



COUNTY OF PLACER
Community Development/Resource Agency

Michael J. Johnson, AICP
Agency Director

**PLANNING
SERVICES DIVISION**

EJ Ivaldi, Deputy Director

HEARING DATE: August 13, 2015
ITEM NO.: 1
TIME: 10:05 AM

TO: Placer County Planning Commission
FROM: Development Review Committee
DATE: July 29, 2015
SUBJECT: **EPPS GARAGE ADDITION (ALPINE MEADOWS ESTATES SUBDIVISION UNIT NO. 9)
SUBDIVISION MODIFICATION (PLN15-00222)
CATEGORICAL EXEMPTION
SUPERVISORIAL DISTRICT 5 (MONTGOMERY)**

GENERAL/COMMUNITY PLAN AREA: Alpine Meadows General Plan

GENERAL PLAN DESIGNATION: Single-Family Residential (1 to 2.5 dwelling units per acre)

ZONING: RS PD=3 (Residential-Single-Family, combining Planned Residential Development of 0.3 dwelling units per acre)

ASSESSOR'S PARCEL NUMBER: 095-440-004-000

STAFF PLANNER: Allen Breuch, Supervising Planner

LOCATION: The subject property is located at 1440 Pine Trail in the Alpine Meadows area.

APPLICANT: Mike Nethersole, MD Construction representing Jeffery and Juanita Epps

PROPOSAL:

The applicant is requesting approval of a Subdivision Map modification of the Alpine Meadows Estates, Unit No. 9 Subdivision (Lot 301) to allow for the construction of an attached garage with enclosed entryway 10 feet from the front property line (9 foot to eave) where 20 foot is required.

CEQA COMPLIANCE:

The project is Categorically Exempt from environmental review pursuant to provisions of Section 15305 of the California Environmental Quality Act Guideline and Section 18.36.070 of the Placer County Environmental Review Ordinance (Class 5 A.1 Minor alterations in land use limitations). The Planning Commission will be required to make a finding to this effect and a recommended finding for this purpose is included at the end of this report.

PUBLIC NOTICES AND REFERRAL FOR COMMENTS:

Public notices were mailed to property owners of record within 300 feet of the project site. A public hearing notice was also published in the *Sierra Sun* newspaper. Other appropriate public interest groups and citizens were sent copies of the public hearing notice, including the North Tahoe Regional Advisory Council. Copies of the project plans and application were transmitted to the Community Development Resource Agency Staff and the Departments of Public Works and Environmental Health Services, the Air Pollution Control District and Special Districts for their review and comment.

PROJECT DISCRPTION:

The property owners propose to replace the existing parking deck and entryway with a new two-car garage, approach deck, and enclosed entryway.

The project is a modification to the Alpine Meadows Estates Subdivision Unit No. 9 Final Map to modify the 20 foot mapped front setback to allow for a mapping front setback of 10 foot to structure (9 foot from eaves) as measured from the front property line. This request is in order to permit the construction of a two-car garage with enclosed entryway; all are accessory to the existing single-family residence. Approximately 213 square feet of the garage and entryway is proposed within the required mapped front setback.

SITE CHARACTORISTICS:

The Epps property is approximately 10,502 square feet (0.24 acre) in area and is located on the north side of Pine Trail approximately ¼ mile southwest of the intersection of Mineral Springs Trail and Pine Trail in the Alpine Meadows area (Attachment B). The Alpine Meadows Estates Subdivision Unit No. 9 where the subject lot (Lot 301) is located was created in June 1970.

There is a steep downward slope (23%) that runs across 1/3 of the property from Pine Trail towards the northerly side of the property (rear) before it adjusts to a moderate 10% slope. The property contains a two-story single-family residence and is also surrounded by similar lot sizes with single-family residences. Existing parking is provided by a paved parking deck located in front of the residence alongside Pine Trail. There are several pine and fir trees throughout the property with a small drainage channel at the southeasterly side of the lot that flows in a northerly direction.

