 40 nanograms of nitrogen oxides (as NO₂) per joule of useful heat delivered to the heated space.

6. Wood heaters to be installed in the Region shall meet the safety regulations established by applicable city, county, and state codes. Coal shall not be used as a fuel source.

(a) Emission Standards: Wood heaters installed in the Region shall not cause emissions of more than 15 grams of smoke per hour for noncatalytic wood heaters or six grams per hour for catalytically equipped wood heaters.

(b) Limitations: Wood heaters shall be sited appropriately for the space they are designed to serve. Wood heaters shall not be installed in hotels, motels, and timeshare units of hotel/motel design, except in the common areas. Replacements of existing wood heaters shall be with units meeting the emission standards contained in 6(a) above.

(c) List of Approved Heaters: TRPA shall maintain a list of wood heaters which may be installed in the Region. The list shall include the brand names, model number, description of the model and the name and address of the manufacturer. Wood heaters certified for use in either Colorado or Oregon shall be considered in compliance with 6(a), above.

7. Construction materials shall be secured to prevent them from rolling, washing, or blowing off the project site. Rehabilitation and clean-up of the site following construction must include removal of all construction waste and debris.
8. Plant species on the TRPA Recommended Native and Adapted Plant List shall be used for lawns and landscaping.

9. The following sizes and spacing shall be required for woody plant materials at time of planting:

(a) Trees shall be a minimum six feet tall or 1 1/2 inch caliper size or diameter at breast height;

(b) Shrubs shall be a minimum three gallon pot size where: upright shrubs have a minimum height of 18 inches and a minimum spread of 18 inches; and spreading shrubs have a minimum spread of 18-24 inches.

(c) Groundcovers shall be a minimum four inch pot size or one gallon container and shall be maximum 24 inches on center spacing.

10. Plant species not found on the TRPA Recommended Native and Adapted Plant List may be used for landscaping as accent plantings but shall be limited to borders, entryways, flower-beds, and other similar locations to provide accent to the overall native or adapted landscape design.

11. The following exterior lighting standards shall apply:

(a) Exterior lights shall not blink, flash or change intensity. String lights, building or roofline tube lighting, reflective or luminescent wall surfaces are prohibited.

(b) Exterior lighting shall not be attached to trees except for Christmas season.

(c) Parking lot, walkway, and building lights shall be directed downward.

(d) Fixture mounting height shall be appropriate to the purpose. The height shall not exceed the limitations set forth in Chapter 22 of the Code.

(e) Outdoor lighting shall be used for purposes of illumination only, and shall not be designed for, or used as, an advertising display. Illumination for aesthetic or dramatic purposes of any building or surrounding landscape utilizing exterior light fixtures projected above the horizontal is prohibited.

(f) The commercial operation of searchlights for advertising or any other purpose is prohibited. Seasonal lighting displays and lighting for special events which conflict with other provisions of this section may be permitted on a temporary basis.
MEMORANDUM

May 22, 1989

To: TRPA Governing Board and Advisory Planning Commission

From: Agency Staff

Subject: Certification of Environmental Impact Statement for the South Lake Tahoe Redevelopment Project No. 1

Agency staff distributed copies of the Final Environmental Impact Statement (EIS) on the South Lake Tahoe Redevelopment Project No. 1 on May 26, 1989 and an Errata to the Final EIS on May 31, 1989 to the Governing Board and Advisory Planning Commission for review. The public comment period on the draft EIS closed April 28, 1989. Copies of the Draft EIS were distributed to Governing Board members on February 28, 1989.

The Final EIS consists of the comments received on the Draft EIS, responses to comments, staff-initiated text changes, and refinements to the proposed project.

Agency staff and the EIS consultants, LSA Associates, Inc. will make a brief presentation of the Final EIS at the special joint Advisory Planning Commission and Governing Board hearing on June 7, 1989.

If you should have any questions please contact Jerry Wells, Chief of the Project Review Division.
MEMORANDUM

May 2, 1989

TO: Tahoe Regional Planning Agency Advisory Planning Commission

FROM: Susan E. Scholley, Agency Counsel

RE: Amendment of Plan Areas 004, Burton Creek, and 006, Fish Hatchery, to Delete Regional Health and Safety Facilities as Permissible Uses (004 Only); Reduce Maximum Community Noise Equivalent Level (CNEL), Delete Special Areas #1, and Change Plan Area Boundary Between Plan Areas 004 and 006

BACKGROUND: At the March 23, 1988 Governing Board meeting, Plan Area Statements 004 and 006 were amended to create Special Areas #1 in both plan areas, to allow an increase in the maximum permissible community noise equivalent levels (CNELs) and to allow regional health and safety facilities as a permissible use in Plan Area 004. These amendments were requested by Placer County in connection with its pending project application for a new Criminal Justice Facility/Administrative Center (CJF/AC) and relocation of the existing Department of Public Works (DPW). Subsequently, at the May 1988 Governing Board meeting, the Governing Board approved the CJF/AC, and the relocation of the DPW to a site adjacent to Plan Area 006 in Special Area #1 of Plan Area 004.

