



Planning Commission Meeting Minutes

October 18, 2022, 5:00 PM

Town Hall – Administrative Center | 10183 Truckee Airport Road, Truckee, CA

1. Call to Order 5:03PM

2. Roll Call - Chair Gove, Vice Chair Tarnay, Commissioner Riley. Commissioner Fraiman was noted as absent.

3. Pledge of Allegiance

4. Public Comment: Chair Gove opened public comment at 5:04PM. Seeing none, Chair Gove closed public comment.

5. Approval of Minutes

5.1 September 20, 2022 - Regular Meeting

The September 20, 2022, minutes was postponed to the next Planning Commission meeting due to a lack of quorum.

6. Public Hearings (Minor Review)

7. Public Hearings (Major Review)

7.1 Application #2021-00000097/DP-PD-AMD-UP-ZC (Soaring Ranch Phase 3; 10701 Soaring Way (APN 019-620-067-000); Applicant: J-MAR 2, LLC; Owner: JMAR-3, LLC; Agent: Rob Wood, Millennium Planning and Engineering

The applicant is requesting approval of land use entitlements for Soaring Ranch Phase 3, a mixed-use commercial and residential project located at 10701 Soaring Way (APN 019-620-067-000) within the Joerger Ranch Specific Plan Area. The applicant requests the following land use approvals: 1) **Development Permit** for projects that involve new non-residential structure(s) with 7,500 square feet or more of total gross floor area, 26,000 square feet or more of site disturbance, and/or 11 or more multi-family residential units; 2) **Planned Development Amendment** to revise the overall Soaring Ranch site plan to integrate the Phase 3 mixed-use development; 3) **Use Permit** to allow for multi-family residential units in the CR (Regional Commercial) zoning district at a density of 12 dwelling units per acre, consistent with the General Plan and Joerger Ranch Specific Plan, and to permit an accessory daycare use as a residential amenity for the tenants; and 4) **Zoning Clearance** to permit 7,834 sq. ft. of retail space in the CR zoning district. The applicant is requesting approval of a 50 percent density bonus to increase the number of residential units from 73 to 109, with 18 “lower income” affordable housing units. Through the density bonus concessions, modifications to the residential parking, private exterior space, and infrastructure requirements are requested.

At the September 20, 2022 Planning Commission hearing, review of the Soaring Ranch Phase 3 project (Town of Truckee Application #2021-00000097) was continued at the request of the applicant. This memo is intended to summarize additional information that has been provided by the applicant team and changes to the staff recommendation since the September hearing date.

Recommended Action: That the Planning Commission adopt Resolution 2022-12, determining the project consistent with the adopted Joerger Ranch Specific Plan and thereby precluding any further environmental review consistent with CEQA Section 15183 (Projects Consistent with a Community Plan, General Plan or Zoning) and Public Resources Code Section 21166 and CEQA Guidelines Section 15162 (Lead agency prohibition to require subsequent reports for a certified project unless specific events occur), and approving the Development Permit, Planned Development Amendment, Use Permit and Zoning Clearance, based on the recommended findings and subject to the recommended conditions of approval.

Applicant Presentation

A presentation was given by the following applicant team: Rick McConn (JMA), Art Chapman (JMA), Rob Wood (MPE), John Thatch (Dahlin), and Sean Whitacre (Dahlin).

Clarifying Questions for Staff:

