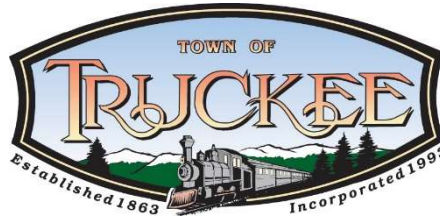


Town Council

David Timman, Mayor

Morgan Goodwin, Vice Mayor

David Polivy, Council Member
Anna Klovstad, Council Member
Jessica Abrams, Council Member



Department Heads

Jeff Loux, Town Manager
Andy Morris, Town Attorney
Robert Leftwich, Chief of Police
Kim Szczurek, Administrative Services Director
Judy Price, Communications Director/Town Clerk
Daniel Wilkins, Public Works Director/Town Engineer
Denyelle Nishimori, Community Development Director

July 11, 2019

David Kean and Tanya Africa
10144 High Street
Truckee, CA 96161

RE: Planning Application 2019-00000088/PAR (Kean-Africa Preliminary Application Review); 10144 High Street (APN 019-103-002-000)

Dear Mr. Kean and Ms. Africa:

Thank you for submitting your application for the Kean-Africa Preliminary Application Review on June 7, 2019. The Planning Division has reviewed the information you provided and has prepared the following feedback.

Your application requests preliminary review of a proposed lot line adjustment 10144 High Street, a residential property in Downtown Truckee (APN 019-103-002-000). The purpose of the proposed lot line adjustment is to obtain enough property to construct a residential garage with an accessory dwelling unit above the garage. The following feedback is provided in response to specific questions you included in your preliminary application submittal, as well as additional information prepared by staff to provide background information on the project site surrounding parcels, and information on the process that would be required to modify the parcel lines.

Project Background

The project site is an 0.11-acre parcel located at 10144 High Street in Downtown Truckee. The parcel is located within the Downtown Specific Plan Area of the 2025 General Plan and the property is zoned DRM-14 (Downtown Medium Density Residential, 14 Dwelling Units Per Acre). The site is developed with an existing single-family residence with access provided off High Street. The residence is identified in the Truckee Historic Resource Inventory as a Category A ("Essential") historic resource and has been identified as being built c. 1880. (A copy of inventory record #THRI-060 is attached for reference.)

The front of the parcel encroaches into the High Street public right-of-way to the south, and there is approximately 50 feet between the rear property line and edge of pavement on Keiser Avenue to the north. A Google Earth image is included below for reference, showing the approximate parcel lines of the project site and surrounding properties (please note that

the property lines are based on Nevada County parcel data and are therefore only approximate; a survey is required to verify the location of the parcel lines):



Based on Nevada County records, the property directly adjacent to the northern property line on your parcel is part of the Keiser Avenue public right-of-way. (See attached Assessor's Parcel Map.) A 2013 record of survey completed for several properties to the east of your parcel documents that a portion of the Keiser Avenue right-of-way adjacent to those properties was abandoned in 2004. (See Record of Survey 13-315.)

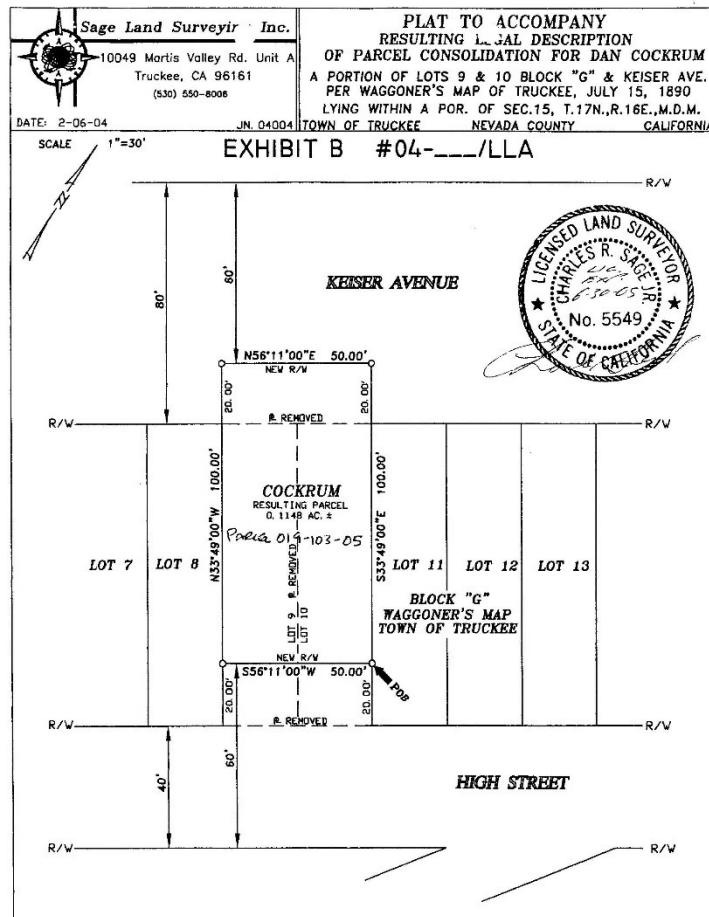
Town records show that this abandonment was processed as a right-of-way abandonment/dedication through the Town's Engineering Division. The purpose of the application was to shift the right-of-way lines adjacent to four properties with frontage on both High Street and Keiser Avenue. This involved shifting the right-of-way 20 feet to the north, resulting in a right-of-way abandonment (approximately 20 feet deep by 200 feet long) on Keiser Avenue and a right-of-way dedication of equal land area on High Street. As a result of the modifications, the right-of-way width of Keiser Avenue was reduced from 80 feet to 60 feet, and the right-of-way width on High Street was increased from 40 feet to 60 feet. The purpose of the modifications was to achieve a uniform 60-foot right-of-way on portions of both Keiser Avenue and High Street that better conformed to existing development, removing several existing buildings from the right-of-way and ensuring that existing roadway pavement outside the right-of-way line was included in the right-of-way dedication. The modifications were approved under Town Council Resolution 2005-04.

