



## PLANNING COMMISSION STAFF REPORT

Meeting Date: August 20, 2024

To: Town of Truckee Planning Commission

From: Laura Dabe, Associate Planner

RE: Planning Application #2024-00000087 (Industrial Way Mixed-Use Project Amendment); 10969 Industrial Way (APN 019-700-006); Applicant: Joseph Remick, Sage Modern; Owner: Blair Porteous

Approved by: Denyelle Nishimori, Community Development Director

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**Recommended Action:** That the Planning Commission adopt Resolution 2024-11, taking the following actions:

- 1) Determining the project to be exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the CEQA Guidelines (Existing Facilities); and
- 2) Approving amendments to the previously approved Industrial Way Mixed-Use Project to grant a floor area ratio (FAR) increase of 0.05, allowing construction of up to 5,837 square feet of additional mezzanine floor area within the two industrial buildings and the construction of five additional parking spaces, subject to the recommended conditions of approval.

**Project Summary:** The applicant is requesting amendments to the previously approved Industrial Way Mixed-Use Project located at 10969 Industrial Way (APN 019-700-006). The project was approved by the Planning Commission on May 19, 2020 (Application #2019-00000175/DP-ZC-SP) and granted a Time Extension on April 19, 2022 (Application #2022-00000032/EXT). The approved project included 28,336 square feet of general manufacturing space within two industrial buildings and a nine-unit multifamily residential building. The applicant has requested Project Amendment approval to increase the allowed floor area for the project in order to construct up to 5,837 square feet of mezzanine space within the existing industrial units along with five additional parking spaces.

**Planning Commission's Role:** Development Code Section 18.84.070 (Changes to an Approved Project) states that major changes to an approved project shall only be authorized by the original review authority for the project. The Planning Commission was the original review authority for the Industrial Way Mixed-Use Project; therefore, the Commission is the review authority for the requested project amendments.

**Location/Setting:** The project site is Lot 6 of the Truckee Industrial Park Subdivision located at 10969 Industrial Way (APN 019-700-006), north of the Pioneer Commerce Center subdivision. The parcel is 2.68 acres in size, with access provided off Industrial Way. The site is surrounded by developed industrial parcels to the north, west and south, and residential uses to the east (the Coachland Mobile Home Park). The site is located in the M (Manufacturing) zoning district and the IND (Industrial) General Plan land use designation.



**Figure 1: Project Location**

**Project Site Information:**

General Plan Designation: IND (Industrial)  
 Zoning District: M (Manufacturing)  
 Project Area: 2.68 acres (116,740.80 square feet)  
 Utilities: Public sewer and water

**Discussion/Analysis:**

***Background***

The Industrial Way Mixed-Use Project was approved by the Planning Commission on May 19, 2020 (Town of Truckee Application #2019-00000175; Commission Resolution 2020-05). The project included two industrial buildings with 28,336 square feet of general manufacturing space and a nine-unit apartment building and required approval of the following land use entitlements:

- 1) **Development Permit** for projects with 7,500 square feet or more of floor area and/or 26,000 square feet or more of site disturbance;
- 2) **Zoning Clearance** for permitted uses in the M (Manufacturing) zoning district, including general manufacturing space and multifamily dwellings in a commercial/industrial project; and
- 3) **Sign Plan** to approve signage for the multiple tenant site.

The approved project included the following:

- Building A: eight tenant spaces and 11,554 square feet of general manufacturing space;
- Building B: 12 tenant spaces and 16,782 square feet of general manufacturing space;

- Building C: a nine-unit multifamily residential building with 5,877 square feet of interior floor space, featuring one-bedroom rental apartment units of 653 square feet, including one inclusionary housing unit and two workforce housing units; and
- 54 parking spaces for the manufacturing uses (including two ADA-accessible spaces) and nine parking spaces for the residential uses (six garage spaces for the market-rate units and three uncovered spaces for the affordable units, with one uncovered ADA-accessible space).

In addition to the above land use entitlements, the applicant also requested approval of a 0.04 FAR increase under Development Code Section 18.12.050 (Floor Area Criteria), Subsection B.2, which applies to mixed-use projects, to increase the maximum allowed FAR for the project to 0.24 FAR.

The Planning Commission took action to adopt Resolution 2020-05, approving the Industrial Way Mixed-Use Project. (See Attachment #6 for links to the May 19, 2020 staff report, meeting minutes and final Resolution 2020-05.)

