

PLANNING COMMISSION STAFF REPORT

Meeting Date: May 17, 2022

To: Town of Truckee Planning Commission

From: Yumie Dahn, Senior Planner

RE: Application No. 2020-00000135/TM (Estates Meadows Residential Project; 10020 Estates Drive; APN 019-450-047); Owner/Applicant: Cascade Housing Association; Agent: Carla Sammis, JK Architecture and Engineering

Approved by: Denyelle Nishimori, Community Development Director

Recommended Action: That the Planning Commission adopt Resolution No. 2021-10, approving the following actions based on the recommended findings and subject to the recommended conditions of approval:

1. Adopt a Mitigated Negative Declaration (State Clearinghouse No. 2021090339);
2. Approve the Project Amendment to the Development Permit;
3. Approve the Minor Use Permit;
4. Approve the Planned Development; and
5. Approve the Tentative Map.

This item was continued from the October 19, 2021 and November 16, 2021 Planning Commission hearings.

Project Summary: The applicant is proposing to subdivide the existing 10.4-acre Truckee Senior Apartments parcel and develop the two-acre portion south of Estates Drive with a 30-unit affordable senior housing project located at 10020 Estates Drive (APN 019-450-047). Two two-story apartment buildings with 16 one-bedroom units, community room, and bike storage room in Building A and 14 one-bedroom units in Building B are proposed.

The following land use permits are required: 1) **Project Amendment to an existing Development Permit** to construct multi-family residential units, 11 and more units in the RM-15 (Multi-Family Residential, 15 dwelling units per acre) zoning district on a parcel that already includes 60 senior apartment units; 2) **Development Permit** to disturb 26,000 s.f. or more of the site; 3) **Minor Use Permit** for location of the project or disturbance within 200 feet of any wetland area; 4) **Planned Development** to allow reductions in the front yard and rear yard setbacks, a reduction in parking requirements, an increase to site coverage, and modifications to landscaping, and private exterior space requirements; and 5) **Tentative Map** to subdivide the parcel into two parcels with dedication of a 60-foot road easement.

Major Discussion Topics: Staff has identified specific discussion topics for consideration in the *Development Code Consistency* section of this staff report. Topics include proximity of the project improvements to the wetlands and flexibility to Development Code standards for the rear setback, landscaping, parking, site coverage, and private exterior space, requested as part of the Planned Development. The following questions are provided to help guide the Planning Commission's discussion:

- Is the proposed project a comprehensive development of greater quality (e.g., appropriate variety of structure placement and orientation opportunities, appropriate mix of land uses and structure sizes, high quality architectural design, increased amounts of landscaping and open space, improved solutions to the design and placement of parking facilities, etc.) than which might otherwise occur with strict application of the Development Code? If not, are there modifications to the design related to the flexibility requested (setbacks, parking, landscaping, site coverage, and

private exterior space) that can be incorporated to address the Planning Commission's concerns? Please note that this is one of the primary findings for the Planned Development request.

- Other than the flexibility in standards requested by the applicant, is the project consistent with the Development Code?
- Does the proposed benefits of the project (i.e., affordable senior housing) outweigh the potential negative effect(s) it may cause?
- Are proper protections and mitigation measures applied to the project to ensure the wetlands will not be disturbed?

In addition to being identified as major discussion topics, these questions are areas where the Planning Commission has discretion in its decision-making. Should the Commission wish to discuss any or all of these questions, the Commission has the discretion to modify, add or delete recommended conditions of approval as a way to make the required findings.

Location/Setting: The project site is located on the south side of Estates Drive across the street from the Truckee Senior Apartments at 10020 Estates Drive (APN 019-450-047). Adjacent uses include senior apartments to the north, residential uses to the east, the rodeo grounds to the west, and wetlands to the south. See Figure 1 for the Vicinity Map.



Figure 1: Vicinity Map

Project Site Information:

General Plan Designation: High Density Residential (6-12 du/acre)

Zoning District: Multi-family Residential, 15 du/acre (RM-15)
 Project Site Size: 10.4-acre parcel

Discussion/Analysis:

Background

In 1980, Nevada County approved a 60-unit Senior Center Congregate Care project on the 8.3-acre area on the north side of the parcel. Estates Drive, which is located within a 50-foot road easement, bisects the property. Since that time, the senior apartments have been continually occupied and the parcel directly to the south has remained vacant.

The Planning Commission reviewed a version of the Estates Meadows Residential project at its October 19, 2021 meeting, which included 30 units of affordable housing spread between three, three-story buildings, (Buildings A, B, and C), with building heights ranging from 18'7" to 39'5". In addition, a single-story community building (Building D) was included in the development of the proposed project. (See Table 1 for unit breakdown). See Attachment #3 for the link to the October 19, 2021 Planning Commission staff report.

Table 1: Unit Breakdown

| Building | One-Bedroom | Two-Bedroom | Three-Bedroom | Total |
|------------------------|---|-------------|---------------|-----------|
| A | 6 | 2 | 4 | 12 |
| B | 6 | 3 | 0 | 9 |
| C | 3 | 2 | 4 | 9 |
| D (Community Building) | Community room, manager's office, bike storage, laundry | | | |
| Total | 15 | 7 | 8 | 30 |

All of the units were proposed to be restricted to 50-60 percent median income households. Fifty parking spaces were proposed on site and a bus pullout was proposed as part of the frontage improvements.

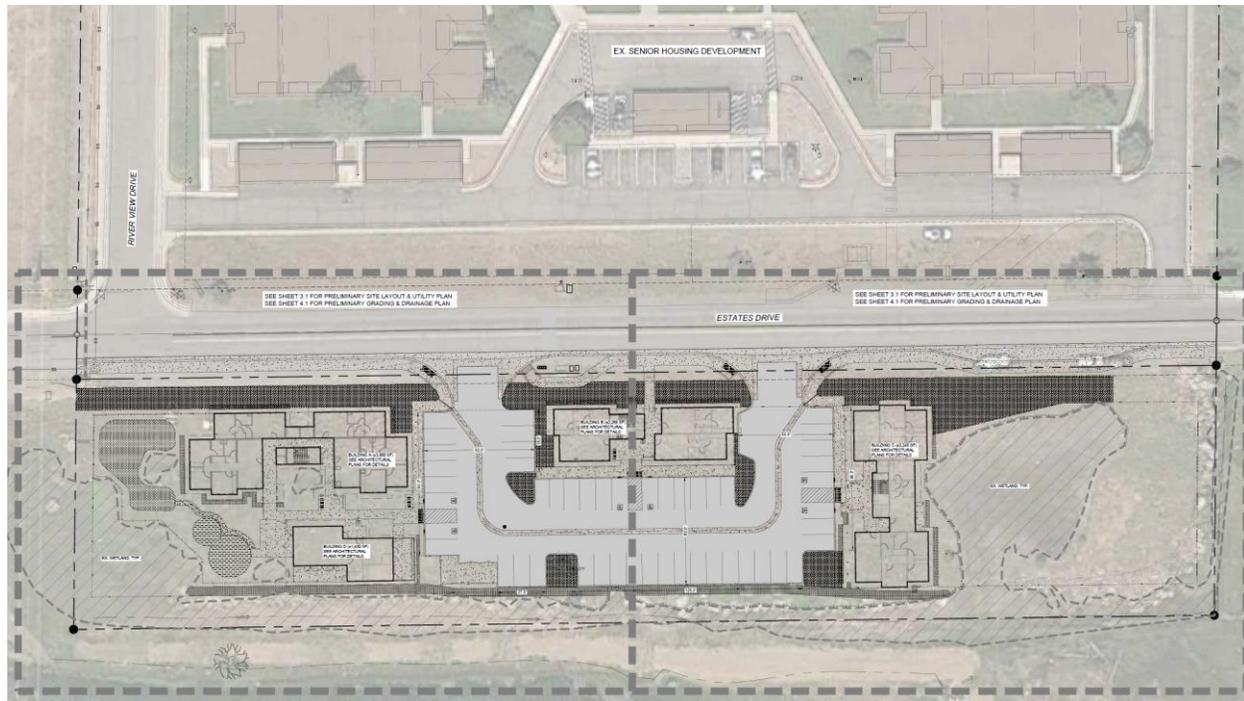


Figure 2: Site plan proposed at the October 19, 2021 meeting

At the October 19, 2021 meeting, the Planning Commission received public comment and provided the applicant with a summary of potential concerns. The Planning Commission requested that the applicant further consider changes to the parking, height, and setbacks, as well as reconsider the project's potential

impacts to the wetlands. See Attachment #4 for the minutes for the October 19, 2021 meeting and Attachment #5 for a summary of the Planning Commission's comments.

