MEMORANDUM

August 11, 2005

To: TRPA Hearing’s Officer

From: TRPA Staff

Subject: Mr. Martin Mackin Land Capability Challenge; Road, Washoe County APN: 125-531-34, 581 Pinto Court, Incline Village Nevada.

The applicant, Mr. Martin Mackin requests that the Hearings Officer review and approve the proposed Land Capability Challenge on the affected parcel.

Staff Recommendation: Staff recommends that the Hearing’s Officer approve the land capability challenge for the parcel changing the land capability from class 2 to class 4.

Background: The subject parcel is shown as land capability class 2 on the TRPA Land Capability Overlay Maps. The Soil Conservation Service Soil Survey for the Lake Tahoe Basin places this parcel within the UmE, (Umpa, very stony sandy loam, 15 to 30 percent) soil map unit. The UmE soil map unit is consistent with the D2 (Headlands, moderate hazard lands) geomorphic unit classifications. The Umpa soils formed in residuum derived from volcanic (andesite) sources.

A land capability verification was never conducted on this parcel. A land capability challenge was filed to confirm the soil series and land capability for the parcel.

Findings: This parcel is located at 581 Pinto Court, Incline Village in Washoe County. The parcel is mapped within geomorphic unit D2 (Headlands, moderate hazard lands) on the TRPA Geomorphic Analysis Map of the Lake Tahoe Basin. The soils investigation was conducted by TRPA staff and a report was prepared. The soil description was derived from a well exposed road cut and two on-site soil auger samples. A representative soil profile was described (see Attachment). After visits to the parcel on July 19, 2005 the soils on APN: 125-531-34 were determined to be consistent with land capability class 4, in accordance with the Land Capability Classification of the Lake Tahoe Basin (Bailey, 1974).

If you have questions on this agenda item, please contact Tim Hagan, at 775-588-4547 (ext. 275).

Attachment
INTRODUCTION
A soil investigation was conducted on APN: 125-531-34 in Washoe County. This parcel is located at 581 Pinto Court, Incline Village Nevada. A land capability verification was never conducted by TRPA staff on this particular parcel. A land capability challenge was filed with TRPA on December 19, 2004 to determine the appropriate land capability class for this parcel based on a soil investigation.

ENVIRONMENTAL SETTING
This parcel is shown as land capability class 2 on the TRPA Land Capability Overlay Maps. The Soil Conservation Service Soil Survey for the Lake Tahoe Basin places this parcel within the UmE, (Umpa, very stony sandy loam, 15 to 30 percent) soil map unit. The UmE soil map unit is consistent with the D-2 (Headlands, moderate hazard lands) geomorphic unit classification. The Umpa soil formed in residuum derived from extrusive igneous sources (andesite). This parcel is on a South-southwest facing slope. The natural slope is 24 to 28 percent. The natural vegetation is comprised of an overstory of Jeffery pine and White fir with an understory of bitterbrush, greenleaf manzanita and huckleberry oak.

PROCEDURES
One soil profile was exposed on and two soil auger sample were retrieved on this parcel. After examination of the soil it was described in detail as representative of the soils on the parcel. A copy of this description is included in this report. Slopes were measured with a clinometer.

FINDINGS
One soil series were identified on this parcel. The soils on this parcel are generally deep and well drained. The soil is characterized as having a thin (<1") surface mantle of organic matter over a dark brown gravelly sandy loam surface layer. A reddish brown, sandy clay loam subsoil is present to a depth of greater than 60 inches. This soil is similar to the Jorge soil series as associated with the JwE, (Jorge-Tahoma very stony sandy loam, 15 to 30 percent) map unit as listed in the Soil Survey for the Lake Tahoe Basin. Under the Bailey Land Capability Classification system the most appropriate Land Capability class would be 4, given the profile depth, hydrologic group and slope phase.

CONCLUSION
Based on the results of the site visit, the soil on APN 125-531-34 was determined to be the Jorge soil series and JwE soil map unit which are associated with land capability class 4, in accordance with the Land Capability Classification of the Lake Tahoe Basin (Bailey, 1974).

Tim Hagan, Senior Planner / Soil Scientist
Representative Soil Profile:

Soil Classification: Loamy-skeletal, mixed, frigid Ultic Haploxeraft
Soil Series: Jorge
Hydrologic Group: B
Drainage: Well Drained

Oi 1 to 0 inches; Fir and Pine litter

A1 0 to 4 inches; brown (10YR 4/2) gravelly sandy loam; dark brown (10YR 3/3) moist; moderate fine granular structure; soft, loose, nonsticky and nonplastic; many fine and medium roots, few coarse roots; many very fine and fine interstitial pores; 20 percent gravel, 10 percent cobblestone; clear wavy boundary.

A2 4 to 12 inches; brown (10YR 5/3), gravelly sandy loam; dark brown (10YR 3/3) moist; moderate fine granular structure; soft, loose, nonsticky and nonplastic; many fine and medium and few coarse roots; many very fine and fine interstitial pores; 20 percent gravel, 10 percent cobblestone; clear wavy boundary.

Bw 12 to 20 inches; pale brown (10YR 6/3) gravelly sandy clay loam; dark yellowish brown (10YR 4/4) moist; moderate medium subangular blocky structure; slightly hard, friable, nonsticky and nonplastic; common fine, medium and few coarse roots; many very fine and fine interstitial pores; 20 percent gravel, 10 percent cobblestone; gradual wavy boundary.

Bt1 20 to 42 inches; light brown (7.5 YR 6/4) gravelly sandy clay loam; dark brown (7.5 YR 4/4) moist; moderate medium subangular blocky structure; slightly hard, friable, nonsticky and nonplastic; few fine and common medium roots; many very fine and fine interstitial pores; 20 percent gravel, 10 percent cobblestone; clear wavy boundary.

Bt2 42 to 60 inches; light pinkish brown (5 YR 6/4) stony sandy clay loam; reddish brown (5 YR 4/4) moist; moderate medium subangular blocky structure; slightly hard, friable, nonsticky and nonplastic; few fine and common medium roots; many very fine and fine interstitial pores; 20 percent gravel, 10 percent cobblestone.
MEMORANDUM

August 11, 2005

To: TRPA Hearing’s Officer

From: TRPA Staff

Subject: Mr. Marvin Locke Land Capability Challenge; 2575 and 2585 Lake Forest Road, Placer County APN 093-032-17, Lake Forest California.

