



TRUCKEE TAHOE AIRPORT LAND USE COMMISSION

RICHARD ANDERSON – Nevada County Board of Supervisors (2015/16 Chairman)
BRENT P. COLLINSON – Placer County Airport Managers
CAROLYN WALLACE DEE – Nevada County City Selection Committee
KEN FOSTER – General Public (2015/16 Vice Chairman)
PAUL JOINER – Placer County City Selection Committee
JENNIFER MONTGOMERY – Placer County Board of Supervisors
KEVIN SMITH – Nevada County Airport Managers

DANIEL B. LANDON, Executive Director
Nevada County Transportation Commission
Truckee Tahoe Airport Land Use Commission

MINUTES OF MEETING March 31, 2016

A meeting of the Truckee Tahoe Airport Land Use Commission (TTALUC) was held on Thursday, March 31, 2016 in the Truckee Tahoe Airport Meeting Room A, 10356 Truckee Airport Road, Truckee, California. The meeting was scheduled for 3:00 p.m.

Members Present: Richard Anderson, Brent Collinson, Carolyn Wallace Dee, Ken Foster, Jennifer Montgomery, Kevin Smith, and Alternate Bridget Powers

Members Absent: Paul Joiner

Staff Present: Daniel Landon, Executive Director; Mike Woodman, Transportation Planner; Toni Perry, Administrative Assistant

Standing Orders: Chairman Anderson convened the Truckee Tahoe Airport Land Use Commission meeting at 3:00 p.m.

Pledge of Allegiance

Roll Call was taken and Commissioners Anderson, Collinson, Dee, Foster, Montgomery, Smith and Alternate Commissioner Powers were present in the Truckee Tahoe Airport Meeting Room A.

PUBLIC COMMENT

There was no public comment.

CONSENT ITEM

1. TTALUC Minutes

November 16, 2015 TTALUC Teleconference Meeting Minutes. *Approved as amended.*

Commissioner Collinson noted on page 3 of the Minutes, in the last paragraph, there is reference to the “VA” Building. He corrected it to read the **EAA (Experimental Aircraft Association)** Building.

Commissioner Dee made a motion to approve the TTALUC Minutes of November 16, 2015 as amended. Commissioner Montgomery seconded the motion. The motion passed with Aye votes from Commissioners Anderson, Collinson, Dee, Foster, Montgomery, and Smith. Alternate Commissioner Powers abstained.

Executive Director Landon introduced Mike Woodman, the Nevada County Transportation Commission's (NCTC) Transportation Planner. He stated that Mr. Woodman attended the Airport Land Use Commission (ALUC) Staffing Conference the previous summer and he is being introduced into the ALUC world since NCTC staff supports two ALUCs in Nevada County.

INFORMATIONAL ITEMS

2. Correspondence

Executive Director Landon said the Correspondence noted reappointment of two Commissioners. There was no discussion.

3. Executive Director's Report

3.3 Truckee Tahoe Airport Master Plan and Truckee Tahoe Airport Land Use Compatibility Plan (TTALUCP) Update

Commissioner Smith said they would be recirculating the Mitigated Negative Declaration again within one to two weeks with new traffic data to be included. He said the Airport Board of Directors would likely approve the plan at their May Board meeting and also address any comments that come up from the circulation of the document. Commissioner Smith stated that would be the last step before the TTALUC can start looking at the detail of the update of the TTALUCP.

Executive Director Landon said there would be an April TTALUC meeting that will include a progress report on the updating of the TTALUCP. He said that following the approval by the Truckee Tahoe Airport District there will be a review and consistency determination of the new TTALUCP by the TTALUC. Commissioner Smith added that the FAA (Federal Aviation Administration) finished their review of the Truckee Tahoe Airport Master Plan. He said the CEQA (California Environmental Quality Act) process has posed some questions related to non-operative land use and what the airport plans to do with those in the future. Commissioner Smith said it is still being discussed and it will be discussed for some time, but they will propose some things in the Mitigated Negative Declaration to address this.

ACTION ITEM

4. Tahoe Expedition Academy (TEA) Compatibility Determination

Executive Director Landon reported this is a project to locate a private school approximately one mile westerly of the airport. He stated the Commission has three choices of action:

- (a) Find the project consistent with the Compatibility Plan.
- (b) Find the project consistent with the Compatibility Plan, subject to compliance with such conditions as the Commission may specify.
- (c) Find the project inconsistent with the Compatibility Plan.

Executive Director Landon added that staff included a condition in the proposed resolution. Based on the analysis by Mead & Hunt, the airport land use compatibility consultant, staff's recommendation was the TTALUC find the project is consistent subject to recordation of an Avigation Easement with the Truckee Tahoe Airport District named as Grantee. He stated the project applicant's representative was at the meeting.

Chairman Anderson asked if the Commissioners had any questions for staff. There were none. He invited the TEA representative to give a brief presentation on the project.