Revised Project Description

Since the original project was reviewed by the Planning Commission, the applicants have made changes to the project design. The applicants continue to propose 30 affordable housing units, but have made the following changes (see Attachment #6 for the applicant's summary of changes):

- Added senior (55 and older) housing as an additional restriction, in addition to the income-restriction.
- Changed the unit types from a mix of bedrooms (one-, two-, and three-bedroom) to only one-bedroom units. The one-bedroom units are approximately 526 s.f. and 560 s.f.).
- Reduced the building count from three residential buildings and one 1,430 s.f. community building to two residential buildings with 1,140 s.f. community room with bike storage in Building A. The total square footage of the buildings, including covered exterior circulation space) was reduced from 32,500 s.f. to 25,432 s.f.
- The total building footprint was increased from 10,700 s.f. to 13,000 s.f.
- 72.5 s.f. decks or patios were added to each residential unit.
- Reduced building heights from three-stories to two-stories and removed the request for additional height for the buildings. Building A was originally proposed at 39'5", Building B was proposed at 37', and Building C was originally proposed at 38'. The revised design proposes Building A at 33' and Building B at 34'2".
- Reduced parking count from 50 to 46 spaces; changed a portion of the parking lot to one-way access.
- Requested a rear yard setback of 18 feet (reduction of two feet) for the trash enclosure; removed the request for rear yard reduction for residential buildings
- Removed the eastern building adjacent to the eastern lobe of the wetland; a parking lot is now proposed adjacent to the eastern wetland.
- Reduced the outdoor space from 2,750 s.f. with play area, art grove, and turf area to a 1,424 s.f. community patio.
- Oriented entrances to Estates Drive; revised design to remove shed roofs.
- Included washer/dryer units in each unit.

No changes to the Tentative Map are proposed since the October 19, 2021 review. The subdivision would include an 8.3-acre parcel for the existing Truckee Senior Apartments, a 60-foot public road easement for Estates Drive, and a 2.1-acre parcel for the proposed development. This portion of Estates Drive is currently an access easement. See Figure 3 for the revised site plan, Figure 7 for the proposed Tentative Map, Exhibit A of Resolution 2021-10 for the plans, and Attachment #2 for the applicant submittal).

