

**TRPA
GOVERNING BOARD
PACKETS**

**DECEMBER
1996**

TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD AND COMMITTEE MEETINGS

NOTICE IS HEREBY GIVEN that on Friday, December 20, 1996, commencing at 9:30 a.m., at the South Lake Tahoe Council Chambers, 1900 Lake Tahoe Boulevard, South Lake Tahoe, California, the Governing Board of the Tahoe Regional Planning Agency will conduct its regular meeting. The agenda is attached hereto and made a part of this notice.

Governing Board Committee items are action items unless otherwise noted.

NOTICE IS FURTHER GIVEN that on December 20, 1996, commencing at 8:30 a.m. at the same location, the Finance Committee will meet. The agenda will be as follows: 1) public interest comments (no action); 2) receipt of the November check register and financial statement; 3) revisions to FY 1996-97 operating budget; 4) North Stateline beautification project cooperative funding agreement; 5) Legal Division budget report and salary adjustment; 6) release of \$346,000 of Placer County air quality mitigation funds and \$140,000 of Washoe County air quality mitigation funds for TART maintenance facility; and 7) member comments. (Committee: Neft, Cole, Heller, Hime, Chairman Bennett)

NOTICE IS FURTHER GIVEN that on December 20, 1996, commencing at 8:30 a.m. at the same location, the Legal Committee will meet. The agenda will be as follows: 1) public interest comments (no action); 2) Secret Harbor, resolution of enforcement, Carson City APN 07-011-23; 3) evaluation of Agency Counsel and Special Projects Attorney (includes closed session without action); and 4) member comments. (Committee: Miner, Cronk, Sevison, Waldie, Chairman DeLanoy)

NOTICE IS FURTHER GIVEN that on December 20, 1996, during the lunch recess at 12:00 noon, at the same location, the Local Government Committee will meet. The agenda will be as follows: 1) public interest comments; 2) finding that South Lake Tahoe, El Dorado County, Placer County, Washoe County, Carson City and Douglas County have demonstrated a commitment to assume their fair share responsibility to provide low and very low income housing; and 3) member comments. (Committee: Cole, Sevison, Bradhurst, Miner, Bennett, Upton)

NOTICE IS FURTHER GIVEN that on December 20, 1996, from 1:00 p.m. to 1:15 p.m., in the same location, there will be a joint meeting of the Rules and Retirement Committees. The agenda will be as follows: 1) public interest comments (no action); 2) amendment of Policy 3.7 of the Personnel Policy Manual to implement authorization of voluntary Internal Revenue Code Section 457 or other similar type program and authorization to contract with 457 plan provider; 3) member comments. (Rules Committee: DeLanoy, Neft, Sevison, Hime, Chairman Bradhurst; Retirement Committee: Miner, Sevison, Solt, Baetge, Chairman Neft)

Date: December 10, 1996

By:


Jerry Wells

Deputy Director

OVERFLOW PARKING FOR THOSE ATTENDING THE MEETING IS AVAILABLE ON TATA LANE ACROSS FROM K-MART NURSERY; PLEASE DO NOT DOUBLE PARK IN THE COUNCIL CHAMBER PARKING LOT OR OCCUPY THE 30-MINUTE PARKING SPACES.

TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD

South Lake Tahoe City Council Chambers
1900 Lake Tahoe Boulevard
South Lake Tahoe, California

Friday, December 20, 1996
9:30 a.m.

All items on this agenda are action items unless otherwise noted.

Page #

AGENDA

- I. PLEDGE OF ALLEGIANCE
- II. ROLL CALL AND DETERMINATION OF QUORUM
- III. PUBLIC INTEREST COMMENTS (No Action)

Any member of the public wishing to address the Governing Board on any agenda item not listed as a Project Review, Public Hearing, RTPA, Appeal, or Planning Matter item may do so at this time. However, public comment on Project Review, Public Hearing, RTPA, Appeal, and Planning Matter items will be taken at the time those agenda items are heard.

NOTE: THE GOVERNING BOARD IS PROHIBITED BY LAW FROM TAKING IMMEDIATE ACTION ON, OR DISCUSSING ISSUES RAISED BY THE PUBLIC THAT ARE NOT LISTED ON THIS AGENDA.

