

TECHNICAL APPENDICES
FINAL ENVIRONMENTAL IMPACT REPORT

MAMMOTH CROSSING PROJECT

Lead Agency:
Town of Mammoth Lakes
Community Development Department
PO Box 1609
Mammoth Lakes, CA 93546

**TECHNICAL APPENDICES
MAMMOTH CROSSING PROJECT
FINAL ENVIRONMENTAL IMPACT REPORT**

Submitted to:

Town of Mammoth Lakes
Community Development Department
PO Box 1609
Mammoth Lakes, CA 93546

Attn: Ellen Clark
Senior Planner

Submitted by:



CHRISTOPHER A. JOSEPH & ASSOCIATES
Environmental Planning and Research

In association with:

SWCA Environmental Consultants

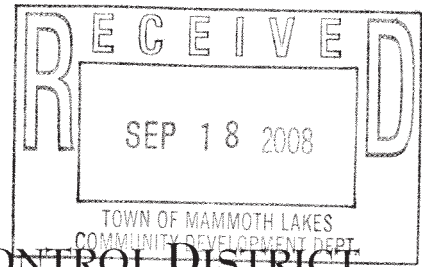
April 17, 2009

TECHNICAL APPENDICES
MAMMOTH CROSSING PROJECT
FINAL ENVIRONMENTAL IMPACT REPORT

- APPENDIX A: Bracketed Comment Letters & Attachments on the Draft EIR
- APPENDIX B: Revised Traffic Data
- APPENDIX C: Revised North Village Specific Plan Amendments

APPENDIX A
BRACKETED COMMENT LETTERS & ATTACHMENTS ON
THE DRAFT EIR

Theodore D. Schade
Air Pollution Control Officer



A1

GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

157 Short Street, Bishop, California 93514-3537 www.gbuapcd.org
Tel: 760-872-8211 Fax: 760-872-6109 info@gbuapcd.org

September 15, 2008

Town of Mammoth Lakes
Community Development Department
ATTN: Ellen Clark
P.O. Box 1609
Mammoth Lakes, CA 93546

Dear Ms. Clark:

The Great Basin Unified Air Pollution Control District would like to submit comments on the Mammoth Crossing Project Draft Environmental Impact Report. All of the comments regard Section IV.C – Air Quality.

A1-1

1. At the bottom of page IV.C-4, it states, “Although the Air District is responsible for regional air quality planning efforts, it does not have the authority to directly regulate the air quality issues associated with plans and new development projects within the Air Basin.”

The District does regulate development under the enclosed Secondary Source Rule 216-A. For details, also see the enclosed brochure of the program.

A1-2

Subject to permitting would be:

- 742 condominium/hotel rooms,
- 69,150 square feet of hotel amenities and operations and general retail uses,
- 40,500 square feet of retail development, and
- 711 parking spaces plus 9 spaces for hotel guest check in.

2. Table IV.C-2 on page IV.C-18 and Table IV.C-4 on page IV.C-20 each list the Federal ozone 8-hour standard as 0.08 ppm. It is actually 0.075 ppm (this should not be rounded up). In the same tables, the “.0”s should be dropped from the carbon monoxide standards.

A1-3

3. Table IV.C-3 on page IV.C-19 lists the 24-hour national PM_{2.5} standard as 65 µg/m³. It is actually 35 µg/m³.

A1-4

Sincerely,

Duane Ono
Deputy Air Pollution Control Officer

Enclosures

RULE 216-A. NEW SOURCE REVIEW REQUIREMENTS FOR DETERMINING IMPACT ON
AIR QUALITY SECONDARY SOURCES

Adopted: 10/15/79 Revised: 07/07/05

A. GENERAL

1. A person shall not initiate, modify, construct or operate any secondary source which will cause the emission of any manmade air pollutant for which there is a state or national ambient air quality standard without first obtaining a permit from the Air Pollution Control Officer.
2. The Air Pollution Control Officer shall deny a permit for any new secondary source or modification which he determines will cause a violation or contribute to the continued violation of any state or national ambient air quality standard.

B. EXEMPTIONS

1. The Air Pollution Control Officer may exempt from the provisions of this rule any new secondary source or modification which includes:
 - a. Vehicular parking facilities without dust retardant agents and which have a parking capacity of less than 50 vehicles.
 - b. Unpaved roads having less than 100 vehicle trip-ends in any one hour period, or less than 300 vehicle trip-ends in an eight hour period per a 20 mile continuous road length.
 - c. Unpaved runways and airports having less than 60 operations per month.
 - d. [Deleted: 07/07/05]
 - e. Other secondary sources deemed by the Air Pollution Control Officer that emit insignificant amounts of air contaminants.

A1-5

C. APPLICATIONS

1. Before granting or denying a permit for any new secondary source or modification, subject to the requirements of this rule, the Air Pollution Control Officer shall:
 - a. Require the applicant to submit information sufficient to describe the nature and amounts of emissions, location, design, construction, and operation of the secondary source; and to submit any additional information required by the Air Pollution Control Officer to make the analysis.
 - b. Require the applicant to submit the projected expansion plans for the secondary source for the ten-year period subsequent to the date of application for the permit.
 - c. Analyze the effect of the new secondary source or modification on air quality. Such analysis shall consider expected air contaminant emissions

and air quality in the vicinity of the new secondary source or modification, within the Air Basin and within adjoining air basins at the time the secondary source or modification is proposed to commence operation.

- d. Make available for public inspection at the Air Pollution Control District office, the information submitted by the applicant, the Air Pollution Control Officer's analysis of the effect on air quality, and the preliminary decision to grant or deny the permit.
- e. Publish a notice by prominent advertisement in at least one newspaper of general circulation in the District stating where the public may inspect the information required in subparagraph (d) of this paragraph. The notice shall provide 30 days, beginning on the date of publication, for the public to submit comments on the application.
- f. Forward copies of the notice required in sub-paragraph (e) of this paragraph to the U.S. Environmental Protection Agency, the California Air Resources Board, all counties within the air basin and all adjoining Air Pollution Control Districts in other air basins.
- g. Consider public comments submitted.

D. CONDITIONAL APPROVAL

The Air Pollution Control Officer shall impose conditions on the permit as he deems necessary to ensure the secondary source or modification will be operated in such a manner assumed in making the analysis required by this rule.

E. EFFECTIVE DATE

This rule shall become effective upon adoption. All new secondary sources or modifications pending on the date of adoption of this rule are subject to its provisions.

F. DEFINITIONS

- 1. "Secondary Source" includes any structure, building, facility, equipment, installation or operation (or aggregation thereof) which is located on one or more bordering properties within the District and which is owned, operated or under shared entitlement to use by the same person.
- 2. "Manmade air pollutant" means air pollution which results directly or indirectly from human activities.
- 3. "Modification" means any physical change in, change in method of, or addition to an existing secondary source, except that routine maintenance or repair shall not be considered to be a physical change.

A1-5
(cont'd)

G. SEVERABILITY

If any portion of this rule is found to be unenforceable, such finding shall have no effect on the enforceability of the remaining portions of the rule which shall continue to be in full force and effect.

A1-5
(cont'd)

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STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



ARNOLD SCHWARZENEGGER
GOVERNOR

September 18, 2008

CYNTHIA BRYANT
DIRECTOR

Sandra Moberly
Town of Mammoth Lakes Community Development Department
P.O. Box 1609
Mammoth Lakes, CA 93546

Subject: Mammoth Crossing Project
SCH#: 2007112002

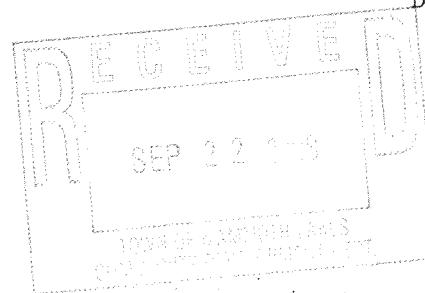
Dear Sandra Moberly:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on September 17, 2008, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Terry Roberts
Director, State Clearinghouse



A2-1

**Document Details Report
State Clearinghouse Data Base**

SCH# 2007112002
Project Title Mammoth Crossing Project
Lead Agency Mammoth Lakes, City of

Type EIR Draft EIR

Description The Project proposes redevelopment of three of the four corners that comprise the Main Street-Lake Mary Road/Minaret Road intersection with a combination of resort accommodations, retail uses, and public spaces. The Project is located within the North Village Specific Plan Area, and includes a series of amendments to the North Village Specific Plan ("Specific Plan"), amendments to the Town of Mammoth Lakes' General Plan, Use Permit (including Design Review), and a Tentative Tract Map. Proposed development at Site 1-3 would involve multiple buildings ranging in height from one to approximately seven stories. The Project's fourth site proposes no new development as part of this Project.

Lead Agency Contact

Name Sandra Moberly
Agency Town of Mammoth Lakes Community Development Department
Phone (760) 934-8608 **Fax**
email
Address P.O. Box 1609
City Mammoth Lakes **State** CA **Zip** 93546

Project Location

County Mono
City Mammoth Lakes
Region
Lat / Long 37° 38' 54" N / 118° 58' 59" W
Cross Streets Main Street, Lake Mary Road, Minaret Road, Canyon Boulevard, Joaquin Road
Parcel No.
Township 3S **Range** 27E **Section** 34 **Base** MDB&M

Proximity to:

Highways 203
Airports
Railways
Waterways Mammoth Creek/Hot Creek
Schools
Land Use Commercial / Specialty Lodging (SL) or Resort General (RG) / North Village Specific Plan or Resort (R)

Project Issues Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Economics/Jobs; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife; Growth Inducing; Landuse; Cumulative Effects

Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Game, Region 6 (Inyo & Mono Region); Cal Fire; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 9; Department of Housing and Community Development; Regional Water Quality Control Bd., Region 6 (Victorville); Department of Toxic Substances Control; Native American Heritage Commission

Date Received 08/01/2008 **Start of Review** 08/01/2008 **End of Review** 09/17/2008



Mammoth Lakes Fire Protection District
 Post Office Box 5, 3150 Main Street
 Mammoth Lakes, CA 93546
 760-934-2300 Fax- 760-934-9210

September 23, 2008

Town of Mammoth Lakes
 Ms. Ellen Clark
 PO Box 1609
 Mammoth Lakes, CA 93546

Re: Mammoth Crossing Draft EIR Comments

Thank you for the opportunity to comment on the draft document. The Fire District has the following comments on this project.

Project: The project consists of construction of up to 742 condominium/hotel rooms, up to 69,150 square feet of hotel amenities, operations, and general retail uses, 40,500 square feet of retail development, and 711 parking spaces and nine for hotel guest check-in. Workforce housing, totaling 45,991 square feet, would be required to be provided, some of which will be provided off site. The project will result in an increase of 139 permanent residents and a seasonal/visitor population increase of 1,388 persons when all facilities are constructed and filled.

A3-1

Page 1-5, Impact AES-5 Shading/Shadows: Makes reference to the policies and regulations of the General Plan, Planning Code, or Uniform Building Code.... The Uniform Building Code has been replaced by the 2007 California Amended International Codes for all of the construction trades and for fire related issues.

A3-2

The mitigation measure for this impact needs to be addressed in the air quality evaluation pertaining to cumulative PM₁₀ emissions. Additional drainage features may also need to be incorporated into the road design.

A3-3

Page 1-13, Impact GEO-2 Strong Seismic Ground Shaking: Makes reference to the UBC/CBC.... The Uniform Building Code has been replaced by the 2007 California Amended International Codes.

A3-4

Page 1-15, HAZ-1 Upset and Accidental Release of Hazardous Materials: Mitigation Measures need to include obtaining a permit from the Fire District and following all local policies and procedural requirements.	A3-5
Page III-5, Site 1 Location: The existing Whiskey Creek Restaurant is non-conforming, non-compliant for exiting issues. In order for the existing structure to continue to be used for its current use, modifications will be required to bring the exits/exit corridors up to current code.	A3-6
Figure III-3 and III-6, Site 1 and 2 Development Area Diagrams: While the Fire District questions the safety issue surrounding the proposed 45 degree parking on the Lake Mary Road, we have been assured that this style of parking will not be attempted at this location until it can be proven to work in more conducive locations in town.	A3-7
Page III-24, Site 3 Access and Parking: This project will be responsible for the construction of the western section of the 7B Road, to beyond the eastern entrance into the building, unless previously constructed by either the Site 4 Project or by Sierra Star. The Fire District shall require a compliant turn-around at the eastern most part of the shortened version of the 7B Road.	A3-8
Page III-31, Emergency Vehicle Access and Staging Areas: Site 1 has <u>three</u> standpipe hook-up locations, not two. Site 2 has <u>five</u> locations, not four. The Fire District reserves the right to add an additional fire lane on the western end of the Site 2 Project if the need arises, to be located south of the hotel and in the vicinity of the southern property line.	A3-9
Page -31, Snow Management: Cornice development on the roofs appears to be a localized concern that design may be able to minimize.	A3-10
Page IV.B-55, Mitigation Measure AES-5 Shading/Shadows: Uniform Building Code reference stated again...replace with 2007 California Amended International Code.	A3-11
The mitigation measure for this impact needs to be addressed in the air quality evaluation pertaining to cumulative PM ₁₀ emissions.	A3-12
The Fire District would suggest that the number of accidents/incidents that occur in the vicinity of the shadowing at this major intersection be incorporated into the decision making process, along with changing the Public Works Director, not the Community Development Director, as the person making the decision.	A3-13
An evaluation is needed for any drainage requirements associated with the movement of water off the road surface (in the form of slotted drains) and into the storm drain system as a result of melting snow and before the water has a chance to turn to black ice on the road surface.	A3-14

Page IV.B-64, Impact AES-6, Temporary Construction: Include the Fire Department as one of the agencies that the Construction Safety Lighting Plan is submitted/reviewed by.

A3-15

Page IV.L-8, Staffing: MLFPD now employees 11 fulltime staff.

A3-16

Page IV.M-15/27, Tables IV.M-4/8, Cumulative/Plus Project Typical Winter Saturday Intersection LOS: With the traffic situation described, the Fire District has a concern about how our response will be able to reach the location of the incident within the four to six minute time period identified on Page IV.L-8. This is especially true of additional resources that need to travel first to a station from their homes prior to responding on the equipment. The tables highlight that three intersections far exceed the threshold of concern identified in the General Plan for traffic delays (Post Office/Main Street intersection, Center Street/Main Street, Forest Trail/Minaret Road) on the typical winter Saturday, while one other intersection (Mountain Blvd/Main Street) fails to meet the threshold, but not by as much. With the suggested mitigation, all of the intersections are improved except for the Mountain Blvd/Main Street, but there is no mention as to when the mitigation is to be implemented. If no other project has begun the implementation of the required mitigation measure(s), then it needs to be stated that this project will follow through on the implementation/completion of all required measures necessary to develop the lowered LOS.

A3-17

If the town is contemplating an alternative route to the Minaret/Highway 203/Lake Mary Road intersection, this project should be a significant participant in funding/achieving that goal.

A3-18

Thank you for the opportunity to comment on the draft plan. If you have any questions or require any additional information, please feel free to contact me at your convenience.

A3-19

Sincerely,

/s/ Thomas A. Heller

THOM HELLER
Fire Marshal

DEPARTMENT OF TRANSPORTATION

District 9
 500 South Main Street
 Bishop, CA 93514
 PHONE (760) 872-0783
 FAX (760) 872-0754
 TTY 711 (760) 872-0785



*Flex your power!
 Be energy efficient!*

September 24, 2008

Sandra Moberly, Senior Planner
 Town of Mammoth Lakes
 P.O. Box 1609
 Mammoth Lakes, California 93546

File: 09-MNO
 DEIR
 SCH #: 2007112002

Dear Ms. Moberly:

Mammoth Crossing Project – Draft Environmental Impact Report (DEIR)

Thank you for giving the California Department of Transportation (Caltrans) the opportunity to review the DEIR for the Mammoth Crossing Project (Crossing) located at the southeast, southwest and northwest corners of the State Route 203 (Main Street)/Minaret Road/Lake Mary Road intersection. We appreciate the previous interaction that we have had with Town staff and project proponents. We have the following comments:

A4-1

- In addition to the Town and the Mammoth Lakes Fire Protection District, please include Caltrans in the Snow Management Plan cited on page III-31.

A4-2

- In the Traffic and Circulation information provided, the existing conditions, General Plan volumes and the project trip distribution percentages appear reasonable. However, the number of vehicle trips used in this analysis should not be reduced by the trips generated by other existing projects. Although such methodology is valid to determine a project's fair share of mitigation, it does not represent the actual conditions expected at Crossing build-out.

A4-3

An internal capture rate of 50% seems overly optimistic given the number of retail, dining, and entertainment options within easy driving distance. Please justify this rate or re-run the analysis using a lower rate, perhaps 20%, to provide an indication of the effect on the intersections' Level of Service and appropriate mitigation measures.

A4-4

The vehicle movement numbers generated by the project at driveways C and D (Minaret Road south of Main Street) seem very high and should be verified.

A4-5

Caltrans will review the traffic analysis again when these items have been addressed.

A4-6

- Caltrans has not seen warrant studies for the proposed traffic signals at Center Street/Main Street and the US Post Office/Main Street, nor a proposal as to how frontage road traffic would be handled (page IV.M-15, -23). Please provide rationale regarding footnote (4) of Table IV.M-4 regarding the prohibition of left turns onto Main Street from both directions with a traffic signal at Center Street/Main Street.

A4-7

Sandra Mcberly
September 24, 2008
Page 2

- Pages IV.M-19 and 26 state "If project trip generation is significantly higher than documented in the Traffic Impact Analysis, the project may be required to provide additional buses/shuttles" This seems vague and immeasurable. The Town should determine impact thresholds and mitigation options, which may include more than just transit items. A4-8
 - The footnotes for the tables on pages IV.M-15, -23,-27 for the Minaret Road/Forest Trail intersection, assumes the installation of a roundabout (and in one place, a traffic signal). The analysis should identify the Crossing's impact to that intersection, since if the project that is to trigger the roundabout is not constructed, the roundabout would not be constructed either. Hence, the Crossing needs to mitigate its proportionate impact to the intersection. A4-9
 - Impact TRANS-5 Bicycle and Pedestrian Facilities (page IV.M-31) states that, "The sidewalks and paths would connect internally and with existing or planned Town Paths and sidewalks." We assume this to mean that: for Site 1, the Crossing will construct sidewalk/curb/gutter along Minaret Road per the Town's Minaret Road Alignment Study and for Site 3, pathway connections south of Main Street per the Town's Main Street south side path plan concept. The Town should also clarify how the Crossing will contribute toward realization of this future path. A4-10
 - Facilities/landscaping within State right-of-way at Sites 1 and 3 shall meet Caltrans standards with work done under encroachment permit. At the permit application phase, we will be able to provide detailed comments on civil engineered plans and address any overall project traffic control/construction staging. Stephen Winzenread, the District Encroachment Permits engineer, may be contacted at (760) 872-0674 or email: stephen.winzenread@dot.ca.gov . A4-11
- We value our continuing cooperative relationship with the Town regarding transportation issues for local projects. If you have any questions or would like to set up a phone conference amongst the Town, the traffic consultants and Caltrans, I may be contacted at (760) 872-0785. A4-12

Sincerely,



GAYLE J. ROSANDER
IGR/CEQA Coordinator

c: State Clearinghouse
Steve Wisniewski, Caltrans

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

FACSIMILE COVER

ADM-0172 (REV 2/97)

ATTENTION: <i>Sandra Moberly</i>		FROM: CALTRANS - District 9 Transportation Planning 500 So. Main Street Bishop, CA 93514-3423	
UNIT / COMPANY <i>Mammoth Planning Dept.</i>		NAME OF SENDER <i>Gayle Rosander</i>	
		DATE <i>9/24/08</i>	TOTAL PAGES (Including cover sheet) <i>3</i>
		FAX NO. (Include area code) (760) 872-0754	CALNET / ATSS FAX 8-627-0754
DISTRICT / CITY <i>Mammoth</i>		PHONE NO. (Include area code) <i>872-0785</i>	CALNET / ATSS
PHONE NO. (Include area code) <i>934-8989 x251</i>	FAX No. (Include area code) <i>934-8608</i>	ORIGINAL(S) ☐ DESTROY ☐ RETURN ☐ CALL FOR PICK-UP DISPOSITION:	

NOTICE OF CONFIDENTIALITY

This transmission is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient, you are hereby notified that any use, dissemination or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone.

COMMENT:*Re: Mammoth Crossings**Our comment letter follows. A hard copy is being mailed.**Regards,**Gayle*

Mammoth Community Water District
P.O. Box 597
Mammoth Lakes, CA 93546
(760) 934-2596; fax (760) 934-2143



February 4, 2009

RE: Draft EIR for the Mammoth Crossing Project

Via E-mail

Ellen Clark
Town of Mammoth Lakes
Community Development Department
P.O. Box 1609
Mammoth Lakes, CA 93546

Dear Ms. Clark:

The District has reviewed the Draft Environmental Impact Report for Mammoth Crossing Project. We appreciate the opportunity to comment on the contents of the Draft EIR. The District has the following comments on this document:

- | | | |
|---|--|-------------|
| <p>1. The storage concept for recycled water on the Sierra Star and Snowcreek Golf Courses has been modified and is now different than that described on page IV.N-4. Instead of below grade concrete receiving tanks as described in the DEIR, irrigation water will be stored in existing ponds with modifications as needed.</p> | <div style="border-left: 1px solid black; height: 40px; margin: 0 auto; width: 20px;"></div> | <p>A5-1</p> |
| <p>2. On page IV.N-8 there is an incorrect statement regarding construction of onsite sewer facilities. The connection fees do not pay for the installation of laterals on the project site. The laterals must be constructed by Mammoth Crossing. The connection fees are used to construct offsite sewer improvements necessary to accommodate sewage generation at buildout as projected in the 2006 Connection Fee Study. Buildout projections utilized the Town of Mammoth Lake's 2005 Draft General Plan.</p> | <div style="border-left: 1px solid black; height: 40px; margin: 0 auto; width: 20px;"></div> | <p>A5-2</p> |
| <p>3. On page IV.N-11 the DEIR states, "... MCWD identified three wastewater collection system upgrades needed to accommodate future growth in the Town." This statement should clarify that all three system upgrades are necessary to accommodate the Mammoth Crossing project.</p> | <div style="border-left: 1px solid black; height: 40px; margin: 0 auto; width: 20px;"></div> | <p>A5-3</p> |
| | <div style="border-left: 1px solid black; height: 40px; margin: 0 auto; width: 20px;"></div> | <p>A5-4</p> |

¹ Study to determine revised water and wastewater connection fees. Final Report, September 2006 prepared for the Mammoth Community Water District by FCS Group.

- | | | |
|---|---|------|
| <p>4. On page IV.N-11 the description of the Shady Rest Relief Sewer project is incorrect as described. The sewer line along Manzanita Road between Dorrance Road and Center Street needs to continue down Center Street through to Main Street.</p> | <div style="border-left: 1px solid black; height: 100px; margin-left: 10px;"></div> | A5-5 |
| <p>5. The Mitigation Measure UTIL-4 is inadequate and incorrect (comment #4) as described and will not reduce impacts to less than significant if upgrades 1 and 2 are not implemented. The mitigation measure should clearly state that all the described sewer infrastructure upgrades will be completed prior to project occupancy. The three measures are: A new sewer trunk line along Meridian Boulevard from Old Mammoth Road to the WTP; Increased capacity of sewer lines on Center Street from Manzanita Road to Main Street/State Rout 203; and a sewer upgrade project to increase capacity of sewer lines along Manzanita Road between Dorrance Road and Center Street that continues down Center Street through to Main Street. The last upgrade is required if the Shady Rest Relief Sewer through the Shady Rest Tract project has not been built. In addition, the measure should identify the responsible entity and a legally-binding method to insure the upgrades will be or are implemented prior to project occupancy.</p> | | |
| <p>6. Table IV.N-3 on page IV.N-15 shows projected surface water and groundwater supplies that the District expects to have available. These water supply figures are uncertain and have the potential to change. Possible changes of surface water supplies are described in the table under footnote #4. Regarding groundwater, the District is currently in the process of finalizing a groundwater model of the Mammoth Basin and the results of this model have the potential to modify the groundwater figures in this table.</p> | <div style="border-left: 1px solid black; height: 100px; margin-left: 10px;"></div> | A5-6 |
| <p>7. On page IV.N-16, the Draft EIR refers to the Master Operating Agreement (MOA) that the District has with the US Forest Service. It has been determined that the US Forest Service does not have the authority to enforce the management constraints contained within the MOA. The State Water Resources Control Board is the authorizing agency that has issued water rights permits to the District to manage surface water diversions. Therefore, the District is currently coordinating with the USFS to terminate the MOA.</p> | <div style="border-left: 1px solid black; height: 100px; margin-left: 10px;"></div> | A5-7 |
| <p>8. On pages IV.N-18 and IV.N-24, the Draft EIR states that the 2004 modifications to the MCWD Lake Mary Treatment Plant have enabled the District to utilize the full 2,760 acre-feet annually permitted by the District's water right permits. This statement is not entirely accurate. The maximum historic volume of surface water diverted by the District was 2,220 acre-feet in 1983. While the upgrades at the Water Treatment Plant have the ability to enable the District to utilize its full water rights, demands in the community have not increased to a level that the District has utilized this entire volume of water. The District is also restricted in using its full permitted supply based on compliance with the WR 97-01 flow criteria, which specifies minimum in-stream flow rates by month, below which the District cannot divert water to the Lake Mary Treatment Plant. As noted in comment # 6 (footnote #4 in Table IV.N-3), "the final bypass requirements that are eventually established could potentially result in less surface water being available to the MCWD." For example, compliance with the WR 97-01 flow schedule restricted the total annual diversions during 2008 to less than 1,200 ac-ft.</p> | <div style="border-left: 1px solid black; height: 100px; margin-left: 10px;"></div> | A5-8 |

9. On page IV.N-23, it should be noted that the 300 acre-foot savings from the water pipeline replacement projects is a projected volume of water estimated to be saved each year at build out of the community.

A5-9

10. The DEIR finds the impacts to water use within the Town is less than significant and thus, recommends measures to reduce the project's water demand, page IV.N-26. The Water Supply Assessment for the project describes the limited and precipitation dependent water resources currently available in the Mammoth Basin and the project's increased water demand of 65 acre-feet above planned water supply projections based on the Town's general plan. Therefore, the Water District is concerned over any increases in water demand and recommends the mitigation measure be revised to implement the mitigation measure UTIL-6 Water Supply rather than recommend implementation. In addition, because it is uncertain when construction will commence, the measure should require performance standards that will be current with water conservation ordinances and legislation at the time construction commences. For example, items a through c could be replaced with "Landscape design and irrigation will meet the Town of Mammoth Lake's model landscape ordinance code and existing ordinances of the Mammoth Community Water District. Item e should change the reference to Energy Star appliances to "high water efficiency clothes washers and dish washers meeting the standards developed by the EPA (WaterSense label) or the California Urban Water Conservation Council. Energy Star appliances do not typically measure water efficiency.

A5-10

Thank you again for the opportunity to comment on this document. Please feel free to contact me at extension 314 if you have any questions.

A5-11

Sincerely,

Irene Yamashita
Public Affairs/Environmental Specialist

Mammoth Community Water District
P.O. Box 597
Mammoth Lakes, CA 93546
(760) 934-2596; fax (760) 934-2143



February 25, 2009

RE: Draft EIR for the Mammoth Crossing Project

Via E-mail

Ellen Clark
Town of Mammoth Lakes
Community Development Department
P.O. Box 1609
Mammoth Lakes, CA 93546

Dear Ms. Clark:

The Water District would like to submit additional comments on the Draft Environmental Impact Report for Mammoth Crossing Project. We appreciate the opportunity to comment on the contents of the Draft EIR. In addition to the February 4, 2009 comments, the District would like to add the following comments:

1. The projected water supply demand at build-out should be corrected to 4,898 acre-feet per year instead of 4,858 acre-feet per year. Some confusion may have been caused by the Water Supply Assessment using both numbers. The 4,858 figure was noted on pages IV.N-14 and in Table IV.N-6, page IV.N-20. It is likely the incorrect number was used in additional locations in the DEIR.
2. On page IV.N-17 the paragraph describing the amount of groundwater pumped should be revised to reflect the data in the accompanying table. These revisions include matching the years, 2003 to 2007, correcting total pumping to be 10,044 acre-feet, and correcting the annual pumping average to 2,009 acre-feet.
3. Table IV.N-9 applied an average daily generation rate of 100 gpd/unit for condominiums. The Water Supply Assessment for the project applied 170 gpd/unit resulting in 4,080 total average gallons per day instead of the 2,400 gpd presented in the table. The total water demand for the project in the table should also be revised accordingly. The total project demand described on page IV.N-26 should also be corrected.
4. Potential Impact UTIL-6 is an important consideration for the project, thus the second sentence in the first paragraph on page IV.N-26 should be revised to make clear the conclusion reached

A6-1

A6-2

A6-3

A6-4

A6-5

in that sentence is based on current water demand. Table IV.N-6, Current Supply and Demand without Project, appears to supply the information described for this conclusion, however, the table presents *future* water demand projections. We recommend this table be relabeled as, Current Supply and *Projected* Demand at Build-Out without Project. It would be useful to include another table in the DEIR showing current supply and current demand using the demand figures from Table IV.N-5. In addition, the responses to comments on the water supply and demand issue also need to clearly differentiate whether the analyses and conclusions of the response are based on current or future demand.

A6-5
(cont'd)

The comments provided in this letter constitute minor corrections and clarifications to the DEIR text and do not change the conclusions and findings provided in the Water Supply Assessment for the Project. Thank you again for the opportunity to comment on this document. Please feel free to contact me at extension 314 if you have any questions.

A6-6

Sincerely,



Irene Yamashita
Public Affairs/Environmental Specialist

PHYLLIS ST. GEORGE
 40 CANYON BLVD., UNIT 315
 MAMMOTH LAKES, CA 93546

September 9, 2008

To Whom It May Concern:

As a homeowner at the Fireside at the Village Condominium Complex, I am vehemently opposed to the approval of the Preliminary EIR being reviewed for the Mammoth Crossing project, specifically, at the corner of Minaret Rd and Old Mammoth Rd., at the current site of the Whiskey Creek Restaurant in Mammoth Lakes, CA.

This report in its current state does not, in any measure, take into consideration the impact this development would be to the Fireside at the Village Complex occupants that have occupied the adjoining property since 1971. I urge all members of the Town Council and the Planning Commission to review each and every detail of this report and explain to me, as a homeowner, how this development will not impact my property, livelihood, and well being. Please explain to me how you will mitigate the dirt, dust and noise I will have to endure during the construction. Please explain to me how you will keep my property in sunlight and with views that I currently enjoy and expect. Please explain to me how you will repay me for lose of revenue and loss of property value from this monstrous building that will literally over shadow my life. And, certainly, please explain to me how this development can be approved when it is over 229% of the density currently approved for this site. The list of concerns are too numerous to mention. I ask that you do the right thing and take into consideration the current residents of the area.

I understand your meeting scheduled for September 10, 2008, is to receive comments from opposing parties. I would expect that my letter, comments and requests will be addressed as though I were standing in the meeting in person. This is not a simple situation that will go away with the occupants of Fireside at the Village.

Sincerely,

Phyllis St. George

B1-1

B1-2

B1-3

B1-4

B1-5

B1-6

Comments to the Planning Commission

September 10, 2008

I've completed an initial review of the Mammoth Crossing draft EIR, and I'd like to share my initial impressions with you.

In my mind, the purpose of an EIR is to inform the public, and the public agencies, about the environmental impacts of a proposed project.

B2-1

Yet, in my preliminary review of this document, a few things leapt out at me.

1. I see a document where the executive summary provides a different picture of the impacts of the project than the body of the document – all is not rosy
2. I see a document where Fireside requests for additions to EIR scope have been ignored
3. I see a proposal to give MC the right to build denser, higher buildings closer to our streets with no corresponding increase for other properties in the village

Where densities are going up 229% on site 1 from 48 rooms in the NVSP to 110 rooms in the proposal

Where setbacks are going down from 30-40 feet as specified in the NVSP to 0-15 feet

Where heights are going from the 40 foot max as specified in the NVSP to an average 80 feet

But yet the EIR concludes that there are no significant planning and land use impacts

4. I see a document that does not include a discussion of the impacts on vacant land and/or redevelopment opportunities that could be stifled by increasing the density of Mammoth Crossing project

B2-2

But, the EIR considers the proposed project consistent with General Plan PAOT and NVSP zoning.

5. I see a proposal where the burden of increased density is disproportionately allocated across all of Mammoth Crossing sites

But there is no discussion of alternatives, or the ongoing burdens to neighboring properties.

6. I see a document where only 10 view locations are considered, with little emphasis on those from neighboring properties or pedestrian corridors or plazas.

But where the only view impact mentioned in the executive summary is to views of the Knolls, which the EIR summarizes as significant and unavoidable.

7. I see a document that says that Fireside will be in complete shade for the whole winter

But dismisses any impacts "because Fireside's outdoor spaces are not used in the winter".

- a. My TOT returns show that 90% of my visitors come in the winter.
- b. Fireside pathways on the south side of our building serve as primary access to the gondola, our loading zone, our trash bin and our recreation building. Full shadow means all the concerns about snow removal and black ice raised about Minaret will be shared by Fireside, in addition to added costs for removal of ice dams, snow from balconies, etc.
- c. 80ft buildings will block all the sunlight to Fireside during the winter, decreasing the desirability

8. I see a document that says construction views, noise and particulates will likely eliminate Fireside's summer visitors for 24-36 months

But no Fireside specific mitigation measures are discussed in the EIR, and impacts are classified as significant and unavoidable.

9. I see a document that describes this project as being consistent with the pedestrian orientation outlined in the NVSP, despite a town commissioned Sustainable Transportation report authored by Nelson Nygard which raises several issues about this project,

But no pedestrian specific mitigations are discussed in the EIR.

10. I see a document where economic and social impacts caused by the physical project, both positive and negative, are not discussed. Will the project as proposed lead to a healthier, more vibrant Village? In what ways? Where there are negative economic impacts, how can these be mitigated?

B2-2
(cont'd)

I recommend that the Planning Commission direct staff, as the Lead Agency on this EIR, to revisit the EIR, and re-release it for public comment when it is more complete. This action would have the following benefits:

- **Preserve public trust and integrity of the EIR process**
- **Streamline CEQA compliance, reducing costs and staff work load**
- **Reduce chances of future litigation to challenge the EIR**
- **Relieve the burden currently placed on the public in responding to an incomplete EIR**

B2-3

Our Town, and Fireside, deserves better!

Tracy Spencer

Tracy.spencer@cox.net

760-934-1884

Mammoth resident, owner of three Fireside condos, a home, and a lot in the North Village area

Mammoth Crossing Variances Requested

Site 1 Only

Reference is North Village Specific Plan, as updated July 2008

	NVSP	Requested	% above code	Comments
Density	48 rooms per acre	110 rooms per acre	229%	
Height	40 ft, exceptions to 50 ft if offset	30 to 103 ft from 8035-8045 elevation, 74% of site over 50 ft	if avg 75ft, then 187%	Our Canyon building ground floor is at 8049, and the Minaret Building is at 8046
Rear Setbacks (near Fireside)	10	8	125%	Closest spot to our building is at corner of manager's unit and is estimated to be 26 feet with requested setback
Canyon, Lake Mary and Minaret Setbacks	30-40 ft	0-15 ft	266% plus	
Site Coverage	70%	42% plus tons of hardscape	??	

September 10, 2008

Ellen Clark, Senior Planner
Town of Mammoth Lakes
P.O. Box 1609
Mammoth Lakes, CA 93546

Subject: Mammoth Crossing Draft Environmental Impact Report (SCH
#2007112002)

Dear Ms Clark,

Thank you for the opportunity to comment on the Draft Environmental Impact Report for the Mammoth Crossing Project. Consistent with our mission, the Mammoth Lakes Trails and Public Access Foundation (MLTPA) has reviewed the DEIR for its discussion of impacts to trails and recreation resources. Our comments below reflect that review.

B3-1

1. Figures III-14 and 15, Pedestrian and Bicycle Circulation Maps. These maps are very conceptual in nature and do not clearly depict the existing and proposed circulation. The Lake Mary Multi-Use Path (currently under construction) is not depicted on either figure. The bicycle and pedestrian connections along Canyon Blvd. to the Village, a major destination for both user groups are not shown. Also, the reference to bicycle paths should be clarified as paths are different from lanes or routes. It would be helpful to understand which type of facility is proposed in which location and whether these are part of the Town's bicycle plan or are changes proposed by the applicant. Without the specific representations of these facilities and plans, it is difficult, and technically impossible, to provide commentary on the Draft EIR. Please provide the location of the Lake Mary path, the connections to the Village and the project's changes to existing Town facilities and plans so that these facilities and uses, along with MLTPA's comments, can be included in the Final EIR.

B3-2

2. Mitigation Measure AES-5. Conditions other than black ice may necessitate heat tracing of the roadway and pedestrian ways. Please replace "i.e." with "e.g." This lets the Town address a variety of icing conditions.

B3-3

3. Section IV-M. The proposed bicycle and pedestrian circulation design has the potential to substantially increase hazards to cyclists.

While the location of the Lake Mary Multi-use Path is not included on Figures III-14 and 15, it appears that the interruption of the bicycle circulation between town, the Village, and the Lake Mary path has the potential to put riders into a conflict with either cars or pedestrians. Because the graphic representations

B3-4

of the proposed routes are so imprecise, and no routes are shown on Canyon Blvd, it is difficult to evaluate potential conflicts.

The Lake Mary Multi-Use Path will begin at Minaret Road and traverse the project frontage as it proceeds west along Lake Mary Road. It is designed as a Class 1 path with a separation from vehicle traffic and is expected to be a major recreational attraction when completed. The project graphics appear to propose giving cyclists the choice of passing between the travelled way of Lake Mary Road and parked cars or following a sidewalk between the roadside parking and the buildings. Many users of the Mammoth Lakes Trail System are casual recreational bicyclists, including families, not used to negotiating traffic and parked cars or dismounting and walking for a block or more.

B3-4
(cont'd)

The proposed project appears to increase hazards for cyclists and possibly for pedestrians by creating a transition from a class 1 path to a class 3 route at a location that is one of the busiest intersections in the town and a hub for bicycle access to the Lakes Basin and MMSA. The text neither describes this transition nor evaluates alternative designs through the project.

MLTPA does not agree that requiring cyclists to dismount and walk their bicycles across the project is an appropriate mitigation measure in an area that is heavily used by cyclists heading to and from the Lakes Basin, Mountain Bike Park, and other destinations. We suggest that users attracted to the Lake Mary path and the bike park shuttle will be confused by the need to shift to walking or riding between parked cars and traffic. Therefore, it appears that the threshold of significance established in the CEQA Guidelines has been crossed and a more thoughtful design, perhaps continuing the class 1 route all the way to Minaret Road, should be provided. Please provide more information in the Final EIR on the bicycle paths, lanes, and routes (existing, planned, and revised) entering and exiting the project area and the integration of that traffic with the other modes and facilities.

B3-5

Thank you for considering our comments. Mammoth Lakes Trails and Public Access continues to offer our services to the applicant and the Town to assure that the town's multi-modal transportation system is successful and provides maximum utility to the project, its residents and guests, and the community. We look forward to a productive public review process as the project proceeds.

B3-6

Sincerely,

John Wentworth
Mammoth Lakes Trails and Public Access Foundation

PO Box 100 PMB #432 - Mammoth Lakes, CA 93546 - 760 934 3154 - mltpa.org

From: Bob Szpila [szpilar@pacbell.net]

Sent: Tuesday, September 23, 2008 7:28 PM

To: Ellen Clark

Cc: Rhonda Duggan; Jay Deinken; Saari, Roy & Sheryl; Elizabeth Tenney; Tony Barrett

Subject: Mammoth Crossing DEIR

Ellen,

We are Bob & Tina Szpila and we live at 305 Calle Neblina, San Clemente, CA 92672 Phone: 949-492-0600. We own unit 304 at Fireside at The Village (Mammoth Fireside), which is adjacent to Site 1 of the Mammoth Crossings project. We use the unit as a vacation home and also rent it out when we are not there. We estimate we use it around 50 days per year and rent it out around 150 days per year. We rent it ourselves (Business Tax Certificate Number 5340) and also through a local agency, 101Greatestscapes.com. When occupied, there are usually 6-8 guests.

We support development of the project area, but with a development that is compatible with surrounding uses and consistent with General Plan and existing North Village Specific Plan. However, we are concerned about how the Town is proceeding with piecemeal development inconsistent with the General Plan and North Village Specific Plan, and that as a result a project such as this one will have potentially devastating effects on the Town's character, the well-being of its residents in general, and residents at Fireside in particular.

B4-1

We believe that the Draft Environmental Impact Report (DEIR) prepared for project does not comply with state law. It does not accurately describe the project and fails to adequately analyze the impacts caused by the project. Perhaps most egregiously, the DEIR acknowledges that the project will result in significant environmental harm, especially to neighboring residents, such as Fireside, but fails to consider—or even to propose—feasible mitigation measures that would reduce the impacts caused by the project.

We have the following specific comments and questions:

In the DEIR page IV.B=14. it states "The usable outdoor spaces associated with the nearby residences (e.g., yards, balconies, etc.) are routinely used in the summer months; however, these outdoor spaces are rarely used in the winter months" This is not entirely true. Fireside Condominiums have an out door patio in front of the pool building which will be shadowed in the Winter by the Mammoth Crossing building. This is used by guests on sunny days to relax after using the sauna or Jacuzzi. Why was not the shading of this outdoor space considered in the DEIR?

B4-2

There is also a walkway close to the property line along the northern border of site 1 that will be shaded all Winter, resulting in increased costs to Fireside for snow removal and a potential hazard to pedestrians due to ice formation. Why was this walkway not considered in the DEIR analysis?

B4-3

The height of the buildings and the small setback will cause a great increase in the winter snow pack on the southern side of our buildings which might cause damage to our buildings and increased snow removal costs on our walkways as there is no current vehicular access to the south side of our buildings facing Site 1, making snow removal difficult. Currently this area is wide open to the winter sun and snow removal is not a problem. Why was this not analyzed in the DEIR?

B4-4

In the DEIR section IV.B Aesthetics, with regards to "Public Views of Scenic Vistas", a view (number 4) was done looking South on Canyon Boulevard, but there was no similar view taken looking South from Minaret from a similar point about 100 yards up Minaret from the Main street/Minaret intersection. All the views from that part of Minaret were taken from farther up the street, where the Mammoth Crossing

B4-5

buildings were not visible. We believe there is an obstruction of the public view from that part of Minaret. Why was there no view taken from this position and analyzed as part of the DEIR?

B4-5
(cont'd)

We request that the project be redesigned to avoid environmental impacts and interference with the use and enjoyment of homeowner's property, and that the DEIR be revised and recirculated. The DEIR should consider alternatives to the proposed project, such as a project design that is consistent with the existing North Village Specific Plan.

B4-6

Bob & Tina Szpila

From: Rebecca Hinkle [b_hinkle@hotmail.com]
Sent: Tuesday, September 23, 2008 11:39 PM
To: Ellen Clark
Subject: FW: Mammoth Crossing DEIR

Dear Ellen,

We, Robert and Rebecca Hinkle, reside at 356 Cumberland Rd, Glendale, Ca (818 425-41218) ,our unit's are 209 and 309 at Fireside at The Village (Mammoth Fireside), which is adjacent to Site 1 of the Mammoth Crossings project. Our unit is leased on an annual basis to folks that are employed in Mammoth. As we have been told by tenants, our unit is at a very reasonable cost, extremely clean (in comparison to other city units) plus updated and the location very desirable.

I have been skiing in Mammoth since 1972, my children started skiing in Mammoth since they where 2 year old.(now 34 and 29). We have owned other properties in Mammoth before we purchased a family home in the Top of Knolls 11 years ago. We bought this property so we could give our grandchildren the same love of Mammoth that their parents had as children, and we would all enjoy the well kept beauty of Mammoth together.

Bob and I appreciate your time put forth to ALL the cites needs so that Mammoths growth is not enhanced from mistakes made in the past.

Rather than write our concerns and questions in a diffenent venue, thus, having you to read the same concerns in a different context, the following is duplicated from a Fireside owner, of which our same concerns and questions apply to the EIR .

B5-1

We support development of the project area, but with a development that is compatible with surrounding uses and consistent with General Plan and existing North Village Specific Plan. However, we are concerned about how the Town is proceeding with piecemeal development inconsistent with the General Plan and North Village Specific Plan, and that as a result a project such as this one will have potentially devastating effects on the Town's character, the well-being of its residents in general, and residents at Fireside in particular.

We believe that the Draft Environmental Impact Report (DEIR) prepared for project does not comply with state law. It does not accurately describe the project and fails to adequately analyze the impacts caused by the project. Perhaps most egregiously, the DEIR acknowledges that the project will result in significant environmental harm, especially to neighboring residents, such as Fireside, but fails to consider—or even to propose—feasible mitigation measures that would reduce the impacts caused by the project.

We have the following specific comments and questions:

— B5-1
(cont'd)

In the DEIR page IV.B=14. it states "The usable outdoor spaces associated with the nearby residences (e.g., yards, balconies, etc.) are routinely used in the summer months; however, these outdoor spaces are rarely used in the winter months" This is not entirely true. Fireside Condominiums have an out door patio in front of the pool building which will be shadowed in the Winter by the Mammoth Crossing building. This is used by guests on sunny days to relax after using the sauna or Jacuzzi. Why was not the shading of this outdoor space considered in the DEIR?

B5-2

There is also a walkway close to the property line along the northern border of site 1 that will be shaded all Winter, resulting in increased costs to Fireside for snow removal and a potential hazard to pedestrians due to ice formation. Why was this walkway not considered in the DEIR analysis?

B5-3

The height of the buildings and the small setback will cause a great increase in the winter snow pack on the southern side of our buildings which might cause damage to our buildings and increased snow removal costs on our walkways as there is no current vehicular access to the south side of our buildings facing Site 1, making snow removal difficult. Currently this area is wide open to the winter sun and snow removal is not a problem. Why was this not analyzed in the DEIR?

B5-4

In the DEIR section IV.B Aesthetics, with regards to "Public Views of Scenic Vistas", a view (number 4) was done looking South on Canyon Boulevard, but there was no similar view taken looking South from Minaret from a similar point about 100 yards up Minaret from the Main street/Minaret intersection. All the views from that part of Minaret were taken from farther up the street, where the Mammoth Crossing buildings were not visible. We believe there is an obstruction of the public view from that part of Minaret. Why was there no view taken from this position and analyzed as part of the DEIR?

B5-5

We request that the project be redesigned to avoid environmental impacts and interfere with the use and enjoyment of homeowner's property, and that the DEIR be revised and recirculated. The DEIR should consider alternatives to the proposed project, such as a project design that is consistent with the existing North Village Specific Plan.

B5-6

Regards,

Robert and Rebecca Hinkle

Kellett Comment.txt

From: Clare Kellett [segs84@yahoo.com]
 Sent: Tuesday, September 23, 2008 9:15 PM
 To: Ellen Clark
 Cc: eastmanhs@uneedspeed.net; basecampcafe@yahoo.com;
 neilmccarroll@earthlink.net; j.bacon22@verizon.net;
 wendy_sugimura@yahoo.com; jdeinken@hotmail.com; barjur6@gmail.com;
 rduggan@mammoth-mtn.com; saaris@qnet.com; e10ney@npgcable.com
 Subject: Re: Mammoth Crossing Draft EIR

From: Clare Kellett
 Mammoth Fireside Condominiums Unit 306 (2nd & 3rd Floor)
 Owners since January 1999

This email is to comment on the draft EIR regarding Mammoth Crossing. I have reviewed the plans and attended various meetings with Mammoth Crossing. I am also very familiar with the draft EIR for this proposed project.

As a current Owner of a south facing 2nd and 3rd floor condo at Mammoth Fireside I am directly impacted by the project proposed for the Site 1 Mammoth Crossings project and while I support development of the project area I have many concerns regarding the draft EIR.

Fireside #306 was our primary residence from 2002-2005 when the impact of construction on the 8050 site adjacent (north) to us caused us to move our family with 3 young children to a quieter residence in Mammoth.

In 2007 we placed our condo on the rental market. It was rented for approximately 170 days during both winter and summer seasons for up to 9 guests at a time. This has proved to be a very important source of income to our family and the proposed Mammoth Crossings project will directly impact this source of income.

For these reasons we request you consider the following:

Building Height and Reduced Setbacks:

It is imperative that the development of this project is compatible with surrounding uses and consistent with General Plan and the North Village Specific Plan. The result of a project such as the one proposed will have potentially devastating effects on the well-being of ourselves as Mammoth Fireside owners and our guests.

Since we purchased this condo in 1999 we have enjoyed the unobstructed view of the Sherwins and full sun for most of the day. If the project goes ahead as proposed, the impact of such a tall building and so close to our condo, will result in the loss of our view and sunlight forever, an increase in cost of heating and lighting and a loss in income due to lowered desirability.

As it appears that the entire Mammoth Fireside site will be in shadow throughout the entire winter, I also have grave concerns regarding snow shed from the Mammoth Crossing building and snow melt due to loss of sunshine. Our major path will also be in shade and thus the increased potential for slip/fall accidents should also be considered.

Construction Noise and Vibration

It has been suggested that the construction time for each Mammoth Crossings site is 3-4 seasons and potential for noise in excess of 3 years. Extensive mitigation is required due to the expected loss of rental income and potential for damage inside our units. During the construction of the 8050 project we experienced constant pollution from dust, vibration and some interior damage (cracking of walls, broken china, etc) - we do not expect the Mammoth Crossing development to be any different.

Kellett Comment.txt

It would appear that the draft EIR prepared for the project does not comply with state law. It does not accurately describe the project and fails to adequately analyze the impacts to Fireside and the surrounding area by the project. Perhaps most egregiously the DEIR acknowledges that the proposed project will result in significant environmental harm to neighbors such as Fireside but fails to consider, or propose, feasible mitigation measures that would reduce the impacts caused by the project.

B6-4

Request for Redesign of the Project

I appreciate that development of sites 1, 2 and 3 are inevitable. However, alternatives should be considered for Site 1, if the other 2 sites are taken into consideration. It may be possible to allocate most density to sites 2 and 3 where there are no real neighbors, and/or repositioning buildings on Site 1 to preserve our stunning views.

B6-5

I respectfully request that the project be redesigned to avoid environmental impacts and interference with the use and enjoyment of our Fireside property and we request that the DEIR be revised and recirculated. I request that the DEIR should consider alternatives to the proposed project such as a design that is consistent with the existing North Village Specific Plan.

Thank you for your consideration.

B6-6

Clare Kellett
Owner
Mammoth Fireside Condominiums #306

From: Hefferly, Gerald E. [Gerald.Hefferly@hdrinc.com]

Sent: Tuesday, September 23, 2008 11:41 AM

To: Ellen Clark

Cc: ghefferly@sbcglobal.net; eastmanhs@uneedspeed.net; barjur6@gmail.com; jdeinken@hotmail.com; wendy_sugimura@yahoo.com

Subject: Mammoth Crossing DEIR

Dear Mr Clark,

I have been a homeowner at Mommoth Fireside for 32 years. I have enjoyed Mammoth all these years, both the good and the bad. I have enjoyed the growth of the Village area and believe it was done in a fashion that made Mammoth a World Class resort, but still preserved Mammoth as a ski and year round resort area that said "How beautiful nature is. Look it's all around us."

I realize there is a delicate balance in providing both atmosphere's. A high rise in Mammoth should never be allowed to occur as it destroys what the essence of Mammoth is and why I have been a proud owner there over the years. Not only does it obliterate nature from being seen and enjoyed, but it provides a density of people in one area that I only find in the Southland that I'm trying to get away from. Additionally, I believe it doesn't belong for the following specific reasons:

B7-1

Land Use Incompatibility with Specific Plan /Vision for the Village

- o Mammoth Lakes has an existing plan with regards to height, density, coverage and setbacks, why are we not following it?
- o Why we come to Mammoth – get away from LA
- o Impacts of tall building so close: noise, snow shed, light pollution and trespass, loss of privacy, pollution, loss of passive solar heat, loss of sunshine, increased costs for heating, lighting, ice dam removal, snow removal, increased potential for slip/fall accidents, loss of rental income because of lowered desirability, decline in market value, community gathering place less desirable
- o General Plan (GP) policy to “maintain scenic public View corridors that visually connect community to surroundings” and “Enhance community character by ensuring that all development, regardless of scale or density, maximizes provision of all types of open space, particularly scenic open space”
- o North Village Specific Plan (NVSP) Development Objectives “cohesive, pedestrian-oriented node”, “Orientation to views”, “Small town appearance”, “emphasize sunlight”, “preserve views”
- o Do we need 1000 more units in Mammoth - ERA Economic Sustainability Study (commissioned by the Town) questions this.

B7-2

Construction Noise and Vibration

- o 3-4 seasons for each site, and potential for noise on all four sides – extensive mitigation required

B7-3

- o Potential for damage inside our units

B7-3
(cont'd)

Aesthetic Impacts

- o loss of view/light argument
- o Shade/Shadowing – winter solstice shading of our entire site and our major pathway
- o Massing - Impacts of tall building so close: noise, snow shed, light pollution and trespass, loss of privacy, pollution, loss of passive solar heat, loss of sunshine, increased costs for heating, more wood burning, lighting, ice dam removal, snow removal, increased potential for slip/fall accidents, loss of rental income because of lowered desirability, decline in market value, community gathering place less desirable

B7-4

Quality of Life

- o privacy, neighborhood incompatibility, nuisance noise levels, increased traffic in quiet neighborhoods
- o what happens to our Jazz Fest venues, and our toboggan hill?
- o Community benefit – what does this project do for me – will spas be open to the public?

B7-5

Traffic and Circulation

- o Potential gridlock on Canyon and Minaret making ingress and egress difficult from our site
- o Is parking adequate for both lodging and commercial uses (our analysis says no)
- o Is the project as designed compatible with the feet first, bike and transit second, vehicle last objective? Does the current project design make you want to walk through?

B7-6

Health safety – will vibrations from construction cause damage to pool or spa (potential flooding, land slippage), potential for slip/fall accidents, dark alley invites crime, walkways in snowshed zone, vitamin D deficiency

B7-7

Alternatives

B7-8

- o Ones proposed are not realistic – don't meet town or proponent's objectives
- o None considered that would mitigate impact to Fireside, like allocating most density to sites 2 and 3 where there are no real neighbors, and/or repositioning buildings on Site 1 to preserve views

B7-8
(cont'd)

· **Persons At One Time (PAOT)**

- o Project appears to exceed population growth targets – why we come to Mammoth, small town character
- o 20,000 more people on ski hill, hiking trails, etc

B7-9

· **Water**

- o Why build this dense a project if you don't think you will have enough water – plan first for supply, then build

B7-10

· **Air Quality**

- o Project will have significant and unavoidable impacts on air quality – are we proposing best in class mitigation techniques

B7-11

· **Timing**

- o Huge concessions to enrich developer, but no indication of when project will be built

B7-12

Webb Leslie Comment.txt

From: Steve Webb [stevewebb1@compuserve.com]
 Sent: Wednesday, September 24, 2008 8:43 AM
 To: Ellen Clark
 Cc: eastman; ?; Sugimura; Jo Bacon; Barrett; ?; Duggan; Saari; ?
 Subject: Mammoth Crossing DEIR

TOML Community Development Department
 ATTN: Ellen Clark
 CC: Town Council, Planning Commission

Planning Commission,

We have been Fireside owners since 1992 and use our unit year round as a vacation retreat by ourselves and extended family. We attended a presentation by consultant Eldon Beck in the early 90's near the time we became Fireside owners. We remember vividly his statement that one of the key features of the North Village was its "Million Dollar View." He then showed a slide of the view toward the Sherwins taken from our pool building.

He also said the area was not without problem views, and showed a slide of the Fireside parking lot. We have since gotten rid of the blight we used for parking. Now Mammoth Crossing wants to take away all of our Sherwin view for themselves.

We obtained and read the NVSP with interest. We were aware that the whiskey Creek parcel to our south could be developed and that we could lose some of our view. We were not concerned because any development was supposed to preserve and maintain the unique natural setting and mountain resort character. Viewscapes were supposed to be preserved throughout the North Village development. Any development was supposed to be limited to 4 levels with a maximum height of 50 feet.

We relied on the assurances of the NVSP in making decisions about our property, such as entering into our agreement with 8050. If major provisions of the plan can be so easily set aside, of what value are the stated standards and criteria by which development is supposed to proceed?

We request project redesign that avoids environmental impacts and interference with our property and reissuing a DEIR that is in accordance with state law and that considers options that comply with the NVSP.

Sincerely,
 Sallee Leslie & Steve Webb, Fireside owners

B8-1

From: Debra Lewin [debilewin@sbcglobal.net]
Sent: Wednesday, September 24, 2008 11:27 AM
To: Ellen Clark
Subject: Mammoth Crossing DEIR

Dear Ms. Clark,

My Husband Todd Schneider and I recently purchased unit 103 at the Fireside Condominiums adjacent to the proposed Mammoth Crossing site. We use it with our two small children as a vacation home in all seasons. It is our "escape" from Los Angeles.

It is our understanding that Mammoth Lakes already has an existing plan with regard to building height, density, coverage and setbacks and we feel strongly that these plans need to be adhered to as a maximum allowed. As former Vermonters we have a strong appreciation of nature as well as a knowledge of how over building can destroy the quality of a place. We would hate to see something like that happen in Mammoth Lakes.

I remember visiting Mammoth Lakes and renting prior to our purchase and there was never a problem finding rental properties, there were always plenty available! Do we really need to change town plans to make room for building 1000 more?

We also have concerns relating to the additional traffic, additional trespass (people already cut through the Fireside building themselves at all hours of the day and night and in various states of inebriation!), and all of the other potentially harmful things that overbuilding could, and probably would produce.

If buildings of the proposed magnitude are built right next to The Fireside, blocking both most of the sunlight and almost all of the views, it will just feel like we are in a big, cold city and not the glorious place that is currently Mammoth lakes.

Thank you for your time and consideration.

Sincerely,
Debra Lewin
6306 Morella Ave.
N. Hollywood, CA 91606
818-508-9855

B9-1

From: Dave Margolin [david@bizops.com]
Sent: Wednesday, September 24, 2008 3:38 PM
To: Ellen Clark
Cc: eastmanhs@uneedspeed.net; basecampcafe@yahoo.com;
 neilmccarroll@earthlink.net; wendy_sugimura@yahoo.com; j.bacon22@verizon.net;
 barjur6@gmail.com; jdeinken@hotmail.com; rduggan@mammoth-mtn.com;
 saaris@qnet.com; e10ney@npgcable.com
Subject: [AO] Guidance on Mammoth Crossing Owner Letters
 To whom it may concern at:

Town of Mammoth Lakes Community Development Department
 ATTN: Ellen Clark
 PO Box 1609
 Mammoth Lakes, CA 93546

I understand that a huge monster building will be constructed just a few feet from my front door in Mammoth, and all the rules of fairness have been over ridden for some reason. Please help me with the following issues. Thank you, Dave Margolin, owner Fireside in the Village #316.

B10-1

· **Land Use Incompatibility with Specific Plan /Vision for the Village**

- o Mammoth Lakes has an existing plan with regards to height, density, coverage and setbacks, why are we not following it?
- o Why we come to Mammoth – get away from LA
- o Impacts of tall building so close: noise, snow shed, light pollution and trespass, loss of privacy, pollution, loss of passive solar heat, loss of sunshine, increased costs for heating, lighting, ice dam removal, snow removal, increased potential for slip/fall accidents, loss of rental income because of lowered desirability, decline in market value, community gathering place less desirable
- o General Plan (GP) policy to “maintain scenic public View corridors that visually connect community to surroundings” and “Enhance community character by ensuring that all development, regardless of scale or density, maximizes provision of all types of open space, particularly scenic open space”
- o North Village Specific Plan (NVSP) Development Objectives “cohesive, pedestrian-oriented node”, “Orientation to views”, “Small town appearance”, “emphasize sunlight”, “preserve views”
- o Do we need 1000 more units in Mammoth - ERA Economic Sustainability Study (commissioned by the Town) questions this.

B10-2

· **Construction Noise and Vibration**

- o 3-4 seasons for each site, and potential for noise on all four sides – extensive mitigation required
- o Potential for damage inside our units

B10-3

Aesthetic Impacts

- o loss of view/light argument
- o Shade/Shadowing – winter solstice shading of our entire site and our major pathway
- o Massing - Impacts of tall building so close: noise, snow shed, light pollution and trespass, loss of privacy, pollution, loss of passive solar heat, loss of sunshine, increased costs for heating, more wood burning, lighting, ice dam removal, snow removal, increased potential for slip/fall accidents, loss of rental income because of lowered desirability, decline in market value, community gathering place less desirable

B10-4

Quality of Life

- o privacy, neighborhood incompatibility, nuisance noise levels, increased traffic in quiet neighborhoods
- o what happens to our Jazz Fest venues, and our toboggan hill?
- o Community benefit – what does this project do for me – will spas be open to the public?

B10-5

Traffic and Circulation

- o Potential gridlock on Canyon and Minaret making ingress and egress difficult from our site
- o Is parking adequate for both lodging and commercial uses (our analysis says no)
- o Is the project as designed compatible with the feet first, bike and transit second, vehicle last objective? Does the current project design make you want to walk through?

B10-6

- o **Health safety** – will vibrations from construction cause damage to pool or spa (potential flooding, land slippage), potential for slip/fall accidents, dark alley invites crime, walkways in snowshed zone, vitamin D deficiency

B10-7

Alternatives

- o Ones proposed are not realistic – don't meet town or proponent's objectives
- o None considered that would mitigate impact to Fireside, like allocating most density to sites 2 and 3 where there are no real neighbors, and/or repositioning buildings on Site 1 to preserve views

B10-8

Persons At One Time (PAOT)

- o Project appears to exceed population growth targets – why we come to Mammoth, small town character
- o 20,000 more people on ski hill, hiking trails, etc

B10-9

Water

- o Why build this dense a project if you don't think you will have enough water – plan first for supply, then build

B10-10

Air Quality

- o Project will have significant and unavoidable impacts on air quality – are we proposing best in class mitigation techniques

B10-11

· **Timing**

- o Huge concessions to enrich developer, but no indication of when project will be built

] B10-12

Dave Margolin

david@bizops.com

Ph: (949) 650-7123

Cell: (949) 922-7123

Fx: (775) 249-9779

4423 W. Coast Hwy

Newport Beach, CA 92663 USA

Town of Mammoth Lakes

RE: Proposed Mammoth Crossings Project

We own the following condominium located within Fireside at The Village 6039 Minaret Rd. Unit 312. We are located directly adjacent to site 1 of the Mammoth Crossings. We have owned this unit since March of 2004. We rent our unit during the peak rental winter, spring, and summer months. It is rented approximately 6 months of the year. We also use our condo unit for at least 2 to 3 weeks a year for family vacations during the winter and summer months. Our unit has unobstructed views to the Sherwin Mountain range to the south. Our unit also has abundant natural sunlight during the majority of the year.

We are not opposed to the development of the proposed project area. However, we are opposed to the existing Mammoth Crossings project. This project is not compatible with the surrounding land uses and is not consistent with the existing General Plan and the existing North Village Specific Plan. The town of Mammoth is proceeding with a piecemeal development with regards to this project, and is also inconsistent with the General Plan and the existing North Specific Plan. If the Mammoth Crossings is approved as planned it will not only have devastating impact on the surrounding properties adjacent to the project, but to Fireside owners in particular.

B11-1

As an owner at Fireside we will be subject to continual construction noise for extended timeframes per the EIR, which besides being a nuisance as an owner, will negatively impact our place for rental income due to the lowered desirability.

B11-2

Our current views of the Sherwin Mountains will be eliminated per the heights, density, and the minimal building set-backs of the proposed project. The EIR indicates that the Fireside project will be completely shaded during the fall and winter months, which brings on additional problems such as increased snow removal for the Fireside project and pathways. Additionally, the impact of these tall buildings, sheer density, and close proximity of the project to Fireside will increase noise, loss of privacy, and increased traffic in our immediate vicinity.

B11-3

Additionally, the Draft Environmental Impact Report (DEIR) prepared for project does not comply with state law. It does not accurately describe the project and fails to adequately analyze the impacts caused by the project. Perhaps most egregiously, the DEIR acknowledges that the project will result in significant environmental harm, especially to neighboring residents, such as Fireside, but fails to consider—or even to propose—feasible mitigation measures that would reduce the impacts caused by the project.

B11-4

We would like the town of Mammoth Lakes to reconsider the current project design and request that the project be redesigned to avoid environmental

B11-5

impacts and interference with the use and enjoyment of homeowner's property, and that the DEIR be revised and recirculated. The DEIR should consider alternatives to the proposed project, such as a project design that is consistent with the existing North Village Specific Plan, not a project that maximizes profits and only benefits the developer of this project.

B11-5
(cont'd)

Thank you for considering this matter.

B11-6

Kurt and Tracy Olson

Hanlon Comment.txt

From: Rachel Hanlon [rhanlon@fhhb.com]
 Sent: Wednesday, September 24, 2008 2:41 PM
 To: Ellen Clark
 Subject: FW: Mammoth concern

-----Original Message-----

From: Rachel Hanlon
 Sent: Wednesday, September 24, 2008 11:39 AM
 To: eclark@ci.mammoth-lakes.ca.us eastmanhs
 Subject: Mammoth concern

Aloha Ellen-

I am a unit owner (for unit #106) at the Mammoth Fireside condominium. I have been an owner since the early 90's and use this as my ski escape. I live in Honolulu, Hawaii and purchased this property for the explicit idea of being able to escape the traffic and have tranquility in my little "ski lodge". While not in use, I also put it into a rental pool so others can share in the quiet and beauty Mammoth Mountain has to offer. The amount of usage of course is dependent upon the rental management company, but is typically used by couples during the ski season with others traditionally using the condo for fishing in fall.

Because I am an absentee owner, I am amazed every time I come to Mammoth at its popularity and pride of ownership. The environment is so well protected and while I know some have a differening opinion I enjoy seeing the bears roaming around. I am also pleased at the many upgrades including restaurants, boutiques, and nightlife. I have been pleased with the development of the area so far and support changes, but only as far as the development is compatible with surrounding uses and consistent with General Plan and existing North Village Specific Plan.

B12-1

While I normally am quiet and let the more experienced persons deal with political issues or those who live there handle those critical issues, I am speaking up now because I am concerned with how the Town is proceeding with what appears to be piecemeal development which seems inconsistent with the General Plan and North Village Specific Plans. I am afraid this will have potentially devastating effects on the Town's charm and the well-being of its residents in general, and residents at Fireside in particular.

Fireside has always had a wonderful location, even though the traffic (and its noise) has increased substantially over the years. I wonder about the safe driving conditions with increased traffic congestion with snow conditions during the winter months. I am surprised there have not been more accidents around the area. I think this pending project and its construction will exacerbate this condition with a negative impact.

From my understanding, the Draft Environmental Impact Report (DEIR) prepared for project does not comply with state law and I am not convinced it accurately describes the project. More so, it fails to adequately analyze the impacts caused by the project. It seems the DEIR acknowledges that the project will result in significant environmental harm, especially to neighboring residents, such as Fireside, but it fails to propose feasible mitigation measures that would reduce the impacts caused by the project.

B12-2

Like I said, I am in support of progress but I do request this project be redesigned mainly to avoid environmental impacts and interference with the use and enjoyment of my property. The DEIR should consider alternatives to the proposed project, such as a project design that is consistent with the existing North Village Specific Plan.

B12-3

Thank you so very much for your time and attention to this critical matter.

B12-4

Rachel Hanlon

Hanlon Comment.txt

Vice President and Private Banking Officer First Hawaiian Bank
1348 Hunakai Street
Honolulu, HI 96816
Phone: (808) 738-4752

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September 24, 2008

Town of Mammoth Lakes Community Development Department
ATTN: Ellen Clark
PO Box 1609
Mammoth Lakes, CA 93546

Dear Ellen,

Please find attached our comments on the Mammoth Crossing Draft Environmental Impact Analysis. As you know, we are full time Mammoth residents, who live in close proximity to The Village on Forest Trail. We also own and or manage five condos at Fireside that we rent on a full time transient basis. In addition, we own a lot on Canyon Boulevard close to The Village that we hope to one day build on.

As you have heard us say on many occasions, we are not anti-development, but feel strongly that new development should occur based on a foundation of strong planning and community goal setting to ensure that the long term interests of the developer, future property owners and the community are well served. In addition, we agree with the Stakeholders that the over-arching consideration should be to restrict new development to the comfortable carrying capacity of our facilities, natural resources, and the Urban Growth Boundary.

Given that MC is proposing a project that will consume more than 10% of our town's remaining PAOT capacity, and given the project's key location, any proposed development should be evaluated against the community's highest standards. The project should be fully compatible with all General Plan and North Village Specific Plan goals and objectives. Any consideration of increased density and or rezoning should only be considered as a tradeoff for huge public benefits which are not currently apparent in the DEIR analysis, and that density must be offset elsewhere.

B13-1

Our review of the DEIR encompasses the topics most important to us, but due to time constraints, is not exhaustive, even on those topics. As we mentioned at the Planning Commission meeting and again in our email to council, we were horrified at the violation of public trust demonstrated in this DEIR, as evidenced by the level of inconsistencies and flawed analysis presented. As such, our analysis took more than 150 person hours, and we trust you and the proponent will give it most thorough consideration.

In many cases, our analysis identifies flaws to town generated planning bases that have been used in other DEIRs, including the one completed for the 2007 General Plan. We have been as thorough as possible in pointing out our issues because we believe it is critical that these planning bases be adjusted before they are used to review future projects.

We do not believe that the Draft Environmental Impact Report (DEIR) prepared for Mammoth Crossing complies with state law. It does not accurately describe the project and fails to

B13-2

adequately analyze the impacts caused by the project. Perhaps most egregiously, the DEIR acknowledges that the project will result in significant environmental harm, especially to neighboring residents, such as Fireside, but fails to consider—or even to propose—feasible mitigation measures that would reduce the impacts caused by the project.

B13-2
(cont'd)

We request that the Mammoth Crossing project be redesigned to avoid environmental impacts and interference with the use and enjoyment of homeowner's property, and that the DEIR be revised and recirculated with appropriate planning bases. The DEIR should consider alternatives to the proposed project, such as a project design that is consistent with the existing North Village Specific Plan.

B13-3

As always, please feel free to contact us with any questions or concerns.

B13-4

Tracy Spencer
Chris Ricketts

Tracy.spencer@cox.net
760-934-1884

I.C. PROJECT DESCRIPTION

We believe that the MC project description as presented has many fatal flaws, and have outlined only one example.

The project description is misleading in its treatment of Site 1 building heights, which is a key aspect of the project. As per *San Joaquin Raptor/Wildlife Center v. Stanislaus County* (1994), “An accurate project description is necessary for an intelligent evaluation of the potential environmental effects of a proposed activity”. In addition, *County of Inyo v. City of Los Angeles* (1977) includes “... curtailed or distorted project description may stultify the objectives of the reporting process. Only through an accurate view of the project may affected outsiders and public decision-makers balance the proposal’s benefit against its environmental cost, consider mitigation measures, assess the advantage of terminating the proposal...”.

B13-5

Given these precedents in law, it is clear that the project description must be accurate. However, the Site 1 Building Height section of the DEIR states, “Approximately 74 percent of the total roof area exceeds the existing 50-foot maximum height requirement as set forth in the Specific Plan.” This is quite misleading as the Specific Plan clearly states (for RG and SL zoning) that the Maximum Permitted Height is 40’, not 50’ as presented in the DEIR. The Specific Plan also includes a provision for the possible increase of height to a Maximum Projected Height (which is capped at 50’), but only under the following criteria, “Building projections above the permitted height may be allowed, provided that a roughly equivalent reduction in the building footprint area above the height is provided below the permitted height and no more than 50% of the building square footage exceeds the permitted height”. Clearly the DEIR has misled the public as to the 50’ height. The DEIR suggests that either the maximum permitted height is 50’, or it is a given or right that the 50’ projected can be assumed as permitted. This is clearly false.

B13-6

Also, there is no discussion in this section of the DEIR, with regard to the fact that the Specific Plan only allows 50% of the building square footage to exceed the permitted 40’ height. Stating that 74% of the building would exceed heights, while not providing the background that only 50% is permitted, purposely omits pertinent information, and is again misleading. In addition, the fact that in order to obtain an increase above the 40’ would require a roughly equivalent reduction in the building footprint area below the permitted height, has also not been included, and is again misleading by its omission.

B13-7

Building height is a crucial area of importance, which introduces not only direct impacts to neighboring developments, but to the entire area and Town. For example shading, view loss, character, and livability. This applies to both consistency to existing development and consistency with the General Plan and Specific Plan.

B13-8

In addition, a major error in calculating percentage of roof area exceeding the maximum permitted has been made in this section of the DEIR. According to our calculations, based on scaling from Figure III-5, the roof area exceeding 50’ is actually 81%, not 74%. In the areas calculated in the table on this figure, the building portions with roof heights of 63’, and 89’ have not been included, and the building heights of 75’ have been under-calculated. This means an omission of roughly 10,900 square feet of area above 50’. This means that while the Specific

B13-9

Plan limits height above 40' at 50%, the Project is proposing 81%. It also means that while any increase must be offset by a reduced area of equivalent square footage, only 19% of the entire buildings on Site 1 is below 40'. (Due to time constraints, we have not undertaken to confirm the accuracy of the Height Analysis for Sites 2 and 3. Given the omissions in Site 1, we would request these sites be checked by the proponent.)

B13-9
(cont'd)

In order to see if they have concern with the project as a whole, many reviewers of the DEIR will only read the Project Description chapter. It is our contention that these errors and omissions have painted a false impression of the Project, and should be corrected, and the draft DEIR reissued, again in draft form.

B13-10

IV.B. Aesthetics

AES-1 Public Views of Scenic Vistas

DEIR CONSIDERS. Views from roadways (Identified as Views 1-10).