The Engineering Division has confirmed that the property to the north of your parcel is part of the Keiser Avenue public right-of-way. A right-of-way abandonment/dedication process would be required to modify the parcel lines, consistent with the 2005 abandonment process.

Applicant Questions

The specific questions included in your preliminary application submittal are addressed below:

1. If the lot line is adjusted, where will the property lines be?
 - This would depend on what is proposed as part of the right-of-way abandonment/dedication process. For example, the 2005 abandonment for the parcels to the east abandoned an area approximately 20 feet deep by 200 feet long on Keiser Avenue, with a right-of-way dedication of equal land area on High Street. The following exhibit from that application shows how one of the parcels was modified through that approval:



Assuming that you were to propose similar modifications through an abandonment/dedication process, and propose to maintain the same right-of-way widths that were approved in 2005, the above diagram could be applied to your parcel to estimate where the approximate new parcel lines would potentially be located, as shown in the aerial view below:



2. Can we build a garage? If so, how big?
- Properties in the DRM zoning district have a 15-foot front yard setback, a five-foot side yard setback, and a 20-foot rear yard setback. The Development Code identifies that a through lot (i.e., a lot with frontage on two streets) is considered to have two front yard setbacks and no rear yard setback. Therefore, the frontage of the property along Keiser Avenue is considered to have a 15-foot front yard setback. The setback is measured from the property line.
 - Per the residential development standards (Development Code Table 2-4, Footnote #4), a garage may be allowed within front yard setbacks, not to exceed one story or 20 feet above driveway grade. The structure may not include second floor storage, habitable space, attics, etc. Storage and habitable space may be allowed below road and driveway grade. This means that an accessory dwelling unit above the garage would not be allowed unless the structure is located outside the required 15-foot front yard setback and five-foot side yard setback.
 - Under Development Code Section 18.30.120.F.3 (Garages), a garage for a single-family residence may be constructed within a front yard setback, up to one foot from the front property line. When the face of a garage entrance is situated approximately parallel to the front property line adjoining a street, the garage shall be set back a minimum of 20 feet from the edge of the pavement of the adjoining street, including sidewalks. In other cases, the garage shall be set back a minimum of 10 feet from the edge of the pavement of the adjoining street. The following standards apply:
 - The garage may not be located within a traffic and safety visibility area.