The applicant, Mr. Marvin Locke requests that the Hearings Officer review and approve the proposed Land Capability Challenge on the affected parcel.

Staff Recommendation: The staff recommends that the Hearings Officer approve the land capability challenge, changing the land capability for a portion of the parcel from SEZ (1b) to JhC-class 5 (Jabu stony sandy loam, moderately fine subsoil variant, 2 to 9 percent slopes). The Stream Environment Zone boundary was adjusted consistent with the primary SEZ vegetation in the front of the parcel.

Background: The subject parcel is shown as land capability class 1b and 5 on the TRPA Land Capability Overlay Maps. The Soil Conservation Service Soil Survey for the Lake Tahoe Basin places this parcel within the JhC (Jabu stony sandy loam, moderately fine subsoil variant, 2 to 9 percent slopes) soil map unit. This soil map unit is consistent with the E-2 (Outwash, till and lake deposits) geomorphic unit classification. The Jabu soils formed in glaciofluvial deposits derived from volcanic and pyroclastic sources.

A land capability verification was completed on this parcel in January 10th, 2003 and the parcel was verified as land capability classes 1b. A land capability challenge was filed to confirm the soil series and land capability for the parcel.

Findings: This parcel is located at 2575 and 2585 Lake Forest Road, Placer County. The parcel is mapped within geomorphic unit E-2 (Outwash, till and lake deposits) on the TRPA Geomorphic Analysis Map of the Lake Tahoe Basin. The soils investigation was conducted by TRPA staff soil scientists, and a report was prepared. Based on three soil pits, a representative soil profile was described (see Attachment A). After visits to the parcel and a season of ground water monitoring to confirm the sub-surface hydrology the soils and SEZ status on a majority of APN: 093-032-17 were determined to be consistent with land capability class 5, in accordance with the Land Capability Classification of the Lake Tahoe Basin (Bailey, 1974). A small delineated area of Stream Environment Zone remains around primary SEZ vegetation in the front of the parcel.

If you have questions on this agenda item, please contact Tim Hagan, at 775-588-4547 (ext. 275).

TH
8/11/2005

AGENDA ITEM B
SOIL INVESTIGATION FOR PLACER COUNTY APN: 093-032-172,  2575 and 2585 Lake Forest Rd, Lake Forest CA.

INTRODUCTION
A soil investigation was conducted on APN: 093-032-172 in Placer County over the winter and spring season’s of 2005. This parcel is located on 2575 and 2585 Lake Forest Rd , Lake Forest in Placer County. A land capability verification was conducted by TRPA staff on this particular parcel.

A land capability challenge was filed with TRPA of to determine the appropriate land capability class for this parcel based on a soil investigation.

ENVIRONMENTAL SETTING
This parcel is shown as land capability class 1b and 5 on the TRPA Land Capability Overlay Maps. The Soil Conservation Service Soil Survey for the Lake Tahoe Basin places this parcel within the JhC (Jabu stony sandy loam, moderately fine subsoil variant, 2 to 9 percent slopes) soil map unit. This soil map unit is consistent with the E-2 (Outwash, till and lake deposits, moderate hazard lands) geomorphic unit classification. These soils formed alluvial deposits derived from extrusive igneous sources (andesite and pyroclastic rock). This parcel is on a very gentle North West facing landform. The natural slope is 3 to 5 percent. The natural vegetation on the portion of the parcel determined consistent with the class 5 designation is Red-fir, Jeffery pine and Incense cedar with an understory of wyethia, thimble berry and service berry. There is a cluster of willows on the front of the parcel that is the area delineated as SEZ.

PROCEDURES
One soil pit was dug and three soil auger samples were retrieved on the parcel. After examination of the soil it was described in detail as representative of the soils on the parcel. A copy of this description is included in this report. Slopes were measured with a clinometer.

FINDINGS
One named soil series consistent with a named map unit was identified on this parcel. The soils on this parcel are generally deep and moderately well drained. The soil is characterized as having a thin (<2") thatch like surface mantle of organic matter over a dark grayish brown sandy loam surface layer. A yellowish brown sandy clay loam subsoil is present to a depth of greater than 34 inches. This is underlain by a light olive brown silt clay loam to a depth of greater than 60 inches. This soil is a member of the Jabu, moderately fine subsoil variant listed in the Soil Survey for the Lake Tahoe Basin. Under the Bailey Land Capability Classification system the Land Capability class would be class 5.

CONCLUSION
Based on the results of the site visit, the soil on a majority of APN 093-032-17 were determined to be consistent with the Jabu soil series and JhC map unit, in accordance with the Land Capability Classification of the Lake Tahoe Basin (Bailey, 1974) and therefore is assigned 25% allowable coverage and 1% coverage for the small delineated portion of SEZ present on the front of the parcel.

Tim Hagan, Senior Planner / Soil Scientist

TH 8/11/2005
Representative Soil Profile:

Soil Classification: Fine-loamy mixed, frigid, Humic Haploxerepts  
Soil Series: Jabu, moderately fine subsoil variant  
Hydrologic Group: C  
Drainage: Moderately Well Drained

Oi  2 to 0 inches; organic litter and detritus.

A1  0 to 8 inches; grayish brown (10YR 5/2) gravelly sandy loam; very dark brown (10YR 2/2) moist; moderate fine granular structure; soft, loose, nonsticky and nonplastic; many very fine and fine roots; many very fine and fine interstitial pores; clear smooth boundary.

AB  8 to 15 inches; dark brown (10YR 4/3) gravelly sandy loam; dark yellowish brown (10YR 3/3) moist; moderate fine granular structure trending to weak, fine subangular blocky structure; slightly hard, friable, nonsticky and nonplastic; many fine and medium and few coarse roots; many very fine and fine interstitial pores; clear smooth boundary.