DEIR CONCLUSIONS. Views 1, 2, 3, 7, 10 - no impacts. Views 4, 5, 9 - less than significant. Views 6, 8 - significant.

DEIR MITIGATION. No mitigation measures, overall impacts are significant and unavoidable.

OUR COMMENT. The visual simulations in the DEIR are deceptive due to the choice of viewpoint locations. Some viewpoint locations are too far from the site, some are taken just beyond horizontal curves in the roadway (blocking views to the project), and others are taken looking in the wrong direction. For example a viewpoint just north of View 4, taken with a south-easterly orientation would illustrate a clear, unobstructed public view of the Sherwin range, across the existing Whiskey Creek parking lot.

REQUESTED ANALYSIS AND MITIGATION. The DEIR fails to adequately disclose the severity of the loss of public views, from the North Village area, which is a very tourist oriented part of Town. These views are specifically noted in Figure 1 of the General Plan as a Major View Corridor and Vista. The views of the surroundings are what attract visitors to Mammoth Lakes, and are a fundamental part of the community character. An example of this is the way that the Sierra Star Golf Course has oriented the fairways, to frame views of the surrounding mountain vistas, not block views of our most valuable commodity.

The analysis of the Project's impacts to visual resources is inadequate. We believe that if a more diligent choice of viewpoints were chosen, the impacts would be much greater than purported in the DEIR. The DEIR view analysis only find significant impacts to views of the Mammoth Knolls. More appropriate viewpoints would introduce significant impacts to the Sherwins, a major view shed of vital importance to both community character and to the visitor experience. The DEIR does not offer any mitigation. Consideration should be given to increased setback along the public right-of-ways in an attempt to widen, or open up, view corridors.

The visual impacts are made worse by the shear height and mass of the proposed development. The buildings dwarf the existing natural vegetation on-site, and in fact dwarf the adjacent developments. Rather than try to keep development low on Site 1, where no natural grades are available to minimize building appearance, the northern building actually is built so that ground level is well above the existing ground level of the Whiskey Creek parking lot.

In addition to such a tall building dwarfing adjacent existing development, the Project proposes to reduce the lot line setback to 8', increasing the sense of disparity. A possible mitigation would be to increase the lot line setback in order to reduce the sense of bulk from the adjacent development to the north.

Additional mitigation should consider stepping back the design, so that the bulk would visually appear less. Another possible alternative would be to design Site 3 in consort with Site 4 so that the resulting development could take into account the drop off in existing natural grade to the south. This may reduce the height of the buildings on Site 3, increasing the public view to the Sherwin Range, protecting more of this General Plan identified major view corridor.

B13-11

B13-12

AES-2 Scenic Resources within a State Scenic Highway

DEIR CONSIDERS. Views 1, 2, 5 and & 7, from SR 203.

DEIR CONCLUSIONS. Impacts less than significant.

DEIR MITIGATION. No mitigation measures.

OUR COMMENT. We request that the proponent consider views from View 1 from further south on Minaret, at a location where a horizontal curve in the road does not block the view to the south. We request that the proponent consider View 2 at a location to the south, in the immediate vicinity of Main Street. We request that the proponent consider a view near existing View 5 (westbound on Main Street), with a southwest orientation, at a location closer to the project.

B13-13

REQUESTED ANALYSIS AND MITIGATION. Analysis of the amended view locations shows significant impacts to views of the Sherwin Range from SR 203. The view in a southerly direction from the North Village area is identified as one of the 'Major View Corridor and Vistas', in Figure 1 of the General Plan. Therefore, we submit that the impacts are significant, and request the proponent offer mitigation.

B13-14

AES-3 Visual Character and Design

DEIR CONSIDERS. Aesthetic consistency with the General Plan.

DEIR CONCLUSIONS. Impacts less than significant.

DEIR MITIGATION. No mitigation measures.

OUR COMMENT. Rather than review the numerous arguments the DEIR makes for consistency with individual General Plan policies, we have taken an overview approach so that the overriding inconsistencies with the General Plan, Specific Plan and community character can be highlighted. The DEIR breaks the whole consistency with visual character into so many individual areas that a reviewer no longer sees the forest through the trees (and certainly no one will be able to see the trees through the massive buildings).

B13-15

REQUESTED ANALYSIS AND MITIGATION. Preserving visual character is a key component of the aesthetics analysis, and C.2.J of the General Plan notes a policy for being stewards in preserving public views. Our analysis of AES-1 finds that this project is inconsistent with this policy.

B13-16

In terms of Form, Mass, and Scale, we have noted in AES-1 that the mass and scale is inconsistent with the directly adjacent Fireside condominiums. The recreational building for the Fireside complex is located adjacent to the north property line of Site 1, mid-way between Canyon Blvd. and Minaret Rd. This recreational building has a height of roughly 20' above elevation 8045. The building to the north of Site 1 of the Project has a height of 53' above 8045. The Fireside residential building closest to Canyon Blvd. has a height of roughly 40' above 8045, while the Project building, less than 30' away, has a height of 73' above 8045. In both these cases it cannot be concluded that a difference of more than 30' in building height can complement neighboring land uses and preserve views to the surrounding mountains as required by the General Plan. Neither are these heights anywhere near consistent with the NVSP.

B13-17

In addition, the DEIR assumes that the 10' difference between the maximum permitted height of 40' in the Resort General (RG) area (Site 1) and the maximum projected height of 50' in the RG area (Site 1) is a given. It is not a right, and must adhere to very specific rules and approvals, as specified in the NVSP.

Massing is also a significant area of concern. The DEIR states that the massing is generally consistent with the policy of complementing neighboring land uses. However, the density proposed on Site 1 is 229% of the maximum allowed in the NVSP. We find this to be absolutely inconsistent with such a policy.

B13-18

As to the consistency in building materials, roofing materials, textures, colors, etc, as required by the NVSP, we cannot comment, because no mention of these critical design details is made in the DEIR. While these details are critical in consideration of the Visual Character and Design, they have been omitted in the DEIR. These major omissions skew the DEIR's analysis and impacts, undercut the validity of the entire DEIR, and make it impossible for stakeholders to adequately comment on the DEIR, as required by CEQA.

Simply stating that "The Town would review all final proposed building designs to ensure that the Project would be responsive and expressive of its unique alpine setting" is not enough. The DEIR goes on to state, "Project design would be intended to confirm with requirements of the Specific Plan, as well as the Design Guidelines, and new design or development standards adopted as part of the proposed Specific Plan amendment, applicable to the proposed Mammoth Crossing District". This is fatally flawed for two main reasons. Firstly, although a District planning process (in which a Mammoth Crossing District may or may not be approved) is in progress, the release of the DEIR prior to District Plan (DP) completion results in the DP being subject to a separate CEQA review. CEQA does not allow such segmentation. Because this DEIR includes only the proponent's design and code amendments, it precludes any analysis of the impacts of the DP as part of the DEIR's impacts, as well as precluding impacts of the project as it relates to the DP. Secondly, as per Stanislaus Natural Heritage Project, *Sierra Club v. County of Stanislaus* (1996), analysis of significant effects may not be deferred to later developments under the specific plan, or to later tiered DEIRs.

B13-19

The above arguments also apply to the lack of any details provided by the DEIR in considering landscaping design and planting, grading and drainage, and signage.

The DEIR includes a Visual Character Summary which states, "While the General Plan does not explicitly prohibit the proposed height increases of the Project's proposed development, the Specific Plan does. The Project includes amendments to the General Plan and the Specific Plan which would be required to accommodate the Project's proposed land uses. If approved, the Project would be consistent with the Projects proposed height increases. With respect to the view corridors and scenic vistas, the development of the Project would result in significant impacts from the viewpoints identified as Major View Corridors, Vistas or Landmarks in the General Plan." As noted above, this circular argument is not acceptable under the CEQA process, and therefore the proponent must consider mitigation measures including reduced building heights and increased setbacks. Because the proponent has found significant impacts to view, we request a thorough and well thought out set of mitigation measures, including reduced building heights and increased setbacks.

B13-20

In addition, because the Town has a draft Story Pole Policy, which requires story poles for projects which have the potential to have significant impacts on view corridors (as this Project has), and for projects which exceed established height standards (as this Project does), we would request that Story Poles be erected, and a further review period be initiated.

B13-21

The Site 1 Building Height section of the DEIR states, "Approximately 74 percent of the total roof area exceeds the existing 50-foot maximum height requirement as set forth in the Specific Plan." This is quite misleading as the Specific Plan clearly states (for RG and SL zoning) that the Maximum Permitted Height is 40', not 50' as presented in the DEIR. The Specific Plan also includes provision to go to a Maximum Projected Height (which is capped at 50'), but only under the following criteria, "Building projections above the permitted height may be allowed, provided that a roughly equivalent reduction in the building

B13-22

footprint area above the height is provided below the permitted height and no more than 50% of the building square footage exceeds the permitted height”. Clearly, the project is inconsistent with existing plans in terms of height.

Also, there is no discussion in this section of the DEIR, with regard to the fact that the Specific Plan only allows 50% of the building square footage to exceed the permitted 40’ height. Stating that 74% would exceed heights, while not providing the background that only 50% is permitted, purposely omits pertinent information, and is again inconsistent with the specific plan. In addition, the fact that that to obtain the increase above the 40’, would require a roughly equivalent reduction in the building footprint area above the height must be provided below the permitted height, has also not been included, and is again misleading by omission.

B13-22
(cont’d)

Building height is a crucial area of importance, which introduces not only direct impacts to neighboring developments, but to the entire area and Town. For example shading, view loss, character, and livability. This applies to both consistency to existing development and consistency with the General Plan and Specific Plan.

AES-4 Light and Glare

DEIR CONSIDERS. New sources of light and glare.

DEIR CONCLUSIONS. Impacts less than significant.

DEIR MITIGATION. No mitigation measures.

OUR COMMENT. The sheer size and height of the Project will introduce significant additional light to the study area, adjacent developments, and the entire Town of Mammoth Lakes.

B13-23

REQUESTED ANALYSIS AND MITIGATION. While the DEIR states, “A detailed lighting plan for the Project’s development is required to be prepared for approval by the Planning Commission showing location, intensity, heights, fixture type and design, ...”, it has not been provided with the DEIR. As a result, it makes it difficult for us to comment, and one wonders how the DEIR can claim that the impacts will be ‘less than significant’.

B13-24

As a residential complex, with buildings less than 30’ from the proposed hotel development of the Project, light infiltration has the potential to be a significant impact on the Fireside Condominiums. Light infiltration may also have Project specific, as well as cumulative, effects on the night sky when viewed from within the Town of Mammoth Lakes. Both these issues must be addressed. In addition light infiltration into the windows of the Fireside Condominiums from headlights entering the ramp to the underground parking structure need to be modeled.

B13-25

Based on the results of these analyze, appropriate mitigation measures should be proposed by the proponent, and reviewed by the public.

B13-26

AES-5 Shading/Shadows

DEIR CONSIDERS. Shading/shadows for all 4 seasons.

B13-27

DEIR CONCLUSIONS. Summer Solstice shadow impacts less than significant. Winter Solstice shadow impacts potentially significant.

DEIR MITIGATION. Winter solstice mitigation measures to include a snow plowing and cindering plan for 3 winter months on Town roads in vicinity of the Project.

OUR COMMENT. Figure IV.B-25 Winter Solstice Shading (December 21), shows all of the Fireside buildings with the exception of the north east corner of the Minaret Building being in full shade at 9:00 am.; all Fireside buildings with the exception of the north-west corner of the Canyon building and the north-west corner of the Minaret building in full shade at 12:00noon; and all but the Canyon building in full shade at 3:00pm. It should be noted that the walkway on the south side of the Fireside property which connects the 2 residential buildings and the recreation building will be in total shade in all 3 time periods modeled. The DEIR downplays the magnitude of the impact as, "As shown in Figure IV.B-25, the Project's winter solstice shadows would cast onto a portion of the adjacent residential land use north of Project Site 1 in the morning and throughout the afternoon. However, the useable outdoor spaces associated with the nearby residences (e.g., yards, balconies, etc.) are rarely used in the winter months."

B13-27
(cont'd)

REQUESTED ANALYSIS AND MITIGATION. As per Figure IV.B-25, it is clear that specifying 'a portion of the adjacent residential land use to the north (Fireside Condominiums) will be in shadow is a gross understatement. In fact, the majority of the Fireside property will be in shadow in the morning and throughout the afternoon. We would like to DEIR to properly acknowledge the extent of the impact. Secondly, the threshold of significance of the shading is also grossly understated. Dismissing the impact by stating that the useable outdoor spaces associated with Fireside are rarely used in the winter months is not only wrong, but also fails to take into account Fireside's ability to keep ice of the walkway between the buildings (especially since the setback is only 8' from the Fireside property line to a major hotel building where the roof will shed snow directly toward the Fireside property), the solar heating advantages of direct sunlight on the buildings, the sunlight streaming through the picture window into the spa area, the sunlight streaming through the double sliding glass doors of the pool area, the snow/ice melt off the deck areas so that decks can be used to BBQ, store firewood, etc, the snow/melt off the decks so that sunlight can penetrate through the sliding patio doors, etc. It also discounts the positive livability issues that a well sunlit environment provides. To discount all these factors, downplay and major impact to a directly neighboring property, and furthermore, offer no mitigation is a major flaw in the aesthetic analysis. We demand action on this item, including lowering the building heights and additional setbacks. It should be noted that the NVSP may allow a proponent to build certain portions of a project above the 40' limit, if other portions are lowered. The area of buildings which thoroughly shade Fireside may well be an excellent candidate for a reduced height area.

B13-28

From a public safety point-of-view, we are concerned with the safety impact of having the major intersection in the North Village, as well as the entrances to the intersection on Lake Mary, Main Street, and Minaret Rd. in shade through the majority of the day. The climate in Mammoth Lakes in the winter is such that the majority of days will reach a high temperature above freezing. In the early evening the temperature falls quickly and the snow/slush/water/moisture on the roads freezes. This is a serious safety situation Mammoth Lakes is forced to deal with. However, building a project that will create black ice at one of the Town's busiest intersections, and busiest tourist intersection, is a fatal flaw. Snow removal and cindering is not particularly effective on black ice and impractical given that the freeze cycle occurs concurrently with the pm peak traffic/pedestrian time. Mitigation should be considering which includes analyzing moving the buildings to the south to at least the setbacks specified in the NVSP, but even further back if required. This, in addition to a stepped back building form should be analyzed to remove the impact, rather than try to mitigate with a flawed maintenance plan.

B13-29

AES-6 Temporary Construction

DEIR CONSIDERS. Construction aesthetics including light, glare, screening and truck traffic on roads.

DEIR CONCLUSIONS. Significant aesthetic impact, especially along Main Street and Minaret Rd.

DEIR MITIGATION. Construction equipment staging areas shall use appropriate screening (MM AES-6). “Although MM AES-6 would reduce impacts resulting from construction activities, surrounding residential areas would be exposed to the visually-related construction impacts for an extended period of time. Thus, construction-related visual impacts would be significant and unavoidable.”

B13-30

OUR COMMENT. Temporary construction is defined in the DEIR as construction activity between 7 am to 8 pm, 6 days a week, 9 am to 5pm on Sundays for stints of 2 to 3 years per site, served successively until all sites are completed in 2020. In other words, 12 years of constant construction impacts are only considered temporary, and the mitigation measures proposed (MM AES-6) are downplayed (temporary fencing with opaque material).

B13-31

REQUESTED ANALYSIS AND MITIGATION. Since this is the Aesthetics review, construction impacts included are light and glare, site screening, and truck visual impacts along the Town roads. As noted in our comment section above, this is a long term, in-your-face impact to the neighboring Fireside condominiums. As such we request that state of the art mitigation be proposed. State of the art mitigation should be well researched from any municipality utilizing best practices, such as New York City. Construction fencing should be of a semi-permanent quality, so it cannot be crushed by the heavy snow load, and must be on a maintenance program to ensure damaged sections are repaired in a timely manner. For Site 1, landscape screening on the Fireside side of the fence should be considered.

B13-32

While considered in other sections of the DEIR, construction impacts do not only include aesthetics. They also include noise, vibration, and air quality. All these areas will require state of the art mitigation for a project of this magnitude. Scheduling should be done to reduce adverse impacts. For example, the tasks which create the highest noise levels should be performed in shoulder seasons. Noise impacts can be reduced using perimeter noise barriers, portable noise enclosures around loud machinery like jack-hammers, noise shields for excavators (long enough to also shield the receiving dump truck), noise shrouds on backhoes, etc. Also a construction protection plan to protect the Fireside buildings within 90’ of construction to protect and repair buildings from damage caused by ground borne vibration should be included. This also should include monitoring of the Fireside in ground pool and in ground spa. Electric, not diesel, equipment should be specified. Sidewalks need to stay open. Construction truck access to Site 1 should be located as far from the Fireside property as possible.

B13-33

If mitigation measures for construction impacts cannot be reduced to insignificant, then compensation should be considered. The condominium units as Fireside can be modeled from a business loss point of view. It may be possible for owners who live in their condos to be compensated so that they could rent elsewhere during construction. Owners who rent their condos, may realistically not be expected to rent while Site 1 is under construction, and could be compensated for lost revenue. While CEQA does not general consider economic impacts, economic impacts caused by physical impacts (in this case the construction of the physical project) should be considered.

B13-34

AES-7 Cumulative Impacts

DEIR CONSIDERS. The change in views and visual character of the Town as introduced not only by the project but also by the cumulative impacts of the 40 related projects in the vicinity of the project.

B13-35

DEIR CONCLUSIONS. Impacts are significant and unavoidable.

DEIR MITIGATION. No mitigation measures.

OUR COMMENT. The DEIR states “Therefore, the Project combined with the related projects would result in a cumulative impact to views and the visual character of the Town. As a result, cumulative impacts with respect to scenic views and existing visual character would be considered significant and the Project’s incremental contribution to cumulative impacts would be significant and unavoidable.”

As discussed in AES-1 Public Views of Scenic Vistas, the most significant major view corridor in the area surrounding the Project is the view of the Sherwin Range from the North Village. This view currently has very little obstruction from built form on the 4 corners surrounding the Main street/Minaret Rd. intersection as the parcels are either undeveloped or underdeveloped with small scale, low buildings. Of the 4 corners, this Project represents 3 of the corners, the 4th being the Dempsey parcel on the north-east quadrant which currently is occupied by Nevado’s Restaurant. Views to the Sherwin Range are exceptional as southbound vehicles on either Minaret or Canyon come into proximity of their respective intersections with Main Street, and Lake Mary Road. Pedestrians in the area are also afforded spectacular views.

B13-35
(cont’d)

REQUESTED ANALYSIS AND MITIGATION. The public views discussed above will be substantively blocked by the Project development on the 3 corners of this key tourist area intersection. The Dempsey property is on the east side of Minaret Rd., so is not in the direct path of public view sheds. While cumulative impacts need to be assessed, it is the MC Project that has the largest negative effect on views. Mitigation should be include buildings of smaller scale pulled back from the public roadway right-of-way which would protect a larger portion of the scenic view.

As per the visual character of the Town, this project, due to its disproportionate size and mass, is not consistent with the NVSP, the General Plan, or the “Village in the trees” concept. It should be noted that a Village in the trees does not mean that building height can be as tall as the trees; rather that development is scaled within the trees with a tree canopy above and mountains in the distance. One hundred foot high buildings, pushed almost to the roadway right-of-way cannot be construed as a village in the trees.

B13-36

Given the wide range of aesthetic impacts to surrounding residents (including Fireside owners and guests) addressed here, and other impacts addressed elsewhere, we believe it is critical that the CEQA mandate for maintaining a high quality environment be strictly adhered to, and that the lead agency consider the maintenance of a high quality human environment an important responsibility. The State CEQA Guidelines clearly support the use of local standards in determining what constitutes a significant effect on the environment, and therefore, we request that an additional analysis based on the elements comprising quality of life be considered. Where a substantial physical impact to the quality of the human environment is demonstrated, the project's effect on quality of life shall be considered significant.

IV.J. Noise

General Plan C.6.G requires preparation of noise analysis or acoustical study, which is to include recommendations for mitigation for all proposed projects that may result in potentially significant noise impact. This analysis requirement is not adequately met in the DEIR, as the analysis is incomplete on many fronts and there is no indication that the analysis was prepared by a licensed acoustical engineer. Our concerns with the noise analysis as presented include the following:

B13-37

- The minor amount of analysis which is presented appears to use town ordinances rather than the more restrictive General Plan noise element criteria. Given stated goals for Quiet Community and the stated significance of noise impacts, the most restrictive limits of the GP noise element and/or the town's noise ordinance or other best practices should use (as they appear to have been in the Brown, Buntin study on the Mammoth Creek Facilities Plan) to measure impacts and suggest mitigation measures.

B13-38

- The noise analysis should more clearly state thresholds of significance used, measurement of current noise levels, and projected noise levels during construction, and during the operational phase.

B13-39

- Varying and contradictory thresholds are presented. i.e. Page IV.J-2 "Environmental noise levels are generally considered low when the CNEL is below 60 dBA, moderate in the 60–70 dBA range, and high above 70 dBA", yet Table IV.J-1, page IV.J-2 says representative environmental noise levels of quiet urban areas range from daytime levels of 50 to evening levels of 40.

B13-40

- Construction noise impacts should discuss the worst case cumulative impacts to the Fireside Condominiums and surrounding development if simultaneous construction occurs on the South Hotel, 8050 C, Hillside, Dempsey and Mammoth Crossing parcels. SB thresholds P133 say that "According to EPA guidelines, average construction noise is 95 DB(A) at a 50 foot distance". Given that construction will occur 8-10 feet from the Fireside property line and 26 feet from Fireside buildings, much more stringent mitigation measures and monitoring is required than that included in the DEIR and Mammoth's noise ordinance. Examples of best practices for construction noise mitigation include, but are not limited to those employed by the City of New York.

B13-41

- What analysis is presented appears to use town ordinances rather than the more restrictive General Plan noise element criteria. Given stated goals for Quiet Community and the stated significance of noise impacts, the most restrictive limits of the General Plan noise element and/or the town's noise ordinance or other best practices should use (as they appear to have been in the Brown, Buntin study on the Mammoth Creek Facilities Plan) to measure impacts and suggest mitigation measures.

B13-42

- Operational noise generators studied should include, but not be limited to, traffic entering/exiting parking garage, delivery vehicles, temporary traffic for check-in, air

B13-43

conditioners, generators or ventilation equipment, projected pedestrian traffic through Site 1, noise generated by guests with open windows or using balconies nearest the Fireside Condominium complex, evening noise generated by bar and restaurant traffic, special event noise considerations and cumulative traffic noise. Impacts should be considered on interior and exterior noise levels, particularly given that windows are often open during the summer.

B13-43
(cont'd)

- Quality of Life issues as defined in the Santa Barbara Thresholds of Significance document should be considered for nuisance noise levels and increased traffic even if these levels do not exceed minimum thresholds.
- Specific attention should be paid to the noise impacts and potential mitigation measures for Fireside Condominiums and surrounding noise sensitive uses, including separate analysis for the eastern and western units at Fireside since the noise causing factors will be different.
- Other General Plan policies exist to restrict development to ensure “Quiet Community” so more careful analysis of the impacts and cumulative impacts caused by noise and vibration is warranted.

B13-44

B13-45

B13-46

It is difficult to adequately comment on the noise aspects, because we have not seen a noise report. Without a proper noise report it is also difficult to comment on the appropriateness of mitigations. For instance, the mitigation measures proposed as NOISE-1a are simply aspects of the Town’s Noise Ordinance. As Fireside Condominiums are so close to the Project, we request that the proponent do extensive research into state of the art mitigation measures and propose measures which significantly reduce the noise impacts.

B13-47

IV.1. LAND USE AND PLANNING

Impact LU-1 Consistency with Applicable Land Use Plans, Policies, or Regulations

The General Plan Guidelines published by the State Office of Planning and Research defines consistency as, “An action, program, or project is consistent with the General Plan if, considering all its aspects, it will further the objectives and policies of the General Plan and not obstruct their attainment.”

B13-48

The general plan analysis presented in Table IV.I-2 is incomplete and appears to pick and choose General Plan categories to maintain consistency rather than highlight potential inconsistencies. A comprehensive analysis of those potential inconsistencies was not possible given the time provided to comment on the DEIR, but may be provided at a later date.

B13-49

For projects of this magnitude and potential importance to community character (and given the number of inconsistencies identified by a quick review), we suggest some sort of a Citizen’s Advisory committee be tasked with assessing General Plan compatibility. The future of our community is too important to let developers, developer funded consultants and overworked town staff make this determination on our behalf.

B13-50

PAOT: We believe the project as proposed jeopardizes the ability to remain consistent with L.1.A of the General Plan, which is to “limit total peak population of permanent and seasonal residents and visitors to 52,000 people”. The DEIR suggests that the MC project will generate 1527 new PAOT, but there is no discussion of the fact that total PAOT allocated to the North Village is only 3020. Unit to room to PAOT conversion factors were not available from the town to make this determination, but preliminary analysis suggests most of the originally allocated PAOT capacity for the NVSP has already been built. The DEIR should include a numerical analysis of NVSP PAOT and the impacts of the proposed MC development, and related projects on Town goals per the general plan. Other zoning alternatives identified in the district planning process should be studied.

B13-51

If approval of the project will cause the NVSP PAOT allocation to be exceeded, then an analysis should be made in terms of where the additional PAOT will come from and whether such density transfers are consistent with community goals and objectives as stated in the General Plan.

The cumulative impacts of increasing density/PAOT on this and other projects must also be considered. Will the allocation higher densities/PAOT for the Mammoth Crossing set a benchmark for increased density vs. public benefits that will be difficult to work within? Will the allocation of higher densities/PAOT on a first come, first serve basis shift density from vacant land, or parcels that the community wants to see redeveloped, leaving holes or nuisance land uses?

Parking: The project proposes to construct 820 parking spaces, including 100 public parking spaces on site 3. Leaving aside the question of whether the 100 spots on site 3 are too far away from the Village core to add much value, proposed parking spots do not include commercial parking as required by the NVSP. Depending on how the 100,000 + square feet of commercial/restaurant/retail is allocated, this indicates a parking shortfall of 300-400 spaces. Our experiences with inadequate parking for current Village development demand that any considered reduction in parking be carefully analyzed to ensure compatibility with both General Plan and NVSP objectives.

B13-52

Commercial Density: Inconsistency with regards to the consideration of commercial space in density calculations must be addressed. Existing NVSP development was forced to calculate density by considering each 450 feet of commercial space as a room. The MC proposal does not appear to calculate

B13-53

rooms attributed to commercial space, and the proposed NVSP amendment deletes this requirement for the whole NVSP area with no consideration of environmental impacts. This is significant, and MC's room density allocation would increase by more than 20% if evaluated in the same manner as previously built or entitled projects.

B13-53
(cont'd)

Tanavista: Treatment of the Tanavista parcel is inconsistent throughout the DEIR and the proposed North Village Specific Plan amendment. It appears that the proponent is trying to straddle two plan areas, retaining the most attractive benefits of both, and this needs to be clarified.

B13-54

Impact LU-2 Land Use Compatibility (with surrounding uses)

The DEIR states “the Project is not consistent with existing Specific Plan density, height, and setback requirements. ... inconsistency may indicate a significant physical impact, but the inconsistency is not itself an impact. The physical impacts of the Project are analyzed in section IV.B through IV.N of this DEIR. Thus, Project impacts to land use would be ***less than significant*** and no mitigation measures are required.” The DEIR goes on to say “While the Project would constitute a substantial intensification of building mass and increase in heights relative to existing development on each of the sites, the Project would aim to organize the form and mass of each of its proposed buildings relative to the scale of neighboring buildings and the surrounding tree-canopy.”

B13-55

We strongly disagree. As discussed in our analysis, and in particular, under Aesthetics, Noise, Traffic and Circulation, proposed density bonuses for MC and resulting physical impacts of massing, and building height are incompatible with neighboring development (specifically Fireside). Physical impacts, and resultant economic and social impacts to Fireside or other neighboring developments must be evaluated before a finding of less than significant impacts to land use can be made. Alternatives must be considered that consider form and mass relative to neighboring buildings.

Where project alternatives cannot fully eliminate the physical impacts, numerous mitigation measures are possible, and we welcome the opportunity to outline them further.

Impact LU- 2A Physically Divide Existing Community

Despite our request as part of the scoping process that this impact be evaluated, it was not included in the DEIR. Given the stated primary purpose of the NVSP to “enable the development of a cohesive, pedestrian-oriented resort activity node”, more careful analysis of the impact of the MC development and how it impacts pedestrian flows and an overall sense of cohesiveness is required. Linkages between current and proposed development must be analyzed with and without the MC project. For example, will guests from the Dempsey parcel want to go to Mammoth Hillside, and if so, how do they want to get there? Will proposed building masses complement or frustrate pedestrian desire lines? The Town commissioned Nelson Nygard study on sustainable transportation is a good starting point for this analysis in that it raises several key issues and proposed mitigations that enhance pedestrian access compatibility.

B13-56

The 8050 project is a good example of what happens when the impact of development on pedestrian corridors is not carefully considered - we essentially end up with a big lump of building in the middle of what should be a pedestrian plaza.

Impact LU-3 Cumulative Impacts

B13-57

The DEIR states that “Each of these related projects would be required to demonstrate consistency with the goals, policies, and objectives of the General Plan, applicable regional plans and compatibility with surrounding land uses. These requirements ensure that cumulative land use impacts will be avoided or mitigated to *less-than-significant* levels.”

We disagree. Given the apparent shift to trading density bonuses for community benefits inadequately funded by DIF and as outlined above, we argue that the cumulative impacts of related projects are likely to be significant and inconsistent with the goals, policies, and objectives of the General Plan, the NVSP and surrounding land uses.

As an example, the General Plan in L.5. sets out a goal to “Provide an overall balance of uses, facilities and services to further the town’s role as a destination resort community” and goes on to require the preparation of an Annual Community Indicators Report to monitor the pace of growth and to plan for changing conditions. The DEIR needs to use these community indicators to assess the impacts of increased development on existing housing stock, and existing recreational amenities. Will demand increase concurrent with new development, or will new development steal visitors from existing lodging providers? If new visitors come, what will they do when the Mountain’s capacity is exceeded? Will retail and spa services keep base with demand? What are the impacts of national trends concerning skiing and population demographics?

B13-57
(cont’d)

K. POPULATION AND HOUSING

The DEIR concludes that “Project specific impacts as well as cumulative impacts to population and housing would be *less than significant*.” and therefore no mitigation is required.

B13-57

We argue below that the DEIR’s analysis of specific and cumulative impacts to both population and housing are badly flawed, and finding of significance needs to be reevaluated in light of the information below.

B13-58

In reviewing the population and housing impacts of the MC DEIR, it appears that Mammoth Lakes Housing was never invited to comment on the DEIR scoping document, and no analysis has been provided by MLH to assist in evaluating the impacts of the project. As MLH is the agency charged with preservation, acquisition, construction and administration of housing and housing-related programs, this seems a substantial oversight. An analysis should be performed by MLH, with particular emphasis on the impacts the extra density proposed by this project has on the General Plan Housing Element and the Community Housing Strategy.

B13-59

The DEIR must address issues of risk and uncertainty with Mammoth Lakes Housing and the adequacy of TOML’s FTEE metrics. MLH relies heavily on matching grants, which may be less available in times of recession, and there are current issues with “livability” of units already constructed by MLH. The Town and MLH are currently reevaluating funding formulas, so there is a risk that outlined mitigations may not fully cover the housing burden created by the MC project.

B13-60

As well, the DEIR suffers from numerous inconsistencies in its analysis of population and housing which include, but may not be limited to the following.

B13-61

Population Growth Due to Temporary Jobs: The DEIR states “substantial number of permanent residents would not likely be generated as a result of the construction of the Project and impacts associated with population growth due to temporary jobs would be *less than significant* and no mitigation measures are required.”

Because of Mammoth’s geographic isolation, construction workers do come and stay in town for both short and longer time periods, and therefore impact overall housing availability. Since economic cycles dictate that construction occurs in waves, more analysis is necessary to evaluate the individual and cumulative impacts of construction workers on population. Related projects and general plan build out are estimated to occur by 2024 – with 16 years to build out, and the current development trough, when building starts again, individual and cumulative impacts of construction workers on short term housing, campgrounds and natural resources could be significant, especially since there is a big overlap between the summer high and construction seasons.

B13-62

FTEE Calculations: Comparison of the FTEE generated by the MC and the Snowcreek IIIV projects suggest that FTEE calculations for the MC project may have been underestimated by at least 50%. (If 400 Snowcreek hotel rooms = 170 FTEE, 1020 residential hotel rooms can't equal 185). FTEE should be recalculated on both a square foot and room basis, including all commercial and retail square footage, to determine the project's maximum FTEE.

B13-63

Population Growth not anticipated in the General Plan, and the NVSP: The DEIR states "This is consistent with the growth anticipated in the 2007 General Plan. Therefore, impacts associated with population growth due to permanent jobs would be *less than significant* and no mitigation measures are required. " Baseline population growth may well have been included in the growth anticipated in the 2007 General Plan, but the MC project proposes significant additional density not contemplated under the plan and the impacts of that additional density must be evaluated separately from the General Plan analysis.

B13-64

The DEIR states "Under the existing Specific Plan zoning, the development of 445 rooms would be consistent with the Town's build-out peak population since the existing land use designation has been analyzed, and anticipated development of the site has been included in General Plan population projections. Therefore, the population associated with development under existing zoning would not exceed the PAOT established by the Town."

B13-65

We disagree. Proposed zoning, including a project description that proposes to build 1020 rooms on four sites when considered with the cumulative impacts of related projects will almost certainly exceed PAOT allocations for the NVSP and direct and cumulative impacts must be evaluated separately.

Infrastructure Impacts: The DEIR states "Infrastructure associated with the Project would serve the Project site and would not facilitate additional development as a result of increased infrastructure. Additionally, the Project is consistent with the adopted *General Plan*. Therefore, impacts associated with the development of the Project would be *less than significant* and no mitigation measures are required."

B13-66

The DEIR contradicts this statement elsewhere when it emphasizes the project's compatibility with General Plan and NVSP goals in terms of retail, recreation services and public gathering places provided. Further analysis is required to clear up this confusion and accurately assess impacts associated with the development of the project.

Permanent vs. Transient housing: Project as described indicates that 48 rooms could result in permanent year-round condominium residential housing rooms. Unless these rooms are specifically prohibited as transient lodging, the higher factor of 4 PAOT per unit should be used in the DEIR analysis.

B13-67

Impact of Hispanic and Seasonal workers: The DEIR states "true number of overcrowded households is likely greater than reflected in the census due to seasonal overcrowding, which was not, accounted for in the census data." Census data likely does not also take into account higher occupancies per household for Hispanic households, and this impact should be analyzed.

B13-68

Inadequate Project Description: The DEIR does not describe a unit mix and therefore potentially understates PAOT, as a direct room to unit to PAOT calculation cannot be performed. This clarity is particularly important given DEIR footnotes asserting that one unit equals 3 rooms (Tanavista) and the absence of any restrictions on alternate sleeping areas like lofts and sofa beds.

B13-69

Off-site affordable housing units (13.4) are not included in PAOT analysis.

Tanavista: Tanavista's impacts on population and housing are not discussed. As Site 4 is proposed to be included into the revised NVSP, its impacts should be included to permit a holistic analysis of project impacts. Without Tanavista's inclusion, it is difficult to reconcile the varying room numbers quoted in the DEIR (1020 vs. 808 rooms).

B13-70

No discussion is provided on the potential of the Project to affect the balance between jobs and housing. This is an important measure of economic health of our community and requires a discussion of certainty that proposed housing will be available coincident with the growth of jobs.

Impact POP-1 Population Growth, Impact POP-4 Cumulative Impacts

The DEIR states "the Project is anticipated to contribute approximately nine percent¹⁷ of the remaining PAOT growth capacity (17,000); therefore development of the proposed Project would not exceed the Town's peak PAOT (52,000). Therefore, impacts to population growth associated with the development of the Project would be *less than significant* and no mitigation measures are required."

B13-71

The DEIR goes on to state that "PAOT associated with the related projects (18,120) combined with the proposed Project's PAOT (1,527), could amount to as much as 19,647 PAOT for cumulative residential development."

In our opinion, anticipated population growth of 19,647 against growth capacity of 17000 would indicate a significant impact and require mitigation.

Related Projects: The whole cumulative PAOT analysis relies heavily on the Related Projects list included in the DEIR as Table II-1. This list is badly flawed and needs to be reformulated for the following reasons:

- It relies on the use of standardized conversion factors that may not be accurate to convert units to PAOT (e.g. Tallus is listed as 19 units, but it is unrealistic to assume peak population of 4 x 19 or only 76 residents given the unit size.)
- The list calls apples oranges, or in this case rooms units, further distorting the accuracy of cumulative PAOT estimates. (e.g. Snowcreek IIIV)
- It fails to assign any population inducing effects to commercial or public projects.
- It misses projects from the Master Facilities Plan - where is child care facility, recreation center, airport, civic center
- The list does not include 250 units of airport density which are likely to be reassigned

B13-72

- The list does not capture currently contemplated density increases under the North Old Mammoth Road District Study.

B13-72
(cont'd)

Impact POP-2 Housing Displacement, Impact POP-3 Resident Displacement

The DEIR states “the Project is proposing to build 24 permanent year-round residential housing units and 33 on-site affordable housing units to realize a total of 57 permanent year-round housing units, which exceeds the number of units proposed to be removed. Therefore the Project impacts related to housing displacement would be *less than significant* and no mitigation measures are required.”

This argument is circular. Housing impacts of the project should include replacement of existing affordable housing, plus new affordable housing based on FTEE, and other population increase impacts.

The DEIR analysis also fails to consider that the type of housing being removed is not easily replaceable with market rate condos. Housing currently present on the project sites appeals to Hispanic, seasonal, and construction workers because of its price point. While the project contemplates (but does not guarantee) 24 permanent year-round housing units, it is unrealistic to assume that those units will target the same market as the currently existing units.

B13-73

Without the referenced Existing Supply Report and stipulated conditions for which the housing is to be replaced, it is difficult to determine whether displacement will occur. As no guarantees of alternate housing for displaced residents have been offered, the DEIR should conclude that the Project impacts related to housing and resident displacement would be potentially significant and require mitigation measures. Perhaps construction could be staged to require the construction of some mix of both on and offsite affordable housing before existing housing is removed.

IV.L. Public Services

Throughout the public services DEIR analysis, increased demands for public services have been described as significant, but less than significant after the payment of DIF fees. We believe it is unacceptable to assume that the payment of DIF will ensure that increased public services are made available in a timely manner. Overall economic conditions, the need to provide economic stimulus, budget considerations, cost overruns and factors outside the Town's control (like lawsuits) have, and will likely continue to, impacted the Town's ability to deliver services that were supposed to be funded via DIF. The continued lack of a North Village Parking Structure is a case in point.

B13-74

Cumulative increased demands for public services have been similarly downplayed, based on a commitment from the Town to monitor PAOT through future development approvals and to mitigate via DIF. Based on the current trend in the Town to award higher densities in pursuit of "community benefits", it is very possible that PAOT will be exceeded and that DIF will be inadequate to meet cumulative needs. Reliance on increased property taxes is similarly flawed, especially given current real estate market conditions.

B13-75

No discussion is provided about Public Services provided by the county or other governmental agencies, and it appears that these agencies were not contacted for input. This must happen.

B13-76

As an example, it appears that the cumulative impacts of the project and related projects on county landfill capacity were not evaluated, despite the fact that only 26.5% of Benton Crossing Landfill capacity remains. Thresholds of significance similar to those implemented by Santa Barbara County should be evaluated to determine the project's individual and cumulative impacts on waste management, and appropriate mitigations should be required.

B13-77

Specific concerns with the presented public services are outlined below.

B13-78

Impact PS-5 School Services, Impact PS-6 Cumulative School Services

The impact of the 185 FTE's (which may be understated) is not adequately considered in student generation rates, and must be addressed. Development generates jobs, and the children of both permanent and seasonal workers go to school.

The conclusion that developer fees currently charged by MUSD fully mitigate the impacts of new development on school services is absurd. If that were the case, why do we need Measure A, and Measure S and Measure K? Tax payers are subsidizing our schools, and with the current California budget crisis, this is likely to continue.

B13-79

The analysis also fails to address the collective impacts put on our school systems by the ever increasing numbers of English Language Learners as the demands for low wage hospitality workers increase.

Impact PS-7 Park and Recreational Services, Impact PS-8 Park and Recreational Services

B13-80

The DEIR fails to consider the impact of the proposed MC development on existing park and recreational services, and must do so. Current recreational uses of the project sites include a toboggan hill well used by locals and visitors alike, two Jazz Fest sites, and parking for skiing, mountain biking and numerous Sam's Woods events. The Project's proposed recreation and public amenities are inadequately described, and contradictory information is provided on whether those amenities will be made available to the public. Further discussion is required on whether proposed amenities will offset the loss of existing amenities, or whether existing amenities are contemplated to be relocated elsewhere, with resultant adverse physical impacts.	B13-80 (cont'd)
The DEIR fails to consider the impact that increased demand from 1527 new visitors and 185 FTE will have on current town operated facilities, the ski hill, other Forest Service venues, Bodie, Yosemite and the great outdoors. Facilities at a town level are discussed, but no consideration is given to county, state or federal lands and venues.	B13-81
The DEIR also fails to address the cumulative effects that 19,647 persons plus related FTEs will have on demand for facilities and access to our many natural amenities. The DEIR says the Town's parkland dedication standard is five acres of parkland per 1000 residents - where will those 100 acres of parkland come from, and who will pay for them?	B13-82
Per the Thresholds of Significance provided, a project could have a significant impact if new facilities are required to be built, or if the expansion of existing recreational facilities might have an adverse physical effect on the environment. Yet, the DEIR fails to address the adverse physical impacts of increased demand on existing facilities like our tennis courts, the need to create new facilities like trails and recreation centers, and the increased usage of our natural amenities through activities like fishing, biking, hiking, snowmobiling, etc.	B13-83
The DEIR also fails to address the adverse physical impacts of increased demand on both Mammoth and June Mountains. Mammoth Mountain already operates at close to maximum capacity on busy weekends, yet the impact of almost 20,000 potential skiers is neglected – more skiers devalues the Mammoth experience, and likely means more traffic, more lodges, more lifts, more snow making, etc. What is the impact on economic sustainability if we have to start turning people away from the mountain, like they do at Big Bear?	B13-84
Again, any reliance on DIF to offset the creation and maintenance of parks and recreation venues is flawed. If DIF fees were effective as described, we would not need Measure R, our skating rink would have a roof, and our recreation center would be more than a dream.	B13-85
<i>Impact PS-9 Snow Removal Services, Impact PS-10 Snow Removal Services</i>	
The DEIR fails, and must be required, to adequately address the additional snow removal demands caused by the proposed project. In Mammoth, snow removal is a given, not an emergency, yet there is no discussion, for instance, of increased emissions and noise generated by the increased time and vehicles required to clear proposed sidewalks, plazas, roundabouts or off street parking.	B13-86
Engineering Services states that there are currently enough vacant parcels to facilitate snow storage along Minaret, but there is no discussion of cumulative impacts of where snow from Minaret will be stored when all the related projects are completed, nor of the negative impacts of trucking snow away.	B13-87

Proposed mitigation that requires MC to provide snowplowing and cindering of town and state roads is impractical given risk management considerations. The project should be redesigned to eliminate dangerous conditions and /or other mitigation measures must be imposed to ensure this does not become a public liability and expense.

Other mitigation measures should include a provision that no snow shed is allowed onto sidewalks, plazas or neighboring properties. Geothermal should be evaluated as less energy intensive than boiler fired heat melt sidewalks, and one or the other should be required as a mitigation measure to minimize the drain on town coffers to clear sidewalks.

MC should be required to be annexed into a benefit maintenance district to cover increased costs for snow removal and maintenance as a mitigation measure.

B13-88

IV.M TRAFFIC AND CIRCULATION

Transportation modeling comments apply to all of the Transportation Impacts. Rather than repeat our comments for all categories, we will make them here and assume that they will be considered in our comments for further analysis of the individual impacts.

B13-89

A traffic model was updated by the Town's consultant (LSC) as part of the General Plan. Intersection volumes from that model were provided to the traffic consultant for the Project (LSA). No new traffic modeling was done by LSA, although intersection analysis (using HCM Worksheets) was. We have reviewed the link volumes as provided by the model and have the following comments (all comments are for the peak hr used in the Project's traffic analysis).

B13-90

1. In the model, Berner Street is connected to Minaret Road. While this may not be a significant issue on a Town wide basis, it does provide issues for the DEIR. Because Berner Street is so close to the study area, it will impact traffic on Minaret Rd (south of Berner Street to the Main Street intersection). As Berner Street has been re-routed to Forest Trail, the opportunity to turn directly from Minaret Road to Berner Street is no longer available. Therefore, these east-west volumes will have to be either added to Main Street or to Forest Trail. It appears that this has resulted in a shortfall of more than 200 vehicles from Minaret Road to either Main Street or Forest Trail. In addition, westbound volumes from Berner Street to Minaret Road of over 100 vehicles will have to be routed to Forest Trail. This will result in much more opposing traffic on the Minaret Road/Forest Trail intersection. This could also impact turning movements onto Forest Trail as conflicts from the Berner Street/Forest Trail intersection could make Forest Trail less attractive.

B13-91

2. It appears that the model has been run with either too many iterations, or to equilibrium. This has spread the traffic onto many minor roads and off the main roads where the desire is. This makes traffic infiltration look too high into the neighborhoods such as the Knolls, while significantly reducing the volumes on the major roads, such as Minaret Road and Main Street. The reduced volumes on Minaret Road and Main Street have been carried through into the intersection analysis, making LOS appear better than it actually would be. This equilibrium state can be seen as the model has diverted southbound traffic from Minaret Road, onto Mammoth Knolls Rd, to Grindelwald, to southbound Forest Trail and finally onto eastbound Main Street. These are all vehicles which should have remained on Minaret Road, and turned left at Main Street (eastbound). It is unfathomable that a driver (typically a tourist in the Saturday PM peak) would wind through the Knolls to get to Main Street. In the 2004 plus Project, model run, this accounts for 100-200 incorrect vehicle volumes.

B13-92

3. Another significant example of the underlying problem with the model is illustrated as more than 100 vehicles take the circuitous route of Berner St., Alpine Circle, Mountain Blvd., Sierra Blvd, Pinecrest, Forest Trail, and finally onto eastbound Main Street. Add to this eastbound Forest Trail traffic routed onto Rusty Lane, Mountain Blvd., Sierra Blvd., Pinecrest, Forest Trail (again), and onto eastbound Main. Incredibly the model shows volumes (2-way) on Alpine Circle (near Mountain Blvd. as 550 vehicles, when due to Alpine Circle's local configuration, one would expect only 20 or 30 vehicles. The model in earlier iterations would leave these trips on Minaret/Main, but traffic volumes would

B13-93

be heavy and delays would occur. The more iterations, the more the model looks for under-utilized routes, even if they make no sense. After enough iterations, the traffic is spread evenly over the entire network. By doing this, and considering only the 2 examples presented above, 250 vehicles have been removed from the Minaret Road (southbound) thru the left turn at Main Street. This error represents more than 50% (250/439) vehicles missing from the volumes as presented in Figure IV.M-8, and omitted from the Cumulative Plus Project Intersection LOS. Another anomaly of the model which may be attributed to excessive iterations is the high westbound link volume on Forest Trail just west of Minaret Road. It appears very few vehicles enter the Village parking garage, so one questions the origin-destination pairings which caused such high volume. Other anomalies exist between model runs. Why are WB Forest Trail volumes slightly higher between 2004 with Project, and GP with Project similar, as expected, yet EB volumes more than triple? We have identified anomalies on numerous roads west of the North Village, but will not list them here. We assume our point has been made.

B13-93
(cont'd)

4. In all model runs (including the build-out run) public mountain parking has been shown at the parking lot at Chair 15. In build-out, most of this public parking is no longer available, as the parking has been allocated to the condos in the Eagle Lodge development. This loss of parking will mean that the 243 vehicle trips from park and ski vehicles will have to be reassigned to either Main Lodge or Canyon Lodge. Either of these locations will result in the majority of these trips being routed through the Main/Minaret/Lake Mary intersection.

B13-94

5. The model does not take into account the Forest Trail round-about, or the proposed round-about at Minaret and Meridian.

B13-95

CONCLUSION. We request that the network be corrected as noted above and then the model be re-run with very few iterations to allow demand to closely resemble desires, rather than network/equilibrium calming. The current model is a good example of Garbage in – Garbage out modeling. The resulting intersection turning movements should be provided to LSA so that intersection LOS can be re-run, taking into account the comments made throughout this section of our response.

B13-96

In all of the intersection LOS analysis done for the project, no mention has been made of the easterly shift of Minaret Road by Caltrans. Is the configuration of the lanes planned to stay constant when the shift occurs? We assume that the proponent is anticipating such a shift, as pedestrian flows have been shown on the west side of Minaret (north of Main Street, where no sidewalk currently exists. The DEIR needs to clarify this.

TRANS-1 Existing Plus Project Intersection LOS

DEIR CONSIDERS. LOS analysis at study area intersections.

DEIR CONCLUSIONS. Impacts less than significant.

DEIR MITIGATION. No mitigation measures.

B13-97

OUR COMMENT. Since the proponent has chosen a very high level of internal trip capture, the proposal includes a low number of vehicle trips to/from the site in the peak hour. While the traffic study (performed by LSA) has used the approved ITE trip rates for condos, restaurants, retail and supermarket, it has used only 39% (as per Figure 1 in the Mammoth Crossing Sustainable Transportation Report, dated July 3, 2008, produced by the Town's own professional consultants) of the approved ITE trip generation rate for hotels. This questionable assumption would greatly reduce the Project traffic volumes, which would lower the LOS calculations as presented on 'Table IV.M-7 Existing Plus Project Typical Winter Saturday Intersection LOS' of the DEIR.

B13-97
(cont'd)

The LOS for the 4 intersections within the study area is analyzed through Worksheets provided in Appendix E. The worksheets however, do not take into account pedestrian movements through the intersections. Given the proponent has made the assertion that the vehicle trip generation for hotels can be reduced by 61% (due, we assume, to the close proximity of the Gondola, transit hub and North Village), then obviously a very high number of pedestrian trips must be occurring. Since no pedestrian grade-separation is provided, these pedestrians will be forced to cross Main St / Lake Mary Road at either the Minaret Rd or Canyon Blvd signalized intersections. However, rather than use a HCM Signalized Intersection Capacity Analysis (with Peds), the analysis was done using standard worksheets with no pedestrians.

REQUESTED ANALYSIS AND MITIGATION. We request the LOS analysis be re-run with the approved ITE trip generation rate for hotels of 8.19, rather than the 3.19 used. If, the proponent can make a substantive argument that this site warrants significantly revised vehicular trip generation rates, then we request the LOS analysis be again re-run, but including the resultant high pedestrian volumes. Only with this additional analysis can an impact level be determined.

B13-98

TRANS-2 Cumulative Plus Project Intersection LOS

DEIR CONSIDERS. Cumulative plus Project LOS at study area intersections.

DEIR CONCLUSIONS. Impacts less than significant after mitigation.

DEIR MITIGATION. Use DIF fees for addition of traffic signals at the Center St. and Main St. intersection.

OUR COMMENT. Winter conditions have not been taken into account in either the capacity calculations, or the intersection analysis. No analysis whatsoever has taken into account snow or ice conditions. These conditions have the potential to reduce roadway capacity, reduce operations including intersection LOS, reduce visibility from falling snow and vehicle spray, reduce visibility from snow storage, reduce capacity from interference from snow removal efforts, and reduce intersection and roadway LOS due to increased crossing times for pedestrians. In addition, safety to pedestrians in winter conditions has not been addressed. In fact winter conditions are not considered in the body of the DEIR. There is however, a discussion in the Traffic Data Technical Appendix (Appendix I) as to why winter conditions were ignored. We disagree with the argument made. The fact that the peak hour chosen takes place in the winter, in a location which averages 350 inches of snowfall per annum, at a time of

B13-99

day where pedestrian movements are also the highest, makes it imperative that traffic analysis be carried out under winter conditions. Once the analysis is complete, arguments for reductions in seasonal fluctuations, and possible economic reasons for reducing mitigation can be made. It is also unfathomable that, as a result of the 'black ice' which has been specifically noted as a concern on roadways as a result of the shading analysis outlined in Impact AES-5, winter conditions are totally ignored in the traffic discussion and impact analysis.

B13-99
(cont'd)

The Minaret Rd./Lake Mary-Main St. intersection (Intersection #2 in the DEIR), is a critical intersection in the Town. Figure IV.M-3 of the DEIR shows under existing conditions that 480 vehicles turning from southbound on Minaret to eastbound on Main St. This 480 number is used in the worksheet LOS analysis for the existing condition. Figure IV.M-3 shows that the approved projects (not including MC) will add 27 vehicles to this turning movement. Figure IV.M-7 shows that Project (MC) trip distribution will add 0 vehicles to the movement. As a result Figure IV.M-7, indicates that 480 (480 + 0) vehicles need to be accommodated if considering the 'Existing Plus Project' condition. When considering the 'Cumulative Plus Project', condition, it would follow that 507 (480 + 27 + 0) vehicles need to be accommodated in this movement. However, Figure IV.M-8, which represents such a condition, shows only 439 vehicles turning. Add this to the noted deficiencies in General Comments above with respect to Berner Street, and the diversion to Mammoth Knolls Drive, and this movement may be 250 vehicles (or more than 50%) underestimated.. This error in vehicles has been carried through to the LOS worksheets presented in Appendix D.

B13-100

As discussed in our response to TRANS-1, the trip vehicular generation rates used for this project have been significantly revised downward from the ITE rates. If the proponent can make a substantive argument that this site warrants significantly revised vehicular trip generation rates due to the high level of walk ability to and from the site, then a high level of pedestrian crossings MUST be included on both Minaret Road and Main Street. Given this, it seems that the HCM Signalized Intersection Capacity Analysis with Pedestrians, as provided in Appendix D, must include the resultant high level of pedestrian movements in the 'Conflicting Peds (#hr)' section of the analysis.

B13-101

Not only are the pedestrian calls-to-cross unreasonably low (30/hr in peak hour), but certain conflicting movements, such as to SBL, have not been included. Figure III-14 'Pedestrian Circulation Map', clearly proposes a pedestrian movement across Main Street on the east side of the Minaret intersection, and thus must be included in the analysis as a conflicting pedestrian movement. Our argument that 30 calls/hr of pedestrian crossing demand is low is based on observations of the existing Saturday peak hour demand at the current pedestrian crosswalk on Minaret across from The Village. While we are not privy to the calls/hr at this location, we have observed a constant stream of pedestrian crossings, prompting crossing guards to be employed to try and cluster pedestrian crossings. The Project would introduce a higher number of origin destination pairings across Main Street, than currently experienced on Minaret. It is our assertion that pedestrians would likely be cued to cross on every phase, making the 30 calls/hr unreasonably low.

B13-102

Further to this Appendix D analysis, the SB capacity of Minaret (north of Main St.) is included as 1900 vplph. This is inconsistent with the General Plan (Table B Roadway Capacity Summary), which states 1300. We would note that even 1300 vphpd is high due to the pedestrian crosswalk located in this stretch. This pedestrian crosswalk is so well used in the

B13-103

Saturday PM peak that the Town has provided crossing guards in an attempt to provide some vehicular capacity relief to this stretch of road although no mention of this is made in the DEIR. The same GP table states 1600 vphpd on Minaret south of Main, and this capacity should be lowered due to the pedestrian crossing proposed by the proponent at Minaret and 7B (The DEIR analysis also uses 1900 vplph for this stretch).

B13-103
(cont'd)

As per Table IV.M-8 in the DEIR, the analysis of the unsignalized Minaret Rd. /Forest Trail intersection will be LOS F. Footnote 3 to this table states, "Roundabout implemented as an improvement since it is required by cumulative project". However, while the proponent is responsible for addressing cumulative impacts, we can find no modeled traffic analysis which includes this roundabout or the proposed roundabout at Minaret and Meridian. This is a key shortfall, as a roundabout will make the movement from southbound Minaret Rd. to Forest Trail unopposed and therefore, an easy way for vehicles to avoid the congestion through the North Village. This may have very significant impacts to traffic infiltration into the Forest Trail neighborhood, and needs to be analyzed and addressed by the DEIR.

B13-104

REQUESTED ANALYSIS AND MITIGATION. We request that the traffic analysis account for adverse winter conditions. This needs to be a full analysis, complete with a discussion of mitigations for both operational and safety concerns.

We request that the traffic analysis in Appendix D be re-run with the above noted amendments. We have only reviewed the Minaret Rd/Lake Mary-Main St intersection from an accuracy point-of-view. Based on the number of issues we had with that intersection, we request that the other intersections be reviewed for accuracy. In addition, it is clear that pedestrian movements must be included, and that the analysis in Appendix D be done for all study area intersections, not just the 2 intersections currently provided in Appendix D.

B13-105

Trip reducing benefits are not adequately addressed through standard trip-generation estimation models coupled with HCM intersection analysis. Therefore, due to the importance of the project location to the 'feet first' goals of the General Plan, a more progressive sustainable transportation planning analysis should be completed by the Town of Mammoth Lakes. The results of the analysis with a reasonable pedestrian component may result in significant impacts requiring mitigation.

B13-106

We also request that the roundabout at Forest Trail be included in the transportation model, so that traffic infiltration into the adjacent residential neighborhoods can be addressed. The results of the analysis may result in significant impacts requiring mitigation.

B13-107

As per the DEIR analysis of certain cumulative traffic impacts, we do not agree that DIF payments be used as a specific mitigation measure. There is no certainty that DIF collected will adequately fund the proposed mitigation measure, or be used for the planned purpose, or guarantee timely mitigation.

B13-108

TRANS-3 Internal Circulation and Access

DEIR CONSIDERS. LOS measurements at 4 access locations to the Project.

B13-109

DEIR CONCLUSIONS. Impacts less than significant.

DEIR MITIGATION. No mitigation measures.

OUR COMMENT. We are concerned with the close proximity of the entrance to Site 1 to the Fireside development. This could include light intrusion from headlights into the Fireside condominium units, fumes from idling vehicles, and delivery trucks in the arrival plaza. Consideration of entrance spacing should also be included. On Canyon Blvd the Project would include the entrance to Site 1, followed immediately to the north with the Fireside loading zone entrance, which is followed immediately with the only entrance to the 80/50 project (which includes the above ground, as well as the underground parking for all 3 80/50 buildings plus Fireside).

B13-109
(cont'd)

REQUESTED ANALYSIS AND MITIGATION. We request that the above potential impacts be addressed. The level of detail in the DEIR does not allow us to analyze light intrusion, etc., as design details, wall heights, etc, are not included. The impacts may be significant and if so, require mitigation such as relocating access drives, screening for headlight intrusion, etc.

B13-110

TRANS-4 Parking

DEIR CONSIDERS. A brief description of Project parking needs, plus 100 public parking spaces.

DEIR CONCLUSIONS. Impacts less than significant.

DEIR MITIGATION. No mitigation measures.

OUR COMMENT. The parking requirements in Table IV.M-5 are for hotel requirements only, and do not consider parking for the other land uses included in the Project. There is no provision for 69,150 square feet of amenities, and 40,500 square feet of retail. In addition, parking for onsite affordable housing have not been included. Guest parking requirements of an additional 10% have also not been included.

B13-111

REQUESTED ANALYSIS AND MITIGATION. The DEIR has not provided a unit mix (in terms of number of rooms) so we cannot check the consistency with the NVSP with respect to the adequacy of parking spaces for hotel use. Why have parking requirements for all other uses (other than hotel) not been included?

B13-112

Because the amenities and retail have not been documented by specific use (restaurants for example have higher parking requirements than other uses), we cannot calculate the additional parking required. NVSP requirements in the RG district, based on square footages provided (and a very conservative 20% restaurant estimate) suggest that an additional 384 parking spaces would be required. In the PR district (for which the proponent is lobbying) an additional 440 parking spaces would be required.

B13-113

If our estimates prove correct, the 100 public parking spaces proposed by the DEIR as a public benefit, are in fact not a credit, but a means of camouflaging a huge parking deficit. We request a full parking analysis be provided, with details provided as per zoning, site, and allocation of the specific commercial/retail use. Given current Village parking shortfalls, any project that does not at least meet minimum parking standards should not be considered to be an environmentally acceptable alternative.

B13-113
(cont'd)

TRANS-5 Bicycle and Pedestrian Facilities

DEIR CONSIDERS. A brief overview of the facilities, but no assessment of appropriateness, except to state that the Town will review the internal access and pedestrian and bicycle facility system to ensure a safe movement of people.

DEIR CONCLUSIONS. Impacts less than significant.

DEIR MITIGATION. No mitigation measures.

OUR COMMENT. A well thought-out bicycle plan needs to be included, and the consistency with the Mammoth Lakes Draft Trails Plan addressed. In terms of Pedestrian facilities and movements, the project must be based on the 'feet first' principles specified in the Mobility section of the General Plan. For instance Policy M.3.D of the General Plan states "Encourage visitors to leave vehicles at their lodging by developing pedestrian, bicycle, transit and parking management strategies." In order to achieve this, a high LOS for pedestrian movements must be applied. If there are long waiting times required to cross Main or Minaret, and therefore a long, or inconvenient walking experience to the North Village and the gondola, then people will revert back to taking cars.

B13-114

REQUESTED ANALYSIS AND MITIGATION. The Mammoth Crossing Sustainable Transportation Report, dated July 3, 2008, analyzes pedestrian delay. It concludes, "The resulting pedestrian delay (or pedestrian LOS) is likely to be unacceptable (LOS F). Crossing Lake Mary at Canyon is only somewhat better due to a narrower 4-lane cross-section. These crossing delays immediately compromise the North Village vision of a walk able district and impact the ability to reduce vehicle trips. A seamless pedestrian interface is necessary to create a pedestrian-oriented district south of Lake Mary Road. Even with nice pedestrian spaces on-site, the lack of easily accessible walking destinations could leave these well-designed spaces underutilized." This conclusion represents a significant impact, which needs to be mitigated. Four potential mitigation measures are laid out in the above noted study, and include narrowed lanes, curb extensions, pedestrian refuge islands, and elimination of slip lanes. We request that pedestrian LOS be evaluated and these, and potentially other, mitigation measures be analyzed.

B13-115

Caltrans input to the DEIR requests that the bike path currently under construction along Lake Mary be continued through the project, but we see no indication that this has been done.

B13-116

TRANS-6 Transit

B13-117

DEIR CONSIDERS. Existing transit plus specialty shuttles to handle demand.

DEIR CONCLUSIONS. Impacts less than significant.

DEIR MITIGATION. No mitigation measures.

OUR COMMENT. The DEIR states, “It is not anticipated that any increases in transit use would result in demand for the Mammoth Lakes or the Mammoth Mountain Ski Area that cannot be accommodated”.

B13-117
(cont’d)

We request that a more quantitative analysis be undertaken. The high pedestrian and transit splits that have been assumed in the traffic study will introduce heavy peak hour demands on the gondola and the bus system. In the DEIR, the proponent must consider the cumulative impacts of existing plus approved projects plus the Project. We request a peak hour transit analysis be conducted.

REQUESTED ANALYSIS AND MITIGATION. The Mammoth Crossing Sustainable Transportation Report, dated July 3, 2008, states that “While sufficient capacity remains in the overall transit system for this and other projects, several peak hour buses are already reported over capacity”. We have experienced this on numerous occasions, and feel strongly that a peak hour analysis, done on a cumulative basis, will highlight a significant LOS issue. We would expect that the conclusion of this study will lead to a significant impact, and that mitigation will need to be developed.

B13-118

In addition to peak hour issues, safety issues need to be considered, which will add to the significance of the impact. These safety issues are highlighted in the above mentioned study which states, “As noted in Figure 11, its mountain-bound stop is located at the furthest edge of the site, requiring at least one street crossing from all proposed Mammoth Crossing buildings. Therefore, the high quality of transit service in general does not serve this site well as currently configured”. The report also discusses the safety issues that are inherent to bus access to the project. Further analysis should identify potential mitigation measures, including bus rerouting options which will better serve the site.

B13-119

TRANS-8 Emergency Impact

DEIR CONSIDERS. Vehicle staging proposed, fire lanes around buildings to be designed later.

DEIR CONCLUSIONS. Impacts less than significant.

DEIR MITIGATION. No mitigation measures.

B13-120

OUR COMMENT. We are concerned with the potential for a fire lane in the 8’ setback between the proposed northern building on Site 1 and the entire southern boundary of the Fireside property. Not providing any detail of such a lane does not allow the public to sufficiently comment within the DEIR

REQUESTED ANALYSIS AND MITIGATION. We request that such a major design detail be specified in the DEIR. We feel that a fire lane directly adjacent to the Fireside property line

B13-121

could cause major ancillary impacts such as the noise and fumes from snow removal in an area which is constantly fully shaded in the winter equinox; an unattractive hardscape directly adjacent to our recreation area; and an additional access lane which could conflict with pedestrian movements. Any of these issues may be significant and need to be considered, along with mitigation, in the DEIR.

B13-121
(cont'd)

TRANS-11 Cumulative Impacts

DEIR CONSIDERS. Long-range Town General Plan build out LOS at study area intersections.

DEIR CONCLUSIONS. Impacts 'less than significant'.

DEIR MITIGATION. None

OUR COMMENT. As discussed in our response to TRANS-2, winter conditions have not been taken into account in either the capacity calculations, or the intersection analysis. No analysis whatsoever has taken into account snow or ice conditions. These conditions have the potential to reduce roadway capacity, reduce operations including intersection LOS, reduce visibility from falling snow and vehicle spray, reduce visibility from snow storage, reduce capacity from interference from snow removal efforts, and reduce intersection and roadway LOS due to increased crossing times for pedestrians. In addition, safety to pedestrians in winter conditions has not been addressed. In fact, winter conditions are not considered in the body of the DEIR.

B13-122

There is however, a discussion in the Traffic Data Technical Appendix (Appendix I) as to why winter conditions are ignored. We disagree with the argument made. The fact that the peak hour chosen takes place in the winter, in a location which averages 350 inches of snowfall per annum, at a time of day where pedestrian movements are also the highest, makes it imperative that traffic analysis be carried out under winter conditions. Once the analysis is complete, arguments for reductions in seasonal fluctuations, and possible economic reasons for reducing mitigation can be made. It is also unfathomable that, despite "black ice" which has been specifically noted as a concern on roadways as a result of the shading analysis outlined in Impact AES-5, winter conditions are totally ignored in the traffic discussion and impact analysis.

As discussed in our response to TRANS-1, the trip vehicular generation rates used for this project have been significantly revised downward from the ITE rates. If the proponent can make a substantive argument that this site warrants significantly revised vehicular trip generation rates due to the high level of walk ability to and from the site, then a high level of pedestrian crossings MUST be included on both Minaret Road and Main Street. Given this, it seems that the HCM Signalized Intersection Capacity Analysis with Pedestrians, as provided in Appendix D, must include the resultant high level of pedestrian movements in the 'Conflicting Peds (#hr)' section of the analysis. Not only are the pedestrian calls-to-cross unreasonably low (30/hr in peak hour), but certain conflicting movements, such as to SBL, have not been included.

B13-123

Figure III-14 Pedestrian Circulation Map, clearly proposes a pedestrian movement across Main Street on the east side of the Minaret intersection, and thus must be included in the analysis as a conflicting pedestrian movement. Our argument for 30 calls/hr of pedestrian crossing demand being low is based on our observed existing Saturday peak hour demand at the pedestrian

B13-124

crosswalk on Minaret. While we are not privy to the calls/hr at this location, we have observed a constant stream of pedestrian crossings, prompting crossing guards to be employed to try and cluster pedestrian crossings. Once the build out of the North Village is complete, east of Minaret, these pedestrian movements across Minaret will increase.

B13-124
(cont'd)

The Project will introduce a higher number of origin destination pairings across Main Street, than currently experienced on Minaret. It is our assertion that pedestrians would likely be cued to cross on every phase, making the 30 calls/hr unreasonably low. Further to this Appendix D analysis, the SB capacity of Minaret (north of Main St.) is included as 1900 vplph. This is inconsistent with the General Plan (Table B Roadway Capacity Summary), which states 1300. We would note that even 1300 vphpd is high due to the pedestrian crosswalk located in this stretch. This pedestrian crosswalk is so well used in the Saturday PM peak that the Town has provided crossing guards in an attempt to provide some vehicular capacity relief to this stretch of road. The same GP table states 1600 vphpd on Minaret south of Main and this capacity should be lowered due to the pedestrian crossing proposed by the proponent at Minaret and 7B.

B13-125

Transportation engineers agree that HCM Signalized Intersection Capacity Analysis (even when run with Peds) does not do a good job at analyzing intersections with high pedestrian conflicts, and is not an appropriate tool to use in designing and analyzing pedestrian and bicycle friendly livable communities. A more progressive analysis tool should be used for all such areas within Mammoth Lakes, including this project. Any analysis should be adjusted to include the pedestrian crosswalks north and south of Main Street on Minaret Rd., and the cumulative impacts of pedestrian traffic from neighboring related projects.

B13-126

As per Table IV.M-10 in the DEIR, the analysis of the unsignalized Minaret Rd. /Forest Trail intersection will be LOS F. Footnote 4 to this Table states, "Roundabout implemented consistent with General Plan mitigation". However, while the proponent is responsible for addressing cumulative impacts, we can find no modeled traffic analysis which includes the roundabout. This is a key shortfall, as a roundabout will make the movement from southbound Minaret Rd. to Forest Trail unopposed and therefore provide an easy way for vehicles to avoid the congestion through the North Village. This may have very significant impacts to traffic infiltration into the Forest Trail neighborhood, and needs to be analyzed and addressed by the DEIR.

B13-127

REQUESTED ANALYSIS AND MITIGATION. As with our response to TRAN-2, we request that the traffic analysis account for adverse winter conditions. This needs to be a full analysis, complete with a discussion of mitigations for both operational and safety concerns.

B13-128

We request that, at a minimum, the traffic analysis similar to that in Appendix D (HCM Signalized with Peds) is run for all intersections under the General Plan build-out scenario, with the above noted amendments. However, trip reducing benefits are not adequately addressed through standard trip-generation estimation models, coupled with HCM intersection analysis. Therefore, due to the importance of the project location to the 'feet first' goals of the General Plan, a more progressive sustainable transportation planning analysis should be considered by the Town of Mammoth Lakes. The results of the analysis with a reasonable pedestrian component may result in significant impacts requiring mitigation.

B13-129

We also request that the roundabout at Forest Trail and at Meridian be included in the transportation model, so that traffic infiltration into the adjacent residential neighborhoods can be addressed. The results of the analysis may result in significant impacts requiring mitigation. B13-130

As per the DEIR analysis of certain cumulative traffic impacts, we do not agree that DIF payments be used as a specific mitigation measure. There is no certainty that DIF collected will adequately fund the proposed mitigation measure, or be used for such a use. B13-131

IV. N. UTILITIES

UTIL-8 Cumulative Water Supply

DEIR CONSIDERS. Town-wide water needs for related projects plus the Project.

DEIR CONCLUSIONS. Impacts significant.

DEIR MITIGATION. No significant mitigation measures proposed.

OUR COMMENTS, ANALYSIS AND REQUESTED MITIGATION. The DEIR states, “With respect to the Town’s overall water supply condition, the water supply requirements for any project that is consistent with the Town’s General Plan Update Draft DEIR have been taken into account in the planned growth of the water system in the 2005 UWMP. According to the Town, all of the related projects are generally consistent with their respective land use designations”.

B13-132

The MCWD’s assessment concludes, “This water supply assessment shows that with the inclusion of several additional water supply projects, the District would have sufficient supplies in normal and wet water years through the next 20 years to meet the demands of the Mammoth Crossing Project in addition to other projected development in Mammoth Lakes. However, as noted in this assessment, there are uncertainties regarding existing supplies and the implementation of these additional supplies. It is essential that additional water supplies are developed and demand reductions are utilized to their full potential to ensure that future demands can be met, especially in dry year conditions. The development of additional groundwater sources would require permits and approvals from the State Department of Health Services and the U.S. Forest Service where potential well sites are located on federal land. This project also would require both State of California and federal environmental review if USFS lands were utilized.”

B13-133

Later in the analysis, the DEIR states, “Consequently, as shown in Table IV.N-10, there would also be insufficient water for the Project plus the related projects during dry water years”. The DEIR concludes, “Thus, impacts of the Project together with the related projects on overall MCWD water supply during single and multiple dry year scenarios would be significant”.

B13-134

To paraphrase: We hope to have enough water for future development, but can’t be sure. We know we won’t have enough water in dry water years.

B13-135

How has the Project considered this analysis in the DEIR? How has the DEIR considered the uncertainty documented by MCWD as to the implementation of additional supplies?

B13-136

The DEIR has concluded a significant impact (but only in dry water years), yet offers no mitigation on the basis that “...all of the related projects are generally consistent with their respective land use designations.” In fact, the Project is not consistent with its current land use designation and is asking for significantly higher density, significantly more units, and significantly more commercial development. This of course, will require significantly more

B13-137

water demand. This is a huge problem, not just for the well-being of the Town, but for the Project's viability.

B13-137
(cont'd)

The law says that any contribution to a cumulatively significant impact is in itself significant. Generally, such impacts are required not only to be mitigated, but to be mitigated enough to offset the impacts of the substandard condition. Given this, how is it possible that the DEIR does not consider, as mitigation, development to within its existing approved land use designations (as per the NVSP)? In fact, given the law noted, the project should be required to offset the impacts of the current condition, and therefore, should be forced to consider a LESSER land use.

B13-138

The General Plan includes as Goal R.4: Conserve and enhance the quality and quantity of Mammoth Lakes' water resources. Policy R.4.C states "Support and encourage water conservation and recycled water within private and public developments". Given this, it is imperative that a development of this magnitude require state of the art mitigation measures to conserve water, including, but not limited to those documented at http://www.sbcountyplanning.org/PDF/ManualsReports/Manuals/Environmental_Thrshlds.pdf.

