
MEMORANDUM

Date: July 6, 2017

To: TRPA Hearings Officer

From: TRPA Staff

Subject: Iglesias Residential Modification within the Al Tahoe-Harrison Tract Historic District, 941 Tulare Avenue, City of South Lake Tahoe, CA; Assessor's Parcel No: 026-262-13, TRPA File No: ERSP2017-0387

Requested Action: Hearings Officer action on the proposed project and a finding of no significant environmental effect.

Staff Recommendation: Staff recommends the Hearings Officer make the required findings (Attachment A) and approve the proposed project based on this staff summary and the evidence contained in the project record. The recommended conditions of approval are contained in the attached Draft Permit (see Attachment B).

Project Description/Background: The subject property is a single family residential site located within Al Tahoe-Harrison Tract Historic District in the City of South Lake Tahoe, California. The existing property consists of a 576 square foot cabin, deck, and wooden fences. The existing cabin was built in 1950 and is considered a contributing resource to the historic district.

The project proposes a 240 sq.ft. bedroom addition, which will connect to the original structure, permanent Best Management Practices (BMPs), and a 400 sq.ft. paved parking area. The proposed addition will be constructed on the rear (or northeast) corner of the cabin. All other facades of the original cabin will remain intact. The proposed structure will conform to TRPA Design Review Guidelines. All building materials will be within the range of TRPA approved earth tones that blend, rather than contrast with the existing vegetation and earth hues. The roof will be a composite material and will match the existing structure. The subject property is not visible from any TRPA designated scenic corridor.

Staff Analysis:

- A. Environmental Documentation: TRPA staff has completed the "Project Review Conformance Checklist and Article V (g) Findings" in accordance with Subsection 4.4.2 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 Hearings Officer meeting and at TRPA.
- B. Plan Area Statement: The project is located within Plan Area Statement (PAS) #099 – Al Tahoe. The Land Use Classification is Residential and the Management Strategy is Redirection. Agency staff has reviewed the subject Plan Area and has determined that

the project is consistent with the applicable planning statement, planning considerations, and special policies. The proposed use (single family dwelling) is listed as an allowed use. The property will remain as a residential use with modification upgrades.

- C. Land Coverage: This project complies with land coverage requirements of the TRPA Code of Ordinances. The parcel is located on Class 7 land, verified in TRPA file 375801SA. The total base allowable land coverage for this parcel is 3,618 square feet. TRPA verified 1,166 square feet of land coverage as legally existing on the property (TRPA file 375801SA). Coverage created as part of this project will not exceed the base allowable.
- D. Density: This project complies with residential density requirements of the TRPA Code of Ordinances.
- E. Historic Resources: The residence on the property is considered eligible as a historic resource by TRPA for planning purposes as a contributing resource to the Al Tahoe-Harrison Tract Historic District. Additions, reconstruction, or demolition of eligible or designated historic resources requires review and approval by a Hearings Officer in accordance with Section 2.2.2.2.c of the TRPA Code.

Contact Information: If you have any questions, please contact Jennifer Self, Associate Planner at jself@trpa.org or (775) 589-5261.

Required Actions: Staff recommends that the Hearings Officer take the following actions:

- I. Approve the findings contained in this staff summary, and a finding of no significant environmental effect.
- II. Approve the project, based on the staff summary, and record evidence, subject to the conditions contained in the attached Draft TRPA Permit (Attachment B).

Attachments:

- A. Required Findings/Rationale
- B. Draft Permit
- C. Site Plan

Attachment A

Required Findings/Rationale

Required Findings/Rationale

The following is a list of the required findings as set forth in Chapters 4 and 67 of the TRPA Code of Ordinances. Following each finding, Agency staff has indicated if there is sufficient evidence contained in the record to make the applicable findings or has briefly summarized the evidence on which the finding can be made.

1. Chapter 4 – Required Findings:

- (a) 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.

Based on the findings provided on the Initial Environmental Checklist and the Article V (g) Findings Checklist, there is sufficient evidence in the project file to make this finding.

- (b) The project will not cause the environmental threshold carrying capacities to be exceeded.

The project meets the provisions of the TRPA Code of Ordinances; no significant environmental impacts will occur, and it will not cause the environmental threshold carrying capacities to be exceeded.

- (c) 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 TPRA Compact, the project meets or exceeds such standards.

All potential effects are temporary and shall be mitigated through temporary and permanent Best Management Practices (BMPs). The applicant will meet or exceed all federal, state, or local water quality standards. Upon completion of construction, the project will have no impact upon water quality standards.