- Why is the daycare considered residential square footage?
 - Because it is an amenity for the tenants versus a commercial daycare and open to the public.
- Why does the Truckee Tahoe Airport Land Use Compatibility Plan (TTALUC), say it's safe for 109 apartments but no more than 14 children for the daycare?
 - The way the TTALUC was written, it was determined that high density residential and a small daycare with 14 or less children would be okay. Those are not Town requirements; those are airport requirements.
- Regarding the affordable units - Is the 60% AMI due to our code, can that be amended?
 - It is based on state law. You must look at what the current income limits are. The density bonus will be consistent with what the state allows.
- Is the town using SB 330 as a guiding piece in reviewing this project?
 - We are complying all the current state laws, which would include SB 330.
- The concern here is we are getting more housing that our workforce does not qualify for.
 - Unfortunately, the Town is limited to the constraints of the density bonus law, and there is likely nothing the town can do unless the developer is amenable to other income ranges on the project.
- How does the need for a Use Permit play into our review? We are not looking to change the zoning, but the project was not zoned for housing; it was zoned commercial.
 - Housing is an allowed use in the CR Zone. That is why we need a Use Permit.
- What findings would need to be made to be objective?
 - For example, residential uses must have a 45-decibel interior noise level, and this site has noisier uses surrounding like Truckee Tahoe Lumber. So, one thing that would be looked at is the proposed construction would meet that objective standard to have that interior threshold for noise.
- Do we have the ability to add a condition of approval for the lease requirements?
 - The Town suggests that question be asked to the applicant to describe their project and how it fits into a workforce housing project.
- Is JMA contributing any amount to the 267 Brockway roundabout?
 - They are required to pay traffic impact fees like any other project in town. The roundabout contribution was to put money towards the upfront cost and get paid back later over time, which is separate from the traffic impact fee requirements.
- With regards to the workforce housing, there was a separation of the square footage of the commercial and the residential. Why is that?

- The original Specific Plan was written and applied to commercial square footage. When it was revised, we tried to clarify it should include all development and what the correct numbers should be. But none of that applies to this project.
- Because there is a clear policy in the Joerger Ranch Specific Plan that requires 50% of the jobs created would have associated housing. Does that hold any water; or is that subjective?
 - There was the 40% requirement that was used to calculate what each zoning district's workforce housing requirement was, which is how they came up with the number to put in place the trigger for the RMW parcel. What we've seen with Soaring Ranch is that the amount of commercial that was originally envisioned isn't proposed to build out the same way, so it will not hit the threshold that was originally anticipated.
- There is a policy in the Specific Plan about ensuring the housing is created.
 - That is related to the building of the RMW parcel. What JMA is building is significantly more housing than that market rate housing and some affordable housing, but in a different location in the Specific Plan.
- This roundabout contribution was not part of the traffic impact fee - how was that set up?
 - It is originally identified in the Specific Pplan. It is identified as a private fair share funding agreement between all the parcels within the Joerger Ranch Specific Plan. The applicant has identified it as a concession item for the project because the project itself doesn't trigger the roundabout at that intersection. So, it is just tying back to the Specific Plan requirement for the funding agreement. The justification for the concession is they are already contributing roughly \$2.6 million in traffic impact fees as part of Phases 1, 2, and 3. They are paying the required amount in the traffic impact report program, which will eventually go into funding the roundabout at that intersection. The fair share funding agreement is a fronting of the funds to build the roundabout, with a reimbursement from the traffic impact fee program.
- Regarding density bonuses - have infrastructure or improvements ever been considered development standards?
 - The Town hasn't had many requests for waivers at this point, so the threshold for a waiver comes back to the affordability of the project. That is why it is being requested; that is one of the ways this project can be financially feasible.
- What if they requested a waiver and they didn't want to pave their roads?
 - There is a life-safety component. The concession is fronting their portion of that roundabout in addition. Where they have already paid (or will pay) the traffic impact fees prior to building permit issuance. This additional condition was to require them to pay an additional frontage of money and get paid back over time.
- Would this cause an environmental problem of more greenhouse gas emissions than if they paid it as they agreed to in the Specific Plan, versus creating the roundabout sooner?
 - The roundabout is not being triggered at this point by this project. The Town does not feel this is an issue.
- Does this place a heavier burden on future properties?
 - No.
- In the final EIR for the Joerger Ranch Specific Plan, Mitigation Measure 3.11-E [reads full description] - Is that mitigation measure considered satisfied at this point?
 - Yes, that was satisfied as part of Soaring Ranch Phase 1.
- Would it be a future project that would trigger the construction of the roundabout?
 - Correct.
- Since it would not adversely impact a future developer, would they have to participate in the fair share agreement as well, or would they be able to get out of it too?
 - It would be staff's recommendation to implement it as it was originally written prior to the request for the concession for future projects.