- IV. APPROVAL OF MINUTES
- V. APPROVAL OF AGENDA
- VI. CONSENT CALENDAR (see page 3)
- VII. MEETING OF THE REGIONAL TRANSPORTATION PLANNING AGENCY (RTPA)
 - A. Affirmation of the 1992 Regional Transportation Plan/Air Quality Plan (RTP/AQP) 23
- VIII. PUBLIC HEARING (*items include action on the findings plus action on related ordinances, resolutions, environmental documents, and/or plans)
 - A. Presentation of the Recommendations of the 1996 Threshold Evaluation Report, Appendix B Schedule of Implementation 25
 - 1. Potential Water Quality, Air Quality, Vegetation, Noise, and Fisheries Threshold Amendments (A List)
 - 2. Potential Goals and Policies and Code Amendments Adopted With the 1996 Environmental Threshold Report
 - 3. Other Amendments, Programs, and Studies (B and C Lists)
 - B. Draft EIS for the Lake Tahoe Shorezone Development Cumulative Impact Analysis 33

IX. APPEALS

- A. Rafton, Appeal of Executive Director Determination Regarding Land Capability, Placer County APN 117-072-08 - 1:30 p.m.

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X. PROJECT REVIEW

- A. Lakeside Tennis Club Estates, New Multi-Family, Subdivision and Special Use Determination, 977 Tahoe Boulevard, Incline Village, Washoe County APN 127-030-23 and -24

99

- B. Lake Tahoe Cruises, Temporary Use Permit, Tour Boat Operation, Timber Cove Marina, 3411 Lake Tahoe Boulevard, City of South Lake Tahoe, El Dorado County APN 27-090-01

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XI. PLANNING MATTERS

- A. Lowering the IPES Line for 1997

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- B. Finding That the City of South Lake Tahoe, El Dorado County, Placer County, Carson City, Washoe County and Douglas County Have Demonstrated a Commitment to Assume Their Fair Share Responsibility to Provide Low and Very Low Income Housing (This item will be taken up in the afternoon session after the noon meeting of the Local Government Committee.)

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- C. Determination on Beaches (Be) Soil Map Unit Study - 11:00 a.m.

145

- D. Status Report on Incline Village Water Rights

173

- E. Tahoe Coalition of Recreation Providers (TCORP) Uniform Signage Program

177

XII. ADMINISTRATIVE MATTERS

- A. Election of TRPA Chairman and Vice Chairman for Two-Year Terms (1997-1998)

- B. Performance Evaluation of Agency Counsel and Special Projects Attorney (including closed session without action), Salary Adjustment

- C. Amendment of Personnel Procedures Manual to Implement Authorization of Voluntary Internal Revenue Code Section 457 or Other Similar Type Program; Authorization to Contract With 457 Plan Provider - (This item will be taken up in the afternoon session after the 1:00 p.m. meeting of the Rules and Retirement Committees.)

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XIII. COMMITTEE RECOMMENDATIONS AND BOARD ACTION

- A. Finance Committee Report

- 1. Receipt of November Financial Statement and Check Register

- 2. Revisions to FY 1996-97 Operating Budget

3. North Stateline Beautification Project Cooperative Funding Agreement

B. Legal Committee Report

1. Recommendation on Performance Evaluation of Agency Counsel and Special Projects Attorney

C. Capital Financing Committee Report

D. Retirement and Rules Committee Joint Report

E. Shorezone Policy Committee Report

F. Local Government Committee Report

G. Performance Audit Committee Report

XIV. REPORTS

A. Executive Director Monthly Status Report

1. Status Report on Project Applications

2. Other

B. Legal Division Monthly Status Report

C. Governing Board Members

XV. ADJOURNMENT

CONSENT CALENDAR

<u>Item</u>	<u>Recommendation</u>	
1. Prim Investments, Lakeview Office Center, Commercial Rebuild/Expansion, Change in Operation, 224 Kingsbury Grade, Douglas County APN 07-130-06	Approval With Findings And Conditions	1
2. Tahoe Secret Harbor, Inc., Resolution of Enforcement, Carson City Rural Area APN 07-011-23	Approval	13
3. Resolution Authorizing Release of \$346,000 in Placer County Air Quality Mitigation Funds and \$140,000 in Washoe County Air Quality Mitigation Funds for TART Maintenance Facility	Adoption	21

These consent calendar items are expected to be routine and noncontroversial. They will be acted upon by the Board at one time without discussion. The special use determinations will be removed from the calendar at the request of any member of the public and taken up separately. If any Board member or noticed affected property owner requests that an item be removed from the calendar, it will be taken up separately in the appropriate agenda category.