2. Chapter 67-Historic Resource Protection: Historic resources shall not be demolished, disturbed, or removed unless TRPA finds that:

- A. The action will not be detrimental to the historic significance of the resource;
- B. The action is pursuant to a recovery plan approved by the applicable state historic preservation office;
- OR
- C. It is the only feasible alternative to protect the health and safety of the public.

The proposed project includes a 240 sq.ft. bedroom addition, permanent Best Management Practices (BMPs), and a 400 sq.ft. paved parking area. The proposed addition will be constructed on the rear (or northeast) corner of the cabin. All other facades of the original cabin will remain intact. The proposed addition incorporates similar architecture and building materials to the original, and therefore will not detract from the overall character of the building and will be recognizable as a later addition.

TRPA finds the proposed project maintains the feel, character, compatible materials, scale, and massing of the existing building. Pursuant to TRPA Code of Ordinances Section 67.7.1 and 67.7.4 and option A above, the proposed addition is in-keeping with the U.S. Secretary of Interior Standards for the Treatment of Historic Properties and will not be detrimental to the historic significance of the resource. No mitigation is required as part of this approval.

Attachment B

Draft Permit

DRAFT PERMIT

PROJECT DESCRIPTION: Single Family Dwelling Addition

APN: 026-262-13

PERMITTEE(S): Julio Iglesias Jr.

TRPA FILE #: ERSP2017-0387

CITY/LOCATION: City of South Lake Tahoe, El Dorado County /941 Tulare Avenue

Having made the findings required by Agency ordinances and rules, **the Hearings Officer approved the project on July 13, 2017** subject to the standard conditions of approval attached hereto (Attachment R) and the special conditions found in this permit.

This permit shall expire on **July 13, 2020** without further notice unless the construction has commenced prior to this date and diligently pursued thereafter. Commencement of construction consists of pouring concrete for a foundation and does not include grading, installation of utilities or landscaping. Diligent pursuit is defined as completion of the project within the approved construction schedule. The expiration date shall not be extended unless the project is determined by TRPA to be the subject of legal action which delayed or rendered impossible the diligent pursuit of the permit.

NO CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL:

- (1) TRPA RECEIVES A COPY OF THIS PERMIT UPON WHICH THE PERMITTEE(S) HAS ACKNOWLEDGED RECEIPT OF THE PERMIT AND ACCEPTANCE OF THE CONTENTS OF THE PERMIT;**
- (2) ALL PRE-CONSTRUCTION CONDITIONS OF APPROVAL ARE SATISFIED AS EVIDENCED BY TRPA'S ACKNOWLEDGEMENT OF THIS PERMIT;**
- (3) THE PERMITTEE OBTAINS A CITY BUILDING PERMIT. TRPA'S ACKNOWLEDGEMENT IS NECESSARY TO OBTAIN A CITY BUILDING PERMIT. THE CITY PERMIT AND THE TRPA PERMIT ARE INDEPENDENT OF EACH OTHER AND MAY HAVE DIFFERENT EXPIRATION DATES AND RULES REGARDING EXTENSIONS; AND**
- (4) A TRPA PRE-GRADING INSPECTION HAS BEEN CONDUCTED WITH THE PROPERTY OWNER AND/OR THE CONTRACTOR.**

TRPA Executive Director/Designee

Date

PERMITTEE'S ACCEPTANCE: I have read the permit and the conditions of approval and understand and accept them. I also understand that I am responsible for compliance with all the conditions of the permit and am responsible for my agents' and employees' compliance with the permit conditions. I also understand that if the property is sold, I remain liable for the permit conditions until or unless the new owner acknowledges the transfer of the permit and notifies TRPA in writing of such acceptance. I also understand that certain mitigation fees associated with this permit are non-refundable once paid to TRPA. I understand that it is my sole responsibility to obtain any and all required approvals from any other state, local or federal agencies that may have jurisdiction over this project whether or not they are listed in this permit.