Bt  15 to 34 inches; yellowish brown (10YR 5/4) sandy clay loam; dark yellowish brown (10YR 4/4) moist; weak, medium sub angular blocky structure; slightly hard, friable, slightly sticky and slightly plastic; common very fine and fine roots; many very fine and fine interstitial pores; gradual wavy boundary.

C  34 to 60 inches; light yellowish brown (2.5 YR 6/4) very gravelly silty clay loam; dark yellowish brown (10YR 4/4) moist; massive; slightly hard, friable, slightly sticky and slightly plastic; few fine and common medium roots; many very fine and fine interstitial pores.
TAHOE REGIONAL PLANNING AGENCY

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TAHOE REGIONAL PLANNING AGENCY
HEARINGS OFFICER STAFF SUMMARY

Project Name: New Permanent Vehicle Parking Area

Application Type: Commercial/Public Services

Applicant: James and Virginia Walsh Trustees

Applicant’s Representative: Agan Consulting Corporation

Agency Planner: David L. Landry, Associate Planner, Environmental Review Services

Location: 7411 North Lake Boulevard, Tahoe Vista, Placer County, California

Assessor’s Parcel Numbers (APN)/File Number: APN 117-130-68+69/20041140

Staff Recommendation: Staff recommends that the Hearings Officer approve the project. The recommended conditions of approval are listed in Section F of this staff summary.

Background: On June 23, 2005 a proposal for the construction of a permanent paved parking lot for the North Tahoe Marina and Restaurant tenant went before the TRPA Hearings Officer for review. The proposed project, designed to accommodate 47 permanent parking stalls as communicated in submission materials was a county mandated project designed to comply with the Tahoe Vista Community Plan, Vision for Transportation, Community Parking Lot System which includes provisions for a joint parking and shuttle system designed to alleviate parking impacts along State Route 28.

The project is located in the Tahoe Vista Community Plan area which identifies commercial parking facilities, transit stations and terminals as special uses requiring Hearings Officer review per Chapter 4, Appendix A, of the TRPA Code. During the Hearings Officer proceedings issues pertaining to the reasoning for the need of the additional parking were discussed at length. It was suggested that the need for additional parking was a part of a larger policy issue which might need to be addressed with the Governing Board. As such no action was taken by the Hearings Officer preferring to continue the project to the August 18th Hearings Officer meeting at which time the applicant could demonstrate as to why the additional spaces are needed.

Project Description: The project is a proposal for the construction of a new permanent “offsite” paved parking area for the North Tahoe Marina and Restaurant tenant which are located at 7340 and 7360 North Lake Boulevard. It was reported that the proposed parking lot was being expanded as a result of an examination of existing parking facilities by Placer County in conjunction with the remodeling of the Restaurant. The proposed parking area is targeted to accommodate forty two standard, three compact, and two ADA compliant parking spaces. The project will also include the re introduction of a Tahoe Area Regional Transit (TART) bus shelter, a new bike rack, landscaping berms and native vegetation, and drainage and infiltration facilities.

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AGENDA ITEM V.D
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The applicant intends to meet Placer County joint parking requirement of 107 parking spaces for marina and restaurant by introducing an additional 27 new parking spaces in the new permanent parking lot on the north side of Highway 28. It is also their intention to reduce the total number of spaces within the boat service area from 80 spaces to 60 spaces by relocating 20 spaces to the new parking for a total of 47 spaces. Removing these spaces will allow additional room for targeted BMP installation.

Site Description: The proposed site consists of two separate lots which are located on the north side of State Highway 28 between Pino Grand Avenue to the west and Agatam Avenue to the east. The eastward parcel is 19,909 square feet while the westward parcel is 27,552 square feet totaling 47,461 square feet for both, (See latest grant deed dated June 11, 2003). The eastern portion of the project site is currently occupied by a temporary graveled parking area consisting of 21 temporary parking spaces. The western portion of the site while unpaved is used as makeshift overflow parking area with cars parked predominantly along the sites outer perimeter. There is also a dirt road leading from the southwest corner of the site to the northeast corner ending at once were commercial structures which have since been removed. Both lots are currently covered by several mature species of pine and fir trees ranging in size from 16 to 50 inches dbh.

Adjacent land uses are: residential to the east, north and west with commercial uses to the immediate south.

Issues: The proposed project (vehicle storage and parking) involves a special use and therefore requires Hearings Officer review in accordance with Chapter 4, Appendix A, of the TRPA Code. The primary project related issues are:

1. Parking: The expanded parking lot is to be used for overflow parking during peak operating periods for both restaurant and marina operations. The site previously accommodated 21 temporary parking spaces yielding 9.3 vehicle trips per space. The current proposal calls for 47 permanent commercial parking spaces which would generate 221 vehicle trips for the 47 spaces or 4.7 vehicle trips per space, a reduction of 4.6 trips. All parking stalls and aisles shall conform to Caltrans specification or appropriate ADA standards for handicap parking and signage. The parking lot will be screened from view by using landscaping berms and vegetation, a solid wood fence and by lowering the finish grade of the parking surface. This parking lot is intended for the specific use of North Tahoe Marina and East West Partners (tenants of the Marina operations).

2. Traffic and Road improvements: The proposed project calls for extensive drainage infiltration facilities, improved curb and gutter, the relocation of existing traffic signage and power poles, a proposed sidewalk, sidewalk lighting, a covered transit stop, a bicycle rack, and a crosswalk near the entrance of the parking lot. All approvals and permits in addition to Caltrans, Tahoe Vista Community Plan, Placer County and/or Power Company specification shall be obtained or satisfied in order to move to a final conclusion of the project. Further as stated in a letter from the North Tahoe Fire Protection District additional conditions from the (NTFPD) may need to be satisfied as well.
3. **Land Coverage:** The land capability for the project site has been identified by TRPA as Class 5 with an allowable base coverage of 25% or a total of 11,865 square feet. In 1998 TRPA also conducted a land coverage verification for both lots 117-138-68 & 69 and verified 11,536 square feet of legally existing ground coverage on the eastward lot and 57 square feet coverage on the westward lot (TRPA 19970470 4/3/98). As this coverage was verified prior to adoption of the Regional Plan this coverage was grandfathered and allowed to stay.