Keith Franke spoke on behalf of the Martis Valley Education Foundation and the Tahoe Expedition Academy. He introduced Mark Kushner who is the CEO of the school and stated he was also available to answer questions. Mr. Franke reported, as background, that in order to make a finding of compatibility the main issue being dealt with is if the Commission would see a "discouraged use". He said the staff's recommendations were clear as to what was tasked of the applicant, which was to demonstrate the extent to which they considered other feasible alternatives for the school site. He said in order to make a determination of feasibility he thought it was important to know that the school has been looking for a site for about three years and was in contract on a site previously and spent about \$750,000 trying to perfect that site to no avail because of some issues that came up between the parties of the sale. Mr. Franke stated in addition to that the school looked at a little over 50 other sites in the immediate area using certain criteria, some of which included the need for at least ten acres in the Kings Beach or Town of Truckee vicinity. He defined an "attractive site" as meaning it was in proximity to the families. He noted there is an existing school that operates in the basin mostly. He said there is a temporary site at Hopkins Village for the upper school, but they are spread out on three different sites currently, so they were looking for a good location that was convenient for all of the families and students. Mr. Franke reported that Sean O'Toole is one of the parents at the school who has a business in real estate called "PropertyRadar". He has an application that looks at every available site within certain parameters. Mr. Franke noted that is how they developed the list of 53 potential sites and the proposed site was the only one that met all of the criteria. He said they went through extensive due diligence to find a site that was appropriate. Mr. Franke said, in terms of layout, the site meets their density requirements, both per acre density and average density over the entire 42 acres. They spread the buildings out to take advantage of the site and they do not have a concentrated per acre density of more than 300 students in any of the buildings in order to meet the criteria in the TTALUCP. They felt they had the right site and he hoped the TTALUC agreed with the staff findings and the due diligence in their search.

Commissioner Smith said there was a housing component at this site that he thought was included in the Placer County Plan or Martis Valley Master Plan that would essentially be moved if the school were built on that site. Mr. Franke replied that the property currently is owned by The Martis Fund and that is a result of the settlement of the Martis Valley Community Fund, so The Martis Fund has certain restrictions that were in the Grant Deed for the property. This included workforce housing, so in addition to workforce housing the Grant Deed has been modified by the parties to the Grant Deed to allow for a school use. Mr. Franke said he could not speak much to the other intent of The Martis Fund but the agreement itself has been modified to allow for the use within the deed restrictions. Commissioner Smith asked Mr. Franke if he knew whether the housing would be moved somewhere else. Mr. Franke replied The Martis Fund was likely going to take the proceeds of the sale and do other workforce housing projects in the vicinity. He said there would be a workforce housing requirement for the school itself, which will rightly be mitigated onsite or in the vicinity of the project. He said it was not intended that the prior workforce housing would be done in conjunction with the school. Commissioner Smith stated he was asking because the community is in the midst of a housing crisis that everyone would agree with, so he did not want to be insensitive to that. He said, from an airport perspective, this is a more compatible land use than housing, but it does not mean that the housing is not important. He added that he has a housing need for the airport employees also so he is trying to be sensitive to both of the projects. Mr. Franke said, when speaking to the specific matter, there was a resolution that The Martis Fund drafted that speaks to the intent of the proceeds. He said there was probably a little lack of community outreach prior to the TEA process happening, so this is a byproduct of that because his organization has nothing to do with The Martis Fund, but they are involved in the acquisition of the

property. Commissioner Montgomery thought they should hear first from the representative of The Martis Fund to get any clarification and then she would share the Placer County side of the subject.

Commissioner Collinson stated the list of potential sites is quite extensive, but he was hoping to see one more column that would identify why each parcel was not compatible, in terms of size, zoning, cost, or whatever, and not just give a list of properties that were for sale. He would like to know why they were discounted as potential sites. Mr. Franke said that was completed before he joined the project and he did not think Mr. Kushner could respond to that with more specifics either. He said Sean O'Toole was supposed to be at the meeting and he could probably answer the specific questions. Mr. Franke said each of the sites had a reason. He said Mr. O'Toole and the TEA Committee spoke to the Airport District, the Utility District, and many of the properties, at least with the Airport District properties, had concerns with respect to being in Zone C. Therefore, many of those were discounted for that reason. Commissioner Collinson said he understands zoning and size, but it also talks about prohibitive pricing and his concern was for the safety of the children, so maybe it would be necessary to wait another year and raise more funds to purchase a parcel that is not so close to the airport. Mr. Franke said he did not think pricing was the overriding consideration, since the current site is in contract for over \$4 million, so it is not an inexpensive piece of property. He said, given all the other constraints, the only other property that he recalled being even in the running was one that was a similar size and price but was not for sale. Mr. Franke said while some of the parcels are on the list as meeting constraints, not all were available for purchase. He apologized for not being able to provide specific reasons for each parcel.

