



Date: September 13, 2022

Honorable Mayor and Council Members:

Author and title: Chantal Birnberg, Associate Planner

Title: **Planning Application 2020-00000112/HDR-ZC-ROW-LLA (Kean-Africa Garage Addition);  
10144 High Street (APN 019-103-002-000)**

Approved By: \_\_\_\_\_ Jen Callaway, Town Manager

**Recommended Action:** That the Town Council adopt Resolution 2022-53, accepting the recommendation of the Historic Preservation Committee and approving the Zoning Clearance, Right-of-Way Abandonment/Acquisition, and Lot Line Adjustment. These entitlements encompass the after-the-fact approval of multiple unpermitted changes to the Category A historic home, a proposed bathroom addition to the existing structure and the construction of a new detached two-car garage with associated covered walkway and patio and a Right-of-Way (ROW) land exchange and Lot Line Adjustment to conform new property lines to the change in ROW location.

**Project Summary:** The applicant is requesting Town Council approval for the construction of a bathroom addition and a changeout to kitchen windows (2) to an existing Category A residence and a new detached two-car garage and covered walkway and patio at 10144 High Street (APN 019-103-002-000). The applicant requests to exchange ROW with the Town to increase the buildable area to the rear of the existing residence to construct the garage. Staff has determined that the following approvals from the Town Council are required for the proposed project: **1) Zoning Clearance/Certificate of Appropriateness** required for projects on historic properties with less than 5,000 sq. ft. of floor area and less than 26,000 sq. ft. **2) Right-of-Way Abandonment** for exchange of Town-owned property on High Street and Keiser Street; and **3) Lot Line Adjustment** to adjust the property lines after the ROW exchange. The Town Council is the review authority for the exchange of Town property, and therefore is the review authority for this project, including the Zoning Clearance and Lot Line Adjustment.

**Location:** The project site is located in the McGlashan's Addition Subdivision at 10144 High Street (APN 019-103-002-000). The parcel is 0.11 acres in size and is considered a "through lot", with access available from both High and Keiser Street. The site is surrounded by residential parcels and is located in the DRM-14 (Downtown Medium Density Residential – 14 units/acres) zoning district and the Downtown Specific Plan Area of the 2025 General Plan.



**Figure 1: Project Location**

**Background:** The existing residence is classified as a Category A (“Essential”) historic resource. Category A resources are the Town’s best examples of representing Truckee history. They are individually eligible for listing in the National Register of Historic Places and meet strict criteria for exemplifying the history of the state and nation.

Key historic features of this residence include Folk Victorian architecture, front-gable crosswing T-Plan with slightly overhung eaves and dentil blocks, historic fenestration patterns and turned spindlework balustrade and stair rails. The resource “retains integrity of location, design, materials, and workmanship”

(Attachment #2 – Historic Resource Inventory THRI-60). Replacement of the multi-light windows with appropriate historic forms and materials (potentially one-over-one double hung wood sash) is noted as a potential restoration opportunity.



**Figure 2: Historic Resource Inventory Photo**

**Mills Act Contract:** On December 10, 2004, the applicants entered into a Mills Act contract with the Town, meaning the owner has entered into an agreement with the Town to receive tax reductions in exchange for preserving, maintaining and, when necessary, restoring the historic resource. Conditions of this contract state that all work and changes to the property must comply with the Town Municipal



Code and conform to the rules and regulations of the Office of Historic Preservation of the Department of Parks and Recreation, the United States Secretary of the Interior's Standards for Rehabilitation, and the State Historical Building Code. The contract specifies that the Community Development Director must be notified of all changes to the exterior features of the historic property prior to their execution (Attachment #3).

### ***Past Approvals/Applications/Review***

*Kean-Africa High Street Rehabilitation (Application 05-025/HPAC-ZC):* In 2005, the applicant requested Historic Design Review and Zoning Clearance to rehabilitate the historic residence. The Community Development Director approved raising the height of the residence by two feet, installing a new perimeter foundation, rebuilding of the front and rear porch and adding gingerbread detailing to the cottage. Along with the front porch remodel, historical post details were added, a restoration opportunity suggested in the Truckee Architectural Inventory Report. The project also included the change out of the south elevation windows to more historically appropriate wood framed windows.

*Kean Residential Fence Replacement (Application 2015-00000052/HDR):* In 2015, based on HPAC's recommendation, the Community Development Director reviewed and approved a request to remove an existing wood picket fence and replace the fencing with a six-foot-tall iron fence. The Commission recommended the applicant install the fence in a manner that would facilitate easy removal once the fence is no longer needed for dog security. The current fencing is white wood picket, and it is unknown if the iron fence was installed and subsequently removed.

*Kean-Africa Preliminary Application Review (Application 2019-00000088/PAR):* In 2019, the applicant requested preliminary application review of a conceptual project for a garage with an accessory dwelling unit (ADU). Staff answered questions regarding the feasibility and entitlements necessary for the concept (Attachment #4).