<table>
<thead>
<tr>
<th>Parcel</th>
<th>Land Capability Class</th>
<th>Project Area</th>
<th>Percent Allowable Coverage</th>
<th>Base Allowable Coverage</th>
<th>Existing Coverage</th>
<th>Total Proposed Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>117-138-68</td>
<td>West</td>
<td>27,552 sf</td>
<td>25%</td>
<td>6,888 sf</td>
<td>57 sf</td>
<td>5,024 sf</td>
</tr>
<tr>
<td>117-138-69</td>
<td>East</td>
<td>19,909 sf</td>
<td>25%</td>
<td>4,977 sf</td>
<td>11,536 sf</td>
<td>10,674 sf</td>
</tr>
</tbody>
</table>

The amount of coverage proposed to be transferred to the westward parcel is 4,967 square feet which will come from various sources. When this coverage is added to the existing coverage of 57 square feet there is a total 5,024 square feet of coverage which is below the base allowable. Conversely the total amount of coverage proposed for the eastward parcel is 10,674 square feet. When this amount is subtracted from the existing on site amount of 11,536 square feet, there is an excess of 862 square feet of which this amount plus another 57 square feet will be transferred to the westward parcel. The proposed amount of 10,674 square is higher than the 9954.5 square feet of coverage that could be allowed under the 50 percent rule under TRPA code 20.3.B (2) which states; *For parcels upon which there legally exists development of the effective date of the Regional Plan, maximum land coverage is 50 percent of the project area.* As there is an excess coverage amount of 719.5 square feet, this amount should be banked or transferred for use as off-site coverage. In addition to the proposed on site coverage, an additional 3,883 square feet of off-site coverage for the bus shelter, bicycle rack, sidewalk and other amenities which will need to be transferred and mitigated as well.

4. **Signs and Lighting.** The proposed plans indicate that traffic control signs will be relocated behind the proposed sidewalk. All signage shall be installed per Caltrans Specifications.

5. **Transit Stop:** Included as a part of this project will be the introduction of an offsite, covered bus transit stop which will use earth tones and wood colored materials. All design specifications shall satisfy all appropriate state and county regulations. The shuttle stop is part of the Community Parking Lot System and Shuttle Plan mandated by Placer County. The transit stop will require additional coverage to be transferred to the site.

6. **Scenic Quality:** The proposed parking lot project lies within 100 feet of Highway 28 an urban scenic highway corridor as defined under the scenic ordinance Section 30.15 of the TRPA Code of Ordinances. The project site is located within Scenic Highway Unit 20A which is currently in non-attainment, which means that any project proposed for the area must improve the aesthetics of the manmade environment to be compatible with the natural environment. The
TRPA Scenic Quality Improvement Program (SQIP) emphasizes landscaping along roadsides and within parking areas to screen views of paving and parked vehicles. This project will use extensive landscaping berms and vegetation as well as the lowering of the finish grade to improve the aesthetic quality of the project.

7. The project shall meet all applicable design standards for utility lines, highway fixtures, retaining walls, etc. Proposed plans indicate that the parking lot will be screened with berms, vegetation, and a reduction in height of the finish grade.

8. Community Opposition to the Proposal: On June 16, 2005 TRPA received written comments from the general public in opposition to the project. Traffic safety, and a potential for reduction in property values, are among the respondents comments. A copy of the correspondence has been included in the project file. Refer to Scenic Quality # 7 above.

Required Findings: The following is a list of the required findings as set forth in Chapters 6, 18, 20, 64, and 71 of the TRPA Code of Ordinances. Following each finding, Agency staff has indicated if there is sufficient evidence contained in the record to make the applicable findings or has briefly summarized the evidence on which the finding can be made.

1. Chapter 6 – Required Findings:

(a) 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.

The proposed project is located within the Tahoe Vista Community Plan in which parking and transit stations are a special use. There is no evidence in the file or record showing that the proposed project will have an adverse effect on the Land Use, Transportation, Conservation, Recreation, Public Service and Facilities, or Implementation sub-elements of the Regional Plan.

(b) The project will not cause the environmental threshold carrying capacities to be exceeded.

TRPA staff has completed the “Project Review Conformance Checklist and 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. Also, the applicant has completed an Initial Environmental Checklist (IEC). No significant environmental impacts were identified and staff has concluded that the project will not have a significant effect on the environment. A copy of the completed checklist and IEC will be made available at the Hearings Officer hearing and at TRPA.
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(c) 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 TPRA Compact, the project meets or exceeds such standards.

(Refer to paragraph 1.b, above.)

2. Chapter 18 – Special Use Findings:

(a) 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 proposed project involves the introduction of a permanent commercial overflow parking lot. The current use for this site is a temporary parking lot which generates 194.5 trips for 21 temporary spaces or 9.3 vehicle trips per space. The new parking lot will consist of 47 permanent parking spaces which will generate 221 vehicle trips for the 47 spaces or 4.7 trips per space. The increase is attributed to the added floor area of the Marina by 27 trips resulting in a total of 194.5 + 27 = 221. However as there are more spaces the number of individual trips per space will be reduced by 4.6 trips per space.

(b) 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 issuance of a permit shall include a provision for regular maintenance and monitoring measures for all on-site BMPs to ensure protection of land and water resources of the applicant’s property and properties belonging to surrounding owners. Further permit issuance is subject to meeting all TRPA, state and county regulations for parking facilities, road improvements, transit structures, and landscaping. The project meets these conditions.

(c) 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 proposed project is an expansion of an existing temporary parking lot in an area that contains a mixture of commercial and residential land uses. The parking lot will be enhanced with new landscaping, a new bus transit shelter, a bicycle rack, drainage facilities and landscaping. The parking lot will include the use of landscape berms and vegetation which will enhance the visual character of this project.

8/18/05
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AGENDA ITEM V.D.
3. Chapter 20 – Land Coverage Findings:

(a) The land coverage relocation is to an equal or superior portion of the parcel or project area.

The proposed amount of land coverage for the westward parcel is 5071 square feet to be transferred from various sources including an equal portion of the eastward or adjacent parcel. The eastward parcel will not need land coverage transferred onto it but rather will transfer 919 square feet of Class 5 coverage to the westward parcel which is also Class %.