Executive Director Landon added that in Compatibility Zone D, and with this particular use, the issue is not one of intensity. He said the way they spread out the classrooms meets all of the intensity usage criteria for the TTALUCP. He noted that the two things about it being a discouraged use within Compatibility Zone D were: 1) an issue of height and that clearly does not come into play; and 2) having vulnerable occupants. Executive Director Landon said because they have spread out the buildings the way they have, the potential for a catastrophic incident is much reduced. He stated the one issue the consultant, Mead & Hunt, was concerned about had to do with noise because the school is close to the flight path. However, given the construction for a school, they are likely to achieve more than 25% decibel reduction just on the basis of standard construction, so they felt the noise was mitigated by that.

Mr. Franke stated that Sean O'Toole, who conducted the site search, had arrived at the meeting [at 3:20 p.m.]. Commissioner Collinson asked, regarding the list of potential sites, why there was not an additional column stating why the parcel was not compatible. He said there is a list in Mr. Franke's letter of various reasons. Mr. O'Toole said the reasons varied quite a bit and he kept a status on each "no", but he did not keep for each property the reasons why it was no. He said they could potentially rebuild the list, but it has been more than one year for some of the parcels. Mr. O'Toole said what the school had been doing before he got involved was looking at properties for sale, which is normally the process you take when you are looking to do something like this. He said there was nothing at all available, so when the school reached out to him for help, he indicated they needed to take a different approach. Mr. O'Toole said they needed to look at all parcels over 10 acres that has zoning for a school, because getting a zoning change takes too long and the school would not survive. He owns a software company that matches real estate and tracks these things, so he identified every property within the area that their market research indicated parents would be willing to travel to. He then reached out to every parcel. Mr. O'Toole gave an example that at Gray's Crossing there is a few nice sites, but because of the mello roos in there they are heavily encumbered. He met with the Truckee Public Utility District (PUD) to see if they could settle out the mello roos; that left those sites too expensive. He also talked to the PUD about some property they owned, as well as with the Sewer District. He went to publically owned sites and made a

presentation to the School Board for a site they had, but they have to follow a lengthy public process and TEA would lose their donors and the school could not survive that long, so that was ruled out. Mr. O'Toole said he looked at a parcel on the other side of the river from downtown Truckee, but their asking price was very high and it required a zoning change to approve it for a school. He looked at PC3 sites, but some of those were in Zones B and C versus Zone D at the airport. He said there were a number of sites that were not included on the list.

Commissioner Montgomery asked for clarification that Mr. O'Toole said they were searching for parcels over 10 acres and asked if all of the parcels listed were over 10 acres. Mr. O'Toole said not all of them were over 10 acres. He said a hand full of properties were looked at in Kings Beach, prior to his participation, that were smaller. He said some of the feedback he received that came out of that process after the fact, besides it being derailed by a foreclosure lawsuit, was there was a lot of disappointment about the site from parents due to the lack of a sports field, despite the excitement they built around it. Commissioner Montgomery said but they had Lake Tahoe. Mr. O'Toole said that was a big compensating factor that helped people overlook the fact that there was not enough land for a sports field, but that was really high on the wish list. He said the acreage needed for a sports field, plus adding the space for a school, pretty much pushes you to a fair minimum of 10 acres. He said if you look at state standards for schools you will see that it is their minimum requirement for school sites as well. He looked at some of the other state standards for schools, taking in the longevity of the project, and what happens with charter and public schools. Mr. O'Toole said you want to make sure the school has a long term life as well, so 20 or 30 years from now it is still a viable site. That was when they decided 10 acres was an important requirement. He said board members and parents were also telling them of properties they saw, so he researched those as well. He said they also looked at sites outside of the criteria, such as a site where a charter school was on the other side of the bug station, but the cost to take sewer to that site was very high, if not impossible. They had a conversation with the state who owns the land and you would have to cross the highway. Their feedback was you are probably not going to be allowed to cross the highway and get underneath it.

Chairman Anderson directed a question to Executive Director Landon on page 2 of Mead & Hunt's report, the bottom bullet regarding "Uses Having Vulnerable Occupants". He read: "Discouraged" is defined as meaning that the use should generally not be permitted unless no feasible alternative is available." Chairman Anderson stated that is not mandatory language, but is suggestive, so he reviewed that the TTALUC is well within the parameters if they go with the information provided to the Commission by Mead & Hunt, who deem it adequate, and they move forward. He asked if that was correct. Executive Director Landon replied that was correct.