Four of the members of the governing body from each State constitute a quorum quorum for the transaction of the business of the agency. The voting procedure shall be as follows:

(1) For adopting, amending or repealing environmental threshold carrying capacities, the regional plan, and ordinances, rules and regulations, and for granting variances from the ordinances, rules and regulations, the vote of at least four of the members of each State agreeing with the vote of at least four members of the other State shall be required to take action. If there is no vote of at least four of the members from one State agreeing with the vote of at least four of the members of the other State on the actions specified in this paragraph, an action of rejection shall be deemed to have been taken.

(2) For approving a project, the affirmative vote of at least five members from the State in which the project is located and the affirmative vote of at least nine members of the governing body are required. If at least five members of the governing body from the State in which the project is located and at least nine members of the entire governing body do not vote in favor of the project, upon a motion for approval, an action of rejection shall be deemed to have been taken. A decision by the agency to approve a project shall be supported by a statement of findings, adopted by the agency, which indicates that the project complies with the regional plan and with applicable ordinances, rules and regulations of the agency.

(3) For routine business and for directing the agency's staff on litigation and enforcement actions, at least eight members of the governing body must agree to take action. If at least eight votes in favor of such action are not cast, an action of rejection shall be deemed to have been taken.

Article III (g) Public Law 96-551

This agenda has been posted at the TRPA office and at the following post offices: Zephyr Cove and Stateline, Nevada, and Tahoe Valley and Al Tahoe, California. The agenda has also been posted at the North Tahoe Conference Center in Kings Beach, the Incline Village GID office, and the North Lake Tahoe Chamber of Commerce.

NOTE: Items on the agenda without a time designation may not necessarily be considered in the order in which they appear on the agenda.

TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY

Project Name: Lakeview Office Center

Application Type: Commercial

Applicant: Prim Investments

Applicant's Representative: Paul Kaleta, Basin Strategies

Agency Planner: Jim Lawrence, Associate Planner

Location: 224 Kingsbury Grade, Douglas County

Assessor's Parcel Number: APN 07-130-06

Staff Recommendation: Staff recommends approval of the project. The required actions and recommended conditions are outlined in Section F of this staff summary.

Project Description: The applicant is proposing to demolish and rebuild an existing two-story commercial building. The existing commercial building consists of 4,849 square feet of commercial floor area which was utilized for a chiropractic office and a timeshare sales office. Professional office space is the proposed use for the new commercial building and will require an additional 3,585 square feet of commercial floor area (8,434 square feet total). The applicant has received a recommendation from Douglas County for the allocation of 3,585 square feet of commercial floor area.

Site Description: The existing office building is on a 6,000 square foot parcel (60' x 100') located on an unnamed county road approximately 720 feet from the intersection of Kingsbury Grade and U.S. Highway 50. The parcel is surrounded by Kahle Community Park. A 12,650 square foot access easement within the park boundary is used for access and parking for the existing building. The applicants intend on obtaining approval for a lot line adjustment which will result in a decrease in the size of the park by 6,231 square feet. The applicant has based all land coverage and parking calculations on this proposed boundary line adjustment. Conditions of approval will insure that the boundary line adjustment is approved prior to acknowledgment of this permit.

Issues: The proposed project involves the allocation of commercial floor area and, therefore, requires Governing Board review in accordance with Chapter 4, Appendix A of the TRPA Code of Ordinances. The primary project related issues are:

1. Additional Commercial Floor Area:

The project, as currently proposed, requires 4,031 additional square feet of commercial floor area. The applicant has received a recommendation from Douglas County to allocate 3,585 square feet of commercial floor area to this project. The applicant has also proposed to transfer the remaining commercial floor area needed for this project to the site (446 square feet). However, transfers of commercial floor area to this site are prohibited pursuant to Subsection 34.4.B(8) of the TRPA Code because the site has a low land capability rating (Class 3). As a result of this prohibition, the applicant shall be required to reduce the size of the proposed addition to the allocation amount (3,585 square feet). The applicant has agreed to this reduction.

2. Traffic:

Based on the adopted TRPA Trip Table the existing uses (medical office/timeshare sales) generate 112 daily vehicle trip ends based on the number of employees. The proposed use will generate 159 daily vehicle trip ends. The increase of 47 daily vehicle trip ends is identified as an insignificant increase in the TRPA Code of Ordinances. Staff has determined that there will be adequate parking to accommodate the project.