EXISTING ZONING AND LAND USE:

Location	Zoning	Alpine Meadows General Plan Land Use Designation	Existing Conditions and Improvements
Project Site	RS, PD=3 (Residential-Single-Family, combining Planned Residential Development of 0.3 dwelling units per acre))	Single-Family Residential (1 to 2.5 dwelling units per acre)	Single-Family Residence
North	RS, PD=3 (Residential-Single-Family, combining Planned Residential Development of 0.3 dwelling units per acre)	Single-Family Residential (4 dwelling units/acre)	Single-Family Residence
South	RS, PD=3 (Residential-Single-Family, combining Planned Residential Development of 0.3 dwelling units per acre)	Single-Family Residential (1 to 2.5 dwelling units per acre)	Single-Family Residence
East	RS, PD=3 (Residential-Single-Family, combining Planned Residential Development of 0.3 dwelling units per acre)	Single-Family Residential (1 to 2.5 dwelling units per acre)	Single-Family Residence

West	RS, PD=3 (Residential-Single-Family, combining Planned Residential Development of 0.3 dwelling units per acre)	Single-Family Residential (1 to 2.5 dwelling units per acre)	Single-Family Residence
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DISCUSSION OF ISSUES:

General Plan and Zoning Consistency:

The existing single-family dwelling and proposed project are allowed in the RS PD=3 (Residential-Single-Family, combining Planned Residential Development of 0.3 dwelling units per acre) zone district and are consistent with the Alpine Meadows General Plan.

The purpose and intent of the RS (Residential Single-Family) zone district is to provide areas for residential development characterized by detached single-family homes in standard subdivision form. The project consists of an attached two car garage with covered entryway to the existing single-family residence. The project continues to comply with the development standards for the RS zone district, including but not limited to, setbacks (with the exception of the front Mapped setback), height, coverage and required on-site parking.

Section 17.54.140.A.2.b of the Placer County Code allows for a reduction in the front setback requirement on parcels with a slope of greater than 20 percent in the front setback area of the parcel, to allow for a parking structure. With a slope of 23 percent, the subject parcel meets these established criteria. The project also complies with a set of additional requirements outlined in this Section, including requiring an approved building permit, an encroachment permit for any improvements in the County right-of-way, a one-story maximum height, a minimum of 20 feet of parking area between the edge of roadway and structure, and the lack of a provision for any living area within the garage addition. Therefore, although the project encroaches into the front setback area, the project is consistent with the General Plan and Zoning Ordinance and a Variance is not required. However, the recorded Mapped setback of 20 foot prevents structures within this Mapped setback unless a modification is made by the Planning Commission.

Project Analysis:

The project is proposed to address the lack of covered parking on the subject parcel and allow for covered access into the residence. The proposed garage is located at the south side of the lot where it will be attached to the existing single-family residence with a new elevated driveway leading to Pine Trail. To minimize earth disturbance and provide a gradual ascent from the street, the applicant proposes to use the same general location where the parking deck is currently located.

Originally the same project was approved by the Planning Commission on June 26, 2008, however it expired since the owners never built the garage and entryway feature. Since the permit expired, a new Map Modification is required.

The applicants have explored other alternatives to try and locate a garage outside of the required mapped setbacks. However, due to the steep terrain, the existing slope, and the need for a safe protected entryway from heavy winter snow, there was no alternative location available to the garage and entryway outside the mapped front setback. Staff looked at other properties located along Pine Trail including the residence across the street, (lot 307) and lots 311, 339 and 340 and found that there have been previous approvals for buildings within the 20 foot mapped setback. As such, the granting of a 10 foot building setback for the subject property would not be considered a granting of special privileges.

Staff has concluded that there are special circumstances applicable to the project based on the steep topography of the site and the need for a safe parking area for the residence, as well as the location of the existing street improvements, which restricted the use of the site. The proposed project would

minimize disturbance to the lot, in that there would be limited grading. The project would also allow for snow storage along the property's street frontage.