(b) The area from which the land coverage was removed for relocation is restored in accordance with Subsection 20.4.C.

Areas in which coverage is being removed will be scarified and re-vegetated in accordance with TRPA standards.

(c) The relocation is not to Land Capability Districts 1a, 1b, 1c, 2 or 3 from any higher numbered land capability district.

The relocation of land coverage is to a site with a verified land capacity class, Class 5(TRPA 19970470 4/3/98).

5. Chapter 64 - Excavations:

a. A soils/hydrologic report prepared by a qualified professional, whose proposed content and methodology has been reviewed and approved in advance by TRPA, demonstrates that no interference or interception of groundwater will occur as a result of the excavation.

In September 2001 the applicant prepared and submitted a soils/hydrologic report for the proposed excavation depth of 8 feet for a storm water interceptor for restaurant/marina operations at 7340 and 7360 North Lake. After review of the report the Ground Water Technical Advisory Committee (GWTAC) waived the requirement for subsurface investigation and approved the excavation depth of 8 feet below ground surface (bgs). The applicant is now asking for a waiver from an additional soils/hydrologic report for the proposed overflow parking lot on the north side of Highway 28. TRPA has agreed in principle to waive an additional report and potentially approve and excavation depth of six and one half feet (6-1/2 feet). This discussion would be based on the results of the previous soils/hydrologic report site and the location of the site which is at a higher elevation. The applicant will need to submit a new soils/hydrological application before any action can be taken.

b. Excavated material is disposed of pursuant to Section 64.5 and the project area’s natural topography is maintained pursuant to Subparagraph 30.5.A(1).
As conditioned in the TRPA Soils/Hydrologic approval, all excavated material must be hauled away from the site to a legally acceptable location and no fills, or re-contouring (other than backfill for bermmed area and the lowering of finished surface grade) shall be allowed.

c. The Excavation is designed such that no damage occurs to mature trees, except where tree removal is allowed pursuant to Subsection 65.2.E, including root systems, and hydrologic conditions of the soil.

Excavation will only occur in an area where a 31 inch dbh Pine tree should be removed upon TRPA forester recommendation.

6. Chapter 71 Tree Removal:

a. Within non-SEZ urban areas: Individual trees larger than 30 inches dbh that are healthy and sound shall be retained as desirable specimen trees having aesthetic and wildlife value, unless all reasonable alternatives are not feasible to retain the tree, including reduction of parking areas or modification of the original design.

The project as submitted proposes to remove a number of large trees, specifically 39 inch dbh Fir and a 31 inch dbh Pine tree. The 39 inch dbh Fir tree near the entryway of the parking lot should remain intact and the parking lot be redesigned in a manner as to not to impede its continued growth. The applicant should demonstrate as to how and why the tree should be removed through different design scenarios. The 31 inch dbh Pine tree may be removed upon presentation of evidence to TRPA of TRPA forester recommendation that the tree should be removed with concurrence from TRPA Staff. Reasonable efforts shall be taken to preserve the 25 inch dbh tree near the northwest corner of the parking lot by moving or changing the angle of the adjacent parking stalls.

F. Required Actions: Agency staff recommends that the Hearings Officer approve the project by taking the following actions:

I. Approve the findings contained in this staff summary, and a finding of no significant environmental effect.

II. Approve the project, based on the staff summary, subject to the conditions contained in the attached Draft TRPA Permit.
TAHOE REGIONAL PLANNING AGENCY

PROJECT DESCRIPTION: New Permanent Parking

PERMITTEE: James and Virginia Walsh

APN 117-130-68+69

FILE # STD20041140

COUNTY/LOCATION: 7411 North Lake Boulevard, Tahoe Vista, CA

Having made the findings required by Agency ordinances and rules, the TRPA Hearings Officer approved the project on August 18, 2005, subject to the standard conditions of approval attached hereto (Attachment Q) and the special conditions found in this permit.

This permit shall expire on August 18, 2008, without further notice unless the construction has commenced prior to this date and diligently pursued thereafter. Commencement of construction consists of pouring concrete for a foundation and does not include grading, installation of utilities or landscaping. Diligent pursuit is defined as completion of the project within the approved construction schedule. 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.

NO DEMOLITION, TREE REMOVAL, CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL:

1. TRPA RECEIVES A COPY OF THIS PERMIT UPON WHICH THE PERMITTEE(S) HAS ACKNOWLEDGED RECEIPT OF THE PERMIT AND ACCEPTANCE OF THE CONTENTS OF THE PERMIT;

2. ALL PRE-CONSTRUCTION CONDITIONS OF APPROVAL ARE SATISFIED AS EVIDENCED BY TRPA'S ACKNOWLEDGEMENT OF THIS PERMIT;

3. THE PERMITTEE OBTAINS A COUNTY/CITY BUILDING PERMIT. TRPA'S ACKNOWLEDGEMENT MAY BE NECESSARY TO OBTAIN A COUNTY/CITY BUILDING PERMIT. THE COUNTY/CITY PERMIT AND THE TRPA PERMIT ARE INDEPENDENT OF EACH OTHER AND MAY HAVE DIFFERENT EXPIRATION DATES AND RULES REGARDING EXTENSIONS; AND

4. A TRPA PRE-GRADING INSPECTION HAS BEEN CONDUCTED WITH THE PROPERTY OWNER AND/OR THE CONTRACTOR.

TRPA Executive Director/Designee

Date

PERMITTEES’ ACCEPTANCE: I have read the permit and the conditions of approval and understand and accept them. I also understand that I am responsible for compliance with all the conditions of the permit and am responsible for my agents’ and employees’ compliance with the permit conditions. I also understand that if the property is sold, I remain liable for the permit conditions until or unless the new owner acknowledges the transfer of the permit and notifies TRPA in writing of such acceptance. I also understand that certain mitigation fees associated with this permit are non-refundable once paid to TRPA. I understand that it is my sole responsibility to obtain any and all required approvals from any other state, local or federal agencies that may have jurisdiction over this project whether or not they are listed in this permit.

Permittee Signature:

Date

(PERMIT CONTINUED ON NEXT PAGE)

8/18/05

AGENDA ITEM V.D.