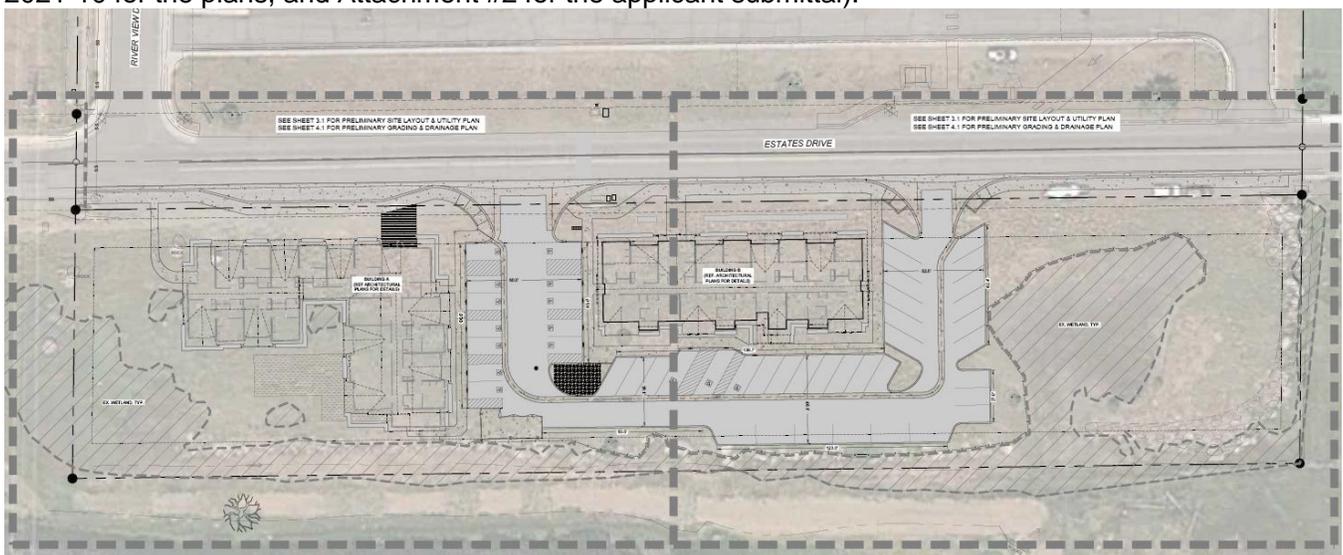


Figure 3: Revised site plan

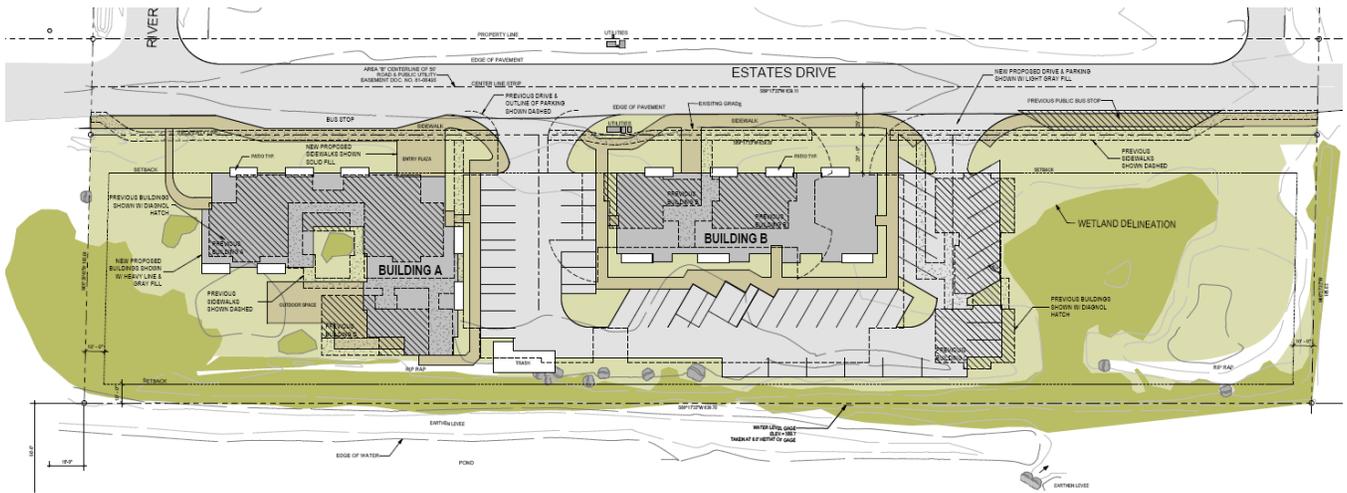


Figure 4: Overlay of previous site plan and revised site plan



Figure 5: Previous Design – North Elevations for Buildings A, B, and C



Figure 6: Revised Design – North Elevations for Buildings A and B

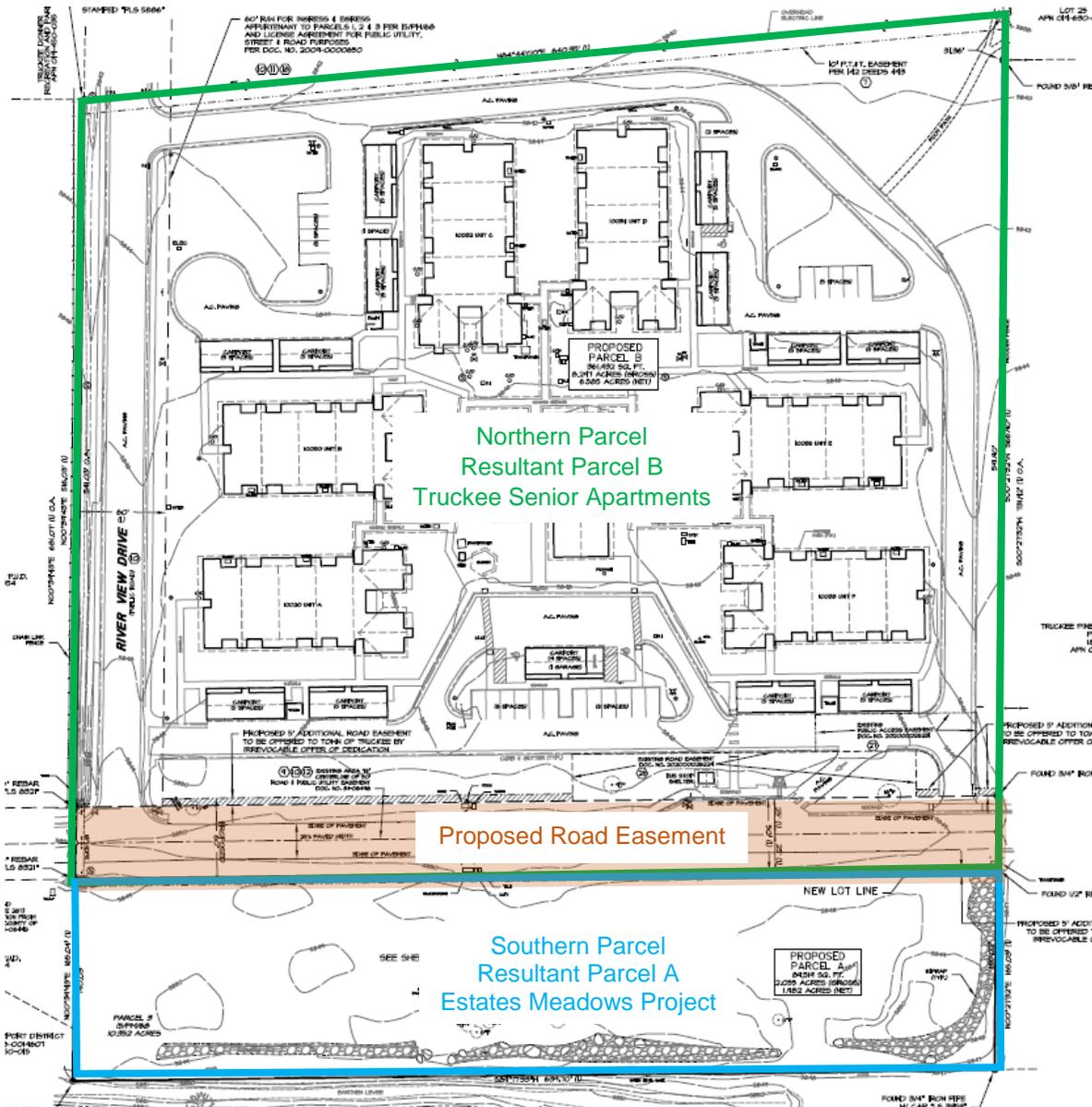


Figure 7: Proposed Tentative Map (unchanged from previous version)

Land Use Approvals

Four land use permits are being requested by the applicant. Each land use permit has mandatory findings that must be made to support approval of the project. Recommended findings for the project are provided in the draft resolution (Attachment #1).

Development Permit

The applicant is requesting approval of a Project Amendment to a Development Permit to allow for overall on-site grading in excess of 26,000 s.f. and multi-family residential development of eleven or more residential units on a parcel with an existing development. In reviewing Development Permit applications, the focus is on site layout and building design to ensure the best utilization of a site as well as compatibility with surrounding properties. The Planning Commission’s role is to consider how the proposed building design, site design, and materials reflect the Truckee architectural design principles and guidelines.

Minor Use Permit

The applicant is requesting Minor Use Permit approval for disturbance within 200 feet of a wetland area. Wetlands are present in the eastern half, southwest corner, and along the southern border of the project site. The primary purpose of Minor Use Permit review is to examine the effects of the project on a site and surrounding context that cannot be determined until it is proposed for a particular location. The Planning Commission's role is to consider the operating characteristics of the proposed development in the context of the proposed improvements to ensure that the wetlands would not be impacted if the project is approved.

Planned Development

A Planned Development is intended to allow consideration of innovation in site planning and other aspects of project design and more effective design responses to site features, land uses on adjoining properties, and environmental impacts than development standards of the underlying zone would produce without adjustment. Planned Developments are expected to produce a comprehensive development of greater quality (including more effective and attractive pedestrian orientation, environmental sensitivity, energy efficiency and the more efficient use of resources), while protecting the public health, safety, welfare, integrity, and character of the Town and ensuring consistency with the General Plan. Project review determines whether the proposed Planned Development should be approved by weighing the public need for and benefits to be derived from the proposed development against the potential negative effect(s) it may cause.

Planned Development approval may be requested to adjust or modify, where necessary and justifiable, all applicable development standards identified in the Development Code, with the exception of the density and FAR standards, under Development Code Section 18.78 (Planned Development). The Commission may approve a Planned Development only for a project that incorporates one of the following mandatory project features:

- A minimum of 25 percent of the residential units within the project are affordable to households of very low, low or moderate income; or
- The project will achieve greater energy efficiency than standard developments through the incorporation of green building techniques, scoring at least a silver LEED rating or equivalent; or
- The project will achieve a minimum of 30 percent greater energy efficiency than the minimum required by the California Code of Regulations Title 24; or
- The project will provide a substantial public amenity (e.g., a significant public plaza or park, transit shelter, or public trail) beyond that otherwise required by the Development Code.

Please note that these mandatory features are based on the March 12, 2020 Development Code, which was the Development Code in effect at the time the application was deemed complete for processing. The newer Planned Development criteria does not apply to this project.

Tentative Map

The applicant is requesting approval of a Tentative Map dividing the existing 10.4-acre parcel into two parcels with a 60-foot road easement for Estates Drive. The purpose of Tentative Maps is to review and evaluate the proposed map for compliance and consistency with applicable provisions the Development Code and the Subdivision Map Act.

General Plan Consistency

The project site is designated in the General Plan as High Density Residential, 6-12 dwelling units per acre. This land use designation applies to areas located near existing developed areas and to infill development areas with access to community services and existing infrastructure. This land use designation allows higher density single and multi-family residential uses, consistent with the proposed project. Densities shown for the General Plan designation reflects an average for the entire Town and an individual parcel may have higher or lower the density identified by the General Plan designation. The project is located in an area already served by infrastructure, close to other residential projects, jobs, and community amenities such as the Truckee Regional Park and trails which provide opportunities for pedestrian access.