Chairman Anderson said, with regard to the line of questioning Commissioner Smith had about land use preferences, do they take into account the purchase that can be defined by an airport, for example, or by a county General Plan. His question was to simply examine the proposal on the basis of the TTALUCP itself and not take into account what might be best from the airport's perspective, or from the Town's perspective, or from the county's perspective. Executive Director Landon replied that is true and that is the charge of the TTALUC to look at the project from the land use compatibility issues only. As far as the General Plan goes it would be an issue for the County of Placer. He said it appears everything is moving forward in that arena and they are processing the project as a Mitigated Negative Declaration. Executive Director Landon stated the project is outside of the Town of Truckee, so he did not know if they had any comment or concern about it since he had not heard anything from them. Chairman Anderson asked Commissioner Dee if she had any clarification based on the Town's viewpoint. Commissioner Dee replied that she did not have much clarification. She said the Town did not have concerns about the use of the property,

but they have a lot of concern about the loss of housing and what will be done to mitigate that loss. Chairman Anderson stated that is out of the purview of the TTALUC.

Chairman Anderson asked about Diagram LUCP.1 where they place a one acre square over each of the improvement areas. He asked if that is the standard protocol used for determining density within an area. Executive Director Landon replied that the graphic was prepared by Ward and Young, the architect, and not by Mead & Hunt, the TTALUC consultant. He added that Mead & Hunt's analysis was based on more of a qualitative formula rather than just looking at a graphic. Chairman Anderson asked for a description of using a formula. Executive Director Landon said they take the total number of students and divide it by the total acreage and with a total of 484 people and 42.06 acres, the average intensity is 11.5 per acre. He said the maximum density called for in the TTALUCP is 100 persons per acre, so it is well below that. He said the single acre intensity is a maximum of 300 persons per single acre and if you look at the way the buildings are spread out you would have a maximum of 295 in any single acre, so they are just under the limit. Chairman Anderson asked if this is the standard protocol or standard method used to determine the single acre density. Executive Director Landon replied yes.

Commissioner Montgomery asked about the property across the river from downtown Truckee. She asked why that parcel was deemed infeasible. Mr. O'Toole replied there were two reasons: 1) A minor use permit is all that is required for the current property and it is zoned for a school, but the property across the river is not zoned for a school. He said when they talked with the Town of Truckee and the time that is required to rezone, it was feared the TEA would lose their funding and basically have to shut down the school in the time required. 2) The asking price was the second issue and he thought it was at least double the price that is currently being contemplated. He said it would use so much of the budget they would not have enough budget left to build the campus. Mr. O'Toole said it would cause the school to fail and shut down. He added that the Town of Truckee said that was not the use they wanted to see for that site, so they were not completely opposed to it, but it would be a fight even if they had the time and money to try for it because there could be a potential loss in hotel revenues and other things the Town would like to see. He said it was nothing official; those were just the conversations he had with the Town.

Commissioner Montgomery asked Executive Director Landon how the TTALUC determines if something is infeasible and therefore the Commission is willing to look at locating something in an area that is discouraged. She asked if there were specific guidelines that say, yes, price is part of the infeasibility, or length of time to accomplish a rezone is infeasible. Executive Director Landon replied the Commission has what was included in the Mead & Hunt report, which lists several criteria, but none of them have any quantitative definition to them. He said it can be considered compatible because of terrain, specific location, or other extraordinary factors, or circumstances related to the site. Executive Director Landon said there is a large amount of latitude and discretion there. Commissioner Montgomery struggled with how the price and a rezoning process falls into those areas for the purposes of the Commission as land use decision makers. Chairman Anderson said that was a good point, although one could read it as giving the TTALUC a lot of leeway with regard to taking into account the aspects that may lead to feasibility. Chairman Anderson asked Mr. O'Toole if the property Commissioner Montgomery was referring to was the property at South River Street across from the downtown area. Mr. O'Toole replied that it is across the river from the downtown area, it dead ends, an old ice rink is there, there are some parcels, and then it is a large parcel that goes all the way down and has a cliff behind it. Chairman Anderson said Mr. O'Toole had clarified there is a risk in pursuing that approach because there is no guarantee the Town will approve the zoning. Mr. O'Toole said it is not a risk. He wanted it to be clear that there is no other parcel in the Truckee/Kings Beach/Incline/Tahoe City triangle that is feasible, and to the degree that this parcel is not approved the school will shut down. He understood that this property gave the

Commission some challenges and concerns, but it is zoned for a school with a minor use permit. Mr. O'Toole said, at the end of the day, do you shut down a school or do you let it go to a place where it is zoned and allowed. He stated there is no other parcel that the donors and school see as viable; they have no back-up plan. He had told the donors that he would find not only a site but a back-up plan, so he personally failed his goal.