- As far as capital improvement projects, is there any plan of getting it going sooner before it's triggered?
 - There is currently funding in this fiscal year for planning and design.
- Is that currently planned to be a double lane roundabout?
 - It is on Caltrans right-of-way. Therefore, it is a joint decision between the Town and Caltrans.
- There are very specific requirements per Government Code, Section 65941.1. Are all the requirements in the applicant's March submittal?
 - Yes, these were submitted as part of the preliminary application.
- Is there a 50-foot height limit because of the zoning?
 - Yes, the CR zone height limit is 50 feet.

Chair Gove called a 10-minute recess at 5:10PM

Chair Gove reconvened the meeting at 5:16PM

Clarifying Questions for Applicant:

- You are stating these units are geared towards Truckee residents. How will you ensure these are affordable to the people who are earning wages available in Truckee?
 - It is geared towards Truckee residents by having a local's preference and restricting short-term rentals.
- How long does the local's preference last? How long do they sit before they can be rented to someone else?
 - 90 days.
 - The concept is from the first 60-100 days when the project opens, they will be offered exclusively only to people who work within the school district boundaries. There will be no leases less than 6 months to eliminate the ski lease issue. Once the project is full, when vacancies occur there will be two waiting lists. The first would go to people who work within the school district boundaries and would get preference from people who live out of the area.
- Can you save more trees?
 - We are replacing more trees than we are taking out.
- What are the plans to address the snow in this mountain town?
 - We have been participating in Truckee for over 30 years and are very aware with the snow impacts.
- What are the plans to address the snow load that would be a safety hazard?
 - We have had a consultant working with us and what those fences are and have been very careful with the plan.
- Doesn't feel there are adequate shading devices on this project, specifically the south and west, and minimal roof overhangs, and really nothing on the windows to address the solar gain.
 - Some places do have shading, but we feel it is nice to have sun come through in especially in the winter months.
- Is there going to be air-conditioning?
 - Yes.
- Regarding workforce housing – would there be an openness to expanding the timeline of 90 days or making them 100% restricted to locals?
 - There is no lender in the world that would agree to put up a 40-million-dollar construction loan and have a project empty due to no demand. There must be a balance.
- Have you consulted with the entities with the Joint Powers Working Group; the airport, the hospital, the school district to help be a funding source so the housing could be 100% local's focus?

- Yes, we have talked to them, but it is very difficult to determine what an affordable housing rate is when you don't know what the cost of the product is yet. We have talked to staff about "master leasing" the units to large and small employers. Instead of quoting a specific rate for the units, we would quote a return on cost. We are trying to align our interests by reducing the cost of creating these units while still providing safety and decent housing.
 - Is there an opportunity to increase the landscaping within the parking area? One of the policies in the Joerger Ranch Specific Plan, ties to screening of the asphalt of the shading and there would be a break-up of the asphalt.
 - One of the requirements in final design is to meet shade calculations in the parking area, so we are obligated and committed to meeting all the standards.
- How does the daycare amenity work?
 - We wanted to build a community wide daycare, but the Town informed us that the Specific Plan did not have daycare as an eligible use. The airport showed concern to the daycare which we find confusing because the airport has a playground next to a runway on their site. The community has told us they want more daycares.
- You have the 6-month minimum lease, is that attended to service J-1s and seasonal employees like that?
 - No, it is intended to discourage ski leases.
- At 60% of the area median income, if you have a family of four with two wage earners, they each have to earn less than \$14.20 per hour. We don't really have those jobs here in Truckee. This question is for staff as well – Is there a way to change that to 80% of the area median income where you can at least make \$19-\$20 per hour.
 - We would certainly come back to the staff on a recommendation to do so. If that happens, we will come back in front of the Commission.
- So, if you cannot rent them at the 60% median income you will come back and try to change it to the 80% median income?
 - Yes, we don't want the units to go vacant and we know there are other problems of people coming in from out of the area and we do not want that either. We want this to work for local people. If the county median incomes are too low, we will come back in.
- There is one access of Building J to the bike path. Is there any way to create extensions off that?
 - We will certainly look at it with staff and if there is a mutual agreement, we will propose it.
- Staff Question: In our regular code, don't we have a requirement for tree-islands between a certain number of parking spaces?
 - Staff Response: Yes, the landscape standards in the Development Code do have general requirements for interior landscaping for parking lots.
- Staff Question: Does this Specific Plan have less requirements?
 - Staff Response: The general requirements that are listed in the Regional Commercial zones says "as required be Development Code Chapter 18.40" which is our landscaping chapter in the Development Code. There are some *guidelines* specific to landscaping in here, but they are guidelines. What we have with the application is a preliminary landscape plan, through the building permit there is a condition of approval that requires us to review the final landscape plan to make sure it complies with all town standards. That is something we would typically get into the details on as part of the building permit process.
- Curious about the subleasing. There is a restriction of no less than 31 days. Would you be open to prohibiting subleasing altogether? Could we expand the time?
 - It is a ski lease issue. It would be very difficult to prohibit it because we would likely run into financing issues as a result.
 - We can extend it to 45 days.
- They cannot do any short-term rentals, correct?