Following approval of the original project, the following applications have subsequently been processed:

- **Time Extension:** On April 19, 2022, the Planning Commission approved a one-year Time Extension for the Industrial Way Mixed-Use Project (Town of Truckee Application #2022-00000032/EXT; Commission Resolution 2022-07). (See Attachment #7 for links to the April 19, 2022 staff report, meeting minutes and final Resolution 2022-07.)
- **Tentative Map:** On August 16, 2023, the Zoning Administrator approved a Tentative Map to subdivide the 2.68-acre parcel (Lot 6 of the Truckee Industrial Park Subdivision, PM 01-097) into four parcels and 20 commercial condominium units (Town of Truckee Application #2023-00000064/TM).
- **Zoning Clearance:** On April 8, 2024, a Zoning Clearance was approved by the Community Development Director to establish individual uses within the 20 industrial tenant spaces, including a mix of warehousing and contractor’s yard uses (Town of Truckee Application #2021-00000024).
- **Building Permits:** On April 10, 2024, building permits for construction of the project were completed and Certificate of Occupancy was issued (Building Permits #2020-00001482, 2022-00000235, 2022-00000236 and 2022-0000237).
- **Parcel Map:** On May 16, 2024, a Parcel Map was recorded to complete the subdivision of Lot 6 into four parcels and 20 commercial condominium units (Town of Truckee Application #2023-00000064/PM; PM 22 30).

Through the building permit process, the floor area calculations for the industrial and residential buildings were revised, with a slight increase in both floor area calculations, as shown in Figure 2 below:

**Figure 2:**

Floor Area Calculations			
	Approved Project	Building Permit	Change (+/-)
Industrial	28,336	28,373	+37
Residential	5,877	5,983	+106
<b>Total SF</b>	<b>34,213</b>	<b>34,356</b>	<b>+143</b>

This resulted in a total floor area for the project of 34,356 square feet (28,373 square feet of industrial floor area and 5,983 square feet of residential floor area). This remained within the approved FAR for the project (0.24 FAR).

### *Mezzanine Additions*

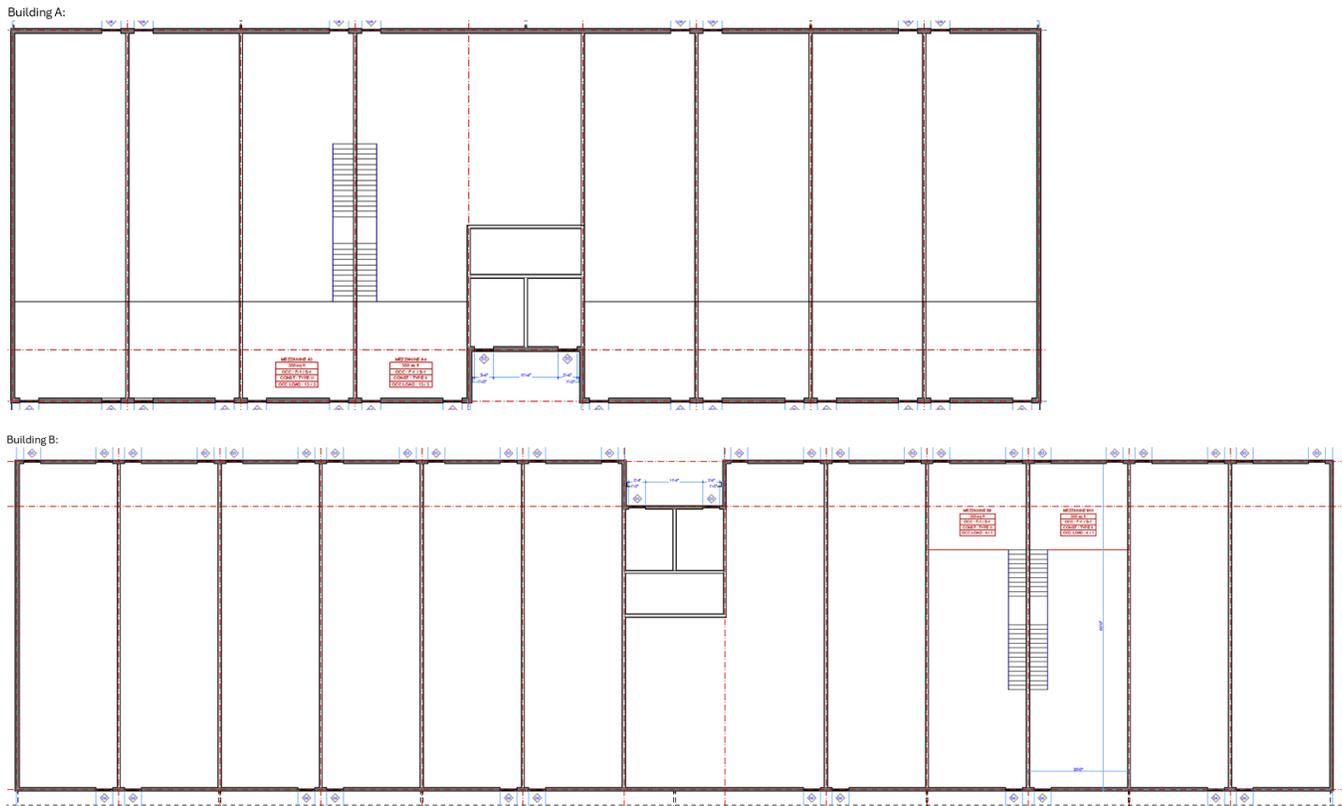
At the time of the original project approval, the applicant anticipated that there could be future interest in adding mezzanines to some of the industrial tenant spaces within the two buildings. At that time, mezzanine spaces did not count toward the floor area calculations for a project. Therefore, mezzanines could have been added through the building permit process without increasing the floor area for the project or adding additional parking demand as long as the mezzanines met the building code criteria (including that the aggregate area of a mezzanine or mezzanines within a room shall be not greater than one-third of the floor area of that room or space in which they are located) and as long as the additional square footage fell within the 10 percent change to an approved project that can be made at the staff level by the Community Development Director.