Planning for the Protection of our Lake and Land
PROJECT DESCRIPTION: New Permanent Parking

PERMITTEE: James and Virginia Walsh

COUNTY/LOCATION: 7411 North Lake Boulevard, Tahoe Vista, CA

Having made the findings required by Agency ordinances and rules, the TRPA Hearings Officer approved the project on **August 18, 2005**, subject to the standard conditions of approval attached hereto (Attachment Q) and the special conditions found in this permit.

This permit shall expire on **August 18, 2008**, without further notice unless the construction has commenced prior to this date and diligently pursued thereafter. Commencement of construction consists of pouring concrete for a foundation and does not include grading, installation of utilities or landscaping. Diligent pursuit is defined as completion of the project within the approved construction schedule. 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.

NO DEMOLITION, TREE REMOVAL, CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL:

1. TRPA RECEIVES A COPY OF THIS PERMIT UPON WHICH THE PERMITTEE(S) HAS ACKNOWLEDGED RECEIPT OF THE PERMIT AND ACCEPTANCE OF THE CONTENTS OF THE PERMIT;
2. ALL PRE-CONSTRUCTION CONDITIONS OF APPROVAL ARE SATISFIED AS EVIDENCED BY TRPA'S ACKNOWLEDGEMENT OF THIS PERMIT;
3. THE PERMITTEE OBTAINS A COUNTY/CITY BUILDING PERMIT. TRPA'S ACKNOWLEDGEMENT MAY BE NECESSARY TO OBTAIN A COUNTY/CITY BUILDING PERMIT. THE COUNTY/CITY PERMIT AND THE TRPA PERMIT ARE INDEPENDENT OF EACH OTHER AND MAY HAVE DIFFERENT EXPIRATION DATES AND RULES REGARDING EXTENSIONS; AND
4. A TRPA PRE-GRADING INSPECTION HAS BEEN CONDUCTED WITH THE PROPERTY OWNER AND/OR THE CONTRACTOR.

__________________________
TRPA Executive Director/Designee

__________________________
Date

PERMITTEES' ACCEPTANCE: I have read the permit and the conditions of approval and understand and accept them. I also understand that I am responsible for compliance with all the conditions of the permit and am responsible for my agents' and employees' compliance with the permit conditions. I also understand that if the property is sold, I remain liable for the permit conditions until or unless the new owner acknowledges the transfer of the permit and notifies TRPA in writing of such acceptance. I also understand that certain mitigation fees associated with this permit are non-refundable once paid to TRPA. I understand that it is my sole responsibility to obtain any and all required approvals from any other state, local or federal agencies that may have jurisdiction over this project whether or not they are listed in this permit.

__________________________
Permittee Signature

__________________________
Date

(PERMIT CONTINUED ON NEXT PAGE)
Air Quality Mitigation Fee (1): Amount $6,630 Paid ______ Receipt No. ______

Water Quality Mitigation Fee (2): Amount $4,967 Paid ______ Receipt No. ______

Offsite Coverage Mitigation Fee (3): Amount $25,239.50 Paid ______ Receipt No. ______

Excess Coverage Mitigation Fee (4): Amount ______ Paid ______ Receipt No. ______

Security Posted (5): Amount ______ Posted ______ Type ______ Receipt No. ______

Security Administrative Fee (6): Amount ______ Paid ______ Receipt No. ______

Notes:
(1) See Special Condition 4. D., below.
(2) See Special Condition 4. E., below.
(3) See Special Condition 4. F., below.
(4) See Special Condition 4. G., below.
(5) See Special Condition 4. H., below.
(6) $144 if a cash security is posted, or $74 if a non-cash security is posted

Required plans determined to be in conformance with approval: Date: ________________

TRPA ACKNOWLEDGEMENT: The permittee has complied with all pre-construction conditions of approval as of this date and is eligible for a county building permit:

__________________________________________  ____________________________
TRPA Executive Director/Designee  Date

SPECIAL CONDITIONS

1. This is a proposal for the construction of a new permanent “offsite” paved parking area for restaurant and marina operations at 7340 and 7360 North Lake Boulevard. The proposed parking area will include drainage and infiltration facilities, street improvements, relocated cross walk, native vegetation and landscaping berms, a bicycle rack, and a Tahoe Area Regional Transit (TART) bus shelter.

2. The Standard Conditions of Approval listed in Attachment Q shall apply to this permit.

3. Prior to final permit acknowledgement the following conditions of approval shall be satisfied.
   a. Indicate on final plans the location of parking lot trash receptacles.
b. The permittee shall submit a compliance report which demonstrates that the project is in compliance with all applicable design requirements, special policies or standards contained in the Tahoe Vista Community Plan.

c. The permittee shall submit a compliance report which demonstrates that the project is in compliance with all applicable Caltrans, Placer County, and state design requirements, special policies or standards.

d. The permittee shall submit a compliance report that demonstrates that the project is in compliance with all applicable standards or guidelines contained in the Tahoe Vista County Community Plan Signage, Lighting, Parking and Design Standards and Guidelines plan and all design standards contained in Chapter 30 of the TRPA Code. Some guidelines may be waived by TRPA (if it can be demonstrated that the guidelines may cause a negative impact to TRPA threshold attainment). Design standards shall not be waived.

e. The permittee shall submit a $6,630 air quality mitigation fee. This fee is based on the addition of 221 daily vehicle trip ends at $30.00/trip.

f. A water quality mitigation fee of $7,649 shall be paid to TRPA. This fee is based on the creation of 4,967 square feet of land coverage at a rate of $1.54/Sq ft.

g. The permittee shall pay an offsite coverage mitigation fee assessed at $6.50 per square foot for the creation of any impervious coverage in the public right-of-way.

h. The permittee shall submit a project security as required pursuant to Standard Condition I.2 of Attachment Q. The amount of the security shall be determined upon the permittees’ submittal of required water quality plans and related cost estimates. In no case shall this security be less than $2,000. Please see Attachment J, Security Procedures.

i. The permittee shall submit a project area deed restriction permanently assuring that the coverage calculations for both parcels within the project area (117-130-68 & 69 shall always be made as if the parcels had been legally consolidated.