B13-139

Aggressive mitigation is even more critical given that there may be an issue with existing supply levels not just in multiple drought years, but in normal years as well.

B13-140

UTIL-4 Cumulative Wastewater Infrastructure

DEIR CONSIDERS. Town-wide wastewater collection system needs for related projects plus the Project.

DEIR CONCLUSIONS. Impacts significant.

DEIR MITIGATION. MM UTIL-4 states that additional capacity will be built on Manzanita Road by Shady Rest Tract. If Shady Rest tract is not built, Project will co-ordinate with MCWD to build equivalent sewer upgrade. After mitigation, impacts after less than significant.

B13-141

OUR COMMENT. The DEIR states that MCWD has identified deficiencies in the collection system, as per the 2005 Connection Fee Study. However, while the Project was included in that study (with densities as per the NVSP), the higher densities proposed by the project have not been taken into account in the study, nor in the sewer model. As a result the impacts of the higher level of development of the Project have not been analyzed. In addition, precedence for higher densities as set by the Project could increase the related project requirements. This cumulative impact has also failed to be modeled.

REQUESTED ANALYSIS AND MITIGATION. Since the added densities proposed in the Project (as well as the cumulative related projects potential increases in wastewater capacity needs) have not been modeled through the sewer model, how can the proponent accurately quantify the sewer capacity requirements? Without this quantification, the reviewers cannot comment on impacts. We request this modeling be done, including an updated Connection Fee Study, and the public and agencies given a chance to comment on the findings. Without this, a 'less than significant' finding is inappropriate.

B13-142

VI. Alternatives to the Proposed Project

EIR CONSIDERS.

Alternative A: No Project No Build

Alternative B: No Public Parking

Alternative C: On-site Affordable Housing

Alternative D: Existing North Village Specific Plan Build-Out Condominium Only

EIR CONCLUSIONS. Alternative D would be the Environmentally Superior Alternative.

EIR MITIGATION. Not applicable.

OUR COMMENT. Alternatives to the Proposed Project (Alts To) are required under CEQA to be developed to reduce the significant environmental impacts resulting from the project.

Alternative analysis is based on two key factors:

1. The DEIR must have produced a thorough and impartial analysis of impacts, using reasonable thresholds of significance, in order to have properly identified all possible potentially significant impacts. Since the Alts To are developed to avoid or significantly reduce the identified significant impacts, they will only be developed if a correct base of significant impacts is provided.
2. Alternatives must be developed which specifically address the significant impacts. Typical straw alternatives only mock the CEQA requirements.

OUR ANALYSIS. As we have argued numerous times in this response, the DEIR has either ignored a significant impact entirely, has used a flawed argument to disregard a significant impact, or has used an unreasonable threshold of significance to minimize the impact. Rather than repeating that impact analysis here, we will review the alternatives proposed in the DEIR with regard to our impact analysis.

Alternative A: No Project No Build. Required by CEQA.

Alternative B: No Public Parking. Putting forward this alternative is puzzling. There is no discussion in the DEIR as to why this alternative was even developed in the first place. The DEIR states that this alternative would slightly reduce the height of development on Site 3. However, height of Site 3 is not brought up in the DEIR as an issue with any resulting significant impacts. Even the obvious height issue, Public Views of Scenic Vistas (AES-1), would not benefit from this alternative. The DEIR on AES-1 indicates View 6 and View 8 result in significant impacts. However, Site 3 is not visible from View 6, and a slight reduction to height of Site 3 will not aid in the view improvement from View 8 (unless an alternative was considered which increased setback from 12' proposed to approximately 36', or reduced the building height

B13-143

B13-144

by 2 or more stories. The small reduction in Air Quality impact achieved by having no public parking is not reason to develop such an alternative. The significant impacts identified in the DEIR are construction related air quality, and a reduction in public parking would have little impact in improving air quality. The DEIR analysis says that due to fewer trips generated, this Alternative B would lessen overall traffic impacts. However, since Traffic and Circulation are not listed as a significant impact, Alternative B should not have been developed as mitigation.

Therefore, Alternative B is a straw alternative, generated with no regard to minimizing significant impacts. We can only assume that Alternative B was generated as a pat on the proponent's own back for including public parking in the project. One must wonder if suggesting removal of public parking as an alternative could be construed as a warning to the Town, that if you don't like our Project as proposed, we may consider removing public parking from an area where the Town desperately needs it. Considering that our analysis suggests that the project suggests significantly less parking than required under the NVSP makes consideration of this alternative even less appropriate.

Alternative C: On-Site Affordable Housing Alternative

As with Alternative B, the DEIR does not discuss why this alternative was developed. We cannot see any of the potentially significant project impacts, as listed on page VI-1, which would have even the slightest chance of being reduced with Alternative C. The DEIR includes, "This would eliminate the need to find an off-site location and would ensure that the Project's affordable housing obligation would be met in a timely manner", in the description. But even this does not explain why this alternative was developed. Finding an off-site location for housing is not identified in the DEIR as a significant impact, or for that matter even identified as an issue. The same applies for the timeliness comment.

B13-144
(cont'd)

This is again a straw alternative. Is including affordable housing on-site at the Town's flagship tourist location intended to be a warning to the Town (or the general public) that if you don't like our Project as proposed, we may go ahead and displace TOT (transient occupancy tax) generating units with affordable housing?

Alternative D: Existing North Village Specific Plan Build-out Condominium Only Alternative

Again, the DEIR does not discuss why this alternative was developed. While conformity with the NVSP would be an obvious reason, the DEIR refuses to acknowledge any significant impacts as a result of the non-conformity. Because alternatives are required to be developed to reduce or eliminate significant impacts, the DEIR needs to have first identified the significant impact. Also perplexing, is the fact that if an alternative was created to be consistent with an existing Specific Plan, one would assume the alternative would adhere to the Specific Plan land uses.

Specifically, why would Alternative D consider condominiums only? Site 1 is zoned RG which allows hotels, resort condominiums, inns, restaurants (both within or separate from a hotel), bars and night clubs in a hotel, accessory commercial uses within a hotel, services, etc. Sites 2 and Site 3 are designated SL in the NVSP. Under the SL designation, hotels, resort condominiums

and inns are allowed, as well as restaurants, bars, night clubs and accessory commercial uses within a hotel. So why are only condominiums (and affordable housing rooms) considered?

Why are the varied land uses supported in the NVSP not included in an alternative? Why is Alternative D even developed when the DEIR states, 'Development under Alternative D would not include any retail or commercial land uses and as such would be inconsistent with General Plan and Specific Plan policies that encourage restaurants, retail, entertainment, lodging and other visitor support services.'?

B13-144
(cont'd)

As per the DEIR, this Alternative is set up to be inconsistent with existing plans, has been developed to fail, and is yet another straw alternative

It is our contention that the proponent has offered no reasonable Alternatives to the Proposed Project and has therefore produced a seriously flawed DEIR.

We request that real, defensible alternatives be developed. Considered alternatives may include:

1. Existing NVSP with mixed land-uses. This alternative should be consistent with the General Plan and the NVSP, and have the varied land uses which provide for a vibrant North Village. Building heights, mass, and set-backs should comply with the NVSP. We have argued all through are response that the height, density, and reduced set-backs of the Project create significant impacts. This alternative would be developed to directly address those impacts.

B13-145

2. Reallocation of density to Sites 2 and 3. We have argued throughout this response that the development of Site 1 is inconsistent with the neighboring Fireside condominiums. We have said that significant impacts should have been documented in the DEIR under AES-3 (Visual Character and Design), AES-4 (Light and Glare), AES-5 (Shading/Shadows), AES-6 (Temporary Construction), and AES-7 (Cumulative Impacts) in the Aesthetics section alone. An alternative to reduce these types of impacts should be developed that greatly lowers the density and height of the buildings on Site-1, and transfers it to Sites 2 and 3. A lesser development on Site 1 will allow flexibility to design buildings which better complement neighboring land uses (General Plan Policy C.2.V). It should be noted that as proposed, the density on Site 1 would need to increase 229% above existing Specific Plan maximum allowable. Sites 2 and 3 are much lower. An alternative should be considered which does not introduce such a disparate split.

B13-146

3. Increase setbacks and introduce step back building forms into designs. This alternative should be developed to minimize the visual impacts on Major View Corridors and Vistas. See our analysis of AES-1(Public Views of Scenic Vista); as well as AES-5 (Shading/Shadows).

B21-147

4. Construct a pedestrian bridge over Lake Mary Road. Our analysis of pedestrian movements in TRANS-5 (Bicycle and Pedestrian Facilities) reveals a pedestrian LOS of F, and therefore, introduces a significant impact. Add to this, pedestrian safety issues, and LOS impacts to traffic when winter driving conditions are considered in TRANS-2 (Cumulative Plus Project Intersection LOS); as well as road safety issues in AES-5 (Shading/Shadows), and an alternative which separates pedestrians from traffic would be justified.

B13-148

5. Realign Minaret Rd. to the east side of the North Village. This alternative should be considered to address the same significant impacts as 4 above.] B13-149

6. Reconstruct Lake Mary Road as a narrower cross-section. This alternative should be developed to address the significant impacts in our analysis of TRANS-5 (Bicycle and Pedestrian Facilities), in order to improve the LOS for pedestrians and help to not compromise the North Village as a walkable district.] B13-150

Again, it is our contention that the proponent has offered no reasonable Alternatives to the Proposed Project which has resulted in a seriously flawed DEIR.] B13-151

From: Annette Oltmans [annetteoltmans@yahoo.com]
Sent: Wednesday, September 24, 2008 12:29 PM
To: Ellen Clark
Subject: Fwd: Mammoth Crossings DEIR Response from Fireside Homeowner and Board member

Begin forwarded message:

From: Annette Oltmans <annetteoltmans@yahoo.com>
Date: September 24, 2008 11:55:52 AM PDT
To: eclark@ci.mammoth-lakes.ca.us, eastmanhs@unneedspeed.net, basecampcafe@yahoo.com, neilmccarroll@earthlink.net, wendy_sugimura@yahoo.com, j_bacon22@verizon.net, barjur6@gmail.com, jdeinken@hotmail.com, rduggan@mammoth-mtn.com, saaris@qnet.com, e10ney@npgcable.com
Subject: Mammoth Crossings DEIR Response from Fireside Homeowner and Board member

Ellen,

We are Annette and Joseph Oltmans located at 192 Emerald Bay, Laguna Beach, California 92651. Our phone number in Orange County is 949-376-7132. The office number at Oltmans Construction Company is 562-948-4242. We own unit 307 at Fireside at the Village (Mammoth Fireside), which is adjacent to Site 1 of the Mammoth Crossings project. We use the unit as a vacation home and also rent it out when we are not there. We estimate we use it around 20 days per year and rent it out around 340 days per year. We rent our unit in a long term lease.

B14-1

We support development of the project area, but with a development that is compatible with surrounding uses and consistent with General Plan and existing North Village Specific Plan. We are quite concerned about how the Town is proceeding with what we view to be significant breaches with the General Plan and North Village Specific Plan. Significant development projects such as what has been proposed at Mammoth Crossings, will have potentially devastating effects on the Town's character, traffic, village access as well as the well-being of its residents in general, and residents at Fireside in particular.

We believe that the Draft Environmental Impact Report (DEIR) prepared for Mammoth Crossing project, does not comply with state law. It does not accurately describe the project and fails to adequately analyze and mitigate the impacts caused by the project. To mention just a few, and perhaps most overtly, the DEIR acknowledges that the project will result in significant environmental harm, especially to neighboring residents, such as Fireside, but fails to consider or even to propose feasible mitigation measures that would reduce the impacts caused by the project. How do you justify proceeding with the Mammoth Crossing project without submitting significant mitigation proposals to accommodate adjacent properties and all those adversely effected in the town in general?

B14-2

Mammoth Crossings will increase density significantly in the Village. How do you justify the substantial disproportionate allowances being offered to this one project when there are other locations not yet developed in the Village? Why would you force or favor this density increase in such a condensed location causing the natural bottlenecks in street traffic, pedestrian traffic, pollution, noise etc.? Is this one project any indication that the TOML have non disclosed intentions to increase density even more for the Village in the future? Is the TOML intending to phase in additional increases in density project by project or are you offering significant favoritism to this one project? Explain why you answer yes or no to each part of these previous questions.

B14-3

In the DEIR page IV.B=14. it states "The usable outdoor spaces associated with the nearby residences (e.g., yards, balconies, etc.) are routinely used in the summer months; however, these outdoor spaces are rarely used in the winter months" This is not true. We use our balcony to experience direct sunlight and bring in fresh air other than on snowy or wind filled days. In addition, Fireside Condominiums have an out door patio in front of the pool building which will be shadowed in the winter by the Mammoth Crossing building. This pool area is used by residents and guests to relax after using the sauna or jacuzzi. Why would you consider approving a project which totally eliminates light and direct sun in a valued recreational area to an already existing project? Why would you approve of a plan that would be responsible for creating slippery ice on our entire pool area? Why was not the shading of this outdoor space considered in the DEIR? How do you justify the significant impact darkness will have on our complex, the severe drop in temperature it will cause, the snow build up, black ice and blocked areas due to the inability for the sun to melt our snow? How do you propose to mitigate these issues?

B14-4

There is also a walkway close to the property line along the northern border of site 1 that will be shaded all winter, resulting in increased costs to Fireside for snow removal and a potential hazard to pedestrians due to ice formation. Why was this walkway not considered in the DEIR analysis? How do you justify a minimal set back which removes all sun, creates roof top snow fall onto our property, and the impact of ice on a heavily traffic walk way? The height of the buildings and the small setback will cause a great increase in the winter snow pack on the southern side of our buildings which might cause damage to our buildings, safety issues, and increased snow removal costs on our walkways as there is no current vehicular access to the south side of our buildings facing Site 1, making snow removal difficult. Currently this area is wide open to the winter sun and snow removal is not a problem. Why was this walkway and these specific issues not analyzed in the DEIR? How do you propose to mitigate these issues?

B14-5

In the DEIR section IV.B Aesthetics, with regards to "Public Views of Scenic Vistas", a view (number 4) was done looking South on Canyon Boulevard, but there was no similar view taken looking South from Minaret from a similar point about 100 yards up Minaret from the Main street/Minaret intersection. All the views from that part of Minaret were taken from farther up the street, where the Mammoth Crossing buildings were not visible. We believe there is an obstruction of the public view from that part of Minaret. Why was there no view taken from this position and analyzed as part of the DEIR? We believe that not every view angle can be preserved but why do you not make allowances for ANY view corridor from our Fireside location? Even the highest of elevations in our view corridor have been eliminated. Why would you not offer an even bottom of the barrel compromise to our buildings which have been in place for three decades? View equity has prevailed in California court of late. Why do you not place any value on Fireside's view equity?

B14-6

The parking for Mammoth Crossings seems to be significantly inadequate. Do you plan to add obtrusive parking structures and or stalls to accommodate the increase in density? If so where do you plan to place this parking? If not, where do you propose people will be directed to park and how will that impact the Mammoth Lakes area in general and village specifically? How do you plan to mitigate the overwhelming vehicular and pedestrian traffic this will create on this busy corner and more specifically on our Fireside property?

B14-7

We request that the project be redesigned to avoid environmental impacts and interference with the use and enjoyment of existing homeowner property, and that the DEIR be revised and recirculated. The DEIR should consider alternatives to the proposed project, such as a project design that is consistent with the existing North Village Specific Plan.

B14-8

Thank you for your consideration. We look forward to receiving answers to our questions.

Sincerely,

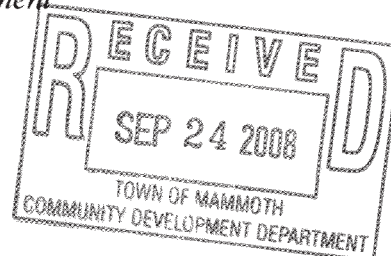
Annette and Joseph Oltmans

C.E. Mammoth, LLC
 c/o Cypress Equities
 15601 Dallas Parkway, Suite 400
 Addison, Texas 75001

Styx Partners, L.P.
 c/o Cerberus Capital Management
 299 Park Avenue, 23rd Floor
 New York, New York 10171

Town of Mammoth Lakes Community Development Department

Ellen Clark, Senior Planner
 P.O. Box 1609
 Mammoth Lakes CA 93546
 SCH #2007112002



September 24, 2008

To: Ms. Ellen Clark, Senior Planner, Town of Mammoth Lakes Community Development Department

Re: Mammoth Crossing Project, SCH #2007112002

We are submitting these comments in the above-referenced matter on behalf of C.E. Mammoth, LLC, c/o Cypress Equities ("Cypress"), the owner of real property located near the Mammoth Crossing Project ("Project"), and Styx Partners, L.P. ("Styx"), the lender and holder of security interests in real property in the vicinity of the Project. We have reviewed the draft Environmental Impact Report ("DEIR"), SCH # 2007112002, dated August 1, 2008, with respect to the Project and appreciate the opportunity to comment on the DEIR and work together with the Town of Mammoth Lakes ("Mammoth" or "Town") to ensure that the development is successful, both for the Project and for Mammoth.

B15-1

The scope of the Project, as it is currently designed, does not follow the development plans that have been established to preserve the use and enjoyment of the Town. The Project would require amendments to these plans for its completion, and the DEIR addresses in part the results of such amendments. We believe that the DEIR should also consider the consequences of this change to the development plans for Mammoth. While such changes are not necessarily a legal precedent for other developments, it is likely, if the Project is approved, that other property owners would seek the same types of amendments or benefits. The DEIR therefore raises a basic question of whether the Project can be considered as a single project, or whether it sets a larger precedent. The question in the balance is the degree to which the Project, and similar developments, will – collectively – change the character of Mammoth as a whole, and the North Village itself.

B15-2

Considering only the Project for the moment, it has the potential to downgrade the local environment, by allowing taller structures and greater population densities. The long-term impacts created by this Project include visual impacts, increased traffic volume, and increased noise. These impacts could significantly alter the character, use, and

enjoyment of the neighborhood within which the Project is located, and when combined with similar developments, could materially change the atmosphere of this small mountain town. Fundamentally, the Project is out of character with past and pending project approvals, and requires amendments to the General Plan and Specific Plan applicable to the Project. The Project would cause a complete restructuring of the land use criteria for the entire area surrounding the Project, and areas beyond that. The DEIR does not address the change in character that would need to result if later developments are afforded the same latitude as the Project. If there are benefits associated with these changes, they are not adequately presented or balanced against the impacts in the DEIR discussion.

B15-2
(cont'd)

Visual and Aesthetic Impacts

Mammoth is a recreation resort community that is known and visited due to its valuable visual resources and small mountain town atmosphere. Mammoth has shown its support for the preservation of these visual resources and character by instituting the Town of Mammoth Lakes General Plan 2007 ("General Plan"), the North Village Specific Plan ("NVSP"), the Town of Mammoth Lakes Municipal Code ("Municipal Code"), and the Town of Mammoth Lakes Design Guidelines ("Design Guidelines"). Each of these plans, guidelines and codes (the "Plans and Guidelines") has consistently followed a principle of preservation and controlled growth consistent with the character of the Town.

B15-3

General Plan

The General Plan promotes Mammoth's beautiful natural setting as one of the major attractions to residents and visitors, and encourages careful development to preserve the small town charm and interaction with the natural environment. Specifically, the General Plan encourages the retention of major landscape characteristics and unique natural features, and identifies major view corridors and vistas. Limiting building heights and densities is a key component of the Plans and Guidelines, and the primary means of mitigating the effects of development on these key characteristics.

Simulations of visual impacts show that the views from Lake Mary Road looking east, and Minaret Road looking north would be significantly obstructed. The simulations also showed that other views would be affected, notably the view on Canyon Boulevard looking south, Main Street looking west, and the lake Mary Road looking northeast. These impacts are significant enough on their own, but they also open the door to significant new construction and set a precedent for future construction. The views are some of most prized elements of life in Mammoth.

B15-4

Furthermore, the view simulations do not convey the most significant impacts because they are limited to roadways, where visual impacts are already significant. But the visual impacts extend well beyond the narrow corridors examined in the DEIR. The visual impacts – particularly the impairment of view corridors and vistas – would primarily be incurred by residents and existing businesses whose residential and commercial views

were carefully chosen. These existing developments were generally constructed in conformity with the Plans and Guidelines, in consideration of the Town's character.

The Project therefore requires that the General Plan be amended to allow for the obstruction of some of these major view corridors and vistas. The benefits accrue entirely to the Project and its future residents and visitors. The costs, in terms of obstructed views and degraded visual aesthetics, are borne primarily – if not exclusively – by the existing owners and residents who were previously required to comply with building height and other limitations designed to prevent exactly these types of impacts. No mitigation measures, short of restricting certain building heights and setbacks, i.e. adherence to the General Plan, are available to minimize these effects to achieve the goals embodied in the General Plan.

B15-4
(cont'd)

North Village Specific Plan

The NVSP establishes architectural and landscaping guidelines to strengthen the North Village's image as a resort activity node in Mammoth and encourages the preservation of views, in support of the Town's overall goal and consistent with the goals of the General Plan. The NVSP contains development and design standards describing density, site coverage, building area and heights, building setbacks, and other building design specifications.

B15-5

Because the Project is inconsistent with these goals, it would require amendments to the NVSP to accommodate the Project's proposed land uses. The amendments that are being requested seek increased building heights, increased density, and reduced setback distances. Not only do these types of changes adversely affect the community in the case of this individual Project, but they open the door to any number of subsequent developments in which the same issues will be presented. The likely cumulative impacts of this development and future developments weigh heavily against granting these amendments.

Municipal Code

The Municipal Code acknowledges that much of the Town's economy is based on tourism. To encourage and support tourism, the Municipal Code focuses on lighting, signage, and transportation safety.

Travel in Mammoth will be affected by areas of increased shading since it promotes the increased and rapid icing of public and private walkways. Whether such shading is significant depends on (i) whether shadow-sensitive uses are in the shade for significant amounts of time, and/or (ii) whether a project would require an exception to the policies and regulations in the area's general plan, planning code, or uniform building code. As mentioned above, height and setback amendments to the NVSP are being requested as part of the Project, which will result in increased shading on neighboring roads, sidewalks, and properties.

B15-6

The shadow simulations show that, during the winter solstice, shadows would be cast onto portions of Lake Mary Road, Main Street, and Minaret Street for more than three hours, exceeding the standard set forth in the DEIR. The consequences of this shading were found to be significant since shading results in dangerous travel conditions on roads and sidewalks and affects the use of nearby residences (such as yards and balconies). The resulting snow plowing and cindering plan will help to mitigate these effects on the public roadways and sidewalks, but does not apply to the neighboring private properties which would likely also experience increased icing and related hazards. There is no mitigation planned or really available for the effect of the shading on the nearby residences. Adherence to the Municipal Code would help to alleviate these safety problems and the burden on use for the adjoining areas.

B15-6
(cont'd)

Design Guidelines

The Design Guidelines are provided to review development projects to ensure an environmentally sensitive design that preserves this attractive community. This includes the maintenance of important views and vistas and the natural beauty of the area. The site design is supposed to integrate the relationship between the site's topography, existing vegetation, other natural features, adjacent properties, views, solar access, and the proposed uses. The Project does not meet these guidelines since it blocks some of the area's prominent views and causes excessive shading.

B15-7

The DEIR found that the Project was either consistent or generally consistent with the plans and code addressed above. This determination conflicts with those impacts found to be significant that are not mitigated, such as blocked vistas and the excessive shading. The DEIR treats these effects as unavoidable in connection with the proposed development. But clearly these impacts are avoidable, since adherence to the pre-established height and setback limitations would minimize the Project's negative effects.

Noise

Construction activities associated with the Project have the potential to cause noise that would result in a significant impact to existing and future off-site receptors for the twelve year period during which the Project is being completed.

B15-8

In addition, once the Project is completed, there will be an increase in noise due to an increase in vehicular traffic on the surrounding roadways and the canyon effect of tall new structures on both sides of busy roadways. Implementation of the Project is expected to increase local noise levels off-site by up to four dBA.

Though this increase does not exceed the 5.0 dBA standard set forth in the DEIR, the increase in noise measurements reflects a logarithmic scale, in which even a 3.0 dBA increase is not only noticeable, but significant. In addition, the increase of the Project alone does not accurately reflect the actual likely impact. The cumulative impact taking into account existing and planned developments could exceed the 5.0 dBA threshold. The DEIR does not address this concern, even though it analyzes the cumulative effect of

B15-9

Mammoth's foreseeable development (approximately 40 projects) on ambient noise during their construction periods. The important effect is not the temporary construction impact, but the long-term permanent impact of noise increases, a factor that does not seem to have been included in the review or conclusion.

B15-9
(cont'd)

As mentioned previously, the Project, if built as planned, will require that the NVSP be amended to allow for increased density. If the Project adheres to the previously established NVSP density levels, it would generate a lower volume of traffic associated with the Project, which will in turn reduce the noise impact of the Project.

B15-10

Traffic

Higher traffic volumes resulting from the Project will have other consequences.

Under current conditions, taking into consideration only those projects that have been approved (to forecast background traffic conditions), there are multiple intersections that are expected to result in unacceptable traffic delays. Mitigation measures have been considered for all those areas and are expected to restore an acceptable traffic flow. These improvements, including additional traffic signals and the installation of roundabouts, are all speculative at this point.

When considering the addition of this Project only to the existing traffic patterns, there are multiple intersections which are deficient and would operate at unacceptable traffic levels. Again, it is expected that Mammoth will be installing a traffic signal at at least one of these intersections to alleviate the burden on traffic caused by the Project.

B15-11

Finally, the study reviewed the cumulative effects of the approved projects with that of this proposed Project. Mitigation measures were again necessary to allow for an acceptable flow of traffic.

This methodology does not consider or provide for the long-term development of the Mammoth area since it only considers quick-fix mitigation measures for the cumulative effects of currently approved projects and this Project. It does not consider or allow for the careful planning of future projects that have not yet been approved, but which may be necessary. The excessive density imposed by the Project may strain the traffic patterns excessively so that the Mammoth area is not able to support it and develop to meet future requirements.

Other

There are, no doubt, other impacts upon the local environment and the future development of Mammoth that result from the Project and its related amendment of the Plans and Guidelines. These could include impacts upon schools, impacts upon local wildlife, impacts due to increased demand on utilities and increased generation of wastewater, additional impervious areas that generate more rapid runoff of stormwater, and deviations from the prevailing aesthetic designs that characterize the quaint

B15-12

Mammoth community. While we have not been able to review all of the background information and reports in the record for this proceeding to provide specific comments, we believe that there are two fundamental problems with the proposed Project. It requires substantial amendments to building height and density restrictions that were put in place, and the precedent set and cumulative impacts have not been adequately considered and mitigated.

B15-12
(cont'd)

Discussion

The California Environmental Quality Act (“CEQA”) governs the DEIR process. Under CEQA, the DEIR has two main purposes: (i) to inform the public and decision makers of the consequences of environmental decisions before those decisions are made and (ii) to require public agencies to identify ways that environmental damage can be avoided or significantly reduced by requiring changes in projects through the use of alternatives or mitigation measures. *Woodwork Park Homeowners Assoc. v. City of Fresno, Inc.*, 150 Cal. App. 4th 683, 690-91 (Cal. App. 4th 2007). The environmental impact report should examine all phases of the project including planning, construction, and operation. *CEQA Guidelines*, § 15161. The Town must be able to show that it has proceeded in a manner required by law and that its determination is supported by substantial relevant information. *Bakersfield Citizens for Local Control v. City of Bakersfield*, 124 Cal. App. 4th 1184, 1198 (Cal. App. 4th 2004). In addition, the Town must adopt a statement of overriding considerations if it approves a project in spite of significant, unavoidable environmental impacts that cannot be sufficiently mitigated. *Woodward Park Homeowners Assoc., Inc.*, 150 Cal. App. 4th at 717.

As discussed above, we believe that the Project involves relatively significant changes, and that the current DEIR did not adequately review Project-specific and cumulative impacts in the manner required by CEQA. The Project will cause significant impacts by avoiding existing land use restrictions. The Project obstructs major view corridors and vistas by seeking to amend the permissible height, setback distances, and density. By allowing this Project to move forward as currently planned, the natural beauty and small town atmosphere will be negatively impacted by the Project itself, but also by the trend created by the Project.

B15-13

CEQA requires that projects be considered for the cumulative impacts associated with related development. Under CEQA, “proper cumulative impact analysis is vital.” *Bakersfield Citizens for Local Control*, 124 Cal. App. 4th at 1213-15. The long-term consequences of the development on Mammoth, and of the changes advocated in connection with the Project, are cumulative impacts that should be considered and avoided, if possible. The Project, as designed, may impose an excessively large burden on the traffic and aesthetics of the area, without providing long-term solutions for future projects. But the precedent set by the Project could result in many times the impact that was considered in the DEIR.

Cypress and Styx believe that the Project, like earlier projects and pending projects, should conform to the General Plan, the NVSP, the Municipal Code, and the Design

Guidelines, which support the nature and character of Mammoth and allow for the careful, well-planned development of the area.

B15-13
(cont'd)

Conclusion

Cypress and Styx are not opposed to planned development of Mammoth. Indeed, as property owners/developers and lenders, respectively, we are interested in maintaining the character of the Town and in contributing to its future. We believe that development can be conducted in a manner that accomplishes the objective of preservation of the Town's character while improving its infrastructure.

Our objections to the DEIR are focused on the lack of analysis of the long-term and cumulative impacts of approving projects that deviate from the Town's established standards. The Project steps outside of these boundaries, and depends upon exceptions to the rules in order to be completed. The DEIR does not fully evaluate the long-term impact, including the precedential impact, of allowing the exceptions required for the Project. If the Project is approved as proposed, then these changes would essentially represent a decision to amend the Town's plans in a more general way. While those sorts of changes might be acceptable to the Town, the DEIR needs to anticipate such changes and incorporate an analysis of them into the planning and approval of the Project.

B15-14

Cypress and Styx look forward to receiving the Town of Mammoth Lakes Community Development Department's responses and resolving the issues noted above. Please contact Mr. R. Steve Black, PE, Robert S. Black, Inc., at (760) 914-2722, with any questions or comments.

B15-15

Sincerely,

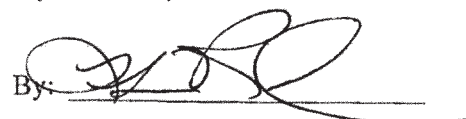
C.E. Mammoth, LLC

Styx Partners, L.P.

By:


Vice President/CFO

By:

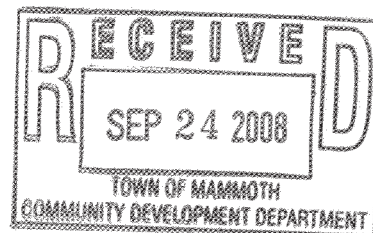


Cc: Ms. Sandra Moberly, Senior Planner, Town of Mammoth Lakes Community Development Department

Advocates for Mammoth P.O. Box 2005 Mammoth Lakes, CA 93546

September 24, 2008

Town of Mammoth Lakes Community Development Department
ATTN: Ellen Clark
PO Box 1609
Mammoth Lakes, CA 93546



Comments on DEIR for proposed Mammoth Crossing project:

Dear Ms. Clark,

This DEIR should never have been brought to the public for comment and ultimately to the Planning Commission for Certification. It ignores the Town General Plan both in vision and in detail, the North Village Specific Plan and the Town zoning codes. The applicant has the freedom to propose whatever they want for their land but it is the Town that is actually responsible that the EIR adequately present the data that the decision makers will use to make their decisions. The Town has the responsibility to supervise the preparation of the EIR to insure that it represents a true and accurate presentation of the facts. The Town should not circulate a document until it presents a complete and balanced presentation of potential effects of a project. A glaring example of the unbalance in this document is evidenced in Table IV.I-2 which goes on for over 30 pages cherry picking phrases, some apparently out of context, that purport to show that the proposed project is generally consistent with the General Plan. This ignores the entire effort in the recent General Plan process to insure that we have a Town that limits its growth to a set population, restrains the mass and height of structures, and remains respectful of our view sheds and environment. To claim that the proposed project with eight story massive structures surrounding the key intersection in the Towns resort corridor and proposing a large increase in number of condo/hotel units meets the Towns vision is disingenuous.

The North Village Specific Plan is summarily ignored. This plan was designed to look at the North Village as a whole, integrating retail, circulation, parking, events areas, etc. and involving many parcels and owners into a single specific plan. To take a large portion of that area and responsibly replan it without going back and looking at the entire area is impossible. The new General Plan accounts for this by calling out a District Plan and Planning process that requires that specific areas such as the North Village be looked at as a whole. The revisions that this project proposes to the land uses and building specifications called out in the North Village specific plan place it well outside the limits evaluated in the NVSP EIR. This cumulative effect should be analyzed, but because district planning was not done there is no base of information on cumulative effects such as parking and circulation upon which to perform an analysis. An example would be, since the project appears to rely on the use of the Village Gondola, does the gondola have the capacity to handle the additional visitors anticipated by this project?

The entire discussion of the massive violations of current zoning rules seems to be "we'll just amend them to what we want or require". The effects of these proposed changes should be the subject of detailed analysis.

In summery it is recommended that this document be withdrawn as an inaccurate description of the environmental effects of this proposed project. Preferably the applicant and the Town should work together to insure that the proposed project is consistent with the Towns vision and planning before an EIR is written. It would seem that following the district planning process would be the preferred way to insure that the proposed project meets the towns vision at least in scope prior to the preparation of the EIR. CEQA requires that the EIR present an accurate description of the project. This is impossible if the project is just entering the planning phase and will require large changes in the Towns land use documents and zoning ordinances and undoubtedly many changes in project scope prior to final approval. If the applicant insists on proceeding with what is a premature EIR, then the Town through its staff should insist on a complete documentation of all

environmental effects, particularly with respect to land use planning (General Plan, North Village Specific Plan and Zoning Ordinances) prior to release for comment. It is the Towns document, and the Town should be responsible for it.

B16-1
(cont'd)

WATER:

1. The DEIR states that not enough water is currently available for the proposed project. Since the law requires an adequate water supply before a project can be approved by the Town, why is a DEIR being submitted and circulated at this time?

B16-2

2. The DEIR mentions new wells being considered in town and in Dry Creek. Where are the proposals and who will be responsible for the costs of them?

B16-3

3. The EIR follows the law in evaluating whether there is an actual source of water but because they are requesting more than 500 units it is the developer must provide proof that the water is available.

B16-4

3. No building at all should be approved until the Mammoth Creek EIR is certified.

B16-5

NOISE

1. Noise, after project completion, from resident/guest use is not addressed. Will there be music performances or other public events? Will noise level conform to TOML noise level codes?

B16-6

2. Construction and traffic noise does not evaluate solutions if other nearby projects occur at same time: e.g., Hillside, Holiday Haus and South Hotel. Staggered time lines for projects to reduce excessive noise?

B16-7

3. Does not consider the effect of "temporary" construction noise slated to cover future construction for 10 years (to 2020).

B16-8

4. No discussion of cumulative traffic noise when this and other near-by projects are completed.

B16-9

AESTHETICS

1. The gross non-conformity to present requirements of height and density (present NVSP) are not consistent with the "small village" alpine atmosphere cited in the DEIR (e.g., IV.I, p. 16: Land use) and is contrary to the frequently expressed wishes of the community (contrary to claim on Aesthetics, p. 45 that they are "generally consistent" and claim in IV.I, p. 22 that the proposal is consistent with small town character).

B16-10

a. These are not minor modifications. Density increases (units per acre) are often double present code.

B16-11

b. Heights while variable, are nearly all (in the case of one site 100%) over what is allowable. Maximum heights are double or more the code maximum. This will create a much more massive project, in look and feel, than anything desired by the citizens or allowed in the General Plan or the NVSP. It will be like a large castle plopped down in the middle of a village.

B16-12

c. Height when combined with stated goal of putting the greater density at the edges of each site will create a truly large urban look and feel to drivers on the roads through this project that is unsuitable to a mountain village. Compare maximum 7 story in this proposal to 3-4 story maximum in Telluride. Mammoth should emulate those ski resort areas that have successfully managed their environments and aesthetics rather than those that have botched the job.

B16-13

2. Change from Resort General to Plaza Resort expands the village core significantly, making the NVSP more intrusive and aesthetically disruptive.

B16-14

- | | | |
|--|---|--------|
| <p>3. Insufficient consideration is given to the effect of building heights on the tree canopy. There are no pictures of the present canopy nor any computer generated graphics of the proposed project on the canopy. The effect of the Westin hotel that extends beyond the canopy illustrates the negative aesthetic effect on the view shed as seen from above and a number of places in town. Citizens do not want buildings whose tallest portions extend beyond the canopy. Contrary to the claim in IV. I. 15 (Land Use...) the effect on the view shed is significant due to the effect on the tree canopy.</p> | } | B16-15 |
| <p>4. No rationale other than "varying heights" is given for the multiple towers extending far beyond current height limits. Multiple towers are aesthetically intrusive to the canopy view shed.</p> <p style="padding-left: 20px;">a. "Variable heights" as a desired design is not stated in the village guidelines as a rationale or excuse to exceed code height limits.</p> | } | B16-16 |
| <p>5. Fireside views – contrary to what is said on IV.B., p. 10, the additional height is not justifiable if it negatively impacts a private view. If the proposal is built according to existing code height requirements, this view would not be so negatively impacted.</p> | } | B16-17 |
| <p>6. Building heights obscure public views of scenic Mammoth Knolls (view 6 photos, IV.B. pp 30-31). This would be avoided if buildings adhered to 40 foot height limit. Also, while view 4 (IV.B., pp. 26-27) is described as "insignificant", this is not accurate and would better be described as somewhat significant or significant. Trees, which together with the mountain view, constitute the view shed are replaced by massive building blocks totally altering the aesthetic effect of the view.</p> | } | B16-18 |
| <p>7. Density over code will affect not only the aesthetic feel (too crowded for a village) but also the PAOT cap of 52,000. The PAOT is mentioned but not addressed in the DEIR (cf. p. 21 of IV, I: Land Use). Density code should be strictly enforced until the Town has a plan to ensure that the total (cap) will not be exceeded. A single project cannot be judged in isolation.</p> | } | B16-19 |
| <p>8. Shading: shadows are considered mainly for their safety effect and not for aesthetic affect.</p> <p style="padding-left: 20px;">a. The DEIR does not address how much additional shading results from the additional height over code as compared with what would result if built to code. There should be comparative graphics.</p> <p style="padding-left: 20px;">b. Despite what is claimed, the photos (p. 59, section IV) clearly show significant shading on Main, Lake Mary, and Fireside at the winter solstice – a time of year when obviously there is less light to begin with and when we have the greatest number of guests. Extensive shaded areas will not add to the aesthetic experience of guests.</p> <p style="padding-left: 20px;">c. Fireside is shaded at winter solstice for most of the day. The shading of Fireside would be greatly reduced if present code heights were enforced.</p> <p style="padding-left: 20px;">d. What is the basis for the claim that 4 hours of shading is a reasonable guideline for "no (or little) significant impact"? 4 hours in winter is about ½ of the full daylight time.</p> | } | B16-20 |
| <p>9. Lighting during construction: references to nighttime security lighting imply that nothing can be done to mitigate this. It can be mitigated in same way as for post-construction lighting. Construction lighting needs can be mitigated by hiring night time guards if security is a problem.</p> | } | B16-21 |

COMMENTS RELEVANT TO OTHER TOPICS

- | | | |
|--|---|--------|
| <p>1. Traffic and pedestrian flow: although it is not shown in the graphics that I saw, the text mentions a mid-block crossing on Lake Mary (Appendix N, p. 8). With two traffic lights in less than a normal block, plus the additional traffic (foot and vehicle) generated by the project, and a mid-block crosswalk in addition, this could result in an unacceptable impediment to vehicle traffic along Lake Mary. The change from Resort General to Plaza Resort zoning will cause much more congestion on a major traffic route (to the Lakes Basin) that carries a significant amount of large vehicle (RV and trailer) traffic. This is not addressed in the DEIR.</p> | } | B16-22 |
|--|---|--------|

2. On street parking on Lake Mary impedes rather than facilitates current traffic flow to Lakes Basin, and is not compatible with the direction taken by recommendations in the Trails report for a "feet first" community. B16-23
3. Graphics illustrate toe-in parking on north and south sides of Lake Mary in opposition to direction of traffic flow. B16-24
4. Main Street, north of Site 3, should not be implemented without consideration of plans for Main Street at a whole, including the possible option of reduction to one lane of traffic each way. There are proposals to eliminate four lane "highways" through the town (Appendix N: p. 12 & 20; also pp. 7 and 15 of III: Project Description). B16-25
5. There has been discussion of a possible round-about at Canyon Blvd., Lake Mary Road and the entrance to Site 2. This was not addressed. B16-26

CUMULATIVE IMPACTS – POPULATION AND HOUSING (IV-K)

1. This project, with other related projects "in area" is estimated to increase PAOT by 19,647. Please clarify the following: B16-27
 - a. Does this 19,647 PAOT projection for all future projects "in area" include all possible future projects in the Mammoth Lakes town limits? Or does it encompass only future projects in the North Main Street/Minaret Road area? B16-28
 - b. Given a current PAOT of approximately 37,000 the above increase raises the PAOT to approx. 56,647. Please rationalize this project's, and future project's, proposed density with the Mammoth Lakes Land Use Policy PAOT limits of 52,000. B16-29
 - c. Please explain why exceeding the Mammoth Lakes Land Use Policy PAOT limits does not impact population and therefore require mitigation. B16-30

BIOLOGICAL RESOURCES – IV-D

1. Please clarify how policies protecting natural resources (wildlife and biological habitats) are monitored and enforced under the Resource Management and Conservation element of the general Plan. We ask this in light of past illegal tree removal with at best minimal, if any, consequences from the Town. B16-31
2. Approximately 50 percent of sites 2 and 3 are currently Jeffrey Pine forest. What percentage of existing trees are scheduled for removal under the current project proposal? What percentage will be replaced, and with what type and size of trees? What percentage of trees can be preserved and protected if project size is held to existing codes? B16-32

AIR QUALITY

1. Since the Town does not appear to have staff available to monitor whether mitigation measures are being carried out during construction it is difficult to believe any emissions will be kept to the mitigated levels stated. Emissions during grading and construction would be substantially reduced by keeping project size to that permitted by current code. B16-33
2. The addition of the proposed projects 6450 VMT (vehicle miles traveled) would add to the already exceeded Town limit of 106,600 VMT. This additional VMT would be considerably lowered by keeping project density to that permitted by current codes. B16-34

TRAFFIC

- A. The Traffic models used as the basis for this traffic study are widely used across the country and are blessed by the professional organizations representing traffic engineers. BUT B16-35

unfortunately they totally ignore the main factor that causes congestion in Mammoth. Can you imagine analysis of traffic in a major ski area that does not even have the capability to assess the effects of snow? The models assume clear visibility on a sunny day with average numbers of vehicles. They totally ignore snow and ice, reduced visibility, and reduced vehicle speeds congestion due to snowplows, trucks hauling snow, and busses stopping in the streets to let off passengers. They ignore pedestrians, often wearing ski boots and carrying skis, crossing icy roads full of slipping and sliding vehicles. They also ignore street narrowing due to inadequate snow storage.

Mammoth is planning to almost double the number of vehicles on our roads, and has no idea of how often the town will have total traffic gridlock.

B16-34
(cont'd)

Unfortunately the adopted criteria of LOS D "...encompasses a zone of increasing restrictions approaching instability at the intersections.." Any factor (such as reduced visibility) that reduces flow will rapidly result in widespread GRIDLOCK. How often will this happen in a normal winter?, in a big snow winter? What will be the economic effect? If Mammoth suffers gridlock every time we have heavy snow will people keep coming? The traffic reports claim that traffic lights and roundabouts will solve all the problems. No major ski area routinely receives as much snow as Mammoth. We have congestion now, and blithely think we can nearly double traffic without consequences.

A few steps should be taken before plunging headlong into this mess that could potentially destroy the Town's winter economy.

1. Perform analysis on the effects of snow, and large numbers of pedestrians. Hand analysis will be necessary until suitable computer models are developed.

2 Install a few roundabouts and traffic lights now to demonstrate they will work as expected.

B16-35

B. Adding diagonal parking on Lake Mary road as proposed is a BAD idea. Experience at our Post Office demonstrates the difficulty inherent in having vehicles blindly backing up into a moving flow of traffic. They may work in good visibility, but certainly not when it is snowing. Also parked vehicles impede snow removal. This is a difficult intersection as large flows from Canyon and Eagle Lodges must merge with large flows to and from Main Lodge.

B16-36


John Walter, Chair
ADVOCATES FOR MAMMOTH

From: Wagner, Heidi [hwagner@mammoth-mtn.com]
Sent: Wednesday, September 24, 2008 4:14 PM
To: Ellen Clark
Cc: eastmanhs@uneedspeed.net; basecampcafe@yahoo.com;
neilmccarroll@earthlink.net; wendy_sugimura@yahoo.com; j.bacon22@verizon.net;
barjur6@gmail.com; jdeinken@hotmail.com; Duggan, Rhonda; saaris@qnet.com;
e10ney@npgcable.com
Subject: Mammoth Crossing DEIR

Ms. Ellen Clark,

Town of Mammoth Lakes

I am writing this letter as a concerned owner at the Fireside at the Village.

I have been an owner at Fireside at The Village (Mammoth Fireside) since 1998, which is adjacent to Site 1 of the Mammoth Crossings project. I try to rent it out to people who live here year round. When occupied, there usually is 1-2 guests.

I find myself wondering what is going on in our town. We have taken a nice community with a wonderful atmosphere and are turning it into a building horror. Everywhere you go there is building after building that sits empty or unfinished and yet we continue to grant permission to anyone with enough money to do what ever they want.

B17-1

Mammoth Crossing draft EIR considered by some a betrayal of public trust. I totally agree with this.

The proposed Mammoth Crossing project would leave Fireside without our Sherwin view and any sunlight in winter, among other things to our detriment. This would have significant negative impact on the enjoyment of the Fireside experience and on the value of the property as a whole.

B17-2

I was aware that the Whiskey Creek parcel to our south could be developed and that we could lose some of the views. I wasn't concerned because any development was supposed to preserve and maintain the unique natural setting and mountain resort character. Views were supposed to be preserved throughout the North Village development. Any development was supposed to be limited to 4 levels with a maximum height of 50 feet.

B17-3

I relied on the assurances of the NVSP in making decisions about my property, such as entering into our agreement with 8050. If major provisions of the plan can be so easily set aside, of what value are the stated standards and criteria by which development is supposed to proceed?

B17-4

What happened with the North Village Specific Plan (NVSP) and the General Plan (GP)?

Did it just go out the window without any second thoughts?

☐ B17-4
(cont'd)

I think this whole project should be taken more seriously. I request a project redesign that avoids environmental impacts and interference with homeowner's property. That the DEIR be revised and re-circulated, that is in accordance with state law and that considers options that comply with the NVSP.

The builders and investors don't care about the future of our town. They are looking after themselves and will be gone when all of this is through; leaving us with a mess that will be difficult and costly to change.

B17-5

I have been in this town since 1965 and have seen all the changes that have taken us to where we are now. Some are good and some not so good. I am all for progress when it is done right with thought and planning. Let us not destroy our beautiful town. Being in the forest with the open spaces is a plus, having blue skies is a plus, smelling the fresh air is a plus. Please don't take that away.

Sincerely,

Heidi Wagner

Mammoth resident and property owner

Heidi Wagner

Systems Manager

Mammoth Mountain Ski Area, LLC

P.O. Box 24, 1 Minaret Road

Tel. 760 934-0655

Internal ext. 3239

E-mail. heidi@mammoth-mtn.com



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Horizon Air
Alaska Airlines

From: Mildred Harley [mharley@sbcglobal.net]
Sent: Wednesday, September 24, 2008 10:10 AM
To: Ellen Clark
Cc: eastmanha@unneedspeed.net; barjur6@gmail.com
Subject: Mammoth Crossing
Community Development Department
Attn: Ellen Clark
cc: Town Council, Planning Commission

Planning Commission,

As Fireside owners, we are gravely concerned about the proposed Mammoth Crossing development. While we wish to see Mammoth Lakes prosper, we do not want to see the entire community stripped of its' character and charm.

At Fireside, we object to being totally surrounded by building projects that block any and all views of the natural beauty of Mammoth, which is why we come to and own property in the area.

We urge you to revisist and redesign the Mammoth Crossing project. You must be able to create a plan that adheres to established standards and one that does not adversely impact our property, and at the same time preserves the environment, character and natural beauty of Mammoth Lakes.

B18-1

Sincerely,

Mildred & Douglas Harley

Town of Mammoth Lakes
 Ellen Clark
 RE Mammoth Crossing Draft EIR

Ellen, Planning Commission, City Council:

This letter is to reiterate my comments made before the Planning Commission earlier this month.

I was intimately involved in drafting and implementation of the North Village Specific Plan. At the time I owned five pieces of property in the Plan area. I still own two properties plus a note on a business with a long term lease in the NVSP, and specifically the Mammoth Crossing, area. The NVSP represents several years of negotiation and compromise amongst the owners of the various properties. Many of the owners accepted reduced densities in order to see the Plan proceed. The current Draft EIR is in direct conflict with the goals and vision of the NVSP. It would behove the TOML to get the blessing of the owners for any significant changes to the Plan. If the TOML continues to ignore the plan without getting consensus it will represent a significant breach of faith. I do not see how anyone in the future would enter into an agreement with the Town knowing that they did not honor this agreement.

I do not unilaterally oppose changes to the plan. It needs to be continually updated and modified. This proposed change represents a significant rejection of the NVSP. I have, for some time, been a proponent of density transfers, but only when it is to support good planning.

At the meeting I attended, I asked where the additional densities would be coming from. The response was to say that this would be discussed later. I have it by good authority that this has already been discussed in the context of transferring density from the Airport in order to resolve the judgment against the Town. This lack of disclosure concerns me in that this type of transfer is not in the interest of good planning, but simply to resolve financial issues the Town has. Throwing the property owners of North Village under the bus to alleviate the Town of past mistakes is unacceptable.

In conclusion, I believe many of the conflicts with the property owners can be mitigated, and financial damages can be resolved. But not if this Mammoth Crossing plan is allowed to proceed as proposed. Thank you for your time. Sincerely, Sam Walker

B19-1

From: David Zigrang [dzigrang@roadrunner.com]
Sent: Wednesday, September 24, 2008 12:44 PM
To: Ellen Clark
Subject: fireside condo mammoth crossing

I am a minor share holder in one of the units in fireside. I have reviewed the EIR regarding mammoth crossings and feel the whole project should be reworked to meet the current standards of the current north village general plan. I understand the revenue of such a project could help a struggling city budget but not at the expense of homeowners who have been part of the mammoth community for over 25 years.

B20-1

Thank you for your consideration in this matter.

David Zigrang

Seaside Funding Inc.

President

6965 El Camino Real Ste 105-545

Carlsbad Ca. 92009

760-431-7148

760-431-9391 Fax

760-420-6978 Cell

dzigrang@roadrunner.com

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CARMEN J. BORG, AICP
URBAN PLANNERS

September 24, 2008

Via e-mail and overnight mail

Ellen Clark
Community Development Department
Town of Mammoth Lakes
437 Old Mammoth Road, Suite R
Mammoth Lakes, CA 93546

Re: Draft Environmental Impact Report for Mammoth Crossing Project

Dear Ms. Clark:

This firm represents the Mammoth Fireside Condominium No. 1 Owners' Association (also known as Fireside at the Village and referred to in this letter as "Fireside") with regard to the proposed Mammoth Crossing project in the Town of Mammoth Lakes ("Project"). Because our clients did not receive notice of the availability of the environmental impact report ("DEIR") for this Project until late in the review process we were only recently retained and thus submit only preliminary comments on the DEIR. Based on our preliminary review, it is our legal opinion that the Town of Mammoth's ("Town") approval of the Project and certification of the DEIR would violate state law. Fireside is hopeful the Town will recognize the legal inadequacies of the Project and DEIR, reevaluate the design of the Project, and revise and recirculate the DEIR. Fireside will continue its review of the document and consultation with technical experts, and may submit additional comments before completion of the environmental review process on issues raised in this letter or on other issues identified through additional review.

B21-1

The Project, and piecemeal planning effort it represents, demonstrates a blatant disregard for the Town of Mammoth General Plan ("General Plan") and the North Village Specific Plan ("NVSP"). Not only does the Project conflict with fundamental General Plan policies so as to result in unmitigated and unidentified significant environmental impacts, but as a result of the conflicts and failure to identify the conflicts in the EIR, approval of the Project would violate not just the California Environmental Quality Act ("CEQA"), Public Resources Code § 21000 et seq., and the CEQA Guidelines, California Code of Regulations, title 14,

B21-2

§ 15000 et seq. (“CEQA Guidelines”), but the California Planning and Zoning Law, Gov’t Code § 65000 et seq. as well. Moreover, the Town cannot legally grant a use permit for the Project as currently designed because the Project’s impacts will be materially injurious to Fireside. Therefore, the City may not legally approve the Project, certify the EIR, or rely on the EIR to approve the Project.

B21-2
(cont’d)

As set forth in more detail below, the DEIR is inadequate in numerous respects. First and foremost, the DEIR fails to accurately describe the Project, leaving important details—including the specific General Plan amendments sought, the affordable housing component of the Project, and the impacts of the proposed inclusion of Site 4 in the NVSP—to be determined after the DEIR is certified. The failure to describe the specific Project proposed for approval violates the most basic tenet of CEQA: to provide the decisionmaker and the public with information about a project before the project is approved.

B21-3

In part because the project description is inadequate, the DEIR fails to adequately analyze impacts relating to aesthetics, land use, traffic, air quality, noise and water supply. These impacts may have potentially devastating effects on the Town’s character, the well-being of its residents in general and residents at Fireside in particular. Perhaps most egregiously, the DEIR acknowledges that the Project will result in significant environmental harm but then fails to consider—or even to propose—feasible mitigation measures that would reduce the impacts caused by the Project. CEQA requires more.

B21-4

The DEIR also fails to consider a reasonable range of alternatives. In particular, the DEIR should have considered an alternative that is consistent with the NVSP, which sets forth the Town’s vision for the North Village and for the Project site.

B21-5

To ensure that the public as well as the Town’s decisionmakers have adequate information to consider the effects of the proposed Project – as well as to comply with the law – the Town must prepare and recirculate a revised draft DEIR that properly describes the Project, analyzes its impacts, and considers meaningful alternatives and mitigation measures that would help ameliorate those impacts.

B21-6

Finally, regardless of the DEIR’s deficiencies, the Project also violates Planning and Zoning Law because it is inconsistent with the General Plan and the Town’s use permit requirements. For these reasons, the Town must not—and legally cannot—approve the Project as it is currently proposed.

B21-7

I. THE DEIR IS INADEQUATE UNDER CEQA.

A. The Project Description Fails to Accurately Describe the Project.

The DEIR for the Project is woefully inadequate under CEQA. An EIR must provide a degree of analysis and detail about environmental impacts that will enable decisionmakers to make intelligent judgments in light of the environmental consequences of their decisions. CEQA Guidelines § 15151; *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692. To this end, the lead agency must make a good faith effort at full disclosure of environmental impacts. In order to accomplish this requirement, it is essential that the project is adequately described and that existing setting information is complete. *See County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185, 199. Both the public and decisionmakers need to fully understand the implications of the choices that are presented related to the project, mitigation measures, and alternatives. *Laurel Heights Improvement Ass'n v. Regents of University of California* (1988) 6 Cal.4th 1112, 1123. In this case, the DEIR fails to provide sufficient information to enable informed decisionmaking by the Town.

B21-8

1. The DEIR Fails to Adequately Describe the Specific Project Proposed for Development.

In order for an EIR to adequately evaluate the environmental ramifications of a project, it must first provide a comprehensive description of the project itself. "An accurate, stable and finite project description is the *sine qua non* of an informative and legally sufficient EIR." *San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal. App. 4th 713, 730 (quoting *County of Inyo v. City of Los Angeles* (1977) 71 Cal. App. 3d 185, 193). As a result, courts have found that even if an EIR is adequate in all other respects, the use of a "truncated project concept" violates CEQA and mandates the conclusion that the lead agency did not proceed in the manner required by law. *San Joaquin Raptor*, 27 Cal. App. 4th at 729-30. Furthermore, "[a]n accurate project description is necessary for an intelligent evaluation of the potential environmental effects of a proposed activity." *Id.* at 730 (citation omitted). Thus, an inaccurate or incomplete project description renders the analysis of significant environmental impacts inherently unreliable. Here, the DEIR does not come close to meeting these clearly established legal standards because it fails to provide a stable and finite project description with respect to key components of the Project that have the potential to result in significant environmental impacts not analyzed in the DEIR.

B21-9

The only fact that appears stable in the DEIR's project description is the type of allowable uses (i.e., retail, hotel, residential). Every other detail would appear to be in a constant state of flux as demonstrated by the following language:

The Project being considered in this Draft EIR is conceptual and represents what could be developed once the proposed amendments have been approved and adopted by the

Town of Mammoth Lakes (“Town”). Once the Project reaches Final Development Plan stage the specific details of the Project may be subject to change.

B21-9
(cont’d)

DEIR at III-1. Such a “conceptual” approach undermines the purpose of CEQA because it makes it impossible to accurately evaluate the Project’s potential environmental impacts and compare the Project to alternatives. *See County of Inyo*, 71 Cal. App. 3d at 192 (“Only through an accurate view of the project may affected outsiders and public decisionmakers balance the proposal’s benefit against its environmental cost, consider mitigation measures, assess the advantage of terminating the proposal . . . and weigh other alternatives in the balance.”)

B21-10

The DEIR’s “conceptual” approach is particularly alarming with respect to construction phasing and scheduling. The DEIR states that construction for this project will be completed in 2020—more than ten years from now. DEIR at III-40. The DEIR states that the construction will be completed in phases, but it lacks any description of the sequence and relationship of those phases. *See id.* Instead, the DEIR asserts vaguely that “development within each phase is intended to be coordinated with surrounding land uses,” etc. *Id.* Without a more complete description, it is impossible to evaluate the potential environmental impacts of ten years of construction on the Project site. The DEIR should include a description of the phasing of the project and a construction phasing plan in order to facilitate this analysis.

B21-11

In addition, the DEIR fails to describe important aesthetic and logistic components of the Project, asserting instead that these details will be described in plans to be submitted later. *See, e.g.,* Lighting Plan (DEIR at III-40), Vegetative Hazard Management Plan (DEIR at III-38), Construction Management Plan (DEIR at III-37), Trip Generation Monitoring Program (DEIR at IV.M-26). Although these important details are deferred until after approval, the DEIR asserts that the Project is intended to “create a sense of arrival for the North Village area.” DEIR at III-26. Given this intention, the DEIR should provide far more information about what the Project will actually look like once it is developed, rather than deferring these details until after the CEQA process is complete. Without additional detail, the DEIR cannot legally conclude that the Project’s impacts on, for example, shadows, traffic, air quality, aesthetics and biological resources will be less than significant.

B21-12

Inasmuch as this EIR is intended to support construction of the Project, the document is obligated to analyze a specific development proposal, not conceptual land use scenarios.¹ CEQA requires a thorough analysis of reasonably anticipated impacts of the entire

B21-13

¹ The applicant seeks approval of a Tentative Tract Map and Use Permits, which, if approved, would support construction of the Project. It is unclear whether these approvals are being sought at this time; however, the DEIR states that it will “serve as the environmental document for all discretionary actions associated with Development of the Project” and includes both the Tentative Tract Map and Use Permits in its list of discretionary approvals. DEIR III-41-42.

project; it does not permit an EIR to analyze only the general impacts of a conceptual plan when an agency is considering approval of a specific project. *See Stanislaus Natural Heritage Project v. County of Stanislaus* (1996) 48 Cal.App.4th 182. Although the developer may desire a flexible planning approach, this need for flexibility does not release the DEIR from its obligation to define the Project in a manner that allows for meaningful analysis of environmental impacts.

B21-13
(cont'd)

The Project description is further misleading because it asserts that the Project will be “located and positioned to best enhance the visitor experience and preserve Mammoth Lakes’ character of a village in the forest.” DEIR at III-26. However, as discussed in more detail in Section I.B.1 and 2, *infra*, the Project proposes to radically alter that character, rather than to preserve it. Visual simulations of the Project depict massive structures out of scale with existing development. These simulations indicate intense, dense urban form rather than a village.

B21-14

This deficiency is exacerbated by the fact that the DEIR fails to include the text and substance of the Project’s proposed amendments to the General Plan. The appendices contain only the proposed amendments to the NVSP. *See* DEIR Appendix N. Without the text of the proposed General Plan amendment, the Project description is grossly inadequate and inaccurate. *See San Joaquin Raptor*, 27 Cal. App. 4th at 729-30. The omission of this key component of the Project, which must be considered by decisionmakers prior to approving the environmental document, itself constitutes a deficiency so severe as to warrant recirculation of the DEIR. *See* CEQA Guidelines § 15088.5 (circulation required when EIR is fundamentally and basically inadequate).

B21-15

Moreover, although the DEIR claims that the Project is intended to conform to the NVSP (DEIR at III-26, III-41), the Project proposes amendments to the NVSP that would: 1) massively exceed allowable development intensities on the Project site; 2) construct towers as high as 130 feet in an area where maximum height of structures is restricted to 50 feet; and exceed setback limits. DEIR at III-17-26. The primary purpose of the NVSP is “*to provide new land use guidelines and development standards for the North Village area* which will enable the development of a cohesive, pedestrian-oriented resort activity node....” NVSP at 2 (emphasis added). Moreover, the DEIR fails to address whether the Project will be consistent with NVSP specifications regarding building and roofing materials, textures and colors. *See* NVSP at 34-38. Rather than conforming to the NVSP, the Project proposes to conform the NVSP to its desired development plan. The Project therefore undermines the primary purpose of the NVSP, and it is misleading to claim that the Project intends to conform to the NVSP.

B21-16

In short, it is simply inconceivable that accountable decisionmakers could make a decision to approve the Project with essentially no information about important Project components, and based upon a mischaracterization of the Project’s relationship to the NVSP. Yet that is effectively what this DEIR asks the Town to do. Under state law, the DEIR needs to be revised to include a *detailed and accurate* description of the Project. *See County of Inyo*, 71

B21-17

Cal. App. 3d at 193. These descriptions must then provide the basis for new, extensive analyses of the Project's environmental impacts. B21-17 (cont'd)

2. The Project Improperly Segments Environmental Review of Site 4 and Off-Site Affordable Housing.

The DEIR suffers from another serious flaw—it inappropriately segments components of the Project for purposes of environmental review. An accurate description of the project is one that considers the whole project, instead of narrowly focusing on a particular segment. CEQA “mandates ‘that environmental considerations do not become submerged by chopping a large project into many little ones—each with a . . . potential impact on the environment—which cumulatively may have disastrous consequences.’” *City of Santee v. County of San Diego* (1989) 214 Cal.App.3d 1438, 1452; *see also McQueen v. Board of Directors* (1988) 202 Cal.App.3d 1136, 1146 (open space district “impermissibly divided the project into segments which evade CEQA review”); *Plan for Arcadia, Inc. v. Arcadia City Council* (1974) 42 Cal.App.3d 712, 726 (shopping center and parking lot projects are related and should be regarded as a single project for CEQA purposes). B21-18

a. The DEIR Improperly Excludes Site 4 from its Analysis.

The DEIR improperly segments the Project by excluding Site 4 from its analysis of potential project impacts. As a result, it fails to analyze all impacts associated with the Project. The DEIR excuses this failure by claiming that the potential impacts of developing Site 4 have already been analyzed in a previous Mitigated Negative Declaration (MND). CEQA, however, does not permit this type of segmentation. Under CEQA, “[a] public agency is not permitted to subdivide a single project into smaller individual subprojects in order to avoid the responsibility of considering the environmental impacts of the project as a whole.” *Orinda Assoc. v. Bd. of Supervisors* (1986) 182 Cal. App. 3d 1145, 1171-72. B21-19

Site 4 is a critical element of this Project and must be analyzed together with development of the three other sites. The piecemeal analysis of Site 4 in a previous MND does not substitute for the analysis of the Site here as a component of this Project. Development of Site 4 is not a stand alone element with isolated impacts; rather it is an integrated component of this development and must be analyzed as such. The failure to include Site 4 in the DEIR's analysis of project specific impacts violates CEQA. B21-20

Furthermore, the elements of the Project associated with the development on Site 4 are not limited to the construction of 45 units; the Project also redesignates Site 4 from the Loadstar Master Plan to the NVSP. The EIR completely fails to discuss the implications of this change. While the MND may have analyzed the Site 4 development plan's consistency with Master Plan, it did not analyze Site 4's consistency with the NVSP. The NVSP was created to reflect the goals and principles in the General Plan. NVSP at 3. Additionally, the General Plan sets forth a vision for the North Village, and presumably, the boundaries of the North Village B21-21

were created to effectuate that vision. The DEIR merely asserts that Site 4 will be moved from the Lodestar Master Plan to the NVSP without considering any of the potential impacts of that redesignation.

B21-21
(cont'd)

Moreover, as a result of this redesignation, development on Site 4 will not be subject to the Loadstar Master Plan regulations, regulations likely developed to ensure, in part, reduction of potential environmental impacts and compliance with the General Plan. For example, in concluding that development of Site 4 would not result in significant environmental impacts, the Initial Study for the MND relied on the fact that the proposed development's height, mass, density, and recreation provisions were consistent with the requirements set forth in the Lodestar Master Plan. IS at 5, 10-12. As an element of this Project, Site 4 will not be subject to the Loadstar Master Plan regulations as assumed in the MND. Analysis of Site 4 must be considered under the regulations and standards in effect for this Project.

B21-22

b. The DEIR Improperly Excludes Off-Site Affordable Housing from its Analysis

Likewise, the DEIR acknowledges that the provision of off-site affordable housing is part of the Project. DEIR at III-1,10. Nevertheless, the DEIR asserts that the off-site affordable housing will be subject to separate environmental review. DEIR at III-2. Because off-site affordable housing is a component of *this* Project, the environmental impacts associated with off-site development must be included in the analysis of this Project's impacts. As discussed above, under CEQA, the Town must analyze all components of the Project and cannot subdivide a single project into smaller individual subprojects in order to avoid the responsibility of considering the environmental impacts of the project as a whole. The fact that the details of the affordable housing are not yet known does not excuse the DEIR from analyzing the 13,448 square feet of affordable housing required as a necessary component of the Project. *See Laurel Heights Improvement Ass'n v. Regents of the University of California* (1988) 47 Cal. 3d 376, 396-97 (foreseeable future impacts must be analyzed even when parameters of future expansion are not yet known).

B21-23

B. The DEIR's Analysis of and Mitigation for the Impacts of the Proposed Project Are Legally Inadequate.

The discussion of a proposed project's environmental impacts is at the core of an EIR. *See* CEQA Guidelines § 15126.2(a) ("[a]n EIR *shall* identify and focus on the significant environmental effects of the proposed project") (emphasis added). As explained below, the DEIR's environmental impacts analysis is deficient under CEQA because it fails to provide the necessary facts and analysis to allow the Town and the public to make informed decisions about the Project. An EIR must effectuate the fundamental purpose of CEQA: to "inform the public and responsible officials of the environmental consequences of their decisions before they are made." *Laurel Heights Improvement Assn.* (1993) 6 Cal.4th at 1112, 1123. To do so, an EIR must contain facts *and* analysis, not just an agency's bare conclusions. *Citizens of Goleta Valley*

B21-24

v. Board of Supervisors, 52 Cal.3d 553, 568 (1990). Thus, a conclusion regarding the significance of an environmental impact that is not based on an analysis of the relevant facts fails to fulfill CEQA's informational goal.

B21-24
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Additionally, an EIR must identify feasible mitigation measures to mitigate significant environmental impacts. CEQA Guidelines § 15126.4. Under CEQA, "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects. . . ." Pub. Res. Code § 21002.

B21-25

1. The DEIR's Analysis of Aesthetic Impacts Is Inadequate.

As the DEIR points out, the Town's General Plan integrates regulations and requirements "to ensure the preservation of existing valuable visual resources and the Town's visual character." DEIR at IV.B-1. Here, the applicant requests amendments to the NVSP that would jeopardize views and alter the Town's visual character irreparably.

B21-26

The DEIR erroneously states that the amendments proposed by the Project "would be *required* to accommodate the proposed land uses." DEIR at IV.B-1 (emphasis added). However, a hotel/resort development could be accommodated within the parameters established in the NVSP. NVSP at 20. Such a hotel/resort development would simply require an alternative design that complies with the requirements set forth in the NVSP.

B21-27

Although the visual effect of this Project on the community's character is of vital importance to North Village residents and visitors, NVSP at 4, the DEIR fails to provide a proper evaluation of the visual impacts of the Project. The Project would erect seven-story towers directly adjacent to one, two and three-story homes and businesses and would entirely redefine the community's character, introducing densities and building heights that greatly exceed the standards established in the NVSP.

B21-28

a. The DEIR Fails to Identify, Analyze and Mitigate Impacts to Important Public Views and Scenic Vistas.

While the DEIR correctly concludes that significant and unavoidable visual impacts to public views and scenic vistas would occur as a result of the project, DEIR at IV.B-19 (AES-1), the visual analysis fails to adequately disclose the extent and severity of effects on specific scenic vistas and public views in the area. For example, the DEIR does not identify the number of residences or the extent of public roadway where views will be obstructed or substantially altered by the proposed project.

B21-29

The DEIR includes a set of visual simulations which portray the Project from various viewpoints. DEIR at IV.B-20 to 39. However, the simulation photographs do not fully disclose the magnitude of the Project's effects on public views because they do not include

B21-30

surrounding or adjacent development for comparison. This deficiency precludes a clear depiction of the Project's scale and landscape context. As a result, the DEIR misrepresents the true visual impacts of the Project.

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Furthermore, view corridors and vistas in the North Village are specifically noted in Figure 1 of the General Plan as a Major View Corridor and Vista. General Plan at 18, Fig. 1. These views include views of the Sherwin Range. *Id.* Yet the DEIR analysis does not adequately address impacts to this view corridor. This deficiency is largely due to the choice of viewpoints, which are not fully representative of the resulting impacts to views in the vicinity. For example, a viewpoint just north of View 4, looking to the southeast (rather than south as presented) would reveal a clear, unobstructed public view of the Sherwin Range. Views of the Sherwin Range are exceptional as southbound vehicles on either Minaret or Canyon come into proximity of their respective intersections with Main Street and Lake Mary Road. Pedestrians in the area also are afforded spectacular views. These views are currently minimally obstructed by buildings on the four corners surrounding the Main Street and Minaret Road intersection because the parcels are either undeveloped or developed with small scale, low buildings. The Project, however, would occupy three of the four corners of this key tourist intersection. In addition, views from Main Street to the southwest (rather than to the west as presented in the DEIR) would reveal unobstructed mountain views not addressed in the DEIR.

B21-31

These views of the Sherwin Range are a fundamental part of the community character and constitute the main attraction for visitors to Mammoth Lakes. *See* General Plan at 15 (community goal is to "[b]e stewards in preserving public views of surrounding mountains, ridgelines and knolls"). The DEIR nevertheless fails to adequately analyze and propose mitigation for impacts to views of the Sherwin Range.

B21-32

Moreover, despite the DEIR's conclusion that the Project will result in substantial changes to views of surrounding scenic Mammoth Knolls, DEIR at IV.B-19 (AES-1), the DEIR proposes *no* mitigation measures. CEQA requires that an EIR identify, and the decisionmaker adopt, all feasible mitigation measures that would reduce or avoid a project's significant impacts. Pub. Res. Code § 21002; Guidelines § 15091(a)(3). The Town must comply with this requirement even if the mitigation would not reduce the impact to a less than significant level, as long as the measure would have some mitigating effect. California courts have made clear that an EIR is inadequate if it fails to suggest feasible mitigation measures, or if its suggested mitigation measures are so undefined that it is impossible to evaluate their effectiveness. *San Franciscans for Reasonable Growth v. City and County of San Francisco* (1984) 151 Cal.App.3d 61, 79.

B21-33

Even if there are no mitigation measures available that would *fully* mitigate impacts to public views and scenic vistas, the DEIR must identify, the Town must adopt and the developer must implement feasible measures that could lessen impacts to any degree. *See Ocean View Estates Homeowners Ass'n v. Montecito Water Dist.* (2004) 116 Cal. App. 4th 396, 401-03 (environmental document must analyze and mitigate aesthetic impacts to public and

B21-34

private views). Here, such measures should include reduced building height, design features that reduce the bulk and mass of the buildings, and increased setbacks.

B21-34
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The DEIR concludes that impacts to scenic resources within a State Scenic Highway are a less than significant impact based on visual simulations 1, 2, and 5. DEIR at IV.B-40 (AES-2). However, Views 1 and 2, which were taken from Minaret looking south, are taken from a distance that ensures views of the Project site are obscured by the curvature of Minaret and existing buildings in the foreground. *Id.* at Fig. IV.B-4, IV.B-5. Had the photo been taken further south on Minaret, decisionmakers and the public would have the benefit of understanding what the public will experience as they drive through the project intersection. *See Laurel Heights Improvement Assn.*, 6 Cal.4th at 1123 (purpose of CEQA to inform public and decisionmakers of environmental impacts before decision is made). Therefore, the DEIR provides a misleading analysis of the Project's visual impacts.

B21-35

b. The DEIR Fails to Adequately Analyze or Mitigate the Project's Significant Impacts on Visual Resources and Neighborhood Character.

The DEIR's analysis of visual impacts is fatally flawed because it fails to adequately describe the visual characteristics of the development proposed. The DEIR considers and analyzes a conceptual project that "represents what could be developed once the proposed amendments have been approved and adopted..." and the "Project may be subject to change." DEIR at IV.B-15. CEQA requires a project description that is at least adequate to reveal the project's impacts on the environment. *See County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185; see also CEQA Guidelines § 15124. *See* DEIR at III-2. The DEIR's description of the visual characteristics of the Project fails to meet this requirement and, as a result, an assessment of the Project's impacts on visual resources and neighborhood character is simply not possible.