As part of the Development Code amendments that went into effect on September 7, 2023, the Town's "Gross floor area" definition was amended to include mezzanine area, as highlighted below:

**Gross floor area.** The floor area within the outside perimeter of the exterior walls of the building or area under consideration, exclusive of vent shafts and courts, without deduction for corridors, closets, the thickness of interior walls, columns or other features. For stairways and elevators that connect multiple levels, floor area shall be counted on all levels as if it were a solid floor except that the area of the stairway or elevator shall not be counted as floor area on the top-most interior level served by the element. Where a room in a building has a sloped ceiling, no portion of the room measuring less than five feet (5') from the finished floor to the ceiling shall be counted as floor area. For crawl spaces and basement areas, any area with a structural floor that has a ceiling height of five feet (5') or greater and is enclosed with walls shall be counted as floor area. **Gross floor area shall include mezzanines** and carports, but not porches, patios, porte cocheres, decks, or walkways, whether covered with a roof or not. The gross floor area shall be calculated or computed in accordance with the intent of Title 15 (Building & Construction) of the Municipal Code.

As a result of this change, mezzanines now count toward the floor area for a project. Since mezzanines area was not included in the original Planning Commission review or added through the building permit process prior to the Development Code amendments, the additional floor space added through future mezzanine additions counts toward to the floor area calculation for the project. Since a maximum of 0.24 FAR was approved, and the project has built out to the maximum floor area allowed under this FAR, no additional floor area may be added to the project. As a result, a Project Amendment is required to request an additional FAR increase to allow for more floor area to be constructed.

One exception to this determination was approved at the staff level by the Community Development Director. Although mezzanines were not addressed in the any of the Planning Commission reviews for the project, and these spaces were not included in the project description or in the resolutions that approved the project and subsequent time extension, there was a plan sheet in the originally approved plan set from 2020 which showed a conceptual diagram for future mezzanines in four of the tenant spaces (350 square feet each), as shown in Figure 3 below:



**Figure 3: Conceptual Mezzanine Diagrams**

Information designated as “optional” or “future” work on plans that are submitted as part of a land use permit or building permit application is not considered by the Town to be part of the approved scope of work, and any future work that is proposed at a later date is required to comply with the standards that are in place at that time. However, since this conceptual drawing of the four tenant spaces was included in the approved plan set at a time when mezzanines did not count toward the floor area for the project, the Director agreed to allow flexibility for four of the tenant spaces to move forward with building permits without going through an additional land use permit process. Since these four 350-square-foot mezzanines are allowed to be constructed under the original project approval and standards that were in place at that time, they do not count toward the floor area calculations or parking demand calculations for the project. Building permits for the first two of the four mezzanines were submitted to the Building Division in June 2024 (Building Permit # 2024-00000603) and July 2024 (Building Permit #2024-00000755) and are currently in the building permit process.