Additionally, the Engineering Division has determined that the Brockway Road/Estates Drive intersection has adequate existing capacity to accommodate additional traffic generated by this project.

The 2019-2027 Housing Element supports the creation of housing affordable to all segments of the community and specifically identifies this property as a housing opportunity site. The project provides affordable housing targeted specifically to the senior population that has been considered an underserved population by the community.

The location of the project close to wetlands requires mitigation to ensure that the General Plan goals for protecting open space and biological resources are maintained. The mitigation measures from the Initial Study/Mitigated Negative Declaration have been incorporated into the conditions of approval.

Staff believes that the project is consistent with the goals and policies of the General Plan. Further discussion of General Plan consistency can be found in the Initial Study/Mitigated Negative Declaration.

Development Code Consistency

The project is located within the RM-15 (Multi-family Residential, 15 dwelling units per acre) zoning district which is applied to parcels appropriate for multi-family residential uses. Overall, the proposed use is consistent with the allowed uses of the zoning district. However, the applicant is requesting a Planned Development for flexibility in the front and rear setbacks, parking, landscaping, private exterior space, and site coverage. Staff has identified these items, as well as the proximity of the project to wetlands, as discussion items for the Planning Commission's consideration. Additional discussion regarding architecture is provided below. Other than the items identified, staff has found the project to be consistent with the Development Code standards. Since the October Planning Commission hearing, the applicants have modified the design in an effort to address the Planning Commission's concerns and reduce the scope of the requested flexibility.

Development Code Modifications

As noted within the Planned Development section of this staff report, a Planned Development allows for deviations from the Development Code where it can be found that the overall project is of greater quality, while protecting the public health, safety, welfare, integrity, and character of the Town and ensuring consistency with the General Plan. To be eligible for a Planned Development, the applicant must meet one of four mandatory features related to affordable housing, greater energy efficiency, or a substantial public benefit. With all units anticipated to be restricted to households with incomes equal to 50-60% (very low and low income) of the area median income, the project meets the mandatory feature requirement. The Planning Commission should consider the requested modifications to the standards and determine if the project meets the criteria for approval of a Planned Development.

For reference: The October 2021 version of the project requested flexibility to the 35-foot height standard. The three residential buildings were proposed 2' to 4'5" above the 35-foot standard. The applicant reduced the height of the two building to two stories and are 33' and 34'2" tall, which is consistent with the Development Code requirements.

Please note that residential projects restricted for occupancy to independent residents 55 years or older and does not provide medical or institutional facilities are considered multi-family residential projects, and the standards of Section 18.58.180 (Multi-family Residential Projects) apply. The standards analyzed as part of this staff report are based on the requirements of the Multi-family Residential Project section of the Development Code. The additional standards for a "Senior citizen congregate care/congregate care housing" do not apply to this project.

Front and Rear Setbacks

Projects within the RM zoning district are subject to building wall setbacks. Setbacks are measured from property lines or, where applicable, from the edge of an established future right-of-way, including easements. Staff has found that the project is consistent with the setbacks for the RM zoning district, in all locations except the front and rear setbacks of the southern parcel. The two residential buildings are proposed with building walls 15 feet from the edge of the required 60-foot roadway easement and building eaves that are 12 feet from the edge of the required 60-foot roadway easement. The standard front setback is 20 feet for building walls and 14 feet for roof eaves. Additionally, the proposed trash enclosure is located 18 feet from the rear property line where the standard rear setback is 20 feet.

For reference: The October 2021 version of the project requested the same front setback reduction and an 18-foot setback for one of the residential buildings, community building, and the trash enclosure.

The proposed residential buildings are located approximately 30 feet from the curb and gutter of Estates Drive and is buffered by a sidewalk. The applicant is providing landscaping in the front setback that is consistent with the landscaping standards of the Development Code (see *Landscaping* section of this staff report). Additionally, the Engineering Division has reviewed the project plans and have not identified any concerns with snow storage related to the front setback for the project. The applicant believes that the trash enclosure location is the only practical location for the project that meets the standards for Tahoe Truckee Sierra Disposal's access requirements and noted that the structure is more than 35 feet from the adjacent pond.

Overall, staff believes that the project proposes adequate buffering from the road and that a reduction in the front setback can be supported. The reduced rear yard setback for the trash enclosure seems minimal in nature, particularly since there is open space to the south. However, the Planning Commission may wish to consider the reduced setback in relation to the wetland. Staff notes that the *Wetlands* section of this staff report applies mitigation measures to avoid impacts to the wetlands.

Parking

Development Code Chapter 18.48 (Parking and Loading Standards) requires 1.5 parking spaces for each studio or one-bedroom unit and guest parking equal to 25% of the parking spaces. For a project with 30 one-bedroom units, 56 parking spaces are required. Since all of the units are affordable housing units, fully enclosed garage spaces are not required as part of this project.

For reference: The October 2021 version of the project proposed 50 parking spaces (76% of the required 66 parking spaces) for 15 one-bedroom units, 14 two-bedroom units, and 16 three-bedroom units.

The applicant is proposing 46 parking spaces, which is 82% of the required parking. Due to the nature of the senior housing, the applicant calculated one parking space for each unit, with additional spaces for additional vehicles or guests. In order to achieve the maximum density on a parcel that is encumbered by a wetland, the applicant believes that a reduced parking requirement is necessary.

In redesigning the project for seniors and reconfiguring all of the units to one-bedroom units, the applicants are providing a greater parking ratio than the previous design. Staff believes that the wetlands on site constrain the project and the ability to provide adequate parking. The parking as proposed is screened from Estates Drive by the buildings, as encouraged by the design guidelines. There is room to the east of the largest wetland lobe, but staff believes that adding parking at that location will create a disjointed site design, an additional encroachment, and a potential increase in disturbance to the wetland with residents walking to and from the parking to their units. Staff believes that the requested parking reduction can be supported if a parking management plan is submitted to ensure that the developer or future property manager adequately monitors parking on site. Therefore, staff has incorporated Condition of Approval No. 45 to require a parking management plan to be submitted for review and approval prior to building permit final. The parking management plan shall include requirements for parking pass management, enforcement, and guest parking.

Landscaping

Development Code Chapter 18.40 (Landscape Standards) requires landscaping of setbacks, disturbed areas, parking areas, and along the street frontage. The applicant is proposing landscaping that meets the standards for these requirements in all areas except for the parking lot interior landscaping. Development Code Section 18.40.040.B.4 requires landscaping that is evenly dispersed throughout the parking lot at a ratio of 200 s.f. of landscaped area for every five parking stalls or fraction thereof. Two trees and four shrubs are required to be provided for every five parking stalls. With 46 proposed parking spaces, 1,840 s.f. of landscaping and 18 trees and 37 shrubs are required to meet this standard. The applicant is proposing 774 s.f. of landscaping and three trees and nine shrubs. The landscaping is dispersed throughout the project site with concentrations along Estates Drive, screening at the rear of the property, and along the wetland fence to provide additional buffering. Staff believes that the comprehensive landscaping plan locates landscaping in key locations that achieve the intended goals of the Development Code, including screening parking areas and enhancing the aesthetics of the project site (See Figure 8 for landscape plan).

For reference: The October 2021 version of the project proposed 752 s.f. of landscaping and four trees and 11 shrubs for the parking lot interior landscaping. For the previously proposed 50 parking spaces, 2,000 s.f. of landscaping and 20 trees and 40 shrubs was required.