B21-36

The Project would replace two- to three-story structures with hotels up to seven stories high with reduced setbacks that will emphasize the buildings' height and mass at the street level. Currently, development in the vicinity is largely limited to two- and three-story structures at half the density proposed by the Project. The maximum structure height allowed under the Specific Plan is 40 feet.¹ DEIR at IV.I-6. Rather than seriously study how the Project would affect the scale of the existing neighborhood, the DEIR simply asserts that the Project is generally consistent with General Plan and Specific Plan policies, which it is not, and reiterates a description of conceptual project characteristics.

B21-37

¹ The Specific Plan allows a maximum project height of 40 feet. Projections above 40 feet to a maximum of 50 feet may be allowed provided that a roughly equivalent reduction in the building footprint area above the height is provided below the permitted height and no more than 50 percent of the building square footage exceeds the permitted height.

The Project proposes building heights ranging from 76 feet to 130, which would create a visual inconsistency with the existing one-and two-story businesses and residential development in the vicinity. Yet, the only information the DEIR offers regarding the Project's affect on the existing neighborhood is that "the Project would aim to organize the form and mass of . . . proposed building relative to the scale of the neighboring buildings and the surrounding tree canopy" and that "the Project would be designed to complement the existing alpine architectural character of nearby development and throughout the Town." DEIR at IV.B-50 and IV.B-52. These meaningless statements provide the reviewer with no information regarding the Project's final appearance and the impact on residents and visitors to the area.

B21-38

Despite the DEIR's acknowledgment that "the three hotels . . . would constitute a substantial intensification of building mass and increase in heights relative to existing development," DEIR at IV.B-50, the DEIR concludes, absent any analysis, that the substantial changes proposed by the Project through General Plan and Specific Plan amendments "would not degrade the existing character or quality of the Project site and its surroundings and the associated impact would be less than significant." DEIR at IV.B-53. This summary conclusion amounts to no more than speculation as to how this Project would look and how it would fit in with the neighborhood. Such an approach is a far cry from CEQA's clear requirements. Meaningful analysis of impacts effectuates one of CEQA's fundamental purposes: to "inform the public and responsible officials of the environmental consequences of their decisions before they are made." *Laurel Heights Improvement Ass'n.*, 6 Cal.4th at 1123. To accomplish this purpose, an EIR must contain facts and analysis, not just an agency's bare conclusions. *Citizens of Goleta Valley*, 52 Cal.3d at 568.

B21-39

An adequate analysis of aesthetic impacts would actually investigate the Project's impacts rather than speculate about them. Such an analysis should also include the use of story poles so that the public and decisionmakers have a sense of how the buildings and towers would look from ground level. Only with the use of story poles will it be possible to visualize the juxtaposition of the proposed buildings against a neighborhood of predominantly one and two-story structures. But again, none of this analysis can be undertaken until the Project itself is planned and designed: the DEIR cannot effectively consider the visual effects of a project whose appearance is unknown.

B21-40

c. The DEIR Fails to Analyze and Mitigate the Full Range of Impacts Associated with Lighting, Shading and Shadow.

The DEIR states that a significant shade/shadow impact could occur if shadow-sensitive uses (i.e., "useable outdoor space" and roads) would be shaded during certain periods of time, or if the Project required an exception to applicable policies and regulations that would result in a fundamental conflict with those policies or regulations. DEIR at IV.B.-13, 53 to 54. The DEIR acknowledges that the Project would cast shadows on adjacent residences at Fireside Condominiums "in the morning and throughout the afternoon" during winter. DEIR at IV.B-54.

B21-41

However, the document downplays the extent of the impact by stating that shadows would be cast on a “portion of the residential land use” and dismisses this impact stating that “the useable outdoor spaces associated with the nearby residences (e.g., yards, balconies, etc.) are rarely used in the winter months.” *Id.* According to DEIR Figure IV.B-25, it is clear that specifying “a portion” of the adjacent residential land use to the north (i.e., Fireside Condominiums) will be in shadow is a gross understatement. In fact, the majority of the Fireside property will be in shadow in the morning and throughout the afternoon. Furthermore, the walkway on the south side of the Fireside property which connects the two residential buildings and the recreation building will be completely shaded during all three time periods modeled in winter and balconies will be in the shade in both fall and winter. DEIR Figure IV.D-25, D-26. Even though these outdoor spaces are used by Fireside residences, especially in the fall, the DEIR goes on to conclude that this impact is less than significant, offering no mitigation for this impact whatsoever.

B21-41
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The thresholds of significance do not address the broad range of impacts associated with shadows and shading, and therefore underestimate the Project’s shadow and shade-related impacts. Limiting the impact to “useable outdoor spaces” and summarily concluding that related impacts are not significant because backyards and balconies are rarely used in the winter months is not only incorrect, but also fails to take into account a host of other impacts. *See* DEIR at IV.B-54. For example, Fireside’s ability to keep ice off the walkway between the buildings will be particularly impacted because the setback is only eight feet from the Fireside property line to a major hotel building where the roof will shed snow directly toward the Fireside property. The Project will thus result in safety impacts associated with the resulting snow shed and black ice on the walkway. Fireside will also lose the solar heating advantages of direct sunlight on the buildings, (e.g., the sunlight streaming through the picture window into the spa area, the sunlight streaming through the double sliding glass doors of the pool area, the snow/ice melt off the deck areas so that decks can be used to BBQ and store firewood, and the snow/melt off the decks so that sunlight can penetrate through the sliding patio doors).

B21-42

Despite these Project effects, the DEIR fails to consider or mitigate for the impacts on energy use that the shading from the Project will cause. CEQA requires analysis of the potentially significant energy implications of a project. CEQA Guidelines, Appendix F. The DEIR identifies as a threshold of significance “the degree to which the project design and/or operations incorporate energy conservation measures.” DEIR at IV.N-34. Here, the Project design will result in a *loss* of energy conservation on surrounding properties. Nevertheless, the DEIR fails to engage in the required energy analysis with respect to the effects of shading.

B21-43

Furthermore, the DEIR’s approach also discounts the positive livability issues that a sunlit environment provides and the health related environmental impacts associated with deprivation of sunlight. These impacts must be analyzed and feasible mitigation measures (including lowering building heights) identified to minimize impacts. CEQA mandates that “public agencies should not approve projects as proposed if there are . . . feasible mitigation

B21-44

measures available which would substantially lessen the significant environmental effects of such projects” Pub. Res. Code § 21002.

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Although the DEIR correctly identifies the Project’s significant shadow-related impact at one of the Town’s busiest intersections, DEIR at IV.B-54, it fails to propose adequate mitigation for this impact. According to the DEIR, the buildings would cast shadows on the intersection as well as the entrances to the intersection on Lake Mary Road, Main Street, and on Minaret Road, throughout the majority of the day, resulting in potentially significant public safety impacts related to the formation of black ice. DEIR at IV.B-54. The DEIR purports to address these impacts through a measure requiring snow removal and cindering. *Id.* at IV.B-55. Snow removal and cindering is not particularly effective on black ice, and impractical given that freeze cycle occurs concurrently with the P.M. peak traffic/pedestrian time. The DEIR further states that the “Town shall require the Project Applicant to install heat traced pavement at any portion of a pedestrian or vehicular travel-way that receives less than two hours of mid-day sun for more than a week.” DEIR at IV.B-55. However, the climate in Mammoth Lakes in the winter is such that the majority of days will reach a high temperature above freezing. In the early evening, the temperature falls quickly and the moisture on the roads freezes. Thus, it is possible for black ice to form even though the impacted area may have received sunlight earlier in the day. As a result, contrary to the conclusions of the DEIR, the proposed mitigation measures will not reduce significant shadow impacts to an insignificant level.

B21-45

The DEIR fails to analyze other feasible mitigation, including redesigning the site so that buildings are situated further south away from existing residences and increasing setbacks to comply with or exceed requirements in the NVSP. *See* CEQA Guidelines § 15370 (mitigation includes avoiding the impact altogether by not taking a certain action or parts of an action and minimizing impacts by limiting the degree or magnitude of the action and its implementation).

B21-46

Moreover, the DEIR provides no analysis of the Project’s wind impacts. Large, bulky, or tall buildings located adjacent to low-rise buildings may create problems such as undesirable wind tunnels. Wind analysis is common in large, urban projects and has been a component of other city projects containing high rise towers and dense development. *See* San Francisco Municipal Planning Code sec. 148. The DEIR for the Mammoth Crossing Project simply fails without explanation to consider the analysis of wind impacts, and for this reason is deficient.

B21-47

Finally, the DEIR fails to address potential impacts related to light infiltration into the windows of the adjacent residences from headlights entering the ramp to the underground parking structure on Site 1. *See* DEIR at IV.B-53 (AES-4). The Fireside Condominiums are located less than 30 feet from the proposed Project site. These potential effects must be analyzed and appropriate mitigation measures identified.

B21-48

d. The DEIR Fails to Analyze Aesthetic Impacts Related to Temporary Construction.

The analysis of construction impacts on neighboring residents falls far short of the level of detail required by CEQA. Temporary construction is defined in the DEIR as construction activity between 7 am to 8 pm, 6 days a week, 9 am to 5pm on Sundays for periods of two to three years per site, until all sites are completed in 2020. DEIR at IV.B-63 to 64. In other words, the Project will result in *12 years* of constant construction impacts—hardly a “temporary” environmental impact. Moreover, construction would include 320 daily truck trips, but, as noted in Section I.A., *supra* (discussing inadequacy of Project description), the DEIR contains no description of truck routes or information about the construction schedule. The DEIR should have prepared a comprehensive analysis of construction period impacts that considered views of the site, truck traffic, and effects of light and glare. Such an analysis would give residents and decisionmakers a clear understanding of what residents and visitors to the area would experience over the 12-year construction period.

B21-49

Moreover, given the resort environment of the North Village, the DEIR must accurately assess the impacts of this protracted construction schedule and identify appropriate mitigation measures. The DEIR fails on this account as well. Although the DEIR finds that impacts due to construction will be significant and unavoidable, it fails to consider all feasible mitigation. For example, the DEIR does not propose—let alone explain why it is infeasible to adopt—mitigation such as altering scheduling to reduce adverse impacts. For example, those construction events that create the greatest disruption should be performed in off-seasons so as to impact the fewest people. Furthermore, construction hours and days should be limited to avoid times when construction would be most disruptive, such as weekends. *See also* discussion of construction mitigation for air quality and noise impacts in Sections I.B.4 and I.B.5, *infra*.

B21-50

What little mitigation the DEIR does propose (to install temporary fencing with opaque material- DEIR at IV.B-64) provides no evidence that it will minimize effects since it will only be implemented “when feasible”. The proposed mitigation is vague, directory, and otherwise unenforceable. CEQA requires that “mitigation measures proposed in an EIR must be “fully enforceable” through permit conditions, agreements, or other legally binding instruments.” Pub. Res. Code § 21081.6(b); CEQA Guidelines § 15126.4(a)(3). Uncertain, vague, and speculative mitigation measures have been held inadequate because they lack a commitment to enforcement. *See, e.g., Anderson First Coalition v. City of Anderson* (2005) 130 Cal. App. 4th at 1173, 1188-89 (holding traffic mitigation fee measure inadequate under CEQA due to vagueness in program for implementing required improvements). Here, the DEIR contains no explanation of situations when this mitigation may not be feasible. Furthermore, the measure provides no assurances that the fence, if or when erected, will serve the function intended of screening neighboring uses from views of the construction site.

B21-51

Instead of the unenforceable mitigation proposed by the DEIR, the DEIR should require mandatory fencing effective at screening all adjacent land uses. The construction fencing should be of a semi-permanent quality, so it cannot be crushed by the heavy snowload, and must be on a maintenance program to ensure damaged sections are repaired in a timely manor. For Site 1, landscape screening on the Fireside side of the fence should also be included to mitigate the aesthetic impacts associated with the three to four year construction period of Site 1.

B21-52

e. The DEIR's Analysis of Cumulative Aesthetic Impacts is Inadequate and Fails to Propose Mitigation.

The DEIR's analysis is dismissive of cumulative aesthetic impacts. While the document acknowledges that "the three hotels . . . would constitute a substantial intensification of building mass and increase in heights relative to existing development," DEIR at IV.B-50, it contradictorily states that "the Project is consistent in character with surrounding development." *Id.* at IV.B-65.

B21-53

An EIR must discuss significant "cumulative impacts." CEQA Guidelines § 15130(a). A legally adequate "cumulative impacts analysis" views a particular project over time and in conjunction with other related past, present, and reasonably foreseeable future projects whose impacts might compound or interrelate with those of the project at hand. "Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time." CEQA Guidelines § 15355(b). The cumulative impacts concept recognizes that "[t]he full environmental impact of a proposed . . . action cannot be gauged in a vacuum." *Whitman v. Board of Supervisors* (1979) 88 Cal.App.3d 397, 408.

B21-54

Here, the DEIR lists approximately 40 related projects in the vicinity of the Project with approximately 10 major land use projects proposed in close proximity to the Mammoth Crossing Project. DEIR Table II-1 and Figure II-11. Each of these projects would undoubtedly change the underlying character of the community yet the DEIR, once again, fails to even attempt to describe how the area will look once all these projects are constructed. The DEIR recognizes that the Project along with others would affect the area's visual character. DEIR at IV.B-65. But as with the project-specific visual impact analysis discussed above, the document stops short of actually describing how the North Village area would look upon build out of the Mammoth Crossing Project together with these other projects. Unless and until the DEIR actually analyzes the cumulative effect of these projects on the community's character and proposes appropriate mitigation, this document will remain inadequate. The revised Mammoth Crossing DEIR must provide this analysis.

B21-55

Moreover, the DEIR errs in asserting that "there are no mitigation measures available to reduce" the significant cumulative aesthetic impacts associated with the Project. As

B21-56

noted previously, the DEIR must identify potential mitigation and explain why it is infeasible, regardless of whether the mitigation will reduce the impact to a less than significant level.

B21-56
(cont'd)

2. The DEIR Does Not Properly Analyze the Project's Consistency with the Town's General Plan.

CEQA requires that environmental impact reports analyze the consistency of the Project with the Town's General Plan. *See Napa Citizens for Honest Govt. v. Napa County Board of Supervisors* (2001) 91 Cal.App.4th 342, 386-87. The DEIR acknowledges that the Project must be consistent with the Town's General Plan, and concludes the Town would have to make numerous amendments to both the General Plan and the NVSP in order to approve this Project. DEIR at III-I. Even with these proposed amendments to the General Plan and the NVSP, however, the Project would still be inconsistent with the General Plan in numerous respects. The conversion of small restaurants and inns into massive structures with 100+ foot towers and seven-story hotels is not consistent with the General Plan's goals and policies for development of this site. A number of the Project's many inconsistencies with the General Plan are discussed below. Others are identified throughout this comment letter in the context of specific impacts. The DEIR must be revised and recirculated with a full analysis of all General Plan inconsistencies.

B21-57

a. The Project's Proposed Amendments to the North Village Specific Plan are Inconsistent with the General Plan.

Because the Project's size and scope are completely at odds with the NVSP, the NVSP would need to be drastically amended in order to accommodate the Project. The proposed amendments to the NVSP would cause the NVSP to be inconsistent with the General Plan. The following proposed NVSP amendments conflict with the General Plan.

B21-58

(i) The Project's Proposed Building Height Amendments do not Complement Neighboring Land Uses.

The General Plan mandates comfortable building height, mass, and scale. Specifically, the General Plan makes it clear that "building height . . . shall compliment neighboring land uses." General Plan at 16, Policy C.2.V. The NVSP currently requires that all buildings be limited to 50 feet in height. The Project's developers would have to amend the NVSP's building height limitations to accommodate the Project's numerous 100+ foot towers. The height of this Project would dwarf neighboring uses, and thus, would not complement neighboring buildings which reach only 40 feet in height.

B21-59

For Site 1, "approximately 74 percent of the total roof area exceeds the existing 50-foot maximum height requirement as set forth in the Specific Plan." DEIR at III-5. Site 1 would feature a tower that would reach "103 feet above the underside of parking garage

B21-60

ceiling.” *Id.* The proposed hotel buildings on Site 1 would reach a maximum of 93 feet above the parking garage ceiling. *Id.* “Approximately 69 percent of the roof area” for Site 2 would exceed the Specific Plan’s 50 foot height limit. DEIR at III-12. Hotel rooms would reach 108 feet, and Site 2 contains three proposed tower structures, which would reach 130, 120, and 118 feet. *Id.* One hundred percent of the roof area for the proposed development in Site 3 exceeds the Specific Plan’s 50 foot height limit. The Project also proposes multiple tower structures for Site 3, ranging from 70 to 85 feet in height. DEIR at III-19.

B21-60
(cont’d)

The proposed building sites are currently surrounded by trees and buildings that are less than 50 feet tall, as required by the NVSP. If the Project were approved, the height of the towers and hotels proposed in the project would dwarf existing uses in violation of the General Plan. The DEIR should have discussed this inconsistency, identified it as a significant environmental impact and proposed mitigation to make the Project compatible with surrounding uses.

B21-61

(ii) The Project’s Proposed Density Amendments Would Frustrate the General Plan’s Population Density Requirements.

The General Plan requires each district to maintain “appropriate density.” General Plan at 15, Policy C.2.C. The Project’s developers have proposed a density of 110 rooms per acre (“RPA”) for Site 1. DEIR at III-10. However, the NVSP currently sets the maximum allowed density to 55 RPA and an aggregate of 48 RPA for the surrounding area. *Id.* Likewise, Site 2 is zoned for 48 RPA, and the Project proposes a density of 81 RPA. DEIR at III-17. Site 3 is also zoned for 48 RPA; the Project’s proposed density for Site 3 is 61 RPA. DEIR III-24.

B21-62

The Project includes substantial amendments to the NVSP in order to accommodate the developer’s development plans. When the Town adopted the NVSP, it determined what density was appropriate for the Project site based on analysis and a comprehensive planning process. This Project ignores those determinations and planning process, proposing to significantly increase the density even though it will result in admittedly significant inmitigable impacts. Given the current density limitations in the North Village and the significant impacts documented in the DEIR that will result from the proposed increases in density, the Project’s proposal to nearly double the density of the Project sites will not result in “appropriate density” as required by the General Plan. Therefore, the amendments violate the General Plan.

B21-63

(iii) The Project’s Proposed Density Amendments Could Result in a Total Peak Population of More Than 52,000 People.

The General Plan requires that future development consider “limit total peak population or permanent and seasonal residents and visitors to 52,000 people.” General Plan at 30, Policy L.1.A. As discussed above, in order for the Project to be approved, the NVSP must be amended to accommodate a much greater density than it currently allows.

B21-64

The DEIR fails to analyze how the Project's proposed density amendments will affect the General Plan's People At One Time (PAOT) limitations. The General Plan currently permits 3,020 rooms in the NVSP area. General Plan at 36. Given existing and anticipated development in the NVSP area, the Project, with its almost doubling of the proposed density on the Project sites, will likely cause the North Village to exceed its planned PAOT. In order to determine this Project's consistency with the General Plan, the DEIR must analyze the existing and anticipated PAOT in the NVSP area, as well as in the other development areas in the Town, and then consider how the approval of this Project will affect PAOT limitations.¹

B21-65

Although, the Project itself may not bring the Town's PAOT to over 52,000 people, if the NVSP is amended to accommodate the Project's proposed density, development of this increased density may well cause the Town's PAOT to exceed 52,000 when considered cumulatively with other anticipated development. Moreover, the increase in density for this Project will have implications on development throughout the Town. Even if this Project does not cumulatively result in exceedances of the PAOT, it will impact the ability of other properties to develop consistent with their existing or planned density. The DEIR must discuss this potentially significant impact, and analyze how the Project's density amendments will affect the General Plan's PAOT limitations and density allocations, and development potential on property throughout the Town.

B21-66

(iv) The Project's Proposed Amendments to the NVSP's Setback and Height Requirements are Inconsistent with the General Plan.

The Project proposes modifying the NVSP's current setback requirements and allowing increased building height on the Project site. The developer would like the Town to amend the NVSP so as to allow reduced setbacks and for Site 1, Site 2, and Site 3 and increases to the height limitations on Sites 1, 2, and 3, and increases to the height limitations. DEIR at III-5, III-12, III-19. However, the NVSP's current setback limitations are designed to comply with the General Plan's Community Vision, which calls for all development to complement the Town's sense of a "village in the trees." General Plan at 7. This Project proposes shorter setbacks than the NVSP allows and taller buildings than the NVSP allows. The combination of these two elements would give the North Village a much more urban feel than currently exists or was contemplated in the plans for the area. A "village in the trees" is not equivalent to a "city in the trees." Shorter setbacks combined with taller buildings would tower over the trees, destroying the Town's sense of a "village in the trees." Thus, the proposed setback and height amendments are inconsistent with the General Plan.

B21-67

¹ Given that the DEIR's discussion of Public Service and Utilities relies on PAOT figures to determine if the Project will result in significant public service impacts, the analysis of PAOT is critical not only to determine General Plan consistency but to provide a legally adequate analysis of the Project's significant impacts. DEIR at IV.L-4, IV, L-5, IV.L-6, IV.L-18, IV.L-19, IV.L-3.

b. The Project is Inconsistent with General Plan Requirements for the Community Vision.

The DEIR disregards the General Plan's Community Vision, which embodies important values and principles that recognize the "uniqueness of (the Town's) natural surroundings and (the Town's) character as a village in the trees." General Plan at 7. This community vision acknowledges the area's "uniquely spectacular scenery" and asserts a commitment to "providing the very highest quality of life for . . . residents and the highest quality of experience for (the Town's) visitors." General Plan at 7. The DEIR ignores this vision of the Town of Mammoth and the Town's commitment to preserving the stated values.

B21-68

As explained in the Community Vision statement, the Town places a high value on "exceptional standards for design and development that complement and are appropriate to the Eastern Sierra Nevada mountain setting and (the Town's) sense of a "village in the trees" with small town charm. General Plan at 7. Rather than a project that conforms with the Town's design standards and General Plan directives, the Project proposes project intensity and density inappropriate for the site and a design that would result in massive structures that would dominate the site's natural features and dwarf existing surrounding residential development. The proposed project would not promote a sense of a "village in the trees" but would instead transform the site and the area to a high-intensity use with massive towers and commercial resort complexes.

B21-69

c. The Project Would Irreparably Harm Public Views, in Violation of the General Plan.

The General Plan specifically requires all future development to preserve viewsheds to Sherwin Range and the Knolls. General Plan at 26. In fact, the very first characteristic of the North Village listed in the General Plan is "viewsheds to Sherwin Range and the Knolls are preserved." *Id.*

B21-70

The Project would unavoidably and irreversibly obstruct views to the Knolls. DEIR at I-5, IV. I-20. In its summary of the Project's significant impacts, the DEIR states that as a result of the Project, "views of the scenic Mammoth Knolls . . . would be partially obscured" and concludes that "no mitigation measures are available to fully mitigate such impacts to public views or scenic vistas." Thus, contrary to the requirements of the General Plan to preserve viewsheds to the Knolls, the Project obstructs such views.

B21-71

While the land use section of the DEIR briefly notes this glaring inconsistency, it still concludes that the Project is "Generally Consistent" with the Neighborhood and District Character Requirements of the General Plan. *Id.* It is difficult to comprehend how the Project can be "Generally Consistent" with this provision when the "Project would block views to the

B21-72

Mammoth Knolls from Lake Mary Road near the Project site looking east . . . and Minaret Road looking north.” DEIR at IV.I.-20. CEQA requires that the DEIR both accurately analyze this inconsistency with the General Plan and identify it as a significant impact.

B21-72
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3. The DEIR Fails to Adequately Analyze and Mitigate Traffic Impacts.

The DEIR asserts that because the Project is conceptual, specific details relevant to the Project’s traffic impacts may be subject to change. DEIR at IV.M-22. As noted in Section I.A, *supra*, CEQA requires analysis of a specific project. The reason for this requirement is simple: a project must be specific enough to enable the decisionmaker and the public to evaluate the project’s environmental impacts. *San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal. App. 4th 713, 730. Because the DEIR fails to provide sufficient detail about the Project’s *actual* traffic impacts, its analysis is speculative at best. *See County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185, 199 (“The defined project and not some other project must be the EIR’s bona fide subject”). The failure to define the Project with sufficient detail to accurately evaluate traffic impacts is itself a major flaw in the DEIR.

B21-73

Nevertheless, as discussed below, even when the DEIR purports to analyze potential traffic impacts, its analysis is inadequate. Moreover, the proposed mitigation is ineffectual and insufficient.

B21-74

a. The DEIR’s Analysis of Operation-Related Traffic Impacts Is Inadequate.

(i) The DEIR Underestimates Project Trip Generation.

One of the critical components of the analysis of a project’s impact on traffic is how many car trips will result from the project. The more car trips, the more traffic impacts; the fewer car trips, the fewer traffic impacts. Here, the DEIR acknowledges that the numbers used for the traffic analysis may severely underestimate Project trip generation, stating that “[i]n light of the unique trip generation applied to the Project’s proposed hotel units, a monitoring program would need to be implemented on an annual basis (typical winter Saturday) to document effective hotel trip generation . . . ” and determine “if actual project hotel unit trip generation is significantly higher than documented in the Traffic Impact Analysis ...” DEIR at IV.M-19. It appears that the DEIR is assuming this project is “unique” because it proposes bicycle and pedestrian access (and thus fewer auto trips). The trip generation table suggests that, in certain instances, trip generation is assumed to be 50% less than usually assumed for purposes of traffic analysis due to internal capture (people walking once they arrive at the hotel). DEIR at IV.M-20 to 21 (Table IV.M-6).

B21-75

The DEIR fails to provide evidence to support its assumptions about this critical feature of the traffic analysis. The DEIR must provide a rationale for the “unique trip generation” assumption it applies in its analysis. If indeed a revised analysis does actually

establish that reduced trip generation rates are appropriate, the DEIR may rely on those vehicle trip numbers, but must also analyze the traffic impacts associated with the anticipated increased pedestrian and bicycle traffic level in its traffic analysis.

B21-75
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In any event, it is extremely unlikely that a reduced trip generation rate is appropriate, given the Project's proposed amount of parking (711 spaces). DEIR at IV.M-22. The provision of parking will all but ensure that visitors will rely on vehicles to access the Project and will use their vehicles once they have arrived. *See* Attachment 1 (Michael Manville and Donald Shoup, "People, Parking, and Cities," *Access* No. 25, Fall 2004.) Therefore the traffic analysis should have relied on relatively standard trip generation rates.²

B21-76

Finally, the DEIR basically concedes that its trip generation analysis may be grossly inaccurate, stating that "the Project *may* be required to provide additional buses/shuttle and/or a bus stop" DEIR IV.M-19 (emphasis added). In other words, even the DEIR implicitly acknowledges that there may or may not be more pedestrian trips, trips that could require additional bus service. CEQA requires that the DEIR conduct the analysis now, not wait to find out whether the speculative assumptions hold true, and then decide how to mitigate for them. Thus the DEIR not only fails to provide the required analysis and support for its trip generation numbers, but then defers the mitigation necessary for the additional pedestrian trips, such as increased bus service, to some time in the future. This improper deferral of analysis of impacts and mitigation until after project approval is unacceptable under CEQA. *See Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 309 (deferral of mitigation until after project approval is inadequate; *see also Oro Fino Gold Mining Corp. v. County of El Dorado* (1990) 225 Cal.App.3d 872, 884-885 ("CEQA process demands that . . . environmental information be complete and relevant and that environmental decisions be made in an accountable arena.")). Trip generation and traffic impacts must be addressed now, not after project approval.

B21-77

(ii) The DEIR's Intersection Level of Service Analysis Is Inadequate and Fails to Ensure Mitigation Will Actually Be Implemented.

The DEIR's level of service analysis for Project intersections is seriously flawed. As a preliminary matter, the DEIR does not clearly establish *which* roadway improvement projects were included in cumulative (existing plus approved projects) conditions. *See* DEIR at IV-M-12 ("With improvements, all study area intersections are forecast to operate within or below the Town's thresholds of significance in the cumulative condition"). It is impossible to

B21-78

² It also appears that the provision of parking conflicts with the Project's intended pedestrian focus as well as with the General Plan and NVSP. The DEIR asserts that the Project, consistent with the General Plan and NVSP, is intended as a concentrated, pedestrian-oriented activity center with limited vehicular access. DEIR at III-26. However, as noted above, the Project proposes to provide 711 parking spaces, DEIR at IV.M-22, which would accommodate the automobile and sabotage the intended pedestrian orientation.

evaluate the Project's impacts without knowing which cumulative improvements the analysis included. Moreover, the DEIR must identify the timing for implementation of the roadway improvements and evaluate how these improvements would correlate with build out of the Project. If the Project will generate traffic prior to implementation of these roadway projects, the Project's impacts at certain intersection locations would be significant.

B21-78
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In addition, the DEIR must provide some indication that these improvements will actually be implemented. For example, the DEIR relies upon installation of a proposed signal at USPO Driveway and Main Street to conclude that the Project's impacts would be less than significant. DEIR at IV.M-23. However, other than a reference to the Town's Capital Improvement Program, there is no indication as to how or when this signal would be installed. *Id.* Here, not only does the DEIR fail to identify all relevant improvements, but it also fails to explain whether, when and how the Town and the public will be assured that the improvements will be in place when the Project's traffic impacts occur. Without such assurance, the DEIR cannot conclude that the Project's intersection-related traffic impacts will be less than significant.

B21-79

Essentially, the DEIR relies on these traffic improvements as mitigation to reduce potentially significant traffic impacts to an insignificant level. CEQA requires that "mitigation measures proposed in an EIR must be 'fully enforceable' through permit conditions, agreements, or other legally binding instruments." Pub. Res. Code § 21081.6(b); CEQA Guidelines § 15126.4(a)(3). Uncertain, vague, and speculative mitigation measures have been held inadequate because they lack a commitment to enforcement. *See, e.g., Anderson First Coalition v. City of Anderson* (2005) 130 Cal. App. 4th 1173, 1188-89 (holding traffic mitigation fee measure inadequate under CEQA due to vagueness in program for implementing required improvements).

B21-80

Similarly, it does not appear that the proposed mitigation for the Project's significant impact on the Center Street/Main Street intersection is fully enforceable as required by CEQA. The DEIR relies upon payment of Development Impact Fees ("DIFs") to install a signal in order to mitigate the reduced level of service at Center Street/Main Street. DEIR at IV.M-26. The DEIR states vaguely that the costs of the signal "should be eligible for DIFs" and that the mitigation would be implemented as part of yet-to-be-established traffic mitigation program. *Id.* Fee-based mitigation programs for traffic impacts based on fair share infrastructure contributions by individual projects have been found to be adequate mitigation measures under CEQA. *Save Our Peninsula Committee v. Monterey County Bd. of Supervisors* (2001) 87 Cal. App. 4th 99, 140. To be adequate, however, these mitigation fees must be part of a reasonable plan of actual mitigation that the relevant agency commits itself to implementing. *Id.* at 140-41; *see also Anderson First Coalition* (2005) 130 Cal. App. 4th at 1188-89 (explaining that fee-based traffic mitigation measures have to be specific and part of a reasonable, enforceable plan or program that is sufficiently tied to the actual mitigation of the traffic impacts at issue). Here, the DEIR's proposed mitigation simply assumes that the payment will occur, that it will cause the signal to actually be installed, and that it will

B21-81

adequately mitigate the impacts, without providing a reasonably enforceable plan to achieve those results. CEQA requires more.

B21-81
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Finally, the DEIR's intersection analysis fails to adequately analyze traffic from the Project during snowy and icy conditions.³ Clearly, the characteristics and operations of area roadways change considerably during these conditions, when snowfall causes the roadways' travel lanes to become narrow and slick. Roadways become more treacherous as visibility diminishes from falling snow and truck spray and as vehicles lose traction. Snow removal vehicles and snow storage also impact roadway traffic conditions and traffic maneuverability. All of these factors can often result in a slowing of traffic as well as a marked increase in the potential for accidents. The failure to provide this analysis is a critical oversight which requires revision and recirculation of the DEIR.

B21-82

(iii) THE DEIR Fails to Adequately Analyze and Mitigate Other Operational Traffic-Related Impacts.

In addition to the deficiencies discussed above, the DEIR fails to adequately analyze and propose mitigation for other traffic-related impacts, including the following:

- The DEIR fails to adequately consider the Project's impacts on pedestrians and cyclists. This is especially critical given the traffic analysis's assumption of significant pedestrian trips justify fewer vehicle trips. The DEIR concludes that impacts to bicycle and pedestrian facilities will be less than significant. DEIR at IV.M-31. However, a project-specific analysis concluded that pedestrian delay at key project intersections would likely be unacceptable. *See Mammoth Crossing Sustainable Transportation Report 21* (July 3, 2008). The DEIR makes no mention of this report or its finding. The DEIR must include this analysis and must consider feasible mitigation to reduce the impacts associated with pedestrian safety and traffic, including (a) construction of a pedestrian bridge over Lake Mary Road that separates pedestrians from traffic; (b) realignment of Minaret Rd. to the east side of the Project to address traffic and safety impacts; (c) reconstruction of Lake Mary Road as a narrower cross-section to not only address the significant safety and traffic impacts but to comply with the NVSP mandate for North Village to be a walkable district.
- The Project plans to use the Town's existing shuttle/bus services (adding three additional stops), as well as providing limited exclusive shuttle services for each hotel. DEIR at IV.M-31. The DEIR concludes that impacts on transit would be less

B21-83

B21-84

³ The rationale for refusing to include winter conditions in the traffic analysis offered in DEIR Appendix I (Traffic Data Technical Appendix) is unconvincing, particularly given the DEIR's finding that black ice on roadways is a potentially significant Project impact that must be mitigated. *See* DEIR IV.B-54-55.

than significant. *Id.* However, a project-specific analysis found that several peak-hour buses already exceed their capacity. *See* Mammoth Crossing Sustainable Transportation Report 15 (July 3, 2008). The Project's additional users may result in a significant impact requiring mitigation. Again, the DEIR makes no mention of this report or its finding and fails to adequately analyze transit impacts

B21-84
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- The DEIR's analysis of emergency access fails to specify the location within each site for emergency vehicle parking, stating only that such parking would be provided "internally at an accessible location within each site." DEIR at IV.M-32. Locations must be specified, and the DEIR must provide an analysis of potential impacts on surrounding uses.

B21-85

b. The DEIR's Analysis of Construction-Related Traffic Impacts Is Inadequate.

Rather than actually analyzing how construction trucks and equipment would impact streets and intersections, the DEIR relies on an estimate of vehicle miles traveled (VMT) to evaluate construction-related traffic impacts. DEIR at IV.M-34. The DEIR also suggests that because construction would generate fewer trips than the Project itself when it is fully built out, construction-related impacts would be less than significant. *Id.* This conclusory analysis fails to satisfy CEQA's mandate that an EIR must contain facts *and* analysis, not just an agency's bare conclusions. *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 568. A conclusion regarding the significance of an environmental impact that is not based on an analysis of the relevant facts fails to fulfill CEQA's informational goal.

B21-86

Here, construction-related trucks and equipment have very different travel patterns than private cars (construction equipment/trucks and construction operations in general tend to block travel lanes). Trucks and equipment are very large and very slow-moving. Traffic engineers tend to assume that one construction trip is the equivalent of three passenger car trips. The DEIR nevertheless relies upon a straight VMT comparison between the Project's operation-related traffic patterns and its construction-related patterns. This reliance is unexplained and unwarranted, given the differing travel patterns of construction-related trucks and equipment.

Moreover, although the DEIR project description states that the developer would be required to submit a Construction Management Plan ("CMP"), the CMP is not even mentioned in the DEIR's analysis of construction impacts. *See* DEIR at III-37. The CMP would include the haul route, which would make it substantially easier to evaluate how construction trucks and equipment would impact streets and intersections. Again, as noted in Section I.A, *supra*, deferral of this important information until some future date precludes meaningful analysis of the Project's construction-related traffic impacts.

B21-87

c. The DEIR's Analysis of Cumulative Traffic Impacts Is So Confusing as to Preclude Meaningful Evaluation.

The DEIR's approach to the cumulative analysis is unclear. The analysis states that it used a long-range Town General Plan build out scenario to evaluate long-range traffic impacts of "the *approved* project." DEIR at IV.M-34. The Project, however, has not yet been approved; rather, it is under consideration by the Town. It is unclear whether the DEIR actually analyzed the Project, or some other project that has already been approved for purposes of the cumulative analysis. The DEIR further states that "the approved project" would include development of 432 traffic-generating units (742 resort/hotel rooms and 66 affordable housing rooms). *Id.* However, simple addition indicates that the total traffic-generating units would be 808 rooms rather than 432—nearly double the number cited by the DEIR. The DEIR must either explain why 808 rooms would result in only 432 traffic-generating units, or correct the error throughout its cumulative analysis.

B21-88

Further, the cumulative traffic analysis is based on the General Plan's long range conditions. But it appears that the Town is approving projects beyond those identified in the General Plan, or at least substantially different than what the General Plan contemplated. *Id.* If this is true, how can this DEIR traffic analysis rely on the General Plan traffic analysis without some detailed correlation as to what the General Plan contemplates and what is actually occurring on the ground?

B21-89

Finally, the DEIR does not look at cumulative construction-related traffic impacts. Construction is expected to occur through 2020. DEIR at IV.C-23. The cumulative traffic analysis must take into account all of the projects in the vicinity that might be under construction at the same time, especially since the construction of some of these massive projects will occur over a period of several years. Moreover, some components of the Project would be operational and generating traffic at the same time as other project phases are under construction. DEIR at IV.C-23. The DEIR cannot look at project and construction traffic in isolation.⁴

B21-90

4. The DEIR Fails to Adequately Analyze and Mitigate Air Quality Impacts.

a. The DEIR Omits Analysis of Demolition As a Source of PM₁₀ and Fails to Include All Feasible Mitigation.

B21-91

The DEIR rightly concludes that the Project's PM₁₀ emissions due to construction are potentially significant. DEIR at IV.C-26. The DEIR then identifies a handful of mitigation

⁴ The cumulative analysis, like the analysis of project traffic, also suffers from the lack of specificity in identifying improvements and failure to analyze winter conditions as discussed in Section I.B(3)(a)(2), *supra*.

measures and determines that even with the proposed mitigation, the Project would result in significant and unavoidable impacts with regard to PM₁₀ emissions. DEIR IV.C-27.

The DEIR's proposed measures lack the specificity required to ensure enforceability and are thus legally inadequate. Moreover, given the seriousness of this impact, the DEIR fails to include all feasible mitigation for construction-related PM₁₀ emissions. The DEIR should consider and adopt the following additional mitigation measures to further reduce construction impacts and protect the health of Town residents:

- For backfilling during earthmoving operations, water backfill material or apply dust palliative to maintain material moisture or to form crust when not actively handling; cover or enclose backfill material when not actively handling; mix backfill soil with water prior to moving; dedicate water truck or large hose to backfilling equipment and apply water as needed; water to form crust on soil immediately following backfilling; and empty loader bucket slowly; minimize drop height from loader bucket.
- During clearing and grubbing, prewet surface soils where equipment will be operated; for areas without continuing construction, maintain live perennial vegetation and desert pavement; stabilize surface soil with dust palliative unless immediate construction is to continue; and use water or dust palliative to form crust on soil immediately following clearing/grubbing.
- While clearing forms, use single stage pours where allowed; use water spray to clear forms; use sweeping and water spray to clear forms; use industrial shop vacuum to clear forms; and avoid use of high pressure air to blow soil and debris from the form.
- During cut and fill activities, prewater with sprinklers or wobblers to allow time for penetration; prewater with water trucks or water pulls to allow time for penetration; dig a test hole to depth of cut to determine if soils are moist at depth and continue to prewater if not moist to depth of cut; use water truck/pull to water soils to depth of cut prior to subsequent cuts; and apply water or dust palliative to form crust on soil following fill and compaction.
- For large tracts of disturbed land, prevent access by fencing, ditches, vegetation, berms, or other barrier; install perimeter wind barriers 3 to 5 feet high with low porosity; plant perimeter vegetation early; and for long-term stabilization, stabilize disturbed soil with dust palliative or vegetation or pave or apply surface rock.
- In staging areas, limit size of area; apply water to surface soils where support equipment and vehicles are operated; limit vehicle speeds to 15 mph; and limit ingress and egress points.

B21-91
(cont'd)

- Discontinue grading and excavation activities during smog alerts.
- Install a windbreak or other dust control screening between the Project site and adjoining sites.
- During construction, trucks and vehicles in loading and unloading queues shall turn their engines off when not in use to reduce vehicle emissions. Operating vehicles solely for comfort (e.g., air conditioning) purposes shall be prohibited.
- Except for concrete trucks, all construction vehicles shall be prohibited from idling in excess of five minutes, both on-site and off-site.
- To prevent trackout, pave construction roadways as early as possible; install gravel pads; install wheel shakers or wheel washers, and limit site access.
- Use bedliners in bottom-dumping haul vehicles.
- Grade each phase separately, timed to coincide with construction phase or grade entire project, but apply chemical stabilizers or ground cover to graded areas where construction phase begins more than 60 days after grading phase ends.
- Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant.
- During initial grading, earth moving, or site preparation, construct a paved (or dust palliative treated) apron, at least 100 ft in length, onto the project site from the adjacent site if applicable.
- Post a publicly visible sign with the telephone number and person to contact regarding construction complaints. This person shall respond and take corrective action within 24 hours.
- Prior to final occupancy, demonstrate that all ground surfaces are covered or treated sufficiently to minimize fugitive dust emissions.
- Install gravel pads at all access points to prevent tracking of mud on to public roads.
- Prior to land use clearance, the applicant shall include, as a note on a separate informational sheet to be recorded with map, these dust control requirements. All requirements shall be shown on grading and building plans.
- All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Provide barriers with 50% or less porosity located adjacent to roadways to reduce windblown material leaving a site.
- Prohibit all grading activities during periods of high wind (over 15 mph).

B21-91
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- Pave all roads on construction sites.
- Replant vegetation in disturbed areas as quickly as possible.
- Permanent dust control measures in an approved project revegetation and landscape plan shall be implemented as soon as possible following completion of any soil disturbing activities.
- Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading shall be sown with a fast-germinating native grass seed and watered until vegetation is established.
- Require a dust control plan for earthmoving operations prior to final map approval.

B21-91
(cont'd)

Moreover, the DEIR appears to understate this impact because it fails to take into account PM₁₀ emissions resulting from building demolition. *Compare* DEIR at IV.C-22 (Project requires demolition of existing structures and construction activities include removal of existing structures) *with* DEIR at IV.C-24-25 (Table IV.C-5) (analysis of emissions due to construction activities limited to grading, excavation and construction).

Had the DEIR conducted the analysis, it would have determined that additional mitigation measures are available to reduce PM₁₀ emissions resulting from demolition, including but not limited to the following actions:

B21-92

- Water during demolition of structures and break-up of pavement to control dust generation;
- Cover all trucks hauling demolition debris from the site; and
- Use dust-proof chutes to load debris into trucks.

The DEIR also fails to adequately mitigate operation-related PM₁₀ emissions. The DEIR asserts that because the Town is in a PM₁₀ non-attainment area, total vehicle miles traveled (“VMT”) may not exceed 106,600 per day. DEIR at IV.C-21 and IV.C-31. The Project would generate 6,450 VMT resulting in a total of 114,665 VMT. DEIR at IV.C-31.

Although the DEIR correctly identifies this increase in VMT as a potentially significant air quality impact, it fails to provide any evidentiary support that its proposed mitigation measures would reduce this impact to a less than significant level. DEIR at IV.C-32. The proposed mitigation calls for a transportation demand management program (“TDMP”) to reduce VMT, but the requirement fails to establish performance standards for the TDMP to ensure that it will effectively reduce VMT to below the level considered a significant impact. Moreover, it omits the single most important measure to reduce travel demand – a reduction in parking. DEIR at IV.C-32.

B21-93

According to the DEIR, the project would add more parking than is required by the City. DEIR at IV.M-18 (Table IV.M-5). As noted in Section I.B.3, *supra*, the presence of parking often depresses transit ridership and other non-automobile uses. Put simply, when parking is available, people drive. The DEIR should consider a reduction in parking in order to reduce the potentially significant PM₁₀ emissions resulting from operation of the Project.

B21-93
(cont'd)

b. The DEIR Fails to Analyze Whether the Project's Ozone Emissions Would Violate the Ozone Standards.

The DEIR fails to analyze whether the Project's ozone emissions from both construction and operation of the project would contribute to a violation of applicable ozone standards. The Town is located within a non attainment area for ozone. DEIR at IV.C-20. The DEIR suggests that the Project's increase in ozone precursor emissions (nitrogen oxides and hydrocarbons) would not contribute to ozone exceedances because (1) ozone is transported from the San Joaquin Valley; (2) the local air district has not identified quantifiable thresholds of significance for evaluating ozone impacts; and (3) local ozone levels exceed the standards only in the evening. None of these reasons excuses the Town from evaluating the Project's potentially significant contribution to ozone emissions.

B21-94

First, the fact that ozone is transported does not relieve the Town of its obligation to analyze impacts. The tables show that construction and operation of the Project would cause an increase in ozone precursor emissions (ROC and NOX). DEIR at IV.C-28 and 30 (Tables IV.C-6 and IV.C-7), and the potential impacts of this increase in emissions must be analyzed. Second, the Town is not excused from evaluating this impact merely because the air district has not established a threshold of significance. See *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th 1099, 1106-12 (CEQA does not allow an analysis to be labeled too "speculative" based on lack of threshold). Finally, the DEIR does not explain why time of day (i.e., evening ozone exceedances) would have any bearing on whether the Project's emissions would contribute to ozone standard exceedances.

c. The DEIR Fails to Identify, Analyze and Mitigate Diesel Emissions.

The DEIR fails to identify and analyze impacts resulting from the use of diesel-powered engines during Project construction. The combustion of diesel fuel in engines produces diesel exhaust, which contains some 40 compounds that are listed by the U.S. Environmental Protection Agency as hazardous air pollutants and by the California Air Resources Board ("CARB") as toxic air contaminants. Diesel particulate matter ("DPM") emitted from diesel exhaust is a serious public health concern. It has been linked to a range of serious health problems, including an increase in respiratory disease, lung damage, cancer, and premature death. Fine diesel particles are deposited deep in the lungs and can result in increased respiratory symptoms and disease, particularly in children and individuals with asthma. On August 27, 1998, after extensive scientific review and public hearing, the CARB identified particulate emissions from diesel-fueled engines as a toxic air contaminant.

B21-95

Construction of the Project would include extensive grading and would require the use of generators, bulldozers, excavators, compactors and hauling trucks. DEIR at IV.C-22 to 24. Most construction equipment uses diesel fuel. On an equivalent horsepower basis, diesel engines produce particles at a markedly greater rate than gasoline engines. Project construction would expose workers, as well as residents of adjacent neighborhoods, to elevated concentration of diesel exhaust. The DEIR nevertheless includes no information about DPM emissions and therefore inadequately analyzes air quality impacts.

The DEIR must identify and analyze the impacts of diesel emissions and adopt appropriate diesel emission control strategies. CEQA requires the EIR identify mitigation measures to reduce significant impacts such as diesel emissions. These would include, but are not limited to, measures that require (i) all diesel equipment to utilize diesel particulate filters that remove at least 85% of diesel particulate emissions, and all construction vehicles, except for concrete trucks, to have California Air Resources Board (CARB)-certified engines (based on the most recent rules adopted by CARB); (ii) all diesel equipment to comply with CARB Rule 401(b)(1)(A), as measured against a Ringelmann Chart; (iii) all diesel equipment and vehicles to use biodiesel fuel or ultra-low sulfur (less than 15 ppmw sulfur) diesel fuel; (iv) contractors to maintain and operate construction equipment so as to minimize exhaust emissions; (v) all construction equipment to be properly tuned and maintained in accordance with manufacturers' specifications and (vi) use of electricity from power poles rather than temporary diesel- or gasoline-powered generators, except where developer can demonstrate that such use is not feasible.

B21-95
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d. The DEIR's Analysis of the Project's Contribution to Global Warming Is Inadequate.

While the DEIR appropriately acknowledges the importance and legal necessity of analyzing the Project's contribution to global climate change, it makes a number of statements that are contrary to the scientific consensus regarding global warming. For example, the DEIR states that greenhouse gas emissions are "alleged" to be the cause of global climate change (DEIR at IV.c-14), and that "some believe" that atmospheric greenhouse gas accumulation has caused observed temperature increases (DEIR at IV.C-15). This sort of unwarranted hedging is wholly inappropriate for a public agency, and is counter-productive and indicative of the DEIR's grudging approach to this analysis.

B21-96

Substantively, the analysis fails in two primary regards: first, it fails to account for all of the Project's greenhouse gas emissions, and second, it declines to take the crucial step of determining whether that contribution is significant. As a direct result of the second flaw, the DEIR fails to identify mitigation for the Project's impact, which it should have determined to be significant.

(i) The DEIR Underestimates the Project's Carbon Emissions

The DEIR's estimate of the Project's carbon emissions has only two constituents: vehicle miles traveled, and natural gas combustion. To tell the true story of the Project's role in climate change, the EIR would need to inventory, at the least, the carbon emissions generated through all of its energy consumption (not just natural gas used for heating), as well as the carbon emissions generated throughout the manufacturing and lifecycle of its building materials. Most importantly, unless EIR breaks out its estimates of emissions from different sources, designing appropriate mitigation will be impossible.

B21-97

Electricity is the key omission in the DEIR's inventory. Electricity generation accounts for approximately 21 percent of greenhouse gas emissions in California. The amount of carbon emissions resulting from the Project's demand is easily calculated: According to the Energy Star Program, a joint program of the U.S. Environmental Protection Agency and the U.S. Department of Energy, one kilowatt hour consumed equates to 1.55 pounds of CO₂ emissions.⁵ The EIR should have included this calculation.

B21-98

Finally, even as to those factors that are included in the DEIR's inventory, the document lacks substantial evidence supporting its figures. The DEIR never states the figure it uses for vehicle miles traveled. Without this information, it is impossible to evaluate whether the inventory is accurate. A reader cannot determine whether the calculation includes the appropriate number and length of trips, whether it includes visitors' trips to and from distant cities such as Los Angeles, or whether it includes employee trips as well as resident and visitor trips. The DEIR must be revised to disclose these parts of the analysis.

B21-99

(ii) The DEIR Inappropriately Refuses to Make a Significance Determination Regarding the Project's Contribution to Climate Change.

The first step in any discussion of an environmental impact is to select a threshold of significance. The DEIR does not choose such a threshold. *See* DEIR at IV.C-38. There is simply nothing in CEQA that relieves a lead agency from its obligation to determine significant effects simply because the impact is related to a rapidly-evolving area of science and policy. *See Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th 1099, 1106-12 (CEQA does not allow an analysis to be labeled too "speculative" based on lack of threshold). As long as it lacks a significance determination, the DEIR remains inadequate. This flaw leads to a cascade of other failures: without a threshold, the EIR cannot do its job.

B21-100

⁵ It is important to note that the Town, not the public, bears the responsibility for choosing or developing a methodology for determining impacts. We offer these suggested formulae to help guide the EIR's preparers in the necessary revisions, and to demonstrate that these calculations are not arcane but are actually quite easily performed.

Under CEQA a determination of the significance of an environment impact calls for “careful judgment ... based to the extent possible on scientific and factual data.” CEQA Guideline § 15064(b). Accordingly, a significance threshold for greenhouse gases must reflect the grave threats posed by the cumulative impact of additional new sources of emissions into an environment where deep reductions from existing emission levels are necessary to avert the worst consequences of global warming. *See Communities for Better Env't v. California Resources Agency* (2002) 103 Cal. App. 4th 98, 120 (“[T]he greater the existing environmental problems are, the lower the threshold for treating a project's contribution to cumulative impacts as significant.”); *see also Center for Biological Diversity v. National Highway Traffic Safety Administration* (9th Cir. 2007) 508 F.3d 508, 550 (“[W]e cannot afford to ignore even modest contributions to global warming.”).

Moreover, the Town ignores at least one widely-known publication that includes extensive discussion of standards of significance for greenhouse gas emissions. Well before the preparation of the DEIR, the California Air Pollution Control Officers Association (“CAPCOA”) published “CEQA & Climate Change,” Chapters 6 and 7 of which propose a variety of potential thresholds of significance, and describes appropriate applications for each. We have included a copy of the report as Attachment 2 to this letter. There is no excuse for the Town to claim that determining a standard of significance is out of its reach.

Under CAPCOA's analysis, the only two thresholds that are highly effective at reducing emissions and consistent with AB 32 and Executive Order S-3-05 are a threshold of zero or a quantitative threshold of 900-ton CO₂ Eq. The zero threshold is preferable in light of ongoing scientific advances. In addition, even the ambitious emissions reduction targets set by Executive Order S-3-05 in 2005, which were consistent with contemporaneous science indicating that reductions of 80% below 1990 levels by developed countries were sufficient to stabilize the climate, are now believed to be insufficient. Given the recent extreme losses in arctic sea ice, scientists at the National Snow and Ice Data Center have concluded that “the observed changes in the arctic indicate that this feedback loop is now starting to take hold.” Based on these and other recent climate change observations, leading scientists now state that “humanity must aim for an even lower level of GHGs.” As our current scientific understanding now calls for even greater reductions and indicates that we already may have passed a climactic tipping point, the scientific and factual data support a threshold of significance of zero in order to ensure that new projects do not have a cumulatively significant impact on global warming. Indeed, consistent with scientific data, many EIRs have adopted a zero threshold of significance because it is the most “scientifically supportable” threshold. (*See e.g., DEIR, Venoco Ellwood Full Field Development Project at 4.3-33, SCH # 2006061146.*)

In any event, the Project, with its yearly emissions of nearly 7500 tons per year of CO₂ Eq (DEIR IV.C-36), is well above either of the two potential thresholds of significance. Its contribution to global warming must therefore be considered significant. With this significance determination comes CEQA’s mandate to identify and adopt feasible mitigation measures that would reduce or avoid the impact. CEQA Guidelines § 15126.3(a)(1); *see also Woodward Park*

B21-100
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Homeowners Ass'n, Inc. v. City of Fresno (2007) 150 Cal. App. 4th 683, 724 (“The EIR also must describe feasible measures that could minimize significant impacts.”). Dozens of potential mitigation measures, at least, are available to reduce the Project’s greenhouse gas emissions. A small sampling includes:

- Require all aspects of the Project to be “carbon neutral” through a combination of on-site and off-site measures. An important aspect of this mitigation could be the adoption of an off-set requirement for any reductions that could not be achieved directly. Emissions could be offset either through contributing to the financing of sustainable energy projects or through the purchase of carbon credits. The programs are increasingly common and thus raise no issue of infeasibility
- Require that off-road diesel-powered vehicles used for construction be new low-emission vehicles, or use retrofit emission control devices, such as diesel oxidation catalysts and diesel particulate filters verified by the California Air Resources Board.
- Require that all condominium and hotel facilities use only Energy Star rated appliances, the most energy-efficient water heaters and air conditioning systems that are feasible, and energy efficient lighting (indoor and outdoor) that reduces electricity use by substantially more than current state building code requirements.
- Require the Project to comply with Green Building Council’s LEED standards for energy use.
- Require the Project to generate all or a portion of its own power through alternative means, such as photovoltaic arrays on roofs, or wind turbines integrated into buildings.

B21-100
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In addition to the mitigation measures identified above, the DEIR should also consider the mitigation measures proposed in CAPCOA’s publication. (Attachment 2.)

The DEIR must be revised to make the required significance determination. Any thorough analysis will find that the Project’s contribution to global climate change is, indeed, significant; the DEIR therefore must be further revised to identify feasible, effective mitigation measures to reduce or avoid that impact.

e. The DEIR's Analysis of Cumulative Air Quality Is Inadequate.

The DEIR utterly fails to analyze the Project's cumulative construction-related PM₁₀ impacts, concluding that because the Town's General Plan EIR found that PM₁₀ emissions resulting from construction would be "cumulatively considerable" even without the Project, the impacts would be significant and unavoidable. DEIR at IV.C-42 to 43. A legally adequate "cumulative impacts analysis" views a particular project over time and in conjunction with other related past, present, and reasonably foreseeable future projects whose impacts might compound or interrelate with those of the project at hand. The cumulative impacts concept recognizes that "[t]he full environmental impact of a proposed . . . action cannot be gauged in a vacuum." *Whitman v. Board of Supervisors* (1979) 88 Cal.App.3d 397, 408.

B21-101

Here, the DEIR fails to consider how the Project will worsen an already-significant cumulative impact. Because the DEIR fails to conduct the required analysis, it also fails to identify all feasible mitigation for this significant impact—which CEQA requires even if the impact will not be reduced to a less than significant level. The DEIR must consider and adopt mitigation to reduce the Project's contribution to construction-related PM₁₀ impacts.

B21-102

Moreover, there is no evidence that the mitigation proposed for operational sources of PM₁₀ (from cars and wood-burning) will actually occur and reduce impacts. The DEIR states, absent any evidence, that despite the increase in VMT—and the exceedence of the VMT limit set by the local Air Quality Management Plan—the mitigation measures identified in AQ-2, DEIR at IV.C-32, would reduce the Project's cumulative impacts to a less than significant level. DEIR at IV.C-43. This mitigation fails to ensure that the identified significant air quality impact will be reduced to an insignificant level, and thus inadequate.

B21-103

In addition, the DEIR concludes, based on no evidence or enforceable mitigation, that operational PM₁₀ impacts would also be less than significant because other projects would likely ban solid-fuel burning appliances. Such speculation does not provide an adequate basis for concluding an impact is less than significant. *See Citizens of Goleta Valley*, 52 Cal. 3d at 568 (resting decisions about mitigation on unsubstantiated assumptions is inappropriate in an EIR).

B21-104

Finally, with regard to the Project's cumulative contribution to ozone impacts, the DEIR relies on the same faulty reasoning discussed in Section I.B.4.a, *supra*, as the project-specific analysis. *See* DEIR at IV.C-42. As stated above, the DEIR must fully analyze ozone impacts regardless of the lack of numerical thresholds and the effect of ozone transport.

B21-105

5. The DEIR's Analysis and Mitigation of Noise is Inadequate.

Section J of the DEIR ("Noise") is highly flawed, particularly with respect to the failure to adopt feasible mitigation measures to lessen the Project's construction noise impacts on surrounding sensitive receptors, such as Fireside. This failure is especially significant given that the DEIR forecasts that construction will continue for 12 years. DEIR at IV.J-17.

B21-106

a. The Project is Inconsistent with the General Plan.

The noise impact analysis is inconsistent with the General Plan's policies on noise, and in fact fails to even discuss those policies. In terms of local regulation, the DEIR references only the Town Noise Ordinance, with no mention of the higher standards established in the General Plan.

General Plan Goal C.6 (the "Quiet Community" goal) seeks to enhance community character by minimizing noise. The Project is noncompliant with nearly all of the policies designed to support that goal, especially:

- Policy C.6.B: "Allow development only if consistent with the Noise Element and the policies of this Element. Measure noise use...based on worst case levels."
- Policy C.6.D: "Require development to mitigate exterior noise to 'normally acceptable' levels in outdoor areas."
- Policy C.6.E: "Address noise issues through the planning and permitting process."
- Policy C.6.F: "Require mitigation of all significant noise impacts as a condition of project approval."
- Policy C.6.G: "Require preparation of a noise analysis or acoustical study, which is to include recommendations for mitigation, for all proposed projects that may result in potentially significant noise impacts."

B21-107

The DEIR admits that even with the proposed mitigation, the Project will result in significant construction noise impacts that cannot be mitigated with the proposed mitigation. DEIR IV.J-28. As discussed in more detail below, the Project as currently designed conflicts with the General Plan, and the failure to consider mitigation measures in more detail and adopt specific feasible mitigation of construction noise violates all of the General Plan policies identified above. The DEIR's failure to include this analysis and mitigate for the significant construction noise impacts violates CEQA.

b. The Project Violates the Municipal Code.

Chapter 8.16 of the Municipal Code regulates noise in the Town. Although the DEIR cites Section 8.16.090 for the noise standards for construction activity (DEIR at IV.J-9 to10), Table IV.J-5 appears to misstate the applicable numbers, with the standards for mobile and stationary source transposed, and imperfectly at that.

Moreover, the Project does not conform to Chapter 8.16. The DEIR admits as much: “temporary construction noise levels could continue to exceed the Town’s maximum exterior noise standards resulting in *significant and unavoidable* temporary construction noise impacts” (emphasis in original). Section 8.16.090(B)(6) sets maximum noise levels, over which construction is in violation of the code.

B21-108

Variances from Chapter 8.16 may be sought in compliance with Chapter 17 of the Municipal Code (Section 8.16.110), which requires that variances “shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of this title deprives such property of the privileges enjoyed by other property in the vicinity or under identical zoning classification. Any variance granted shall be subject to such conditions as will assure the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitation upon other properties in the vicinity or zone in which such property is situated.” Section 17.64.010. No special circumstances exist here to justify the blatant violation of the Town’s Noise Ordinance. As a result, the Town cannot legally approve the Project as currently designed.

c. The DEIR Fails to Describe Numerous Feasible Mitigation Measures for Construction Noise.

CEQA requires that all feasible mitigation measures be adopted if they would substantially lessen a project’s significant environmental impacts. Pub. Res. Code § 21002. The two measures set forth in the DEIR to mitigate noise (Mitigation Measure NOISE-1a and Mitigation Measure NOISE-1b) lack substance and fail to incorporate numerous feasible approaches to the mitigation of construction noise. Because the Project is located only 8-10 feet from the Fireside property line and 26 feet from Fireside buildings, not to mention the possibility of new sensitive receptors locating near the Project in intervening years, construction noise occurring for 12 years is a very serious impact and deserves serious mitigation measures. The DEIR should consider design modifications to the Project, either as mitigation or as an alternative to the Project, that increase the setback from adjoining residences. In addition the Town must consider the feasibility of requiring the following actions as mitigation to reduce this admittedly significant noise impact:

B21-109

- Flexible sound curtain or acoustic barrier (not plywood) of no less than 15 feet in height shall be installed between the Project and adjacent residences prior to demolition or excavation of the Project site and shall remain in place throughout construction. Sound curtains shall provide a STC rating of 20 or surface weight of at least 3 lbs.
- Portable noise enclosures around loud machinery (such as jack-hammers) or similar muffling devices must be used. Mufflers shall be required on all internal combustion equipment.
- Noise shields must be used for excavators. The shields must be long enough to also shield the receiving dump truck
- Noise shrouds must be used on backhoes and similar equipment.
- Impact tools shall be hydraulic or electrically powered. Diesel tools shall not be used.
- Impact pile driving shall be prohibited.
- Prior to construction, the developer shall pay for treatments/improvements to nearby residences needed to reduce noise level in the buildings so that construction does not cause interior noise levels to exceed the interior noise standards established in the Municipal Code. Alternatively, if residences are used solely for vacation rentals, developer may compensate property owners for the rental amount during the construction period so as to eliminate sensitive receptors from the area affected by the noise exceedances.
- Noise levels shall be monitored and in the event noise levels exceed the levels permitted under the Town's Noise Ordinance, the specific activity causing the noise exceedance must stop and not resume until the Project has implemented measures to correct the exceedance.
- Stationary noise generating equipment must be parked as far from the adjoining property line as reasonably practicable and radios used on the site must not be audible on adjoining sites, including at Fireside.

B21-109
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d. The DEIR Understates the Operational Noise Impacts.

As discussed in Section I.B.3 of this letter, the traffic generating impacts of this Project are understated in the DEIR. In turn, this causes the DEIR to understate the ongoing noise levels produced by the increased traffic. When the traffic impact analysis is revised, the operational noise impact analysis should be revised as well. If the new analysis shows noise levels over the threshold of significance, all feasible mitigation measures will need to be imposed.

B21-110

Furthermore, the DEIR's analysis of operational noise should include noise from traffic entering or exiting parking garages, delivery vehicles, temporary traffic due to hotel check-ins, air conditioners, generators or ventilation equipment, projected pedestrian traffic,

B21-111

noise generated by guests with open windows or using balconies nearest adjoining residences, evening noise generated by bar and restaurant traffic, special event noise considerations and cumulative traffic noise. Not all of these sources are addressed in the DEIR. Finally, operational noise impacts should be considered with respect to Fireside's interior and exterior noise levels, particularly given that windows are often open during the summer.

B21-111
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e. Impacts to Fireside Should Be Specifically Analyzed.

Specific attention should be paid to the noise impacts on Fireside and other surrounding noise-sensitive uses. The DEIR should describe mitigation measures specific to these residential uses. In particular, a separate analysis should be made of the varying noise impacts on the eastern and western units at Fireside, as varying noise sources will impact the two sides differently, thus necessitating tailored mitigation measures.

B21-112

f. The Analysis of Vibration Impacts is Incomplete.

The DEIR's conclusion regarding the significance of the Project's groundborne vibration impacts is illogical and contrary to the evidence in the DEIR itself. The DEIR states that the multi-family residences located closest to the Project "may experience vibration levels of approximately 87 VdB with the use of large bulldozers and caisson drilling on the Project site." DEIR at IV.J-20. As for thresholds of significance, the DEIR mentions both a federal standard of 80 VdB for infrequent activities and 72 for frequent events (DEIR at IV.J-5 to 6) and a local threshold whereby any vibration above an individual's perception level is prohibited beyond the property boundary of the source (DEIR at IV.J-10; 15). The obvious conclusion is that the Project, under any of the thresholds, has a significant impact on groundborne vibration levels. Nonetheless, the DEIR insists that despite the analysis' admission that vibration levels will exceed the standards of significance, the Project will not expose sensitive receptors to excessive groundborne vibration levels. DEIR at IV.J-21.) Apparently, to reach this conclusion, the DEIR relies on factors that are irrelevant to the identified standards (i.e. that the nearest residences are approximately 25 feet from construction and construction will not occur during recognized sleep hours) and that do not change the conclusion that vibration impacts will indeed be significant.

B21-113

Mitigation measures must be identified in the DEIR to reduce vibration impacts including requirements that vibration dampening equipment be used and vibration-causing activities be scheduled so that sleep is not disrupted. In addition, because vibration causes structural damage to nearby structures, mitigation measures must require the developer to conduct pre-construction and post-construction surveys of the structural integrity of each property that could be affected by vibration. The developer should be required to repair any structural and cosmetic damage to nearby residences caused by the Project's construction activities.

B21-114

g. The Noise Analysis is Inadequate with Respect to Cumulative Impacts.

Finally, the analysis of cumulative noise impacts should identify which of the other projects identified in the list of related projects could be under construction simultaneously with the Project. It must then discuss the worst case cumulative noise impacts to users of nearby properties, including Fireside, associated with construction of the Project and other surrounding development, such as construction on the South Hotel, 8050 C, Hillside, and Dempsey parcels.

B21-115

h. The Construction Management Plan Must Include Measures To Reduce Noise Impacts as well as other Construction Related Impacts.

As discussed in section I.A above, the Project includes preparation of a Construction Management Plan, but fails to describe the contents or any details of the plan. The Construction Management Plan is critical to reducing the admittedly significant noise and construction impacts this Project will cause. Therefore, the details of such plan must be specified now. At the very least, mitigation should specify the elements the construction plan must include, including: (i) the sequencing, phasing, and scheduling of construction of the Project, including the types and locations of equipment to be used during each phase, the noise/vibration/air quality controls that will be used and the scheduling of construction to ensure that loud construction activities do not exceed noise standards; (ii) a communication and coordination process between the developer and adjoining landowners, including Fireside; (iii) details of the vibration plan, including the process and timing for conducting the pre-construction and post-construction surveys of adjoining properties, a process for monitoring vibration levels on adjoining property including Fireside, and a process and timing for any necessary remedies to damaged property, and (iv) a requirement that the developer monitor and demonstrate compliance with all the adopted mitigation measures for construction impacts.

B21-116

6. The DEIR Fails to Identify Sufficient Water Supplies for the Project, and Fails to Consider the Environmental Impacts of the Sources That It Does Identify.

Water supply is a crucial and difficult issue facing every new development in California. In the past, too many jurisdictions have forgone careful consideration of water supply and demand, with the result that projects were approved in the absence of sufficient water. Rather than cut off half-built projects, jurisdictions usually found supplies, at grave environmental and social costs. This is exactly the type of haphazard, damaging development that CEQA is meant to avoid. CEQA therefore has a particularly important role to play in water planning.

B21-117

The California Supreme Court's decision in *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal. 4th 412 explained CEQA's mandate for an adequate analysis of a project's water-supply plans and their environmental

consequences. There are four basic requirements: First, the EIR must identify and analyze the primary proposed water supply for the project. “CEQA’s informational purposes are not satisfied by an EIR that simply ignores or assumes a solution to the problem of supplying water to a proposed land use project.” 40 Cal.4th at 431. This analysis must include consideration of the environmental impacts of tapping that supply. Second, the EIR must consider the water demands of the entire project. “An EIR evaluating a planned land use project must assume that all phases of the project will eventually be built and will need water, and must analyze, to the extent reasonably possible, the impacts of providing water to the entire proposed project.” *Id.* Of course, this analysis must take in account cumulative development that would be drawing on the same sources as the Project.

Third, “[t]he future water supplies identified and analyzed must bear a likelihood of actually proving available; speculative sources and unrealistic allocations (‘paper water’) are insufficient bases for decisionmaking under CEQA.” *Id.* at 432. The EIR’s determination concerning the likelihood of the availability of these supplies must be supported by substantial evidence. “Finally, where, despite a full discussion, it is impossible to confidently determine that anticipated future water sources will be available, CEQA requires some discussion of possible replacement sources or alternatives to use of the anticipated water, and of the environmental consequences of those contingencies.” *Id.*

B21-117
(cont’d)

The DEIR does not even begin to meet these requirements. The Mammoth Community Water District (“MWCD”) is the proposed primary water supply for the Project. By the DEIR’s own admission, however, MWCD does not have sufficient supplies to serve the Project during multiple dry years under current conditions, and will fall short during even a single dry year at 2025 development levels. DEIR at IV.N-28. The DEIR has thus failed to fulfill the most basic requirement of water supply analysis: it has not identified a water supply sufficient to meet the demands of the entire Project.

The DEIR thus fails on its face to meet CEQA’s mandate. The *Vineyard* case could not be more clear: CEQA requires an EIR to identify a water supply capable of fulfilling the project’s requirements, taking into account cumulative development. When the proposed water supply is insufficient, the EIR cannot simply let the matter drop--it must identify a back-up source. *See, e.g., Santa Clarita Organization for Planning the Environment v. County of Los Angeles* (2003) 106 Cal.App.4th 715, 723-24 (EIR was inadequate where it merely “acknowledged that there ‘could be a deficit of supply’ ”). This DEIR identifies a source that cannot meet Project demand, and goes no further, simply labeling the water-supply impact significant and unavoidable. It is therefore clearly, and fatally, flawed.

B21-118

It is important to note that this failing is more than a legalism or a technicality, but actually highlights a crucial issue of public policy. The developer is asking the Town to approve a project without first assuring that sufficient water is available. In short, Mammoth Lakes does not have enough water for this Project, and on that ground alone, the Town should reject this proposal.

B21-119

Even the DEIR's incomplete analysis is flawed. The assessment of 2025 water supplies assumes that MWCD will draw on several new sources, including new wells in the Mammoth Basin or the Dry Creek Basin. DEIR at IV.N-20 to 21. The DEIR does not provide sufficient evidence that any of these proposals are likely to be implemented, nor even whether they are feasible. There is no evidence, for example, that the Dry Creek Basin could support the assumed groundwater production, and there is no discussion of the feasibility of or environmental impacts associated with constructing further wells in either basin, nor of constructing the necessary infrastructure to deliver the water to the District and its customers. In fact, the water supply analysis in Appendix L suggests that even in normal years, 1000 acre feet of additional groundwater supply is needed and that "the District is evaluating whether or not there is additional water available to be pumped from the Mammoth Basin without causing environmental impacts." DEIR Appx. L at 22. This analysis must be completed prior to approval of the Project in order to determine the feasibility of the Project. Without such evidence and analysis, the DEIR does not fulfill CEQA's requirements.

B21-120

The DEIR also assumes a substantial new supply based on using recycled water for irrigation and thus freeing potable water for use in development. DEIR at IV.N-21. The DEIR provides insufficient evidence supporting this key assumption. Initially, the DEIR states that using recycled water at the Sierra Star Golf Course "would result in a direct offset of potable water," but the previous paragraph indicates that the golf course does not presently receive potable water. *Id.* This discrepancy must be explained or corrected. Furthermore, the DEIR provides no evidence that the "Recycled Water Project" is anything more than a pipe dream. If the water supply analysis is going to rest in part on 400 annual acre-feet from this project, then it must provide substantial evidence that the project "will actually be implemented" (*Federation of Hillside and Canyon Associations v. City of Los Angeles* (2000) 83 Cal. App. 4th 1252, 1261) and that it will be capable of providing the projected amounts of water. (*Save Our Peninsula Committee v. Monterey County Board of Supervisors* (2001) 87 Cal. App. 4th 99, 130).

B21-121

The DEIR also fails to analyze the environmental impacts of the proposed methods of augmenting the MCWD's supplies. Adding new wells to the Mammoth Basin or the Dry Creek Basin could have impacts on the productivity of existing wells, on surface waters, and on the wildlife and plants that depend on such waters. Similarly, providing recycled water would require alterations to the water treatment plant, a project whose potential impacts the DEIR ignores. The process of treating wastewater to meet standards for reuse creates byproducts, primarily brine, that must be disposed of. This disposal is likely to have potentially significant environmental effects. Moreover, the application of recycled water could have impacts on the health of users (human and wildlife) of the recreational lands in questions, especially children who visit Shady Rest Park, as well as impacts to waters that receive runoff from these lands.