### ***Project Description***

The applicant submitted the Project Amendment application on June 20, 2024, requesting approval from the Planning Commission of an additional 0.05 FAR increase for the project to allow for the construction of up to 5,837 square feet of mezzanine floor area within the existing industrial tenant spaces and the construction of five additional parking spaces based on the parking demand generated by the additional floor area. The applicant is requesting the additional FAR increase under Development Code Section 18.12.050 (Floor Area Ratio Criteria), Subsection B.9, which allows for a FAR increase for projects which provide public art valued at one percent or more of the private development costs for new construction.

### ***Land Use Approvals***

Development Code Section 18.84.070 (Changes to an Approved Project) states that major changes to an approved project shall only be authorized by the original review authority for the project. The Planning Commission reviewed and approved the Industrial Way Mixed-Use Project in May 2020 (including the

Development Permit, Zoning Clearance and Sign Plan), and is therefore the review authority for proposed changes to the conditions of approval for the project. The Commission may approve the amendments to the approved land use entitlements, with or without conditions, only if all the required findings can be made. Draft Resolution 2024-11 (Attachment #1) includes a set of recommended findings in support of the amendments to the approved project.

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

The Industrial Way Mixed-Use Project and Time Extension applications were approved under the 2025 General Plan. On May 9, 2023, the 2040 General Plan was adopted. Staff reviewed the Project Amendment application for consistency with the current General Plan policies and standards, as discussed below.

Two General Plan changes that affect the current application include the following: 1) The maximum amount of floor area ratio (FAR) that is allowed under the Industrial land use designation; and 2) How FAR is calculated.

At the time of the original project approval, the maximum allowed FAR for the project was 0.20 and the FAR calculation included only non-industrial floor area. When the new calculations are applied to the Industrial Way Mixed-Use Project, the maximum allowed FAR for the project is 0.29 (based on the maximum 0.25 FAR allowed under the General Plan plus the 0.04 FAR increase granted by the Planning Commission). The current FAR for the project is 0.29 (34,356 square feet of total floor area divided by 116,741 square feet of site area). Therefore, the existing project remains in compliance with the current General Plan policies related to FAR.

Additionally, the project is consistent with the 2040 General Plan policies related to industrial development. The General Plan identifies that Truckee's industrial sector is a central component of creating a strong four-season economy, which provides residents with year-round jobs and livable wages. The General Plan also encourages the expansion of key economic sectors and ensuring the availability of industrial space.

- **Land Use Element Goal LU-4 – Industrial Uses:** Support a strong, diverse, economy by maintaining a robust industrial and maker base that provides jobs for residents and is compatible with surrounding uses.
- **Economic Development Goal ED-2 – Expansion of Key Economic Sectors:** Foster business retention and expansion efforts in key economic sectors that provide living wage employment opportunities, provide local-serving goods and services, and support local business expansion and diversification.
- **Economic Development Policy ED-2.1 – Availability of Industrial Space:** Ensure the availability of sufficient manufacturing, business park, and light industrial space to support the resilience and diversity of local businesses in these key economic sectors, growth of living-wage employment opportunities, and implementation of other Town goals such as relocating existing industrial businesses from the Truckee River.

It is staff's opinion that the project is consistent with the adopted 2040 General Plan and that the required findings to approve the project related to General Plan consistency can be made.

### ***Development Code Consistency***

The Development Code has been amended following approval of the original project in 2020 and the Time Extension in 2022. Staff reviewed the Project Amendment application for consistency with the current Development Code standards and has determined that these updates do not necessitate any changes to the project conditions of approval, except as discussed below.

### Gross Floor Area Definition

As noted in the “Background” section above, at the time of the original project approval in 2020 and the Time Extension approval and building permit issuance in 2022, the Development Code definition for “Gross Floor Area” did not include mezzanine areas. The definition was subsequently updated as part of Development Code amendments that went into effect on September 7, 2023. The current definition includes mezzanine areas in the gross floor area calculation.