j. Permittee shall transfer 3,848 square feet of coverage for the new bike rack, bus shelter and sidewalk areas. (Note all coverage transfers must be in compliance with Chapter 20 of the TRPA Code of Ordinances, and the TRPA Rules of Procedure.)

k. Location of all recorded easements inherent to the property or resulting from this project, if any shall be shown on the site plan.

l. The site plan shall be revised to show retention of the 39 inch dbh fir tree. This tree which is near the entryway of the parking lot shall remain intact and the parking lot shall be redesigned to not impact its continued growth. The applicant needs to demonstrate to TRPA what reasonable alternatives and modifications were taken to lead them to the conclusion that this specimen tree should be removed. The 31 inch dbh Pine tree may be removed upon presentation of evidence to TRPA of a forest service recommendation that the tree should be
removed. Reasonable efforts shall be taken to preserve the 25 inch dbh tree near the northwest corner of the parking lot by moving or changing the angle of the adjacent parking stalls.

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

4. The trees on this parcel including the 39 inch dbh Fir tree shall be considered as scenic mitigation and shall not be removed or trimmed for the purposes of view enhancement. Any such removal or trimming shall constitute a violation of project approval.

5. The permittee shall not excavate more than six and a half (6-1/2) feet below natural grade, as authorized in the TRPA Soils/Hydrology approval. Any modification of this structure shall conform to TRPA’s height standards.

6. All lighting shall be consistent with the TRPA Code of Ordinances, Chapter 30, Section 30.8, Exterior Lighting Standards to be (downward facing, shielded, low voltage lighting standards.

7. All trash storage and enclosures shall be screened from public view in accordance with Subsection 30.5.B (4) of the TRPA Code of Ordinances.

8. By acceptance of this permit, the permittee agrees that all previous permits issued by TRPA for the subject property shall be rendered as null and void.

9. 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.

10. Parking of vehicles off approved pavement is prohibited except in areas disturbed for construction if approved by the TRPA inspector. Vehicle barriers in the form of field boulders or bollards shall be installed to prevent the parking of vehicles in surfaces other than on site paved area. Any exposed or bare soil areas on site shall be re-vegetated.

11. Any normal construction activities creating noise in excess to 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.

12. The permittee is responsible for insuring that the project, as built, does not exceed the approved land coverage figures shown on the site plan. The approved land coverage figures shall supersede scaled drawings when discrepancies occur.

13. This site shall be winterized in accordance with the provisions of Attachment Q by October 15th of each construction season.

END OF PERMIT
David Landry

From: Kevin Agan [kevin@aganconsulting.com]
Sent: Wednesday, July 20, 2005 11:13 AM
To: David Landry
Cc: ACC Main Office; Walsh, Sr. James
Subject: Walsh Parking Lot Project Status
Importance: High

David,

Thank you for meeting with me yesterday to discuss the "Draft" TRPA permit for this project. Here are the following comments to reiterate our discussion:

Permit Condition 3.a. This is a trash can, not a dumpster.

Permit Condition 3.g. The applicant is paying $6.50 per square foot, not transferring in 823 square feet of coverage. Consequently, the offsite coverage mitigation fee is $5,349.50.

Permit Condition 3.h. The applicant is posted $150,000 to Placer County for this project per County documentation we provided at your request. Therefore, it was agreed the applicant would only post a $2,000 security to satisfy this permit condition.

Permit Condition 3.i. Amend this permit condition to remove deed restriction, because both parcels will be compliant with existing (grandfather) coverage rule on the easterly parcel and the permissible maximum coverage amount on the westerly parcel.

Permit Condition 3.j. The applicant desires to pay the offsite mitigation fee rather than transfer the coverage. Please remember, the amount of coverage needed for the street frontage improvements, bicycle rack, and bus shelter building is 3,883 square feet, but we only need to transfer in 823 square feet of coverage to augment the existing 3,060 square feet of coverage.

Permit Condition 3.l. Based upon the photograph of the subject tree reflecting condition, (dead crown), we believe this tree is scheduled to be removed. Additionally, the engineer and owner considered various parking lot configurations to minimize tree removal and comply with County circulation requirements. The proposed plan scheduled for approval tomorrow has been chosen and complies with the County tree removal mitigation requirements (by replacement of trees being removed).

Permit Condition 4. This tree continues to be proposed for removal based upon condition (dead crown) as described earlier.

Permit Condition 5. We have already submitted a TRPA Solis?Hydrologic Scoping Application per our previous meeting with you and Heather Gustafson.

We have provided you the applicant's response to the neighbor's opposition letter. Has there been any other negative comments from the neighborhood? If so, please provide them to me as soon as possible.

Please remember, while the street frontage improvements and utilities are shown on the plans, the implementation to address or install them is a to a later time when Caltrans completes their design work in this segment of North Lake Boulevard, currently slated for 2008.

Please continue to process this project for approval with these comments. Should you have any questions or need to discuss this matter in greater detail, please feel free to give me a call.

7/20/2005
To: TRPA/Coleen Shade
From: Jennifer Merchant
Fax: 775-588-4527
Phone: 632-584-8856
Date: 8/9/2005

Re: 
CC: 

☐ Urgent  ☐ For Review  ☐ Please Comment  ☐ Please Reply  ☐ Please Recycle

Comments:

Hi Colleen-

Sounds like you won't be there for the August 18 hearing officer review for the North Tahoe Marina parking lot. Hopefully this info gets to the planner who will be filling in for you. If anyone would like to talk with me about this, I can be contacted at 530-546-1952. I also forwarded this info along to Jim Baetge at his home in Sacramento.

-Jennifer
MEMORANDUM

TO: JENNIFER MERCHANT
TO BE HAND DELIVERED

DATE: 8/7/05

FROM: JIM WALSH

SUBJECT: NORTH TAHOE MARINA PARKING LOT

Thanks for your help. I thought I would put this in writing so that I would be forced to communicate accurately and concisely.