Both the California Attorney General's Office and the neighboring homeowners (Villas Homeowners Association) objected to approval of the project and filed suit in July of 1988 against the TRPA's actions with respect to the project. Since that time, discussions have been ongoing between the State of California, the Villas and Placer County regarding the future of the project. Recently, the County has decided to abandon that portion of the project relating to relocation of the DPW to Plan Area 004. At this time, the County still plans to construct the Criminal Justice Facility/Administrative Center on the site of the existing DPW site in Plan Area 006.

In order to settle the litigation with respect to the project, however, Placer County has requested that the Plan Area amendments processed in March of 1988 be rescinded and that the Board approve a modification of the project severing the DPW relocation.

This item was continued from the April APC meeting due to a delay in Placer County's filing of an application. An application has since been filed which proposes one minor amendment to the previous proposal.

S.E.S: jm
May 2, 1989
PROPOSED AMENDMENTS: The proposed amendments are as follows:

Plan Area 004 (Burton Creek) - delete Special Area #1; (2) reduce CNEL in Special Area #1 to 50 CNEL; (3) delete regional public health and safety facilities from the list of permissible uses; and (4) change Plan Area boundary to exclude existing Placer County Department of Public Works site (see attached map).

Plan Area 006 (Fish Hatchery) - (1) delete Special Area #1; (2) reduce CNEL in Special Area #1 to 55 CNEL; and (3) change Plan Area boundary to include Placer County Department of Public Work site (see attached map).

DISCUSSION OF PROPOSED AMENDMENTS: With the exception of the Plan Area boundary amendments, the proposed amendments will restore the status quo as it existed prior to the March 1988 amendments. Plan Area 004 would again have a single CNEL of 50 and Plan Area 006 would again have a single CNEL of 55.

The existing DFW site currently is situated in Plan Area 006, but a small portion of DFW is located in Plan Area 004. Because Plan Area 004 does not permit regional public health and safety facilities, deletion of that use in Plan Area 004 will make a portion of the existing DFW site non-conforming as to use. Inasmuch as the new Criminal Justice Facility/Administrative Center will occupy the existing DFW site, it would also be non-conforming as to use for the portion of the project located in Plan Area 004.

In order to avoid that minor discrepancy, the Plan Area boundary between 004 and 006 has been modified to follow the existing U.S.F.S. special use permit boundary and thus include within Plan Area 006 all of the existing DFW site and the proposed new project. This modification is consistent with TRPA or permit Regional Plan inasmuch as Plan Area boundaries typically follow property line or permit boundaries. By amending the boundary to follow the U.S.F.S. special use permit boundary, the existing County site will be contained within one Plan Area and subject to one noise standard. This will avoid the need for a very small special area in Plan Area 004.

ENVIRONMENTAL DOCUMENTATION: The prior March 1988 amendments were processed under a finding of no significant environmental effect. Because the proposed amendments essentially restore the Plan Areas to the status quo and are consistent with the environmental impact statement prepared on the adoption of the Plan Area Statements, TRPA staff will propose a finding of no significant environmental effect for these amendments also.

RECOMMENDATION: This matter is scheduled for public hearing and a recommenda-
tion to the Board for consideration at its May 1989 meeting. TRPA staff request that the APC recommend adoption of the proposed amendments to the Governing Board.

SRS: jm
May 2, 1989
TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY

Project Name: Modification of Placer County Government Center

Application Type: Public Service

Applicant: Placer County

Location: 4601 North Lake Boulevard, Tahoe City, California

APNs: 93-010-35 and -36 and 93-010-19

Project Description: The proposed project is to modify the approval granted May 1988 for the Placer County Government Center, by deleting the relocation of the Department of Public Works (DPW) and the access road (Burton Creek Drive) between APNs 93-010-36 and 93-010-19. See proposed project modification as shown on Attachment A.

The May 1988 approval consisted of construction of a 24,000 square foot, two-story criminal justice facility (24 bed jail, sheriff's administration, court, district attorney and probation facilities); renovation of the existing administration building (assessor's office, building department, environmental health, public health, welfare and 500 square foot public works office); and relocation of the DPW corporation yard to APN 93-010-19 (North Burton Creek site). Also approved was the construction of 2,750 lineal feet of access road (Burton Creek Drive) connecting the criminal justice facility/administrative center APN 93-010-36 to the relocated DPW (APN 93-010-19). See current approval shown on Attachment B.