### Maximum Floor Area Ratio

As noted in the “General Plan Consistency” section above, the maximum FAR under the 2040 General Plan for the Industrial land use designation is 0.25. The Development Code has not yet been updated to reflect this change from the previously allowed FAR of 0.20 in the M (Manufacturing) zoning district. This item will be addressed as part of the upcoming Development Code amendments related to General Plan implementation. In the interim, the General Plan FAR governs the maximum allowable FAR, as well as the fact that the FAR calculation now includes both non-residential and residential floor area. Therefore, the current maximum allowed FAR for M zoning district is 0.25 unless the maximum FAR is increased pursuant to Section 18.12.050 as discussed below.

### Floor Area Ratio Criteria

In accordance with Development Code Section 18.12.050 (Floor Area Ratio Criteria), the review authority may increase FAR requirements established by Table 2-8 for the projects in the CN, CG, CH, CS and M zoning districts, subject to the following findings and standards.

The review authority may approve a FAR increase, with or without conditions, only if all of the following findings can be made:

1. The FAR increase is proportional to the public benefit provided by the project, including exemplary design and environmental sensitivity, and compliance with the other provisions of this Section;
2. The increased project intensity will not create unmitigatable traffic circulation impacts in the site vicinity or elsewhere in the Town; and
3. The subject site is physically suitable for and adequate in size and shape to accommodate the type and intensity of development being proposed.

The review authority may increase the FAR by 0.05, or 2,178 square feet per acre, up to a maximum of 0.35, for each/any of the following project features:

1. The primary use of the site is for lodging;
2. The project is a mixed-use development that complies with the eligibility requirements of Section 18.58.140.C (Eligibility for mixed-use development incentives);
3. The site is within the preferred infill area shown on Sheet 28 of the Town Zoning Map;
4. Lands are dedicated for public open space, public access and/or public recreation beyond that necessary for the project;
5. The project will provide enhanced public facilities which are needed by the Town beyond those necessary for the project or required for the project as mitigation measures (for example, transit facilities);
6. The project is a development with commercial and/or industrial uses that contain one or more businesses that support other businesses within the development and reduce traffic and parking demand for the development to an extent greater than that generated by the increased floor space. The review authority may require traffic and/or parking analyses to support this finding; and/or

7. The project incorporates transportation control measures that reduce traffic and parking demand for the development to an extent greater than that generated by the increased floor space. The review authority may require traffic and/or parking analyses to support this finding.
8. An in-lieu fee is paid in accordance with Council Resolution No. 2002-50 as amended.
9. Public art valued at one percent or more of the private development costs for new construction.

#### *Original FAR Increase*

With the original project approval, the applicant requested approval of an 0.04 FAR increase in compliance with Item #2 in the list above. This item applies to mixed-use developments that comply with the eligibility requirements of Section 18.58.140.C (Eligibility for mixed-use development incentives). Under this section, commercial and/or industrial uses are required to be the primary components of a mixed-use project and residential floor area may not exceed 50 percent of the total floor area of the mixed-use project.

With the original project, the applicant proposed to increase the FAR for the project from 0.20 to 0.24 (28,336 square feet of non-residential floor area / 116,741 square feet of site area). The residential floor area (5,877 square feet) represented 17 percent of the total floor area for the project (34,213 square feet). Staff determined that the applicant had met the requirements to allow for a FAR increase under the mixed-use project feature criteria, and the Commission granted the request for the 0.04 FAR increase.

As noted above, both the maximum allowed FAR for projects in the Industrial land use designation and the way FAR is calculated have changed under the 2040 General Plan. The maximum allowed FAR for industrial projects is now 0.25, and the FAR calculations includes both non-residential and residential floor area. When the previously approved project is recalculated under the new standards, using the approved square footages from the building permits for the project, the existing FAR is 0.29 (34,3456 square feet of total floor area / 116,741 square feet of site area = 0.29). This meets the current FAR standard of 0.25 plus the previously approved 0.04 FAR increase.

#### *Proposed FAR Increase*

With the current Project Amendment, the applicant is requesting an additional FAR increase of 0.05, for a total FAR of 0.34. In order to qualify for the additional increase, the applicant proposes to provide a project feature consistent with Item #9 in the criteria list above. This item requires a developer to provide public art valued at one percent or more of the private development costs for new construction.

In support of this request, the applicant has provided documentation of the development costs for the project (see Attachment #4). According to the bank loan paperwork, the total private development costs for the project totaled \$5,923,813. Therefore, the required public art (valued at one percent or more of the development costs) is \$59,238.13. The applicant proposes to pay this amount to the Town for use in future public art projects, based on recommendations from the Public Arts Commission. This requirement is addressed in Condition of Approval #2.D in Draft Resolution 2024-11.