Signature of Permittee(s) _____ Date _____

PERMIT CONTINUED ON NEXT PAGE

- (4) Include temporary BMPs to be installed during construction activity. Temporary erosion control structures located downslope of the proposed construction areas. Vegetation protective fencing around the entire construction site. The fencing shall be no more than 12 feet from any footprint, driveway, or area of approved disturbance. Trees located within the construction area that are to be retained shall be individually protected by fencing or other means as necessary.
 - (5) Provide a continuous walkway surface from the primary entrance of the residence to the proposed parking area and revise coverage calculations to reflect the change. Flagstones or other hard surface is approvable.
 - (6) Include a note indicating conformance to the following design standards for colors, roofs, and fences:
 - (a) Color: The color of this structure, including any fences on the property, shall be compatible with the surroundings. Subdued colors in the earthtone and woodtone ranges shall be used for the primary color of the structure. Hues shall be within the range of natural colors that blend, rather than contrast, with the existing vegetation and earth hues. Earthtone colors are considered to be shades of reddish brown, brown, tan, ochre, and umber.
 - (b) Roofs: Roofs shall be composed of non-glare earthtone or woodtone materials that minimize reflectivity.
 - (c) Fences: Wooden fences shall be used whenever possible. If cyclone fence must be used, it shall be coated with brown or black vinyl, including fence poles.
 - (7) A note indicating: "All areas disturbed by construction shall be revegetated in accordance with the TRPA Handbook of Best Management Practices and Living with Fire, Lake Tahoe Basin, Second Edition."
- B. The permittee shall identify all permanent BMPs on the site/drainage plan and shall provide corresponding BMP calculations demonstrating conformance with TRPA infiltration requirements.
- C. The security required under Standard Condition I.B. of Attachment Q shall be equal to 110% of the estimated BMP cost, and shall be determined upon the permittee's submittal of required BMP plan and related cost estimate. Please see Attachment J, Security Procedures, for appropriate methods of posting the security and for calculation of the required security administration fee.
- D. A water quality mitigation fee shall be paid to TRPA. This fee is based on the creation of new land coverage at a rate of \$1.86/square feet. The required fee will be calculated at the time of acknowledgment based on the revised site plan and coverage calculations.
- E. The permittee shall submit an offsite coverage mitigation fee if the project creates additional land coverage in the public right-of-way. Determination of an off-site coverage

mitigation fee shall be determined based on the permittee's submittal of revised coverage calculations. **Please be advised that the City of South Lake Tahoe may require an encroachment permit for this activity. The permittee is responsible for obtaining necessary approvals from the City.**

- F. The permittee shall submit three sets of final construction drawings and site plans to TRPA.
4. Prior to security release photos shall be provided to TRPA taken during the construction of any subsurface BMP's or of any trenching and backfilling with gravel.
 5. Temporary and permanent BMPs may be field fit by the Environmental Compliance Inspector where appropriate.
 6. This approval is based on the permittee's representation that all plans and information contained in the subject application are true and correct. Should any information or representation submitted in connection with the project application be incorrect or untrue, TRPA may rescind this approval, or take other appropriate action.
 7. All exterior lighting shall be consistent with TRPA Code of Ordinances, Chapter 36, Section 36.8, Exterior Lighting Standards and TRPA Design Review Guidelines.
 8. The permittee is responsible for insuring that the project, as built, does not exceed the approved land coverage figures shown on the site plan. The approved land coverage figures shall supersede scaled drawings when discrepancies occur.
 9. To the maximum extent allowable by law, the Permittee agrees to indemnify, defend, and hold harmless TRPA, its Governing Board, its Planning Commission, its agents, and its employees (collectively, TRPA) from and against any and all suits, losses, damages, injuries, liabilities, and claims by any person (a) for any injury (including death) or damage to person or property or (b) to set aside, attack, void, modify, amend, or annul any actions of TRPA. The foregoing indemnity obligation applies, without limitation, to any and all suits, losses, damages, injuries, liabilities, and claims by any person from any cause whatsoever arising out of or in connection with either directly or indirectly, and in whole or in part (1) the processing, conditioning, issuance, or implementation of this permit; (2) any failure to comply with all applicable laws and regulations; or (3) the design, installation, or operation of any improvements, regardless of whether the actions or omissions are alleged to be caused by TRPA or Permittee.

Included within the Permittee's indemnity obligation set forth herein, the Permittee agrees to pay all fees of TRPA's attorneys and all other costs and expenses of defenses as they are incurred, including reimbursement of TRPA as necessary for any and all costs and/or fees incurred by TRPA for actions arising directly or indirectly from issuance or implementation of this permit. Permittee shall also pay all costs, including attorneys' fees, incurred by TRPA to enforce this indemnification agreement. If any judgment is rendered against TRPA in any action subject to this indemnification, the Permittee shall, at its expense, satisfy and discharge the same.