- Chair Gove Response: Correct. Short-term rentals are prohibited in a multi-family housing at this point in the Town of Truckee.

Public Comment:

Chair Gove opened public comment at 6:53PM.

Alexis Ollar, MAP (Mountain Area Preservation): Would like staff to clarify how these units will ensure they stay prioritized to locals.

Chair Gove closed public comment 6:56PM

- Staff response to public comment: We cannot guarantee all 109 units will be made available to local workforce. What everyone has heard tonight is not in the affordable housing plan, therefore, we can only enforce the 24 units that are part of the town's inclusionary housing program
- Commissioner Follow-Up Question: Can the applicant do the local priority for all the units and have parameters around that?
 - Staff Response: The applicant can voluntarily choose how they want to rent their units. The Town does not have a mechanism outside the 24 that are part of the Town's Affordable Housing Program to have any enforcement mechanism at our disposal.
- Commissioner Follow-Up Question: Do we have the discretion to make those available to the 80% AMI instead of the 60% AMI?
 - Staff Response: We do not think we do, because it is under the State Density Bonus Law.

Deliberation:

- Feeling conflicted, seeing this as urban development, a very high-density development.
- Don't feel like there is a lot of ground to deny the project.
- Want to see more shading, more landscaping in the parking lot, the local's preference.
- Want to solidify the preference to locals only.
- Feel uncomfortable that the workforce housing was a typo.
- Don't think the development is walkable to anything but its own development.
- The 60% AMI makes me uncomfortable.
- Do not feel there should be a double-lane roundabout in that location.
- Do not agree with the limit of children in the daycare.
- "Affordable by design" doesn't feel comfortable.
- Maybe a priority for seniors with a fixed income would be beneficial?
- Would like to add a condition of approval to add roof articulations, window coverings, landscaping the island area of the parking lot, subleases to be no less than 45 days, and the local's preference be up to 90 days to rent a vacant unit.

The Planning Commissioners inquired about proposing a continuation.

Staff Response: The applicant would prefer the commission take action tonight.

A motion was made by Chair Gove to approve application as amended giving the development director the authority to work through the following requested changes from Commissioner Riley: roof articulations, window coverings, parking lot landscaping, subleases to be no less than 45 days and a 90-day local's preference.

Roll Call: Chair Gove, Vice Chair Tarnay, Commissioner Riley.

The motion passed / failed and carried the following vote:

Ayes: Chair Gove, Vice Chair Tarnay, Commissioner Riley

Noes: None

Absent: Commissioner Fraiman

8. Staff Reports: None?

9. Information Items

The November Planning Commission Agenda will likely have the following two items:

- Tiechert
- Parcel 2 for Soaring Ranch (tentative)

10. Commission Member Reports

Vice Chair Tarnay

- Reach Code Informational Meeting
- Numerous candidate forums
- Closing of the Forest Fire Exhibit

Commissioner Riley: None

Chair Gove: None.

11. Adjournment. 7:32PM To the next meeting of the Planning Commission, November 15, 2022, 5:00 PM at 10183 Truckee Airport Road, Truckee, CA 96161.

Respectfully submitted,

Kayley Metroka