3. Impacts to Kahle Park:

The proposed lot line adjustment will decrease the adjacent Kahle Park project area by 6,231 square feet. In 1994, the Governing Board approved a project to allow the first of three phases of Kahle Park to begin construction. These phases were studied in detail in an environmental assessment (EA) prepared for the park. Included in the EA is a detailed land coverage calculation which assigns land coverage to future park construction phases. If this commercial project is approved, staff recommends that, as a condition of the lot line adjustment, the Kahle Park EA be modified accordingly to account for the reduction in park size to determine remaining land coverage (if any) for future park projects.

As a condition of approval, staff also recommends that an off-site sign advertising this building be removed. This sign is located near Kingsbury Grade within the Kahle Park boundary.

Staff Analysis:

- A. Environmental Documentation: The applicant has completed an Initial Environmental Checklist (IEC) in order to assess the potential environmental impacts of the project. No significant environmental impacts were identified and staff has concluded that the project will not

have a significant effect on the environment. A copy of the completed IEC will be made available at the Governing Board hearing and at TRPA.

B. Community Plan: The project is located within the Douglas County - Kingsbury Community Plan (special area #1). The Land Use Classification is Commercial/Public Service and the Management Strategy is Mitigation. Agency staff has reviewed the subject community plan and determined that the project is consistent with the applicable planning statement, planning considerations and goals, objectives and policies. Professional Offices are an allowed use within the Community Plan.

C. Land Coverage:

1. Land Capability Districts:

The land capability district for the project area is Class 3. The total project area (after modification with the lot line adjustment) is 12,231 square feet.

2. Allowed Land Coverage:

The allowed land coverage for the project area is 611 square feet. The project area is located on Class 3 land.

3. Existing Land Coverage:

Building:	3,067 square feet
Sidewalk:	320 square feet
Stairs:	80 square feet
AC Paving:	<u>8,274 square feet</u>

Total: 11,741 square feet (96 percent of project area).

4. Proposed Land Coverage:

Building:	9,390 square feet
Concrete Stoops:	55 square feet
Columns:	16 square feet
Raised Deck:	400 square feet
AC Paving:	<u>1,029 square feet</u>

Total 10,890 square feet

5. Land Coverage Mitigation:

Based on the above figures, the project area has approximately 11,130 square feet of excess land coverage. In order to mitigate the existing excess land coverage, the applicant shall be required to either pay a mitigation fee, or reduce existing land coverage pursuant to Subsection 20.5 of the TRPA Code of Ordinances. In

addition, the applicant shall be required to provide an increase in landscaping equal to 5 percent of the project area pursuant to Special Policy 6.A of the Kingsbury Community Plan.

- D. Building Height: Based on a 3 percent cross-slope retained across the building site, and a 8:12 roof pitch, the maximum allowed height for the proposed building is 34 feet 4 inches. The proposed building height 33 feet 10 inches.
- E. Required Findings: The following is a list of the required findings as set forth in Chapter 6 and 22 of the TRPA Code of Ordinances. Following each finding, Agency staff has briefly summarized the evidence on which the finding can be made.
1. The project is consistent with and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, Plan Area Statements and maps, the Code and other TRPA plans and programs.
 - a. Land Use: The proposed use (professional offices) is an allowed use in the Douglas County Kingsbury Community Plan. Adjacent uses include Kahle Park and various commercial uses located in the neighborhood. The proposed project will not affect existing land uses.
 - b. Transportation: The project will result in an increase of 47 additional daily vehicle trip ends which is defined by the TRPA Code of Ordinances as an insignificant increase. Pursuant to Chapter 91 of the TRPA Code of Ordinances, the applicant will be assessed an air quality mitigation fee of \$940 to mitigate the increase in daily vehicle trip ends.
 - c. Conservation: There are no known special interest species, sensitive or uncommon plants or cultural resources within the project area. The applicant will be required to apply permanent Best Management Practices (BMPs) to the project area.
 - d. Recreation: This project does not involve any recreation facilities or uses.
 - e. Public Service and Facilities: This project does not require any additions to public services or facilities.
 - f. Implementation: The project, as currently proposed, requires 4,031 square feet of additional commercial floor area. The applicant has received a positive allocation recommendation from Douglas County for 3,585 square feet of commercial floor area. Since the additional commercial floor area cannot be transferred to this site (class 3 land capability), the project

shall be revised to 3,585 square feet of additional commercial floor area.

2. The project will not cause the environmental threshold carrying capacities to be exceeded.

The basis for this finding is provided on the checklist entitled "Project Review Conformance Checklist and Article V(g) Findings" in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained on said checklist indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklist will be made available at the Governing Board hearing and at TRPA.