Bear Creek Planning Committee (Homeowners Association):

This project does require approval from the Bear Creek Planning Committee (BCPC). The applicant has initiated the review with the committee and obtained approval of the location of the proposed garage and entryway.

RECOMMENDATION:

The Development Review Committee recommends that the Planning Commission approve the Subdivision Map Modification (PLN15-00222) to Alpine Meadows Estates Subdivision No 9 Final Map to modify the 20 foot building setback line on Lot 301 to allow for a front yard setback of 10 feet to structure (9 foot to eave) from the south property line in order to permit the construction of an attached two-car garage and enclosed entryway. The recommendation is based upon the findings contained in this staff report, and subject to the attached recommended conditions of approval.

FINDINGS:

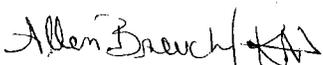
CEQA

The Planning Commission finds that the project is Categorically Exempt pursuant to provisions of Section 15305 of the California Environmental Quality Act Guideline and Section 18.36.070 of the Placer County Environmental Review Ordinance (Class 5 A.1. Minor alterations in land use limitations).

Subdivision Map Modification

1. The proposed Subdivision Map Modification does not significantly alter the design of the subdivision and will not affect the consistency of the Alpine Meadows Estates, Unit No. 9 Subdivision Final Map and is consistent with the goals and policies of the Alpine Meadows General Plan in that other properties within close proximity of the subject parcel have been granted reduced setbacks for the construction of garages and other entry features.
2. Pursuant to Section 66472.1, (*Amending of Final Maps*) of the Subdivision Map Act, the Subdivision Map Modification does not impose any additional burden on the fee owners of the real property, and the modifications do not alter any right, title, or interest in the real property reflected on the recorded map, and Placer County finds that the map as modified conforms to Section 66474 of the Subdivision Map Act. The change in circumstance is that existing setbacks together with the parcels topography and existing on-site conditions limit a reasonable access to the residence from Pine Trail.
3. The Subdivision Map Modification, with the recommended conditions, is compatible with the single-family residential neighborhood.
4. The Subdivision Map Modification is physically suitable for the type of development within the Residential Single-Family zoning district.
5. The Subdivision Map Modification will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zoning district in which the property is located in that other Map Modifications have been approved on parcels within close proximity to the subject parcel.

Respectfully submitted,



Allen Breuch
Supervising Planner

ATTACHMENTS:

- Attachment A - Conditions of Approval
- Attachment B - Vicinity Map
- Attachment C - Site Plan

cc: Applicant
Andy Dienken - Engineering and Surveying Division
Environmental Health Services
Air Pollution Control District
Andy Fisher - Parks Department
Gerry Cardin - County Counsel
Karin Schwab – County Counsel
Michael Johnson - CDRA Director
EJ Ivaldi – Deputy Director
Holly Heinzen – CEO Office

Subject/chrono files



**RECOMMENDED CONDITIONS OF APPROVAL – SUBDIVISION
MODIFICATION " EPPS – ALPINE MEADOWS ESTATES
SUBDIVISION NO. 9" (PLN15-00222)**

THE FOLLOWING CONDITIONS SHALL BE SATISFIED BY THE APPLICANT, OR AN AUTHORIZED AGENT. THE SATISFACTORY COMPLETION OF THESE REQUIREMENTS SHALL BE DETERMINED BY THE DEVELOPMENT REVIEW COMMITTEE (DRC), COUNTY SURVEYOR, AND/OR THE PLANNING COMMISSION.

1. The Subdivision Modification (PLN15-00222) is approved for 10 foot to structure (9 foot to eave) from property line to build within the front setback where 20-foot is required in order to construct an attached two-car garage and enclosed entryway. The attached garage and entryway are proposed on the parcel located at 1440 Pine Trail, Alpine Meadows Estates Subdivision No 9 Final Map, Lot 301, (APN 095-440-004-000) as described within this staff report dated July 29, 2015 and as shown on the site plan, elevations, and floor plans

2. Prior to Building Permit issuance, the applicant shall prepare and submit to the Planning Services Division an exhibit map for a Notice of Map Modification to modify the building setback line for Lot 301, as shown on Alpine Meadows Estates Subdivision No 9 Subdivision (Book J, Page 14, Sheet 4 of 7), and to conform with the approval of this application.