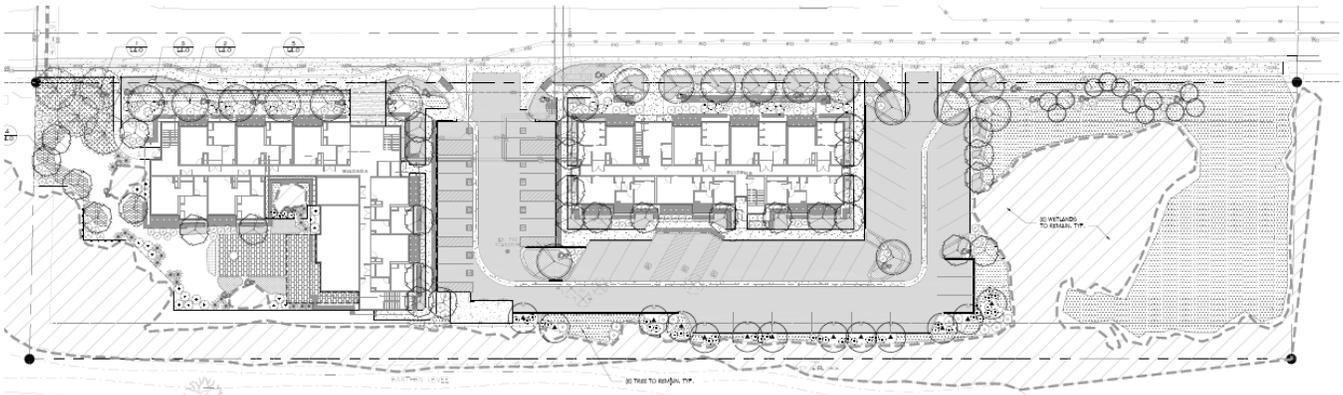


Figure 8: Landscape Plan

Private Exterior Space

Development Code Section 18.58.180 (Multi-family Residential Projects) requires that projects with five or more dwelling units incorporate common and private useable open space for passive and active recreational purposes. The project is required to include a minimum 250 s.f. of common open space for each dwelling unit and a private 60 s.f. balcony, private 90 s.f. deck, or 90 s.f. patio for each unit. Additionally, one common recreation amenity (i.e., barbecue/picnic area, recreation building, play area) is required for every 25 units.

For reference: The October 2021 version of the project did not include private exterior spaces for each unit. Instead, the project requested flexibility in the application of this standard and proposed shared decks and patios along common walkways accessing each unit.

The applicant is proposing approximately 38,000 s.f. of common open space – both active recreation and natural preservation, which exceeds the 7,500 s.f. required (30 units x 250 s.f.). Additionally, one community patio and community room with bike storage are proposed as part of the project. The common laundry facilities were removed and a washer and a dryer are now proposed in each unit.

Since October, the applicant has modified the design of the project to incorporate 72.5 s.f. (5'x14.5') patios or decks for each unit. Since the patios and decks are not consistent with the minimum 90 s.f. requirement, the applicant is requesting flexibility to allow for reduced private exterior spaces for each unit.

Staff believes that the requested flexibility can be supported. While the proposed size is not as large as required, the dimensions of the space make the deck and patio useable. The incorporation of the private exterior spaces enhances the articulation of the buildings and creates a desirable feature that extends the indoor living space outdoors for future tenants of the property. Additionally, staff notes that the applicant has incorporated storage closets along the shared walkways to help reduce the need for storage within each unit. Staff has recommended Condition of Approval No. 49 which requires a low concrete seat wall or fence on the ground floor patios to delineate the perimeter of the private area.

Site Coverage

Parcels within the RM zoning district are allowed a maximum 50% coverage. Areas designated as access/road easements may be excluded from the calculation. Improvements located on the Senior Apartments site make up approximately 154,486 s.f., excluding the Estates Drive easement area. Before subdivision, the parcel is approximately 10.4 gross acres or 8.7 net acres. Currently, the Senior Apartments cover 41% of the site. However, with the proposed subdivision, the parcel will be approximately 6.6 net acres (286,868 s.f.). With the existing 154,486 s.f., the parcel with the existing Senior Apartments covers 54% of the site, which exceeds the 50% standard.

For reference: The October 2021 version of the project requested an allowed site coverage increase of 0.6% (2,239 s.f.).

The southern parcel, with the proposed new development, includes 36,026 s.f. of coverage on an 86,323 (net) s.f. parcel, which is 42% site coverage. Combined, the Senior Apartments and the proposed project, are proposing a site coverage of 51.0%. Since the project is being considered comprehensively with the Senior Apartments, the applicant is requesting an allowed site coverage increase of 1% or 3,916.5 s.f. As noted within this calculation, the increase in site coverage is due to the existing Senior Apartments and the one-story nature of the use. If reviewed separately, the proposed Estates Meadows development would be well under the allowed site coverage maximum. This site coverage request is 0.4% greater than the October version due to the change from three-story buildings to two-story buildings. The building footprints increased from 10,700 s.f. to 13,000 s.f.

Staff has not identified any ongoing concerns related to coverage (snow storage or drainage) with the existing Senior Apartment site. Additionally, staff does not believe that the Senior Apartments rely on the area south of Estates Drive, where the project is proposed, for any drainage or snow storage. The increase of 1% site coverage is related to the existing Senior Apartment project and the proposed project is constrained by the wetlands and further reduction of the site coverage would be difficult to achieve while still maintaining the proposed parking ratio and density.

Wetlands

In 2017, the Planning Commission approved the Truckee Meadows Wetlands Restoration project, which included the parcel to the south of the Estates Meadows project. The Truckee Meadows Restoration Project included restoration/enhancement of 13 acres of wetland, drainage, and floodplain habitats along an approximately 0.75-mile drainage course of a fragmented meadow complex and drainages that lead to the Truckee River. The restoration was completed in 2018.

For the Estates Meadows project, a wetland delineation was completed by Ecosynthesis (see Appendix C of the initial Study/Mitigated Negative Declaration in Exhibit D of Resolution 2021-10) where a 0.44-acre freshwater emergent wetland was identified. The largest lobe of the wetland is located on the eastern half of the site, with a second slightly smaller lobe located at the southwest corner of a property. The two lobes are connected by a linear wetland located along the southern boundary of the site (see Figure 9 for the wetland delineation). There are three small, isolated wetland areas located on the western side of the property. The study identified that the linear wetland drains eastward and then ultimately northward, but never actually reaches the Truckee River. The study determined that water draining from the site ultimately infiltrates before flowing to the Truckee River or any feature that is tributary thereto. All wetland features within the site are therefore isolated waters not falling under the jurisdiction of the (federal) Clean Water Act. Beyond the wetland along the southern property line is an existing earthen berm, which acts as a barrier to the Truckee Meadows wetland area.



Figure 9: Wetland Delineation

Development Code Section 18.46.040 (Wetlands) requires that all wetlands be presumed to be environmentally sensitive areas unless documentation is provided otherwise by a State agency. Areas designated as environmentally sensitive shall remain in their natural and undisturbed state and shall be maintained in a manner that minimizes the danger of fire hazards. Any proposed developed shall be found to be harmonious with the terrain. Development Code Section 18.30.050 (Drainage and Storm Water Runoff) requires that runoff into wetland areas shall not be increased above or decreased below pre-project levels unless the review authority finds that the increase or decrease of runoff will not adversely affect the health, function and values of the wetland nor shall the flow path of runoff be altered and any runoff into wetland areas shall be treated before release into the wetland. A Minor Use Permit is required for projects resulting in the disturbance of land or located within 200 feet of any wetland areas unless the Director finds that the topographic conditions of the surrounding area will clearly preclude any disturbance of wetland areas and will ensure any runoff from the project will not result in any water quality impacts to a wetland area.

