



## **Letter of Justification**

### **Soaring Ranch Phase 2**

*Revised 5-16-25*

#### **Background**

A Time Extension/Project Amendment was approved by the Planning Commission on May 17, 2023, per Resolution 2023-08. The approved mixed-use project consisted of four buildings on 4.72 acres of land with 35,776 sf of commercial floor area (retail, office and restaurant) and 69 multifamily residential units (including 10 affordable housing units deed restricted to low-income households and 14 housing units deed-restricted to local workers).

#### **Project Entitlements**

The applicant is seeking new land use approvals for development of Soaring Ranch - Phase 2:

- **Development Permit Amendment** – To revise the approved Development Permit to reduce the amount of retail space and increase the number of multi-family residential units, including more affordable and workforce housing units.
- **Planned Development Amendment** – To revise the previously approved site plan.

#### **Project Description**

This amended project proposes two buildings: Bldg D with 23,635 sq. ft. (gross – calculated from outside face of wall) consisting of retail, office and restaurant space and Bldg E with 84,867 sq. ft. including 4-stories, 86 multifamily residential units (17 market-rate units with no restrictions, 14 affordable units deed restricted to low-income households, and 55 market-rate units deed restricted for rent to local workers within the TTUSD school district boundary). Total Gross Floor Area combined ~ 108,502 sq. ft. (23,635 sf + 84,867 sf)

- **Building D** – Single-story commercial building
  - Retail – 9,991 sf
  - Restaurant (Patron Area) – 4,607 sf
  - Restaurant (Service Area) – 3,055 sf
  - Coffee Shop - 2,072 sf
  - Office - 2,684 sf
  - Building Services/ Utility - 1,226 sf

23,635 sf Gross Floor Area (Calculated from outside face of wall)

Outdoor Dining 1 SF – 1298 sf

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- **Building E** – Four story multifamily residential building w/ 86 units
    - 11 Studio – 575 sf
    - 30 1-bedroom – 645 sf
    - 41 2-bedroom – 980 to 1050 sf
    - 4 3-bedroom – 1240 sf
- 84,867 sf Gross Floor Area (Calculated from outside face of wall)

### **Density Bonus Calculations**

- 57 units allowed per zoning (4.72 acres x 12 units/acre = 56.64 units)
- 14 affordable units (24%) restricted to “lower income” (57 x 0.24 = 13.68 units)
- 50% density bonus allowed for 24% lower income units, per Table 7-2
  - 57 units x 0.50 = 28.5 density bonus units allowed  
(Pursuant to State Density Bonus Law, density bonus can be increased to the next whole number, which would allow 29 additional units for a total of 86)
- 86 total units (57 per zoning + 29 density bonus = 86)
  - 72 market rate rental units
    - ✓ 55 Locals Restricted (Workforce Housing Units)
    - ✓ 17 Unrestricted
  - 14 affordable rental units (See Affordable Housing Agreement)

### **Incentives / Concessions / Waivers**

This mixed-use development qualifies for a State Density Bonus under California Government Code Section 65915 due to the inclusion of affordable housing units. Based on the percentage of affordable housing units proposed (24% low-income), the project is entitled to three incentives or concessions. Waivers of development standards that physically preclude construction at the permitted density or with requested incentives are also allowed and do not count toward the incentive limit. The following requests align with the State Density Bonus Law’s goal of reducing costs and incentivizing affordable housing.

#### ***Requested Incentives/Concessions***

The following incentives or concessions are requested to reduce development costs and make the inclusion of affordable housing units financially feasible. Each request is necessary in overcoming constraints that would otherwise increase project costs, reduce the number of affordable units, preclude the ability for rents to be set at affordable rates, and render the project infeasible.

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### ***1. Waive Requirement for Private Outdoor Spaces (Balconies, Porches, Decks, Patios)***

**Justification:** The Town of Truckee's Development Code requires private outdoor spaces for multi-family residential units, increasing construction costs due to additional materials, structural engineering, and design. Waiving this reduces per-unit costs, enabling rents for the targeted units to be affordable. This is necessary for project feasibility.

### ***2. Waive 50-50 Commercial-Residential Floor Area Requirement.***

**Justification:** The Town requires a 50-50 split between commercial and residential floor area in the CR zoning district, limiting residential units. Waiving this results in identifiable cost reductions (building more commercial space would significantly increase costs) and enable rents for the targeted units to be affordable while maintaining commercial uses that support economic vitality, aligning with State Density Bonus Law.