Kevin Agan, our consultant, and Jim Walsh, Jr., manager of the marina, met with David Landry, staff planner of TRPA assigned to our project. This meeting occurred several days after the public hearing over which Jim Baetgi presided. David has been to the marina and has an appreciation for what we want to accomplish. I don’t believe that we communicated to the TRPA exactly what we wanted at the public hearing. Jim Porter represents the interests of our tenant, East West Partners. Kevin Agan represents the interests of the North Tahoe Marina and the Walsh Family, the land owners. What we did not communicate at the meeting was our intention of retiring parking places on the lake side parcel after they had been replaced with the equivalent number of places on the new parking lot north of the highway. The meeting held with David should help alleviate that problem and we will be better prepared.

We are trying to meet Placer County parking requirements for a total of 107 automobile spaces to satisfy the combined needs of the marina and restaurant and get the necessary permits to complete the parking lot prior to the County’s deadline of July 2006.

1. The marina and restaurant currently have 80 auto parking places on the lakeside parcel. In order to meet the County requirements we need additional 27 places.

2. We will be reducing the 80 auto spaces on the lakeside by retiring/eliminating 20 parking places within the boat service area for the following reasons: ease of operations, safety by keeping people out of the boat yard, and space required for installation of certain BMP’s. We have held on-site meetings with County officials. They are aware that the boat sizes have greatly increased since we did the renovation in 1990. Smaller boats were easily moved to provide auto parking during busy periods. This is no longer true.

In order that there is no confusion on how this space is to be used, it is for the short term placement or staging of boats which are either being repaired or waiting repair. The boats are typically placed there ranging from one hour to several days depending upon the extent of repair or availability of parts. Obviously the customers are not using the boats during this time.
3. The new parking lot, north of the highway, will have 47 parking places, 27 of which are new. Twenty parking places will represent those which are being eliminated in the boat storage area located on the marina parcel. Parking on the marina/restaurant parcels is being reduced from 80 auto parking places to 60 parking places therefore the total parking available will be 107 as required.

In summary, the County auto parking requirements will be met, not exceeded, once the parking lot is completed.

When we met we explained that Jim has just started the Marina Master Plan Process and has had just one get acquainted meeting with members of the committee. Unfortunately, it has taken so long to do the parking lot process that the two are overlapping although they have nothing to do with one another.

A good part of the reason this project has taken so long is the interference by Alvina Patterson and her friends. As you will see from the attached letter to the Tahoe World dated May 2, 2002, she complained that we were not using the lot across the street. All along we planned to use that property for parking but had been waiting for the Community Plan to be completed and then were negotiating changes in the restaurant. First she complained that we do not have enough parking but now we have too much. She thinks that we are in cahoots with the TRPA to sneak in more boats. She does not seem to realize or chooses to ignore that to expand the marina is a very long, involved open and visible process and requires TRPA permits along with Placer County, Lahontan, Army Corps of Engineers, Fish and Game, State Lands, Fire Department, etc. Jim has invited her and other neighbors to be on the Master Plan Committee so that their concerns can be addressed. The parking lot is planned to take care of today’s conditions. The Master Plan is to plan for the future.
and consolidating our decreasing resources, it could actually provide more for all of our children.

Emily C. Hart
Carnelian Bay

Reader wants
Tahoe Vista
concerns addressed

As an adjoining property owner in Tahoe Vista I have serious concerns about the substantial increase of seating in the Sunsets on the Lake Restaurant, without an increase in land, and I would like to have those concerns addressed.

Last fall, Sunsets on the Lake was leased for long-term use by East West Partners (Colorado developers involved in Northstar and Truckee development projects). The “remodeling” of the 10-year-old restaurant involved removing or adding seating by 77 seats, enlarge the outside deck, and add another refrigeration dry storage building. All of this is categorically exempt because the zoning was conveniently changed to marine after the residence and vacant lot had been converted in 1992 to a restaurant. The only problem is to find 21 more required parking spaces on an already too small property, housing the marina and restaurant. They have struggled with 79 parking spaces in the past. The Zoning Administrator, however, approved the project in February 2002 allowing 21 cars to park behind already parked cars. This is called stacked parking. We suffering neighbors, whose parking spaces were always used by the marina and restaurant even before the increase of the restaurant, filed an appeal to the Planning Commission and we are now in the process of a hearing before the supervisors.

The fact is, there is a marina with: 48 buoys, 25 mooring slips, 63 boats in boat bascule, owners, renters, buyers, sales/service employees. They all need parking. Even so, the parking requirement for buoys was conveniently down-zoned by 50 percent, so then they added 20 more buoys. Now there will be a bigger restaurant with 109 seats (inside, 66 seats on the deck, and a second floor seating of 39). This is a total of 214 seats. Again, more customers, more employees, and they all need parking.

Since there seems to be no limitations on what is allowed to be brought into this property, adequate parking seems to be the only limiting factor on a newly marina-zoned parcel. We should insist on the parking requirement, and not alter it by an unsafe variance. A variance of this magnitude was never approved by any other program.

Why are they not required to put into service their property across the street, for parking, instead of further infringling on all neighboring properties by understating the parking requirements?

There will be a meeting before the North Tahoe Regional Advisory Council on May 16 at 6 p.m. at the North Tahoe Conference Center in Kings Beach in order to bring up your concerns. Or, please write to Alvina Patterson at P.O. Box 229, Tahoe Vista, CA 96148 or call (530) 546-2369. The appeal hearing will be at a late date before the supervisors.

Alvina Patterson
Tahoe Vista

Many helped with home building trip

O n April 12, we caravaned out of the Lake Tahoe area with a group of youth and adults, ages 11 to 55, to build a home in Tijuana. The group built a double-sized home this year in three and a half days for Luis and Maricarmen Rodriguez and their six children. We want to thank the Tahoe Faith Fellowship, Glenbrook Resort and the hundreds of local residents who contributed to our Snow Queen candidate, our Valentine’s dinner and to our own wash. We are grateful for the young people.

E-mail letter: editor@tahoe-v.com

530 546 1912
Bus for the great balconies that are still floating a few inches above the floor! An ongoing thank you to the Kristan family and the American's for the quiet time in the world, Interacton, history and the concept of cross-cultural history and education.

Thank you from our hearts,
Steve, Tina and Mii Carmel
Tahoe