Chairman Anderson opened up the discussion for Public Comment. Nikki Riley, a representative on the board of The Martis Fund, was in the audience and she stated that she had not attended the meeting to make public comment, only to be an observer, but she would be happy to answer questions. Chairman Anderson invited her to the microphone. Commissioner Smith said he was curious about the housing plan, even though it is totally separate from the airport. The reason the housing component was important to him was he wondered what was agreed to before, because he sees, as an ALUC, they could be not only looking at a school now, but in the future see if there is compatibility for housing. Commissioner Smith said he did not understand that relationship necessarily. He asked if they do not approve the school, is there a potential in the future to have housing in a highly noise sensitive area. Ms. Riley replied yes there is. She said the property was originally deed restricted for workforce housing as part of the Martis Valley settlement agreement. Hopkins Ranch was going to be an 18 hole golf course with a gated community similar to the Martis Camp. She said part of the negotiations at that time was to create open space, so a portion of the property adjacent to the TEA property is open space and under the jurisdiction of the land trust. Ms. Riley said the remainder of the property was deeded between The Martis Fund and other parties, which she did not know their exact names, to deed restrict this property for workforce housing. She said that was between the parties and was not related to the county. She said The Martis Fund drafted a resolution, which she believed Commissioner Montgomery has, and Commissioner Montgomery had talked with Terry Watt, a representative of The Martis Fund, to demonstrate that the money that is recouped as part of this land sale would be expressly and only used for workforce housing intent. Ms. Riley referred to Commissioner Smith's question as to if the process fell apart, yes, the property is deed restricted for housing, and at this point housing or a school. She said it very likely could come back as a housing project, which they believed would be a more intensive use than the school. Executive Director Landon noted that Compatibility Zone D has two alternatives or opportunities for housing: 1) 1 house per 5 acres; and 2) a much more intensive cluster design. He said Ms. Riley's point was well made that it could be a more intensive use than what you see with the school.

Ms. Riley addressed the concerns raised regarding the loss of the property for housing. She said that was discussed at great length one year prior when they were approached. Ms. Riley stated, as a representative of The Martis Fund, they felt it was a wonderful opportunity to receive \$4 million at the end of the process and it would go so much further than nothing at all. She said since 2006 they had not been approached with any interest during the recession, so they felt this was the best of all possible options to be able to utilize the money to address the housing crisis. Ms. Riley stated The Martis Fund currently gave Placer County \$750,000 toward payment assistance; they have put fifteen families into homes; they have spent over \$600,000 to date putting locals into homes in the Truckee/Placer County region; they have given money to the Kings Beach Community House, as well as the Family Resource Center. She said The Martis Fund is very proud of their efforts and they are wholeheartedly committed and believe that the money that will come out of the sale of the property would be intended, and their desire is, to build local units for workforce housing. Ms. Riley said the people who are acquainted with her personally know that workforce housing is one of her biggest issues, and as a Martis Fund representative that is something she stands for in that role.

Commissioner Dee asked Ms. Riley, as it pertains to The Martis Fund, to address some of the problems she has run into in getting people to develop that piece of property for housing. Ms. Riley

replied that she joined The Martis Fund in 2012 and at that point she was not aware that there had been any effort or much activity. She thought a lot of that had to do with the recession. Also, The Martis Fund retained the Urban Land Institute in 2008 and they were to do a series of interviews to discuss the housing crisis at the time and why people were moving to Reno. Ms. Riley said they came forward with a report, but she was not aware of a lot of activity until TEA approached The Martis Fund. She did not think The Martis Fund had done a lot of activity outwardly to develop the property given the financial constraints specifically and what it would cost to develop the property.

Commissioner Montgomery said, without getting too deep into the details, she had some conversations with Terry Watt and their consultants, and Ms. Watt agreed that The Martis Fund had not done outreach; they had not done an RFP or RFQ. Commissioner Montgomery qualified that she loves the TEA project, but she wanted to figure out if there was a way to have both the TEA project and workforce housing in the area. She thought that would be the goal to be shooting for, but she likened it to a plastic surgeon who would not go to her and say he would love to work on her face; she would need to approach the plastic surgeon. Commissioner Montgomery said, to be fair, The Martis Fund has not marketed the property under discussion, so to say there is not an interest in it is a bit of a stretch. She stated that Placer County shares many of the same concerns as the Town of Truckee in terms of what are the opportunities for workforce and affordable housing moving forward from here, and not the TEA project, or even this location specifically. She said their biggest concern relates to what the vision is for replacing the loss of workforce housing. Commissioner Montgomery said those who represent jurisdictions know they have requirements under their state housing element and general plan to have property available for these kinds of uses and if they allow property to be used for other things, they need to figure out how to replace it.

Chairman Anderson asked Executive Director Landon if the possible preference with some jurisdictions to use the property for housing is an issue for the TTALUC to consider as part of this approval. Executive Director Landon replied that the TTALUC's charge is pretty clear and straight and narrow as it relates to the TTALUCP. He said, notwithstanding the community goals on these other areas, he did not think it was something the Commission could get into. Commissioner Montgomery stated that the decision she will make that day would be based upon her job as an airport land use Commissioner.