The project proposes to avoid disturbance of the existing wetlands and has incorporated split rail fencing around the perimeter of the wetlands to ensure that the wetlands will continue to be protected. However, development is proposed directly adjacent to the wetland. The proposed improvements closest to the wetlands are identified below (see Figure 10 for diagram of locations):

1. The eastern parking area is located within one foot from the eastern lobe of the wetland;
2. The southern parking area is located within 1.5 feet of the southern linear portion of the wetland;
3. The southern Building A walkway is approximately 3.5 feet from the southern linear portion of the wetland;
4. The roof eave of Building A is approximately 2.5 feet from an isolated wetland;
5. The community patio area is approximately 3.75 feet from an isolated wetland; and
6. The western roof eave of Building A overhangs the edge of an isolated wetland.

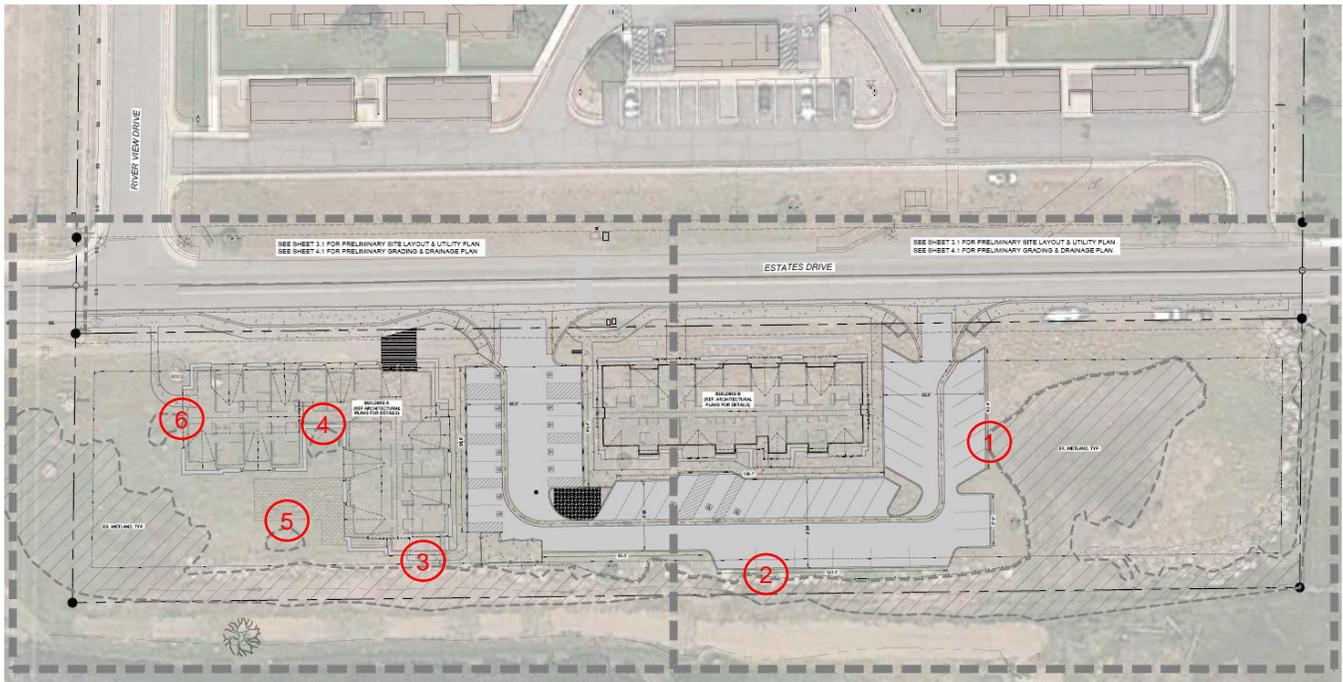


Figure 10: Project in relation to the wetland

For reference: The October 2021 version of the project proposed the following improvements closest to the wetlands:

1. The Building C building wall is located within 5.5 feet (two feet away from the eave) of the western lobe of the wetland;
2. The Building C building wall is located within nine feet (six feet for the eave) of the southern linear wetland;
3. A one-foot berm is located from the southern linear wetland;
4. The parking lot is located directly adjacent to the wetland;
5. A concrete patio/walkway is located less than a foot from an isolated wetland, with the roof eave of Building D projecting over the wetland;
6. Roof eaves for Building A are proposed to project over an isolated wetland; and
7. Play areas are located less than two feet from wetlands.

Ecosynthesis completed two impact analyses in April and July 2021. In general, the wetland impact analysis identified that the wetland areas derive their hydrologic support from incident precipitation (including melting snowpack and from adjacent watershed) that will not have vehicle impact. Ecosynthesis reviewed the potential impacts on the wetland based on four main categories:

- Possibility of increase or decrease in water quantity (whether surface flow or groundwater);
- Possibility of alterations of water quality;
- Possibility of disturbance of human-activity-averse wildlife, if any, that might depend upon the wetlands found within the site or immediately outside it; and
- Potential impacts during construction.

Ecosynthesis reviewed the revised project on April 25, 2022 and provided revised comments to the Town's environmental consultant related to Water Quantity.

Water Quantity

In terms of water quantity, in the October 2021 design, Ecosynthesis found that of all the wetland areas on site, "only one whose potential watershed is significantly reduced is FEW-4, which will be surrounded by concrete walkways and, beyond those, buildings." In order to mitigate this potential loss of water quantity to FEW-4, Ecosynthesis recommended the following mitigation measure, which was incorporated into the Mitigated Negative Declaration (Identified as MM IV-2 in the original IS/MND, dated September 2021):

The immediately surrounding concrete walkways should be graded to drain into the avoided wetland/upland area, and to the extent feasible, snow from these same proximal walkways should be cleared into the avoided area, supplementing the area's hydrology in a manner analogous to preserving a larger surrounding watershed and thereby reducing the impact to a less-than-significant level. Additionally, the Engineering Division's requirements for stormwater treatment and snow storage are anticipated to address water quality impacts to the wetland due to project operations.

Upon review of the revised project design, Ecosynthesis has confirmed that the hydrology of this small wetland would be sufficiently sustained without the need for MM IV-2. Therefore, MM IV-2 has been deleted as shown in the attached Erratum and Mitigation Monitoring Reporting Program.

Water Quality

The impact analysis identified that degradation of the wetland water quality of any water body from urban runoff is not an expected result from the project. It noted that while the wetland areas are located near buildings and walkways, these areas are not being used by motor vehicles and will not significantly impact the water quality. Additionally, since the project site slopes gently to the south, any water that is not conducted to bioretention facilities either remain in the soil or end up in the linear wetland area at the southern site boundary.

Wildlife Disturbance

The impact analysis did not find any notable wildlife resources in the wetlands or on the site as a whole, but noted an enhanced wildlife habitat to the south, as a result of the Truckee Meadows Restoration project. In general, the study noted that the most sensitive wildlife both to during construction and operational human disturbance would probably be nesting birds. The study reviewed satellite imagery and field conditions and showed that the preferred type of habitat of nesting birds occurs within the restoration site, but only on the southern side close to Brockway Road, over 100 feet from the limits of the Estates Meadows project. Additionally, the Mitigated Negative Declaration requires a nesting bird survey prior to any construction/disturbance on site (Mitigation Measure IV-1, Condition of Approval No. 34).