*Kean Africa Garage Addition (Application 2020-000000112 – original submittal):* The original application included a bathroom addition, and detached garage with a separate living unit, not an ADU, below the garage. The applicant wished to have the option to short-term rent the new unit. The addition of a second unit on the property would necessitate a change in use from single-family to multi-family, also an allowed use in the DRM zone district. While the construction of an ADU, as proposed in the earlier Pre-Application, would not require a change in use nor additional parking, the construction of a market rate unit would trigger the need to meet off street multi-family parking requirements (5 total parking spaces, with one space per unit in a fully enclosed garage). As only two spaces were provided in the initial submittal, staff worked with the applicant to submit a Minor Use Permit application to request meeting the required on-street parking within the Town's ROW, per the requirements in Section 18.48.110.D. The original project was submitted on August 14, 2020 and deemed complete for processing on June 1, 2021. Shortly thereafter, the applicant requested to put the project on hold. The applicant revised the project and provided new plans, removing the residential unit and the on-street parking on October 22, 2021.

- *Historic Preservation Advisory Commission – April 27, 2002:* The Commission reviewed the revised project proposal and requested a continuance to allow the applicant to provide additional information. The Commission requested the following:

- **Site plan.** The site plan did not accurately represent the proposed project and the Commission felt it was difficult to read due to the amount of information on the plan. HPAC requested a clear and accurate site plan.
- **Elevations.** The submitted elevations had discrepancies between existing features, proposed features and was missing a portion of the new bathroom elevation. HPAC requested the elevations be updated to clearly show what the Commission was asked to review.
- **Window/Door schedule.** HPAC requested a window and door schedule to clarify proposed window and door sizing and types.

- **Right-of-Way treatment.** HPAC did not support the use of gravel for the ROW proposed on High Street.

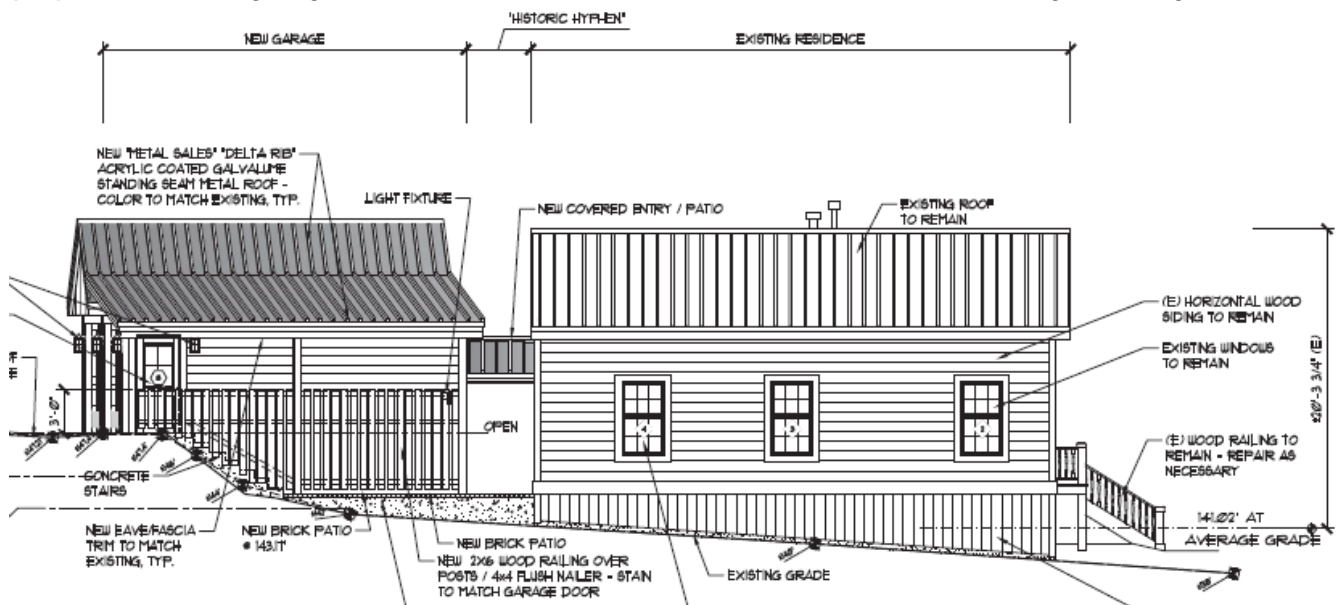
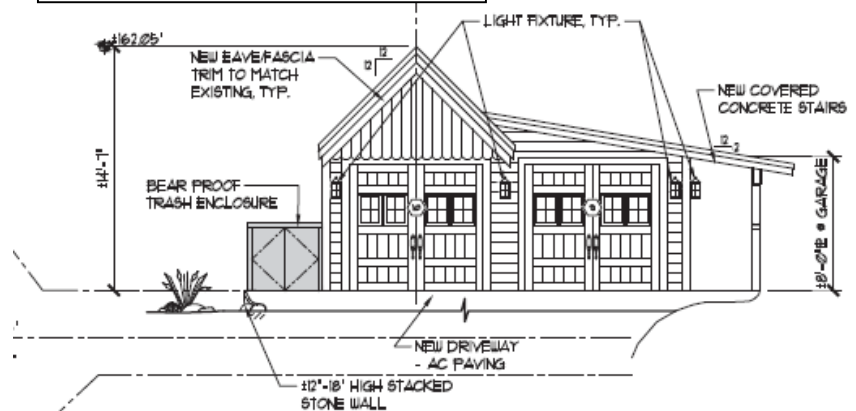
- *Historic Preservation Advisory Commission – June 22, 2002:* The Commission recommended Town Council approval of the project (granting of the Certificate of Appropriateness) as proposed with all of the after-the-fact changes and seeding mix with or without the landscape berm in the right-of-way.