### ***3. Waive Maximum FAR Requirement (0.25)***

**Justification:** The Town's 0.25 FAR limit for combined residential and non-residential uses restricts the project's ability to include extra residential units allowed by the Density Bonus. Waiving this limit results in cost reductions due to efficiencies of scale and enables rents for the targeted units to be affordable, supporting the project's affordability goals.

## ***Requested Waivers of Development Standards***

The following waivers of development standards are needed because these standards physically preclude the construction of the project at the density permitted under the State Density Bonus Law or with the requested incentives and concessions. Under Government Code Section 65915(e), waivers are allowed and do not count toward incentives or concessions.

### ***1. Section 18.25.050.C.3.b – Multifamily Site Design (Parking)***

**Justification:** This Code Section requires a landscape island for every ten parking spaces, but the project proposes a larger 5,628 sf central island instead. This design provides more landscaping, maintains parking, and improves functionality. Adding more islands would reduce parking and physically preclude construction of an affordable housing project at the densities permitted by law.

### ***2. Section 18.25.090.C.6 – Multifamily Architectural Elements (Storage)***

**Justification:** The requirement for 40 sf of storage per unit (beyond bedroom closets) would force fewer residential units, including affordable and workforce housing units. That is, adding 40 sf of storage per unit would physically preclude construction of an

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affordable housing project at the densities permitted by law. Waiving this prevents unit reductions, ensuring the project meets the permitted density.

### **3. Section 18.58.050.D.2 – Common Outdoor Area**

**Justification:** The requirement to provide the equivalent of 250 sf of common outdoor area per residential unit cannot be achieved on-site without reducing the number of affordable residential housing project at densities permitted by law. The project offers an overall outdoor area of over 11,000 sf PLUS pedestrian pathways/sidewalks that connect to a public Class I trail system. Waiving this requirement for additional Common Outdoor Area than what is already being proposed avoids reducing the building size (which would result in a reduction to workforce and affordable units) or parking, supporting the full density permitted by law.

### **4. Landscaping Within Drainage Easement**

**Justification:** The requirement to provide landscaping between the parking and CMU block wall along the southeastern property line cannot be achieved because of an existing 10-foot-wide Drainage Easement. Required landscaping within an easement is prohibited by the Development Code unless all entities with an interest in the easement provide written consent. In speaking with Staff, the Drainage Easement shall remain unencumbered to convey water from parcel 3 to Soaring Way and landscaping could impede the drainage flow. Waiving this requirement allows drainage to remain functional while avoiding a costly project redesign that would reduce the number of affordable residential housing units.

## **Parking**

The parking requirements in relation to the proposed land uses are as follows:

PARKING STATISTICS					
LAND USE	PARKING DEMAND	GFA (SF)	REQUIRED	PROPOSED	DIFFERENCE
RETAIL	1 PER 250 SF	9,991	40	47	+7
RESTAURANT, COFFEE SHOP	1 PER 100 SF	2,072	21	21	–
OFFICE	1 PER 250 SF	2,684	11	11	–
RESTAURANT (PATRON AREA)	1 PER 75 SF	4,607	61	61	–
RESTAURANT (SERVICE AREA)	1 PER 300 SF	3,055	10	10	–
BUILDING SERVICES/UTILITY	NONE REQUIRED	1,226	–	–	–
OUTDOOR DINING	1 PER 100 SF	1,298	13	13	–
MULTI-FAMILY	SEE "RESIDENTIAL PARKING" CHART	86 Units	109	109	–
TOTAL PARKING REQUIRED			265	272	+7

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RESIDENTIAL PARKING	SPACES
(11) STUDIO (1 SPACES PER UNIT)	11
(30) 1 BEDROOM (1 SPACES PER UNIT)	30
(41) 2 BEDROOM (1.5 SPACES PER UNIT)	62
(4) 3 BEDROOM (1.5 SPACES PER UNIT)	6
TOTAL	109

**Required onsite parking = 265 / Proposed onsite parking = 272**

### **Bicycle Parking**

Both long-term and short-term parking are proposed. The required amount of bicycle parking is equal to 25 percent of the parking demand for the project, with at least 45 percent of the required parking spaces provided as enclosed spaces. Based on a Development Code parking demand of 341 parking spaces, the required bicycle parking is 85 spaces (341 x 0.25), with at least 38 “long-term” parking spaces (85 x 0.45). Short-term bicycle parking is provided near each building on bicycle racks.