Potential Impacts Due to Construction

The July impact analysis noted that disruption to the soil by heavy construction equipment can result in generation of sediment that can be carried to on- or off-site wetlands by precipitation runoff. Therefore, the following mitigation measures were incorporated into the Mitigated Negative Declaration:

- ***Mitigation Measure IV-2 (Previous Mitigation Measure IV-3 for original IS/MND, Condition of Approval 35):*** *Excavation shall not occur at any time under any circumstances within any delineated wetland area. This prohibition includes removal of boulders directly abutting wetland boundaries.*

Erosion and sediment control measures shall be implemented during project construction, including but not limited to installation of filter fencing between the main on-site wetland (FEW-1, which extends along the entire southern site boundary and has large lobes in both the eastern and western portions of the site) and areas of equipment or vehicle travel, or soil disturbance. At a minimum, filter fencing installation shall be common with an extent of orange exclusion fencing in the eastern portion of the site. Fencing shall be installed prior to arrival of excavating equipment (other than that needed for the installation itself) and maintained in good functional condition throughout the entire period of construction through completion of landscaping of pervious areas.

In addition to the filter fencing, sediment controls shall be installed around temporary stockpiles of any soil materials or unwashed sand or drain rock. Standard drainage inlet protections and other measures shall be included in the project's stormwater pollution prevention plan (SWPPP). All sediment controls and other SWPPP provisions shall be monitored for functional deficiencies in accordance with the NPDES Construction General Permit requirements, as follows: weekly inspections, and at least once each 24-hour period during extended storm events, to identify and

record BMPs that need maintenance to operate effectively, that have failed, or that could fail to operate as intended. Inspectors shall be Qualified SWPPP Practitioners (QSP). Written inspection checklists shall remain on-site with the SWPPP in accordance with NPDES permit requirements.

The requirements of this mitigation measure shall be included on the project improvements plans prior to their approval by the Town of Truckee.

Based on discussion with Ecosynthesis, staff is also proposing further clarification of what constitutes "excavation." Additional language was added to the mitigation measure, as noted above in the underlined text.

- ***Mitigation Measure IV-3 (Previous Mitigation Measure IV-4 for original IS/MND, Condition of Approval 36):*** *Equipment or vehicles shall not be operated within any wetland area using "meadow mats" (e.g., DURA-BASE, or other functional equivalent) from October 15-May 1 (wet season). Equipment or vehicles may be operated within a wetland area outside of this period if the entirety of the possible requirements are met:*
 - *Meadows mats shall be installed prior to any disturbance of wetlands, under the supervision of a wetland scientist;*
 - *Orange exclusion fencing shall be installed around the meadow mats, as directed by the wetland scientist;*
 - *Meadow mats shall be removed prior to October 15th of each year, under the supervision of a wetland scientist;*
 - *Meadow mats shall not be used during rain events. Use of meadows mats after a rain event can only occur with confirmation from a wetland scientist that the wetland is dry and stable. The weekly QSP report shall include inspection data from the wetland scientist and confirmation that all conditions are satisfied. Written inspection checklists shall remain on-site with the SWPPP in accordance with NPDES permit requirements;*
 - *The contractor shall perform daily, routine inspections of meadow mats;*
 - *Spot inspections shall also be conducted by a wetland scientist and the Town, both of whom shall have the ability to stop construction at any time, if there is evidence of wetland damage, or improper use of meadows mats. If disturbance has occurred in the wetland, the following actions shall be implemented under supervision of a wetland scientist:*
 - *Restoration of soil and/or topography to pre-disturbance conditions, and if deemed necessary by the wetland scientist, seeding or planting during autumn following the disturbance (October) to restore vegetation to predisturbance conditions.*
 - *One season of monitoring shall be conducted by a wetland scientist to verify that the wetland has been restored to predisturbance conditions. Proof of successful restoration shall be provided to the Town of Truckee.*
 - *Meadow mats shall be removed at the earliest date possible when all work occurring on-site that requires use of the mats has been completed.*

To the maximum extent feasible, non-wetland soil areas intended for future landscaping and pervious function shall also be protected by meadow mats if equipment travel is to occur while the soil is moist, wet, or saturated. If not feasible, then soil areas subject to equipment travel shall be deep ripped prior to landscaping.

Because construction will be occurring in closer proximity to wetlands than is usual and the measures needed for protection of the wetlands are somewhat more stringent than normal, a preconstruction meeting including on-site construction supervision staff, Town representation, and a knowledgeable wetland scientist shall be held to ensure that measures are rigorously implemented but are refined for compatibility with construction practicalities, if needed.

The requirements of this mitigation measure shall be included on the project improvements plans prior to their approval by the Town of Truckee.

Ecosynthesis reviewed the revised plans and note that the in the previous site plan, Building C was sited immediately west of the eastern lobe of FEW-1; however, under the revised site plan, the area in which Building C was proposed would instead serve as a surface parking lot. Ecosynthesis noted that “The setback distance from FEW-1 would be similar under both the previous project and the revised project. However, less intensive ground disturbance in proximity to the wetland would be required to construct a paved parking lot as compared to a building foundation. The extent of soil excavation that is typically required for an aggregate base plus pavement is much shallower than the excavation required for a building foundation, especially given the overexcavation and replacement fill that would have been required to support the previously proposed Building C. The existing on-site fill is substantially thin enough that it can be compacted in place. In addition, because the groundwater depth at the project site extends to approximately seven feet below the ground surface, it is unlikely that groundwater would be encountered during parking lot construction, and the hydrology of FEW-1 would not be adversely affected. Finally, due to the relatively low to moderate expansion potential of the clay soil, the depth of the clay, and the planned grading in the parking areas, the removal of clay soil below the proposed pavement areas is not recommended. Based on the above, the design of the revised project would ensure greater protection of FEW-1, the main on-site wetland, as compared to the previous project. Mitigation Measure IV-3 of the IS/MND would continue to ensure adequate protection of FEW-1 and other on-site wetlands, during project construction.”

In addition to the above-mentioned biological mitigation measure, staff recommends including a Condition of Approval No. 43 requiring signage to be placed on the proposed wetland fencing identifying the existence of the environmentally sensitive area and prohibiting entrance into the wetland. Additionally, staff recommends Condition of Approval No. 69 requiring application of a non-disturbance area over the eastern portion of the property on the Tentative Map to ensure that the wetland remains undisturbed.

The Truckee River Watershed Council (TRWC) was routed a copy of the project plans for comment. On December 3, 2020, the TRWC provided an email along with a comment letter dated December 2, 2020 noting that the plans, as proposed, addressed their concerns about potential impacts to the wetlands. Previous comments were provided in October 2019 as part of a preliminary application for the project. TRWC noted that they still had concerns about potential adverse indirect impacts on the wildlife that uses the wetland habitat, but stated that they understood that there is substantial urbanization present in all areas. They supported any mitigation measures related to stormwater, low impact development, and snow storage that would minimize disturbance or impacts to the wetland habitat. The Town also emailed the public review draft of the Initial Study/Mitigated Negative Declaration to TRWC on October 1, 2021. New comments were provided on October 12, 2021, which reiterated their support for mitigation measures to preserve the wetlands, including prohibiting excavation in the wetlands, installation and maintenance of filter/sediment fencing between the construction site and wetland areas, and a requirement for a pre-construction meeting.

TRWC was routed the revised plans on April 20, 2022 and responded on April 28, 2022. TRWC did not note any additional comments on the proposed revisions but continued to emphasize their previous notes related to prohibition of excavation in wetlands, support for pre-construction meetings, installation and maintenance of filter/sediment fencing, continued inspections, erosion control, no use of meadow mats from October 15 to May, and requirements for restoration of wetlands if disturbed (Attachment #7)

Staff initially had concerns about the proximity of the proposed development to the wetlands. However, the studies provided by Ecosynthesis and the comment letter submitted by Truckee River Watershed Council indicate that the impacts to the wetlands can be avoided and the habitat can be preserved through implementation of the required mitigation measures. Staff relies on analysis by technical experts to help guide the review process when necessary. The Engineering Division has also reviewed the project and incorporated requirements for snow storage and stormwater treatment to help ensure that the water quality and quantity are maintained. Based on the information provided by technical wetland experts, staff believes that, with the mitigation measures proposed in the Mitigated Negative Declaration and incorporation of the Engineering Division’s conditions of approval, wetland impacts can be avoided.