#### Parking

The parking requirements for the original project were calculated per Development Code Chapter 18.48 (Parking and Loading Standards), except as modified by the below in the conditions of approval:

- Manufacturing Uses: 2 spaces per each 1,000 square feet for the first 25,000 square feet and 1 space per 1,000 square feet thereafter (53 parking spaces).
  - 54 parking spaces are approved for the manufacturing uses, including two ADA-accessible spaces.
- Residential Uses: 1.5 spaces per one-bedroom unit, plus 25 percent guest parking (17 parking spaces), with one space in a fully enclosed garage for each market rate unit.

- Nine parking spaces are approved for the residential uses, with a reduction in parking demand to one space per unit through the mixed-use incentive approved by the Planning Commission. Six enclosed garage spaces for the market rate units and three uncovered spaces for the affordable units are approved. One of the uncovered residential parking spaces shall be an ADA-accessible parking space.

As noted in the above language, a total of 53 parking spaces were required for the project and 54 parking spaces were approved and constructed, creating an existing surplus of one parking space.

With the addition of up to 5,837 square feet of additional mezzanine floor area for the project, an additional six parking spaces is required ( $5,837 \text{ sf} / 1,000 = 5.8$  spaces, rounded up per Development Code Section 18.03.020.C). The applicant constructed one excess parking space as part of the original project and is therefore proposing to construct five additional parking spaces as shown on the current site plan (see Attachment #3).

The additional parking generation was calculated using the general manufacturing parking demand rather than based on specific uses for the mezzanine areas, as these have not been identified at this time. If a future mezzanine area is proposed to be used as an office space, then that could potentially generate additional parking demand for the project. Within a manufacturing tenant space, up to 20 percent of the floor area may be used as an ancillary office without triggering additional parking demand under the office parking demand calculations. Staff recommends that any office spaces in the mezzanine areas should be limited to 20 percent of the floor area of the tenant space to avoid triggering additional parking demand. These requirements are addressed in Condition of Approval #2.E in Draft Resolution 2024-11.

#### *Requested Phasing Plan*

The applicant is requesting a phasing plan for construction of the additional five parking spaces. The intent of the phasing is to allow construction of the additional parking spaces to occur as the additional mezzanine areas are built out under the theory that the additional parking demand will not be generated until additional floor area is added to the project. The applicant has proposed the following phasing:

- **Phase 1:** Prior to construction of any of the first 2,400 square feet of mezzanine space = 2 parking spaces to be constructed.
- **Phase 2:** Prior to construction of any of the remaining 3,437 square feet of mezzanine area = 3 parking spaces to be constructed.

Staff has concerns with this type of phasing for several reasons. Past precedent for this type of FAR increase has been to require the additional improvements that are triggered by the granting of additional FAR to be constructed as a condition of project approval (i.e., within two years per the Town's standard timeframes for exercising a land use entitlement). This type of phasing would represent a different approach to these types of projects. From a logistical standpoint, tying the additional parking to future construction of mezzanine floor area through the building permit process would create challenges in terms of tracking the buildout numbers and ensuring that the additional parking is constructed as required. The mezzanine buildout could occur over an unspecified number of years, and there is not currently a process in place to track that kind of post-approval construction buildout as it relates to the installation of required site improvements. A new process for this would need to be developed. Staff has proposed Condition of Approval #2.E in Draft Resolution 2024-11 requiring construction of the five additional parking spaces in compliance with the Town's standard timeframes. Should the Commission choose to approve phasing for these spaces, the language in draft Condition #2.E would need to be modified.

#### Bicycle Parking

Under the Development Code standards that were in place when the original project was approved, the project was required to provide a total of three bicycle parking spaces. As part of the Time Extension approval in 2022, the project was required to be brought into compliance with the Town's current

standards for bicycle parking. Non-residential projects are required to provide bicycle parking spaces at a rate of 15 percent of the number of vehicle parking spaces required under Development Code Section 18.48.040 (Number of Parking Spaces Required), with a minimum of three parking spaces required in all cases. Staff determined that a total of eight bicycle parking spaces were required at that time ( $15\% \times 54 = 8.1$ , rounded down to next whole number per Development Code Section 18.03.020.C). With the addition of five parking spaces, this would increase the number of required bicycle parking space to nine spaces ( $15\% \times 59 = 8.85$ , rounded up to the next whole number per Section 18.03.040.C). This requirement to provide one additional bicycle parking space is addressed in Condition of Approval #2.F in Draft Resolution 2024-11