3. Prior to commencement of any work on site, the applicant shall obtain a building permit(s) for the construction of the entry way addition to a new residence. Complete building plans and engineering in accordance with the County Building Code will be required for the structure.

4. The applicant shall comply with any conditions imposed by California Department of Forestry or the serving fire district.

5. The applicant shall, upon written request of the County, defend, indemnify, and hold harmless the County of Placer, the County Board of Supervisors, and its officers, agents, and employees, from any and all actions, lawsuits, claims, damages, or costs, including attorney's fees awarded by a certain development project known as the Epps Map Modification (PLN15-00222). The applicant shall, upon written request of the County, pay or, at the County's option, reimburse the County for all costs for preparation of an administrative record required for any such action, including the costs of transcription, County staff time, and duplication. The County shall retain the right to elect to appear in and defend any such action on its own behalf regardless of any tender under this provision. This indemnification obligation is intended to include, but not be limited to, actions brought by third parties to invalidate any determination

made by the County under the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) for the Project or any decisions made by the County relating to the approval of the Project. Upon request of the County, the applicant shall execute an agreement in a form approved by County Counsel incorporating the provision of this condition.

6. A portion of the proposed driveway deck/bridge is affected by an existing 10' Multipurpose Easement (MPE) (ref: Alpine Meadows Estates Subdivision, Unit No. 9, recorded in Book J of Maps, Page 14). Prior to any Building Permit issuance, the applicant shall process an abandonment of the public's interest in the portion of the easement affected by this project. Please contact John Weber, the County Right-of-Way Agent, at (530) 745-7564.

7. Construct a public road entrance/driveway onto 1440 Pine Trail to a Plate R-18, LDM standard. The design speed of the roadway is 25 mph. The applicant or authorized agent shall obtain an Encroachment Permit from the Placer County Department of Public Works (DPW). The driveway encroachment width shall be 24' maximum, not including return radii.