3. Wherever federal, state or local air and water quality standards applicable for the Region, whichever are strictest, must be attained and maintained pursuant to Article V(g) of the TRPA Compact, the project meets or exceeds such standards.

(Refer to paragraph 2, above.)

4. When viewed from major arterials, scenic turnouts, public recreation areas or the waters of Lake Tahoe, from a distance of 300 feet, the additional height will not cause a building to extend above the forest canopy, when present or a ridgeline.

The proposed project will not extend above the forest canopy and will not block the view of a ridgeline.

- F. Required Actions: Agency staff recommends that the Governing Board approve the project by making the following motions based on this staff summary and the evidence contained in the record.
- I. A motion based on this staff summary, for the findings contained in Section E above, and a finding of no significant environmental impact.
- II. A motion to approve the project, based on the staff summary subject to the following conditions:
- A. The Standard Conditions of Approval listed in Attachment Q.
- B. Prior to TRPA final acknowledgement of the permit, the following special conditions of approval must be satisfied:
1. The site plan shall be revised to state "Existing Commercial Floor Area = 4,849 square feet".

2. Consistent with the site plan submitted to TRPA, the applicant, in conjunction with Douglas County, shall obtain approval for a boundary line adjustment incorporating the parking and access easements into the subject property. All land coverage calculations in the Kahle Community Park Environmental Assessment shall be changed accordingly, and the Kahle Park environmental assessment (EA) shall be amended to reflect the changes. The boundary line adjustment shall be approved by TRPA under separate application prior to acknowledgment of this permit.
3. The security required under Standard Condition I.2 of Attachment Q shall be determined upon the permittee's submittal of required Best Management Practices plan and related cost estimate. Please see Attachment J, Security Procedures. In no case shall the security amount be less than \$2,500.
4. The permittee shall submit a \$940 air quality mitigation fee based on 47 additional daily vehicle trip ends (dvte) assessed at \$20 per dvte. This amount may be reduced if the number of employees at the site will be fewer due to the reduced building size.
5. The permittees shall mitigate excess land coverage in the project area by submitting an excess land coverage mitigation fee, or by removing coverage within Hydrologic Transfer Area Number 4, South Stateline (see attached map).

The excess coverage mitigation fee shall be calculated as follows:

- (1) Estimated Project Construction Cost (structural only)
x 0.025

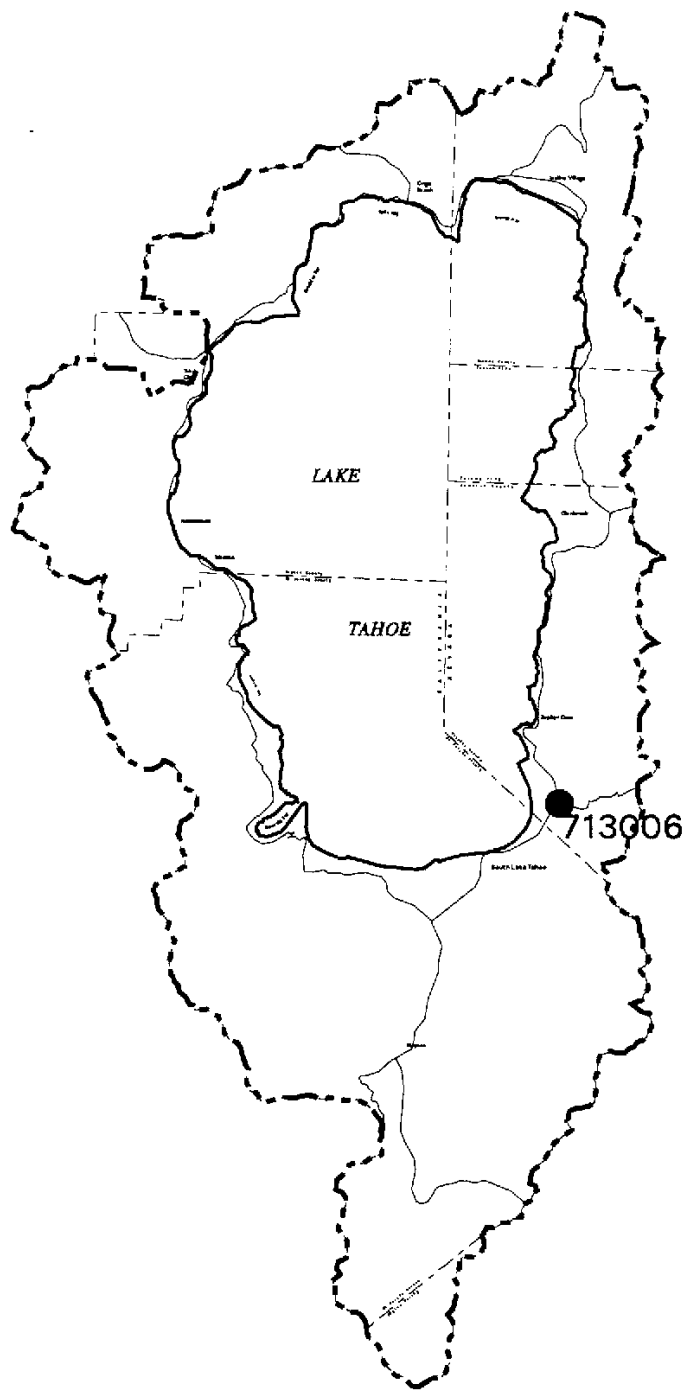
Please provide a construction cost estimate by your contractor, architect, or engineer