**Project Description:** The applicant proposes the construction of a 506 sq. ft. detached two-car garage, covered walkway, at-grade patio, a changeout to kitchen windows (2), and increase in size of wood louvers, and 48 sq. ft. bathroom addition. Access to the detached garage is provided from Keiser Street. Full sized plans are included as Exhibit A in Attachment 1. To fit the proposed garage onsite, the applicant proposes to exchange an equal amount of land with the Town to increase the developable area behind the residence. A Lot Line Adjustment would then be processed to finalize the property lines after the land exchange.

### *Detached Garage*

The detached garage is 506 sq. ft size and 15 feet in height, designed with a simple gable roof and vertical wood siding to the gable ends, mimicking the gable roof on the historic residence. A shed roof provides covered access along the concrete stairs from the garage to the rear of the home. A wood slat screen fence is proposed along the covered walkway in a vertical pattern. However, the Development Code does not allow fencing at the height currently proposed, and the applicant will be required to reduce the fencing to three feet within the front setback and six feet outside of the setback. The materials and colors proposed for the garage match those found in the historic residence including standing seam metal

**Figure 3: North garage elevation**



**Figure 4: Proposed West Elevation (garage + connection to existing residence)**

roofing in "Ash Grey" and Douglas Fir v-groove wood siding in Chatsworth Cream. The garage doors are Western Red Cedar and will be custom made as represented in the garage elevations. Proposed materials are included in Exhibit C of Attachment 1.

### Modifications to the Existing Residence

The proposed bathroom addition is located over the existing rear porch. The addition will involve the relocation of the rear door and removal of one rear window. A covered entry and brick patio is proposed to connect the detached garage to the rear of the historic home. Two kitchen windows will be replaced on the east elevation. The louvered vents on the north and east elevations are also proposed to increase in size.