Chairman Anderson asked Ms. Riley if she was on The Martis Fund board as an individual or as a Mountain Area Preservation (MAP) representative. Ms. Riley replied that she is on the board as a MAP representative. Chairman Anderson asked if MAP is fine with the TEA project. Ms. Riley said she was not going to speak to MAP's opinion. As the Development Director for MAP, she just finished reviewing the Mitigated Negative Declaration, as did MAP's Executive Director, Alexis Ollar, who is out of town. They will convene the following week to discuss their concerns, issues, or what they feel is in the Mitigated Negative Declaration, but MAP was not at that time going to take a position. She said that was why she was speaking to the Commission as The Martis Fund representative, as someone who sat as a board member during the negotiations for the school and land sale transaction process. Commissioner Montgomery said The Martis Fund is offering this piece of property for sale to TEA. Ms. Riley replied that was correct. Commissioner Montgomery said The Martis Fund Board is made up of two representatives from MAP, two representatives from Sierra Watch, and two representatives from DMB/Highlands Group LLC. She said maybe she was completely confused on this, but how is it that MAP is not sure they want to move forward with this. Ms. Riley replied as MAP representatives on The Martis Fund, she and Ms. Stefanie Olivieri have been very vocal and very open with their concerns about the process. She said Mr. Franke could attest to the fact that they sat down at the table with concerns about wetland protection, the height of the buildings, visibility from SR 267; issues that are being addressed as part of the Mitigated Negative Declaration. Ms. Riley said, in addition to that, they requested, because of

having her affordable housing hat on and the fact that this is a private school, to allow locals to be able to be part of the school. She said they created a requirement in their negotiations that \$200,000 a year in perpetuity would be offered to local families to allow their children to attend this school; that was a part of the agreement process. There have been a series of pieces, as part of the negotiation, that very much were driven by MAP. Ms. Riley stated, that being said, they have been clear, in terms of MAP as an organization, and behold to their member group and the remainder of the board, that they are not going to go public in support of the project until they have vetted the entire environmental document. She said their role as The Martis Fund, they believe, is separate and unique from MAP as an environmental conservation group. Ms. Riley said they have been in conversation with Mr. Franke on a weekly basis, and she will meet with him and MAP Executive Director, Ms. Ollar, the following week to discuss the Mitigated Negative Declaration they just finished reviewing. Ms. Riley said they have to uphold their organization and what they represent for their member group because they are held to a level of scrutiny that they do not believe any other group is. They are not going to just give their approval carte blanche to whatever. She said they have an environmental process that they are a part of just like they would be with any other large scale development in the region. Ms. Riley said that is the stance MAP has taken to date and TEA is aware of that. Commissioner Montgomery asked if there is a possibility that MAP could oppose the sale as MAP, while supporting it as part of The Martis Fund. Ms. Riley replied that she would not speak to that. She added they are not coming forward publicly representing MAP at this point. They just received the environmental document and they are reviewing it. Ms. Riley restated that MAP's Executive Director is out of town and they have not sat down to discuss, in addition to with their board, the position they want to take.

Mr. O'Toole was allowed to add more comment at this point. He said as they negotiate the deal, there are a number of contractual commitments TEA has made to The Martis Fund and those include a detailed outline of their plans around the scholarship, their ability to review the design, etc. He added that MAP is doing their job in holding TEA's feet to the fire to make sure they have contractual commitments along those lines. He thought, so far, TEA has done that and he expects they will meet all of The Martis Fund's concerns. Mr. O'Toole said TEA does not expect The Martis Fund to throw their hat in the ring in support until they have met all of them. He said they are not surprised or concerned; they are aware of the issues and they have been addressing them.

Commissioner Dee said it was important to go back to the charges as the TTALUC. She said it was interesting to listen to all of the discussion and social implications of what they are all very concerned about, but it is not something the Commission can vote on. She said it is either compatible or not with the TTALUCP and that really is the only vote. She added they are all concerned about housing and they would love to see it. Commissioner Dee said some of the attendees were actually in the courtroom when the land decision was handed down, but the TTALUC cannot vote on it, and they need to bring it back to what they can vote on.

Commissioner Collinson said he had some comments on the compatibility of the proposed project. He noted the State of California has indicated within the Education Code and Public Resources Code a concern about a school being within two miles of an airport or the end of a runway. He said in the Education Code for public schools and charter schools, before they acquire the property, they are supposed to contact the Department of Education who then contacts the Department of Transportation to get their input. Commissioner Collinson said he did not know if that was done and TEA may be exempt because they are a private school. He noted in the Public Resources Code if the school is within two nautical miles of an airport the lead agency is to consider noise issues and the safety hazard. He thought the requirement of an Avigation Easement takes care of the noise issues and protects the airport, but he was still concerned about the safety of the children, regardless of whether there is an Avigation Easement or not. Commissioner Collinson said if they go back