Excess land coverage may be removed in lieu of an excess coverage mitigation fee. To calculate the amount of excess coverage to be removed use the following formula:

- (2) Excess coverage mitigation fee (per formula (1), above) divided by \$5.00 per square foot.

If you choose this option, please revise your final site plan and land coverage calculations to account for the coverage removal.

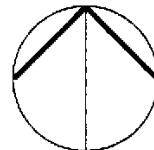
6. The permittee shall provide engineered calculations demonstrating that the proposed infiltration devices shall meet or exceed the water runoff level for a 20 year/1 hour storm event. Sand separators are required for pre-treatment of stormwater runoff prior to discharge into an approved infiltration system.
7. The permittee shall provide a landscape plan for the project area. The landscape plan shall be approved by TRPA prior to final acknowledgment of this permit and must demonstrate at least a 5 percent reduction of land coverage within the project area consistent with Kingsbury Community Plan requirements.
8. The permittee shall provide color and material samples for the proposed building. Colors and materials shall be approved by TRPA prior to acknowledgment of this permit.
9. The permittee shall submit a sign plan showing all proposed signs for the project area conforming to all Douglas County Community Plan standards. This plan shall include provisions to remove the existing off-site sign located in Kahle Park.
10. The permittee shall revise the building plans to indicate a building addition that is no larger than 3,585 square feet in area consistent with the allocated amount of commercial floor area. Please be advised that subsection 33.3.B of the TRPA Code of Ordinances defines commercial floor area as the gross square footage of floor area within the outer wall of a commercial buildings, not including stairwells and airshafts. The area identified on the site plan as "lightwell with floor for landscape planters" is considered commercial floor area. No transfers of commercial floor area are permitted to this site pursuant to Subsection 34.4.B(8) of the TRPA Code.
11. The permittee shall submit 3 sets of final construction drawings and site plans to TRPA.
12. The permittee shall submit final lighting plans to TRPA for review and approval. All lighting shall be down directed and conform to Douglas County Community Plan standards.