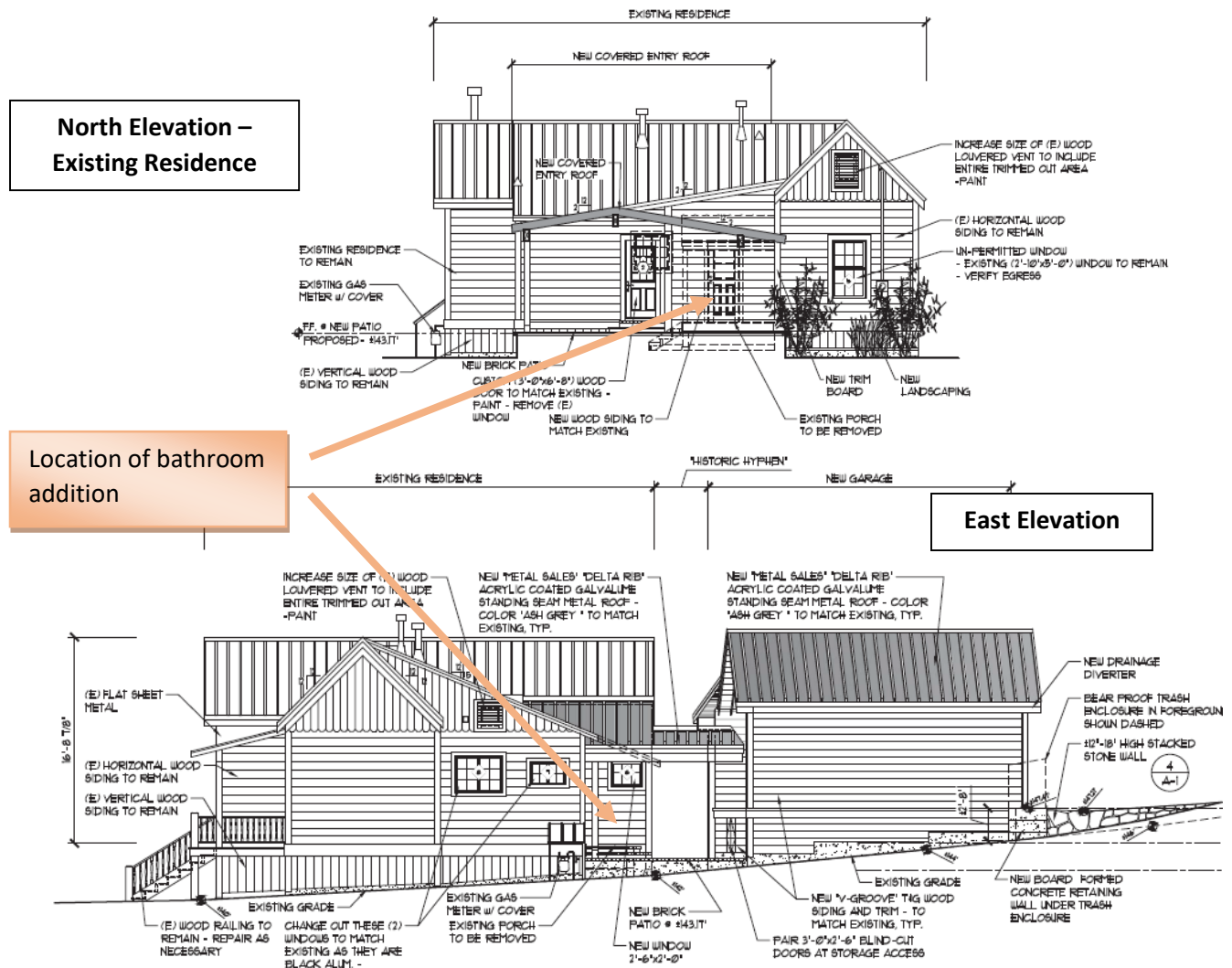


Figure 5: Location of bathroom addition

### Unpermitted Modifications

During project review, staff noted numerous unpermitted exterior modifications as well as an unpermitted conversion of storage space to living area (bedroom). These changes occurred at some point after the 2005 rehabilitation project. Staff hopes to bring the property into conformance with Development Code and Building Code standards by folding the "after-the-fact" modifications into the proposed project. HPAC review is required for all exterior modifications to historic properties and structures. Building permits are also required for many of the unpermitted modifications.

The modifications (Table 1) were reviewed by the HPAC and will be discussed as part of the findings for the Certificate of Appropriateness. Figures depicting the unpermitted modifications can be found in the June 22, 2022 HPAC memorandum (Attachment 5). If the after-the-fact modifications are ultimately approved by the Council, the applicant will be required to submit after-the-fact permit applications to the Building Division (Condition of Approval #20).

| Location                           | Unpermitted Modification                                            |
|------------------------------------|---------------------------------------------------------------------|
| <b>West Elevation</b>              | Existing windows (2) – windows have changed size and type from 2005 |
|                                    | New window opening created                                          |
| <b>North Elevation (Residence)</b> | New window opening created                                          |
| <b>South Elevation</b>             | Removal of dentil blocks                                            |
|                                    | Changeout of all windows (different division/types)                 |
|                                    | Lattice removed                                                     |
|                                    | Stovepipe removed                                                   |
| <b>East Elevation</b>              | Louvered vent added                                                 |
|                                    | Removal of door                                                     |
|                                    | Change in siding                                                    |
| <b>Existing Residence</b>          | Unconditioned storage space converted to additional bedroom         |

**Table 1: List of Unpermitted Modifications**

#### *Right of Way Exchange/Lot Line Adjustment*

The Right of Way (ROW) land swap provides a uniform 60-foot Town ROW on both Keiser and High Streets and allows the applicant to construct a garage to the rear of the historic residence. If the land exchange is approved by Council, the private parking area will be removed on the High Street frontage. Preliminary maps are included as Attachment #6.