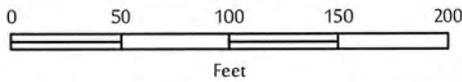
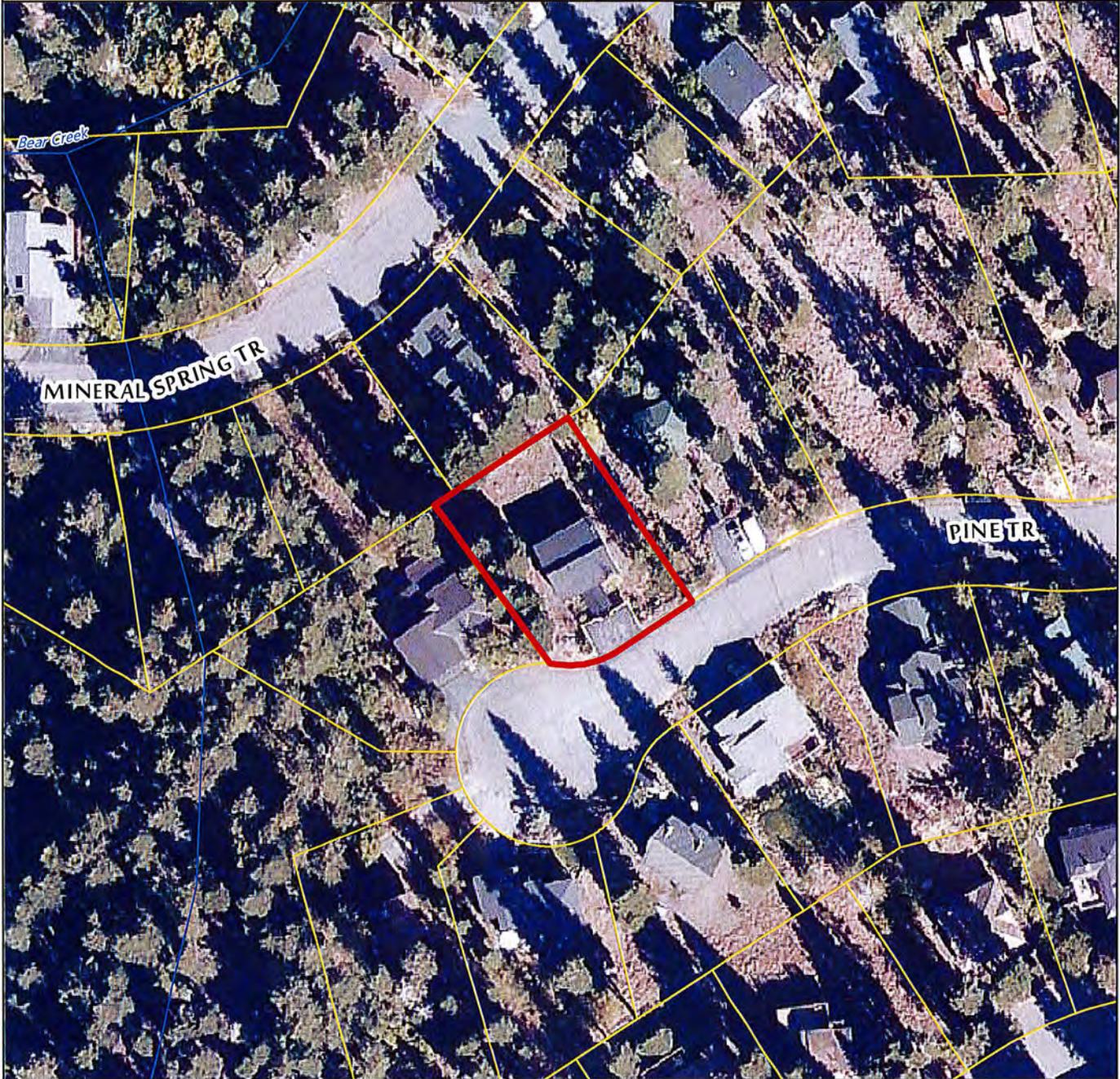
8. Prior to Building Permit issuance, the applicant shall obtain from the Department of Public Works an encroachment permit for the portion of the single family residence located within the existing 30' mapped snow storage easement. Said permit shall be in recordable form and hold Placer County harmless from any damage resulting to the structure.

9. Any windows of the proposed structure within the snow storage easement and facing Pine Trail shall be tempered/wired safety glass or equivalent.

10. Prior to pouring the foundation for the proposed driveway footings (and after the forms have been set), the applicant shall provide an Exhibit signed and stamped by a licensed Land Surveyor that precisely identifies the distance from the proposed foundation to boundary common to this lot and the public Right-of-Way of Pine Trail, to the satisfaction of the County Surveyor. This certification will be used to verify that the proposed foundation will be constructed consistent with the project site plan and demonstrates that all of the structure will not encroach upon the property boundary. The applicant is advised that a foundation inspection cannot occur until this condition has been satisfied.

11. The applicant shall have 24 months to exercise this Subdivision Map Modification. Unless exercised, this approval shall expire on August 13, 2017.