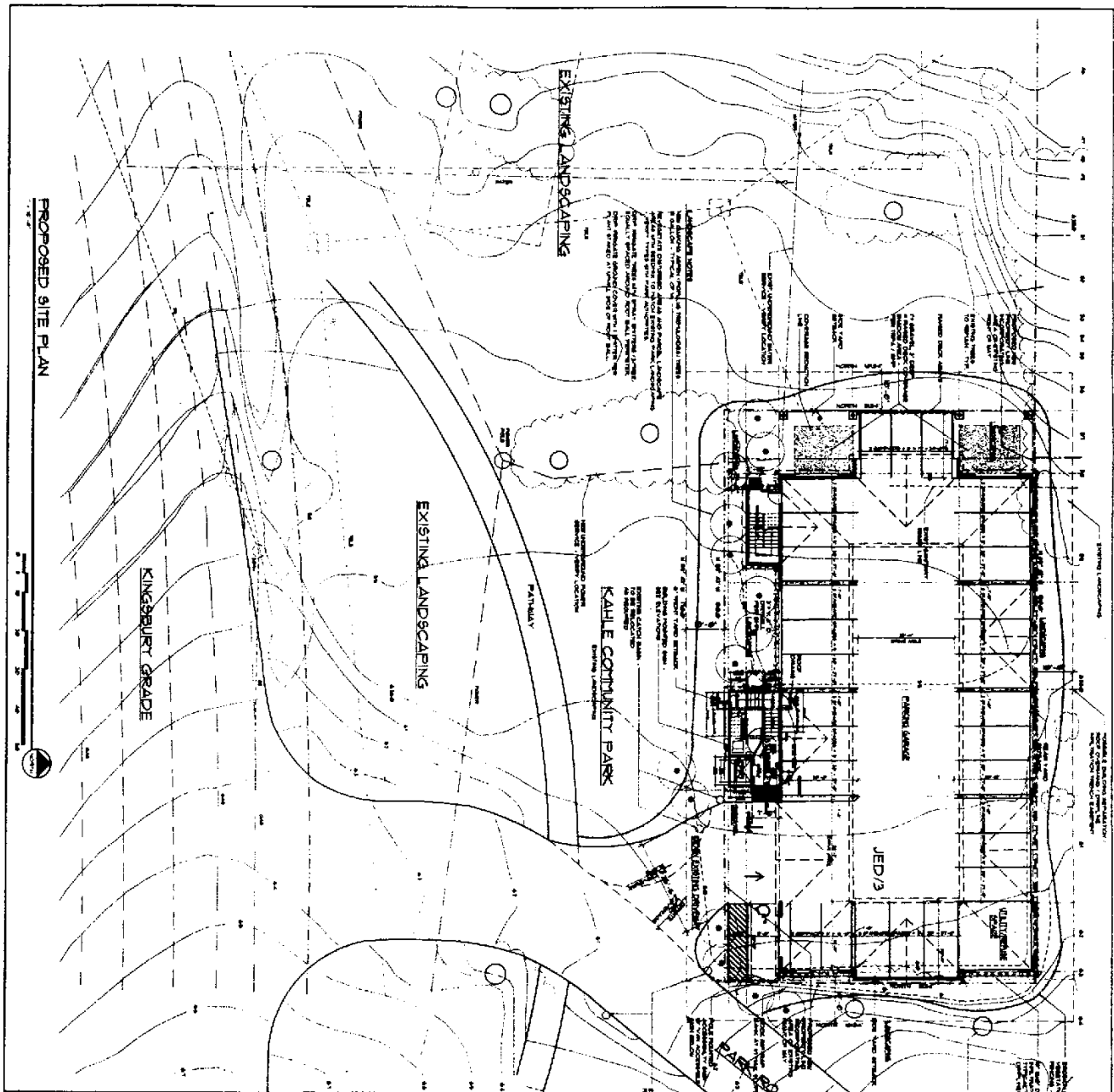


TAHDE
REGIONAL
PLANNING
AGENCY

8

PROJECT LOCATION





PROPOSED SITE PLAN

LEGEND

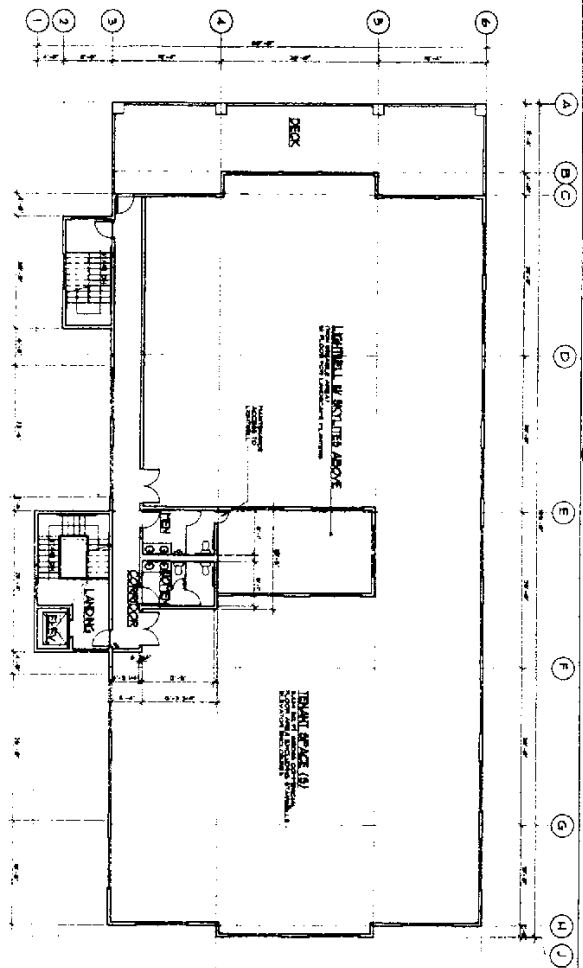
NO.	DESCRIPTION	SYMBOL
1	EXISTING LANDSCAPING	(Symbol)
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6	PROPOSED SIDEWALK	(Symbol)
7	PROPOSED BIKEWAY	(Symbol)
8	PROPOSED FENCE	(Symbol)
9	PROPOSED SIGN	(Symbol)
10	PROPOSED LIGHTING	(Symbol)
11	PROPOSED UTILITY	(Symbol)
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14	PROPOSED SEWER	(Symbol)
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17	PROPOSED ELECTRIC	(Symbol)
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20	PROPOSED FLOOD CONTROL	(Symbol)
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MOBILITY MAP