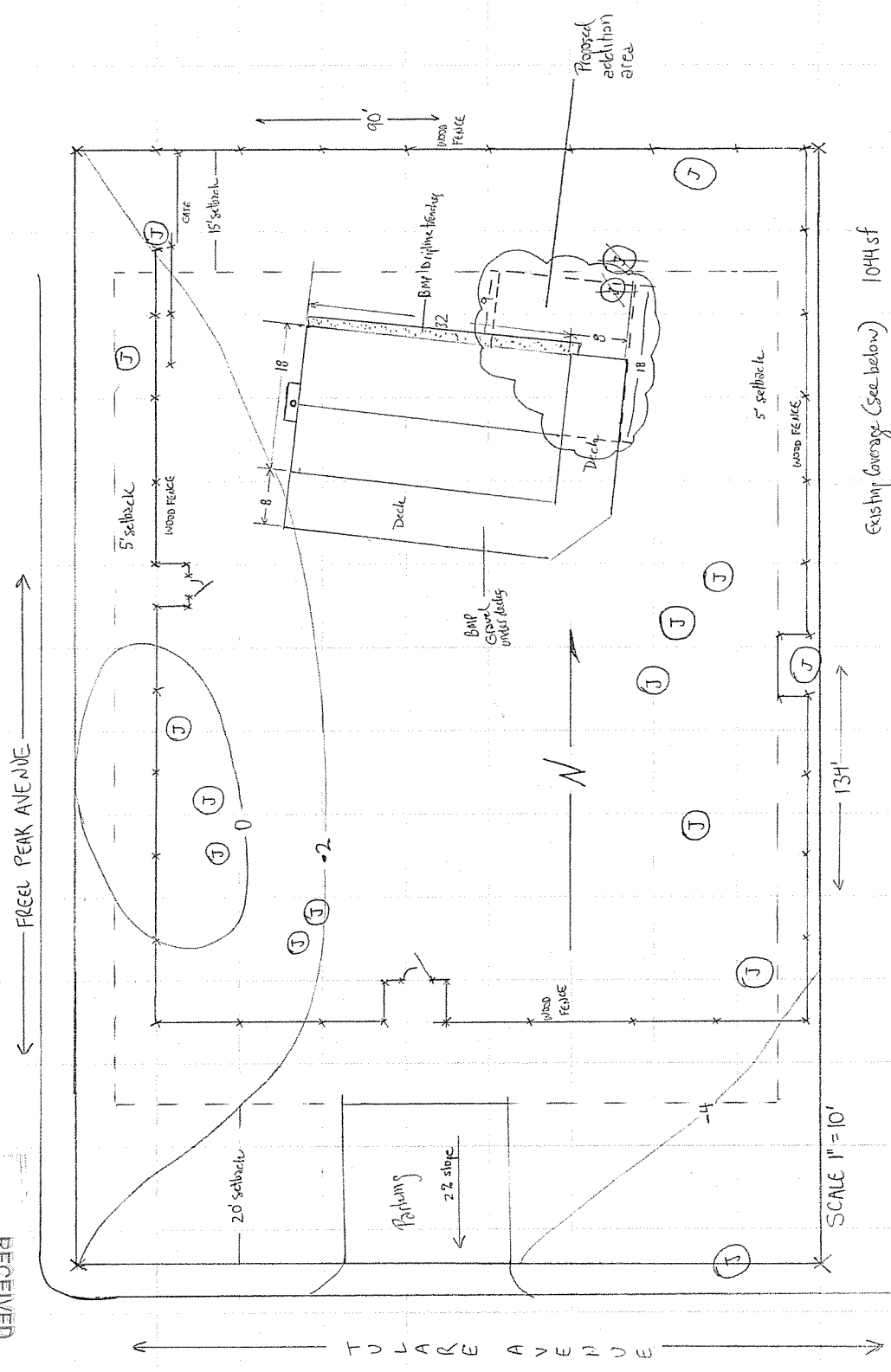
END OF PERMIT

Attachment C

Site Plan

TAHOE REGIONAL
PLANNING AGENCY
APR 19 2017

RECEIVED



Existing Coverage (See below) 1044 sf

PROPOSED Coverage	
Building	798 sf
Decks	360 sf
Steps	48 sf
Driveway	400 sf
Total	1606 sf
Total Allowed coverage (per site assessment) 3618 sf	

Lot Dimensions 90x134 = 12,060 sf
 TRPA Verified Land Capability Class 7, 30% or 3,618 sf
 EXISTING COVERAGE BUILDINGS 564 sf
 Decks 432 sf
 Steps 48 sf

AL TRADE Z
 941 TULARE AVENUE
 SOUTH LAKE TAHOE CA 96150
 APN 026-262-13-100

OWNER: Julio Iglesias Jr
 APN 026-262-13-100
 941 TULARE AVENUE
 SOUTH LAKE TAHOE, CA 96150