Due to litigation filed by the State of California Attorney General's Office and the Villas Homeowners Association against TRPA and Placer County over the approval (U.S. District Court, Eastern District of California, Case Nos. 88-0915, 0920-EJG), the County has decided to abandon the relocation of the DPW to the north Burton Creek site and construction of the associated access road. Abandonment of the DPW relocation and road (in conjunction with reversal of the related plan area amendments) will result in settlement of that litigation.

Site Description: The original project area was 31.5 acres and consisted of three parcels: 93-010-36, which contains the existing County facility on North Lake Boulevard; 93-010-35, a 10-acre parcel owned by the U.S. Forest Service, of which 5 acres is under a special use permit to Placer County for the corporation yard; and a 12-acre portion of 93-010-19, a privately owned and vacant forested parcel north of the U.S. Forest Service parcel.

The modified 14.6 acre project area consists of APN 93-010-36 (existing County facility) and the 5 acres of U.S. Forest Service land under special use permit to the County, immediately to the north of the existing facility.

SES: jf
5/15/89
Review Per Code:  Chapter 4 - Project Review and Exempt Activities
Chapter 5 - Environmental Documentation
Chapter 6 - Findings Required
Chapter 13 - Plan Area Statements and Plan Area Maps

Staff Analysis: The proposed modification has potential impacts in four areas: land coverage, noise, traffic impact mitigation, and displacement of the existing County corporation yard.

A. Land Coverage: Due to the reduction in size of the project area, the permitted coverages and water quality mitigation fees must be adjusted. Deletion of the DPW portion of the project, including the access road, will not have any negative impacts on land coverage. The existing coverage on site is 143,209 square feet. The allowable coverage in the modified project area is 76,311 square feet. The criminal justice facility/administrative center, as shown on Attachment A, requires 120,251 square feet of land coverage. Thus, the modified project results in a net reduction of 22,958 square feet of coverage. The excess coverage mitigation fee will be calculated at the time final plans are submitted for TRPA review.

B. Noise: The maximum CNEL in Plan Area 006 is currently 65 dBA, but the proposed plan area amendments will reduce the CNEL to 55 dBA. Existing levels are in excess of 65 dBA, but the relocation of the DPW will bring noise levels down to within the 55 CNEL. (See EIS, March 1987, pp. 80-88).

C. Traffic: Because several County services are being relocated to the new Administrative Center, the original project would have created 435 new daily vehicle trip ends and resulted in an air quality mitigation fee of $4,350. However, construction of the TART bus maintenance facility on the North Burton Creek site was substituted for the fee. The modified project will not include construction of the TART regional bus maintenance facility, and therefore the air quality mitigation fee is again required.

The EIS on the original project attributed 100 daily trips to the DPW and 15 daily trips to the TART facility. With the deletion of these uses from the project, the additional daily trips associated with the modified project are 320, or an air quality mitigation fee of $3200.00.

D. Relocation of DPW: Prior to commencement of the criminal justice facility/administrative center, the County will have to find an appropriate site for the relocation of the DPW. The relocation of DPW will be reviewed as a separate project. In order to avoid any potential for conflict, TRPA is including, as a condition of the modified approval, the requirement that DPW have all necessary approvals for relocation prior to commencement of construction of the criminal justice facility/administrative center.
Required Finding: Chapter 6 requires the following findings prior to approval of projects. Following each finding is a brief summary of the rationale therefor:

1. The project is consistent with, and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, plan area statement maps, the Code and other TRPA plans and programs.

   The modified project deletes construction of a new DPW facility and its associated access road. The remaining project has been previously determined to be consistent with the Regional Plan and Code, and there is no evidence that the modified project will adversely affect the Regional Plan.

2. The project will not cause the environmental thresholds to be exceeded.

   The modified project is consistent with the thresholds and reduces impacts in the areas of land coverage and noise. The basis for this finding is the Article V(g) checklist, the responses on which indicate compliance in all areas.

3. Wherever federal, state and local air and water quality standards applicable for the Region, whichever are strictest, must be attained and maintained pursuant to Article V(d) of the Compact, the project meets or exceeds such standards.

   The modified project is consistent with the thresholds and reduces impacts in the areas of land coverage and noise. The basis for this finding is the Article V(g) checklist, the responses on which indicate compliance in all areas.

Environmental Documentation: A final EIS pursuant to Article VII of the Compact was certified in connection with original project and no significant adverse impacts were identified. An initial environmental checklist (IEC) has been prepared for the modification and, based on the final EIS for the project and the IEC, a finding of no significant environmental impact is recommended.