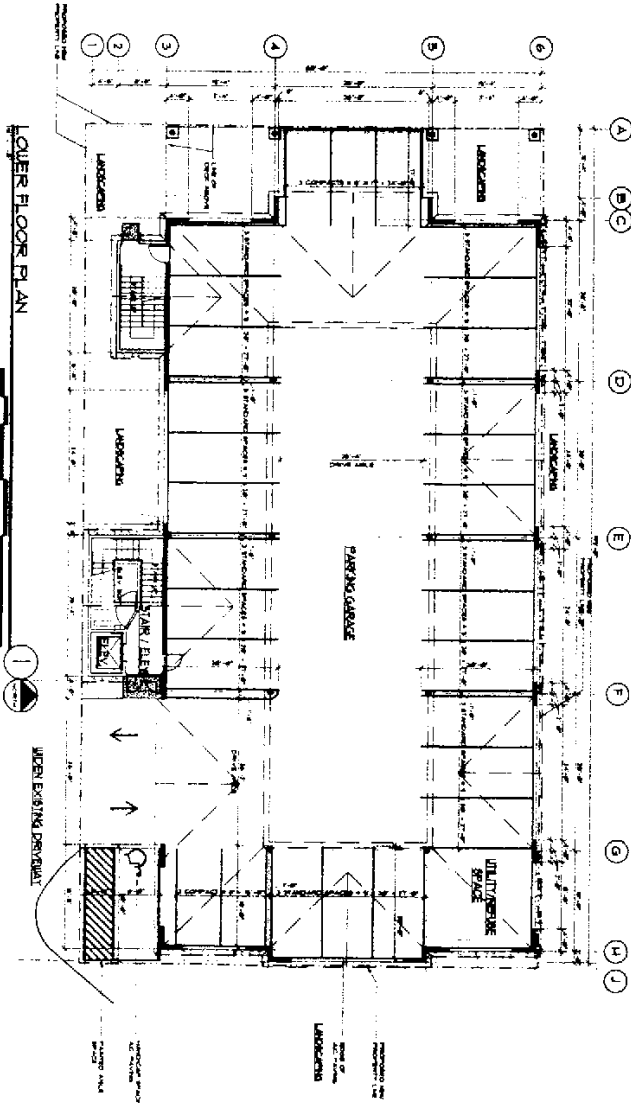
10 CARSON
SCALE

GENERAL NOTES:

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE U.S. STANDARD SPECIFICATIONS FOR CONSTRUCTION.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AUTHORITIES.
3. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AND UTILITIES AT ALL TIMES.
4. THE CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES AND STRUCTURES TO REMAIN.
5. THE CONTRACTOR SHALL MAINTAIN THE EXISTING LANDSCAPING AND PLANTING TO REMAIN.
6. THE CONTRACTOR SHALL MAINTAIN THE EXISTING PAVING AND SIDEWALKS TO REMAIN.
7. THE CONTRACTOR SHALL MAINTAIN THE EXISTING BIKEWAY TO REMAIN.
8. THE CONTRACTOR SHALL MAINTAIN THE EXISTING FENCE TO REMAIN.
9. THE CONTRACTOR SHALL MAINTAIN THE EXISTING SIGN TO REMAIN.
10. THE CONTRACTOR SHALL MAINTAIN THE EXISTING LIGHTING TO REMAIN.
11. THE CONTRACTOR SHALL MAINTAIN THE EXISTING UTILITY TO REMAIN.
12. THE CONTRACTOR SHALL MAINTAIN THE EXISTING EROSION CONTROL TO REMAIN.
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19. THE CONTRACTOR SHALL MAINTAIN THE EXISTING CABLE TO REMAIN.
20. THE CONTRACTOR SHALL MAINTAIN THE EXISTING FLOOD CONTROL TO REMAIN.
21. THE CONTRACTOR SHALL MAINTAIN THE EXISTING OTHER TO REMAIN.



UPPER FLOOR PLAN



LOWER FLOOR PLAN