B21-122

Finally, the DEIR's analysis assumes a substantial demand reduction thanks to a pipe replacement program, but includes no analysis of the environmental impacts of unearthing and replacing miles of pipe, which would likely involving thousands of cubic yards of disturbed fill, as well as many hours of diesel-equipment operations. This could have substantial noise, air quality, and erosion impacts, none of which are even mentioned in the DEIR. Without careful analysis of these impacts, the DEIR is inadequate and cannot support approval of the Project. *See Santiago County Water Dist. v. County of Orange* (1981) 118 Cal.App.3d 818, 831 (holding inadequate EIR that failed to disclose impacts of supplying project with water).

B21-123

The DEIR's analysis will need to be thoroughly revised before it can be considered adequate. Most importantly, it must identify a water supply, or a combination of supplies, sufficient to meet the Project's demands in 2025, and it must analyze the environmental impacts of supplying water to the Project. The revised DEIR must then be recirculated to allow the public to review these changes.

B21-124

7. The Analysis and Proposed Mitigation for Other Impacts Is Inadequate.

In addition to the inadequacies discussed in detail throughout this letter, the DEIR improperly defers mitigation for a number of other identified potential impacts, including the following:

- Mitigation Measure BIO-4 requires preparation of an arborist report *after* the Project is approved, which would specify the number of trees to be removed by the developer.
- Mitigation Measure GEO-2a requires preparation of a geotechnical report *after* the Project is approved, which would specify recommendations the developer must follow.
- Mitigation Measure HAZ-1a states that "Should the Town require it, prior to demolition of on-site buildings and grading activities, a Phase I Environmental Site Assessment shall be conducted and all recommendations in the assessment shall be adhered to." Again, preparation of this report will occur, if ever, *after* the Project is approved.
- Mitigation Measure HYD-1 requires the developer to identify and implement stormwater quality best management practices ("BMPs") *after* the Project is approved.

B21-125

Under CEQA, the EIR may not legally defer analysis and mitigation of these important impacts. *See Gentry v. City of Murrieta* (1995) 36 Cal.App.4th 1359, 1396; *Sundstrom v. County of Mendocino* (1988) Cal.App.3d 296, 307. As the California Supreme Court has explained, environmental review must happen *before* a project is approved if an EIR is to be

anything more than a “post hoc rationalization of a decision already made.” *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal. 3d 68, 81 (internal quotation marks omitted). B21-125 (cont’d)

Each of the above mitigation measures merely speculates that the impacts will be less than significant after adoption of the recommendations outlined in the yet-to-be-prepared required reports. With regard to Mitigation Measure HAZ-1a, it is unclear whether the report—a Phase I environmental assessment—will even be required. It is impossible for the decisionmaker and the public to evaluate whether the identified impacts will be less than significant without knowing—before the Project is approved—the extent of the impacts and how and to what extent the proposed mitigation will reduce the Project’s environmental impacts. The DEIR’s analysis of these impacts violates CEQA because it fails to analyze or ensure that impacts will be avoided prior to the approval of the proposed project. *Sundstrom*, 202 Cal.App.3d at 309 (deferral of mitigation until after project approval is inadequate). B21-126

The analysis of several impacts related to provision of public services is flawed because the DEIR’s findings are unsupported by substantial evidence. As a preliminary matter, the DEIR utterly fails to analyze the impacts of 1,527 additional visitors to surrounding recreational areas, such as Mammoth Ski Area. *See* DEIR IV.L-18 to 19. B21-127

In addition, the DEIR repeatedly relies upon the developer’s payment of DIFs to conclude that impacts to public services will be less than significant. *See* DEIR at IV.L-5 (police services); IV.L-11 (fire services); IV.L-19 (parks and recreational services). CEQA requires that findings that impacts will be less than significant be supported by substantial evidence. CEQA Guidelines § 15091(a)-(b). Here, there is no analysis demonstrating substantial evidence that payment of the required DIFs will reduce public service impacts to a less than significant level. Moreover, the mere payment of DIFs provides no assurance that sufficient funds will be collected for the planned improvements, or that the improvements will be constructed consistent with the Project’s build out timeline so as to avoid significant impacts to the Town’s public services. B21-128

Similar to the traffic improvements discussed in Section I.B.3, *supra*, essentially, the DEIR relies on DIFs as mitigation to reduce the potentially significant public service impacts to an insignificant level without any evidence that the DIFs will actually result in construction of the relied upon improvements. Such uncertain, vague, and speculative mitigation measures are inadequate when they lack a commitment to enforcement. *See, e.g., Anderson First Coalition v. City of Anderson* (2005) 130 Cal. App. 4th at 1188-89 (fee measure inadequate under CEQA due to vagueness in program for implementing required improvements). B21-129

C. THE DEIR DOES NOT ADEQUATELY DISCUSS ALTERNATIVES TO THE PROPOSED PROJECT.

An EIR must describe a range of alternatives to the proposed project, and to its location, that would feasibly attain the project’s basic objectives while avoiding or substantially

lessening the project's significant impacts. Pub. Res. Code § 21100(b)(4); CEQA Guidelines § 15126.6(a). A proper analysis of alternatives is essential for the Town to comply with CEQA's mandate that significant environmental damage be avoided or substantially lessened where feasible. Pub. Res. Code § 21002; CEQA Guidelines §§ 15002(a)(3), 15021(a)(2), 15126.6(a); *Citizens for Quality Growth v. City of Mount Shasta* (1988), 198 Cal.App.3d 433, 443-45. As stated in *Laurel Heights*, "[w]ithout meaningful analysis of alternatives in the EIR, neither the courts nor the public can fulfill their proper roles in the CEQA process. . . . [Courts will not] countenance a result that would require blind trust by the public, especially in light of CEQA's fundamental goal that the public be fully informed as to the consequences of action by their public officials." 47 Cal.3d 376, 404 (1988). Here, the DEIR's discussion of alternatives fails to live up to these standards.

B21-129
(cont'd)

The primary flaw in the DEIR's alternatives analysis is its failure to identify and consider a reasonable range of alternatives that reduce project impacts, as CEQA requires. *See* CEQA Guidelines § 15126.6(c); *Citizens of Goleta Valley*, 52 Cal.3d at 566. The discussion of alternatives must focus on alternatives that attain most of the basic objectives of the project and avoid or substantially lessen the adverse environmental effects of a project, "even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly." CEQA Guidelines § 15126.6(b).

The DEIR acknowledges that the Project will have numerous significant impacts including three unavoidable significant project specific impacts (aesthetic impacts related to views, air quality impacts related to construction, and noise impacts related to construction) and four unavoidable significant cumulative impacts (aesthetics, air quality, noise and water supply). Nonetheless, the alternatives analysis of the DEIR presents only three alternatives in addition to the legally required "no project" alternative, and these alternatives do not seek to lessen the Project's unmitigated significant impacts while fulfilling the basic goals of the Project.

B21-130

The DEIR admits that Alternative C, the On-Site Affordable Housing Alternative, will not reduce project impacts. DEIR V1-36. Thus only two of the development alternatives even profess to reduce project impacts, and they represent neither a reasonable range of project alternatives nor a good faith effort to reduce the project's significant environmental impacts.

B21-131

Alternative B is the same as the Project but eliminates the public parking amenity on Site 3. The DEIR provides no explanation as to why it includes this alternative, and while it slightly reduces the height of development on Site 3, that height did not result in any significant impacts. Alternative B would not reduce the aesthetics impacts associated with the Project (Public Views of Scenic Vistas (AES-1)) as the alternative would not improve View 6 or View 8, the two public viewpoints that the DEIR concluded the Project significantly impacts. Site 3 is not visible from View 6, and a slight reduction to height of Site 3 (without increased setbacks and other design changes) will not improve View 8. Likewise, the small reduction in air quality and other impacts that may occur with the elimination of the relatively small amount

B21-32

of public parking, is minimal and would not affect the significance of any of the impacts, especially currently unmitigated impacts, such as construction noise and air quality.

B21-132
(cont'd)

Alternative D also fails to meet the requirements of CEQA. The alternative not only fails to meet the basic objectives of the Project, but it introduces new significant impacts while doing little to reduce the Project's identified significant impacts. Alternative D is labeled as "Existing North Village Specific Plan Build-Out Condominium Only," apparently in recognition that the Project, without the proposed NVSP amendments, would conflict with the NVSP.⁶ Instead, however, of providing an alternative that complies with the existing NVSP. Alternative D proposes only condominiums and omits the critical multi-use elements required by the NVSP, and included in the Project's own objectives.⁷ In fact, the omission of these elements creates rather than eliminates significant environmental impacts. As the DEIR states, "Development under Alternative D would not include any retail or commercial land uses and as such would be inconsistent with General Plan and Specific Plan policies that encourage restaurants, retail, entertainment, lodging and other visitor support services." DEIR at VI-30.

B21-133

Rather than imparting serious information about potentially viable alternatives, the DEIR's alternatives serve as "straw men" to provide justification for the Project by either presenting alternatives that do not achieve the basic objectives of the Project or eliminating key benefits the Project provides to the Town so as to facilitate the future rejection of the alternative as infeasible or undesirable. Such an approach violates the letter and spirit of CEQA. Therefore, the EIR's failure to consider feasible alternatives that sufficiently reduce the Project's environmental impacts and achieve the basic project objectives renders the document inadequate under CEQA. *See, e.g., San Joaquin Raptor/Wildlife Rescue Ctr. v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 735-38.

B21-134

In order to comply with CEQA, the DEIR must consider a reasonable range of alternatives that reduce the significant environmental impacts. These alternatives should include the following:

1. **Existing NVSP with mixed land-uses.** This alternative should be consistent with the General Plan and the NVSP, and have the varied land uses which provide for a vibrant North Village. Building heights, mass, and set-backs should comply with the NVSP.

⁶ Given that the EIR fails to acknowledge the Project's inconsistency with the NVSP and General Plan, this alternative was not designed to reduce such significant impacts.

⁷ Site 1 is zoned RG which allows hotels, resort condominiums, inns, restaurants (both within or separate from a hotel), bars and night clubs in a hotel, accessory commercial uses within a hotel, services, etc. Sites 2 and Site 3 are designated SL in the NVSP. The SL designation provides for hotels, resort condominiums and inns, as well as restaurants, bars, night clubs and accessory commercial uses within a hotel.

This alternative should be developed to directly address impacts associated with the project's height, density, and minimal set-backs.

2. **Reallocation of density to Sites 2 and 3.** As explained above, the proposal for development of Site 1 is inconsistent with the neighboring Fireside condominiums. Even The DEIR acknowledges the construction impacts to neighboring residents. In addition, as discussed above, although not adequately disclosed in the DEIR, the Project would have additional significant impacts, including but not limited to AES-3 (Visual Character and Design), AES-4 (Light and Glare), AES-5 (Shading/Shadows), AES-6 (Temporary Construction), and AES-7 (Cumulative Impacts); Traffic and Air Quality. An alternative to reduce these types of impacts should be developed that lowers the density and height of the buildings on Site-1, and transfers it to Sites 2 and 3. A smaller development on Site 1 would allow flexibility to design buildings that better complement neighboring land uses (General Plan Policy C.2.V). As proposed, the Project provides for density to increase by 229% above existing Specific Plan maximum allowable density. Density increases on Sites 2 and 3 is much lower. An alternative should be considered which does not introduce such a disparate affect on the different sites.
3. **Increase setbacks and introduce stepback building forms into designs.** This alternative should be developed to minimize the visual impacts on Major View Corridors and Vistas identified in AES-1(Public Views of Scenic Vista) as well as AES-5 (Shading/Shadows).

B21-134
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Under CEQA, an agency may not approve a proposed project if a feasible alternative exists that would meet the project's objectives and would diminish or avoid its significant environmental impacts. Pub. Res. Code § 21002; *Kings County Farm Bureau*, 221 Cal. App. 3d at 731. Given the large number of significant environmental impacts the Project will have, the consideration of alternatives is critical and will not be complete until decisionmakers and the public are presented with a rigorous, good-faith assessment of options that provide mixed use development and reduce the environmental consequences of the Project.

D. The DEIR Must be Recirculated.

Given the foregoing deficiencies, the DEIR must be revised and recirculated. The present DEIR cannot properly form the basis of a final EIR. CEQA and the CEQA Guidelines describe the circumstances which require recirculation of a draft EIR or circulation of a supplemental draft EIR. Such circumstances include adding significant new information to the EIR after public notice is given of the availability of the DEIR but before circulation, and where the DEIR is so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded. CEQA Guidelines § 15088.5. "Significant new information" includes the identification of new significant impacts, a substantial increase in the severity of identified significant impacts, and introduction of new mitigation measures that could reduce impacts below a level of significance. *Id.*

B21-124

Here, in order to cure the numerous defects described above, the revised DEIR must necessarily include substantial new information that triggers CEQA's recirculation request. Failure to recirculate the revised DEIR would thus violate CEQA.

B21-135
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II. APPROVAL OF THE PROJECT WOULD VIOLATE CALIFORNIA PLANNING AND ZONING LAW AND THE TOWN'S ZONING CODE REQUIREMENTS.

The State Planning and Zoning Law (Gov't Code § 65000 *et seq.*) requires that development decisions be consistent with the jurisdiction's general plan. As reiterated by the courts, "[u]nder state law, the propriety of virtually any local decision affecting land use and development depends upon consistency with the applicable general plan and its elements." *Resource Defense Fund v. County of Santa Cruz* (1982) 133 Cal.App.3d 800, 806. Accordingly, "[t]he consistency doctrine [is] the linchpin of California's land use and development laws; it is the principle which infuses the concept of planned growth with the force of law." *Families Unafraid to Uphold Rural El Dorado County v. Board of Supervisors* (1998) 62 Cal.App.4th 1332, 1336.

General plans establish long-term goals and policies to guide future land use decisions, thus acting as a "constitution" for future development. *Leshner Communications, Inc. v. City of Walnut Creek* (1990) 52 Cal.3d 531, 540. Specific plans then ensure implementation of the general plan. Gov't Code § 65450.

B21-136

To promote coordinated land use policies and practices, state law requires local governments not just to formulate theoretical land use plans, but also to conform their development and land use projects and approvals with those duly certified plans. *Citizens of Goleta Valley v. Bd. of Supervisors* (1990) 52 Cal.3d 553, 570. It is an abuse of discretion to approve a project that "frustrate[s] the General Plan's goals and policies." *Napa Citizens for Honest Gov't v. Napa County* (2001) 91 Cal.App.4th 342, 379. The project need not present an "outright conflict" with a general plan provision to be considered inconsistent; the determining question is instead whether the project "is compatible with and will not frustrate the General Plan's goals and policies." *Napa Citizens*, 91 Cal.App.4th at 379.

For the reasons described in Part I.B.2 and elsewhere throughout this letter, the Project is inconsistent with the General Plan. Because of the Project's glaring inconsistencies with the General Plan, approval of this Project would violate state planning and zoning law.

Further, the Project is inconsistent with the Town's Zoning Code's requirement that special uses be consistent with the General Plan, the NVSP and the Zoning Code. Although the developer will be required to obtain a use permit for the Project, see Mammoth Crossing Project Draft Environmental Impact Report Notice of Availability (Project includes future use permit), the DEIR does not discuss the inability of the Project as designed to meet the

B21-137

requirements specified in the Zoning Code for use permits. The Zoning Code requires that the planning commission must make the following findings before granting a use permit:

A. That the proposed use is consistent with all applicable sections of the general plan and Title 17 and is consistent with any applicable specific plan or master plan;

B. That the proposed use and the conditions under which it would be operated or maintained will not be detrimental to the public health and safety nor materially injurious to properties or improvements in the vicinity;

C. The planning commission shall make such other findings as the commission deems necessary to support approval or denial of the proposed use.

B21-137
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Zoning Code § 17.60.070. The DEIR fails to discuss whether the Project is consistent with these Zoning Code use permit requirements. As set forth in this letter, the Project is inconsistent with several applicable sections of the General Plan and the NVSP. Therefore, the first finding required for a use permit cannot be made.

Moreover, as discussed throughout this letter, development of the Project may be detrimental to public health and safety because the Project fails to prevent or adequately mitigate significant noise, air quality and traffic impacts. In addition, the Project, which will turn the area into a noisy, unsightly construction site for more than ten years, will almost certainly be materially injurious to surrounding uses, including the residential uses at the Fireside. Once the Project is built, its high-rise resort uses and the attendant aesthetic impacts discussed in Section I.B.1, *supra*, will also likely be materially injurious to residential uses at the Fireside. Therefore the second finding required for a use permit also cannot be made. Accordingly, the Project is inconsistent with the use permit requirements of the Zoning Code.

B21-138

Conclusion

As set forth above, the Mammoth Crossing Project DEIR suffers from numerous deficiencies, many of which would independently render it inadequate under CEQA. Taken as a whole, the deficiencies of the DEIR necessitate extensive revision of the document and recirculation for public comment. Moreover, as currently designed, the Project conflicts with the Town's General Plan, the North Village Specific Plan and the Town's Zoning Code. Fireside respectfully requests that the Town reevaluate the Project, make changes to the design

B21-139

to further reduce the Project's environmental impacts, and take no further action until a legally adequate DEIR is prepared and recirculated.

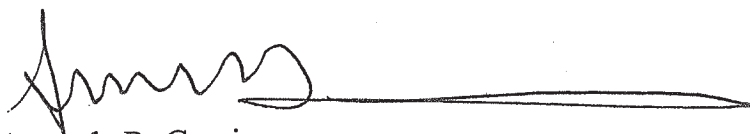
B21-139
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Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP



Tamara S. Galanter



Amanda R. Garcia

Attachments

- Attachment 1: "People, Parking, and Cities" by Michael Manville and Donald Shoup, Access, Number 25, Fall 2004
Attachment 2: "CEQA & Climate Change," CAPCOA, January 2008

cc: Mark Wardlaw, Town of Mammoth Lakes Community Development Director
(w/o attachments)
Members of Town of Mammoth (w/o attachments)
Members of Planning Commission (w/o attachments)

People, Parking, and Cities

BY MICHAEL MANVILLE AND DONALD SHOUP



THE POP CULTURE IMAGE of Los Angeles is an ocean of malls, cars, and exit ramps; of humorless tract homes and isolated individuals whose only solace is aimless driving on endless freeways. From Joan Didion to the Sierra Club, LA has been held up as a poster child of sprawl. This is an arresting and romantic narrative, but also largely untrue.

To the extent that anyone has a definition of sprawl, it usually revolves around the absence of density, and Los Angeles has since the 1980s been the densest urbanized area in the United States. This would make it the least sprawling city in America. Compared to other US cities, LA also does not have inordinately high rates of automobile ownership.

These facts strike some as hard to believe, or perhaps false, and they haven't made much of a dent in the LA-as-sprawl idea. Clichés about Los Angeles-style sprawl die hard, partly because the definition of sprawl is so malleable (urbanist William Fulton now simply calls LA "dense sprawl"), and partly because the anti-urban stereotype about LA contains its own kernels of truth. After all, if density is a barometer for healthy urbanism, and Los Angeles is denser than cities like New York or San Francisco, then why are Manhattan and downtown San Francisco such vibrant places, and why is downtown LA comparatively lifeless?

Obviously there's no single answer to that question (and the question itself is rather prejudicial). But we think the differences between Los Angeles, New York, and San Francisco stem in part from the different ways they regulate downtown development, and in particular the way they regulate parking. Los Angeles is an example of density as a dilemma rather than a solution. Planners and urban critics who regularly call for increased density as a salve for city life should realize that without corresponding changes in parking requirements, increased density will compound, rather than solve, the problems we associate with sprawl. ➤

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DENSITY WITHIN REGIONS AND BETWEEN THEM

Before opening this discussion, we should make an important distinction. We are referring to the US Census Bureau's definition of "urbanized areas" rather than to the political boundaries of cities. So when we say that Los Angeles is denser than New York we are actually saying that the Los Angeles urbanized area, which is Los Angeles and its suburbs, is denser than the New York urbanized area, which includes not just New York City but its suburbs as well.

Without doubt, the *cities* of New York and San Francisco are denser than the city of LA. But sprawl is a regional attribute, and Los Angeles has much denser suburbs than New York or San Francisco. Indeed, the LA region's distinguishing characteristic may be the uniformity of its density; its suburbs have 82 percent of the density of its central city. In contrast, New York's suburban density is a mere 12 percent of its central city density, and San Francisco's suburban density is only 35 percent of the city's. New York and San Francisco look like Hong Kong surrounded by Phoenix, while Los Angeles looks like Los Angeles surrounded by . . . well, Los Angeles.

In other words, Los Angeles is a dense area without an extremely dense core, while New York and San Francisco are less dense overall but enjoy the benefits of very dense core areas. It's worth asking why that is. It may be that uniform density across an urbanized area is a result of the inability to have a very dense core. Or it may be that high uniform density precludes having a lively downtown. We don't have definitive answers to these questions, but we can highlight the tremendous deadening effect that parking regulations have on LA's Central Business District.

PARKING AND THE CENTRAL BUSINESS DISTRICT

A successful Central Business District (CBD) combines large amounts of labor and capital on a small amount of land. CBDs thrive on high density because the prime advantage they offer over other parts of a metropolitan area is *proximity*—the immediate availability of a wide variety of activities. The clustering of museums, theaters, restaurants, and offices is the commodity a downtown can offer that other areas cannot. Yet downtowns have long been plagued by questions about access, for they can either thrive on or be destroyed by congestion. In order to thrive, a CBD must receive a critical mass of people every day but do so without clogging itself to the point of paralysis. One way to do this is to require off-street parking spaces. Off-street parking can reduce the cruising for parking that often strangles the streets of CBDs, but parking requirements have high costs.

It's not hard to see how a conventional parking lot can undermine a CBD's success; a downtown surface lot often has a very high and very visible opportunity cost. Instead of a building teeming with activity there is an expanse of asphalt with one employee manning a booth; where there could be something there is instead not much. But even when off-street parking is dressed up or hidden—when it is placed underground, or in a structure that has retail uses at the street level—it is inimical to density. Because land is most expensive in the CBD, off-street parking is also most expensive there, and constructing it uses up capital that could otherwise be invested more productively. More important, if off-street parking is *required*, as it is in many cities, then it becomes rational for firms to locate in places where land is less expensive, meaning it becomes rational to locate outside the CBD. A parking requirement applied uniformly across a city implicitly discriminates against development in the CBD, because the burden of complying with the requirement is greater in the CBD than almost anywhere else.

A TALE OF TWO PARKING REQUIREMENTS

The impact of parking requirements becomes clearer when we compare the parking requirements of our three cities. New York and San Francisco have strict limits on how much parking they allow in their CBDs; Los Angeles, however, pursues a diametrically opposing path—where the other two cities limit off-street parking, LA requires it. This requirement not only discourages development in downtown Los Angeles relative to other parts of the region but also distorts how the downtown functions.

Take, for example, the different treatment given by Los Angeles and San Francisco to their concert halls. For a downtown concert hall, Los Angeles requires, as a minimum, *fifty times* more parking than San Francisco allows as its maximum. Thus the San Francisco Symphony built its home, Louise Davies Hall, without a parking garage, while Disney Hall, the new home of the Los Angeles Philharmonic, did not open until seven years after its parking garage was built. ➤





Disney Hall

Disney Hall's six-level, 2,188-space underground garage cost \$110 million to build (about \$50,000 per space). Financially troubled Los Angeles County, which built the garage, went into debt to finance it, expecting that parking revenues would repay the borrowed money. But the garage was completed in 1996, and Disney Hall—which suffered from a budget less grand than its vision—became knotted in delays and didn't open until late 2003. During the seven years in between, parking revenue fell far short of debt payments (few people park in an underground structure if there is nothing above it) and the county, by that point nearly bankrupt, had to subsidize the garage even as it laid off employees.

The county owns the land beneath Disney Hall, and its lease for the site specifies that Disney Hall must schedule at least 128 concerts each winter season. Why 128? That's the minimum number of concerts that will generate the parking revenue necessary to pay the debt service on the garage. And in its first year, Disney Hall scheduled exactly 128 concerts. The parking garage, ostensibly designed to serve the Philharmonic, now has the Philharmonic serving it; the minimum parking requirements have led to a minimum concert requirement.

The money spent on parking has altered the hall in other ways, too, shifting its design toward drivers and away from pedestrians. The presence of a six-story subterranean garage means most concert patrons arrive from underneath, rather than outside, the hall. The hall's designers clearly understood this, and so while the hall has a fairly impressive street entrance, its more magisterial gateway is a vertical one: an "escalator cascade" that flows up from the parking structure and ends in the foyer. This has profound implications for street life. A concertgoer can now drive to Disney Hall, park beneath it, ride up into it, see a show, and then reverse the whole process—and never set foot on a sidewalk in downtown LA. The full experience of an iconic Los Angeles building begins and ends in its parking garage, not in the city itself.

Visitors to downtown San Francisco are unlikely to have such a privatized and encapsulated experience. When a concert or theater performance lets out in San Francisco, people stream onto the sidewalks, strolling past the restaurants, bars, bookstores and



flower shops that are open and well-lit. For those who have driven, it is a long walk to their cars, which are probably in a public facility unattached to any specific restaurant or shop. The presence of open shops and people on the street encourages other people to be out as well. People want to be on streets with other people, and they avoid streets that are empty, because empty streets are eerie and menacing. Although the absence of parking requirements does not guarantee a vibrant area, their presence certainly inhibits it. “The more downtown is broken up and interspersed with parking lots and garages,” Jane Jacobs argued in 1961, “the duller and deader it becomes ... and there is nothing more repellent than a dead downtown.”

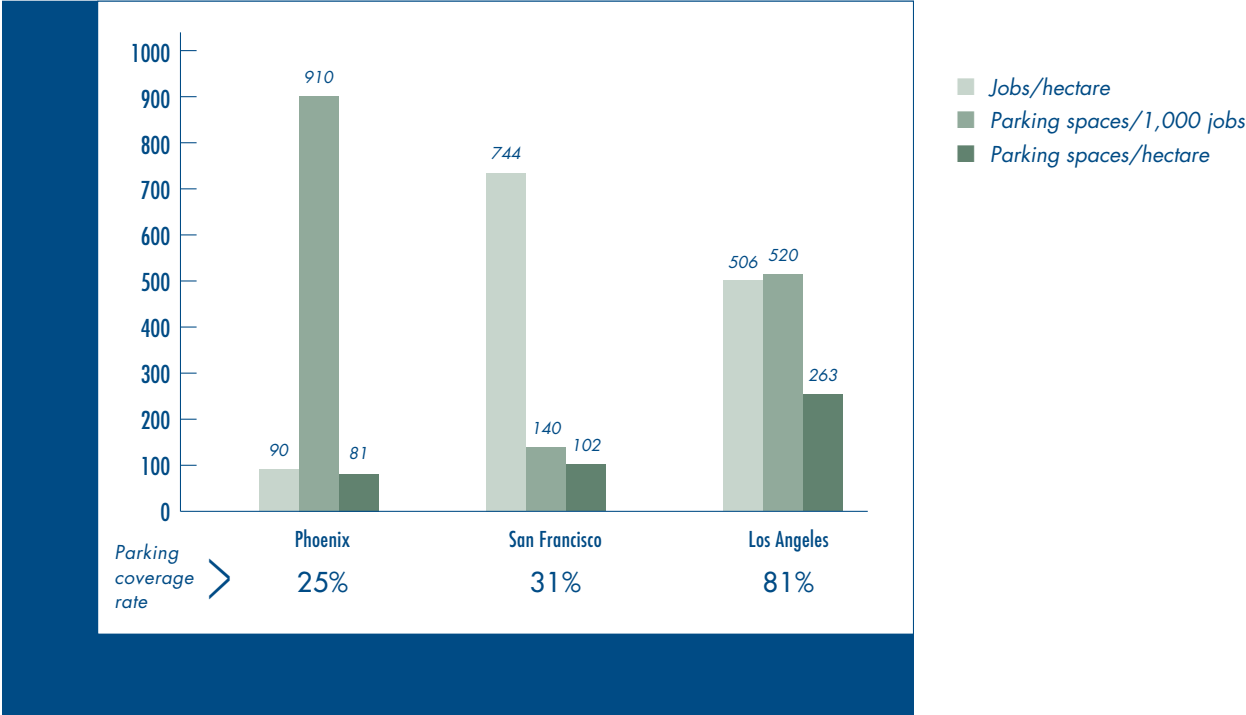
THE DENSITY OF PARKING

In the end, what sets downtown LA apart from other cities is not its sprawl, or its human density, but its high human density combined with its high *parking* density. If you took all of the parking spaces in the Los Angeles CBD and spread them horizontally in a surface lot, they would cover 81 percent of the CBD’s land area. We call this ratio—of parking area to total land area—the “parking coverage rate,” and it is higher in downtown LA than in any other downtown on earth. In San Francisco, for instance, the coverage rate is 31 percent, and in New York it is only 18 percent.

The density of parking depends on both the density of jobs and the number of parking spaces per job. Consider the CBDs of Phoenix, San Francisco, and Los Angeles, which are roughly the same size. Why does Phoenix, which most people would consider the most auto-oriented of the three cities, have the lowest parking coverage rate, at 25 percent? Phoenix has the highest number of parking spaces per job, but also by ➤



Parking and jobs in the CBD





FURTHER READING

William Fulton and Rolf Pendall. *Who Sprawls Most? How Growth Patterns Differ Across the US*. (Washington, DC: Brookings Institution) 2001.

Donald Shoup, "Truth in Transportation Planning," *Journal of Transportation and Statistics*, vol. 6, no. 1, 2003, pp. 1–16.

Donald Shoup, "The Trouble with Minimum Parking Requirements," *Transportation Research Part A: Policy and Practice*, vol. 33A, nos. 7/8, September/November 1999, pp. 549–574.

Donald Shoup, *The High Cost of Free Parking*, forthcoming from The Planners Press.

far the fewest jobs. It has a lot of parking for not many people, and for that reason many commuters to the Phoenix CBD drive alone to work. San Francisco, by contrast, has a lot of people and very little parking—a function of its ordinances that limit parking spaces. This helps explain why many commuters to downtown San Francisco walk, carpool, or ride transit—and contribute to a vibrant CBD by doing so. Although San Francisco has over eight times as many jobs as Phoenix, its parking coverage rate is only slightly higher, at 31 percent.

And what about Los Angeles? Downtown LA has more than three times as many parking spaces as Phoenix, but it also has five times as many jobs. Compared to San Francisco, LA has fewer jobs but more than twice as many parking spaces. As a result, its parking coverage rate, at 81 percent, is higher than both of the other cities combined. Los Angeles is both car-oriented *and* dense; it approaches the human density of San Francisco but dilutes it with the parking supply of a suburb. Any benefits Los Angeles might derive from its density are offset by its relentless accommodation of the automobile.

This car-oriented density creates something different from plain old sprawl. Los Angeles is dense and getting denser, but so long as its zoning assumes that almost every new person will also bring a car—and requires parking for that car—it will never develop the sort of vital core we associate with older urban centers. The need to house humans might push toward an increasingly dense center, but the zoning requirement to house cars pushes back, sending development outward. With off-street parking requirements, higher density simply brings more cars and more congestion, as well as increased disruptions in the urban fabric, with money directed away from buildings and toward parking lots.

CONCLUSION

"The right to access every building in the city by private motorcar," Lewis Mumford wrote in 1961, "in an age when everyone owns such a vehicle, is actually the right to destroy the city." Mumford meant not physical destruction, of course, but loss of the cohesion that can make a CBD more than the sum of its parts. Parking requirements go a long way toward making downtown LA little more than a group of buildings, each a destination in its own right, to be parked at and departed from, and not part of some larger whole. This missing sense of urbanity—subjective though that term may be—might explain why people often react with disbelief when they are told LA sprawls less than New York or San Francisco.

So what should we do? We could start by admitting that there is such a thing as too much parking. So long as we continue to make minimum parking requirements a condition of development, we subordinate almost every other function of our cities to the need for free parking. But free parking—indeed, parking in general—is not what makes cities great. It doesn't create Manhattan and it doesn't make downtown San Francisco. Urbanists who admire these cities should call for other areas to mimic not simply their density, but also their willingness to limit rather than require parking. Perhaps the simplest and most productive reform of American zoning would be to declare that all existing off-street parking requirements are maximums rather than minimums. From that point we could let the market take care of parking, and let city planners take care of the many vital issues that really demand their attention. ♦

From: Tracy Spencer [<mailto:tracy.spencer@cox.net>]
Sent: Wednesday, October 01, 2008 10:14 PM
To: Ellen Clark
Subject: MC EIR - Tree Heights
Ellen,

Further to our comments on the MC DEIR, I would like to bring your attention to an apparent inaccuracy in the tree study included as Appendix M.

First, the study states average tree heights at 75ft, not 90 ft as stated in the DEIR Aesthetics section. Second, because weighted averages were not used to calculate tree heights, the study overstates average tree heights which are really 67 feet, not the 75 feet referenced in the tree study. I have included the average calculations for your reference.

B22-1

Since towers on the proposed Mammoth Crossing development will exceed 100ft, more than 33 feet above the average tree canopy, please describe how the MC development could be considered "generally consistent" with section C.2.X of the general plan.

B22-2

Please include these comments in the MC DEIR public responses.

B22-3

Tracy Spencer

C.2.X Limit building height to the trees on development sites where material tree coverage exists and use top of forest canopy in general area as height limit if no trees on site.

Generally Consistent: According to a tree survey done for the adjacent Sierra Star Master Plan project in January 2007, trees in the area average 90 feet in height (see Appendix M of this Draft EIR). Some of the tower features and tallest portions of buildings on the sites may penetrate the existing forest canopy, or appear above the height of the tree canopy when viewed from certain perspectives. However, when considered across the entirety of the Project, and because the project proposes to use of stepped building designs, and provide varied rooflines and articulation of heights, the Project, for the most part, would appear consistent with the height of the existing forest canopy in the general area. Also see response to Policy C.2.N.

B22-4

Pine Trees

diameter	total height	# surveyed	avg height
10	128	2	64.0
12	138	3	46.0
14	109	2	54.5
16	283	5	56.6
18	839	14	59.9
20	363	6	60.5
22	193	3	64.3
24	519	7	74.1
28	71	1	71.0
30	77	1	77.0
32	437	5	87.4
34	84	1	84.0
36	322	4	80.5
60	126	1	126.0
	3689	55	67.1

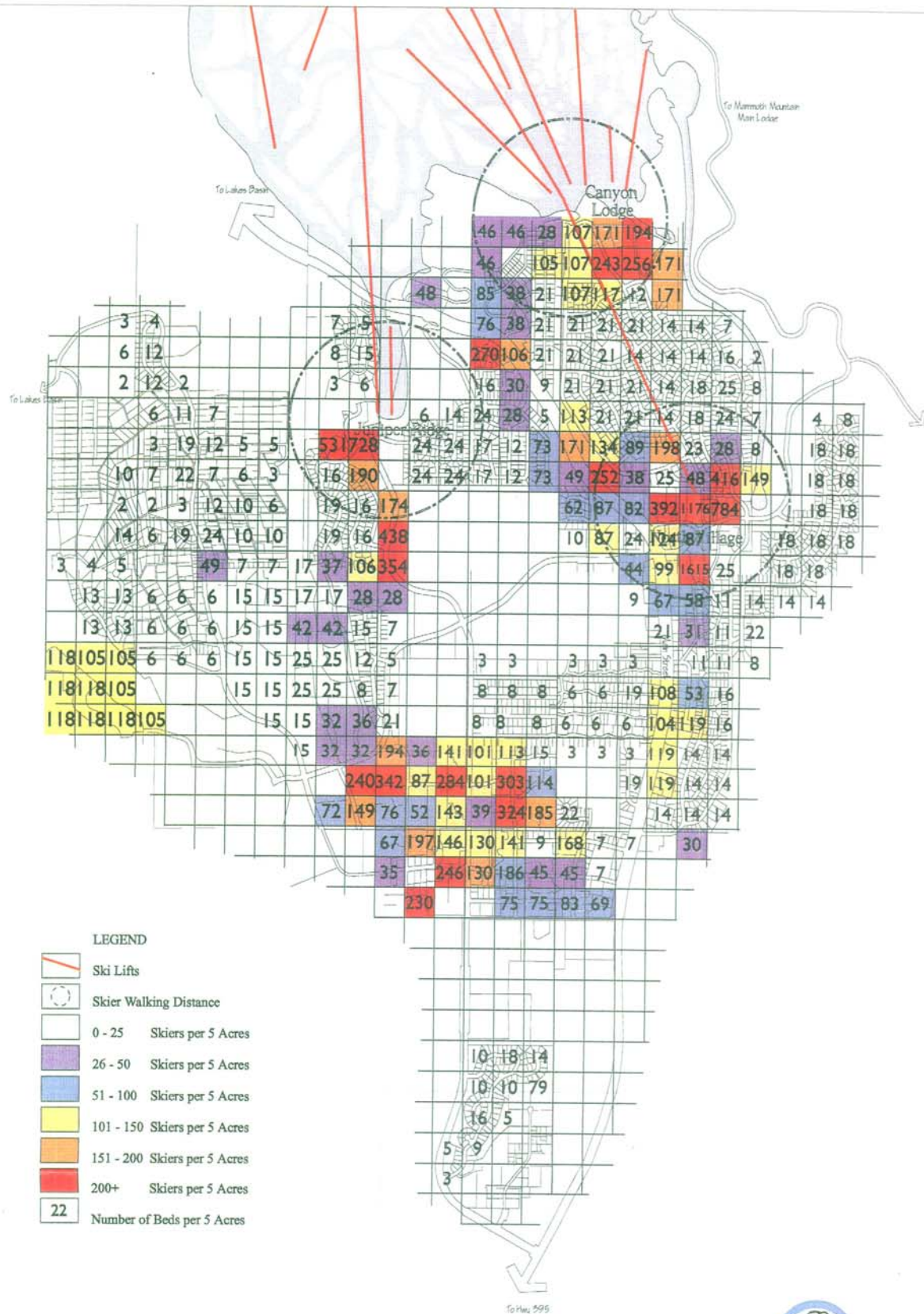
FIR

diameter	total height	# surveyed	avg height
12	99	2	49.5
14	165	3	55.0
18	329	5	65.8
20	62	1	62.0
24	480	7	68.6
26	67	1	67.0
28	65	1	65.0
30	61	1	61.0
32	78	1	78.0
36	159	2	79.5
40	148	2	74.0
44	81	1	81.0
	1794	27	66.4

Pine and Fir

5483	82	66.9
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APPENDIX B
REVISED TRAFFIC DATA



MAMMOTH LAKES
PROPOSED ACCOMODATION BED UNIT DENSITY PLAN

Mammoth Crossings *w/ Berner street correction*
Existing plus Approved Projects Conditions

Level Of Service Computation Report
2000 HCM Operations Method (Future Volume Alternative)

Intersection #2 Minaret Rd/Main St-Lake Mary Rd

Cycle (sec): 80 Critical Vol./Cap.(X): 0.951
Loss Time (sec): 16 (Y+R=4.0 sec) Average Delay (sec/veh): 40.6
Optimal Cycle: 119 Level Of Service: D

Minaret Rd						Main St-Lake Mary Rd						
North Bound			South Bound			East Bound			West Bound			
Approach:	L	T	R	L	T	R	L	T	R	L	T	R
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Control:	Split Phase			Split Phase			Protected			Protected		
Rights:	Include			Include			Include			Ovl		
Min. Green:	0	0	0	0	0	0	0	0	0	0	0	0
Lanes:	1	0	1	0	1	0	1	0	2	0	1	1

Volume Module:												
Base Vol:	159	118	80	480	183	127	97	465	197	65	337	105
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	159	118	80	480	183	127	97	465	197	65	337	105
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	131	83	76	61	76	16	6	152	214	87	169	101
Initial Fut:	290	201	156	541	259	143	103	617	411	152	506	206
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
PHF Volume:	305	212	164	569	273	151	108	649	433	160	533	217
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	305	212	164	569	273	151	108	649	433	160	533	217
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Final Volume:	305	212	164	569	273	151	108	649	433	160	533	217

Saturation Flow Module:												
Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.95	1.00	0.85	0.92	0.95	0.95	0.95	0.95	0.85	0.95	0.95	0.85
Lanes:	1.00	1.00	1.00	2.00	0.64	0.36	1.00	2.00	1.00	1.00	2.00	1.00
Final Sat.:	1805	1900	1615	3502	1159	640	1805	3610	1615	1805	3610	1615

Capacity Analysis Module:												
Vol/Sat:	0.17	0.11	0.10	0.16	0.24	0.24	0.06	0.18	0.27	0.09	0.15	0.13
Crit Moves:	****					****			****	****		
Green/Cycle:	0.18	0.18	0.18	0.25	0.25	0.25	0.11	0.28	0.28	0.09	0.27	0.51
Volume/Cap:	0.95	0.63	0.57	0.66	0.95	0.95	0.55	0.64	0.95	0.95	0.55	0.26
Delay/Veh:	69.8	34.1	32.9	28.9	60.1	60.1	37.3	26.5	58.2	91.0	26.0	11.1
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	69.8	34.1	32.9	28.9	60.1	60.1	37.3	26.5	58.2	91.0	26.0	11.1
LOS by Move:	E	C	C	C	E	E	D	C	E	F	C	B
HCM2kAvgQ:	12	6	5	8	15	15	3	8	16	8	7	3

Note: Queue reported is the number of cars per lane.

Mammoth Crossings *w/ Berner street correction*
Existing plus Project plus Approved Projects Conditions

Level Of Service Computation Report

2000 HCM Operations Method (Future Volume Alternative)

Intersection #2 Minaret Rd/Main St-Lake Mary Rd

Cycle (sec): 80 Critical Vol./Cap.(X): 0.992
Loss Time (sec): 16 (Y+R=4.0 sec) Average Delay (sec/veh): 44.9
Optimal Cycle: 120 Level Of Service: D

Street Name:	Minaret Rd						Main St-Lake Mary Rd					
Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Control:	Split Phase			Split Phase			Protected			Protected		
Rights:	Include			Include			Include			Ovl		
Min. Green:	0	0	0	0	0	0	0	0	0	0	0	0
Lanes:	1	0	1	0	1	0	1	0	2	0	1	1

Volume Module:

Base Vol:	159	118	80	480	183	127	97	465	197	65	337	105
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	159	118	80	480	183	127	97	465	197	65	337	105
Added Vol:	11	8	11	0	9	9	9	26	12	13	29	0
PasserByVol:	131	83	76	61	76	16	6	152	214	87	169	101
Initial Fut:	301	209	167	541	268	152	112	643	423	165	535	206
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
PHF Volume:	317	220	176	569	282	160	118	677	445	174	563	217
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	317	220	176	569	282	160	118	677	445	174	563	217
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
FinalVolume:	317	220	176	569	282	160	118	677	445	174	563	217

Saturation Flow Module:

Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.95	1.00	0.85	0.92	0.95	0.95	0.95	0.95	0.85	0.95	0.95	0.85
Lanes:	1.00	1.00	1.00	2.00	0.64	0.36	1.00	2.00	1.00	1.00	2.00	1.00
Final Sat.:	1805	1900	1615	3502	1147	650	1805	3610	1615	1805	3610	1615

Capacity Analysis Module:

Vol/Sat:	0.18	0.12	0.11	0.16	0.25	0.25	0.07	0.19	0.28	0.10	0.16	0.13
Crit Moves:	****					****			****	****		
Green/Cycle:	0.18	0.18	0.18	0.25	0.25	0.25	0.11	0.28	0.28	0.10	0.26	0.51
Volume/Cap:	0.99	0.65	0.62	0.66	0.99	0.99	0.59	0.67	0.99	0.99	0.59	0.26
Delay/Veh:	80.9	35.2	34.4	28.8	70.4	70.4	38.5	27.5	69.0	101.6	26.6	11.2
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	80.9	35.2	34.4	28.8	70.4	70.4	38.5	27.5	69.0	101.6	26.6	11.2
LOS by Move:	F	D	C	C	E	E	D	C	E	F	C	B
HCM2kAvgQ:	13	6	5	8	17	17	4	9	17	8	7	3

Note: Queue reported is the number of cars per lane.

Mammoth Crossings
Final General Plan Conditions

W/ Berner Street Correction

Level of Service Computation Report

2000 HCM Operations Method (Future Volume Alternative)

Intersection #2 Minaret Rd/Main St-Lake Mary Rd

Cycle (sec): 80 Critical Vol./Cap.(X): 0.699

Loss Time (sec): 16 (Y+R=4.0 sec) Average Delay (sec/veh): 26.8

Optimal Cycle: 64 Level Of Service: C

Street Name:	Minaret Rd						Main St-Lake Mary Rd					
Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Control:	Split Phase			Split Phase			Protected			Protected		
Rights:	Include			Include			Include			Ovl		
Min. Green:	0	0	0	0	0	0	0	0	0	0	0	0
Lanes:	1	0	1	0	1	0	2	0	1	1	0	2

Volume Module:	Minaret Rd			Main St-Lake Mary Rd		
Base Vol:	223	301	88	515	462	54
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	223	301	88	515	462	54
Added Vol:	0	0	0	0	0	0
PasserByVol:	-61	-72	-46	21	-76	-30
Initial Fut:	162	229	42	536	386	24
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	0.95	0.95	0.95	0.95	0.95	0.95
PHF Volume:	171	241	44	564	406	25
Reduct Vol:	0	0	0	0	0	0
Reduced Vol:	171	241	44	564	406	25
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00
Final Volume:	171	241	44	564	406	25

Saturation Flow Module:	Minaret Rd			Main St-Lake Mary Rd		
Sat/Lane:	1900	1900	1900	1900	1900	1900
Adjustment:	0.95	1.00	0.85	0.92	0.99	0.99
Lanes:	1.00	1.00	1.00	2.00	0.94	0.06
Final Sat.:	1805	1900	1615	3502	1773	110

Capacity Analysis Module:	Minaret Rd			Main St-Lake Mary Rd		
Vol/Sat:	0.09	0.13	0.03	0.16	0.23	0.23
Crit Moves:	****			****		
Green/Cycle:	0.18	0.18	0.18	0.33	0.33	0.33
Volume/Cap:	0.52	0.70	0.15	0.49	0.70	0.70
Delay/Veh:	31.1	37.0	27.8	21.9	27.0	27.0
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	31.1	37.0	27.8	21.9	27.0	27.0
LOS by Move:	C	D	C	C	C	C
HCM2kAvgQ:	4	7	1	6	10	10

Note: Queue reported is the number of cars per lane.

Mammoth Crossings
Future plus Crossings Project Conditions

w/ Berner street correction

Level Of Service Computation Report
2000 HCM Operations Method (Future Volume Alternative)

Intersection #2 Minaret Rd/Main St-Lake Mary Rd

Cycle (sec): 80 Critical Vol./Cap.(X): 0.984
Loss Time (sec): 16 (Y+R=4.0 sec) Average Delay (sec/veh): 42.3
Optimal Cycle: 120 Level Of Service: D

Street Name:	Minaret Rd						Main St-Lake Mary Rd					
Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Control:	Split Phase			Split Phase			Protected			Protected		
Rights:	Include			Include			Include			Ovl		
Min. Green:	0	0	0	0	0	0	0	0	0	0	0	0
Lanes:	1	0	1	0	1	0	1	0	2	0	1	1

Volume Module:	Minaret Rd			Main St-Lake Mary Rd		
Base Vol:	237	290	112	496	445	61
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	237	290	112	496	445	61
Added Vol:	0	0	0	0	0	0
PasserByVol:	0	0	0	0	0	0
Initial Fut:	237	290	112	496	445	61
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	0.95	0.95	0.95	0.95	0.95	0.95
PHF Volume:	249	305	118	522	468	64
Reduct Vol:	0	0	0	0	0	0
Reduced Vol:	249	305	118	522	468	64
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00
FinalVolume:	249	305	118	522	468	64

Saturation Flow Module:	Minaret Rd			Main St-Lake Mary Rd		
Sat/Lane:	1900	1900	1900	1900	1900	1900
Adjustment:	0.95	1.00	0.85	0.92	0.98	0.98
Lanes:	1.00	1.00	1.00	2.00	0.88	0.12
Final Sat.:	1805	1900	1615	3502	1641	225

Capacity Analysis Module:	Minaret Rd			Main St-Lake Mary Rd		
Vol/Sat:	0.14	0.16	0.07	0.15	0.29	0.29
Crit Moves:	***			***		
Green/Cycle:	0.16	0.16	0.16	0.29	0.29	0.29
Volume/Cap:	0.85	0.98	0.45	0.51	0.98	0.98
Delay/Veh:	52.3	80.0	31.4	24.1	62.7	62.7
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	52.3	80.0	31.4	24.1	62.7	62.7
LOS by Move:	D	F	C	C	E	E
HCM2kAvgQ:	9	13	3	6	19	19

Note: Queue reported is the number of cars per lane.

Forest Trail/Minaret

Existing plus Approved Projects Conditions

With Berner Street Correction

E	(m)	5.20	5.20	5.20	5.20			TIME PERIOD	min	90
L'	(m)	15.024	13.72	15.24	38.10			TIME SLICE	min	15
V	(m)	4.87	4.87	4.57	4.27			RESULTS PERIOD	min	15 75
RAD	(m)	22.86	20.12	24.38	20.12			TIME COST	\$/hr	15.00
PHI	(d)	20.00	20.00	20.00	20.00			FLOW PERIOD	min	15 75
DIA	(m)	36.00	36.00	36.00	36.00			FLOW TYPE	pcu/veh	VEH
GRAD SEP		0	0	0	0			FLOW PEAK	am/op/pm	PM

LEG NAME	PCU	FLOWS (1st exit 2nd etc...U)				FLOF	CL	FLOW RATIO				FLOW TIME	
LEG1	1.00	95	469	115	0	1.00	50	0.75	1.125	0.75		15	45 75
LEG2	1.00	237	83	112	0	1.00	50	0.75	1.125	0.75		15	45 75
LEG3	1.00	92	152	157	0	1.00	50	0.75	1.125	0.75		15	45 75
LEG4	1.00	20	90	80	0	1.00	50	0.75	1.125	0.75		15	45 75

MODE 2												
FLOW	veh	679	432	401	190							
CAPACITY	veh	1421	1195	1420	1339							
AVE DELAY	mins	0.08	0.08	0.06	0.05							
MAX DELAY	mins	0.11	0.11	0.08	0.07							
AVE QUEUE	veh	1	1	0	0							
MAX QUEUE	veh	1	1	0	0							

AVDEL	s	4.3
L O S		A
VEH HRS		2.0
COST	\$	30.3

Forest Trail / Minaret

Existing plus Project plus Approved Projects Conditions

With Berner Street Correction

E	(m)	5.20	5.20	5.20	5.20		TIME PERIOD	min	90
L'	(m)	15.024	13.72	15.24	38.10		TIME SLICE	min	15
V	(m)	4.87	4.87	4.57	4.27		RESULTS PERIOD	min	15 75
RAD	(m)	22.86	20.12	24.38	20.12		TIME COST	\$/hr	15.00
PHI	(d)	20.00	20.00	20.00	20.00		FLOW PERIOD	min	15 75
DIA	(m)	36.00	36.00	36.00	36.00		FLOW TYPE	pcu/veh	VEH
GRAD SEP		0	0	0	0		FLOW PEAK	am/op/pm	PM

LEG NAME	PCU	FLOWS (1st exit 2nd etc...U)				FLOF	CL	FLOW RATIO				FLOW TIME	
LEG1	1.00	95	488	115	0	1.00	50	0.75	1.125	0.75		15 45 75	
LEG2	1.00	237	83	112	0	1.00	50	0.75	1.125	0.75		15 45 75	
LEG3	1.00	92	168	157	0	1.00	50	0.75	1.125	0.75		15 45 75	
LEG4	1.00	20	90	80	0	1.00	50	0.75	1.125	0.75		15 45 75	

MODE 2									
FLOW	veh	927	448	491	61				
CAPACITY	veh	1429	1193	1454	1209				
AVE DELAY	mins	0.12	0.08	0.06	0.05				
MAX DELAY	mins	0.19	0.11	0.08	0.07				
AVE QUEUE	veh	2	1	1	0				
MAX QUEUE	veh	3	1	1	0				

AVDEL	s	5.7
L O S		A
VEH HRS		3.0
COST	\$	45.7

Forest Trail / Minard

Final General Plan Conditions

With Berner Street Correction

E	(m)	5.20	5.20	5.20	5.20		TIME PERIOD	min	90
L'	(m)	15.024	13.72	15.24	38.10		TIME SLICE	min	15
V	(m)	4.87	4.87	4.57	4.27		RESULTS PERIOD	min	15 75
RAD	(m)	22.86	20.12	24.38	20.12		TIME COST	\$/hr	15.00
PHI	(d)	20.00	20.00	20.00	20.00		FLOW PERIOD	min	15 75
DIA	(m)	36.00	36.00	36.00	36.00		FLOW TYPE	pcu/veh	VEH
GRAD SEP		0	0	0	0		FLOW PEAK	am/op/pm	PM

LEG NAME	PCU	FLOWS (1st exit 2nd etc...U)				FLOF	CL	FLOW RATIO				FLOW TIME	
LEG1	1.00	282	592	53	0	1.00	50	0.75	1.125	0.75		15	45 75
LEG2	1.00	243	45	160	0	1.00	50	0.75	1.125	0.75		15	45 75
LEG3	1.00	28	198	265	0	1.00	50	0.75	1.125	0.75		15	45 75
LEG4	1.00	11	28	22	0	1.00	50	0.75	1.125	0.75		15	45 75

MODE 2											
FLOW	veh	927	448	491	61						
CAPACITY	veh	1429	1193	1454	1209						
AVE DELAY	mins	0.12	0.08	0.06	0.05						
MAX DELAY	mins	0.19	0.11	0.08	0.07						
AVE QUEUE	veh	2	1	1	0						
MAX QUEUE	veh	3	1	1	0						

AVDEL	s	5.7
L O S	A	
VEH HRS	3.0	
COST	\$	45.7

Forest Trail/Minaret

Future plus Crossings Project Conditions

With Berner Street Correction

E	(m)	5.20	5.20	5.20	5.20		TIME PERIOD	min	90
L'	(m)	15.024	13.72	15.24	38.10		TIME SLICE	min	15
V	(m)	4.87	4.87	4.57	4.27		RESULTS PERIOD	min	15 75
RAD	(m)	22.86	20.12	24.38	20.12		TIME COST	\$/hr	15.00
PHI	(d)	20.00	20.00	20.00	20.00		FLOW PERIOD	min	15 75
DIA	(m)	36.00	36.00	36.00	36.00		FLOW TYPE	pcu/veh	VEH
GRAD SEP		0	0	0	0		FLOW PEAK	am/op/pm	PM

LEG NAME	PCU	FLOWS (1st exit 2nd etc...U)				FLOF	CL	FLOW RATIO			FLOW TIME	
LEG1	1.00	322	575	77	0	1.00	50	0.75	1.125	0.75	15	45 75
LEG2	1.00	303	123	190	0	1.00	50	0.75	1.125	0.75	15	45 75
LEG3	1.00	61	222	387	0	1.00	50	0.75	1.125	0.75	15	45 75
LEG4	1.00	19	83	61	0	1.00	50	0.75	1.125	0.75	15	45 75

MODE 2											
FLOW	veh	974	616	670	163						
CAPACITY	veh	1289	1164	1369	1097						
AVE DELAY	mins	0.22	0.11	0.09	0.06						
MAX DELAY	mins	0.37	0.16	0.12	0.08						
AVE QUEUE	veh	4	1	1	0						
MAX QUEUE	veh	6	2	1	0						

AVDEL	s	8.6
L O S	A	
VEH HRS	5.8	
COST	\$	87.2

Table A: Existing plus Construction Traffic Typical Winter Saturday Intersection LOS

Intersection	Control ¹	Existing		Existing + Construction Trips		With Improvement	
		Delay (seconds)	LOS	Delay (seconds)	LOS	Delay	LOS
2. Minaret Rd./Main St.	Signal	21.9	C	27.2	C		
7. Canyon/Lake Mary	Signal	12.1	B	12.7	B		
8. Mountain/Main St.	TWSC	>35.0 seconds but <4.0 hour cumulative delay on minor street approach	E	>35.0 seconds but <4.0 hour cumulative delay on minor street approach	E		
9. USPO/Main St. ²	TWSC	<i>>35.0 seconds and >4.0 hour cumulative delay on minor street approach</i>	<i>F</i>	<i>>35.0 seconds and >4.0 hour cumulative delay on minor street approach</i>	<i>F</i>	22.1	C
10. Center St./Main St.	TWSC	>35.0 seconds but <4.0 hour cumulative delay on minor street approach	E	>35.0 seconds but <4.0 hour cumulative delay on minor street approach	E		
11. Old Mammoth/Main	Signal	14.1	B	13.8	B		

¹ TWSC – two-way stop controlled; Signal – traffic signal controlled

² Traffic signal planned to be installed per the Town's CIP.

Italic and Bold = unsatisfactory LOS and exceeds four vehicle-hour criteria

CIP = Capital Improvement Plan

LOS = level of service

USPO = United States Post Office

Mammoth Crossings
Existing plus Construction Trips Conditions

Level Of Service Computation Report

2000 HCM Operations Method (Future Volume Alternative)

Intersection #2 Minaret Rd/Main St-Lake Mary Rd

Cycle (sec): 80 Critical Vol./Cap.(X): 0.589

Loss Time (sec): 16 (Y+R=4.0 sec) Average Delay (sec/veh): 27.2

Optimal Cycle: 54 Level Of Service: C

Street Name:	Minaret Rd						Main St-Lake Mary Rd					
Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Control:	Split Phase			Split Phase			Protected			Protected		
Rights:	Include			Include			Include			Ovl		
Min. Green:	0	0	0	0	0	0	0	0	0	0	0	0
Lanes:	1	0	1	0	1	0	1	0	2	0	1	1

Volume Module:

Base Vol:	159	118	80	480	183	127	97	465	197	65	337	105
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	159	118	80	480	183	127	97	465	197	65	337	105
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	0	0	25	0	0	0	0	25	0	25	25	0
Initial Fut:	159	118	105	480	183	127	97	490	197	90	362	105
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
PHF Volume:	167	124	111	505	193	134	102	516	207	95	381	111
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	167	124	111	505	193	134	102	516	207	95	381	111
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Final Volume:	167	124	111	505	193	134	102	516	207	95	381	111

Saturation Flow Module:

Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.95	1.00	0.85	0.92	0.94	0.94	0.95	0.95	0.85	0.95	0.95	0.85
Lanes:	1.00	1.00	1.00	2.00	0.59	0.41	1.00	2.00	1.00	1.00	2.00	1.00
Final Sat.:	1805	1900	1615	3502	1053	731	1805	3610	1615	1805	3610	1615

Capacity Analysis Module:

Vol/Sat:	0.09	0.07	0.07	0.14	0.18	0.18	0.06	0.14	0.13	0.05	0.11	0.07
Crit Moves:	****			****			****			****		
Green/Cycle:	0.16	0.16	0.16	0.31	0.31	0.31	0.12	0.24	0.24	0.09	0.22	0.53
Volume/Cap:	0.59	0.42	0.43	0.46	0.59	0.59	0.49	0.59	0.53	0.59	0.49	0.13
Delay/Veh:	34.5	31.3	31.7	22.5	24.9	24.9	34.9	27.8	27.7	40.6	28.0	9.7
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	34.5	31.3	31.7	22.5	24.9	24.9	34.9	27.8	27.7	40.6	28.0	9.7
LOS by Move:	C	C	C	C	C	C	C	C	C	D	C	A
HCM2kAvgQ:	5	3	3	6	7	7	3	7	5	3	5	1

Note: Queue reported is the number of cars per lane.

Mammoth Crossings
Existing plus Construction Trips Conditions

Level Of Service Computation Report

2000 HCM Operations Method (Future Volume Alternative)

Intersection #1007 Canyon/Lake Mary Road

Cycle (sec): 60 Critical Vol./Cap.(X): 0.413

Loss Time (sec): 12 (Y+R=4.0 sec) Average Delay (sec/veh): 12.7

Optimal Cycle: 34 Level Of Service: B

Street Name:	Canyon						Lake Mary Road					
Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Control:	Split Phase			Split Phase			Permitted			Permitted		
Rights:	Include			Include			Include			Include		
Min. Green:	0	0	0	0	0	0	0	0	0	0	0	0
Lanes:	1	0	0	1	0	0	1	0	0	0	1	0

Volume Module:

Base Vol:	0	0	0	286	0	14	9	172	0	0	232	187
Growth Adj:	1.43	1.43	1.43	1.43	1.43	1.43	1.43	1.43	1.43	1.43	1.43	1.43
Initial Bse:	0	0	0	409	0	20	13	246	0	0	332	267
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	0	0	8	17	0	0	0	0	0	8	0	17
Initial Fut:	0	0	8	426	0	20	13	246	0	8	332	284
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
PHF Volume:	0	0	8	448	0	21	14	259	0	8	349	299
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	0	0	8	448	0	21	14	259	0	8	349	299
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
FinalVolume:	0	0	8	448	0	21	14	259	0	8	349	299

Saturation Flow Module:

Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	1.00	1.00	0.85	0.95	1.00	0.95	0.46	1.00	1.00	1.00	1.00	0.85
Lanes:	1.00	0.00	1.00	1.91	0.00	0.09	1.00	1.00	0.00	0.02	0.98	1.00
Final Sat.:	1900	0	1615	3445	0	155	882	1900	0	45	1846	1615

Capacity Analysis Module:

Vol/Sat:	0.00	0.00	0.01	0.13	0.00	0.14	0.02	0.14	0.00	0.19	0.19	0.19
Crit Moves:	****			****			****			****		
Green/Cycle:	0.00	0.00	0.01	0.33	0.00	0.33	0.46	0.46	0.00	0.46	0.46	0.46
Volume/Cap:	0.00	0.00	0.41	0.39	0.00	0.41	0.03	0.30	0.00	0.41	0.41	0.41
Delay/Veh:	0.0	0.0	42.5	15.7	0.0	15.9	9.0	10.4	0.0	11.2	11.2	11.2
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	0.0	0.0	42.5	15.7	0.0	15.9	9.0	10.4	0.0	11.2	11.2	11.2
LOS by Move:	A	A	D	B	A	B	A	B	A	B	B	B
HCM2kAvgQ:	0	0	1	4	0	4	0	3	0	5	5	4

Note: Queue reported is the number of cars per lane.

Mammoth Crossings
Existing plus Construction Trips Conditions

Level Of Service Computation Report

2000 HCM Unsignalized Method (Future Volume Alternative)

Intersection #1008 Mountain Blvd/Main Street

Average Delay (sec/veh): 2.3 Worst Case Level Of Service: E[46.0]

Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Control:	Stop Sign			Stop Sign			Uncontrolled			Uncontrolled		
Rights:	Include			Include			Include			Include		
Lanes:	0	0	1! 0 0	0	0	1! 0 0	1	0	1 1 0	1	0	1 1 0

Volume Module:

Base Vol:	5	1	10	25	5	17	24	641	27	3	399	22
Growth Adj:	1.43	1.43	1.43	1.43	1.43	1.43	1.43	1.43	1.43	1.43	1.43	1.43
Initial Bse:	7	1	14	36	7	24	34	917	39	4	571	31
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	0	0	0	0	0	0	0	50	0	0	50	0
Initial Fut:	7	1	14	36	7	24	34	967	39	4	621	31
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
PHF Volume:	8	2	15	38	8	26	36	1018	41	5	653	33
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
FinalVolume:	8	2	15	38	8	26	36	1018	41	5	653	33

Critical Gap Module:

Critical Gp:	7.5	6.5	6.9	7.5	6.5	6.9	4.1	xxxx	xxxxx	4.1	xxxx	xxxxx
FollowUpTim:	3.5	4.0	3.3	3.5	4.0	3.3	2.2	xxxx	xxxxx	2.2	xxxx	xxxxx

Capacity Module:

Cnflct Vol:	1449	1805	529	1261	1809	343	686	xxxx	xxxxx	1058	xxxx	xxxxx
Potent Cap.:	94	80	499	129	80	659	917	xxxx	xxxxx	666	xxxx	xxxxx
Move Cap.:	80	76	499	119	76	659	917	xxxx	xxxxx	666	xxxx	xxxxx
Volume/Cap:	0.09	0.02	0.03	0.32	0.10	0.04	0.04	xxxx	xxxx	0.01	xxxx	xxxx

Level Of Service Module:

2Way95thQ:	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx	0.1	xxxx	xxxxx	0.0	xxxx	xxxxx
Control Del:	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx	9.1	xxxx	xxxxx	10.4	xxxx	xxxxx
LOS by Move:	*	*	*	*	*	*	A	*	*	B	*	*
Movement:	LT	-	LTR	-	RT		LT	-	LTR	-	RT	
Shared Cap.:	xxxx	168	xxxxx	xxxx	156	xxxxx	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx
SharedQueue:	xxxxx	0.5	xxxxx	xxxxx	2.1	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx
Shrd ConDel:	xxxxx	30.0	xxxxx	xxxxx	46.0	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx
Shared LOS:	*	D	*	*	E	*	*	*	*	*	*	*
ApproachDel:	30.0			46.0			xxxxxx			xxxxxx		
ApproachLOS:	D			E			*			*		

Note: Queue reported is the number of cars per lane.

Mammoth Crossings
Existing plus Construction Trips Conditions

Level Of Service Computation Report

2000 HCM Unsignalized Method (Future Volume Alternative)

Intersection #1009 Post Office Frontage/Main St

Average Delay (sec/veh): 19.9 Worst Case Level Of Service: F[219.0]

Street Name: Post Office Frontage Main Street

Approach: North Bound South Bound East Bound West Bound

Movement: L - T - R L - T - R L - T - R L - T - R

-----|-----|-----|-----|

Control: Stop Sign Stop Sign Uncontrolled Uncontrolled

Rights: Include Include Include Include

Lanes: 0 0 1! 0 0 0 1 0 0 1 0 1 0 1 0

-----|-----|-----|-----|

Volume Module:

Base Vol: 31 10 45 36 2 70 47 570 46 41 375 61

Growth Adj: 1.43 1.43 1.43 1.43 1.43 1.43 1.43 1.43 1.43 1.43 1.43 1.43

Initial Bse: 44 14 64 51 3 100 67 815 66 59 536 87

Added Vol: 0 0 0 0 0 0 0 0 0 0 0 0

PasserByVol: 0 0 0 0 0 0 0 50 0 0 50 0

Initial Fut: 44 14 64 51 3 100 67 865 66 59 586 87

User Adj: 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00

PHF Adj: 0.95 0.95 0.95 0.95 0.95 0.95 0.95 0.95 0.95 0.95 0.95 0.95

PHF Volume: 47 15 68 54 3 105 71 911 69 62 617 92

Reduct Vol: 0 0 0 0 0 0 0 0 0 0 0 0

FinalVolume: 47 15 68 54 3 105 71 911 69 62 617 92

-----|-----|-----|-----|

Critical Gap Module:

Critical Gp: 7.5 6.5 6.9 7.5 6.5 6.9 4.1 xxxx xxxxx 4.1 xxxx xxxxx

FollowUpTim: 3.5 4.0 3.3 3.5 4.0 3.3 2.2 xxxx xxxxx 2.2 xxxx xxxxx

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Capacity Module:

Cnflct Vol: 1520 1919 490 1391 1908 354 709 xxxx xxxxx 980 xxxx xxxxx

Potent Cap.: 83 68 529 103 69 648 899 xxxx xxxxx 712 xxxx xxxxx

Move Cap.: 59 57 529 64 58 648 899 xxxx xxxxx 712 xxxx xxxxx

Volume/Cap: 0.80 0.26 0.13 0.85 0.05 0.16 0.08 xxxx xxxx 0.09 xxxx xxxx

-----|-----|-----|-----|

Level Of Service Module:

2Way95thQ: xxxx xxxx xxxxx xxxx xxxx 0.6 0.3 xxxx xxxxx 0.3 xxxx xxxxx

Control Del:xxxxx xxxx xxxxx xxxxx xxxx 11.6 9.3 xxxx xxxxx 10.5 xxxx xxxxx

LOS by Move: * * * * * B A * * B * *

Movement: LT - LTR - RT LT - LTR - RT LT - LTR - RT LT - LTR - RT

Shared Cap.: xxxx 109 xxxxx 63 xxxx xxxxx xxxx xxxx xxxxx xxxx xxxx xxxxx

SharedQueue:xxxxx 8.4 xxxxx 4.3 xxxx xxxxx xxxxx xxxx xxxxx xxxxx xxxx xxxxx

Shrd ConDel:xxxxx 219 xxxxx 193.9 xxxx xxxxx xxxxx xxxx xxxxx xxxxx xxxx xxxxx

Shared LOS: * F * F * * * * * * * * *

ApproachDel: 219.0 75.8 xxxxxx xxxxxx

ApproachLOS: F F * *

Note: Queue reported is the number of cars per lane.

Mammoth Crossings
Existing Conditions * w/ Improvement

Level Of Service Computation Report

2000 HCM Operations Method (Future Volume Alternative)

Intersection #1009 Post Office Frontage/Main St

Cycle (sec): 100 Critical Vol./Cap.(X): 0.534

Loss Time (sec): 16 (Y+R=4.0 sec) Average Delay (sec/veh): 22.1

Optimal Cycle: 51 Level Of Service: C

Post Office Frontage						Main Street						
North Bound			South Bound			East Bound			West Bound			
Approach:	L - T - R		L - T - R		L - T - R		L - T - R		L - T - R			
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Control:	Split Phase			Split Phase			Protected			Protected		
Rights:	Include			Include			Include			Include		
Min. Green:	0	0	0	0	0	0	0	0	0	0	0	0
Lanes:	0	0	1! 0 0	0	0	1! 0 1	1	0	1 1 0	1	0	1 1 0

Volume Module:												
Base Vol:	31	10	45	36	2	70	47	570	46	41	375	61
Growth Adj:	1.43	1.43	1.43	1.43	1.43	1.43	1.43	1.43	1.43	1.43	1.43	1.43
Initial Bse:	44	14	64	51	3	100	67	815	66	59	536	87
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	0	0	0	0	0	0	0	50	0	0	50	0
Initial Fut:	44	14	64	51	3	100	67	865	66	59	586	87
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
PHF Volume:	47	15	68	54	3	105	71	911	69	62	617	92
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	47	15	68	54	3	105	71	911	69	62	617	92
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
FinalVolume:	47	15	68	54	3	105	71	911	69	62	617	92

Saturation Flow Module:												
Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.91	0.91	0.91	0.89	0.89	0.89	0.95	0.94	0.94	0.95	0.93	0.93
Lanes:	0.36	0.12	0.52	0.49	0.03	1.48	1.00	1.86	0.14	1.00	1.74	0.26
Final Sat.:	625	202	907	833	46	2498	1805	3318	252	1805	3083	459

Capacity Analysis Module:												
Vol/Sat:	0.07	0.07	0.07	0.07	0.07	0.04	0.04	0.27	0.27	0.03	0.20	0.20
Crit Moves:	****			****			****			****		
Green/Cycle:	0.14	0.14	0.14	0.12	0.12	0.12	0.09	0.51	0.51	0.06	0.48	0.48
Volume/Cap:	0.53	0.53	0.53	0.53	0.53	0.35	0.41	0.53	0.53	0.53	0.41	0.41
Delay/Veh:	42.3	42.3	42.3	43.1	43.1	40.7	44.3	16.6	16.6	50.1	16.8	16.8
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	42.3	42.3	42.3	43.1	43.1	40.7	44.3	16.6	16.6	50.1	16.8	16.8
LOS by Move:	D	D	D	D	D	D	D	B	B	D	B	B
HCM2kAvgQ:	4	4	4	4	4	2	3	11	11	3	7	7

Note: Queue reported is the number of cars per lane.

Mammoth Crossings
Existing plus Construction Trips Conditions

Level Of Service Computation Report
2000 HCM Unsignalized Method (Future Volume Alternative)

Intersection #1010 Center St/Main St

Average Delay (sec/veh): 3.6 Worst Case Level Of Service: E[44.1]

Street Name:		Center St						Main St					
Approach:		North Bound			South Bound			East Bound			West Bound		
Movement:		L	T	R	L	T	R	L	T	R	L	T	R
Control:		Stop Sign			Stop Sign			Uncontrolled			Uncontrolled		
Rights:		Include			Include			Include			Include		
Lanes:		0	0	1	0	0	0	0	1	0	0	1	0

Volume Module:	Center St			Center St			Main St			Main St		
Base Vol:	22	1	55	10	1	35	19	588	44	16	425	38
Growth Adj:	1.43	1.43	1.43	1.43	1.43	1.43	1.43	1.43	1.43	1.43	1.43	1.43
Initial Bse:	31	1	79	14	1	50	27	841	63	23	608	54
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	0	0	0	0	0	0	0	50	0	0	50	0
Initial Fut:	31	1	79	14	1	50	27	891	63	23	658	54
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
PHF Volume:	33	2	83	15	2	53	29	938	66	24	692	57
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
FinalVolume:	33	2	83	15	2	53	29	938	66	24	692	57

Critical Gap Module:	Center St			Center St			Main St			Main St		
Critical Gp:	7.5	6.5	6.9	7.5	6.5	6.9	4.1	xxxx	xxxxx	4.1	xxxx	xxxxx
FollowUpTim:	3.5	4.0	3.3	3.5	4.0	3.3	2.2	xxxx	xxxxx	2.2	xxxx	xxxxx

Capacity Module:	Center St			Center St			Main St			Main St		
Cnflict Vol:	1423	1826	502	1296	1830	375	750	xxxx	xxxxx	1004	xxxx	xxxxx
Potent Cap.:	98	78	520	122	77	628	869	xxxx	xxxxx	698	xxxx	xxxxx
Move Cap.:	84	73	520	96	72	628	869	xxxx	xxxxx	698	xxxx	xxxxx
Volume/Cap:	0.40	0.02	0.16	0.16	0.02	0.08	0.03	xxxx	xxxxx	0.03	xxxx	xxxxx

Level Of Service Module:	Center St			Center St			Main St			Main St		
2Way95thQ:	xxxx	xxxx	xxxxx	xxxx	xxxx	0.3	0.1	xxxx	xxxxx	0.1	xxxx	xxxxx
Control Del:	xxxxx	xxxx	xxxxx	xxxxx	xxxx	11.3	9.3	xxxx	xxxxx	10.3	xxxx	xxxxx
LOS by Move:	*	*	*	*	*	B	A	*	*	B	*	*
Movement:	LT	LTR	RT	LT	LTR	RT	LT	LTR	RT	LT	LTR	RT
Shared Cap.:	xxxx	204	xxxxx	93	xxxx	xxxxx	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx
SharedQueue:	xxxxx	3.1	xxxxx	0.6	xxxx	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx
Shrd ConDel:	xxxxx	44.1	xxxxx	52.0	xxxx	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx
Shared LOS:	*	E	*	F	*	*	*	*	*	*	*	*
ApproachDel:	44.1			21.0			xxxxxx			xxxxxx		
ApproachLOS:	E			C			*			*		

Note: Queue reported is the number of cars per lane.