Recommendation: Staff recommends that the Governing Board approve the modification to the Placer County Government Center by the following motions:

A. A motion for a finding of no significant environmental effect and for the findings required by Chapter 6 of the Code, as set forth above.

B. A motion to approve the modification to the project subject to the following conditions, which supersede the prior special conditions of approval:
1. The standard conditions of approval listed in Attachment Q.

2. The following special conditions:
   a. All exposed soils shall be stabilized within 14 days of disturbance. Temporary means, such as placement of two tons per acre of hay or seeding with field bromegrass, shall be used to reduce erosion to acceptable tolerance levels.
   b. All planned unpaved areas shall be permanently revegetated with native plants.
   c. Runoff from paved parking areas shall be kept separate from other stormwater runoff and treated separately.
   d. A soils engineer shall monitor all on-site locations of potential contaminants and oversee their removal during construction of the project. Soils identified as contaminated shall be transported to a TRPA-approved disposal site.
   e. All disturbed areas shall be revegetated with native or adapted species from the list of species approved by TRPA. Landscaping which requires long-term irrigation and fertilizer use shall not be used.
   f. As specified in the Plan Area Statement, all development shall be screened from views with appropriate landscaping, and scenic restoration improvements shall be employed along State Highway 28.
   g. To help minimize building mass and increase visual compatibility of the project with typical architectural designs of buildings in the Tahoe Basin, the following design measures shall be considered and incorporated into building design:
      (i) Building exteriors should be dark earth tone carefully chosen to blend with surrounding vegetation.
      (ii) Roof height should be minimized to the greatest extent possible.
      (iv) Nonreflective surfaces should be used.
   h. Night illumination shall be limited to that necessary for security. Fixtures shall cast light downward so that effects of glare on distant views is kept to a minimum. A separate emergency security lighting system shall be installed if full illumination is desired.
i. The southwest corner of the site adjacent to the meadow shall be heavily planted to help visually screen the proposed development from State Highway 28.

j. To minimize fugitive dust impacts, dust control through regular watering, good site housekeeping procedures and early paving of exterior vehicle access areas shall be incorporated into construction specifications.

k. During project construction, the operation of heavy equipment shall be limited to the daytime hours (8 a.m. to 6:30 p.m.). Heavy equipment and compressors used in construction shall be fitted with adequate mufflers and enclosures. All construction-related trucks shall comply with applicable provisions of State laws relating to speed control and noise emissions.

l. Project maintenance activities (sweeping, use of blowers, etc.) shall be limited to daytime hours (8 a.m. to 6:30 p.m.). All equipment shall be fitted with adequate mufflers and enclosures.

m. Any fixed equipment such as fans or heating systems should be shielded from adjacent residential uses and/or located as far from these uses as possible.

n. Only small portions of the site shall be opened for grading at any one time. Using the BMP Handbook as a guide, exposed slopes that are too long shall be broken up by means such as straw bale barriers or filter berms.

o. Cut and fill slopes along the access road shall be permanently revegetated as soon as possible. Structures such as rock-lined ditches should be designed to immediately catch any sediment washing off of the slopes.

p. In order to minimize the potential for erosion and downstream sedimentation, surface drainage systems shall be designed to ensure that erosive velocities do not occur. Control measures could include drop structures, rock-lined channels, and sedimentation ponds or traps. Slope stabilization methods shall be employed to minimize or eliminate erosion. Slope stabilization methods and drainage system components shall conform to the TRPA Handbook of Best Management Practices.
q. Prior to TRPA acknowledgement of the permit, the applicant shall submit detailed plans and cost estimates for the installation of all water quality improvements (BMPs) for the entire project area. Said plans shall show compliance with Chapter 81 of the Code as well as Conditions b and n above.

r. The applicant shall indicate finished floor elevations on the final construction drawings.

s. The architectural design of this project shall include elements that screen from public view all external mechanical equipment, including refuse enclosures, satellite receiving disks, communication equipment, and utility hardware on roofs, buildings on the ground. Roofs, including mechanical equipment and skylights, shall be constructed of nonglare finishes that minimize reflectivity.

t. Prior to commencement of construction, the permittee shall submit an excess coverage mitigation fee or demonstrate on- or off-site reductions. consistent with Section 20.5 of the Code.

u. Prior to commencement of construction, the permittee shall submit an air quality fee of $3200.

v. Prior to commencement of construction on the criminal justice facility/administrative center, the County shall demonstrate that it has all necessary approvals for the relocation of the DPW corporation yard.

w. As currently approved, the CFJ/AC does not include any vehicle maintenance or refueling facilities. The addition of such facilities will be reviewed as a modification to the approval.