**Figure 6: ROW Exchange**

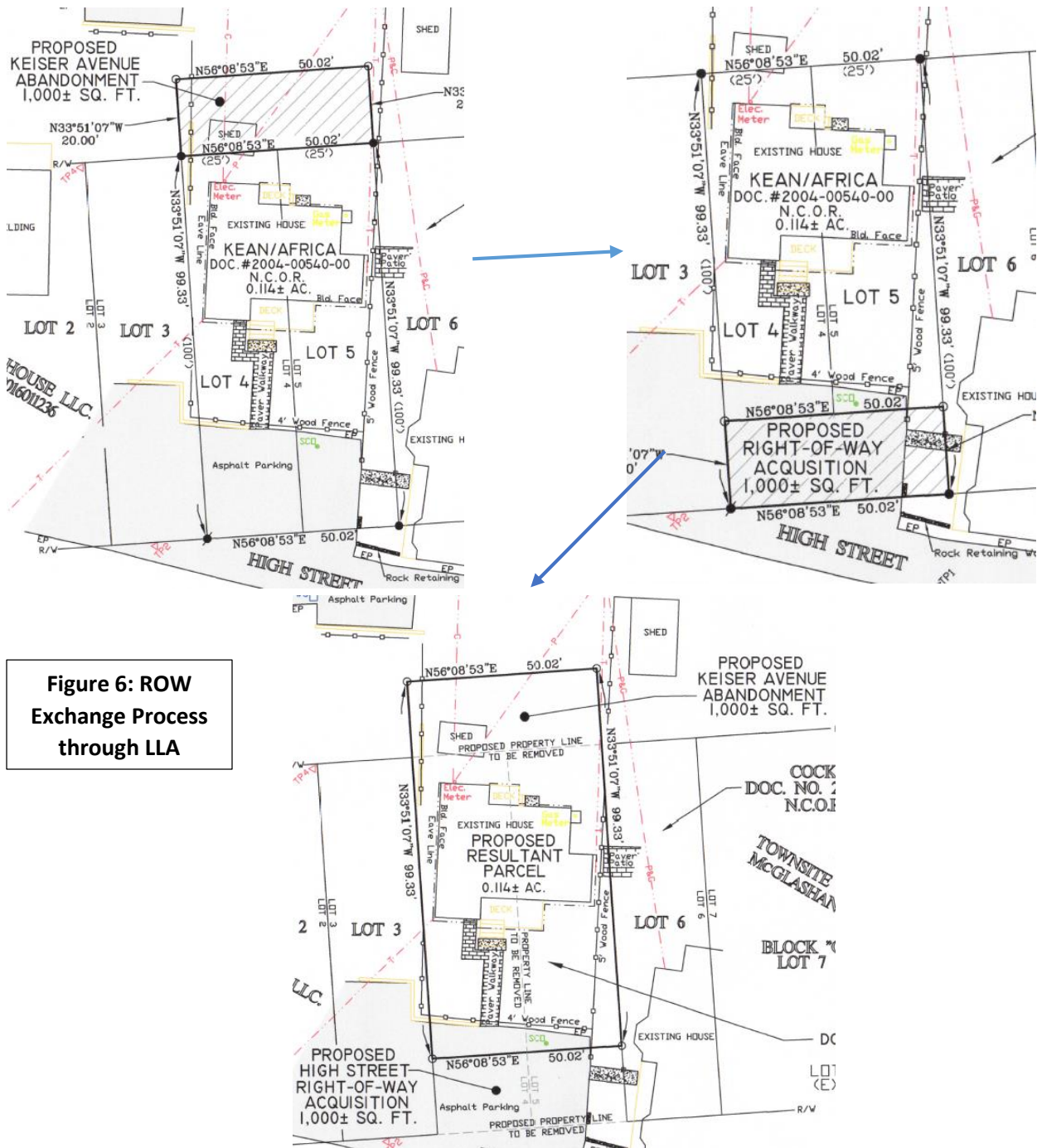
At the April 27, 2022 HPAC meeting, the Committee expressed concern regarding the installation of gravel on High Street in the Right of Way (ROW). Engineering staff provided the following acceptable options for ROW stabilization along High Street:

- Clean gravel. Various color gravel is permissible.
- Hydroseed with local, hardy groundcover seed mix.



- Stabilize ground for 10' from roadway pavement with one of the options above, then low berms (18" high max and minimum 10' from edge of pavement) with hardy landscaping/xeriscaping since it will need to be capable of withstanding snow storage. No irrigation will be permissible in this area, so hand watering by property owner until establishment would be required.

The HPAC found the hydroseed and/or berm options acceptable. A Hold Harmless and Maintenance Agreement with an Encroachment Permit will be required by Engineering prior to issuance of Building Permits for any improvements other than gravel soil stabilization.



**Figure 6: ROW Exchange Process through LLA**

If the ROW of exchange is approved by the Council, a Lot Line Adjustment would finalize the property lines post land exchange.

**Required Entitlements:** Staff has determined that the following approvals from the Town Council are required for the proposed project: **1) Zoning Clearance/Certificate of Appropriateness** required for projects on historic properties with less than 5,000 sq. ft. of floor area and less than 26,000 sq. ft. **2) Right-of-Way Abandonment** for exchange of Town-owned property on High Street and Keiser Street; and **3) Lot Line Adjustment** to adjust the property lines after the ROW exchange.

### ***Zoning Clearance/Certification of Appropriateness***

Zoning Clearance approval is required for projects on historic properties with less than 5,000 sq. ft. of floor area and less than 26,000 sq. ft. of disturbance. A Certificate of Appropriateness shall be granted by the review authority for all projects requiring a land use or building permit and will affect the exterior appearance of any building or property within the Historic Overlay District.

The review authority may approve a Zoning Clearance, with or without conditions, only if all the required findings can be made. The findings are discussed in detail in Exhibit C of Attachment #1. The main tenants of the Zoning Clearance findings are an analysis of whether the proposed development is an allowed use and is consistent with the Town's regulatory documents (i.e. Development Code, General Plan, Specific Plan, Public Improvement and Engineering Standards, etc.).

### ***General Plan Consistency***

The project site is within the Downtown Specific Plan Area, which encompasses Truckee's historic core. This designation allows commercial, industrial, public, and residential uses, and mixed-use commercial and residential uses.