about one year when the TTALUC approved the pool and Recreation Center, which is actually further away from the airport than the TEA site, the TTALUC required additional construction requirements be put in to protect against an incident of a plane going into the property. He noted that Executive Director Landon had mentioned that the Education Code requires schools to have additional construction, and Commissioner Collinson was not sure if he understood that correctly. He asked if those buildings are buffered up any more than a regular building would be. Executive Director Landon replied that he did not think they were necessarily. His first concern and comment, based on his experience in this arena, was the school was within two miles of the airport, so he immediately contacted Caltrans Aeronautics Division. Executive Director Landon was told because it is a private school it is exempt. He said, in looking at the noise issue, standard construction techniques will provide them with about a 25 decibel reduction, so based on that Mead & Hunt felt the noise would not be an issue, particularly indoors. He said there might be an occasion, when they are outside, that there could be irritating incursions of noise, but that is the purpose of asking for an Avigation Easement versus an Overflight Easement. Commissioner Collinson replied that the decibel reduction is good, but what about if a plane lands there, because when he looks at it there are about three different flight routes over the property. He said if someone is departing from Runway 02, they would potentially be departing right over the school. He added if they are downwind on Runway 29 they are going to be flying over the school and also if they are on the extended downwind for Runway 20 to the south there are three different traffic patterns that go over or near the school. Commissioner Collinson said the Avigation Easement takes care of the noise issue, but he is concerned about the safety of the children. Executive Director Landon stated that Compatibility Zone C is the zone where most of the turning movements occur and it is the turning movements that are typically more dangerous than straight and level flight. He said the fact that the school is within Zone D is an area where some 20-30% of accidents occur, but given the disperse nature of the buildings, the likelihood of having a catastrophic incident is greatly reduced. Executive Director Landon stated that is the analysis Mead & Hunt came to and they could not see any reason that it should not be approved.

Alternate Commissioner Powers said she is from the City of Auburn and they have an airport just like this one. She said this is an issue they come across all the time and the discussions go back and forth with the Placer County Board of Supervisors, which Commissioner Montgomery is very familiar with. She stated many times the project fits within all the airport use compatibility, except when you have to get a minor use permit. She asked for clarification about what the minor use permit entails and what they are asking for, because that could change the whole decision in her mind. Executive Director Landon replied that the minor use permit, to his understanding, has to do with the zoning that is on the property and it is not a requirement of the TTALUCP.

Chairman Anderson asked if the improvements at the Recreation Center were in excess of the TTALUCP or did they fall within the requirements. Executive Director Landon replied that the Recreation Center was a specific site that had been called out in the TTALUCP for special conditions, so they went through a process of determining, based on the intensity of the use and the type of occupants that would be there, what those special conditions would be. He said there were some increased construction techniques and those type of things to insure that the use could be protected in the case of an accident. Chairman Anderson asked if the special conditions were based upon a situation like there is with the school. Executive Director Landon replied no, it was very different. Commissioner Smith said the Recreation Center site actually has an identifying marker on Exhibit 2 of the TTALUCP that is called out as special requirements and the TEA site does not have anything like that.

Chairman Anderson said the Mead & Hunt staff report also notes that the TTALUC may wish to consider requiring that the classrooms be capable of functioning year around with windows that do

not open in order to reduce noise effects. He asked the Commissioners to give their thoughts on the suggestion from the report. Commissioner Smith replied that he has done some work with the middle school in Truckee and they wish they had the ability to keep the windows closed year around; especially in the portable classrooms. He said in the winter time they keep the windows closed but during the summer they want to open the windows and sometimes it is noisy in the classrooms, so having the ability to climate control and keep all of the windows closed year around would be something that would be beneficial.

Commissioner Foster said it was mentioned about the “2” notation where the Recreation Center is. He asked if he was reading the map correctly that there was a “3” notation near the site where the Tahoe Expedition Academy school is proposed, and if so, what does that signify. Executive Director Landon replied that the “3” represents the Hopkins Ranch site. Commissioner Smith added that it is in Zone C, so he did not think there were any buildings proposed there. He thought a little bit of the acreage spills into that zone, but they are not proposing any structures in that area. Commissioner Foster asked what the “3” designation requires. Executive Director Landon replied that he did not have a copy of the TTALUCP with him, but the “3” represents the Hopkins Ranch and it was called out as a specific site; they were given certain criteria within Zone C. Keith Franke clarified it was a specific part of the Hopkins Ranch project, which had some cabins sites that were allowed by the footnote in the TTALUCP. Commissioner Foster said it is quite different than the “2” designation that required some structural additions. Commissioner Smith said the Recreation Center was all about the density of occupancy with a lot of people in the building.

Commissioner Collinson said there might be a lot of windows that would remain closed at the school, but on a day when the weather is exceptional it would be nice to have the windows open. He would not be in favor of saying the windows could not be opened, but to have an alternative if the windows are closed. Commissioner Smith said they do not have an option at the middle school; they open the windows because there is no climate control. He is working with the school district to see if there is a way to remedy this challenge.