### Workforce Housing

As part of the existing project, the applicant was required to construct two workforce housing units in compliance with Development Code Chapter 18.216 (Workforce Housing). Manufacturing uses require a FTEE (full-time equivalent employee) calculation of 1 FTEE per 1,000 square foot of gross floor space. The project will construct 28,336 square feet of industrial floor area, which equates to 28.36 FTEE ( $28,336/1000$ ). Industrial projects with 20,000 to 39,000 square feet and 20 to 40 FTEE are required to provide workforce housing equivalent to seven percent of the FTEE calculation, which results in two workforce housing units ( $28.36 \times 0.07$ ). The additional 5,837 square feet of floor area that is requested would bring the total non-industrial square footage for the project up to 34,210 square feet ( $28,373$  sf per the approved building permit + 5,837 sf of additional mezzanine floor space). This size of project still requires workforce housing to be provided at a rate of seven percent of the FTEE, which results in two workforce housing units ( $34.21 \times 0.07$ ). Therefore, no additional workforce housing is required to be provided as a result of the FAR increase.

### ***Special Districts and Utilities***

All applicable special districts, utility companies, and Town departments with an interest in this application have been notified. No objections were filed and all requested conditions of approval have been incorporated into Draft Resolution 2024-11. The project will be required to be in compliance with all utility and special agency requirements. Copies of all agency comment letters are included as Attachment #5.

**Environmental Review:** Staff recommends that the Planning Commission determine the project to be exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the CEQA Guidelines (Existing Facilities), which applies to projects with negligible or no expansion of the former use. This exemption applies to interior alterations such as interior partitions. Additions to existing structures are allowed provided that the increase does not exceed 10,000 square feet for projects located in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and the area in which the project is located is not environmentally sensitive. Staff has determined that the project qualifies for this exemption due to the amount of additional floor area proposed to be added to the project and the fact that the additional floor area and parking spaces represent a negligible expansion of the former use.

**Public Communication:** The public hearing notice was published in the *Sierra Sun* on August 9, 2024, and mailed on to all affected property owners within 500 feet of the project site as shown on the latest current tax roll of Nevada County. The applicant posted an onsite sign indicating a notice of application, and information was posted about the date and time of the public hearing. As of the date of publication of this staff report, no public comment has been received on the application.

### **Staff Summary and Recommendation:**

Staff recommends approval of the requested amendments to the Industrial Way Mixed-Use Project as described in this staff, with the exception of the requested parking space phasing. These amendments include approval of an additional 0.05 FAR increase to increase the maximum allowed FAR to the project to 0.34 FAR and allow for the construction of up to 5,837 square feet of additional mezzanine floor area and five additional parking spaces. The size and scope of the proposed project are consistent with the

previous approvals and do not create any new potential compatibility issues. All relevant conditions of approval from the previous approval have been incorporated into Draft Planning Commission Resolution 2024-11, and new or revised conditions of approval have been proposed to address any standards that have been amended since the time of the previous project approvals to ensure the project's ongoing consistency with Town standards, including the 2040 General Plan and Development Code. With incorporation of the recommended conditions of approval, it is staff's opinion that the required findings to approve the Project Amendment can be made.

**Alternative Actions:**

Other actions that the Planning Commission may take as an alternative to the recommended action include:

1. Continue the public hearing to a date and time certain. The Planning Commission may request additional information from the applicant and/or staff. (If new information is presented at the next meeting, the public portion of the hearing must be reopened on the new information submitted.)
2. Find that an exemption to CEQA is not suitable and require the preparation of an Initial Study in accordance with CEQA.
3. Land Use Permits
  - a. Approve the Project Amendment subject to adding, modifying, or eliminating any provision or condition of approval of the project.
  - b. Deny the Project Amendment on the basis that one or more of the required findings cannot be made.

**Attachments:**

1. Draft Planning Commission Resolution 2024-11
2. Applicant-Provided Letter of Justification
3. Proposed Plans
4. Development cost documentation for requested FAR increase
5. Agency Comment Letters
6. May 19, 2020 Planning Commission Meeting Links:
  - [Staff Report](#)
  - [Resolution 2020-24](#)
  - [Meeting Minutes](#)
7. April 19, 2024 Planning Commission Meeting Links:
  - [Staff Report](#)
  - [Resolution 2022-07](#)
  - [Meeting Minutes](#)