Several General Plan goals and policies are relevant to this project, including, but not limited to the following:

### **Community Character Element**

- Guiding Principle: Maintain Truckee's unique qualities and sense of place to preserve the town's established historic and scenic mountain town character.
- Guiding Principle: Promote the highest possible standards of town design and planning and architecture in Truckee.
- Guiding Principle: Protect Truckee's historic and cultural resources.
- Goal CC-6: Maintain Downtown as the preeminent Town center in Truckee, with a vibrant Main Street, mixture of uses, and rich diversity of historic resources.
- Policy 6.2: Preserve Downtown's rich legacy of historic buildings and sites and ensure that new development respects the character and context of those resources.
- Goal CC-18: Preserve and enhance the town's historic and cultural resources.
- Policy 18.4: Provide incentives and technical assistance to property owners to apply for federal, State, local and private grants, loans and tax credits to preserve and rehabilitate historic buildings.

### **Downtown Specific Plan – Volume 3: Historic Design Guidelines**

#### ***Chapter 5: Preservation of Architectural Features***

- 1.A: Protect and maintain significant stylistic features.
- 1.B: Avoid removing or altering significant architectural features.
- 4.A: Reconstructing a missing feature is encouraged.

#### ***Chapter 6: Design Guidelines for Individual Building Components***

- 5.A: Preserve the functional and decorative features of original windows and doors.
- 5.B: Avoid changing the position of historic openings.
- 5.E: Maintain the historic subdivisions of window lights.
- 5.F: Maintain the historic ratio of window openings to solid wall.
- 5.G: When replacing a window or door is necessary on an historic structure, match the original design as closely as possible.



- 5.H: A new window or door may be considered on a secondary facade only.
- 5.I: Windows and doors should be finished with trim elements similar to those used traditionally.

#### *Chapter 9: Design Guidelines for Additions*

- 2.A: Design an addition such that it will not obscure, alter or destroy the character of the original building.
- 2.B: An addition should be visually subordinate to the main building. This is especially important for buildings rated “Essential” and “Contributing.”
- 2.D: The materials of an addition should be compatible with those of the primary structure.

#### *Chapter 10: Design Guidelines for Site Features*

- 7.A: Avoid parking in the front yard.
- 7.C: A garage should not dominate the street scene.
- 7.D: A detached garage is preferred.

#### *Chapter 19: Design Guidelines for the McGlashan Addition Character Area*

- 2.C: In order to minimize the impact of foundations either conceal or decrease the visible portions of the foundation.
- 3.A: New construction should appear similar in mass and size to historic structures found in the McGlashan Character Area.
- 4.A: Use building forms similar to those seen traditionally in the McGlashan Character Area.
- 5.A: A garage should not dominate the street scene.
- 5.B: A detached garage is preferred.

In staff’s opinion, the proposed project, not including the after-the-fact modifications, is consistent with the General Plan policies listed above. The garage and bathroom addition are modest in size, subordinate to the Category A historic residence, result in the removal of parking from the front of the house and use materials that are relevant to the existing structure. Staff is less clear on the consistency of the unpermitted modifications to the historic residence, with particular attention to the addition of two windows for the unpermitted bedroom (Chapter 6 5.B, 5.F) and the removal of the dentil blocks (Chapter 5 1.B, 4.A). Staff will discuss these modifications further in the Certificate of Appropriateness analysis below.

#### *Development Code Consistency*

The project site is located within the DRM (Downtown Medium Density Residential) zoning district, applied to parcels in the Downtown Study Area with existing residential development and areas appropriate for new medium density infill and clustered development in the form of single family and multi family dwellings. The maximum allowable density is 14 dwelling units per acre. The DRM zoning district is consistent with the single-family residential land use classification of the Downtown Specific Plan

Staff has reviewed the proposed project and finds that the project, when developed with the proposed conditions of approval, is consistent with all current Development Code standards, including the standards discussed below.

#### Development Standards

Development Standards for the DRM zoning district are provided in Development Code Section 18.08.040, Table 2-4 (Residential Zoning District General Development Standards), as identified in the table below:

| Development Standard | Required                                                                  | Proposed                                                                                                                 | Consistent?    |
|----------------------|---------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|----------------|
| Setbacks             | Front: 15' (through lot has two front setbacks)<br>Sides: 5'              | Detached garage is setback at least 5 feet from side setback and 1 foot from front property line as allowed by 18.58.220 | Yes            |
| Site Coverage        | 70% maximum                                                               | 58%                                                                                                                      | Yes            |
| Height Limit         | 35' or 3.5 stories, whichever is less                                     | 16'9" (1 story)                                                                                                          | Yes            |
| Open Space           | 30%                                                                       | 42%                                                                                                                      | Yes            |
| Fencing              | Maximum height of 3 feet in front setback, outside of front setback, 6 ft | Over 3' in front setback, over 6'. Condition of approval to reduce height.                                               | Yes with COA # |

With the incorporation of COA #19 and #20, the proposed project will meet all Development Code standards for the DRM zone district.

#### Historic Design Review (Chapter 18.77)

All projects that require a land use or building permit or will affect the exterior appearance of any building or property within the -HP district shall be subject to Historic Design Review in compliance with Chapter 18.77. The Historic Design Review application shall be forwarded to the Historic Preservation Advisory Commission (HPAC) for review. The HPAC shall review the application in accordance with the requirements of this Chapter and the Historic Design Guidelines and forward a recommendation of approval, conditional approval, or denial to the review authority, in this case, the Town Council.