Chairman Anderson reviewed that Commissioner Smith is suggesting the TTALUC require the windows be capable of functioning year around. Commissioner Smith said it would be good to have the ability to open them or close them. Commissioner Montgomery said that was what she understood they were saying by having the windows “operable”.

Commissioner Montgomery made a motion to approve Resolution 16-01 that finds the Tahoe Expedition Academy project consistent with the Truckee Tahoe Airport Land Use Compatibility Plan, subject to recordation of an Avigation Easement with the Truckee Tahoe Airport District named as Grantee, and that the windows in the project be operable. Commissioner Foster seconded the motion. Commissioner Foster stated he appreciates and understands the concerns of the other Commissioners, but the Commission needed to focus on the tasks before them as the Airport Land Use Commission. A roll call vote was taken and Aye votes were made by Commissioners Anderson, Collinson, Dee, Foster, Montgomery, Smith and Alternate Commissioner Powers. The motion passed unanimously.

COMMISSION ANNOUNCEMENTS

Commissioner Collinson said he noticed at the very beginning of the Agenda it says: “No action will be taken at the meeting on any business not appearing on the posted agenda.” But then under Public Comment it makes reference to Section 54954.2 of the Ralph M. Brown Act. He suggested that a statement be included at the top of the Agenda also: “... except as authorized by Government Code 54954.2,” in case something comes up after the Agenda is posted.

Commissioner Foster said the TTALUC is without many active pilots or active flying Commissioners, so he offered a flight at any time to any Commission member who has an interest in better understanding what happens when you leave the ground. Chairman Anderson thanked him for the offer. Commissioner Montgomery said the Commissioners who are in elected positions are prohibited from taking gifts of flights. Commissioner Foster replied that he did not think of it as a gift. Executive Director Landon said it is a gift, particularly as it relates to transportation.

Alternate Commissioner Powers thanked the TTALUC for the opportunity to participate in the meeting. She said you could not have picked a tougher, more controversial discussion for her first meeting. She said it is near to her heart to protect the countys' airports, the airport uses, the commerce, and the economy. She was enlightened by the meeting. Chairman Anderson thanked her for participating.

Executive Director Landon said he anticipated the need for another meeting in April. He suggested April 14, 15, 21, or 22 and he did not know if the Commission would want to pick a date at the meeting or staff could send out a Doodle poll to determine the date. He noted for Alternate Commissioner Powers that the April meeting will include a consistency determination for the Truckee Railyard Master Plan, so the discussion could be as lively. It was determined that several Commissioners were attending without their activity calendars, so staff was requested to send out a poll. Commissioner Dee commented that Fridays are really the only day that works for her. Chairman Anderson asked staff to take that into consideration when setting a date.

Executive Director Landon also asked the Commission about receipt of their meeting packets. He said now that most people have computers available, he asked the TTALUC if it would be preferable to receiving agenda packets by email versus postal mail. Commissioner Dee replied that she would prefer email. Commissioner Foster said it would be acceptable to him, but some of the large 11 x 17 color graphics would be hard to read. Chairman Anderson stated if there are large complex graphics with small print, he would appreciate those be printed and mailed out. Executive Director Landon agreed to that procedure.

SCHEDULE FOR NEXT MEETING

The next scheduled meeting of the Truckee Tahoe Airport Land Use Commission will be determined for April once a Doodle poll is completed to identify the best date.

ADJOURNMENT OF MEETING

Chairman Anderson adjourned the meeting at 4:10 p.m.

Respectfully submitted: Antoinette Perry
Antoinette Perry, Administrative Assistant

Approved on: May 6, 2016

By: Richard Anderson
Richard Anderson, Chairman
Truckee Tahoe Airport Land Use Commission

Truckee Tahoe Airport Land Use Compatibility Plan Update

Draft Policy Revisions

- General reorganization
- Emphasize that plan also applies to nonaviation development on airport and construction of new heliport in TTAD (1.1.1)
- Effective date (1.1.2)
- School districts include charter schools (1.1.3(c))
- Fees for project reviews (2.1.3)
- Appeal of Executive Director actions (2.2.3)
- Mixed-use policy addresses two types of mixed use: separate locations on site vs in same or adjacent building (3.3.5)
- Discouraged use defined (3.1.8)
- Items to consider in review of airport plans includes deletion of previously planned runway (4.1.1)
- Land use list brought forward from Appendix D to Table 2A
- Measures and factors considered added to sections on each land use concern (Section 5)
- Single noise events noted as a factor in determining compatibility of certain land uses in Table 2A (5.1.7)
- Methods for calculating usage intensity explained (5.2.8)
- Railyard special exceptions modified to specify mixed use and allow four floors (5.6.1)