Mammoth Crossings
Existing plus Construction Trips Conditions

Level Of Service Computation Report
2000 HCM Operations Method (Future Volume Alternative)

Intersection #1011 Old Mammoth Rd/ Main St

Cycle (sec): 60 Critical Vol./Cap.(X): 0.701

Loss Time (sec): 12 (Y+R=4.0 sec) Average Delay (sec/veh): 13.8

Optimal Cycle: 52 Level Of Service: B

Street Name: Old Mammoth Rd

Main St

Approach: North Bound

South Bound

East Bound

West Bound

Movement: L - T - R

L - T - R

L - T - R

L - T - R

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Control: Protected

Protected

Prot+Permit

Prot+Permit

Rights: Include

Include

Include

Include

Min. Green: 0 0 0 0 0 0 0 0 0 0 0 0 0

Lanes: 1 0 0 0 1 0 0 0 0 0 0 2 0 1 1 0 2 0 0

-----|-----|-----|-----|

Volume Module:

Base Vol: 296 0 74 0 0 0 0 0 314 572 110 263 0

Growth Adj: 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00

Initial Bse: 296 0 74 0 0 0 0 0 314 572 110 263 0

Added Vol: 0 0 0 0 0 0 0 0 0 0 0 0 0

PasserByVol: 0 0 0 0 0 0 0 0 50 0 0 50 0

Initial Fut: 296 0 74 0 0 0 0 0 364 572 110 313 0

User Adj: 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00

PHF Adj: 0.95 0.95 0.95 0.95 0.95 0.95 0.95 0.95 0.95 0.95 0.95 0.95

PHF Volume: 312 0 78 0 0 0 0 0 383 602 116 329 0

Reduct Vol: 0 0 0 0 0 0 0 0 0 0 0 0 0

Reduced Vol: 312 0 78 0 0 0 0 0 383 602 116 329 0

PCE Adj: 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00

MLF Adj: 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00

FinalVolume: 312 0 78 0 0 0 0 0 383 602 116 329 0

-----|-----|-----|-----|

Saturation Flow Module:

Sat/Lane: 1900 1900 1900 1900 1900 1900 1900 1900 1900 1900 1900 1900

Adjustment: 0.95 1.00 0.85 1.00 1.00 1.00 1.00 0.95 0.98 0.95 0.95 1.00

Lanes: 1.00 0.00 1.00 0.00 0.00 0.00 0.00 2.00 1.00 1.00 2.00 0.00

Final Sat.: 1805 0 1615 0 0 0 0 0 3610 1857 1805 3610 0

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Capacity Analysis Module:

Vol/Sat: 0.17 0.00 0.05 0.00 0.00 0.00 0.00 0.11 0.32 0.06 0.09 0.00

Crit Moves: **** **** ****

Green/Cycle: 0.25 0.00 0.25 0.00 0.00 0.00 0.00 0.46 0.46 0.62 0.55 0.00

Volume/Cap: 0.70 0.00 0.20 0.00 0.00 0.00 0.00 0.23 0.70 0.19 0.16 0.00

Delay/Veh: 25.6 0.0 18.2 0.0 0.0 0.0 0.0 9.8 15.4 4.9 6.6 0.0

User DelAdj: 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00

AdjDel/Veh: 25.6 0.0 18.2 0.0 0.0 0.0 0.0 9.8 15.4 4.9 6.6 0.0

LOS by Move: C A B A A A A A B A A A

HCM2kAvgQ: 7 0 1 0 0 0 0 0 2 10 1 2 0

Note: Queue reported is the number of cars per lane.

Table B: Cumulative Plus Construction Traffic Typical Winter Saturday Intersection LOS

Intersection	Control ¹	Cumulative		Cumulative + Construction Trips		With Improvement	
		Delay (seconds)	LOS	Delay (seconds)	LOS	Delay	LOS
2. Minaret Rd./Main St.	Signal	30.0	C	30.9	C		
7. Canyon/Lake Mary	Signal	12.2	B	12.9	B		
8. Mountain/Main St.	TWSC	>35.0 seconds but <4.0 hour cumulative delay on minor street approach	F	>35.0 seconds but <4.0 hour cumulative delay on minor street approach	F		
9. USPO/Main St. ³	TWSC	<i>>35.0 seconds and >4.0 hour cumulative delay on minor street approach</i>	<i>F</i>	<i>>35.0 seconds and >4.0 hour cumulative delay on minor street approach</i>	<i>F</i>	28.8	C
10. Center St./Main St. ⁴	TWSC	<i>>35.0 seconds and >4.0 hour cumulative delay on minor street approach</i>	<i>F</i>	<i>>35.0 seconds and >4.0 hour cumulative delay on minor street approach</i>	<i>F</i>	18.7	B
11. Old Mammoth/Main	Signal	16.1	B	15.7	B		

¹ TWSC – two-way stop controlled; Signal – traffic signal controlled

² Roundabout implemented as an improvement since it is required by cumulative project.

³ Left turns onto Main Street from both directions will be prohibited as the improvement with installation of a traffic signal at Center/Main.

⁴ Traffic signal planned to be installed per the Town's DIF program.

Italic and Bold = unsatisfactory LOS and exceeds four vehicle-hour criteria

CIP = Capital Improvement Plan

LOS = level of service

USPO = United States Post Office

Mammoth Crossings
Existing plus Construction Trips plus Approved Projects Conditions

Level Of Service Computation Report

2000 HCM Operations Method (Future Volume Alternative)

Intersection #2 Minaret Rd/Main St-Lake Mary Rd

Cycle (sec): 80 Critical Vol./Cap.(X): 0.781
Loss Time (sec): 16 (Y+R=4.0 sec) Average Delay (sec/veh): 30.9
Optimal Cycle: 76 Level Of Service: C

Street Name:	Minaret Rd						Main St-Lake Mary Rd								
Approach:	North Bound			South Bound			East Bound			West Bound					
Movement:	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R
Control:	Split Phase			Split Phase			Protected			Protected					
Rights:	Include			Include			Include			Ovl					
Min. Green:	0	0	0	0	0	0	0	0	0	0	0	0			
Lanes:	1	0	1	0	1	2	0	0	1	0	1	0	2	0	1

Volume Module:

Base Vol:	159	118	80	480	183	127	97	465	197	65	337	105
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	159	118	80	480	183	127	97	465	197	65	337	105
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	64	55	70	-41	65	0	9	-10	113	62	31	96
Initial Fut:	223	173	150	439	248	127	106	455	310	127	368	201
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
PHF Volume:	235	182	158	462	261	134	112	479	326	134	387	212
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	235	182	158	462	261	134	112	479	326	134	387	212
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Final Volume:	235	182	158	462	261	134	112	479	326	134	387	212

Saturation Flow Module:

Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.95	1.00	0.85	0.92	0.95	0.95	0.95	0.95	0.85	0.95	0.95	0.85
Lanes:	1.00	1.00	1.00	2.00	0.66	0.34	1.00	2.00	1.00	1.00	2.00	1.00
Final Sat.:	1805	1900	1615	3502	1192	611	1805	3610	1615	1805	3610	1615

Capacity Analysis Module:

Vol/Sat:	0.13	0.10	0.10	0.13	0.22	0.22	0.06	0.13	0.20	0.07	0.11	0.13
Crit Moves:	****			****			****			****		
Green/Cycle:	0.17	0.17	0.17	0.28	0.28	0.28	0.13	0.26	0.26	0.09	0.22	0.50
Volume/Cap:	0.78	0.58	0.59	0.47	0.78	0.78	0.48	0.51	0.78	0.78	0.48	0.26
Delay/Veh:	44.4	33.3	34.2	24.2	34.3	34.3	33.9	25.8	36.8	55.8	27.4	11.5
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	44.4	33.3	34.2	24.2	34.3	34.3	33.9	25.8	36.8	55.8	27.4	11.5
LOS by Move:	D	C	C	C	C	C	C	C	D	E	C	B
HCM2kAvgQ:	8	5	5	5	11	11	3	6	10	5	5	3

Note: Queue reported is the number of cars per lane.

Mammoth Crossings
Existing plus Construction Trips plus Approved Projects Conditions

Level Of Service Computation Report
2000 HCM Operations Method (Future Volume Alternative)

Intersection #1007 Canyon/Lake Mary Road

Cycle (sec): 60 Critical Vol./Cap.(X): 0.505
Loss Time (sec): 12 (Y+R=4.0 sec) Average Delay (sec/veh): 12.9
Optimal Cycle: 38 Level Of Service: B

Street Name:	Canyon						Lake Mary Road					
Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Control:	Split Phase			Split Phase			Permitted			Permitted		
Rights:	Include			Include			Include			Include		
Min. Green:	0	0	0	0	0	0	0	0	0	0	0	0
Lanes:	1	0	0	1	0	0	1	0	0	0	1	0

Volume Module:	Canyon			Canyon			Lake Mary Road			Lake Mary Road		
Base Vol:	0	0	8	303	0	14	9	172	0	8	232	204
Growth Adj:	1.43	1.43	1.43	1.43	1.43	1.43	1.43	1.43	1.43	1.43	1.43	1.43
Initial Bse:	0	0	11	433	0	20	13	246	0	11	332	292
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	0	0	0	42	0	2	9	46	0	0	-14	84
Initial Fut:	0	0	11	475	0	22	22	292	0	11	318	376
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
PHF Volume:	0	0	12	500	0	23	23	307	0	12	334	395
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	0	0	12	500	0	23	23	307	0	12	334	395
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Final Volume:	0	0	12	500	0	23	23	307	0	12	334	395

Saturation Flow Module:	Canyon			Canyon			Lake Mary Road			Lake Mary Road		
Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	1.00	1.00	0.85	0.95	1.00	0.95	0.49	1.00	1.00	0.99	0.99	0.85
Lanes:	1.00	0.00	1.00	1.92	0.00	0.08	1.00	1.00	0.00	0.03	0.97	1.00
Final Sat.:	1900	0	1615	3447	0	153	922	1900	0	65	1810	1615

Capacity Analysis Module:	Canyon			Canyon			Lake Mary Road			Lake Mary Road		
Vol/Sat:	0.00	0.00	0.01	0.15	0.00	0.15	0.02	0.16	0.00	0.18	0.18	0.24
Crit Moves:	****			****						****		
Green/Cycle:	0.00	0.00	0.01	0.30	0.00	0.30	0.48	0.48	0.00	0.48	0.48	0.48
Volume/Cap:	0.00	0.00	0.51	0.48	0.00	0.51	0.05	0.33	0.00	0.38	0.38	0.51
Delay/Veh:	0.0	0.0	45.7	17.5	0.0	17.7	8.2	9.7	0.0	10.0	10.0	11.1
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	0.0	0.0	45.7	17.5	0.0	17.7	8.2	9.7	0.0	10.0	10.0	11.1
LOS by Move:	A	A	D	B	A	B	A	A	A	B	B	B
HCM2kAvgQ:	0	0	1	4	0	5	0	4	0	4	4	5

Note: Queue reported is the number of cars per lane.

Mammoth Crossings
Existing plus Construction Trips plus Approved Projects Conditions

Level Of Service Computation Report

2000 HCM Unsignalized Method (Future Volume Alternative)

Intersection #1008 Mountain Blvd/Main Street

Average Delay (sec/veh): 4.9 Worst Case Level Of Service: F[88.2]

Approach:	North Bound				South Bound				East Bound				West Bound							
Movement:	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R
Control:	Stop Sign				Stop Sign				Uncontrolled				Uncontrolled							
Rights:	Include				Include				Include				Include							
Lanes:	0	0	1	0	0	0	0	1	0	0	1	0	1	1	0	1	0	1	1	0

Volume Module:	North Bound				South Bound				East Bound				West Bound			
Base Vol:	5	1	10		25	5	17		24	641	27		3	399	22	
Growth Adj:	1.43	1.43	1.43		1.43	1.43	1.43		1.43	1.43	1.43		1.43	1.43	1.43	
Initial Bse:	7	1	14		36	7	24		34	917	39		4	571	31	
Added Vol:	0	0	0		0	0	0		0	0	0		0	0	0	
PasserByVol:	0	0	0		16	0	10		4	-3	0		0	182	16	
Initial Fut:	7	1	14		52	7	34		38	914	39		4	753	47	
User Adj:	1.00	1.00	1.00		1.00	1.00	1.00		1.00	1.00	1.00		1.00	1.00	1.00	
PHF Adj:	0.95	0.95	0.95		0.95	0.95	0.95		0.95	0.95	0.95		0.95	0.95	0.95	
PHF Volume:	8	2	15		54	8	36		40	962	41		5	792	50	
Reduct Vol:	0	0	0		0	0	0		0	0	0		0	0	0	
FinalVolume:	8	2	15		54	8	36		40	962	41		5	792	50	

Critical Gap Module:	North Bound				South Bound				East Bound				West Bound			
Critical Gp:	7.5	6.5	6.9		7.5	6.5	6.9		4.1	xxxx	xxxxx		4.1	xxxx	xxxxx	
FollowUpTim:	3.5	4.0	3.3		3.5	4.0	3.3		2.2	xxxx	xxxxx		2.2	xxxx	xxxxx	

Capacity Module:	North Bound				South Bound				East Bound				West Bound			
Cnflct Vol:	1472	1914	501		1388	1909	421		842	xxxx	xxxxx		1002	xxxx	xxxxx	
Potent Cap.:	90	69	521		104	69	587		802	xxxx	xxxxx		699	xxxx	xxxxx	
Move Cap.:	74	65	521		95	65	587		802	xxxx	xxxxx		699	xxxx	xxxxx	
Volume/Cap:	0.10	0.02	0.03		0.57	0.12	0.06		0.05	xxxx	xxxxx		0.01	xxxx	xxxxx	

Level Of Service Module:	North Bound				South Bound				East Bound				West Bound							
2Way95thQ:	xxxx	xxxx	xxxxx		xxxx	xxxx	xxxxx		0.2	xxxx	xxxxx		0.0	xxxx	xxxxx					
Control Del:	xxxxx	xxxx	xxxxx		xxxxx	xxxx	xxxxx		9.7	xxxx	xxxxx		10.2	xxxx	xxxxx					
LOS by Move:	*	*	*		*	*	*		A	*	*		B	*	*					
Movement:	LT	-	LTR	-	RT	LT	-	LTR	-	RT	LT	-	LTR	-	RT	LT	-	LTR	-	RT
Shared Cap.:	xxxx	156	xxxxx		xxxx	131	xxxxx		xxxx	xxxx	xxxxx		xxxx	xxxx	xxxxx					
SharedQueue:	xxxxx	0.5	xxxxx		xxxxx	4.4	xxxxx		xxxxx	xxxx	xxxxx		xxxxx	xxxx	xxxxx					
Shrd ConDel:	xxxxx	32.2	xxxxx		xxxxx	88.2	xxxxx		xxxxx	xxxx	xxxxx		xxxxx	xxxx	xxxxx					
Shared LOS:	*	D	*		*	F	*		*	*	*		*	*	*					
ApproachDel:	32.2				88.2				xxxxxx				xxxxxx							
ApproachLOS:	D				F				*				*							

Note: Queue reported is the number of cars per lane.

Mammoth Crossings

Existing plus Construction Trips plus Approved Projects Conditions

Level Of Service Computation Report

2000 HCM Unsignalized Method (Future Volume Alternative)

Intersection #1009 Post Office Frontage/Main St

Average Delay (sec/veh): 105.4 Worst Case Level Of Service: F[694.0]

Post Office Frontage						Main Street																	
Approach: North Bound						South Bound						East Bound						West Bound					
Movement: L - T - R						L - T - R						L - T - R						L - T - R					
Control: Stop Sign						Stop Sign						Uncontrolled						Uncontrolled					
Rights: Include						Include						Include						Include					
Lanes: 0 0 1! 0 0						0 1 0 0 1						1 0 1 1 0						1 0 1 1 0					

Volume Module:

Base Vol:	31	10	45	36	2	70	47	570	46	41	375	61
Growth Adj:	1.43	1.43	1.43	1.43	1.43	1.43	1.43	1.43	1.43	1.43	1.43	1.43
Initial Bse:	44	14	64	51	3	100	67	815	66	59	536	87
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	0	0	0	116	0	15	4	31	0	0	97	22
Initial Fut:	44	14	64	167	3	115	71	846	66	59	633	109
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
PHF Volume:	47	15	68	176	3	121	75	891	69	62	667	115
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
FinalVolume:	47	15	68	176	3	121	75	891	69	62	667	115

Critical Gap Module:

Critical Gp:	7.5	6.5	6.9	7.5	6.5	6.9	4.1	xxxx	xxxxx	4.1	xxxx	xxxxx
FollowUpTim:	3.5	4.0	3.3	3.5	4.0	3.3	2.2	xxxx	xxxxx	2.2	xxxx	xxxxx

Capacity Module:

Cnflct Vol:	1533	1980	480	1450	1957	391	782	xxxx	xxxxx	960	xxxx	xxxxx
Potent Cap.:	81	62	537	94	64	614	845	xxxx	xxxxx	725	xxxx	xxxxx
Move Cap.:	54	52	537	56	54	614	845	xxxx	xxxxx	725	xxxx	xxxxx
Volume/Cap:	0.86	0.29	0.13	3.16	0.06	0.20	0.09	xxxx	xxxx	0.09	xxxx	xxxx

Level Of Service Module:

2Way95thQ:	xxxx	xxxx	xxxxx	xxxx	xxxx	0.7	0.3	xxxx	xxxxx	0.3	xxxx	xxxxx
Control Del:	xxxxx	xxxx	xxxxx	xxxxx	xxxx	12.3	9.7	xxxx	xxxxx	10.4	xxxx	xxxxx
LOS by Move:	*	*	*	*	*	B	A	*	*	B	*	*
Movement:	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT
Shared Cap.:	xxxx	102	xxxxx	56	xxxx	xxxxx	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx
SharedQueue:	xxxxx	8.9	xxxxx	19.0	xxxx	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx
Shrd ConDel:	xxxxx	257	xxxxx	1155	xxxx	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx
Shared LOS:	*	F	*	F	*	*	*	*	*	*	*	*
ApproachDel:	256.9			694.0			xxxxxx			xxxxxx		
ApproachLOS:	F			F			*			*		

Note: Queue reported is the number of cars per lane.

Mammoth Crossings
Existing plus Approved Projects Conditions * *With Improvement*

Level Of Service Computation Report
2000 HCM Unsignalized Method (Future Volume Alternative)

Intersection #1009 Post Office Frontage/Main St

Average Delay (sec/veh): 2.8 Worst Case Level Of Service: D[28.8]

Street Name:	Post Office Frontage						Main Street					
Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Control:	Stop Sign			Stop Sign			Uncontrolled			Uncontrolled		
Rights:	Include			Include			Include			Include		
Lanes:	0	0	1	0	0	1	1	0	1	1	0	1

Volume Module:	Post Office Frontage			Post Office Frontage			Main Street			Main Street		
Base Vol:	31	10	45	36	2	70	47	570	46	41	375	61
Growth Adj:	1.43	1.43	1.43	1.43	1.43	1.43	1.43	1.43	1.43	1.43	1.43	1.43
Initial Bse:	44	14	64	51	3	100	67	815	66	59	536	87
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	-44	0	0	-51	0	15	4	-47	0	0	40	22
Initial Fut:	0	14	64	0	3	115	71	768	66	59	576	109
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
PHF Volume:	0	15	68	1	3	121	75	809	69	62	607	115
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
FinalVolume:	0	15	68	1	3	121	75	809	69	62	607	115

Critical Gap Module:	Post Office Frontage			Post Office Frontage			Main Street			Main Street		
Critical Gp:	7.5	6.5	6.9	7.5	6.5	6.9	4.1	xxxx	xxxxx	4.1	xxxx	xxxxx
FollowUpTim:	3.5	4.0	3.3	3.5	4.0	3.3	2.2	xxxx	xxxxx	2.2	xxxx	xxxxx

Capacity Module:	Post Office Frontage			Post Office Frontage			Main Street			Main Street		
Cnflct Vol:	1421	1838	439	1349	1815	361	722	xxxx	xxxxx	878	xxxx	xxxxx
Potent Cap.:	98	76	571	111	79	642	890	xxxx	xxxxx	778	xxxx	xxxxx
Move Cap.:	68	64	571	71	67	642	890	xxxx	xxxxx	778	xxxx	xxxxx
Volume/Cap:	0.01	0.23	0.12	0.01	0.05	0.19	0.08	xxxx	xxxx	0.08	xxxx	xxxx

Level Of Service Module:	Post Office Frontage			Post Office Frontage			Main Street			Main Street		
2Way95thQ:	xxxx	xxxx	xxxxx	xxxx	xxxx	0.7	0.3	xxxx	xxxxx	0.3	xxxx	xxxxx
Control Del:	xxxxx	xxxx	xxxxx	xxxxx	xxxx	11.9	9.4	xxxx	xxxxx	10.0	xxxx	xxxxx
LOS by Move:	*	*	*	*	*	B	A	*	*	B	*	*
Movement:	LT	LTR	RT	LT	LTR	RT	LT	LTR	RT	LT	LTR	RT
Shared Cap.:	xxxx	233	xxxxx	67	xxxx	xxxxx	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx
SharedQueue:	xxxxx	1.5	xxxxx	0.2	xxxx	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx
Shrd ConDel:	xxxxx	28.8	xxxxx	61.5	xxxx	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx
Shared LOS:	*	D	*	F	*	*	*	*	*	*	*	*
ApproachDel:	28.8			13.3			xxxxxx			xxxxxx		
ApproachLOS:	D			B			*			*		

Note: Queue reported is the number of cars per lane.

Mammoth Crossings
Existing plus Construction Trips plus Approved Projects Conditions

Level Of Service Computation Report

2000 HCM Unsignalized Method (Future Volume Alternative)

Intersection #1010 Center St/Main St

Average Delay (sec/veh): 19.2 Worst Case Level Of Service: F[222.5]

Street Name:	Center St						Main St					
Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Control:	Stop Sign			Stop Sign			Uncontrolled			Uncontrolled		
Rights:	Include			Include			Include			Include		
Lanes:	0	0	1	0	0	0	1	1	0	1	1	0

Volume Module:	Center St NB			Center St SB			Main St EB			Main St WB		
Base Vol:	22	1	55	10	1	35	19	588	44	16	425	38
Growth Adj:	1.43	1.43	1.43	1.43	1.43	1.43	1.43	1.43	1.43	1.43	1.43	1.43
Initial Bse:	31	1	79	14	1	50	27	841	63	23	608	54
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	41	0	12	0	0	0	0	23	41	22	91	0
Initial Fut:	72	1	91	14	1	50	27	864	104	45	699	54
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
PHF Volume:	76	2	95	15	2	53	29	909	109	47	736	57
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
FinalVolume:	76	2	95	15	2	53	29	909	109	47	736	57

Critical Gap Module:	Center St NB			Center St SB			Main St EB			Main St WB		
Critical Gp:	7.5	6.5	6.9	7.5	6.5	6.9	4.1	xxxx	xxxxx	4.1	xxxx	xxxxx
FollowUpTim:	3.5	4.0	3.3	3.5	4.0	3.3	2.2	xxxx	xxxxx	2.2	xxxx	xxxxx

Capacity Module:	Center St NB			Center St SB			Main St EB			Main St WB		
Cnflct Vol:	1484	1908	509	1371	1935	396	793	xxxx	xxxxx	1019	xxxx	xxxxx
Potent Cap.:	88	69	514	107	67	609	837	xxxx	xxxxx	689	xxxx	xxxxx
Move Cap.:	73	62	514	79	60	609	837	xxxx	xxxxx	689	xxxx	xxxxx
Volume/Cap:	1.04	0.02	0.19	0.19	0.03	0.09	0.03	xxxx	xxxx	0.07	xxxx	xxxx

Level Of Service Module:	Center St NB			Center St SB			Main St EB			Main St WB		
2Way95thQ:	xxxx	xxxx	xxxxx	xxxx	xxxx	0.3	0.1	xxxx	xxxxx	0.2	xxxx	xxxxx
Control Del:	xxxxx	xxxx	xxxxx	xxxxx	xxxx	11.5	9.5	xxxx	xxxxx	10.6	xxxx	xxxxx
LOS by Move:	*	*	*	*	*	B	A	*	*	B	*	*
Movement:	LT	LTR	RT	LT	LTR	RT	LT	LTR	RT	LT	LTR	RT
Shared Cap.:	xxxx	138	xxxxx	77	xxxx	xxxxx	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx
SharedQueue:	xxxxx	10.5	xxxxx	0.8	xxxx	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx
Shrd ConDel:	xxxxx	223	xxxxx	64.4	xxxx	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx
Shared LOS:	*	F	*	F	*	*	*	*	*	*	*	*
ApproachDel:	222.5			24.1			xxxxxx			xxxxxx		
ApproachLOS:	F			C			*			*		

Note: Queue reported is the number of cars per lane.

Mammoth Crossings
Existing plus Approved Projects Conditions * w/ Improvement

Level Of Service Computation Report
2000 HCM Operations Method (Future Volume Alternative)

Intersection #1010 Center St/Main St

Cycle (sec): 100 Critical Vol./Cap.(X): 0.531

Loss Time (sec): 16 (Y+R=4.0 sec) Average Delay (sec/veh): 18.7

Optimal Cycle: 51 Level Of Service: B

Street Name:	Center St						Main St						
Approach:	North Bound			South Bound			East Bound			West Bound			
Movement:	L	T	R	L	T	R	L	T	R	L	T	R	
Control:	Split Phase			Split Phase			Protected			Protected			
Rights:	Include			Include			Include			Include			
Min. Green:	0	0	0	0	0	0	0	0	0	0	0	0	
Lanes:	0	0	1	0	0	1	1	0	1	1	0	1	0

Volume Module:

Base Vol:	22	1	55	10	1	35	19	588	44	16	425	38
Growth Adj:	1.43	1.43	1.43	1.43	1.43	1.43	1.43	1.43	1.43	1.43	1.43	1.43
Initial Bse:	31	1	79	14	1	50	27	841	63	23	608	54
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	41	0	12	0	0	0	0	23	41	22	91	0
Initial Fut:	72	1	91	14	1	50	27	864	104	45	699	54
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
PHF Volume:	76	2	95	15	2	53	29	909	109	47	736	57
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	76	2	95	15	2	53	29	909	109	47	736	57
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
FinalVolume:	76	2	95	15	2	53	29	909	109	47	736	57

Saturation Flow Module:

Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.91	0.91	0.91	0.96	0.96	0.85	0.95	0.93	0.93	0.95	0.94	0.94
Lanes:	0.44	0.01	0.55	0.91	0.09	1.00	1.00	1.79	0.21	1.00	1.86	0.14
Final Sat.:	758	15	948	1653	165	1615	1805	3171	381	1805	3313	258

Capacity Analysis Module:

Vol/Sat:	0.10	0.10	0.10	0.01	0.01	0.03	0.02	0.29	0.29	0.03	0.22	0.22
Crit Moves:	****			****			****			****		
Green/Cycle:	0.19	0.19	0.19	0.06	0.06	0.06	0.04	0.54	0.54	0.05	0.55	0.55
Volume/Cap:	0.53	0.53	0.53	0.15	0.15	0.53	0.40	0.53	0.53	0.53	0.40	0.40
Delay/Veh:	38.2	38.2	38.2	45.1	45.1	50.9	50.6	15.1	15.1	52.4	13.2	13.2
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	38.2	38.2	38.2	45.1	45.1	50.9	50.6	15.1	15.1	52.4	13.2	13.2
LOS by Move:	D	D	D	D	D	D	D	B	B	D	B	B
HCM2kAvgQ:	5	5	5	1	1	2	1	11	11	2	7	7

Note: Queue reported is the number of cars per lane.

Mammoth Crossings
Existing plus Construction Trips plus Approved Projects Conditions

Level Of Service Computation Report

2000 HCM Operations Method (Future Volume Alternative)

Intersection #1011 Old Mammoth Rd/ Main St

Cycle (sec): 60 Critical Vol./Cap.(X): 0.793

Loss Time (sec): 12 (Y+R=4.0 sec) Average Delay (sec/veh): 15.7

Optimal Cycle: 62 Level Of Service: B

Street Name: Old Mammoth Rd Main St

Approach:	North Bound				South Bound				East Bound				West Bound			
Movement:	L	-	T	R	L	-	T	R	L	-	T	R	L	-	T	R
Control:	Protected				Protected				Prot+Permit				Prot+Permit			
Rights:	Include				Include				Include				Include			
Min. Green:	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Lanes:	1	0	0	0	1	0	0	0	0	0	2	0	1	0	2	0

Volume Module:

Base Vol:	296	0	74	0	0	0	0	314	572	110	263	0
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	296	0	74	0	0	0	0	314	572	110	263	0
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	16	0	12	0	0	0	0	48	99	14	69	0
Initial Fut:	312	0	86	0	0	0	0	362	671	124	332	0
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
PHF Volume:	328	0	91	0	0	0	0	381	706	131	349	0
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	328	0	91	0	0	0	0	381	706	131	349	0
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
FinalVolume:	328	0	91	0	0	0	0	381	706	131	349	0

Saturation Flow Module:

Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.95	1.00	0.85	1.00	1.00	1.00	1.00	0.95	0.98	0.95	0.95	1.00
Lanes:	1.00	0.00	1.00	0.00	0.00	0.00	0.00	2.00	1.00	1.00	2.00	0.00
Final Sat.:	1805	0	1615	0	0	0	0	3610	1857	1805	3610	0

Capacity Analysis Module:

Vol/Sat:	0.18	0.00	0.06	0.00	0.00	0.00	0.00	0.11	0.38	0.07	0.10	0.00
Crit Moves:	****								****	****		
Green/Cycle:	0.23	0.00	0.23	0.00	0.00	0.00	0.00	0.48	0.48	0.64	0.57	0.00
Volume/Cap:	0.79	0.00	0.24	0.00	0.00	0.00	0.00	0.22	0.79	0.20	0.17	0.00
Delay/Veh:	31.9	0.0	19.2	0.0	0.0	0.0	0.0	9.2	18.1	4.6	6.2	0.0
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	31.9	0.0	19.2	0.0	0.0	0.0	0.0	9.2	18.1	4.6	6.2	0.0
LOS by Move:	C	A	B	A	A	A	A	A	B	A	A	A
HCM2kAvgQ:	8	0	2	0	0	0	0	2	13	1	2	0

Note: Queue reported is the number of cars per lane.

Mammoth Crossings
Existing plus Approved Projects Conditions
With Berner Street Correction and 200 extra SBL

Level Of Service Computation Report
2000 HCM Operations Method (Future Volume Alternative)

Intersection #2 Minaret Rd/Main St-Lake Mary Rd

Cycle (sec): 80 Critical Vol./Cap.(X): 0.951
Loss Time (sec): 16 Average Delay (sec/veh): 42.4
Optimal Cycle: 119 Level Of Service: D

Street Name:	Minaret Rd						Main St-Lake Mary Rd					
Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Control:	Split Phase			Split Phase			Protected			Protected		
Rights:	Include			Include			Include			Ovl		
Min. Green:	0	0	0	0	0	0	0	0	0	0	0	0
Y+R:	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Lanes:	1	0	1	0	1	0	1	0	2	0	1	1

Volume Module:

Base Vol:	159	118	80	480	183	127	97	465	197	65	337	105
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	159	118	80	480	183	127	97	465	197	65	337	105
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	131	83	76	261	76	16	6	152	214	87	169	101
Initial Fut:	290	201	156	741	259	143	103	617	411	152	506	206
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
PHF Volume:	305	212	164	780	273	151	108	649	433	160	533	217
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	305	212	164	780	273	151	108	649	433	160	533	217
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
FinalVolume:	305	212	164	780	273	151	108	649	433	160	533	217

Saturation Flow Module:

Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.95	1.00	0.85	0.92	0.95	0.95	0.95	0.95	0.85	0.95	0.95	0.85
Lanes:	1.00	1.00	1.00	2.00	0.64	0.36	1.00	2.00	1.00	1.00	2.00	1.00
Final Sat.:	1805	1900	1615	3502	1159	640	1805	3610	1615	1805	3610	1615

Capacity Analysis Module:

Vol/Sat:	0.17	0.11	0.10	0.22	0.24	0.24	0.06	0.18	0.27	0.09	0.15	0.13
Crit Moves:	****					****			****	****		
Green/Cycle:	0.18	0.18	0.18	0.25	0.25	0.25	0.11	0.28	0.28	0.09	0.27	0.51
Volume/Cap:	0.95	0.63	0.57	0.90	0.95	0.95	0.55	0.64	0.95	0.95	0.55	0.26
Delay/Veh:	69.8	34.1	32.9	41.6	60.1	60.1	37.3	26.5	58.2	91.0	26.0	11.1
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	69.8	34.1	32.9	41.6	60.1	60.1	37.3	26.5	58.2	91.0	26.0	11.1
LOS by Move:	E	C	C	D	E	E	D	C	E	F	C	B
HCM2kAvgQ:	9	5	4	13	15	15	3	8	16	8	7	3

Mammoth Crossings
Existing plus Project plus Approved Projects Conditions
With Berner Street Correction and 200 extra SBL

Level Of Service Computation Report
2000 HCM Operations Method (Future Volume Alternative)

Intersection #2 Minaret Rd/Main St-Lake Mary Rd

Cycle (sec):	80	Critical Vol./Cap. (X):	0.992
Loss Time (sec):	16	Average Delay (sec/veh):	46.4
Optimal Cycle:	120	Level Of Service:	D

Street Name:	Minaret Rd						Main St-Lake Mary Rd								
Approach:	North Bound			South Bound			East Bound			West Bound					
Movement:	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R
Control:	Split Phase			Split Phase			Protected			Protected					
Rights:	Include			Include			Include			Ovl					
Min. Green:	0	0	0	0	0	0	0	0	0	0	0	0			
Y+R:	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0			
Lanes:	1	0	1	0	1	2	0	0	1	0	1	0	2	0	1

Volume Module:

Base Vol:	159	118	80	480	183	127	97	465	197	65	337	105
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	159	118	80	480	183	127	97	465	197	65	337	105
Added Vol:	11	8	11	0	9	9	9	26	12	13	29	0
PasserByVol:	131	83	76	261	76	16	6	152	214	87	169	101
Initial Fut:	301	209	167	741	268	152	112	643	423	165	535	206
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
PHF Volume:	317	220	176	780	282	160	118	677	445	174	563	217
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	317	220	176	780	282	160	118	677	445	174	563	217
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
FinalVolume:	317	220	176	780	282	160	118	677	445	174	563	217

Saturation Flow Module:

Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.95	1.00	0.85	0.92	0.95	0.95	0.95	0.95	0.85	0.95	0.95	0.85
Lanes:	1.00	1.00	1.00	2.00	0.64	0.36	1.00	2.00	1.00	1.00	2.00	1.00
Final Sat.:	1805	1900	1615	3502	1147	650	1805	3610	1615	1805	3610	1615

Capacity Analysis Module:

Vol/Sat:	0.18	0.12	0.11	0.22	0.25	0.25	0.07	0.19	0.28	0.10	0.16	0.13
Crit Moves:	****					****			****	****		
Green/Cycle:	0.18	0.18	0.18	0.25	0.25	0.25	0.11	0.28	0.28	0.10	0.26	0.51
Volume/Cap:	0.99	0.65	0.62	0.90	0.99	0.99	0.59	0.67	0.99	0.99	0.59	0.26
Delay/Veh:	80.9	35.2	34.4	41.2	70.4	70.4	38.5	27.5	69.0	101.6	26.6	11.2
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	80.9	35.2	34.4	41.2	70.4	70.4	38.5	27.5	69.0	101.6	26.6	11.2
LOS by Move:	F	D	C	D	E	E	D	C	E	F	C	B
HCM2kAvgQ:	10	5	4	13	17	17	4	9	17	8	7	3

Mammoth Crossings
Final General Plan Conditions
With Berner Street Correction and 200 extra SBL

Level Of Service Computation Report
2000 HCM Operations Method (Future Volume Alternative)

Intersection #2 Minaret Rd/Main St-Lake Mary Rd

Cycle (sec):	80	Critical Vol./Cap. (X):	0.699
Loss Time (sec):	16	Average Delay (sec/veh):	27.1
Optimal Cycle:	64	Level Of Service:	C

Street Name:	Minaret Rd						Main St-Lake Mary Rd					
Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	- T	- R	L	- T	- R	L	- T	- R	L	- T	- R
Control:	Split Phase			Split Phase			Protected			Protected		
Rights:	Include			Include			Include			Ovl		
Min. Green:	0	0	0	0	0	0	0	0	0	0	0	0
Y+R:	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Lanes:	1	0	1 0 1	2	0	0 1 0	1	0	2 0 1	1	0	2 0 1

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Volume Module:

Base Vol:	223	301	88	515	462	54	40	626	361	126	617	410
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	223	301	88	515	462	54	40	626	361	126	617	410
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	-61	-72	-46	221	-76	-30	-15	-161	-124	-42	-169	-86
Initial Fut:	162	229	42	736	386	24	25	465	237	84	448	324
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
PHF Volume:	171	241	44	775	406	25	26	489	249	88	472	341
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	171	241	44	775	406	25	26	489	249	88	472	341
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Final Volume:	171	241	44	775	406	25	26	489	249	88	472	341

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Saturation Flow Module:

Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.95	1.00	0.85	0.92	0.99	0.99	0.95	0.95	0.85	0.95	0.95	0.85
Lanes:	1.00	1.00	1.00	2.00	0.94	0.06	1.00	2.00	1.00	1.00	2.00	1.00
Final Sat.:	1805	1900	1615	3502	1773	110	1805	3610	1615	1805	3610	1615

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Capacity Analysis Module:

Vol/Sat:	0.09	0.13	0.03	0.22	0.23	0.23	0.01	0.14	0.15	0.05	0.13	0.21
Crit Moves:	****			****			****			****		
Green/Cycle:	0.18	0.18	0.18	0.33	0.33	0.33	0.03	0.22	0.22	0.07	0.26	0.59
Volume/Cap:	0.52	0.70	0.15	0.68	0.70	0.70	0.50	0.61	0.70	0.70	0.50	0.36
Delay/Veh:	31.1	37.0	27.8	24.8	27.0	27.0	45.5	29.5	34.8	52.3	25.5	8.8
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	31.1	37.0	27.8	24.8	27.0	27.0	45.5	29.5	34.8	52.3	25.5	8.8
LOS by Move:	C	D	C	C	C	C	D	C	C	D	C	A
HCM2kAvgQ:	4	6	1	10	10	10	1	7	7	4	6	4

Mammoth Crossings
Future plus Crossings Project Conditions
With Berner Street Correction and 200 extra SBT

Level Of Service Computation Report
2000 HCM Operations Method (Future Volume Alternative)

Intersection #2 Minaret Rd/Main St-Lake Mary Rd

Cycle (sec): 80 Critical Vol./Cap.(X): 1.029
Loss Time (sec): 16 Average Delay (sec/veh): 38.3
Optimal Cycle: 120 Level Of Service: D

Street Name:	Minaret Rd						Main St-Lake Mary Rd					
Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Control:	Split Phase			Split Phase			Protected			Protected		
Rights:	Include			Include			Include			Ovl		
Min. Green:	0	0	0	0	0	0	0	0	0	0	0	0
Y+R:	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Lanes:	1	0	1	0	1	0	2	0	1	1	0	2

Volume Module:

Base Vol:	237	290	112	496	445	61	29	649	384	156	529	990
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	237	290	112	496	445	61	29	649	384	156	529	990
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	0	0	0	200	0	0	0	0	0	0	0	0
Initial Fut:	237	290	112	696	445	61	29	649	384	156	529	990
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
PHF Volume:	249	305	118	733	468	64	31	683	404	164	557	1042
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	249	305	118	733	468	64	31	683	404	164	557	1042
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
FinalVolume:	249	305	118	733	468	64	31	683	404	164	557	1042

Saturation Flow Module:

Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.95	1.00	0.85	0.92	0.98	0.98	0.95	0.95	0.85	0.95	0.95	0.85
Lanes:	1.00	1.00	1.00	2.00	0.88	0.12	1.00	2.00	1.00	1.00	2.00	1.00
Final Sat.:	1805	1900	1615	3502	1641	225	1805	3610	1615	1805	3610	1615

Capacity Analysis Module:

Vol/Sat:	0.14	0.16	0.07	0.21	0.29	0.29	0.02	0.19	0.25	0.09	0.15	0.65
Crit Moves:	****			****			****			****		
Green/Cycle:	0.16	0.16	0.16	0.28	0.28	0.28	0.02	0.32	0.32	0.12	0.42	0.70
Volume/Cap:	0.88	1.03	0.47	0.75	1.03	1.03	1.03	0.59	0.77	0.77	0.36	0.92
Delay/Veh:	59.5	93.5	32.1	29.8	75.9	75.9	213.4	23.4	31.6	50.5	15.8	22.0
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	59.5	93.5	32.1	29.8	75.9	75.9	213.4	23.4	31.6	50.5	15.8	22.0
LOS by Move:	E	F	C	C	E	E	F	C	C	D	B	C
HCM2kAvgQ:	7	11	3	10	21	21	3	8	11	6	5	27

Existing plus Approved Projects Conditions +100 SBT

With Berner Street Correction

E	(m)	5.20	5.20	5.20	5.20		TIME PERIOD	min	90	
L'	(m)	15.024	13.72	15.24	38.10		TIME SLICE	min	15	
V	(m)	4.87	4.87	4.57	4.27		RESULTS PERIOD	min	15	75
RAD	(m)	22.86	20.12	24.38	20.12		TIME COST	\$/hr	15.00	
PHI	(d)	20.00	20.00	20.00	20.00		FLOW PERIOD	min	15	75
DIA	(m)	36.00	36.00	36.00	36.00		FLOW TYPE	pcu/veh	VEH	
GRAD	SEP	0	0	0	0		FLOW PEAK	am/op/pm	PM	
LEG NAME	PCU	FLOWS (1st exit 2nd etc...U)				FLOF	CL	FLOW RATIO		FLOW TIME
LEG1	1.00	95	569	115	0	1.00	50	0.75	1.125	0.75 15 45 75
LEG2	1.00	237	83	112	0	1.00	50	0.75	1.125	0.75 15 45 75
LEG3	1.00	92	152	157	0	1.00	50	0.75	1.125	0.75 15 45 75
LEG4	1.00	20	90	80	0	1.00	50	0.75	1.125	0.75 15 45 75
MODE 2										
FLOW	veh	779	432	401	190					
CAPACITY	veh	1421	1131	1420	1339				AVDEL	s 4.8
AVE DELAY	mins	0.09	0.09	0.06	0.05				L O S	A
MAX DELAY	mins	0.13	0.12	0.08	0.07				VEH HRS	2.4
AVE QUEUE	veh	1	1	0	0				COST	\$ 35.7
MAX QUEUE	veh	2	1	0	0					

Existing plus Approved Projects Conditions +200 SBT

With Berner Street Correction

E	(m)	5.20	5.20	5.20	5.20		TIME PERIOD	min	90	
L'	(m)	15.024	13.72	15.24	38.10		TIME SLICE	min	15	
V	(m)	4.87	4.87	4.57	4.27		RESULTS PERIOD	min	15	75
RAD	(m)	22.86	20.12	24.38	20.12		TIME COST	\$/hr	15.00	
PHI	(d)	20.00	20.00	20.00	20.00		FLOW PERIOD	min	15	75
DIA	(m)	36.00	36.00	36.00	36.00		FLOW TYPE	pcu/veh	VEH	
GRAD	SEP	0	0	0	0		FLOW PEAK	am/op/pm	PM	
LEG NAME	PCU	FLOWS (1st exit 2nd etc...U)				FLOF	CL	FLOW RATIO		FLOW TIME
LEG1	1.00	95	669	115	0	1.00	50	0.75	1.125	0.75 15 45 75
LEG2	1.00	237	83	112	0	1.00	50	0.75	1.125	0.75 15 45 75
LEG3	1.00	92	152	157	0	1.00	50	0.75	1.125	0.75 15 45 75
LEG4	1.00	20	90	80	0	1.00	50	0.75	1.125	0.75 15 45 75
MODE 2										
FLOW	veh	879	432	401	190					
CAPACITY	veh	1421	1066	1420	1339				AVDEL	s 5.5
AVE DELAY	mins	0.11	0.09	0.06	0.05				L O S	A
MAX DELAY	mins	0.17	0.14	0.08	0.07				VEH HRS	2.9
AVE QUEUE	veh	2	1	0	0				COST	\$ 43.2
MAX QUEUE	veh	2	1	0	0					

Existing plus Project plus Approved Projects Conditions +100SBT

With Berner Street Correction

E	(m)	5.20	5.20	5.20	5.20		TIME PERIOD	min	90	
L'	(m)	15.024	13.72	15.24	38.10		TIME SLICE	min	15	
V	(m)	4.87	4.87	4.57	4.27		RESULTS PERIOD	min	15	75
RAD	(m)	22.86	20.12	24.38	20.12		TIME COST	\$/hr	15.00	
PHI	(d)	20.00	20.00	20.00	20.00		FLOW PERIOD	min	15	75
DIA	(m)	36.00	36.00	36.00	36.00		FLOW TYPE	pcu/veh	VEH	
GRAD SEP		0	0	0	0		FLOW PEAK	am/op/pm	PM	
LEG NAME	PCU	FLOWS (1st exit 2nd etc...U)				FLOF	CL	FLOW RATIO		FLOW TIME
LEG1	1.00	95	588	115	0	1.00	50	0.75	1.125	0.75 15 45 75
LEG2	1.00	237	83	112	0	1.00	50	0.75	1.125	0.75 15 45 75
LEG3	1.00	92	168	157	0	1.00	50	0.75	1.125	0.75 15 45 75
LEG4	1.00	20	90	80	0	1.00	50	0.75	1.125	0.75 15 45 75
MODE 2										
FLOW	veh	798	432	417	190					
CAPACITY	veh	1421	1118	1420	1329			AVDEL	s	4.9
AVE DELAY	mins	0.10	0.09	0.06	0.05			L O S	A	
MAX DELAY	mins	0.14	0.12	0.08	0.07			VEH HRS	2.5	
AVE QUEUE	veh	1	1	0	0			COST	\$	37.3
MAX QUEUE	veh	2	1	0	0					

Existing plus Project plus Approved Projects Conditions +200SBT ***With Berner Street Correction***

E	(m)	5.20	5.20	5.20	5.20		TIME PERIOD	min	90	
L'	(m)	15.024	13.72	15.24	38.10		TIME SLICE	min	15	
V	(m)	4.87	4.87	4.57	4.27		RESULTS PERIOD	min	15	75
RAD	(m)	22.86	20.12	24.38	20.12		TIME COST	\$/hr	15.00	
PHI	(d)	20.00	20.00	20.00	20.00		FLOW PERIOD	min	15	75
DIA	(m)	36.00	36.00	36.00	36.00		FLOW TYPE	pcu/veh	VEH	
GRAD SEP		0	0	0	0		FLOW PEAK	am/op/pm	PM	
LEG NAME	PCU	FLOWS (1st exit 2nd etc...U)				FLOF	CL	FLOW RATIO		FLOW TIME
LEG1	1.00	95	688	115	0	1.00	50	0.75	1.125	0.75 15 45 75
LEG2	1.00	237	83	112	0	1.00	50	0.75	1.125	0.75 15 45 75
LEG3	1.00	92	168	157	0	1.00	50	0.75	1.125	0.75 15 45 75
LEG4	1.00	20	90	80	0	1.00	50	0.75	1.125	0.75 15 45 75
MODE 2										
FLOW	veh	898	432	417	190					
CAPACITY	veh	1421	1054	1420	1329			AVDEL	s	5.6
AVE DELAY	mins	0.12	0.10	0.06	0.05			L O S	A	
MAX DELAY	mins	0.18	0.14	0.08	0.07			VEH HRS	3.0	
AVE QUEUE	veh	2	1	0	0			COST	\$	45.4
MAX QUEUE	veh	2	1	0	0					

Final General Plan Conditions +100 SBT

With Berner Street Correction

E	(m)	5.20	5.20	5.20	5.20	TIME PERIOD					min	90
L'	(m)	15.024	13.72	15.24	38.10	TIME SLICE					min	15
V	(m)	4.87	4.87	4.57	4.27	RESULTS PERIOD					min	15 75
RAD	(m)	22.86	20.12	24.38	20.12	TIME COST					\$/hr	15.00
PHI	(d)	20.00	20.00	20.00	20.00	FLOW PERIOD					min	15 75
DIA	(m)	36.00	36.00	36.00	36.00	FLOW TYPE					pcu/veh	VEH
GRAD	SEP	0	0	0	0	FLOW PEAK					am/op/pm	PM
LEG NAME	PCU	FLOWS (1st exit 2nd etc...U)				FLOF	CL	FLOW RATIO				FLOW TIME
LEG1	1.00	282	692	53	0	1.00	50	0.75	1.125	0.75	15 45 75	
LEG2	1.00	243	45	160	0	1.00	50	0.75	1.125	0.75	15 45 75	
LEG3	1.00	28	198	265	0	1.00	50	0.75	1.125	0.75	15 45 75	
LEG4	1.00	11	28	22	0	1.00	50	0.75	1.125	0.75	15 45 75	
MODE 2												
FLOW	veh	1027	448	491	61							
CAPACITY	veh	1429	1129	1454	1210							AVDEL s 7.0
AVE DELAY	mins	0.16	0.09	0.06	0.05							L O S A
MAX DELAY	mins	0.25	0.12	0.08	0.07							VEH HRS 3.9
AVE QUEUE	veh	3	1	1	0							COST \$ 59.1
MAX QUEUE	veh	4	1	1	0							

Final General Plan Conditions +200 SBT

With Berner Street Correction

E	(m)	5.20	5.20	5.20	5.20	TIME PERIOD					min	90
L'	(m)	15.024	13.72	15.24	38.10	TIME SLICE					min	15
V	(m)	4.87	4.87	4.57	4.27	RESULTS PERIOD					min	15 75
RAD	(m)	22.86	20.12	24.38	20.12	TIME COST					\$/hr	15.00
PHI	(d)	20.00	20.00	20.00	20.00	FLOW PERIOD					min	15 75
DIA	(m)	36.00	36.00	36.00	36.00	FLOW TYPE					pcu/veh	VEH
GRAD	SEP	0	0	0	0	FLOW PEAK					am/op/pm	PM
LEG NAME	PCU	FLOWS (1st exit 2nd etc...U)				FLOF	CL	FLOW RATIO				FLOW TIME
LEG1	1.00	282	792	53	0	1.00	50	0.75	1.125	0.75	15 45 75	
LEG2	1.00	243	45	160	0	1.00	50	0.75	1.125	0.75	15 45 75	
LEG3	1.00	28	198	265	0	1.00	50	0.75	1.125	0.75	15 45 75	
LEG4	1.00	11	28	22	0	1.00	50	0.75	1.125	0.75	15 45 75	
MODE 2												
FLOW	veh	1127	448	491	61							
CAPACITY	veh	1429	1065	1454	1210							AVDEL s 9.5
AVE DELAY	mins	0.23	0.10	0.06	0.05							L O S A
MAX DELAY	mins	0.40	0.14	0.08	0.07							VEH HRS 5.6
AVE QUEUE	veh	4	1	1	0							COST \$ 83.9
MAX QUEUE	veh	7	1	1	0							

Future plus Crossings Project Conditions +100 SBT

With Berner Street Correction

E	(m)	5.20	5.20	5.20	5.20		TIME PERIOD	min	90	
L'	(m)	15.024	13.72	15.24	38.10		TIME SLICE	min	15	
V	(m)	4.87	4.87	4.57	4.27		RESULTS PERIOD	min	15	75
RAD	(m)	22.86	20.12	24.38	20.12		TIME COST	\$/hr	15.00	
PHI	(d)	20.00	20.00	20.00	20.00		FLOW PERIOD	min	15	75
DIA	(m)	36.00	36.00	36.00	36.00		FLOW TYPE	pcu/veh	VEH	
GRAD	SEP	0	0	0	0		FLOW PEAK	am/op/pm	PM	
LEG NAME	PCU	FLOWS (1st exit 2nd etc...U)				FLOF	CL	FLOW RATIO		FLOW TIME
LEG1	1.00	322	675	77	0	1.00	50	0.75	1.125	0.75 15 45 75
LEG2	1.00	303	123	190	0	1.00	50	0.75	1.125	0.75 15 45 75
LEG3	1.00	61	222	387	0	1.00	50	0.75	1.125	0.75 15 45 75
LEG4	1.00	19	83	61	0	1.00	50	0.75	1.125	0.75 15 45 75
MODE 2										
FLOW	veh	1074	616	670	163					
CAPACITY	veh	1289	1099	1369	1097				AVDEL	s 13.1
AVE DELAY	mins	0.38	0.13	0.09	0.06				L O S	B
MAX DELAY	mins	0.73	0.19	0.12	0.08				VEH HRS	9.2
AVE QUEUE	veh	7	1	1	0				COST	\$ 138.1
MAX QUEUE	veh	12	2	1	0					

Future plus Crossings Project Conditions +200 SBT

With Berner Street Correction

E	(m)	5.20	5.20	5.20	5.20		TIME PERIOD	min	90	
L'	(m)	15.024	13.72	15.24	38.10		TIME SLICE	min	15	
V	(m)	4.87	4.87	4.57	4.27		RESULTS PERIOD	min	15	75
RAD	(m)	22.86	20.12	24.38	20.12		TIME COST	\$/hr	15.00	
PHI	(d)	20.00	20.00	20.00	20.00		FLOW PERIOD	min	15	75
DIA	(m)	36.00	36.00	36.00	36.00		FLOW TYPE	pcu/veh	VEH	
GRAD	SEP	0	0	0	0		FLOW PEAK	am/op/pm	PM	
LEG NAME	PCU	FLOWS (1st exit 2nd etc...U)				FLOF	CL	FLOW RATIO		FLOW TIME
LEG1	1.00	322	775	77	0	1.00	50	0.75	1.125	0.75 15 45 75
LEG2	1.00	303	123	190	0	1.00	50	0.75	1.125	0.75 15 45 75
LEG3	1.00	61	222	387	0	1.00	50	0.75	1.125	0.75 15 45 75
LEG4	1.00	19	83	61	0	1.00	50	0.75	1.125	0.75 15 45 75
MODE 2										
FLOW	veh	1174	616	670	163					
CAPACITY	veh	1289	1036	1369	1097				AVDEL	s 26.6
AVE DELAY	mins	0.86	0.14	0.09	0.06				L O S	D
MAX DELAY	mins	1.86	0.22	0.12	0.08				VEH HRS	19.3
AVE QUEUE	veh	17	2	1	0				COST	\$ 290.2
MAX QUEUE	veh	37	2	1	0					

APPENDIX C
REVISED NORTH VILLAGE SPECIFIC PLAN AMENDMENTS

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Exhibits

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Exhibit B: Existing Conditions

Exhibit C: Site Analysis

Exhibit D: North Village Conceptual Site Plan

Exhibit E: Pedestrian Core Conceptual Site Plan

Exhibit F: Pedestrian/Bike Circulation

INTRODUCTION

A Specific Plan is a planning document which establishes the type and pattern of land uses for a designated area which are more specific than those normally provided by either the General Plan or local zoning ordinances. A specific plan includes a text and a diagram or diagrams which specify all of the following in detail:

- (1) The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan.
- (2) The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan.
- (3) Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable.
- (4) A program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out paragraphs (1), (2), and (3).

In addition, the Specific Plan includes a statement of the relationship of the Specific Plan to the General Plan because the Specific Plan must be in conformance with the General Plan. It replaces the existing zoning regulations and becomes the new "Zoning Ordinance" governing development of the properties within the Specific Plan area. The Specific Plan is a useful planning tool because it provides a detailed land development plan and zoning requirements which address site-specific conditions and constraints.

The primary purpose of the North Village Specific Plan is to provide new land use guidelines and development standards for the North Village area which will enable the development of a cohesive, pedestrian-oriented resort activity node, with supporting facilities, to create a year-round focus for visitor activity in the Town of Mammoth Lakes. The Specific Plan provides a mechanism for directing and focusing development in the project area and will contribute to the overall goal of positioning Mammoth Lakes as a year-round destination resort community.

NORTH VILLAGE SPECIFIC PLAN RELATIONSHIP TO TOWN OF MAMMOTH LAKES GENERAL PLAN

The Town of Mammoth Lakes General Plan regulates development in Mammoth Lakes. Adopted in 1987, the General Plan contains the State-mandated elements which govern all development on private property, including residential, commercial, and industrial uses. The elements presented in the Mammoth Lakes General Plan are as follows:

- Land Use (including Public Facilities)
- Transportation and Circulation
- Housing
- Conservation and Open Space
- Safety (including Seismic Safety) Noise
- Parks and Recreation

Each element is described in terms of objectives and policies. "Objectives" are broad statements of a desired result, while "policies" define measures that can be followed to achieve the objectives. Actual implementation of the General Plan objectives and policies can be accomplished via several avenues; the most common of these being the regulations set forth in the Town zoning regulations. The Town of Mammoth Lakes General Plan identifies several broad goals that are reinforced by the objectives and policies of each of the General Plan elements. These general goals set the overall tone for development and land use in Mammoth Lakes. (Town of Mammoth Lakes General Plan, 1987, page 6.)

The purpose of the North Village Specific Plan is to provide a more refined description of land uses and development policies, which, while conforming to the overall development goals established in the General Plan, are oriented toward the ultimate goal of establishing North Village as a center for year-round resort activity. The North Village Specific Plan is comprised of the same elements identified in the Town General Plan. Objectives, policies, and implementation standards presented in the North Village Specific Plan, are oriented toward increased visitor uses and services and reflect the overall goals and policies established in the General Plan.

In order to demonstrate the North Village Specific Plan's relationship to the General Plan, a brief description of the Specific Plan's compliance with the nine overall goals of the General Plan is presented below.

1. "To provide for community development that is consistent with the community's general health, safety, and welfare." The North Village Specific Plan proposes land use and development policies which, when implemented, will enable the development of a concentrated resort-oriented center. Development policies and standards established in the plan address improvements to infrastructure, particularly roads, that will not only be helpful in accommodating the new development, but will also improve existing conditions. The development will create an active resort core which will add to the economic vitality and social richness of the community.

2. "To preserve and maintain the unique natural setting and mountain resort character of Mammoth Lakes while accommodating changing community needs and conditions." The overall goal of the North Village project is to meet an identified community need by providing a concentrated center for visitor activity. This concentrated development is an improvement of a currently developed area. Development of the North Village area as a unified and centralized project will strengthen the mountain resort image and character of the community. Building heights are to be held generally below the existing tree canopy. Architectural and landscape detailing will conform to the regional mountain character of Mammoth Lakes.
3. "To preserve and maintain the natural environment and wildlife of the area." The Specific Plan sets coverage and density restrictions similar to those established by the Town zoning regulations to ensure that some open space is preserved. The concentration of development in a primarily commercial area will relieve pressure for urban development in remaining open space areas in the Town. The coverage and massing of buildings will create open spaces and preserve view sheds throughout the development. Existing trees will be retained where possible and substantial new tree stands will be planted. By concentrating development on the existing private land base the project reduces the pressures for sprawl onto adjoining National Forest lands.
4. "To provide opportunities for economic growth and diversification." An objective of the North Village Specific Plan is to define land use standards for the project area which will promote economic growth and urban development demanded by changing market conditions and the destination resort goal in the General Plan. The pedestrian orientation of North Village adds a shopping, recreational, and accommodations experience not now present in Mammoth Lakes. This diversity will benefit the entire community.
5. "To provide a wide range of housing, employment, and community facilities for the Town." The North Village Specific Plan allows a wider range of accommodation units as well as new recreational and commercial facilities which will be available to both visitors and residents. Significant new employment opportunities will be created by the project. Although primarily oriented toward visitor and transient lodging, the North Village Specific Plan makes provisions for the development of permanent resident and employee housing.
6. "To provide a land use plan and policies that provide suitable types and intensities of land use." The Specific Plan designates areas for commercial use, which are refined to reflect the visitor orientation of the project. Complimentary lodging facilities and housing opportunities are included to create a self-contained and integrated development with direct access to the mountain. This concentration of uses develops the critical mass essential for economic strength, social interaction, and support of mountain operations.
7. "To establish conservation and development policies for the wise management of the Town's resources." The North Village Specific Plan establishes standards for construction activities to protect the soil, water quality, and natural open space of the project area and surrounding lands. The option of using alternative energy sources such as solar and

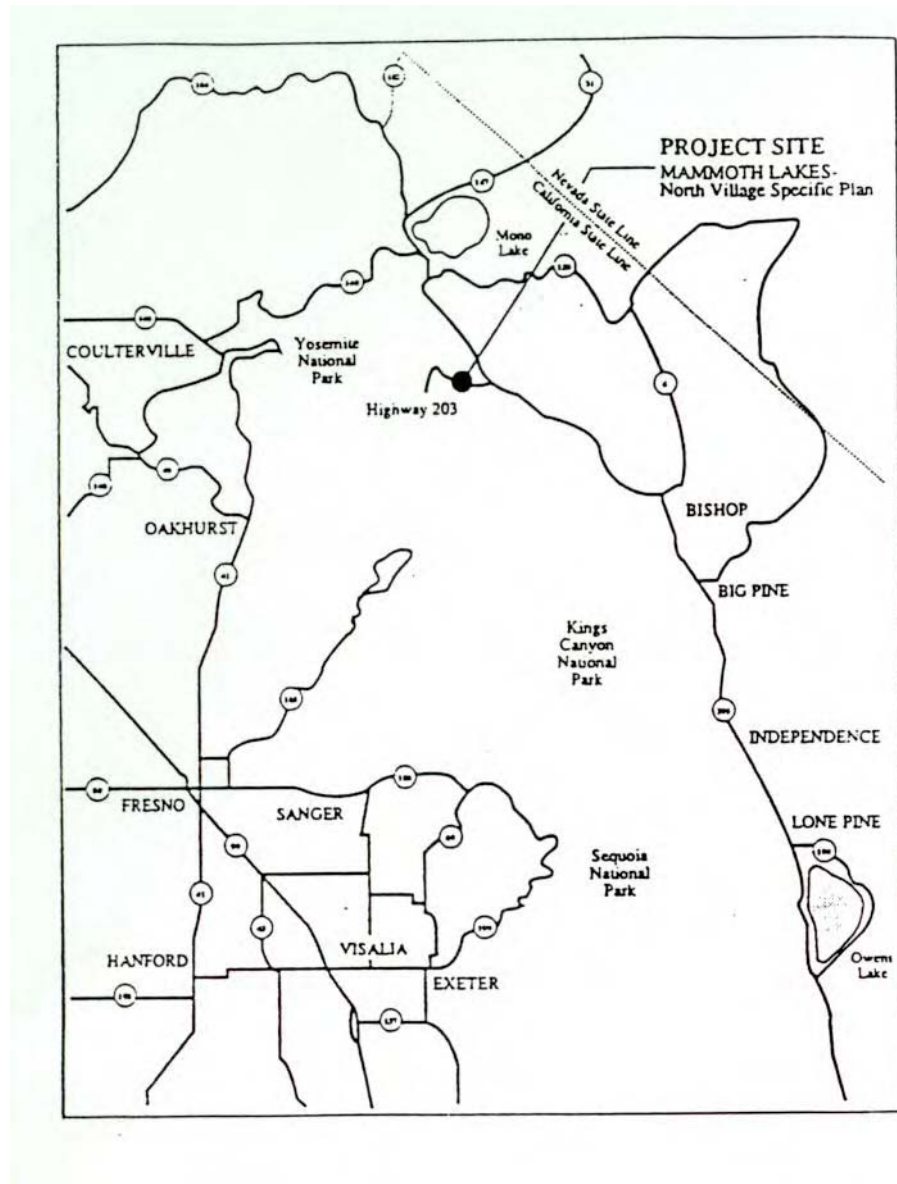
geothermal energy throughout North Village is provided. Scenic view corridors will be maintained and have been carefully laid out to achieve best solar orientation.

8. "To establish transportation policies that will promote the development of a comprehensive transportation system for the community." Fundamental to the success of the North Village Development is the establishment of an integrated transportation system. The system will include improved street circulation, increased emphasis on public transportation, and development of a comprehensive pedestrian circulation system with connections to the town-wide trail system, bicycle paths, and bus stops, all in proximity to major destinations. North Village, by its concentration of uses and gondola, will be an attractive destination for transit system riders.
9. "To establish policies for the development of public services and facilities in accordance with the community's need and the Town's resources to provide for those needs." The North Village Specific Plan addresses the construction of an improved system of infrastructure including a transit system, necessary to support the development area. The Plan responds to community needs by providing major public recreation facilities, public plazas capable of supporting social, cultural, and recreational events, and path, trail, and gondola connections to community-wide and mountain recreation corridors. The phasing of the project infrastructure improvements as well as potential financing to complete them is also addressed.

EXISTING SETTING

Regional Setting

The Town of Mammoth Lakes is located in the Eastern Sierra in the central portion of Mono County and is comprised of approximately 2,400 acres of private property surrounded by National Forest lands. Incorporated in 1984, Mammoth Lakes is the only incorporated town and the largest population center in Mono County. The Town balances the needs of approximately 5,000 permanent residents with providing services for weekend populations currently approaching 30,000 and ultimately expected to reach 52,000.



Access to the Town is provided by State Route 203, an east-west oriented highway, which meets U. S. Highway 395 approximately two miles east of Town. U. S. Highway 395 is the major north-south thoroughfare of the Eastern Sierra, providing access to both Reno and Los Angeles, 180 miles north and 300 miles south, respectively, of Mammoth Lakes.

Mammoth Lakes is known for its varied outdoor recreational opportunities, particularly the alpine skiing opportunities of Mammoth Mountain Ski Area (MMSA). Located immediately west of the Town on National Forest lands, MMSA offers over 3,500 acres of skiable terrain and draws over one million visitors to Mammoth Lakes each year, with a capacity of 24,000 skiers at one time (SAOT).

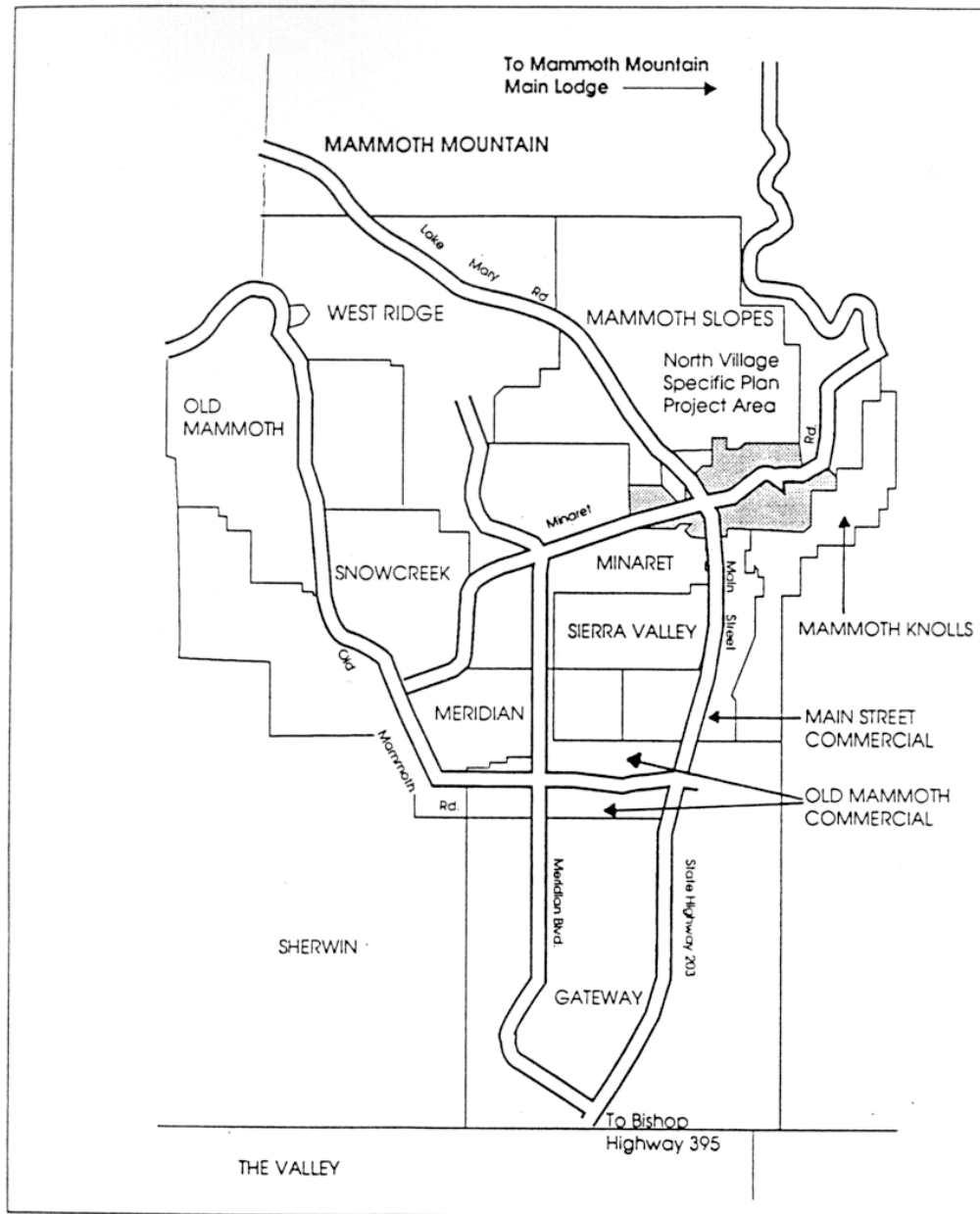
Mammoth Lakes and the Eastern Sierra are also well known for the many summer recreational opportunities offered by the vast acreage of the Inyo National Forest surrounding the Town. The Inyo National Forest, consisting of nearly two million acres in the Eastern Sierra, draws over two million visitors during the summer months.

In spite of its popularity and exceptional recreational opportunities, the Town of Mammoth Lakes exhibits a localized draw, with over 85 percent of its winter resort recreationists originating from within the State and the majority coming from Southern California. One of the shortcomings in Mammoth's capacity for national or international visitor appeal is its lack of a destination resort amenities and resulting image. Currently, Mammoth is characterized by strip commercial development intermixed with budget to moderate level lodging facilities. There is no central focus or image to development in Mammoth, nor are there any full-service lodging facilities or recreational/activity centers; all of which are characteristic features of other major destination resorts.

Following the incorporation of Mammoth Lakes in 1984, Town officials and community leaders developed a Town General Plan to regulate land use and development. The General Plan was adopted in 1987, replacing the land use and development guidelines for Mammoth Lakes previously set forth in the General Plan for Mono County. A major goal established in the Town General Plan is to "provide opportunities for economic growth and diversification" and to direct future development toward unification of the Town and toward the ultimate establishment of Mammoth Lakes as a year-round destination resort. In 1992, a Town Vision Statement was adopted by the Town Council as part of the General Plan to communicate the desired image of Mammoth Lakes. The Vision Statement reaffirms the desire to become a unified destination resort community, with North Village as one of the primary resort centers in Mammoth Lakes.

North Village Specific Plan Area

The North Village Specific Plan Area is located in the northwest portion of the Town of Mammoth Lakes. As shown in ~~(see Exhibit A - Existing Zoning, the Specific Plan Area)~~ and consists of approximately 72 parcels, totaling approximately 64 acres. Exhibit A shows these as 41 separate sites, which are based on the parcelization of the Specific Plan Area at the time of its original adoptions totaling approximately 64 acres. Since the Specific Plan was adopted in 1991 some consolidation of ownership has occurred, but the majority of land remains under multiple ownerships. The Specific Plan Area is located adjacent to Main Street, Lake Mary Road and Minaret Road.



Under the previous Town of Mammoth Lakes zoning regulations, zoning of parcels within the North Village area was primarily Commercial Lodging (C-L) and Commercial General (C-G), with some of the fringe parcels zoned Residential Multiple Family-2 (RMF-2), and Residential Single Family (RSF).

Approximately 34 acres of the Specific Plan Area have already been substantially developed (as shown in Exhibit B - Existing Conditions). Existing land uses within the project area are varied and include hotels, restaurants, visitor-oriented and general commercial operations, professional and medical offices, condominiums, single family homes, and community facilities.

An analysis of existing land uses within the 64-acre North Village Specific Plan Area is included in Table 1. A solar analysis, existing vegetation analysis, and slope analysis of the properties within the Specific Plan area is shown in Exhibit C. Currently, the largest single component of land use, over 25 acres, in the Specific Plan Area is vacant land. Approximately 21 acres have already been developed for resort-oriented and supporting commercial uses compatible with those which are proposed for North Village, ~~although there is no central focus to this existing development~~including the existing Village at Mammoth, which forms a pedestrian-oriented resort core. The remaining 13 acres currently support non-resort land uses which are considered less compatible with the ultimate development concept for North Village. It is planned that the vacant lands will ultimately be developed according to the Specific Plan standards and guidelines; existing compatible uses will be retained, renovated, or replaced and existing non-conforming uses will ultimately be replaced by conforming uses. The remaining approximately eight acres will remain in open space and public uses.

TABLE 1. EXISTING LAND USES IN NORTH VILLAGE

Land Use	Acreage
Vacant	25.20
Commercial/Lodging	10.60
Restaurant	4.80
Resort Commercial	.25
General Commercial	1.20
Non-Resort*	13.95
Open Space	3.00
<u>Quasi-Public</u>	<u>5.10</u>

Total 64.10 acres

*Non-resort uses include industrial uses, private home sites, and non-visitor oriented commercial operations such as office buildings.