#### **Long term parking (Secured Room on Ground Floor of Bldg E)**

- Required - 38 / Proposed - 38

#### **Short-term parking (Bike racks near Bldg D & Bldg E)**

- Required – 47 / Proposed – 50 (30 near Bldg D and 20 near Bldg E)

## **Findings – Development Permit**

**1. *The proposed development is:***

***A. Allowed by Article II (Zoning District and Allowable Land Uses) within the applicable zoning district with the approval of a Development Permit, and complies with all applicable provision of the Truckee Development Code, Municipal Code and Public Improvement and Engineering Standards.***

The project aligns with zoning regulations under Article II, requiring a Development Permit. It has been designed to meet the Truckee Development Code, Municipal Code and Public Improvement and Engineering Standards.

***B. The proposed site is served by streets adequate in width and pavement type to carry the quantity and type of traffic generated by the proposed development.***

The site's street and driveway network as well as Soaring Way, are suitable for handling the expected traffic volume, ensuring adequate access and emergency ingress/egress.

**2. *The Development Permit approval is in compliance with the requirements of the California Environmental Quality Act (CEQA) and there would be no potential significant adverse effects upon environmental quality and natural resources that would not be properly mitigated and monitored, unless a Statement of Overriding Considerations is adopted;***

The project was previously approved and found to comply with CEQA. All potential impacts were properly mitigated to less than significant levels. The amended project does not pose any new adverse effects to the environment that have not already been evaluated and/or properly mitigated. No Statement of Overriding Considerations is necessary.

**3. *There are adequate provisions for public and emergency vehicles access, fire protection, sanitation, water and public utilities and services to ensure that the proposed development would not be detrimental to public health and safety. Adequate provisions shall mean that the distribution and collection facilities and other infrastructure are installed at the time of development and in operation prior to occupancy of buildings and the land and all development fees have been paid prior to occupancy of buildings and the land;***

As part of the Joerger Ranch Specific Plan approval process and certified resolutions, Truckee Sanitary District (sewer), Truckee Donner Public Utility District (water & electrical), Truckee Fire Protection District, and Town Engineering reviewed the documents and confirmed existing and required infrastructure to ensure adequate provisions would be in place prior to

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building occupancy. Facilities fees for all agencies, including water, sewer, and fire are required prior to building permit issuance.

- 4. *The proposed development is consistent with all applicable regulations of the Nevada County Environmental Health Department and the Truckee Fire Protection District for the transport, use and disposal of hazardous materials.***

The project meets all the current requirements of the Truckee Fire Protection District related to access and public safety. There are no hazardous materials associated with this project.

- 5. *For projects that are not processed concurrently with Streamlined Residential Review (Chapter 18.79), the proposed development is:***

- A. Consistent with the General Plan, any applicable Specific Plan and/or Master Plan, the Trails Master Plan, the Truckee Tahoe Airport Land Use Compatibility Plan the Particulate Matter Air Quality Management Plan.***

The project is consistent with the Joerger Ranch Specific Plan and General Plan except for 3 requested Incentives/Concessions and 1 waiver of development standards, as outlined in the Affordable Housing Plan. Previous conditions of approval require offsite trail construction consistent with the Trails Master Plan. All commercial and residential land uses proposed are compatible with the Truckee Tahoe Airport Land Use Compatibility Plan. Air quality will be properly mitigated during construction to comply with the Particulate Matter Air Quality Management Plan.

- B. Consistent with the design guidelines, achieves the overall design objectives of the design guidelines and would not impair the design and architectural integrity and character of the surrounding neighborhood.***

The architecture and overall design is compatible with the design guidelines and surrounding neighborhood to preserve the architectural integrity of the area.

- C. The subject site is:***

- 1. Physically suitable for the type and density/intensity of development being proposed; and***
- 2. Adequate in size and shape to accommodate the use and all fences and walls, landscaping, loading, parking, yards and other features required by this Development Code.***

The site can accommodate the density and square footage proposed with the approval of incentives/concessions/waivers which are allowed under Density Bonus Law.

## **Findings – Planned Development**

***1. The proposed development is:***

- A. Allowed within the subject zoning district;***
- B. Generally, complies with all the applicable provisions of the Development Code and Public Improvement and Engineering Standards relating to both on- and off- site improvements that are necessary to accommodate maximum flexibility in site planning and property development and to carry out the purpose, intent and requirements of the respective zoning district, including prescribed development standards and applicable design guidelines;***
- C. Consistent with the Town of Truckee General Plan, and any applicable Specific Plan and/or Master Plan, the Trails Master Plan, the Truckee Tahoe Airport Land Use Compatibility Plan and the Particulate Matter Air Quality Management Plan.***

The development of commercial and residential uses are allowed in the CR zoning district.