In conducting a Historic Design Review for a particular project, the Town Council shall consider the location, design, site plan configuration and the overall effect of the proposed project upon surrounding properties and the Downtown Study Area in general. Historic Design Review shall be conducted by comparing the proposed project to applicable General Plan policies, the Downtown Specific Plan, adopted development standards, Historic Design Guidelines and other applicable ordinances and policies of the Town.

The Council may approve a certificate of appropriateness in accordance with Section 18.77.040 (Findings and Decision). The review authority may impose conditions to ensure that the project would meet all of the required findings.

The HPAC reviewed the proposed project and after-the-fact modifications at both the April 27, 2022 and June 22, 2022 HPAC meetings. The Committee recommended approval of the project as proposed with all after-the-fact modifications and the use of seeding mix with or without a landscape berm for the High Street ROW. When asked by staff if the HPAC would have approved the after-the-fact modifications if requested before implementation, HPAC affirmed that they would have been in support of all of the modifications.

To approve the certification of appropriateness, with or without conditions, the Town Council must make all of the following findings:

1. The project, including its character, scale and quality of design, are consistent with the purpose of this Chapter and all applicable development standards and historic design guidelines;
2. With regard to a designated historic resource, the proposed work will neither adversely affect the significant architectural features of the designated historic resource nor adversely affect the character of historical, architectural, or aesthetic interest or value of the designated resource and its site;
3. With regard to any property located within the District, the proposed work conforms to the historic design guidelines for the district and does not adversely affect the character of the district;
4. In case of construction of a new improvement, addition, building, or structure upon a designated historic resource site, the exterior of such improvements will not adversely affect and will be compatible with the use and exterior of existing designated historic resources, improvements, buildings, natural features and structures on said site.
5. The proposed project is consistent with the General Plan, the Downtown Specific Plan and any applicable master plan.

Staff supports making the findings for the proposed project, with the exception of the after-the-fact modifications. The detached garage and bathroom addition are thoughtfully designed to meet the historic design guidelines, are modest and subordinate to the historic residence, use materials (vertical wood siding, metal roof) and architecture (gable roof) that are complement and are representative of development during the time of the construction of the historic resource.

Table 2 lists modifications that connect to specific design guidelines and/or are noted as key attributes in the California Department of Parks and Recreation Primary Record and Building, Structure and Object Record for the historic home (Attachment 2 – THRI-60).

| Unpermitted Modification                                            | Historic Design Guidelines | Key Historic Features/Resource Attribute (THRI-60) |
|---------------------------------------------------------------------|----------------------------|----------------------------------------------------|
| Existing windows (2) – windows have changed size and type from 2005 | Chapter 6: 5A, 5E, 5.I     |                                                    |
| New window opening created                                          | Chapter 6: 5F, 5H          | yes                                                |
| New window opening created                                          | Chapter 6: 5F, 5H          | yes                                                |
| Removal of dentil blocks                                            | Chapter 5: 1A, 1B, 4A      | yes                                                |
| Changeout of all windows (different division/types)                 | Chapter 6: 5A, 5E, 5.I     |                                                    |
| Lattice removed                                                     | Chapter 19: 2C             |                                                    |

**Table 2**

The modifications listed in Table 2 correlate directly to the Historic Design guidelines and staff believes they warrant further discussion prior to accepting the HPAC's recommendation.

#### *Window changeouts*

The design guidelines direct that windows should “maintain the historic subdivisions of window lights” and “match the original design as closely as possible.” Window should also “be finished with trim elements similar to those used traditionally”. The HPAC reviewed the applicant provided window and door schedule (Exhibit A - Attachment 1) and supported the approval of all windows as proposed.

#### *Additional window openings*

As previously mentioned, the applicant created two new window openings as part of an unpermitted conversion of storage space to living area (bedroom). The guidelines state that the “historic ratio of



window openings to solid wall” shall be maintained and that a “new window...may be considered on a secondary façade only.” The fenestration pattern is highlighted as a key attribute of the historic residence. The HPAC supports the creation of the window openings. Staff finds it possible that changes to the fenestration pattern could adversely affect a significant attribute to the designated historic resource, however, as the windows are located on secondary facades (north and west), it is less likely to reduce negatively affect the character of the historic home.

#### *Dentil Blocks*

Dentil blocks are small rectangular blocks projecting beneath the roofline. The dentil blocks are listed as an architectural feature that is a “Key Existing Historic Feature/Resource Attribute” of the Category A historic building. These blocks were removed at some point after 2005. The guidelines state that removing significant architectural features should be avoided and that reconstruction of a missing feature is encouraged. Though small, the dentil blocks are highlighted in multiple sections of the historic residence’s inventory evaluation and highlighted as a key attribute. Staff believes this indicates the dentil blocks are a significant feature and should be reconstructed in order to satisfy Finding #2. If the Council agrees with staff’s analysis, Condition of Approval #21 would direct the replacement of the dentil blocks as directed by the Historic Design Guidelines.