SPECIFIC PLAN DESCRIPTION

Specific Plan Objectives

The objective of the North Village Specific Plan is to create a set of land use designations and development standards which will facilitate the development (or renovation) of "North Village" as a concentrated, pedestrian-oriented activity center with limited vehicular access. The North Village development will be oriented toward year-round uses and visitor activity, to strengthen the existing winter visitor market and to improve Mammoth's attractiveness to spring, summer, and fall resort visitors. Unification of development throughout the Specific Plan Area through the establishment of architectural and landscaping guidelines, will strengthen North Village's image as a resort activity node in Mammoth Lakes.

~~The development~~The development plan for the Specific Plan area focuses on the creation of visitor services and attractions, while emphasizing pedestrian access and mobility. Parcels developed for non-lodging purposes will be oriented toward visitor commercial uses. Development densities and standards and the mix of permitted/conditional uses within each land use district will result in a variety of hotel, commercial, and residential uses

The North Village Specific Plan includes Conceptual Site Plans in Exhibits D, E and F. (Please reference Exhibit E and Figure 2 for detailed Conceptual Site Plan for the Mammoth Crossing Sites). These exhibits are intended to illustrate the contemplated development concept which meets the requirements and goals which are described in the Specific Plan's text. They are not intended to preclude alternate creative development concepts and building designs which meet the goals and requirements described within the text.

Concept

The concept of the North Village development is to create a unique and attractive commercial center which will be of interest to local, regional, day, and destination visitors during all seasons of the year. The design emphasizes the creation of diverse shopping, recreational, residential and cultural opportunities which will appeal to all ages and family interests.

The Pedestrian Core area is intended to be a mixed-use village with commercial uses on the ground level and accommodation units on upper floors. The scale of the individual ground level shops will vary. The village commercial center should be perceived as a clustering of individual buildings which have grown over time. Building expressions are to be generally vertical rather than horizontal in form and should be carefully detailed to generate the scale and texture appropriate to pedestrian places. (See Exhibits D and E - North Village Conceptual Site Plan and Pedestrian Core Conceptual Site Plan). A guiding principle is that the Village should have the scale, complexity, and feeling of a small town that has grown over time. The arrangement of buildings will define the edges of the public plazas and serve as foreground buildings to larger scale lodges and hotels.

A major premise guiding the form of North Village is that the pedestrian system ultimately establishes the structure of the Village. As an example, the Conceptual Site Plan^s organizes buildings to create ~~two-three~~ major high-quality, auto-free pedestrian areas on either side of Minaret Road, and at Main Street/Lake Mary Road. Minaret Road in the center of the Village remains an important arterial for auto, transit, bicycle and pedestrian circulation. It also allows visibility of the commercial center, and as a dramatic view corridor for visitors as they pass through the Village and look south. (See Exhibit E - Pedestrian Core Conceptual Site Plan) Transitional mixed uses, including lodging and retail commercial and restaurant uses, at the intersection of Minaret and Main Street/Lake Mary Road provide a portal from Main Street to the North Village visitor core.

Surrounding the Pedestrian Core area are supporting accommodation and residential uses. Commercial uses within those outlying areas are limited to only those necessary to support the on-site lodging or residential units. In this way, the Village remains the focus of North Village shopping and cultural activities.

The style of the architecture and landscape will feature the materials and forms associated with the Sierra. The Development and Design Standards set forth in this Specific Plan and the Design Guidelines, as approved by the Planning Commission, describe the additional criteria for buildings and landscapes.

SPECIFIC PLAN ELEMENTS

The purpose of this section is to identify detailed objectives, policies, and implementation measures developed for the North Village area and to illustrate the project's compliance with the seven elements of the Town of Mammoth Lakes General Plan. In order to facilitate easier evaluation of the project's characteristics in relation to the Town General Plan, this chapter is formatted to parallel the seven elements of the [1987](#) Town General Plan. These are:

- Land Use (including Public Facilities)
- Transportation and Circulation
- Housing
- Conservation and Open Space
- Safety (including Seismic Safety)
- Noise
- Parks and Recreation

Each element contains a list of objectives which generally describe the desired result for North Village planning and development. Following the objectives are policies and a program of implementation which may include regulations, development standards, required projects, phasing and financing.

LAND USE ELEMENT

The primary purpose of the Land Use Element is to define appropriate uses and development standards for lands within the North Village Specific Plan Area. The key objective of the North Village Specific Plan, and consequently the Land Use Element, is to enhance the Town's image as a destination resort community, through the creation of a high profile, pedestrian oriented, resort activity center where lodging, restaurants, shopping, housing and recreational opportunities are located within proximity to one another and easily accessible by transit.

The critical factor, which dictates the level and scheduling of land development projects in North Village, is the availability of adequate infrastructure and/or public facilities needed to accommodate the proposed development. Significant improvements will be required for the area's roads, sewer and water lines, electric, cable TV and telephone connections. With the exception of roads (discussed later in the Circulation Element), the Land Use Element addresses objectives, policies, and implementation standards for facilitating the desired development, infrastructure improvements and public facilities for the Specific Plan area.

Land Use Designations

There are ~~three-six~~ land use districts established for areas within North Village. Exhibit A - Zoning, indicates the site-specific land use designations for the individual parcels in North Village and in the Pedestrian Core overlay area. The overlay area covers all Plaza Resort parcels, ~~and~~ Resort General parcels, and the Mammoth Crossing-designated parcels. The Pedestrian Core area establishes more detailed design objectives and standards to insure the viability of pedestrian orientation within North Village. Following are descriptions of each of the land use districts, their intent and expectations.

Plaza Resort (PR)

This designation has been applied to 12 existing ~~land-ownershipsites~~, totaling approximately 19.75 acres which comprise the central focus of the North Village Specific Plan Area. The Plaza Resort designation applies to areas within the Pedestrian Core Overlay area and establishes uses and development guidelines which are designed to support concentrated pedestrian oriented development. Allowable uses in the Plaza Resort district are oriented toward visitors and include full service and moderate level hotels, lodges, resort condominiums, specialty retail shops, restaurants, conference facilities, and public recreation facilities. Employee housing and residential uses are also permitted in this land use designation.

Mammoth Crossing (MC)

This designation has been applied to nine properties, totaling approximately 9.3 acres, located at the northwest, southwest, and southeast corners of Minaret Road and Main Street, that are accessible to and easily connected to the Village at Mammoth by means

of pedestrian connections. Each of these three corners is considered an individual site planning area, which together provide a range of short-stay accommodation choices, retail, entertainment, personal and community services, and some residential uses. The Mammoth Crossing district is intended to provide a complementary, pedestrian oriented node to the Village at Mammoth, that serves as a gateway and provides a sense of arrival for visitors to the North Village area. Allowable uses in the MC district include hotels, resort condominiums, specialty retail shops, restaurants, conference facilities, and public recreation facilities. Employee housing and residential uses are also permitted in this land use designation.

Resort General (RG)

This designation has been assigned to parcels adjacent to and easily accessible to the plaza, but still within the Pedestrian Core Overlay area. Resort General uses are also intended to provide visitor oriented resort services, although with lesser intensity than PR parcels. The Resort General designation differs from the Plaza Resort designation in that retail uses are limited to multi-tenant complexes or within full-service hotels. Restaurants are generally the only freestanding uses permitted in the RG district. Allowable uses in the Resort General district include hotels, resort condominiums, restaurants, residential, and employee housing facilities. ~~Six-Four parcels-sites~~ totaling ~~10.48.6~~ acres have been designated RG.

Specialty Lodging (SL)

This designation has been provided for parcels located on the periphery of the North Village Specific Plan Area which are physically separated by topography and integrated access from the Pedestrian Core Overlay area. Often these parcels are adjacent to existing residential developments zoned RMF-2 (Residential Multiple Family-2) or RSF (Residential Single Family). Although some flexibility through the use permit process is provided, this designation promotes land uses such as lodges, bed and breakfast establishments, resort condominiums, European-style inns, employee housing, various residential uses, and public facilities. ~~Twenty-three~~Fifteen ~~parcels-sites~~ totaling ~~18.94~~ 25.85 acres have been designated under this category.

Open Space (OS)

The Open Space designation is intended to provide permanent open spaces and to provide for the location and preservation of scenic areas and recreation areas. This classification is intended to apply to lands held under public ownership. One parcel administered by the United States Forest Service at the northeast corner of Forest Trail and Minaret Road is designated OS.

Public and Quasi-Public (PS)

The Public and Quasi-Public designation has been assigned to parcels which are reserved and developed for public uses other than street rights-of-way, to provide for the expansion of public facilities and to preserve areas of historic and community significance for the enjoyment of future generations. 5.1 acres has

been ~~designated~~designated PS which currently encompasses the Community Center, Mono County Library, outdoor play areas, tennis courts and parking.

Land Use Objectives

All new developments shall comply with the land use objectives, development objectives, policies, requirements and standards of this element.

Overall

1. To enhance the image of the Town of Mammoth Lakes as a destination resort by providing quality services, recreation elements and amenities comparable to other destination resort areas.
2. To establish the North Village area as a high-profile visitor activity core in the Town of Mammoth Lakes.
3. To create a pattern of land use designations and a system of standards for the North Village Specific Plan Area which will enable development of concentrated resort, support commercial and residential uses dependent upon a functional pedestrian circulation system. The central focus of the pedestrian system will be on the public plaza areas and the ski lift. The maximum overall project development density within the entire Specific Plan area is ~~52-57~~ rooms per acre (inclusive of open space). The Dempsey/Nevados site is not included within the Specific Plan maximum overall project density of ~~52-57~~ rooms per acre as a result of the Implementation Agreement which is included as Appendix 2. The Implementation Agreement between the Town of Mammoth Lakes, Snowcreek Investments, LP and Minaret Investments, LP was agreed to and adopted by the Town on November 7, 2007.
4. To provide the necessary levels of services, facilities, and infrastructure as development occurs.
5. To provide for development which is planned as a unified and integrated resort area.
6. To provide for development which incorporates environmental sensitivity and sustainability into design features and amenities.
7. To allow land use densities and infrastructure which are consistent with the Town's adopted air quality standards related to the reduction of vehicle miles traveled.
8. To avoid a "strip commercial" development which renders public transit and pedestrian facilities less effective.
9. To create a "critical mass" of commercial development which is supportable by the amount of hotel, resort condominium, and residential development and generates an appropriate level of pedestrian activity.
10. To ensure an adequate supply of affordable housing is provided within the Town of Mammoth Lakes, at least half of the required affordable housing shall be located within the Specific Plan or Resort zones and the

remainder may be located in any other zone, except RMF-1, Open Space, Airport, and Industrial.

Objectives specific to each land use designation are as follows.

Plaza Resort

1. To increase the commercial potential of the North Village Specific Plan Area through the creation of a pedestrian oriented core.
2. To provide resort oriented lodging and commercial facilities in a pedestrian setting.
3. To provide opportunities for visitors to take part in non-ski oriented activities.
4. To provide pedestrians a direct link to MMSA facilities through the construction of a lift and ski-return area.
5. To provide appropriately sized public spaces to accommodate summertime activities, including festivals, concerts, art shows, etc.

Mammoth Crossing

- 1.6. ——— To create establish a sense of arrival to the visitor core through higher densities of development at the gateway intersection of Main Street/Lake Mary Road and Minaret Road.
2. To provide a complementary pedestrian oriented node that enhances the overall vitality and critical mass of lodging, and commercial uses.
3. To provide a well-defined retail frontage with enticing shops and restaurants at ground level along Lake Mary Road, with visual access from streets and pedestrian linkage corridors.
4. To provide additional parking opportunities through small areas of surface parking and convenient structured parking.
5. To provide attractive public spaces that can serve as pedestrian circulation and as venues for visitor activities and events.

Resort General

1. To provide resort accommodations and supporting commercial facilities for visitor-oriented activities and facilities.
2. To provide a transition zone between the Plaza Resort and Specialty Lodging uses within North Village and surrounding residential uses.
3. To provide integrated pedestrian access to and from the plazas.

Specialty Lodging

1. To provide a transition between North Village's resort orientation and surrounding residential development.
2. To provide for special lodging opportunities which may not be available within the commercial orientation of the PR and RG districts in North Village.
3. To encourage development of employee housing and supporting residential facilities.
4. To lower development intensities for parcels located away from the Plaza Resort district and avoid strip commercial development patterns.

Development Objectives

Development within all areas of North Village is intended to enhance the pedestrian experience. Designs and site plans shall achieve the following objectives.

1. **small town appearance** - buildings should be grouped to create a village-like atmosphere that provides a "small town" ambiance with building expressions that appear vertical, not horizontal.
2. **sense of discovery** - provide multiple walking routes that intrigue and invite
3. **orientation to views** - preserve views between and over buildings, across the valley, to Mammoth Mountain, to the Sherwin Mountains
4. **emphasize sunlight** - preserve sunlight in major pedestrian areas for much of the day; allow public plazas and shopping lanes to receive sunlight throughout the year for safety, snow removal and warmth
5. **provide varied seating** - create many ways to sit, rest, people-watch, relax
6. **create special places, features** - emphasize special buildings or places, such as the Gondola building, the pond, hotel entrances, the Gondola plaza, and others
7. **encourage visual variety** - allow colorful signs, banners, lights, interesting storefronts, individuality and attention focused at the pedestrian level
8. **maintain landscape context** - preserve as much of the existing landscape as practical; new landscaping should be appropriate to the local setting
9. **enhance the gateway experience** - acknowledge Minaret Road as the spine of the North Village. From Minaret Road, the visitor can sense the life and vitality of North Village and experience the road as the gateway to Mammoth Mountain.

Within the **Pedestrian Core area**s, designs and site plans shall achieve the following objectives, in addition to the above:

1. **develop varied public spaces** - to accommodate a range of seasonal events, cultural and recreational programs
2. **encourage street level activity** - provide shops at road level on either side of Minaret [and Lake Mary Road](#); bring pedestrian activity and human scale to the street. Allow views of storefronts and plaza areas.
3. **preserve views** - allow gaps between shops permitting views of trees, landscape, and of inner pedestrian spaces. Maintain views from Minaret Road edges to the south.
4. **facilitate easy pedestrian access** - provide for safe and continuous pedestrian movements utilizing the skier bridge over Forest Trail, pedestrian crossing(s) mid-block on Minaret, and pedestrian crossings at the Main Street, [Lake Mary Road](#), and Forest Trail intersections. Public places on each side of Minaret are connected by sidewalks, and paths for continuous pedestrian circulation within the pedestrian core and throughout North Village. These walks and pathways, along with the bicycle lanes on Minaret [Road and Lake Mary Roads](#), connect to the community-wide trail and bikeway systems. Provide covered and uncovered bus drop off zones at the base of the gondola and along Minaret Road or to accommodate the transit system.
5. **create an appropriate building scale** - create mixed-use buildings with ~~of~~ one to five levels to define the edges of the plazas and in scale with the public spaces. [The Mammoth Crossing sites will include mixed-use buildings with one to eight levels with tower features to create a sense of arrival to the North Village.](#) Each building should have an individual design personality and should create the scale and life appropriate to a small town.
6. **locate higher density at edges of the pedestrian core** - allow larger scale lodges, resort condominiums, and hotels at the outer edges of the Pedestrian Core, set in larger spaces, and in proximity to larger and more dense tree groupings to create a village atmosphere.
7. **organize spaces around focal points** - feature the gondola building and pond on the west side and the pedestrian plazas on the east [in the Village Core](#). Each is to have distinctive architectural elements, such as towers, to convey their importance as major public destinations. [At the Main/Lake Mary and Minaret intersection, feature towers and public plazas to create a sense of arrival and encourage pedestrian use.](#)
8. **develop distinctive character in public spaces** - provide distinct differences in the plazas so that the visitor, while walking, will continually discover places varying in size, character and environment.

West side: The pedestrian plaza is higher than Minaret Road, yet connected to the road by landscaped stairs and large, sloped and stepped terraces and storefronts. The shops and/or landscaping within the Pedestrian Core screen the understructure parking facility. The gondola plaza is sized to accommodate the peak volumes of people using the gondola and has the capacity for large cultural events and shows. Perimeter terraces border the plaza providing places for sitting and outdoor dining, as well as planters featuring seasonal landscapes. The mountain pond adds a contrasting landscape environment and a relaxed

recreation destination. The shopping lane connects to the pedestrian walk along Minaret Road and to the skier bridge over Forest Trail. The skier bridge provides direct access to the ski back trail linking North Village to existing ski area facilities.

East side: The plaza is virtually level with Minaret Road so shops and people activities have greater visibility from the road than those on the west. As many trees as practical are preserved at the perimeter of the development to frame the plaza. The east side plaza extends alongside Minaret Road to the south, past the Alpenhof, to a mixed-use complex on Lot 38, which, because of the magnificent views is an exciting southern terminus to the Pedestrian Core area.

Main/Lake Mary and Minaret: The positioning of entry plazas, building massing, retail animation, and pedestrian linkage corridors will be placed to create a sense of arrival for the North Village while respecting the existing topography. The development must perform the dual roles of: 1) creating a true sense of arrival for the North Village, and 2) enhancing and invigorating the North Village as the vital and essential visitor experience.

Land Use Policies

Overall

1. Development in the North Village Specific Plan Area shall reflect anticipated market needs and public demand by providing a variety of lodging, commercial, and recreational services. A large number of rooms will be available for transient occupancy.
2. Site-specific development plans shall be sensitive to physical and environmental constraints as well as opportunities created by existing conditions.
3. High architectural standards shall be used throughout the North Village Specific Plan Area to create the desired image and promote cohesiveness among development.
4. Property owners shall be encouraged to consolidate properties for development to reduce land used for setbacks, minimize access points, reduce utility connections, create larger, more usable parcels of land which will allow for greater site flexibility, and provide for greater design continuity.
5. All development projects shall adhere to proper construction procedures concerning grading and revegetation.
6. Landscape plans shall be designed to promote continuity among landscaped areas throughout the project.
7. Building heights and setbacks for proposed development areas shall be coordinated to promote a varied skyline.
8. All development proposals within the Specific Plan area shall be subject to the mitigation measures and requirements included in the Final Subsequent Program Environmental Impact Report prepared for this

project and in Environmental Impact Reports prepared for subsequent plan amendments.

9. North Village shall appear to be nestled within a forest, with native trees surrounding the pedestrian core and integrated into the development where practical. Building heights shall generally be held at or below the height of surrounding trees. The height standards will reflect this policy. The perimeter of North Village shall have a greater forested feel than the plaza areas due to the different land use objectives between the Specialty Lodging, ~~and Plaza Resort~~ and Mammoth Crossing areas and the transitional nature between the programmed activity area and the surrounding residential community.
10. View corridors through North Village shall be protected by establishing building massing and setback requirements. Taller buildings shall be located where they will not block or impede important views of the surroundings from public spaces.
11. Careful attention should be exercised in the design and detailing of the various storefronts along the pedestrian corridors. Building ornamentation, signs, materials, architectural detailing, outdoor use areas, etc. all must combine to create a rich tapestry of texture, color, and interest. Building frontages should be expressions of individual uses rather than bland homogeneity. Eating and dining activities should be allowed to take place in the public spaces. Plazas should be large enough to accommodate public events, yet feel friendly even when sparsely occupied. A public events program is expected to be developed to coordinate activities throughout the whole year among the Town, North Village homeowner or commercial association(s) and the other resort developments.
12. Development of employee housing within North Village is encouraged.

Policies specific to each land use district are as follows.

Plaza Resort

1. Visitor-oriented commercial facilities shall be concentrated in the Plaza Resort district to facilitate easy access and encourage pedestrian activity.
2. A gondola shall be constructed to provide skiers and visitors direct access from North Village to MMSA's facilities.
3. A substantial number of the lodging facilities in the PR district shall be resort condominiums, hotels or multi-family lodging. Collectively, the lodging alternatives shall provide a full range of guest services.
4. All parking associated with PR facilities, except for short-term parking and as otherwise provided in this Specific Plan shall be placed understructure or in freestanding structured garages.
5. Commercial development within the Plaza Resort district shall occur at a higher intensity than elsewhere throughout North Village to promote creation of a viable core for visitor activity. Ultimately, the amount of new retail commercial shall be based upon what is supportable by the ultimate build-out of the Resort zones and the North Village Specific Plan and not dependent upon an outside market.

Mammoth Crossing

1. Visitor-oriented commercial facilities shall be developed in the Mammoth Crossing district to expand and complement those in the Plaza Resort district, and to contribute to the critical mass of such uses in the North Village as a whole.
2. A range of lodging facilities shall be provided within the district, offering a range of short-stay accommodation choices. The various lodging facilities shall provide a complete range of guest services and amenities that enhance the overall visitor experience and draw visitors to the North Village.
3. Pedestrian activity and alternative transportation shall be emphasized in project and site design, including incorporation of bike and pedestrian paths that link the Lake Mary Bike Path to the North Village visitor core, traffic calming strategies, bike lockers and racks, and transit stop(s) as needed. A variety of public pedestrian-oriented spaces shall be provided throughout the district.
4. On-street and off-street public parking shall be provided to meet all the demands of proposed development within the district. Most parking shall be provided underground or understructure.

Resort General

1. A variety of resort oriented lodging and limited commercial uses shall be developed in the RG district. Visitor lodging shall be primarily inns, resort condominiums, or specialty lodging, as opposed to motels.
2. Predominantly understructure parking shall be required.
3. At least 50% of all commercial uses within a multi-tenant commercial development shall be devoted to restaurants.
4. Convenient, safe pedestrian connections to the rest of the North Village area, transit facilities and ski lifts shall be provided.

Specialty Lodging

1. Development in this district shall be oriented toward visitor and resident lodging, resort condominiums, timeshare units or employee housing. Visitor lodging shall be inns or specialty hotels (i.e., European) as opposed to motels.
2. Development of parcels in this district strictly for commercial retail shall be prohibited to avoid strip commercial development and incompatibility with nearby residential uses.
3. Predominantly understructure parking shall be required.

Land Use Standards and Implementation Measures

All development within the Specific Plan boundaries shall be subject to the following requirements and standards and shall be in general conformance with Exhibits A, D, E and F. Except as specified herein, all requirements of the Mammoth Lakes Municipal Code shall apply.

Individual Site Requirements

Figure 1 on the following page indicates the specific locations (Planning Areas) for the following site-specific uses within the PR district and other sites within North Village. [Figure 2 indicates the specific locations for site specific uses within the Mammoth Crossing \(MC\) district.](#) The Individual Site Requirements are the desired expectations for development of each planning area. These expectations do not preclude uses permitted in the Land Use Table for each land use district. The exhibits are intended only to illustrate the contemplated development concept in the following areas.

Gondola Building/Skier Services area

Pedestrian Oriented Mixed Use area

Commercial/Retail Use area

Resort Lodging area

[Mammoth Crossing area](#)

PR PLANNING AREAS

PR PLANNING AREAS:

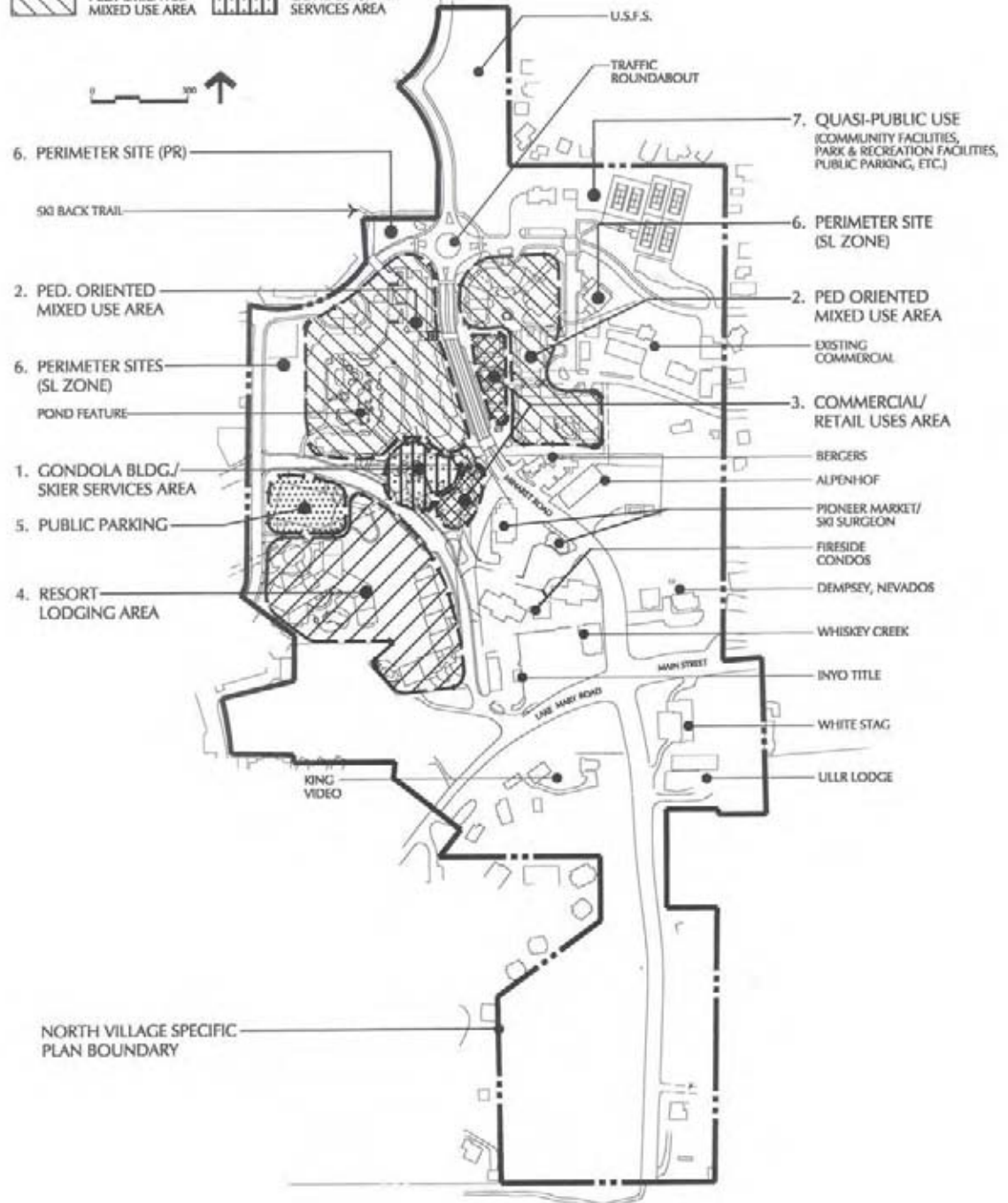


FIGURE 1



MAMMOTH CROSSING CONCEPTUAL SITE PLAN

SCALE: 1" = 100"

June 2008

MERRICK
ARCHITECTURE
BIRMINGHAM, ALABAMA

The land use descriptions for the PR Planning Areas and for other site-specific uses within the Specific Plan Area are set forth below.

1. 1. Gondola Building / Skier Services (PR) (see Figure 1, PR Planning Area 1) Included within the west-side plaza is the base of a planned ski lift which will transport skiers from the North Village area to the Canyon Lodge base facility. The lift is proposed to be a high-speed enclosed gondola with a capacity of approximately 2,500-3,000 skiers per hour. The gondola's use will be oriented toward those skiers staying in accommodations in North Village or other facilities within walking distance of the lift or those accessing the facility by public and private transit. The gondola has been approved by Use Permit Application 90-3 which shall run with the life of the Specific Plan. The gondola building is a multi-level structure which houses the gondola, its mechanical systems, vertical circulation, skier services, ticketing, retail facilities, food & beverage facilities and other day lodge functions, including spaces for storage and servicing. The gondola building will be located immediately adjacent to the gondola plaza as well as the rerouted Canyon Boulevard next to a major public transit connection providing convenient lift access. The gondola building circulation and day-lodge function space is not counted as part of the overall project density calculations. Alternatively, to encourage a beneficial distribution of skier services within the Village and to provide flexibility to adjust to visitor preferences, the day lodge functions and services may be provided in multiple buildings, within the PR district. If day lodge functions are provided in multiple buildings, they shall be considered commercial space and 20,000sf of commercial space shall be excluded from the calculation of density. Circulation space for the gondola, gondola service areas and public restrooms are excluded from density calculations.
2. 2. Pedestrian Oriented Mixed-Use (PR) (See Figure 1, PR Planning Area 2) These buildings vary in height from one to six levels with retail/commercial uses at plaza and street levels, and residential accommodation units above. Accommodation units are permitted at street and plaza levels where suitably segregated from the main retail/commercial use areas. These buildings and retail uses play a very important role in defining and "activating" the adjacent pedestrian spaces and plazas. The pedestrian spaces and plazas are highly animated with activities, are designed with high quality finishes, and have landscaping which reintroduces the natural setting into the developed environment. Local interests and activities are found in this area which serves to bring residents and visitors together in a village environment. The design is integral to the success of the Village experience within the Pedestrian Core area.
3. 3. Commercial/Retail Use (PR) (See Figure 1, PR Planning Area 3) One to two story buildings with possible second level commercial uses or accommodation units.^[1] The buildings are kept low to avoid blockage of sunlight into plazas and adjacent pedestrian areas and to take advantage of the excellent views to the south. The retail buildings are also an important element in the activation of pedestrian areas within the village.
4. 4. Resort Lodging (PR) (See Figure 1, PR Planning Area 4) These buildings vary in height from two to seven levels and are located on the hill area

above the rerouted Canyon Boulevard. A major hotel, resort condominium, or lodge is encouraged. Because of their separation from the major pedestrian areas, these uses should not block sunlight or views. Staggered heights, changes in wall direction and elevations which step down the hillside are incorporated into building designs so that the building blends into the heavily treed site. Buildings located adjacent to Canyon Blvd. present varied setbacks to avoid a “tunnel” effect. Accessory commercial/restaurant facilities may be provided within the buildings.

5. Parking (PR) this site at the southeast corner of Canyon Boulevard and Hillside would include up to four levels of parking much of which would be buried below grade on the west and south sides. The parking facility would be available for commercial and events parking. Development of residential and/or community serving uses atop the structure are encouraged. Primary vehicular access would be from Canyon Blvd. A pedestrian bridge is desirable from the upper levels and connecting to the gondola plaza allowing users an aerial crossing of Canyon Blvd. At grade pedestrian crossings would also allow access to gondola plaza and other pedestrian oriented areas. Alternately and in lieu of its use for parking, this site may be incorporated into site 4 (above), except building heights shall be one to four levels.
6. Perimeter Sites (PR/SL, including Parcel 29) These sites are designated capable of accommodating buildings varying in height from one to three levels. The sites are in the SL district and in the PR district. These may be used for small lodges, condominiums, pensions, bed and breakfasts, resort condominiums, or housing and are transitional land uses to the adjacent neighborhood. Limited commercial/restaurant uses may also be provided within the buildings as prescribed by the appropriate land use district designations.
7. Quasi-Public Use This area includes the existing Town community center, library and park. It enjoys an excellent relationship to the proposed pedestrian oriented mixed-use areas directly across Forest Trail. Potential land use options here include community facilities, parks and recreational facilities, public parking facilities, employee /affordable housing, events, etc.
8. Alpenhof (Parcel 36 - (RG)) These parcels could retain their current use or could expand into a single larger size lodge or a series of smaller, separately operated lodges. Building heights would vary from one to four levels. Some accessory commercial/restaurant uses may be provided within the buildings. Stand-alone commercial/restaurant uses may be allowed only along the Minaret Road frontage.
9. Dempsey/Nevados (Parcel 38 (RG)) This parcel is an important part of the Pedestrian Core area. The development could consist of a mixture of accommodation units with some ground floor retail/commercial uses and a freestanding restaurant. Building heights would vary from one to five levels. This site is subject to an Implementation Agreement between the Town of Mammoth Lakes, Snowcreek Investments, LP, and Minaret Investments, LP which was adopted by the Town Council on November 7, 2007. The Implementation Agreement is incorporated into the North Village Specific Plan and is included as Appendix 2.

10. Berger's Restaurant (Parcel 35 (PR)) Current use consists of a restaurant of approximately 2500 SF. This parcel can be integrated into the plaza design in its current form or it can be developed with other retail/commercial uses if parking is provided within a parking structure and the building is limited in height to two to three stories. I
- ~~11. Inyo Mono Title (Parcel 16 (RG)) This parcel currently contains approximately 1925 SF of office commercial uses. It can remain as a stand-alone use or be developed with a mix of first floor commercial or restaurant uses, with or without accommodations or residential uses. Building heights would be 1 to 4 levels.~~
- ~~12.~~
- ~~13.~~
- ~~Whiskey Creek (Parcel 17 (RG)) This site presently has an approximate 10,000 SF restaurant with associated parking. It can remain as a stand-alone use or be developed with a mix of first floor commercial and restaurant uses in conjunction with accommodation or residential uses above. Building heights would be 1 to 4 levels.~~
1351. Fireside Condos (Parcel 18 (RG)) - The Fireside Condominiums currently occupies this site. It contains 32 units and surface parking. The existing development can remain or it can be redeveloped to contain a mix of first floor commercial and restaurant with accommodation units above. Maximum building height would be 3 to 4 levels. Careful placement of any new or additional building mass is essential so as not to block views from plaza areas and Minaret Road.
1462. Pioneer Market/Ski Surgeon (Parcel 19 (RG)) - This parcel currently contains 10,000 SF of mixed commercial uses. They can remain as is or be developed with a mix of first floor commercial and restaurant uses or these uses in conjunction with accommodation or residential uses above. Building heights would be 1 to 4 levels. Careful placement of building mass is essential so as not to block views and sunlight to the pedestrian plaza areas. Easy access to the plaza is incorporated into the design. Parking must be provided on-site.
1573. Other Specialty Lodging Sites (Parcels 1, 2, 10-14—14 (SL)) - These parcels differ from the above listed sites in that they are not easily connected to the pedestrian core. Due to their distance from the plaza area they are less accessible by foot or vehicle to the plaza. As such, each parcel is developed as a stand-alone use. Allowed uses include hotels, resort condominiums, inns, bed and breakfasts, housing and other residential uses. Commercial and restaurant uses are only permitted within these uses solely to provide service for their guests. Residential uses are encouraged which contribute to the employee-housing base or are available for short-term rentals. Potential private access easements may be effectuated between parcels 14 and 15 to allow access to the plaza. Similar in all respects to Planning Area 4, Figure 1, Parcel 14 is located on a hill above the rerouted Canyon Blvd. This site is the most visible as North Village is approached on Main Street and thus will make a signature statement for the Village. Allowed uses include hotels, resort condominiums, inns, lodging, housing and other residential uses.

Accessory commercial/restaurant facilities may be provided within the buildings.

14. Mammoth Crossing Site 1 (Parcel 16 & 17 (PR) See Figure 2, MC Planning Area 1) - Site 1 (1.7939 acres) may include an entry plaza linked to a major pedestrian thoroughfare traversing diagonally through the site lined with shops and restaurants, public art and accommodation entries. Allowable land uses include hotel, commercial retail, entertainment, child care, personal services, and public plaza. Notable site features would may include a major public plaza with public art at the southeast corner, pedestrian walkway/corridor with public art, landmark towers, major pedestrian corridor connectivity, on-street parking on Lake Mary Road, retail animation of Lake Mary Road, transit stops and alternative transportation facilities, as well as significant underground parking. TheA pedestrian thoroughfare links to the existing Village at Mammoth and Gondola building.
15. Mammoth Crossing Site 2 (Parcel 3, 4, 5 plus (PR) See Figure 2, MC Planning Area 2) - Site 2 (4.5205 acres) may feature a large luxury brand hotel, select residential, and Lake Mary Road fronting commercial shops. Commercial shops may include a specialty market offering gourmet groceries and spirits. With the exception of small scale on-street parking for the Lake Mary shops and restaurants, the site will include all underground parking. Site 2 Planning Area's notable site features may include a 5 Star Flag Hotel, major pedestrian corridor connectivity with public art, landmark tower(s), retail animation for Lake Mary Road including on-street parking.
- 16 Mammoth Crossing Site 3- (Parcel 6, 7, 8, 9 (MC) See Figure 2, MC Planning Area 3) - Site 3 (2.9629 acres) may include a hotel capable of accommodating tours and larger groups. Meeting space and an ancillary restaurant could be accommodated on this site. This site provides pedestrian and bicycle linkage from the eastern golf course Lodestar area and Main Street town core to the Mammoth Crossing sites and North Village. The site will include underground parking with a portion of the parking dedicated to public parking if the site is constructed at the upper end of permitted density.

Development and Design Standards

The following are general development and Design Standards, which shall be incorporated into new building projects. These standards shall apply to all property within North Village. Specific Design Guidelines shall be prepared by North Village property owners and approved by the Planning Commission, to address design issues such as, storefronts, lighting, signage, street furnishings, landscaping, etc., or to refine the general Design Standards contained herein. Specific Design Guidelines may apply to the entire North Village area or may be applicable to only a particular area, such as the PR district, the Pedestrian Core area, RG district, etc. In the event of a conflict between the specific Design Guidelines approved by the Planning Commission and the general Design Standards, the specific Design Guidelines shall govern, except that specific Design Guidelines shall not ~~supercede~~^{supersede} the requirements of Section 1(Land Use) through Section 8 (Minimum Parcel Size).

1. Land Uses

Land uses within the Plaza Resort, Resort General and Specialty Lodging districts are permitted as outlined in Table 2. All uses are subject to the Administrative Procedures of the Specific Plan.

TABLE 2: LAND USE MATRIX

X = Permitted Use

A = Administrative Permit

O = Subject to Use Permit

	PR	<u>MC</u>	RG	SL	<u>QOS</u>	PS
A. Office and Related Uses						
1. Administrative, Clerical, And Professional Offices	X	<u>X</u>	O			
2. Financial Institutions	X	<u>X</u>	O			
3. Medical, dental and related human services	O	<u>O</u>				
4. Telegraph/postal service offices	X	<u>X</u>	X			
B. General Commercial Uses						
1. Amusement, arcades, billiards, other indoor	X	<u>A</u>	O			
2. Automobile rental agency	X	<u>A</u>	O			
3. Bakeries, retail	X	<u>X</u>	X			

4. Barber and beauty shops	X	<u>X</u>	X			
5. Bicycle and moped rental, sales and service	X	<u>A</u>	O			
6. Catering establishments	X	<u>O</u>	O			
7. Cocktail lounges and bars	X	<u>X</u>	X			
8. Delicatessen	X	<u>X</u>	X			
9. Drug stores and pharmacies	X	<u>X</u>	O			
10. Hotels, resort condominiums and inns	X	<u>X</u>	X	X		
11. Liquor stores	X	<u>A</u>				
12. Night clubs	X	<u>O</u>	O			
13. Recreational facilities, commercial or public, outdoor	X	<u>X</u>	O	O	O	O
14. Restaurants, bars, night clubs within hotels	X	<u>X</u>	X	X		
15. Restaurants	X	<u>X</u>	X			
16. Retail	X	<u>X</u>	O			
17. Accessory commercial uses within a hotel	X	<u>X</u>	X	X		
18. Bed and Breakfast inns	X	<u>X</u>	X	X		
19. Services (e.g. laundromat, copying)	X	<u>X</u>	X			
20. Freestanding Parking Structures	A	<u>A</u>	A	A		O
C. Public and Quasi-Public						
1. Day nurseries and nursery schools	X	<u>O</u>	O	O		O
2. Libraries and museums, public or private	X	<u>X</u>	O	O	O	O
3. Parks, public or private	X	<u>X</u>	X	X	O	O
4. Post office branch	O	<u>O</u>	O			
5. Governmental offices and facilities	X	<u>O</u>	O	O		O
6. Convention and meeting facilities within or adjacent to lodging facilities	X	<u>X</u>	X	O		O
7. Ski area development	X			O	O	O
8. Events Arena	O	<u>O</u>	O	O		O
9. Freestanding Parking Structures	A	<u>A</u>	A	A		O
D. Housing						
1. Employee housing, affordable housing, apartments, condominiums, other housing	X	<u>X</u>	X	X		O

2. **Density**

- a. Density calculations for each development area shall be based on total land ownership prior to road realignment and encroachments by adjacent roads and rights-of-way. For development parcels adjacent to roads, which are proposed for realignment, closure, or abandonment, the developer must apply to the Town of Mammoth Lakes for vacation of right-of-way.
- b. Maximum density for parcels within each land use district shall be as follows:

PR - 80 rooms per acre

MC – Maximum density for each site shall be as specified below, not to exceed an aggregate density of 80 rooms per acre for the entire MC district. Density may not be transferred between or among the three MC sites:

- 110 rooms per acre for Site 1
- 81 rooms per acre for Site 2
- 61 rooms per acre for Site 3

Within the MC District, any award of density above 48 rooms per acre shall be subject to the Community Benefits and Density provisions in section f., below.

RG - 55 rooms per acre, not to exceed an aggregate density of 48 rooms per acre for the entire RG district, with the exception of the Dempsey/Nevados (Parcel 38) site, which has a total density of 198.25 rooms as a result of the assignment of 73.25 rooms of additional density per the Implementation Agreement (Appendix 2).

SL - 48 rooms per acre

Density bonuses for inclusion of affordable housing shall be in accordance with the provisions of the Municipal Code.

- c. For purposes of development area calculations, the following density conversions shall apply throughout North Village.

1 “room” equals any of the following types of development:

- 1 hotel room
- 1 bedroom, loft or other sleeping area in residential uses
- 450 square feet of commercial or restaurant space*

- Commercial or restaurant space within a hotel serving only the guests of that hotel, commercial space ancillary to property management of North Village, space within an events arena, space required for gondola building circulation and base lodge services

and functions (up to 20,000 square feet), and uses within the Open Space and Public and Quasi-public districts are excluded from density calculations.

* Commercial and restaurant space within the Mammoth Crossing projects is exempt from this limitation. Commercial and restaurant space shall not be counted towards density within the Mammoth Crossing projects only.

- d. Density exchanges among parcels may be permitted if all of the following occur:
 - i. Density exchanges may only occur between parcels within the same district except as follows:
 - a- Where parcels with different land use designations are merged to accommodate a building that crosses the original designation boundary, density may be combined such that the total density of the new parcel is equal to the sum of the densities for each parcel prior to the merger.
 - b- Densities for the SL parcels 39, 22, 41 and the SL portions of parcels 21 and 28 may be transferred to the PR district.
 - c- Density from the ski-back trail Parcel "A" may be transferred to other PR parcels.
 - ii. Density exchanges may permit greater density per acre on one parcel subject to a commensurate reduction in density on the other parcel when all other development requirements can be met.
 - iii. The density exchange accomplishes at least one of the following:
 - 1) concentrates retail and accommodation uses adjacent to a major public plaza,
 - 2) accommodates the location of public facilities including public parking structures, and
 - 3) protects sensitive environmental areas, such as view corridors, vegetation, or steep slopes.
 - iv. A request for a density exchange shall be subject to the approval ~~of~~ the Community Development Director.
- e. An approved density exchange shall be executed by one of the following instruments:
 - i. Lot line adjustment to match permitted density
 - ii. Deed restrictions recorded against the properties with the Town as a party to the release of the restriction

f. Mammoth Crossing Community Benefits and Density

Community Benefits: Mammoth Crossing Sites 1, 2 & 3 within the North Village Specific Plan may provide numerous benefits to the community, which may include, but are not limited to the following, which are above and beyond the basic requirements of the Town of Mammoth Lakes for project uses, design elements, or environmental mitigation:

- A plaza/outdoor recreation space for public events, fairs, etc.

- A vibrant pedestrian streetscape/retail experience, including ground floor, street front retail and parking along Lake Mary Road.
- Public parking garage on Site 3.
- Transit stop and shelter improvements, consistent with Town of Mammoth Lakes standards.
- East-west and north-south pedestrian connections.
- Conference space.
- Street widening, new sidewalks, bike lanes, and other improvements to Lake Mary Road and Minaret Road.

These community benefits are optional and the applicant may choose to include some or all of them as part of a future use permit proposal with the intent of achieving density of more than 48 rooms per acre. The number, type and scale of proposed benefits shall directly correspond to the amount of density above 48 rooms per acre that the Town may grant. All basic project amenities, features and requirements of the North Village Specific Plan shall be met for any project approved at base density or density above 48 rooms per acre.

Density: The base density is 48 rooms per acre. At the time of adoption of this amended Specific Plan, the Town Council intended to adopt policies regarding "population at one time (PAOT)" and "community benefits and incentive zoning," consistent with the goals and policies set forth in the 2007 General Plan.

This Specific Plan shall allow existing and future policies to be applied through the use permit application process to justify a density of more than 48 rooms per acre. Density above the base density, up to a maximum average for all three sites of 80 rooms per acre, may be granted based upon criteria established by the Town Council pursuant to any "PAOT" and/or "Community Benefits and Incentive Zoning" policy. As permitted by other provisions of this Specific Plan, on-site workforce housing units are not included in density calculations for any site within the North Village. For the purpose of considering increased density up to 80 units per acre (aggregate density), this Specific Plan contemplates the community benefits listed below to be among those that may be determined to be desired by the Town and may be appropriate for the site. The final community benefits will be determined pursuant to future policy and will be applied during use permit application.

- Outdoor public events plaza
- Ground floor commercial, retail, and restaurant uses along Lake Mary Road.
- Underground parking.

- Public parking garage
- Pedestrian connectors
- Improved public rights-of-way and sidewalks and the achieving of "complete streets."
- Public art.
- Indoor meeting and conference space.

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TABLE 3. DENSITY SUMMARY*

Land Use Designation	Size	Maximum Yield Density	Total Rooms	S.F.	S.F. Com/Ret (Rm. Eq.)	Estimated Accom Rms
Plaza Resort	19.75 ac.	80 rms/ac	1,580	85,000	(189)	1,391
<u>Mammoth Crossing</u>	<u>9.27 ac.</u>	<u>80 rms/ac***</u>	<u>742</u>	<u>40,500**</u>	<u>0**</u>	<u>742</u>
Resort General	10.40 <u>8.60</u> ac.	48 rms/ac	498 <u>413</u>	50,000	(111)	387 <u>302</u>
Spec. Lodging	25.85 <u>18.37</u> ac.	48 rms/ac	882 <u>1,242</u>	0	0	1,242 <u>882</u>
Other (P, QP, OS)	8.10 ac.	0	0	0	0	0
Overall Total	64.10 ac.	52 rms/ac	3, 320 <u>617</u>	135,000	(300)	3, 020 <u>317</u>

* TABLE 3 does not include the additional 73.25 rooms that were shifted to the Dempsey/Nevados (Parcel 38) site. The Dempsey/Nevados (Parcel 38) has a total density of 198.25 rooms.

** Commercial and restaurant space shall not be counted towards density within the Mammoth Crossing project; this provision applicable to Mammoth Crossing district only.

*** Density above 48 rooms per acre for Mammoth Crossing, up to 80 rooms/acre may only be achieved subject to Community Benefits policy 2(f), above.

3. Site Coverage

- a. Maximum site coverage including all buildings and paved or otherwise developed impervious surfaces for each development area shall be as follows:

PR district - 75%*

MC district – Site 1: 70%

Site 2: 60%

Site 3: 60%

RG district - 70%**

SL district - 60%

*Average coverage for the entire PR district shall not exceed 75%. However, where necessary, site coverage on an individual parcel may exceed 75% provided that a commensurate reduction is made on other PR properties (via cooperative agreements between owners recorded against properties ~~affected~~ with Town as a party to the agreement). Commensurate reductions in site coverage may also be made on SL lots 22, 39, and 41 and on the SL portions of lots 21 and 28 if required to offset increased site coverage on PR parcels. Site coverage transfers shall be subject to the approval of the Community Development Director.

**Dempsey/Nevados (Parcel 38) is permitted a maximum site coverage of 75% per the adjustments granted through the Implementation Agreement (Appendix 2). No additional adjustments to Parcel 38 are authorized.

- b. Lots 20 and 32 may have 100% lot coverage due to their landlocked nature within the district, when integrated into the plaza.
- c. Landscape planting areas of at least 50 square feet created on top of a parking structure shall not be included as part of the impervious surface area.

4. Building Area

- a. Throughout North Village, the maximum building floor area for all developments shall be 87,000 square feet per acre (excluding structured parking) in the districts designated PR and RG and 75,000 square feet for the SL district. The MC district shall have a maximum building floor area (excluding structured parking) of 87,000 square feet per acre on Site 1, and 75,000 square feet/acre on Sites 2 and 3. All developments must also conform to the site coverage and building height requirements.

5. Building Heights

- a. Figure 1 shows four specific locations (PR Planning Areas) within the PR district, and three locations (Mammoth Crossing Planning Areas) within the MC district. Within these four ~~PR~~ Planning Areas, building heights shall comply with the heights as shown on Table 4 below and the designated land uses locations as referenced in Figure 1 and Figure 2.
- b. Developments outside the Pedestrian Core need only comply with the height table below.
- c. For buildings that cross a land use district boundary after merging parcels, the highest permitted and projected heights shall apply to the entire building, providing the majority of building area is within the most liberal district, subject to design review considerations as applied through the design review process.

TABLE 4. BUILDING HEIGHTS

<u>Land Use Area</u>	<u>Building Levels</u>	<u>Maximum Permitted Ht.*</u>	<u>Maximum Projected Ht.*</u>
<u>PR Planning Areas(Figure 1)</u>			
-Commercial /Retail Areas	1-2	25'	35'
-Gondola Building/ Skier Service	1-3	50'	85'
-Mixed Use Area	1-5	60'	80'
-Resort Lodging Area	1-7	75'	90'
-Plaza Resort area	1-4	50'	80'
(excluding PR Planning Areas)			
<u>Mammoth Crossing Planning Areas (Figure 2)</u>			
<u>-Mammoth Crossing Site 1</u>	<u>1-7</u>	<u>68'</u>	<u>93'</u>
<u>-Mammoth Crossing Site 2</u>	<u>1-8</u>	<u>75'</u>	<u>95'</u>
<u>-Mammoth Crossing Site 3</u>	<u>1-7</u>	<u>76'</u>	<u>85'</u>
RG-Resort General area	1-4	40'	50'
-Dempsey/Nevados (Parcel 38)**	1-5	56'	67'
SL-Specialty Lodging area	1-4	40'	50'

* Building projections above the permitted height may be allowed, provided that a roughly equivalent reduction in the building footprint area above the height is provided below the permitted height and no more than 50% of the building square footage exceeds the permitted height.

** Pursuant to the Implementation Agreement (Appendix 2), the maximum height for the Dempsey/Nevados parcel includes all permissible adjustments and no additional height adjustment is permitted.

- d. Building heights shall be measured vertically from natural grade when the building does not sit above a parking garage. When all or a portion of a building sits above a parking garage, or when buildings front on the plaza in the PR district, building height shall be measured from the garage roof elevation or plaza elevation at the perimeter of the building.
- e. The plaza and parking garages shall be no more than 20 feet above natural grade at any point and shall be stepped, faced with storefronts or similarly treated to diminish the exposed height. A freestanding parking garage shall have a maximum building face height of 35 feet, with projections permitted up to 15 feet, subject to the Design Review process.
- f. All buildings shall be measured to the building roof ridgeline of any section of roof. Roof appurtenances may project above the Projected Height up to 3 feet subject to Planning Commission approval.
- g. In Resort General and Specialty Lodging areas when a substantial number of affordable housing units is provided within a proposed development, a one floor increase (maximum 12 feet in height and equivalent in area to the number of affordable units provided) in building height may be permitted if all other development standards are met (particularly in relation to shading, solar access and view corridors), subject to the approval of the Planning Commission.
- h. A single tower feature on the plaza on both the west and east side of the Pedestrian Core may exceed the maximum projected height and shall not be required to be balanced by a roughly equivalent reduction in building height, subject to approval through the Design Review process.
- i. The Mammoth Crossing Project shall be permitted towers as specified below. These towers may exceed the maximum projected height and shall not be required to be balanced by a roughly equivalent reduction in building height, subject to approval through the Design Review process. All structure heights shall be consistent with local Fire Code standards and restrictions, which may result in tower heights lower than those listed in the table.

<u>Mammoth Crossing Site</u>	<u>Tower Location</u>	<u>Maximum Tower Height</u>
<u>Site 1</u>	<u>Near Southwest corner</u>	<u>103 feet</u>
	<u>Near Center of South property line</u>	<u>73 feet</u>
	<u>Northeast corner</u>	<u>76 feet</u>
<u>Site 2</u>	<u>Near northwest corner</u>	<u>94 feet</u>
	<u>West side of northern hotel entrance</u>	<u>130 feet</u>
	<u>East side of northern hotel entrance</u>	<u>120 feet</u>
<u>Site 3</u>	<u>Northwest corner</u>	<u>91 feet</u>
	<u>Northwest corner</u>	<u>85 feet</u>

6. Building Setbacks

- a. Setbacks shall be measured from street rights-of-way and from Specific Plan boundaries as shown in Table 5. For the purpose of measuring setbacks, building heights shall be determined at the intersection of the building with a vertical plane established by the setback line. Measurement of building height shall be from natural grade as described in Section 5- Building Heights above.
- b. Within the PR district, no setbacks shall be required on internal side and rear lot lines. In RG and SL districts, side and rear setbacks shall be a minimum of 10 feet except as provided in Table 5.

c. Within the MC district, permitted setbacks shall be as shown in Figure 3.

e.d. All structures shall comply with the setbacks from ultimate lot line after final right-of-way and dedications have been made. Where Specific Plan boundaries are adjacent to U.S.F.S. lands, adjustments in the stated setbacks will be allowed with U.S.F.S. approval to allow for the development of a ski-back trail and skier bridge. Within the Pedestrian Core area adjustments of up to 10 % in setback requirements may be allowed in order to facilitate the development of major plaza areas, pedestrian access, transit connections, and retail/commercial visibility along Minaret Road. Supports for bridges, the gondola mechanisms, and the gondola support towers do not have to meet setback standards. The Gondola building shall have a minimum 5-foot setback along the realigned Canyon Boulevard, as measured to the vertical elements of the building. The gondola's front support mast may be placed within the Canyon Boulevard right-of-way and out of the traveled way if approved by the Community Development Director.

d.e. Transit facilities, information kiosks, etc., may be allowed in setback areas if approved by the Community Development Director.

e.f. Buildings along Minaret Road between Main Street and Forest Trail must be set back at least 43 feet from the centerline of the roadway.

f.g. Exceptions to the setbacks requirements in Table 5 are described as follows. The final determination for permitting exceptions shall be made by the Community Development Director if a supportable design rationale, such as an enhanced relationship to the street frontage, enhanced retail environment, enhanced pedestrian spaces, enhanced tree and landscaping provisions, offsetting building heights and setbacks in the vicinity or other design factors are provided along with the request for the exception.

- a. For the area north of the Realigned Canyon Boulevard extending from 160 feet east of the Hillside Drive centerline to 260 feet east of the Hillside Drive centerline, setbacks shall be reduced 50%.
- b. For the area west of Minaret Road, extending from 100 feet south of the existing Forest Trail centerline to 450 feet south of the centerline, setbacks for building heights over 24 feet shall be 15 feet.

- c. For the area west of the realigned Berner Street, setbacks may be reduced by 50% along no more than 90 feet of contiguous road frontage.
- d. The Dempsey/Nevados (Parcel 38) site is permitted up to a maximum of 20% reduction of each required setback, provided that the northerly setback may only be adjusted to less than 10 feet through a use permit or similar discretionary development project approval. No additional adjustments to Parcel 38 are authorized.
- e. Large building eaves are encouraged. Eaves shall be allowed to encroach a maximum of four feet into setback areas.

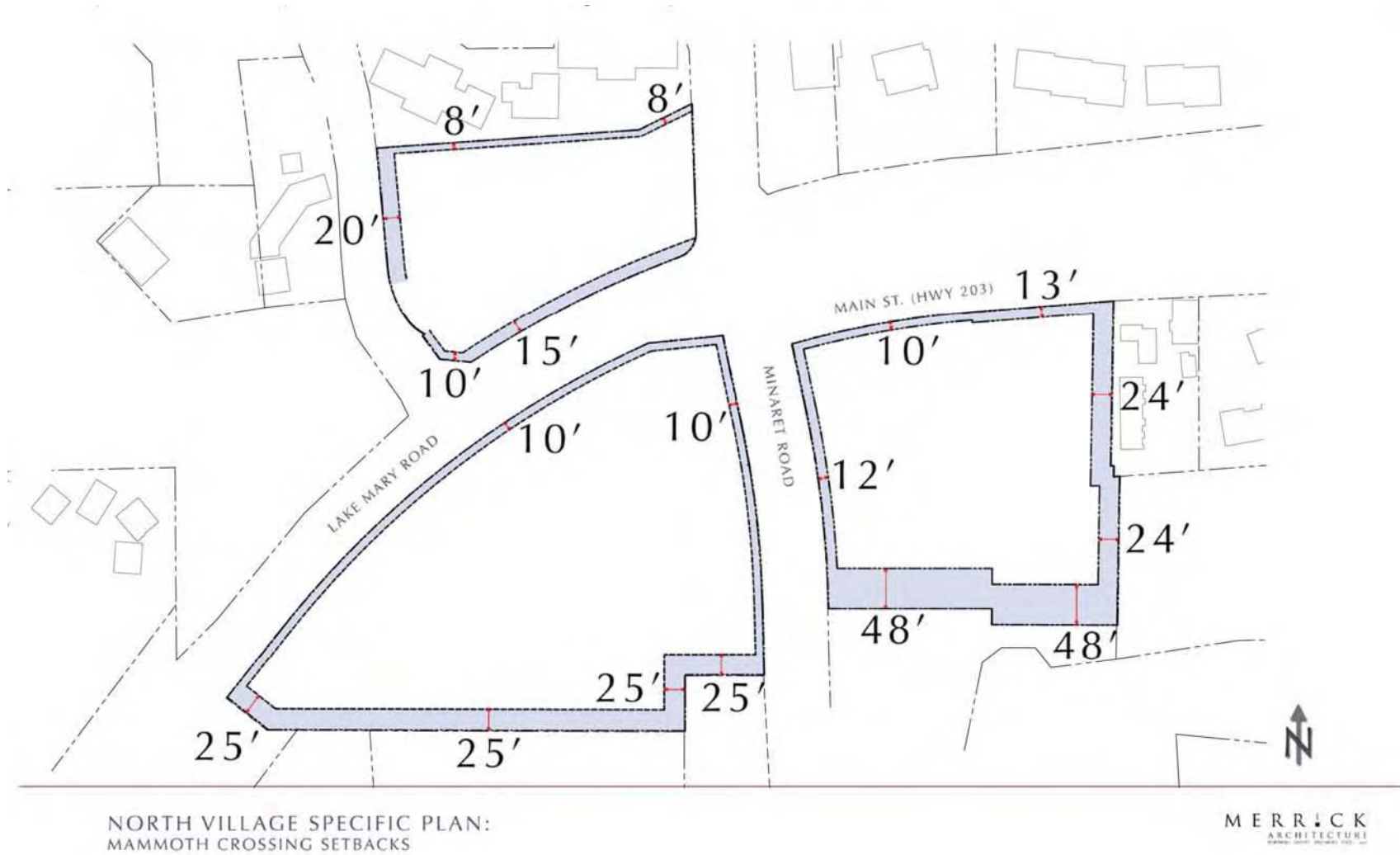


Figure 3

TABLE 5: BUILDING SETBACKS FROM ROADWAYS AND SPECIFIC PLAN BOUNDARIES*

Building Height	-0-24'	25-34'	35-54'	55+
Setbacks from:				
Minaret	10'	20'	30'	40'
Lake Mary/Main	10'	20'	30'	40'
Canyon Blvd Realignment	10'	20'	30'	40'
Forest Trail	10'	20'	30'	40'
Hillside/Lakeview	10'	20'	30'	40'
Berner	10'	10'	20'	40'
Spec. Plan Boundaries	10'	10'	20'	40'

*The setbacks for the Mammoth Crossing project shall be as specified in Figure 23.

7. Driveway Access and Gradients

- a. Maximum gradients for private driveways shall not exceed 10 percent and should ideally be in the range of 0-5 percent. Covered and/or heated ramps and driveways may exceed these grades.
- b. Shared access along property lines shall be required wherever feasible to minimize roadway access points.

8. Minimum Parcel Size

- a. When creating or merging parcels, other than within a planned unit development, the minimum parcel size shall be as follows:
 - PR - 20,000 square feet
 - MC – 20,000 square feet
 - RG - 20,000 square feet
 - SL - 15,000 square feet
- ~~b. b.~~ For planned unit developments and condominiums, minimum parcel size shall be established in accordance with the proposed development, subject to the approval of a subdivision map and use permit.
- c. For Mammoth Crossing, minimum parcel size may be less than shown in 8a. if it is determined to be necessary to successfully implement the illustrative plan.

9. Building Design

- a. Building length shall not exceed 100 feet in one direction without a substantial change in one or more of the following elements:
 - direction
 - roof alignment
 - wall offset
 - ~~building~~ height
 - exterior wall materials/finish
 - setback.
- b. Buildings shall be planned to take advantage of natural sun patterns. Designs shall avoid:
 - Long shadows cast by buildings, land features, and landscaping, particularly onto major plaza and pedestrian areas
 - “Mirrored” or shiny colors and surfaces
 - Snow storage and potential snow shedding onto north sides of buildings or structures
- c. Full-service hotels shall generally have large common areas, restaurants, and recreation facilities and may have meeting/conference facilities.
- d. All lodging uses within the Specialty Lodging district shall be oriented inward on a common hall or lobby, have a common gathering area (e.g. lobby, sitting area, etc.) and shall have a food serving capacity.

10. Roof Form and Ridge Alignment

- a. Roofs shall be designed to prevent the roofscape from dominating the architecture of the project.
- b. A dominant roof shape shall be used on related building masses to provide harmony.
- c. Roof ridge alignments shall enhance the visual impact of the buildings on the site.
- d. A variety of ridge heights are encouraged. Protection of pedestrian entrances and walkways adjacent to buildings is encouraged where appropriate.
- e. The following roof shapes are allowed: gable and gable on gable, intersecting gable, partial and full hip, Dutch eave gable and flared hip. Flat roofs may also be used if the design or function warrants.
- f. The following roof shapes are not permitted: mansard, false mansard, curvilinear, domes, and Quonset.

11. Roof Design

- a. The slope range acceptable for roofs on buildings within North Village is between 3/12 and 12/12. Lesser and greater slopes will be discouraged, except for architectural projections. Flat roof will be allowed where required for snow management, upper level exterior uses or architectural character.
- b. Roofs shall truncate above the ground and roofs on both sides of a ridge shall be the same slope, but not necessarily the same length.
- c. Roof forms shall be encouraged to protect walls and decks, to protect and cover pedestrian areas, to protect stairs, driveways and service areas. Roof forms, which direct snow, water and ice away from pedestrian ways, shall protect building entries.
- d. Roofs shall not be designed to shed ice and snow onto adjacent properties, easements, or public rights-of-way unless approved by the owner of such property easement.

12. Roof Materials

- a. Acceptable materials are:
 - Aluminum or steel, which must be coated in an approved anodized or enameled color
 - Concrete or slate tiles of an approved color and shape
 - Fire resistant shingles or shakes
 - Asphalt shingles (heavy grade)
- b. —Roof flashings, trim, cants, crickets and counter flashings shall be in a color and material, which harmonizes with the roof surfacing.

13. Roof Appurtenances

- a. Roof appurtenances shall be integral parts of the architecture of the structure. Clerestories, dormers and skylights shall integrate with the overall exterior design. Dormers generally shall be gable, hip or derivative types.
- b. Non-functional roof ornamentation shall be avoided.
- c. Snow rails, clips, diverters, gutters, downspouts and similar accessories, if used shall be designed within the total roofscape.
- d. Mechanical, electrical and roof access equipment, vents and antenna shall be integrated into the roof or dormer design to avoid visual impact on other properties. Ridge ventilators are acceptable.
- e. Skylights, solar collectors and clerestories shall be designed as masses at angles relating to the primary roof, not as applied forms.
- f. Chimneys of masonry, stucco and wood are permitted. Chimney materials shall complement major exterior finish materials used on the building. Back draft and spark arrestors shall be considered in chimney designs. Exposed flues will not be permitted. Solid fuel appliances shall be permitted as determined by the Town of Mammoth Lakes regulations.

14. Wall Surfaces

- a. Lower wall surfaces shall be built of or finished with a hard durable surface material for protection from climatic conditions and to provide an aesthetic base to the architecture. All materials shall reflect the appearance, quality and scale of the surrounding mountain environment.
- b. Any of the following materials, or materials which resemble these materials, are permitted for lower walls:
 - Stone masonry
 - Significantly textured and colored concrete
 - Wood and masonry combination
 - Reinforced concrete panel and plank siding, except where it fronts a pedestrian system
 - Alternate material approved through the Design Review process or in adopted Design Guidelines
- c. Upper wall surfaces shall be of durable material. Permitted materials include the following or those which resemble the following:
 - Textured and colored concrete
 - Wood
 - Stucco finishes
 - Stone masonry
 - Reinforced concrete panel and plank siding
 - Alternate material approved through the Design Review process or in adopted Design Guidelines

15. Doors and Windows

The exterior finishes of windows and doors shall be of wood, colorfast vinyl, painted aluminum or metal, or anodized aluminum finish. Unfinished aluminum and metal are prohibited.

16. Wall Appurtenances

Wall decorations, shutters, bay windows, flower boxes, balconies and other wall appurtenances shall be simple, functional and well integrated with the total design.

17. Color Palette

- a. The overall color scheme for North Village shall be determined in the North Village Design Review standards, subject to approval by the Town of Mammoth Lakes Planning Commission.

- b. In general, warm colors are encouraged for large field application. Dark colors shall be reserved for trim, accents, etc.
- c. The color of exterior materials, whether applied or innate, shall reflect the appearance of the natural surroundings and not seem synthetic or man-made.
- d. Accent colors shall integrate with the overall color scheme and form of the building.

18. Signs

General

- a. Regulations governing the establishment and display of signs within North Village shall be in accordance with the purposes, general provisions, prohibitions, exemptions, and special purposes delineated in the Town of Mammoth Lakes Zoning Regulations or in accordance with North Village standards and guidelines for signs adopted hereafter by the Town Planning Commission.

Regulatory and Informational

- a. A coordinated and unified signing system shall be developed for North Village to provide both graphic and visual continuity.
- b. Whenever possible, signs shall be organized into unified systems, combined with lighting fixtures and kiosks or located in highly visible, well-lighted areas.
- c. Informational signs shall be located in areas where people gather, change direction or change mode of travel. They shall be placed where they can be incorporated with the design of other site elements and where they allow safe pedestrian clearance and are not in conflict with door openings or vehicular and equipment operation.
- d. Signs giving direction to handicapped access points and facilities shall be utilized.
- e. Signs throughout the Specific Plan Area are encouraged to include a graphic or logo to reinforce the North Village identity and image.
- f. The following standards shall be implemented for signs throughout North Village:
 - Sign materials shall be such that they can withstand weather conditions and be generally damage proof.
 - Regulatory signing systems shall require minimum painting and be rust and pit proof.
 - Colors shall be fade resistant.

- g. Within road rights-of-way, signs shall conform to Caltrans standards for uniform signs. Commercial signs are not permitted within rights-of-way.

Commercial Signing

Commercial signing is primarily intended to identify individual commercial enterprises. The following criteria shall be applied to commercial signs:

- a. Commercial signs shall be an integral part of a building's architecture. Signs shall be combined and coordinated with other elements such as porches, awnings, canopies, lighting, hanging planters, banners, etc. to create a streetscape that is lively, interesting and attractive at the pedestrian level.
- b. Signs shall conform in a manner and style, which create character, color, and interest within pedestrian areas. Sign form and quality shall relate directly to its purpose, context, and location. Signs, which are symbolic, are encouraged to create visual diversity.
- c. Signs shall reflect the character and tradition of the region in materials, form and use. Materials shall be durable, easy to maintain and compatible with other building finishes.
- d. Signs on the exterior of buildings shall not be permitted for commercial uses within hotels unless the commercial is counted as density.

19. Pedestrian Walkways and Plaza Areas

- a. Pedestrian walkways and easements for such shall be provided, if necessary, within private property along Minaret Road and Main St./Lake Mary Road and within plaza areas to ensure continuous access among parcels.
- b. Walkways shall be landscaped in accordance with North Village landscape design guidelines as adopted by the Town Planning Commission.
- c. Walkways shall be connected to existing or proposed walkway and trail systems to provide access to areas outside the North Village Specific Plan boundaries.
- d. Materials for pedestrian walks shall be selected with regard to durability, maintenance, stability, aesthetic appearance and slip resistance.
- e. The selected paving materials shall be applied to enhance the overall design intent and continuity.
- f. Acceptable paving materials for pedestrian walks and plaza areas include asphalt concrete, stone, concrete, brick, bomanite and interlocking modular pavers. Materials must be appropriate to the area.
- g. Stairways throughout the outdoor spaces in North Village shall employ a uniform tread width and riser height wherever possible. Stair treads shall be non-slip surfaces, suitable for snow removal operations.
- h. Acceptable materials for private driveways and other paved surfaces include asphalt, concrete and precast concrete pavers. In areas located apart from major vehicular traffic, decomposed granite and crushed stone with cement

treatment may be acceptable subject to approval by the Community Development Director.

- i. Walkways and terraces adjacent to the main plaza areas may be raised above the adjacent plaza elevation. Covering portions of walkways and terraces is encouraged.
- j. All developments shall be physically integrated with other walkways, plaza areas and bicycle trails which form the Pedestrian Core area circulation system.

20. Snow/Ice Removal and Storage

- a. Development plans shall include a snow storage, snowmelt and removal plan, which identifies areas dedicated for snow storage and snow melt, and outlines snow removal and snowmelt methods. The plan shall state that snow and ice shall be removed daily prior to the opening of any business and that pedestrian areas will be maintained during business hours. The plan shall be subject to the approval of the Town, as provided in the Municipal Code.

21. Lighting

- a. Lighting shall comply with the design guidelines established for North Village. Lighting shall be provided for safety, security, and an attractive nighttime environment. Exterior lighting shall be provided along roadways, pedestrian walks, plaza areas, stairways, transitions, intersections, garage entry points, etc. where safety and security are best served by lighting.
- b. All exterior lighting shall be shielded or constructed so that the source of illumination (e.g. the bulb or globe) is not readily visible from off the subject property. This requirement shall not apply to decorative incandescent fixtures of forty watts or less or equivalent lumen standard. Area lighting shall be down directed and designed so that light does not project above the horizontal plane of the light source or onto adjacent properties or right-of-way.
- c. Energy efficient lighting systems shall be used.
- d. Low intensity indirect accent lighting of buildings and landscaping may be permitted subject to the approval of the Planning Commission. High intensity lighting shall not be allowed for accent lighting.
- e. A detailed lighting plan for each development shall be prepared for approval by the Planning Commission showing location, intensity, heights, fixture type and design, and any other pertinent information.
- f. Where safety and security is not affected, light levels shall be diminished after midnight to minimize impacts on adjacent properties.
- g. Lighting plans shall be coordinated with other developments and overall lighting plans shall be established to balance site lighting, coordinate fixture types and locations and minimize duplication.

- h. Decorative fixtures along pedestrian walks and the plaza shall utilize shatterproof coverings.
- i. Lighting fixtures shall be located so that they do not interfere with pedestrian or vehicular movement.
- j. Along Highway 203, parking lot and streetlights shall meet Caltrans standards and shall be decorative. All streetlights shall be designed in a style complementary to the overall design theme and image established for North Village.

22. Gates and Entrances

- a. Private driveways may include entrance gates and landscaping.
- b. Gates shall not exceed 6 feet in height and 15 feet on each side for a maximum width of 30 feet.
- c. Gates shall be set back a minimum of 25 feet along the property access road.
- d. Required materials for gate construction shall include masonry for gate supports or posts, and iron or wood for gates. Reflective aluminum chain link or other reflective fencing material shall not be used.
- e. Mechanical gates are permitted provided they are constructed of wood, wrought iron, or other approved material.
- f. No sentry or barrier gates (i.e. gates with mechanical arms) will be allowed except in parking structures.
- g. All gates shall be equipped with mechanisms or access for emergency vehicles as approved by the Fire Chief and Police Chief.

23. Walls and Fences

- a. Unless otherwise noted, walls and fences shall be constructed according to the Town of Mammoth Lakes zoning regulations and North Village Design Guidelines.
- b. Acceptable materials for walls and fences include heavily textured concrete, stone, stone-faced concrete, and wood. Walls and fences used to screen utility and maintenance structures, play areas, storage, parking or other features shall be compatible with the exterior finish of any structure with which they are in contact. Tennis court enclosures shall be green or black chain link.

24. Site Furnishings

- a. Site furniture, such as benches, drinking fountains, waste receptacles, etc., shall be complementary throughout North Village, durable, easily maintained, functional in form, simple in fabrication, standardized in

appearance. Furnishings shall reflect the surrounding mountain environment in material, quality and scale.

- b. A site furniture plan shall be adopted by the Planning Commission. Location and placement of furnishings shall logically respond to patterns, types and intensities of usage.
- c. Components shall be located to optimize public safety and not restrict emergency vehicle access. Furnishing design and placement shall not obstruct efficient surface maintenance snow removal and cleaning operations.
- d. Site elements shall allow “barrier free” access by all people including the elderly and handicapped.

25. Pedestrian and Skier Bridges

- a. The bridge design shall reflect the design theme established for North Village. Architectural treatment shall include masonry/stone, heavily textured concrete or wood.
- b. The Skier Bridge shall be designed for year round use and access and shall be compatible with adjacent building architecture and North Village design themes. Pedestrian bridges may be designed to provide protection from inclement weather as determined by the Community Development Director.
- c. Low-level accent lighting may be incorporated into the bridge designs

26. Art/Events

- a. Art, sculpture, fountains, flags, banners, or other similar outdoor decoration are encouraged and the placement (not the design) of the art shall be reviewed through the Design Review process.
- b. A public events program is expected to be developed as part of a comprehensive Town-wide program or may be developed by commercial associations, master associations or other individual groups within North Village. Groups or associations programming events shall use reasonable efforts to mutually coordinate with Town visitor services and other community event associations.