The project has been designed to meet the requirements of the Development Code, P.I.E.S. and Joerger Ranch Specific Plan. Minor deviations are addressed with requested incentives/concessions/waivers which are allowed for projects that qualify for a Density Bonus. The Joerger Ranch Specific Plan was approved and found to be consistent with the General Plan and all other applicable plans.

***2. The proposed project would produce a comprehensive development of superior 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 from the strict application of the provisions and standards identified in this Development Code;***

The project proposes a mix of land uses including various commercial uses and residential multi-family units, including opportunities for affordable housing and workforce housing. Additionally, extensive offsite improvements have been made (and are required with this phase) including public trail connections, utility upgrades, mainline extensions, roadway improvements, etc.

***3. The proposed development is consistent with the design guidelines, achieves the overall design objectives of the design guidelines and would not impair the design and architectural integrity and character of the surrounding neighborhood;***



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The architecture and overall design is compatible with the design guidelines and surrounding neighborhood to preserve the architectural integrity of the area.

- 4. There are adequate provisions for public and emergency vehicles access, sanitation, water and public utilities and services to ensure that the proposed development would not be detrimental to public health or safety. Adequate provision shall mean that distribution and collections facilities and other infrastructure are installed at the time of development and in operation prior to occupancy of buildings and the land;***

As part of the Joerger Ranch Specific Plan approval process and certified resolutions, Truckee Sanitary District (sewer), Truckee Donner Public Utility District (water & electrical), Truckee Fire Protection District, and Town Engineering reviewed the documents and confirmed existing and required infrastructure to ensure adequate provisions would be in place prior to building occupancy. Facilities fees for all agencies, including water, sewer, and fire are required prior to building permit issuance.

- 5. The design, location, size and operating characteristics of the proposed development would not be detrimental to the public health, safety, or welfare of the Town or injurious to the property or improvement in the vicinity and zoning district in which the property is located.;***

The certified EIR found that development of the property consistent with the provisions of the Joerger Ranch Specific Plan and with the recommended conditions of approval and mitigation measures, would not be detrimental to the public health safety or welfare of the Town.

- 6. The approval of the Planned Development is in compliance with the requirements of the California Environmental Quality Act (CEQA) and there would be no potential significant adverse effects upon environmental quality and natural resources that could not be properly mitigated and monitored, unless a Statement of Overriding Considerations is adopted;***

A Planned Development was previously approved and found to comply with CEQA. All potential impacts were properly mitigated to less than significant levels. The amended project does not pose any new adverse effects to the environment that have not already been evaluated and/or properly mitigated. No Statement of Overriding Considerations is necessary.

- 7. The subject stie is:***

- A. Physically suitable for the type and density/intensity of development being proposed;***

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***B. Adequate in size and shape to accommodate the use and all fences and walls, landscaping, loading, parking, yards and other features required by this Development code; and***

***C. Served by streets adequate in width and pavement type to carry the quantity and type of traffic generated by the proposed development.***

The site can accommodate the density and square footage proposed with the approval of incentives/concessions/waivers which are allowed under Density Bonus Law.

The site's street and driveway network as well as Soaring Way, are suitable for handling the expected traffic volume, ensuring adequate access and emergency ingress/egress.

***8. The proposed development is consistent with all applicable regulations of the Nevada County Environmental Health Department and the Truckee Fire Protection District for the transport, use and disposal of hazardous materials; and***

The project meets all the current requirements of the Truckee Fire Protection District related to access and public safety. There are no hazardous materials associated with this project.

***9. For applicants seeking relief from Section 18.78.040 (Mandatory Project Features), the following additional shall be made:***

***A. The cumulative parcel development consists of less than 5 residential units, less than 7,500 sq. ft. of commercial or industrial gross floor area and less than 23,000 sq ft of site distrurbanc; and***

***B. The requested Development Code deviation(s) is the minimum necessary to create a project of superior quality; and***

***C. The project achieves other General Plan housing, sustainability, or community enhancement goals than those listed in Section 18.78.040.***

This project is not seeking relief from Section 18.78.040; therefore this does not apply.