#### *Lattice*

The lattice on the High Street elevation was approved as part of the 2005 renovation project. This lattice served to conceal the newly added foundation. Staff recommends the reinstallation of the lattice (or similar) as Condition of Approval #22.

Staff supports the approval of a Zoning Clearance with a Certificate of Appropriateness with the incorporation of the conditions of approval noted above.

#### ***Right of Way Abandonment/Acquisition and Lot Line Adjustment***

During the Pre-Application Review process, the Town and the applicant discussed methods to procure additional developable property at the rear of the residence for the construction of a garage. This would allow the new development to appear subordinate to the historic resource nor adversely affect the main frontage of the Category A historic residence. It was decided that the Town could swap ROW from the Keiser Street frontage to the High Street frontage. This would provide additional land for the applicant to construct a garage and provide a uniform 60-foot Town ROW on both streets. This is an equal land exchange between the public right-of-way and private property.

In order to accommodate the garage, a Minor Street Vacation is requested for a portion of High Street. The exhibit (Figure 6 and Attachment #6) is tentative. If Town Council approval is received, the applicant team’s surveyor will work on legal descriptions and plats for recordation. The Town Surveyor and Town Engineer will review the technical work to ensure accuracy prior to recordation.

Pursuant to Development Code Section 18.88.030.A (Minor Street Vacation), a request for the vacation of a street may be approved, with or without conditions, by the Town Council, by resolution without public hearing or notice only if the conformity of the request with the General Plan has been considered and one of the following findings can be made:

1. The street has been superseded by relocation of the street and utilities; the relocation of the street would not cut off all access to a person's property which, prior to relocation, adjoined the street; and the street is not necessary for present or prospective public use;
2. The street has been impassable for vehicular traffic for a period of five consecutive years, no public money was expended for maintenance on the street during such period, there are no in-place public utility facilities that are in use or would be affected by the vacation and the street is not necessary for present or prospective public use; or
3. The excess right-of-way of the street is not required for street purposes, there are no in-place

public utility facilities that are in use or would be affected by the vacation and the excess right-of-way is not necessary for present or prospective public use.



**Figure 7: Keiser  
ROW**

The Engineering Division has indicated that the portion of the Keiser ROW to be exchanged is not required for street purposes, there are no in-place public utility facilities that are in use or would be affected by the vacation and the excess right-of-way is not necessary for present or prospective public use Any and all public utility agencies and special districts with an interest in this Lot Line Adjustment and Minor Street Vacation application have been notified and have not objected. No existing utilities will be required to be relocated or removed.

Staff recommends approval of the proposed Minor Street Vacation and Lot Line Adjustment based on Finding No. 3 in that the ROW is not required for street purposes, there are no in-place public utility facilities that are in use or would be affected by the vacation and the excess right-of-way is not necessary for present or prospective public use, and that all public utility agencies and special districts with an interest in this street have been notified and no objections have been filed.

**Staff Recommendation:** Staff recommends that the Town Council adopt Resolution 2022-53, approving the Zoning Clearance, Certificate of Appropriateness, Right-of-Way Abandonment and Lot Line Adjustment, subject to the required findings and recommended conditions of approval.

**Environmental Review:** Staff recommends that Town Council determines the project to be exempt from further environmental review pursuant to Section 15301 (Existing Facilities) and Section 15303 (Small Structures) of the California Environmental Quality Act.

**Priority:**

|                                                    |                                                               |                                                  |
|----------------------------------------------------|---------------------------------------------------------------|--------------------------------------------------|
| <input type="checkbox"/> Enhanced Communication    | <input type="checkbox"/> Climate and Greenhouse Gas Reduction | <input type="checkbox"/> Housing                 |
| <input type="checkbox"/> Infrastructure Investment | <input type="checkbox"/> Emergency and Wildfire Preparedness  | <input checked="" type="checkbox"/> Core Service |

**Fiscal Impact:** The property is under a Mills Act Contract with the Town of Truckee, resulting in reduced property taxes paid to the Town in exchange for preserving, maintaining and, when necessary, restoring the historic residence. The Town will not incur fiscal impacts from the proposed new detached garage addition and bathroom addition as staff review time is covered by the requested application fees.

**Public Communication:** Town staff provided notice of this hearing through a public notice published in the Sierra Sun and a notice mailed to property owners within 500 feet of the project site. In addition, notice of this hearing has been provided in accordance with the Town Clerk's standard noticing procedures for Council meetings. As of the time of publication of this staff report, no public comment letters have been submitted.

**Attachments:**

1. Draft Planning Commission Resolution 2022-53
  - a. Proposed Plans and Materials
  - b. Conditions of Approval
  - c. Findings
2. THRI-60
3. Mills Act Contract – 10144 High Street
4. Kean-Africa Garage Addition Pre-Application Review – 2019-00000088/PAR
5. HPAC Staff Reports
  - a. [April 27, 2002 HPAC Staff Report](#)
  - b. [June 22, 2022 HPAC Memo](#)
6. Tentative Plats for ROW and LLA