Architecture

The project includes two-story residential buildings – one rectangular and one L-shaped. The applicant has modified the design to remove the shed roofs over the main mass of each of the three buildings and incorporated one primary gable roof continuing the length of the building with secondary gables over each unit to break down the scale and massing of the buildings and to provide protection from snow shedding. The applicant has incorporated primary entrances to the buildings that face Estates Drive. The applicant's architect has noted that the project is intended to reflect a more traditional mountain character.

Overall, staff believes that while more articulation, layering, and breaks in massing and height would be desirable, the architecture is consistent with other modular affordable housing designs in Truckee. While the October 2021 design provided a variety of buildings that created a more neighborhood scale project with a smaller community building at the rear to break up the massing of the residential buildings from Brockway Road, the current design reduces the height of the building to fit in with the context of the surrounding neighborhood and addresses the Estates Drive pedestrian. Staff believes that the project could be successful if it maintained an overall two-story height with three-story components in key locations, which could reduce the building footprints. The applicant has stated that they reviewed design iterations that contemplated this revision, however they ultimately decided that a request for a third story (and additional height) would not substantially reduce the building footprints. Additionally, the applicant noted that the height of the buildings was identified as a key concern for the Planning Commission and the public.

While shed roofs are appropriate in Truckee, the applicant's change to a more traditional mountain character with varying gable roof forms is also consistent with the design guidelines. The proposed materials include lap and vertical fiber cement siding, painted corrugated siding, composition shingle roofing, wood doors, vinyl windows in a bronze color, and railings made of galvanized steel mesh panels and wood top/bottom rail and posts. Overall, the fiber cement siding and vinyl windows with accents of natural material and metal are consistent with other approved affordable housing projects in Truckee. Staff recommends Condition of Approval No. 48 requiring the applicant to work with the Planning Division to select a warmer earthtone color for the vertical siding and to use smooth fiber cement board instead of faux wood grain board. Staff believes the "Monterey Taupe" color is not reflective of the earthtones identified in the design guidelines and that the fiber cement board should not try to mimic a natural material.

Special Districts and Utilities

All applicable special districts, utility companies, and Town departments with an interest in this application have been notified. No objections were filed and all conditions of approval that were imposed by other agencies have been incorporated into Resolution 2021-10. The project will be required to be in compliance with all utility and special agency requirements.

Environmental Review: An Initial Study/Mitigated Negative Declaration (Exhibit D of Resolution No. 2021-10) has been prepared for the project (SCH #2021090339). The Mitigated Negative Declaration was routed to State agencies through the State of California's Office of Planning and Research State Clearinghouse. Identified potential significant environmental impacts include biological resources, cultural resources, geology and soils, hydrology and water quality, transportation, and tribal cultural resources. However, the Town has incorporated mitigation measures to reduce or eliminate the potential impacts. Mitigation measures have been developed for inclusion within the project as conditions of approval to mitigate all potentially significant impacts to less than significant levels. A mitigation monitoring reporting program has also been created to help aid in the implementation of these mitigation measures. It is staff's opinion that the mitigation measures developed for the project are adequate in meeting the requirements of the California Environmental Quality Act (CEQA) as well as the goals and policies of the General Plan.

Staff has received one public comment from the California Highway Patrol (CHP) that noted that the project is in close proximity to SR-267 and any large construction project may have an impact on CHP operations and response times. While nothing stands out as impacting traffic safety, congestion, or public safety beyond typical construction traffic delays, CHP requested that all anticipated significant traffic delays be communicated to their office.

Staff notes that Mitigation Measure XVII-1 requires implementation of a Construction Traffic Control Plan, which will be reviewed by the Town, and will be routed to all agencies that regulate traffic within the area.

Since circulation of the IS/MND the project description has been modified but the changes are not considered “substantial revisions” which require recirculation per Section 15073.5 of the CEQA guidelines (Recirculation of a Negative Declaration Prior to Adoption). The revised project would not result in any new significant effects or require new mitigation measures that must be added to reduce such effects. In fact, one mitigation measure (MM IV-2) has been removed due to the proposed revisions. Further, the revised building height now complies with the maximum height allowed by the zoning district and the conversion of the units to senior housing generates fewer vehicle trips per dwelling unit as compared to standard multi-family residential projects. Overall, the changes to the proposed project would not require any substantial revisions to the IS/MND, and recirculation of the IS/MND is not warranted under criterion b) of Section 15073.5. A memorandum, errata to the IS/MND, and updated Mitigation Monitoring Report have been included in Exhibit D of Resolution 2021-10 describing the changes.

Public Communication: The public hearing notice was published in the *Sierra Sun* on May 6, 2022 and mailed on May 5, 2022 to all property owners within 500 feet of the project site, as shown on the latest current tax roll of Nevada County. Staff also sent an email notice of this hearing on May 5, 2022 to community members that made public comment in October 2021. The Notice of Intent to Adopt an Initial Study/Mitigated Negative Declaration was mailed out to all property owners within 500 feet of the project site and e-notified on September 17, 2021. The applicant posted an onsite sign on November 23, 2020 indicating a notice of application and information about the public hearing was added to the sign on October 13, 2021. Staff has attached all public comment received for the project, which were primarily received as part of the October 2021 Planning Commission review.

Staff Summary and Recommendation:

The project is located near other residential neighborhoods, trails, and a park as well as within approximately half a mile to downtown and to The Rock. The close proximity to community amenities makes this site a desirable location for housing, as identified by the Town’s General Plan and zoning. The proposed project adds to the Town’s housing stock for very low- and low-income households, which helps implement the Housing Element’s goal to provide housing for all segments of the community. Further, the proposed project would be dedicated to seniors, which is a group in the community that has been identified as underserved. With incorporation of the mitigation measures identified in the IS/MND, staff believes that the impacts to the wetlands and biological resources will be avoided. Additionally, with incorporation of the recommended conditions of approval, staff believes that, with approval of the Planned Development, the project is consistent with the Development Code and the Town’s General Plan. Therefore, staff recommends that the Planning Commission adopt Resolution 2021-10.

Alternative Actions: Actions that the Planning Commission may take as an alternative to the recommended action include:

1. Continue the public hearing to a date and time certain.
 - a. The Planning Commission may request additional information from the applicant and/or staff (if new information is presented at the next meeting, the public portion of the hearing must be reopened on the new information submitted).
2. Land Use Permits
 - a. Add, delete or modify the proposed conditions of approval
 - b. Deny the project on the basis that all of the required findings cannot be made.
3. Require additional environmental review.

Attachments:

Attachment 1: Resolution 2021-10

- Exhibit A: Plans, including Tentative Map
- Exhibit B: Planned Development
- Exhibit C: Conditions of Approval

Exhibit D: Initial Study/Mitigated Negative Declaration with Mitigation Monitoring Reporting Program and memo related to Project Description modifications

Exhibit E: Draft Findings

Attachment 2: Applicant submittal

Attachment 3: Link to October 19, 2021 Staff Report:

<https://portal.laserfiche.com/Portal/Browse.aspx?id=59549616&repo=r-6a91ddbc>

Attachment 4: Link to October 19, 2021 Meeting Minutes

<https://portal.laserfiche.com/Portal/DocView.aspx?id=59572091&repo=r-6a91ddbc>

Attachment 5: Summary of questions/comments from the Planning Commission at the October 19, 2021 meeting

Attachment 6: Applicant's summary of changes with site plan overlay

Attachment 7: Truckee River Watershed Council comments, including email comment received on April 28, 2022 regarding the revised drawings

Attachment 8: Public comments