1440 Pine Trail



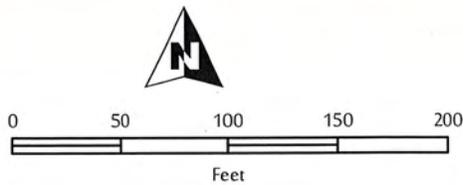
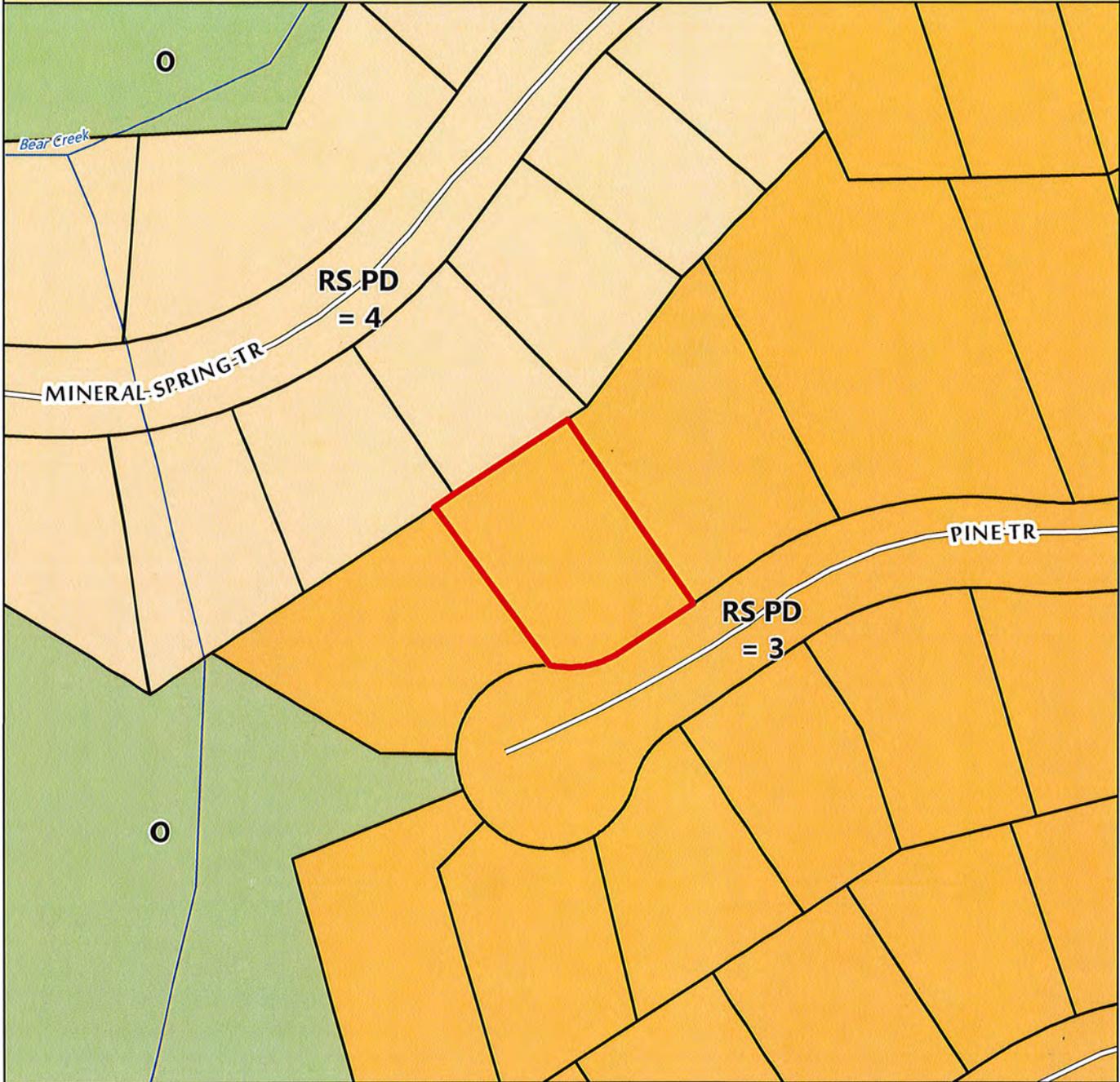
LEGEND

-  1440 Pine Trail
-  Parcels

DATA DISCLAIMER:

The features on this map were prepared for geographic purposes only and are not intended to illustrate legal boundaries or supercede local ordinances. Official information concerning the features depicted on this map should be obtained from recorded documents and local governing agencies

1440 Pine Trail - Zoning



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LEGEND

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-  RS PD = 3
-  RS PD = 4
-  1440 PINE TRAIL

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