- Except for a vehicle entry door, no windows other openings are allowed on the garage elevation that is parallel to and facing into the street within the setback area
 - A garage within the front yard setback shall not exceed one story or 20 feet in height, whichever is less, as measured from the driveway grade at the garage entry door.
 - Use of the garage shall be limited to laundry facilities, parking of vehicles, personal work areas and storage. Living space such as a recreation room, home office, bedroom, living room and kitchen shall not be allowed in conjunction with a garage within the front or street side setback area, except that living space may be authorized below the garage, on a down sloping parcel in compliance with the minimum setback for a garage in Section 18.30.120.F.3.a. Uncovered decks with railings four feet or less in height may be allowed on the top of the garage.
 - A cornice, eave or roof overhang for a garage may extend up to a maximum of 36 inches into the setback, but shall be located at least one foot from the property line.
- The minimum dimensions for a garage are 10'x20' for a one-car garage and 20'x20' for a two-car garage. Based on the survey provided, it appears that the existing structure is located approximately eight feet from the property line along Keiser Avenue. Theoretically, if the property line were to move 20 feet to the north, this would result in approximately 28 feet between the existing structure and property line. Consulting an architect or designer is recommended to determine whether this amount of space is large enough to accommodate an accessory garage structure that meets the Development Code standards identified above, as well as all California Building Code requirements—and if so, what size the garage could be. This would provide information to help you determine the feasibility of constructing a garage in this location; however, any right-of-way abandonment/dedication would require approval by the Town Council, so the Council would be the review body that would decide whether the proposed project is ultimately approvable.
 - Any exterior modifications to properties within the Historic Preservation Overlay District require Historic Design Review, including new construction. The Historic Preservation Advisory Commission will review any proposed garage addition and will make a recommendation to the review authority on whether to issue a Certificate of Appropriateness for the proposed project. As part of its review, HPAC will analyze the proposed project to determine whether it is consistent with Town policies and standards, including those provided in the Historic Design Guidelines. We recommend that you review the information provided in the Historic Design Guidelines, including Chapter 13 (New Construction) and Chapter 19 (The McGlashan Character Area).
 - For projects that are unable to comply with the development standards, Development Code Chapter 18.82 (Variance and Historic Variances) provide a process to request modifications and adjustments of the Code standards. A variance may only be approved by the Zoning Administrator when, because of special circumstances applicable to the property (including location, shape, size, surroundings or topography), the strict application of the Development Code would deprive the property owner of

privileges enjoyed by other property owners in the vicinity and under identical zoning districts. In order to approve a variance, the review authority must make all the required findings identified in Development Code Section 18.82.030 (Findings and Decision). These findings are generally difficult to make, and variances are not typically granted for the addition of an accessory residential structure. If you are recommended in pursuing this process, we recommend that you review the required findings identified in Section 18.82.030 and provide a clear explanation in your application submittal of why each finding can be made.

3. After the lot line adjustment, will we encroach onto the Town's setback for Keiser Street?
 - The front yard setback is measured from the front property line. As discussed above, a through lot is considered to have two front yard setbacks; therefore, the Keiser Avenue property line is considered to have a 15-foot front yard setback. Encroachments into the front yard setback are allowed in compliance with the standards identified above.
4. If after the lot line adjustment, we don't own to the setback, who owns that land?
 - Rights-of-way do not have setbacks. Any portion of the right-of-way that is abandoned and merged with your parcel then be part of your property, and the front setback would be measured from the new location of the front property line. Any land between the front property line and the edge of pavement is part of the right-of-way.

Application Processing

Based on the information provided in the preliminary application submittal, it appears that the following approvals will be required for the project:

- **Right-of-Way Abandonment/Dedication** to abandon a portion of the Keiser Avenue right-of-way and shift the northern property line further to the north, as well as shifting the southern property line to dedicate an equivalent amount of property along High Street;
- **Zoning Clearance** for projects of a single family dwelling, secondary residential unit, and/or residential accessory structure, a change in land use, new structures or additions to existing structures with a total gross floor area of less than 5,000 square feet in Downtown Residential and Downtown Commercial and Manufacturing zoning districts; and
- **Historic Design Review** for new construction on properties located within the Historic Preservation Overlay District.

Any abandonment of public right-of-way or sale of Town property requires approval by the Town Council. Based on the preliminary application submittal, the Town Council would be the ultimate review authority for the project.

When more than one land use entitlement is requested, the application is processed as one application under the highest deposit amount for the individual application types. In this case, the required deposit for a Historic Design Review application is \$2,000.

Agency Comments

The preliminary application was routed for review by all Town departments and outside agencies that may have an interest in the application. Copies of all routing comments received are attached to this letter for reference.

The Town supports development of the project site with uses that are compatible with the General Plan, Development Code and Historic Preservation Overlay District. Our staff will continue to work with you on developing a concept for the site which will ensure that the proposed project is consistent Town goals and policies, and addresses the community's expectations and overall goals for Truckee.

To submit a formal application, please complete a Land Use/Zoning Application form along with the applicable application checklists, and submit the completed documents with the application fee to the Town of Truckee Planning Division. The application can be submitted electronically to jpaping@townoftruckee.com and payment can be made over the phone with a credit card, or the application can be submitted in person or by mail to the Town of Truckee Planning Division, 10183 Truckee Airport Road, Truckee, CA, 96161.

If you have questions or would like clarification on any of the information contained in this letter, please feel free to contact me at (530) 582-2937 or LDabe@townoftruckee.com.

Sincerely,

A handwritten signature in blue ink, appearing to read 'L. Dabe', is positioned above the printed name.

Laura Dabe
Assistant Planner

Enclosure