27. Additional Development Standards

Development of all properties shall conform to the Mammoth Lakes zoning regulations, except as otherwise specified in the Specific Plan.

Grading Standards

1. A grading plan shall be submitted concurrently with the development plans and shall be subject to the approval of the Town Public Works Department.
2. Individual development projects shall be designed to be compatible with site topography to the extent practical, so as to minimize the amount of grading required.
3. All grading and earthwork activities must be conducted in accordance with an approved construction grading plan and grading permit issued by the Mammoth Lakes Public Works Department. All grading plans must meet Lahontan Regional Water Quality Control Board standards for interim and permanent erosion control measures and shall be permitted by that agency.
4. Prior to commencing grading and clearing operations, the limits of disturbance shall be staked and shall be inspected by the Town. All construction disturbances shall be limited to the staked areas. Inspections to ensure compliance shall be made during grading and clearing as deemed necessary by the Town.
5. Prior to development within any area of the Specific Plan, a soils engineering investigation and/or construction plan may be required by the Town of Mammoth Lakes.
6. Interim control measures, such as the provision of temporary dikes, filter fences, hay bales, and retention basins shall be implemented during the construction period as necessary.
7. All graded sites must be repaired and revegetated in accordance with a landscaping/revegetation plan approved by the Town of Mammoth Lakes.
8. Unique natural features, such as rock outcroppings or large trees, shall be protected to the greatest extent possible in the design of development.
9. Graded slopes shall be oriented to minimize visual impacts to surrounding areas and shall be designed to blend into existing natural topography.
10. All grading plans/activities shall comply with all grading-related mitigation measures included in the North Village Final Subsequent Program EIR to ensure seismic safety, reduce erosion, and promote long term preservation of natural plant communities.
11. Construction activity within the drip line of retained trees shall be avoided. The design features of the proposed developments should not enter the root zone of retained trees.
12. All vegetative slash shall be properly disposed within 15 days of its creation. This may include the grinding of the slash.
13. Slopes for private access drives shall not exceed 10% unless covered and/or heated and should ideally be within the range of 0-5%.
14. All cut and fill slopes shall be landscaped, seeded and mulched as required by development approval conditions. Graded slopes shall be minimized by using retaining walls rather than extensive grading, subject

to approval by the Town Community Development Director and/or Public Works Director.

15. The design of retaining walls shall be subject to the Design Guidelines and approval by the Community Development Director and the Public Works Director.

Landscaping and Revegetation Standards

1. All disturbed sites in the Specific Plan Area shall be revegetated, regardless of time of disturbance. All projects will be required to establish and maintain dense, permanent, and drought resistant ground cover.
2. Revegetation shall be conducted on disturbed slopes after slopes have been successfully stabilized through methods approved by the Town of Mammoth Lakes.
3. Revegetation shall be initiated upon completion of rough grading. Temporary soil stabilization measures shall be maintained until vegetation is established. A schedule of revegetation shall be included in the Revegetation Plan.
4. Bonds or other appropriate security may be required to guarantee site stabilization, restoration, and revegetation within the time periods specified in project approvals.
5. Site specific and regional characteristics such as soil conditions, nutrients, precipitation, shading, and temperature shall be considered in the formulation of project revegetation and landscaping plans.
6. The specific planting time for revegetation purposes shall be selected to maximize plant survival.
7. All revegetation and landscaping plans shall include an irrigation program to ensure plant survival.
8. The use of fertilizer or soil amendments shall be specified in the revegetation plan. All backfill placements for planting shall be approved by the Public Works Director prior to placement.
9. Revegetated and landscaped areas shall be regularly maintained in a neat, clean, and healthy condition. Regular maintenance activities shall include, but may not be limited to:
 - a. Cultivation of planting beds on a regular basis
 - b. Regular pruning and fertilization
 - c. Insect, disease, and pest control
 - d. Removal of leaves and pine needles
 - e. Maintenance of irrigation controllers and repair of system components as needed to maintain good working conditions
 - f. Periodic planting of new trees to maintain a healthy stock of trees at all times.
10. All landscaping designs and revegetation plans for new developments shall be submitted to the Town for review and approval prior to issuance of any building or grading permit.

11. Landscaped areas in the vicinity of roadways and intersections will be designed to preserve adequate fields of vision for motorists. Landscaped areas within a public right-of-way shall be designed not to obstruct motorists' fields of vision and shall meet with the approval of and be permitted by the governing regulatory agency (Town or Caltrans) prior to installation.
12. Water consumption shall be minimized through the use of drought tolerant plants and properly designed irrigation systems utilizing drip technology where feasible to minimize over-watering.
13. Plants with aggressive root systems will not be permitted over or near underground utilities or within a public right-of-way.
14. Any plants designated for preservation shall be protected during construction by ensuring that grade changes are made outside the drip line and by minimizing soil compaction
15. Ornamental plantings shall occur at entrances, plazas, courtyards, and in planters adjacent to buildings. Other plantings throughout the Specific Plan area shall emphasize natural groupings and arrangement of vegetation.
16. All trees greater than 12 inches dbh (diameter breast height) that are required to be removed due to improvements, shall be replaced on a one-to-one basis either on-site or on an off-site location approved by the Community Development Director. Trees recommended for removal based on health, overstock, etc. by a qualified professional are not required to be replaced. Trees used for revegetation and landscaping purposes shall be a minimum size of 2-inch caliper. Selective use of smaller native trees may be permitted. Shrubs used for revegetation and landscaping purposes shall be a minimum size of 2-gallon container category.
17. The design for new plantings should consider solar aspect and the views of others so that existing patterns of sunlight and view are not obscured. New plantings that interfere with the views or solar access of neighboring properties will not be permitted.
18. The plaza areas shall be landscaped with groups of climate adaptive conifers and aspens, hardy shrubs, and flowering ground covers, along with low maintenance drought-tolerant plant materials that will add interest at the pedestrian level, yet endure snow storage and provide year-round character and habitability.

PUBLIC FACILITIES ELEMENT

Water Supply

The North Village Specific Plan Area is included within the service area of the Mammoth County Water District (MCWD), which currently maintains distribution and service lines in the project area. MCWD obtains water from Lake Mary and from groundwater wells. The existing water distribution system in the Specific Plan Area is served via a 12 inch main along Lake Mary Road to distribution lines along Millers Siding and Minaret Road. Although the MCWD possesses sufficient capacity to accommodate the North Village development, some existing lines within the Specific Plan Area are not sufficient to serve the proposed development. The issuance of building permits will be dependent upon MCWD approval based upon the existence of available water supply, as opposed to known resources. A number of the existing lines will ultimately be abandoned while others may continue to be used as small service connections to existing buildings. Determinations will be made during actual water system design as to which lines will be abandoned or will remain in use. For the most part, however, a new water distribution system will be constructed to service the Specific Plan Area.

Sewage Disposal

As with water supply, the North Village Specific Plan Area lies within the service boundaries of the MCWD. The MCWD operates a 5.0 mgd (million gallons a day) capacity secondary level sewage treatment plant east of the Mammoth Lakes community and provides adequate capacity for peak populations for complete Town build-out, as projected in the Town of Mammoth Lakes General Plan. The MCWD has indicated the ability to extend full service to the Specific Plan Area; however, existing sewer lines within the project area do not have adequate reserve capacity to accommodate future flows resulting from development of the Specific Plan Area. Most of the existing sewer lines will remain in service. The lines along Canyon Boulevard, which deliver flows from residential developments west of the project to the existing trunk line along Minaret, may be rerouted along the Canyon Blvd. realignment to connect with the existing Millers Siding line or may remain in the Canyon Boulevard utility corridor. The capacity of all lines within the project area must be verified when detailed project development information is available. Final design decisions including re-routing options and increased size line replacements will be made in conjunction with MCWD

Drainage

Current drainage facilities in the Specific Plan Area include a 42-inch diameter reinforced concrete pipe (RCP) which runs west to east along Canyon Boulevard to Minaret Road; heading north on Minaret Road to Berner Street, and east on Berner Street where it exits the Specific Plan Area. At a point on Berner Street approximately halfway between Minaret Road and Alpine Circle, the existing drainage pipe is increased to a 54-inch diameter to accommodate additional inflow. This storm drain is a portion of the system, which conveys drainage from

the Mammoth Slopes subdivisions along Canyon Boulevard, 1-1/2 miles easterly to Murphy Gulch. Other drain lines in the Specific Plan Area convey storm water for short distances across roadways, including the Minaret/Main Street intersection and the Minaret/Forest Trail intersection.

The North Village Drainage Plan shall be designed based upon a drainage study in accordance with the Town of Mammoth Lakes Storm Drainage Master Plan. The Town plans calls for the installation of an additional 54-inch diameter pipe parallel to the existing drainage pipe in Canyon and Berner to provide sufficient capacity for anticipated flows resulting from full development of the Specific Plan Area. Alternate storm drain designs, which meet the intent and requirements of the storm drain master plan, may also be utilized. Much of the Canyon Boulevard right of way will be vacated in conjunction with the Canyon-Miller Siding realignment. A utility corridor may remain over a portion of the vacated Canyon Blvd. right of way, which will allow the construction of the additional drainage pipe, or the storm drain may be rerouted to an alternate utility easement.

The Berner Street vacation will cause the portion of the storm drain east of Minaret Road to be re-routed in a new utility corridor. The re-routed line may be single line of sufficient capacity to carry the flow of the existing line and the proposed line. This single line will connect to the existing 54-inch drain in Berner Street at the eastern end of the Specific Plan Area. The actual routing of the storm drain will be determined prior to construction when more specific detail is available on parking structures and other site development, as approved by the Public Works Director. One other major improvement in the Specific Plan Area called for by the Storm Drain Master Plan is a new 48-inch line from the intersection of Minaret and Forest Trail to the new Berner Street Storm Drain. Currently a 42" line crosses Minaret Road and empties to an open channel on the south side of Forest Trail.

This channel drains easterly across the Specific Plan Area towards Berner Street. The proposed re-routing of Berner Street will provide a new road easement in which the storm drainage facilities may be constructed. Again, the actual routing will be determined prior to construction when more specific detail is available.

Solid Waste

Solid waste disposal and collection throughout the Town of Mammoth Lakes is provided by a private company, which transports the waste to Mono County's solid waste disposal facility at Benton Crossing, approximately eight miles southeast of Town.

Solid waste generated by North Village will be collected by the franchise operator or, if applicable, by the North Village maintenance district, and ultimately deposited at the Benton Crossing Landfill. In an effort toward conservation, all developments will be required to be equipped with waste compaction and recycling facilities and shall participate in programs of the Town of Mammoth Lakes Source Reduction and Recycling Element.

Utilities

All new power, telephone, gas, cable television, and other utility lines will be installed underground within the Specific Plan Area. Main lines for virtually all services are located in proximity to the project site. Existing overhead lines will ultimately be placed underground in duct bank facilities along or in roadways. Suppliers of major services, such as Southern California Edison (SCE), have indicated sufficient capacity to service full build-out of the Specific Plan Area.

Specific development and installation plans for major utilities are described below:

Propane - Propane is presently available in Mammoth Lakes from private companies. Developments within North Village that utilize gas will be required to provide space in areas not visible to the general public for storage tanks and must provide adequate screening and setbacks from property lines and structures. It is possible that arrangements could be made with one of the propane suppliers to supply service to a majority of or all of the North Village properties. If an area-wide distribution system is implemented, centralized storage tanks could be constructed to service the entire North Village Specific Plan Area. The details of gas service must be provided in association with the design approval for each development phase.

Power - Power will be provided by Southern California Edison Company (SCE). Major (33KV) underground facilities are located in Minaret Road, Lake Mary Road, and Forest Trail. Existing aerial service line facilities throughout the project area are also planned for placement underground. Service to the various developments will require construction of new duct bank facilities in the roadway and the installation of power, telephone, and television conduits. In areas in North Village where roadways are being reconstructed and when economically feasible, new duct bank facilities for all utilities will be installed while roads are being improved. This will eliminate the need for future disturbance of new roads for utility installation for individual projects, which may be constructed in the Specific Plan Area.

Telephone - Telephone service will be provided. A major underground telephone line currently is located in Canyon Boulevard. When the North Village plaza construction results in the realignment of Canyon Boulevard, the line may remain in the utility corridor southwest of the plaza or may be relocated. The exact location of the utility corridor will be determined in coordination with development plans for the plaza area. Where economically feasible telephone conduit shall be installed in the common utility duct shared with SCE and cable television.

Cable Television - Cable television service is currently provided to Mammoth Lakes. Underground cable television conduits are normally installed adjacent to telephone conduits.

Fire and Police Protection

Both fire and police protection will be provided by existing entities in the Town. Fire protection will be provided by the Mammoth Lakes Fire Protection District, which maintains a station approximately one mile east of the project on Main Street, and another station on Old Mammoth Road, approximately two miles

south of the project. The Town of Mammoth Lakes Police Department will provide police protection.

Snow Removal

The increase in paved areas due to street improvements and the development of the pedestrian plaza will result in greater snow removal requirements. Snow removal on privately maintained areas, such as the plaza, project sidewalks, and private roads will be conducted by the property owners association. Snow removal on State or Town roads will still be the responsibility of the respective agency or a maintenance district. Snow removal equipment will have access throughout major plaza areas. Snow may be hauled off site and deposited in a suitable location to reduce on-site snow storage areas. Facilities adjacent or peripheral to the plaza area may opt for similar immediate removal or provide adequate on-site snow storage space. Each development project shall be required to submit a snow removal and storage plan as part of final project review and approval by the Town of Mammoth Lakes. Geothermal heat will be considered as a source for snowmelt in major plaza areas.

Schools

The Environmental Impact Report identifies an unavoidable significant impact for the Mammoth Unified School District as a result of the development proposed in North Village. The proposed project would add more students to the school district and would result in a net cost for the district. A mitigation measure to assess a development fee was adopted.

Public Facilities Objectives

1. To size new utilities in accordance with the intensity of proposed development.
2. To upgrade and repair utilities which will be strained by proposed development.
3. To maintain or improve the level and quality of service to proposed and surrounding developments.
4. To maintain police and fire protection standards and snow removal operations through appropriate building and site designs.

Public Facilities Policies

1. A new water distribution system shall be installed to accommodate the volumes expected by the cumulative developments within North Village.
2. Sewer facilities shall be improved to avoid overloading of current facilities.

3. Improvements shall be made, as determined by the Town Engineer, to downstream drainage in order to prevent damage and to accommodate any increased flows.
4. Solid waste disposal shall include on-site storage and recycling methods which will reduce the amount and bulk of waste deposited at the Benton Crossing Landfill.
5. Utility installations shall be coordinated to limit total area of disturbance.

Public Facilities Standards

1. Overall

- a. Easements shall be located during development plan preparation to the satisfaction of the easement holders.
- b. No utility construction shall result in disturbance of natural slopes that exceed 30%, unless environmental documentation has been prepared and mitigation proposed.

2. Drainage Plan

- a. Storm drains and other drainage improvements installed in the Specific Plan Area shall be installed as required by the Storm Drain Master Plan and with the approval of the Public Works Department and Lahontan Regional Water Quality Control Board. This may include mitigating upstream impacts on-site as a method of controlling flows exiting the Specific Plan area.
- b. On-site drainage collection retention, and infiltration facilities shall be constructed and maintained to accommodate runoff from a 20-year, one-hour storm. Storm Drainage Master Plan facilities shall be designed in accordance with the Master Plan Design Manual and shall be based upon a detailed drainage study.
- c. A preliminary Drainage Plan and Waste Discharge Report for each development project within the North Village Specific Plan Area shall be submitted for approval to the Mammoth Lakes Public Works Department and the Lahontan Regional Water Quality Control Board, as required, prior to commencing the project.
- d. All construction areas shall be protected by filter berms, fencing, or other interim controls to retain sediment and prevent downstream sedimentation and flooding.
- e. All disturbed soils shall be stabilized to prevent downstream discharge of sediments.
- f. Snow storage areas shall be located primarily on unpaved areas to promote groundwater recharge and reduce runoff from paved areas.
- g. The individual project developers, or land owners within North Village, shall contribute Development Impact Fees (DIF) based on the DIF schedule established as mitigation by the Town and as appropriate for the

development project for expanded public storm drainage facilities needed as a result of North Village development to serve the downstream areas.

3. Sewer Plan

- a. Sewer improvements shall be installed per the requirements of the Town of Mammoth Lakes Public Works Department and MCWD. All sewer lines and sewage disposal facilities shall be designed in accordance with MCWD requirements.

4. Water Plan

- a. All water lines and water facilities shall be designed and installed in accordance with MCWD requirements and Town of Mammoth Lakes Public Works Department specifications.
- b. Water conservation measures shall be used in all developments, including low-use water fixtures and drought resistant landscaping.

5. Solid Waste

- a. Recycling and waste reduction methods shall be incorporated into all developments.
- b. Solid waste disposal shall be handled in accordance with policies and procedures adopted by the Mono County Board of Supervisors. Necessary solid waste permits shall be obtained from the Mono County Public Works Department.

6. Utilities

- a. All utility service lines shall be placed underground. All existing, new or realigned utility lines within or adjacent to a development site shall be placed underground unless such placement results in a greater quantity of utility poles.
- b. Installation of utilities shall be coordinated with one another to minimize conflicts. A common utility duct shall be used where feasible.

7. Snow Removal

- a. Sufficient snow storage areas shall be incorporated into each development to accommodate snow removal. A snow removal and snow storage plan shall be incorporated into project designs and approved by the Design Review Committee and the Planning Commission.
- b. As the above snow storage areas reach maximum capacity, excess snow shall be hauled away to an approved disposal site.
- c. Snow storage and snow removal from public streets and public facilities shall be considered in the design of projects fronting on public streets and adjoining public facilities.

- d. The Town, Caltrans and/or a maintenance district or association, shall accomplish Snow removal from public streets.
- e. Snow removal from private vehicular and pedestrian areas, public sidewalks and transit stops is the responsibility of the property owner and/or maintenance district.

8. Schools

- a. New development shall fully mitigate school impacts through payment of the established school mitigation fee.

TRANSPORTATION AND CIRCULATION ELEMENT

Implementation of the North Village Specific Plan will result in development of an activity core and a concentration of visitor traffic in the vicinity of the Main Street and Minaret Road intersection.

Residential streets and main thoroughfares within and around the North Village Specific Plan Area currently experience relatively high traffic volumes and congestion compared to surrounding development, resulting from MMSA patrons traveling to and from the ski area's Main Lodge and Canyon Lodge facilities and merging with local traffic under uncontrolled conditions.

In spite of its pedestrian orientation, the North Village Specific Plan Area will result in additional traffic generated by development of new hotel, lodging, or residential rooms, and significant commercial facilities, further increasing volumes on already congested roads through Town.

The intent of the circulation element is to establish objectives, policies, and implementation standards to improve existing circulation conditions and minimize future impacts from project development, particularly in the surrounding residential areas. The improvements are designed to allow continued access to and from the Main Lodge, Canyon Lodge and surrounding neighborhoods while accommodating increased traffic within the North Village area, without increasing congestion. The goal is to have a circulation system where virtually all traffic, which passes through the North Village area either, merges with local traffic or intersects local traffic under controlled conditions. In addition, traffic is reduced by the provision of the gondola for use by skiers staying in North Village facilities who will not need to drive to other MMSA base facilities. Also, development of a comprehensive Town-wide transit system, and reductions in parking supply within North Village will minimize increased vehicular traffic on Forest Trail, Lakeview, Upper Canyon, and other surrounding predominantly residential streets, particularly during peak traffic hours.

Expansion of the public transportation system to North Village and throughout Town will be provided through the provision of additional bus stops, increased trip frequency, and extended operating hours. A transit system will be developed to meet the needs of the North Village Specific Plan and other resorts to reduce potential vehicle trips.

Pedestrian access and circulation is provided through the development and year-round maintenance of a pedestrian sidewalk and walkway system connecting all developments within North Village. Development of a ski lift in the plaza core of North Village without associated parking facilities will enable North Village visitors to walk to the gondola and to enable other skiers to access the lift via the public transportation system.

Circulation Objectives

1. To provide less congested vehicular circulation through modifications to the existing circulation system.
2. To provide a positive setting for comprehensive pedestrian activity through the development of a pedestrian circulation system.

3. To accommodate project patrons through the provision of adequate off-street parking.
4. To encourage the use of public transportation by limiting the use of the private automobile and increasing accessibility to transit facilities.

Circulation Policies

1. On-street parking shall be eliminated, except for chain-up zones, short-term parking, transit stops and service pullouts. Adequate off-street, structured parking will be required for each proposed development within North Village.
2. The existing street circulation system shall be revised to decrease visitor traffic through residential neighborhoods and improve traffic safety conditions.
3. Physical reconstruction or improvements such as grade modifications, road widening, or signal installations shall be provided, only where necessary, on roads and intersections to accommodate increased traffic levels.
4. Proposed streets and driveways shall be evaluated by the Town and Caltrans prior to construction to minimize the potential for unsafe access or traffic congestion.
5. All roadway improvements shall be designed in conformance with applicable Town and Caltrans standards for traffic index, vehicular speed, and structural section. All roadway designs shall be approved by the Town of Mammoth Lakes Public Works Department and Caltrans (SR 203).
6. A system of pedestrian walkways shall be developed throughout the project area to facilitate pedestrian circulation between developments and with areas outside of North Village including Main Street and the balance of the Resort Corridor.
7. A gondola will be constructed in the central plaza area. Ski return trails will be developed within, and in the vicinity of, the Specific Plan Area. These facilities will be designed to provide access to MMSA facilities without the use of private automobiles.
8. Bus stops and drop-off stations shall be provided at strategic locations throughout North Village to enable increased use of public transportation facilities.
9. All lighting on project roads shall be controlled to prevent excessive nighttime glare.
10. A North Village signing program shall denote all streets, trails, and major North Village facilities.
11. At each development phase, mitigations for traffic related impacts shall be imposed in accordance with adopted policies and regulations.
12. The number of parking spaces required for any use within the Specific Plan Area shall be in proportion with and sufficient to accommodate the potential demand created by each use.

Proposed Circulation Improvements

Proposed circulation improvements based on the North Village Conceptual Site Plan attached as Exhibit D are outlined below. Actual improvements may vary based on a project's design and its associated traffic study, but the improvements must meet the circulation objectives and policies of the Specific Plan.

1. Minaret Road improvements.
2. Abandonment of the lower sections of Canyon Boulevard and Millers Siding. Connections of the upper sections of the two to create a through public road from Lake Mary Road to the Hillside Drive intersection.
3. Forest Trail Improvements, including improvements to the Hillside Drive intersection, if required by traffic studies.
4. Abandonment of the upper section of Berner Street, addition of a connection from Berner Street to Forest Trail.
5. Abandonment of Spring Lane.
6. Construction of the Gondola.
7. Participation in Transit System.
8. Parking.
9. Signing and Traffic Management.
10. Construction of a ski-back trail.

1. *Minaret Road*

- a. Roundabout installed at Forest Trail.
- b. Between Forest Trail and existing Miller's Siding: one travel lane each direction with 10' median area. Bicycle lanes on each side. Parallel parking lanes for short term parking and loading on each side. Five foot sidewalk each side within 70' Caltrans right-of-way. Additional sidewalk width as required for adjacent development. No turning movements into structures allowed.
- c. Main Street to existing Miller's Siding: Single or multiple travel lanes each direction as required for traffic and as approved by Caltrans. Turning lanes may be required to provide access into parcels having frontage on Minaret Road. Configuration dependent on development plans for adjoining sites. Eighty foot right-of-way unless otherwise approved by Caltrans and Town Engineer. Bicycle lanes on each side. Signal modifications at Main Street as required for traffic flow.

- d. No change to the Fireside condominium entrance driveway.
- e. Modify driveway access into Berger's Restaurant if required.
- f. Encourage the combination of the Alpenhof driveway with a new driveway servicing Parcel 38.
- g. No change to Pioneer Market parking area.
- h. No curbside parking, except as provided elsewhere within this Specific Plan.
- i. North of Forest Trail: One travel lane each direction.

2. Canyon Boulevard/Millers Siding

- a. Reroute Canyon Blvd. from the Hillside Drive intersection to connect via Millers Siding to Lake Mary Road. This will require some grading and possible use of retaining walls for a portion of the road. The grade is improved for access into the Pioneer Market and at the approach to Lake Mary Road from Millers Siding. One travel lane each direction with a continuous left turn lane and widened shoulder at Lake Mary Road, which will allow for left turns from two lanes eastbound on to Lake Mary Road. Signal at the Millers Siding/Lake Mary Road intersection to be coordinated with the Minaret Road/Main Street signal
- b. New roadway to have pullout areas on each side to accommodate transit buses. A separate pullout area for miscellaneous passenger drop off will be provided. This portion is approximately on grade with the Gondola Plaza.
- c. Access to Pioneer Market, public parking structure at Hillside, service areas and access to lodging sites west of roadway.
- d. Access to Parcel 16 to be off of Millers Siding only; eliminate Lake Mary Road access, if the traffic signal goes in.
- e. Stop signs at Canyon Boulevard and Hillside Drive (4-way stop) if required by the Town Engineer, based on traffic studies.
- f. Pedestrian bridge providing access from parking garage over roadway to Gondola Plaza area subject to traffic study findings.

3. Forest Trail

- a. Points of access to hotel site passenger drop off, service areas and parking structures.
- b. Access to Parcels 25 and 27.
- c. Regrading of Hillside Drive/Forest Trail intersection to include the elimination of south cross-gutter. Stop signs may be installed at upper Forest Trail and upper Hillside Drive if traffic conflicts become evident, subject to the determination of the Public Works Director. Other mitigation measures may be installed to deter cut-

through traffic on Forest Trail if studies indicate measures are necessary.

- d. Intersection with Berner Street to serve east side parking structure. Stop signs or other mitigation measures implemented if studies indicate a significant cut-through traffic problem from Minaret Road
- e. No right turn from Berner Street to Forest Trail, if required as a mitigation measure (possible physical barrier).

4. Berner Street

- a. Abandonment of upper (west-most) portion.
- b. Connection to Forest Trail. The intersection with Forest Trail may include stop signs, if determined necessary by the Town Engineer.
- c. Points of access to parking structures under the plaza and lodge/hotel sites.
- d. Access to existing uses.
- e. Access to Parcel 28b.
- f. No right turn from Berner Street to Forest Trail, if determined necessary by the Town Engineer.

5. Spring Lane

- a. To be abandoned.

6. Construction and Opening of Gondola

A high-speed gondola lift will be constructed in the plaza area of North Village. The lift will have a capacity of approximately 2,500 people per hour. As no day use skier parking will be provided near the lift, its use will be oriented to those accessing it on foot or via the public transportation system.

The gondola will be constructed as one of the first major facilities of North Village. The gondola must be completed and operating by December 1st following occupancy of the first new hotel or resort condominium in the Pedestrian Core.

7. Participation in Transit System

In conjunction with MMSA and new resort developments, a town-wide transit system is vital to reduce vehicle use, especially by visitors, and avoid large-scale street widenings. MMSA is developing plans and policies to distribute skier access more evenly between its various ski bases in conjunction with town-wide transit development. The Town has recently completed a transit study, which recommends the

implementation of a community-wide transit system, which will emphasize shuttle buses and other forms of mechanical transportation in the near term. If the Town establishes a Town-wide transit system, developments within the North Village Specific Plan Area shall participate on a Town-wide fair share basis, along with all other existing and future developments to fund a Town-wide transit system. If timely, some of the aforementioned street improvements may be modified based upon trips reduced by the transit system as determined by the Planning Commission. In addition, the Mammoth Crossing project shall provide private shuttle service to its guests to local attractions and ski portals, to supplement transit service.

8. *Parking*

- a. Off-street parking facilities will be provided for all development within North Village.
- b. All off-street parking will be structured except for residential visitor parking and designated passenger and freight loading areas, short-term parking, delivery parking, affordable housing parking and as otherwise provided in this Specific Plan, subject to conformance with the Design Review Guidelines adopted by the Planning Commission.
- c. The parking spaces required for uses within the North Village Specific Plan area are set forth below and such requirements ~~supercede~~supersede the parking standards specified in the zoning regulations and Municipal Code. Due to the intended pedestrian orientation and shared parking opportunities, the number of parking spaces required has been reduced from the number required for similar uses in the Municipal Code. Where uses have fewer shared parking opportunities, the standards have not been significantly reduced. The rationale for this reduction is that it is anticipated that many of the patrons of the on-site accommodations will also be patronizing commercial operations in North Village and will be arriving by other transportation modes than by private car. An additional reduction in parking requirements has been allocated for projected transit use to result in the following standards:

TABLE 6: PARKING SCHEDULE FOR NORTH VILLAGE

Use	Parking Spaces Required
Single family, multi-family and transient uses which provide private garages	3 spaces per unit; a minimum of 1 space shall be enclosed and a minimum of one space shall be unenclosed. Driveways may be used for parking if the minimum dimensions are 10 feet wide by 20 feet

	deep. Additional guest parking may be required if on-street parking is not available.
Resort Condominiums, multi-family and transient uses which do not have a lobby or on-site management and which have common parking facilities	Studio/1 bedroom unit 1 space 2 bedroom unit 1.75 spaces 3 bedroom unit 2 spaces 4+ bedroom unit 2.5 spaces All projects shall have guest access to a minimum of 10% of the total number of parking spaces
Resort Condominiums, multi-family and transient uses of less than 50 units which have a lobby or on-site management, common parking and may have an accessory recreation amenity, meeting room (s), retail, or restaurant which is oriented to the guests of the project	Studio/1 bedroom unit 1 space 1 bedroom unit with lock off 1.75 spaces 2 bedroom unit 1.5 spaces 2 bedroom unit with lock off 2 spaces 3+ bedroom unit 2 spaces All projects shall have a minimum of 3 check-in spaces and guest access to a minimum of 10% of the total number of parking spaces
Resort condominium, multi-family and transient uses of more than 50 units which have a lobby or on-site management, common parking, and may have an accessory recreation amenity, meeting room(s), retail use or restaurant which is oriented to the guests of the project	Studio/1 bedroom unit 1 space 1 bedroom unit with lock off 1.5 spaces 2 bedroom unit 1 spaces 2 bedroom unit with lock off 1.75 spaces 3+ bedroom unit, when 3 bedroom units make up more than 15% of the total number of units in a project 1.75 spaces 3+ bedroom unit, when 3 bedroom units make up less than 15% of the total number of units in a project 1.5 spaces All projects shall have a

	minimum of 3 check-in spaces and guest access to a minimum of 10% of the total number of parking spaces. Parking management, such as valet parking, shall be provided when parking demand exceeds parking supply.
Retail/restaurant/office/conference/theaters (includes employee parking) in the PR district	3.5 spaces per 1000 square feet of gross floor area, excluding toilet rooms and mechanical rooms
Retail/restaurant/office/conference/theaters (includes employee parking) in the RG and SL districts	Retail/commercial - 2.4 spaces per 1000 square feet of gross floor area, excluding toilet rooms and mechanical rooms Restaurant – 11.2 spaces per 1000 square feet of gross floor area, excluding toilet rooms and mechanical rooms Theaters/Conference - 1 space per 8 seats
Affordable housing	Dorm units .25 spaces/bed* Studio/1 bedroom unit 1 space* 2 bedroom unit 1.5 spaces* 3 bedroom unit 2 spaces* *The exact number of spaces required shall be dependent on the size and management characteristics of each project.

- e. Bus Parking shall be provided for all transient uses pursuant to Municipal Code Section 3.12.030 D.
- f. Compact stalls: If structural constraints within a structured parking garage created areas where full-sized parking stalls result in a highly inefficient layout, compact stalls may be permitted, provided that no more than 5% of the total stalls are compact and provided that turning movements can be accommodated. Compact stall width shall be no less than 7 feet 6 inches wide by 15 feet long.
- g. Administrative and property management offices of the Village shall be included the parking calculations at a rate of 2 spaces per 1,000 square feet.
- h. The gondola use shall require 1 parking space (exclusive of office operations which shall be included in g above).

- i. No transient or multifamily project (excluding affordable housing) shall have less than 1.05 parking spaces per key.
- j. For affordable housing projects, tandem parking may be provided if tandem spaces are managed.

9. Traffic Management and Signing

Prior to construction of each phase of development, a traffic management and signing program shall be designed with the intent of minimizing congestion on public streets within North Village by directing traffic to appropriate streets and parking facilities. This may include implementation of one-way travel, directing traffic to appropriate entry and exit points of parking garages, requiring controlled intersections and other measures as necessary. The Public Works Director shall make these determinations based on projected traffic flows of the proposed development, after consultation with a traffic engineer. The developer of each phase shall be responsible for implementing the traffic management and signing requirements.

Circulation Standards

General

- 1. Phasing of public improvements shall be approved by the Town Engineer based upon projected traffic and circulation demands, unless otherwise specified in this Specific Plan.
- 2. Design of future or improved streets shall meet Town right-of-way standards, except for a minimum 70-foot right-of-way for Minaret Road through the Plaza Resort district. All additional right-of-way shall be acquired by the developer and irrevocably offered for dedication to the Town or Caltrans prior to development.
- 3. Design of future street and parking lot improvements shall include snow storage areas.
- 4. Improvements to streets and loading and drop-off areas shall include all elements described above and any other element determined by the Public Works Director to be necessary for sound traffic management within the framework of environmental regulations.

Specific Street Standards

1. Minaret Road

- a. Joint access driveways shall be provided between developments, where feasible, to reduce the number of access points onto Minaret Road.
- b. Turnouts for transit buses and loading zones for street side commercial uses and maintenance vehicles may be provided on both sides of Minaret Road adjacent to major plaza areas.
- c. Right-of-way shall be dedicated and/or vacated to achieve necessary street improvements required by the North Village Specific Plan Amendment EIR mitigation measures, as determined by the Town Engineer.
- d. An adequate chain-up area shall be provided north of Forest Trail, subject to the approval of Caltrans.

2. Canyon Boulevard

- a. The Canyon Boulevard realignment shall be completed prior to the completion of the first project in the plaza area that requires closure or realignment of Canyon Boulevard.
- b. An emergency route shall be provided into the west plaza area from realigned Canyon Blvd. in order to accommodate emergency vehicles.
- c. The grades shall be lowered by approximately 5 feet and shall not exceed 9% slope when realigning Canyon Blvd. to allow connection to Lake Mary Road, provide better access into parking garage entrances and Pioneer Market and to accommodate snow removal operations. Realign water main in conjunction with Canyon Blvd.
- d. Legal access shall be provided to all parcels along Spring Lane until such time as alternate access provided or other agreements are in place between the Town and affected landowners.

3. Berner Street

- a. Re-routing of Berner Street shall occur in conjunction with development plans for the east plaza area.

4. Forest Trail

- a. An intersection shall be created at Berner Street with stop signs or other mitigation measures at Berner Street and Forest Trail if traffic studies indicate a significant traffic problem is occurring along Forest Trail.
- b. A monitoring program shall be developed and implemented to assess the volume of cut-through traffic using Forest Trail, eastbound and westbound from Minaret Road.

Parking

1. Parking shall be provided for each use, as prescribed in the parking standard table.
2. Parking for all future uses shall be placed under structure or in freestanding structures, except as otherwise permitted by this Specific Plan.
3. Day skier parking in public parking facilities shall be permitted only to the extent that excess commercial parking capacity is available.
4. Parking servicing hotels, resort condominiums, and commercial developments shall provide adequate space to accommodate vehicles generated by patrons, delivery trucks, garbage trucks, as well as a sufficient number of buses and taxis to serve the facilities.
5. Electronic or other signing shall be provided in appropriate locations to direct people to parking garages in North Village, Main Lodge, the Canyon Lodge parking lots, downtown and other significant Town destinations. Signs shall also be provided at Canyon Lodge direct people to various Town destinations. This will help prevent unnecessary congestion and traffic conflicts.
6. Proposed parking garages shall be developed following consultation with a traffic engineer and with approval of the Public Works Director to determine appropriate traffic control measures which should be implemented to reduce traffic congestion and/or hazards.
7. The understructure-parking garage shall accommodate trash collection facilities, heating and ventilation equipment (if not within a building), recycling areas and mechanical equipment. Small delivery/drop-off bays adjacent to the plaza areas along Minaret Road shall be permitted. Some small service vehicles may be allowed onto plaza areas during non-business hours. All service areas shall be designed and located to minimize visibility from public vantage points and shall be subject to conformance with the Design Review Guidelines adopted by the Planning Commission.
8. The exposed exterior surfaces and entry points of the parking garages shall have an architectural treatment that is integrated with the surrounding building(s).
9. Residential visitor parking and passenger loading and unloading areas may be at surface level, provided they are adequately landscaped.
10. Temporary surface parking lots are permitted if approved by the Planning Commission. If a temporary lot straddles existing lot lines, internal setback requirements shall not apply provided an easement or other agreement is recorded allowing such improvements within the setback area.

Transit

1. Individual projects may provide informal shuttle service for their guests to have convenient access to the gondola drop-off area, the plazas and other destinations.
2. Safe and convenient bus stop facilities shall be provided near the stairway/elevator access to the pedestrian plaza and lift, and conveniently throughout North Village to encourage use of public transportation.
3. The bus pullout and drop-off points near parking garage entrances shall be located to avoid pedestrian/vehicular conflicts.
4. The Town intends to establish, maintain and operate a Town-wide transit system to serve North Village and other destinations throughout Town. Property owners shall participate on a fair-share basis in a Town-wide transit system, including capital, operational and maintenance expenses.

Pedestrian, Bicycle, Skier Circulation

1. Provisions shall be made by all property owners for development of a safe and efficient sidewalk network, built in accordance with an approved design, connecting all developments to a pedestrian “spine” route along Minaret Road and to the plaza and lift. This network will provide for pedestrian and bicycle circulation in conjunction with the roadway system. This system will allow access anywhere in the Specific Plan Area and connect to trails along the proposed ski return.
2. The pedestrian system shall be maintained and kept open by a project maintenance district, property owners association, and other private entity or the Town (in the public right-of-way). The determination will be made at the project level based upon the type of pedestrian system being proposed.
3. The pedestrian circulation system shall be low maintenance, allow easy removal of snow and ice, and provide a safe walking surface for the pedestrian population year round.
4. All intersections shall be designed for safe pedestrian crossing. .
5. Skiers, hikers and cyclists shall be accommodated within the proposed skier return to North Village.
6. Off-street bicycle trails through North Village shall be incorporated into project designs where topography dictates that they are practical. Otherwise, on-street bike lanes shall be provided along Minaret Road.

HOUSING ELEMENT

The primary goals of the North Village Specific Plan involve the development of facilities directed toward transient or visitor occupancy. Housing for local residents is proposed as a necessary accessory use in the North Village Specific Plan Area. Implementation of the Specific Plan will result in an increase in service-related employment opportunities and consequently in the need for low to moderate priced living accommodations.

The State of California and the Mammoth Lakes General Plan require the development of a balanced residential environment with provision of suitable housing for all people regardless of age, race, status or income. The General Plan describes in detail the issues and constraints relating to housing in Mammoth Lakes. Those most adversely affected by this housing shortage are the seasonal employees and low income households. North Village will provide housing for the demand generated by the proposed development.

While it is possible to estimate the number of employees that will be needed for these planned lodging and commercial facilities, it is impossible to determine the total number of employees needed for all possible commercial operations which may be constructed throughout North Village. The total number of employees needed in North Village will obviously be dictated by the total amount of commercial, residential and hotel space ultimately constructed. However, the amount of commercial, residential and hotel space which may be constructed is dependent upon a number of factors, including parking facilities, site topography, setbacks, building heights, parcel configuration, and market demand. Additionally, the number of employees needed for each commercial use will be somewhat dependent upon the type of use proposed.

Of the total number of employees generated by complete buildout of North Village, a portion will be in the low to moderate-income category. These employees will place an increased demand on a type of housing, which is already in inordinately low supply in Mammoth Lakes. As businesses throughout the Town depend on low to moderate income employees, supply of sufficient amounts of housing affordable to those employees is critical to the economic survival of businesses in Mammoth Lakes. In order to ensure that developers will have an adequate employee supply to support their operations, the North Village Specific Plan includes a housing plan. The plan pertains to all future development (or expansions of existing operations) in the Specific Plan Area.

Housing Objectives

1. To provide a sufficient number of quality housing alternatives.
2. To ensure an adequate supply of locally available, affordable housing for North Village employees.
3. To ensure that housing structures are sensitively designed to be compatible with the setting.

Housing Policies:

Developers in North Village shall be required to construct or make available a number of affordable housing units pursuant to Mammoth Lakes Municipal Code, Chapter 17.36 et seq. with exceptions as noted below.

1. A minimum of 50% of the housing required shall be located on property within the Resort zone or within the Specific Plan Area, and the balance shall be located in any zone(s) other than the RMF-1 zone, and 100% within the Town boundaries. Wherever possible, mitigation housing should be located in proximity to employment centers, transportation, and infrastructure. Mitigation housing produced for any development within the resort corridor shall not be counted in the density calculation of the development. Existing apartments may not be purchased for the purpose of providing project mitigation housing, nor may the Shady Rest Tract be used for this purpose.
2. Provision of Replacement Housing for Displaced Permanent Residents. The Developer of a project, which displaces any permanent residents from multi-family residential units, which were historically rented to individuals within the range of affordable housing rents, shall provide a sufficient number of bedrooms to house the same number of permanent residents displaced by the project, in a similar unit type, and at rents maintained within the affordable range.
3. Limitation on the Provision of Housing for Construction Workers. If a developer enters into a construction contract for a project covered by this Specific Plan with any contractor or subcontractor: 1) whose principal place of business is outside Mono and Inyo Counties; 2) whose employees will reside in the Town of Mammoth Lakes in connection with such construction in excess of ninety (90) consecutive days; and 3) who provides housing for its employees, then the developer shall include a provision in the developer's contracts with the contractor(s) and subcontractor(s) which prohibits the contractor(s) and subcontractor(s) from housing all such employees on property within the RMF-1 zone within the Town boundaries.

CONSERVATION AND OPEN SPACE ELEMENT

The North Village Specific Plan imposes coverage restrictions similar to the Town zoning regulations to ensure that some open space is preserved on each parcel as part of the individual development plan. Although open space is critical to all development projects within North Village from planning, aesthetics, and environmental points of view, it should be noted that the North Village Specific Plan Area constitutes a primarily urban development. Open space areas will be included throughout the plaza to enhance aesthetics and provide opportunities for pedestrians to relax. The following open space plan provides measures for the consideration of open space and conservation of natural resources within the Specific Plan Area.

Conservation and Open Space Objectives

1. Retain native vegetation to preserve the alpine character of the vicinity.
2. Protect and preserve surface and groundwater resources.
3. Maintain air quality and conserve energy resources.

Conservation and Open Space Policies

1. Areas not slated for development shall be protected during project construction.
2. Project development shall be designed to minimize or eliminate impacts on natural water resources.
3. Project development shall be designed to minimize air quality impacts.
4. Project development shall be designed to conserve energy resources.
5. Significant environmental features shall be preserved where feasible and shall be incorporated into project designs.

Conservation/Open Space Standards

1. *Land Use and Energy*

- a. CC&R's shall preserve and restrict encroachment or development of designated open space areas.
- b. Project development shall be required to retain as much natural open space as feasible in site-specific design. Project grading and construction plans shall minimize disturbance of the site.
- c. Development within the planning area shall obtain a construction permit from the Great Basin Unified Air Pollution Control District (GBUAPCD) and comply with its requirements.
- d. All residential structures shall be designed to comply with State energy conservation standards to reduce the need for fossil fuels and wood burning for heating.
- e. All development proposing solid fuel burning facilities (wood stoves, pellet stoves, fireplaces) shall be subject to emissions standards and operating requirements established by the Town of Mammoth Lakes and/or the GBUAPCD.
- f. Passive solar features are encouraged in the design of all developments within North Village. The use of alternative energy sources, such as geothermal or solar, should be incorporated, if practical, in all major development proposals, such as heating of pedestrian areas, space heating and snow melting, where feasible.
- g. The solar orientation of buildings shall be considered in the design.

- h. No surface disturbance shall be permitted in areas of significant archaeological sites until a suitable mitigation plan prepared by an archaeologist has been fully implemented.
- i. All large hotel and commercial operations shall be equipped with waste compaction and recycling facilities to reduce the volume of waste disposed.
- j. Applications for each project shall include a tree replacement and management plan for the proposed development to be approved by the Planning Commission during the design review process. The tree replacement plan shall describe where trees will be planted, which existing trees will be removed, and how the health and vigor of the trees will be maintained for the life of the project. As an example, the plan could include a tree-planting schedule designed so that young trees will be growing to replace older trees, which may be lost due to age or disease. The Planning Commission shall approve where new trees shall be planted either within or outside the North Village area.

2. *Water Resources*

- a. Landscaping shall utilize climate-adapted, drought resistant species to reduce irrigation water demands.
- b. Water conservation devices shall be installed in all residential and commercial structures.
- c. Permanent drainage collection, retention and infiltration facilities shall be installed for all development. All projects shall be required to retain and infiltrate runoff from impervious surfaces in accordance with Town and RWQCB requirements.
- d. A drainage and erosion control plan and a waste discharge permit shall be required for all project development in accordance with Town and RWQCB requirements.

SAFETY ELEMENT

Following incorporation in 1984, the Town of Mammoth Lakes established its own police department. The Mammoth Lakes Fire Protection District provides fire protection in the Town.

Mammoth Lakes is characterized by low levels of crime; however, the majority of crimes are reported during ski season. The Mammoth Lakes Police Department currently has a staff of 15 personnel.

Mammoth Lakes is also located in an area which is subject to seismic activity and which is known to have a (remote) potential for volcanic activity.

Safety Objectives

1. To develop a resort-recreational development which minimizes potential threats to human safety and physical damage resulting from seismic activity.
2. Construct and operate the North Village project in a manner that minimizes potential hazards to human safety or property and promotes sound safety practices.

Safety Policies

1. Provide suitable access to and circulation through the site for emergency vehicles.
2. Construct all buildings to minimize potential damage from earthquakes.

Safety Standards

1. Reasonable speed limits and adequate lighting shall be approved by the Town along project roads and parking areas to increase safety. Traffic management techniques shall be utilized to direct vehicles and pedestrians safely through the development, especially during inclement weather.
2. Throughout the Specific Plan Area, a system of hydrants shall be developed in accordance with MLFD regulations.
3. Prior to construction of any proposed projects within the Specific Plan Area, construction plans shall be reviewed by the Fire Chief to determine that the project implements sufficient fire safety practices.
4. All structures shall be designed and constructed in accordance with the Uniform Building Code incorporating lateral force requirements for Seismic Zone 4 (maximum hazard zone).
5. A lateral force (seismic) analysis shall be prepared by a licensed structural or civil engineer for all building structures. The analysis must analyze lateral forces under maximum snow load conditions.
6. Buildings shall not exceed specified height limitations and shall be constructed of wood, concrete or steel frames.

7. Site-specific soils tests shall be required for all development prior to issuance of building permits.
8. In areas where soils exhibit potential for liquefaction or other instability during a seismic event, building construction shall be avoided unless a soils engineering report indicates that remedial soils conditioning can eliminate hazards.

NOISE ELEMENT

Noise Objectives

1. Minimize inappropriate noise levels through the project to provide a setting conducive to a high quality recreational experience.

Noise Policies

1. Appropriate noise attenuation features shall be included in the design of all facilities.
2. All construction and maintenance equipment will be properly equipped and operated to minimize noise disturbance.
3. Noise sources, such as an outdoor music system, which add to the ambiance of the pedestrian resort, may be permitted subject to the regulations in the Municipal Code.

Noise Standards

1. Construction equipment shall be operated in accordance with Town regulations. Improperly equipped vehicles will not be permitted to operate.
2. Construction activities shall be in accordance with Town regulations.
2. A sound system may be permitted in the pedestrian plazas and associated facilities to provide music outdoors between the hours of 9:00 a.m. and 10:00 p.m. The system shall be operated at a level, which does not interfere with visitor activity and enjoyment or with surrounding land uses.
3. Snow removal operations using loaders shall not be permitted later than midnight, nor before 6:00 a.m., or adequate noise mitigation shall be incorporated into operations.
4. For the purpose of measuring sound levels as required in the General Plan and Municipal Code, the following shall apply throughout North Village:
 - a. Within a Master Planned Area subject to CC&R's, internal residential and commercial real property lines shall not be considered the property line for determining noise exposures. Rather, the perimeter property lines of the Master Planned Area shall be considered the property line of the receiving use.
 - b. Property lines along a public right-of-way shall be considered internal property lines if both sides of the right of way are governed by the same master or homeowner association CC&R's.

PARKS AND RECREATION ELEMENT

The North Village Specific Plan incorporates several recreation facilities to serve both the visitors to North Village and the community residents. The gondola to MMSA and the associated ski return will provide convenient access for skiers without the need to use automobiles or public transit. The eastside plaza area could incorporate an events arena, which could include an ice-skating rink or other recreational activities. Based upon recent surveys conducted in the Town ice-skating is the highest rated facility needed in the town. The major hotels and resort condominiums may incorporate swimming pools, health facilities, and other recreational amenities. The plan includes a large natural pond area adjacent to the Westside pedestrian plazas, which would allow for passive recreational activities and possibly even an informal ice skating area in winter.

Parks and Recreation Objectives

1. Provide sufficient recreational amenities for the use and enjoyment of the visitors to North Village.
2. Provide year-round recreational opportunities within a destination resort setting.

Parks and Recreation Policies

1. All hotels, full-service or specialty lodging, shall provide appropriate recreational amenities for their guests.
2. Some recreation facilities shall be available to the general public.
3. Open space areas and tree preservation shall be incorporated into the designs to retain the alpine character of Mammoth Lakes.

Parks and Recreation Standards

1. Developers of each phase shall be required to provide an equivalent of 5 acres of land per 1000 population increase generated by their project to the Town for public parks. Payment of applicable Development Impact Fees shall satisfy requirements for three of the five acres. Developers shall provide the addition two acres per 1000 population increase to the Town or pay an in lieu fee for parkland acquisition and development. This requirement shall be shared among all landowners based on their share of population increase. This requirement may be replaced, in part or in full, upon determination by the Parks and Recreation Commission and Town Council that the developer has provided on site an equivalent value of public recreational amenities such as the events arena, the pond adjacent to the west side plaza areas, etc.
2. The gondola and ice-skating pond shall be available for public use. Tennis courts, swimming pools and other recreational amenities may be available for public use at the discretion of individual developers.

3. A pedestrian, hiking and bicycle trail shall be provided within the ski return area leading from North Village to the ski area.
4. Project development shall be required to retain as much natural open space as feasible in site-specific designs. Project grading and construction plans shall prohibit disturbance of on-site natural areas designated for protection.
5. For the purpose of providing on-site amenities for multi-family and resort condominium projects, as required by the Municipal Code, all multi-family and resort condominium projects shall provide at least one private recreation amenity within the project design.

Phasing

The phasing of development in North Village will be based more on individual developer's plans and market demands than on specific triggering events. A market analysis for the proposed uses to show their impact on existing commercial uses, as well as overall development of North Village should be evaluated by the Town on an ongoing basis. Each phase can proceed independently if all impacts can be mitigated by the provision of appropriate facilities as determined by the Town of Mammoth Lakes.

Westside Phase

This first phase is expected to begin redevelopment of the area bounded by Minaret Road, Forest Trail, Hillside Drive, the realigned Canyon Boulevard and the Pioneer Market parcel. The first mixed use buildings and pedestrian plaza(s) are anticipated with this phase.

- 1- Realign Canyon Boulevard/Millers Siding, including traffic signal at Lake Mary Road
- 2- Utility Improvements as required for first phase projects
- 3- Storm drain upgrade from Hillside Drive/Canyon Blvd. to Berner Street
- 4- Gondola installation, including adjacent plaza area
- 5- Phase I mixed use buildings
- 6- Ski-back bridge
- 7- Roundabout installation (if permitted by Caltrans in advance of traffic warrants being met)

Hillside Phase(s)

This area includes the Pedestrian Core area southwest of the realigned Canyon Boulevard.

- 1- Lodging building located off Hillside Drive
- 2- Public parking structure at Hillside Drive and Canyon Boulevard
- 3- Lodging building(s) at lower Canyon Boulevard. These building(s) may be included with a later phase.

Eastside Phase I

This phase includes the area east of Minaret Road, north of Berger's, and west of the existing Berner Street commercial buildings.

- 1- Realign Berner Street
- 2- Utility upgrades
- 3- Mixed use building and adjacent plaza south of Forest Trail

- 4- Community center site public parking structure.

Eastside – Phase II

- 5- Commercial/retail buildings along Minaret Road
- 6- Berner Street lodging building

Independent Phase

1. Construction or renovation of remaining properties in North Village.
(Construction of properties outside of Pedestrian Core area may occur coincidentally with any of the above phases.)

Mammoth Crossing Phases^[L2]

- 1 Demolition of existing buildings and construction of new hotel, commercial and residential uses on Mammoth Crossings Sites 1, 2, and 3. Construction on the three MC sites may occur sequentially, or two or more sites may develop concurrently, and/or coincidentally with any of the above phases.

PROJECT IMPLEMENTATION AND FINANCING

Development of the North Village Specific Plan Area will require significant improvements to local infrastructure, such as roads and utilities. While such improvements may be triggered by development occurring according to the North Village Specific Plan, some of the proposed infrastructure improvements would be necessary in the Specific Plan Area if development occurred according to the previous General Plan designations in effect for this area. Some of the infrastructure improvements will require realignment of existing lines or roads or the placement of new roads or lines in locations, which have not previously been required for infrastructure improvements. To accomplish this, new lands for rights-of-way may need to be acquired as well as air space rights-of-way for proposed pedestrian overpasses and ski-back bridges.

Significant problems could arise in the development of North Village properties if adequate funds or appropriate right-of-way dedications were unavailable to complete the necessary infrastructure improvements. Inability to complete these improvements could adversely affect not only North Village property owners, but also the general public. An individual property owner, a property owners association, or other private entity may not possess sufficient financial resources and may not possess legal authority to acquire the necessary rights-of-way or complete the infrastructure construction. In order to ensure implementation of the necessary infrastructure improvements, a private entity may seek financial and regulatory assistance from outside sources, such as public entities.

Additional assistance may also be sought from outside sources for the construction and management of employee housing, to ensure that adequate numbers of acceptable quality employee housing units are constructed and maintained.

However, if public assistance is necessary, the phasing of development may be considerably delayed since public financing shall be based upon the Town's Master Facility Plan and Capital Improvement Programs. Furthermore, public assistance shall only be considered for improvements related to broader benefits as opposed to those necessary due to the impacts of development within the North Village Specific Plan area.

PROJECT MAINTENANCE

All projects in North Village shall be maintained. One or more public maintenance district(s) may be formed to provide maintenance for public facilities. A property owner's association(s) may be established for the maintenance of private facilities. A public maintenance district may be funded through special assessment fees levied on those North Village property owners benefited by improvements, pursuant to the laws of the Town and the State. The Town of Mammoth Lakes may oversee management of the maintenance district.

Fees may be assessed on a sliding scale depending on the location of the parcel or business and the level of service it requires from the maintenance district and/or association. For example, parcels/businesses within the Pedestrian Core area may require additional services from the North Village maintenance district or owner's association for the upkeep of the plaza and walkways, as well as general increased level of service for items such as trash removal, snow removal, landscaping, and security, etc., due to the concentration of visitor population and activity. As a result, the Pedestrian Core area may be assessed higher maintenance fees than those outlying parcels in the Specific Plan Area. Alternative methods of assessing fees may be appropriate, depending upon final designs, services and the type of association(s) or districts formed.

The maintenance district and/or association responsibilities may include, but shall not be limited to, the following activities throughout the North Village Specific Plan Area, where applicable:

- Street and Pedestrian Lighting
- Storm Drains
- Landscaping
- Pedestrian Plazas and Walkways
- Snow/Ice Removal and Storage
- Fire Hydrants
- Pedestrian Amenities and Street Furniture
- Parking Garage
- Security
- Trash Removal and Recycling
- Entertainment, Cultural Events, Programs
- Bridges
- Bus Shelters

ADMINISTRATIVE PROCEDURES

Process for Projects that Conform with North Village Specific Plan

Project proponents are required to submit Development Plans for review by the Town's Planning Commission. A determination shall be made by the Planning Commission as to whether or not the proposed project is in conformance with the Development Standards established by the Specific Plan and the Design Guidelines approved by the Planning Commission. Once the Planning Commission determines that the project plans are in compliance, plans may be submitted to the Town Building Division for plan checking and issuance of a building permit.

Process for Projects that Require a Use Permit

If a project proposed for the Specific Plan Area involves a use, which is subject to a Use Permit, but conforms in all other ways to the Specific Plan Design Standards, then a Use Permit Application shall be required. The Use Permit process as described in Title 17 of the Municipal Code shall be followed, and the project shall be subject to review by the Planning Commission at a public hearing.

Process for All Projects

- a. Prior to the submittal of Development Plans for review and approval, detailed Design Guidelines shall be prepared which follow the objectives, policies, and standards set forth in this Plan. The Design Guidelines shall describe by written and graphic descriptions project concept, site design, infrastructure, grading and drainage, building massing, architectural qualities, roof designs, landscaping, lighting, street furniture, signage, snow storage, parking, maintenance needs, etc. The design guidelines shall be presented to the Planning Commission for approval.
- b. Following adoption of Design Guidelines by the Planning Commission, applicants may submit Development Plans for approval. Development Plans shall demonstrate substantial conformance with all objectives and requirements of the Specific Plan and Design Guidelines and shall show how the project meets housing, snow storage, transit, building height and all applicable development standards. A North Village Design Review Committee, if established, shall review the project for compliance with the goals, standards, and qualities expressed within the Specific Plan and with the Design Guidelines. The Committee shall transmit their recommendations to the Town of Mammoth Lakes Planning Commission.
- c. Development Plans shall be submitted along with all necessary applications and fees to the Town of Mammoth Lakes for review by appropriate departments, including Planning, Public Works, Mammoth Lakes Fire Protection District, Mammoth County Water District, Mono County Health Department and others. Their recommendations shall be transmitted to the Town of Mammoth

Lakes Planning Commission for approval. The Planning Commissions shall review the project for conformance with zoning regulations, the Specific Plan and Design Guidelines, and consider the recommendations of a North Village Design Review Committee, if any, and affected agencies before approving, modifying or denying the project. Appeals of the Planning Commission action shall be directed to the Town of Mammoth Lakes Town Council.

Process for Projects that do not Conform with the North Village Specific Plan

Individual projects that do not conform to approved standards or permitted uses established by the North Village Specific Plan cannot be approved without an amendment to the Specific Plan and other documents as appropriate; including the Town General Plan and zoning regulations. Any project proposed which is not in conformance with the Specific Plan will also be subject to environmental review procedures under CEQA (California Environmental Quality Act), to address environmental impacts resulting from project development as well as impacts resulting from the accompanying Specific Plan Amendment and any other required regulatory changes. The level of environmental review may range from completion of an Initial Study and resulting Negative Declaration to preparation of a project Environmental Impact Report, which addresses project impacts and identifies appropriate mitigation measures. Public review will also be required, and will possibly entail a 30-45 day public review period of the EIR, followed by at least one Planning Commission hearing and one Town Council hearing.

Minor Improvements

Improvements may be made to existing uses which will bring the use or design into greater conformity with existing standards in at least two areas, but which does not increase net building area on the site by more than 10%. Not all conditions of the Specific Plan have to be met; however, justifications or deferral of such conditions are subject to the Planning Commission's approval. If the Planning Commission finds that the proposed improvements will substantially interfere with the goals and policies of the North Village Specific Plan or the project is not a substantial improvement, the Planning Commission may deny the application.

Adjustments

Pursuant to Municipal Code Section 17.76, Adjustments, minor modifications or adjustments to certain requirements of this Plan may be considered. In granting an adjustment, the Community Development Director may consider one additional finding: a strong design rationale, such as enhanced relationship to the street frontage, enhanced retail environment, enhanced pedestrian spaces, enhanced tree and landscaping provisions, offsetting building heights and setbacks in the vicinity improved building scale and massing, and other design factors.

APPENDIX 1

DEFINITIONS

"Base lodge services and functions" means the uses within Mammoth Mountain Ski Area facility which directly serves the users of the gondola access to the mountain. This may include ticket sales, equipment rental, food services, retail of mountain related merchandise, etc.

"Building levels," means a number of floors or stories within a building.

"Community Development Director" means the Community Development Director for the Town.

"Conceptual Site Plan" means an illustrative site plan, which depicts a potential (but not exclusive) development concept, which meets the terms of this Specific Plan, as set forth on Exhibit D.

"Design Guidelines" means design guidelines prepared pursuant to this Specific Plan for property included within the Specific Plan Area, as approved by the Planning Commission.

"Design Standards" means the development and design standards set forth in this Specific Plan.

"Development Plan" means the submittals required for the Town's design review process under Section 17.32.120 of the Municipal Code.

"Dorm" is defined in the Housing Chapter under dormitory.

"Footprint" means the building area directly beneath the building enclosed by the exterior vertical wall elements.

"General Plan" or "Town General Plan" means the Town of Mammoth Lakes General Plan, adopted by the Town in 1987 pursuant to California Government Code Section 65300 et. Seq., as amended from time to time.

"Land use designation" means one of the following three land use designations applied to portions of the Specific Plan Area: Plaza Resort (PR), Resort General (RG) and Specialty Lodging (SL).

"Lock-off" means a room with two keyed doors, one leading to a common hallway and one leading to another unit. A lock-off unit may be rented as a single unit or as a part of an adjacent unit.

"Master Planned Area" means a development governed by a single set of covenants, conditions and restrictions.

"MMSA" means Mammoth Mountain Ski Area.

"Municipal Code" or **"Town Municipal Code"** means the Municipal Code adopted by the Town, as amended from time to time.

"North Village" or **"North Village Specific Plan Area"** or **"Specific Plan Area"** means the northwest portion of the Town covered by this Specific Plan, as more particularly identified on Exhibit A – Existing Zoning attached hereto.

"North Village Specific Plan" or **"Specific Plan"** means this Specific Plan adopted by the Town for North Village pursuant to California Government Code Section 65450 et seq., as amended from time to time.

"Pedestrian Core area" means the Pedestrian Core overlay area as more particularly identified on Exhibit E, attached hereto.

"Pedestrian System" means the sidewalks, plazas and areas where the pedestrian has access and movement within or adjacent to a development.

"Planning Commission" means the Town Planning Commission.

"Property Management" means the use of operating the transient lodging facilities and the maintenance of common area, buildings and facilities.

"Resort Condominium" means a residential unit as defined in Town of Mammoth Lakes Ordinance 97-19.

"Resort Corridor" means the area generally inclusive of North Village, Sierra Star (Lodestar) and Juniper Ridge along with adjacent Resort zoned property.

"Roof Appurtenances" means those features located on the roof such as vents, crickets, and other functional elements of the building, not including chimneys.

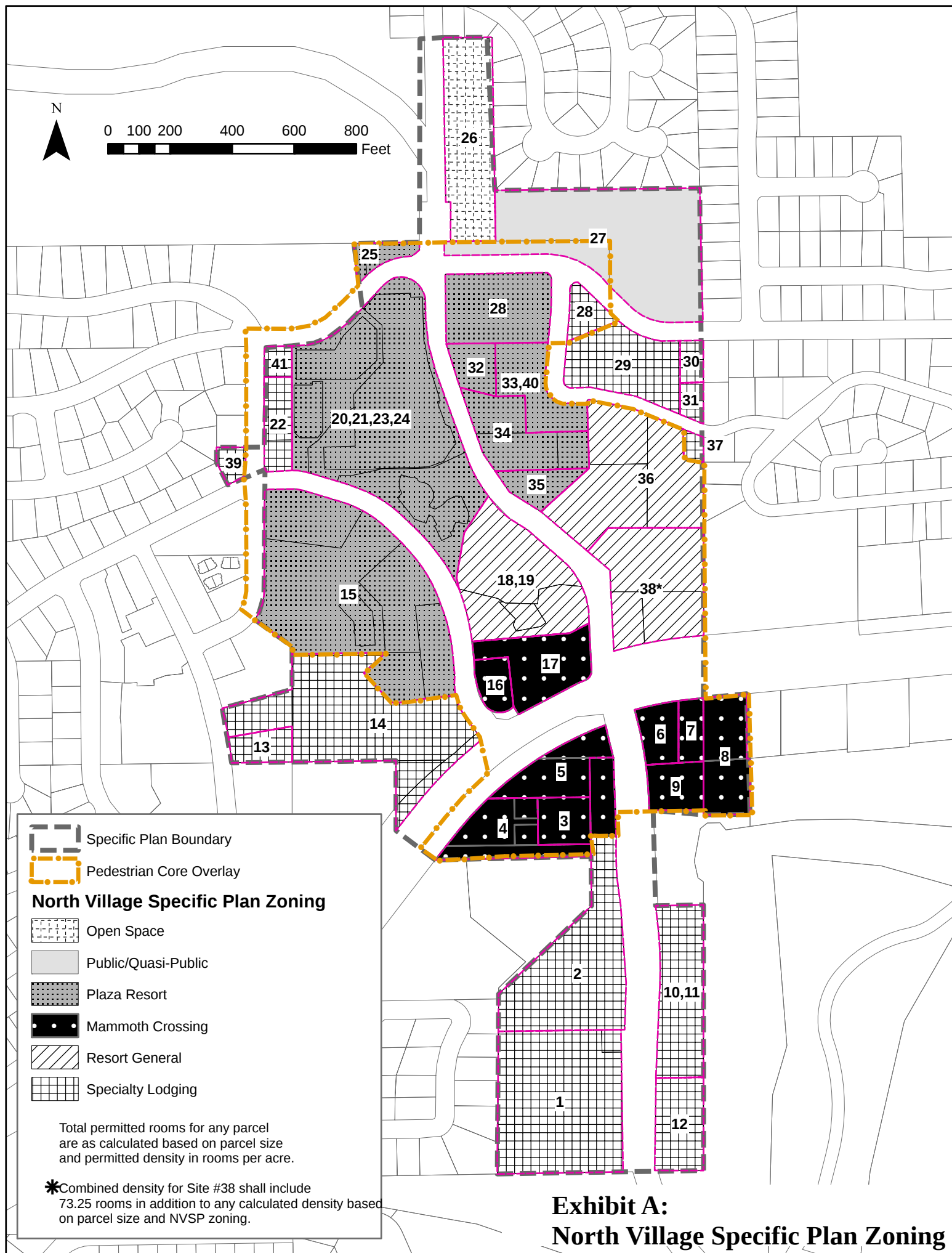
"Town" or **"Mammoth Lakes"** or **"Mammoth"** means the Town of Mammoth Lakes, a town organized and existing under the laws of the State of California.

"Town Council" means the Town Council for the Town of Mammoth Lakes.

"Zoning regulations" or **"Town zoning regulations,"** means the zoning rules and regulations set forth in Chapter 17, Zoning of the Municipal Code, as amended from time to time.



0 100 200 400 600 800 Feet



Specific Plan Boundary



Pedestrian Core Overlay

North Village Specific Plan Zoning



Open Space



Public/Quasi-Public



Plaza Resort



Mammoth Crossing



Resort General



Specialty Lodging

Total permitted rooms for any parcel are as calculated based on parcel size and permitted density in rooms per acre.

*Combined density for Site #38 shall include 73.25 rooms in addition to any calculated density based on parcel size and NVSP zoning.

Exhibit A: North Village Specific Plan Zoning

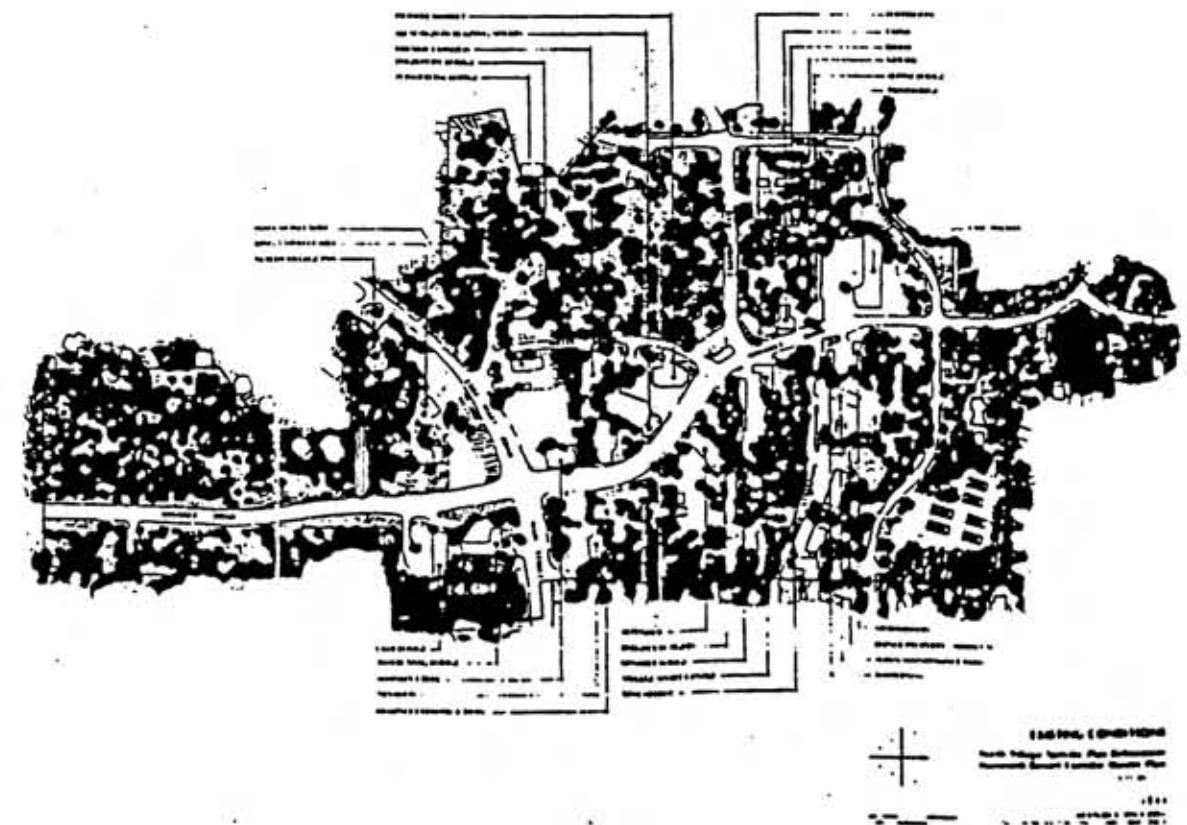
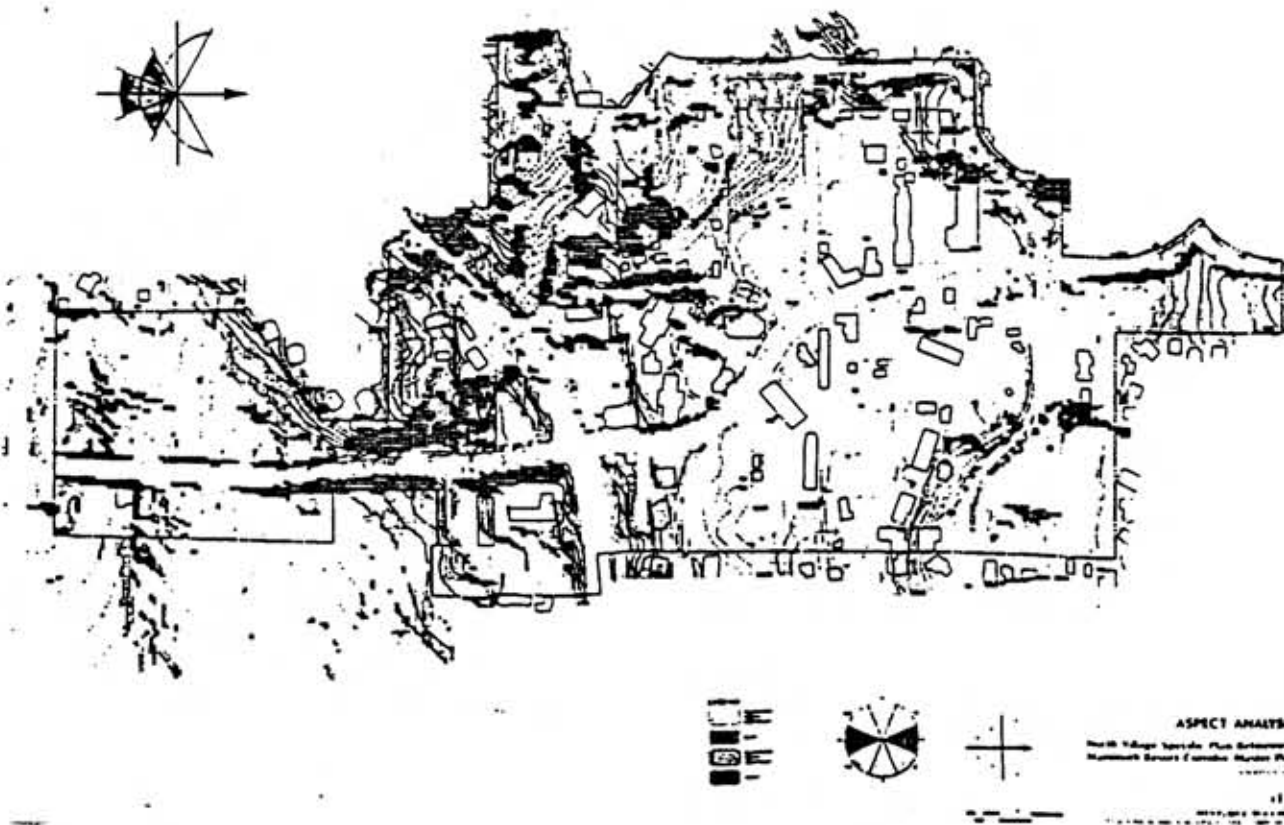
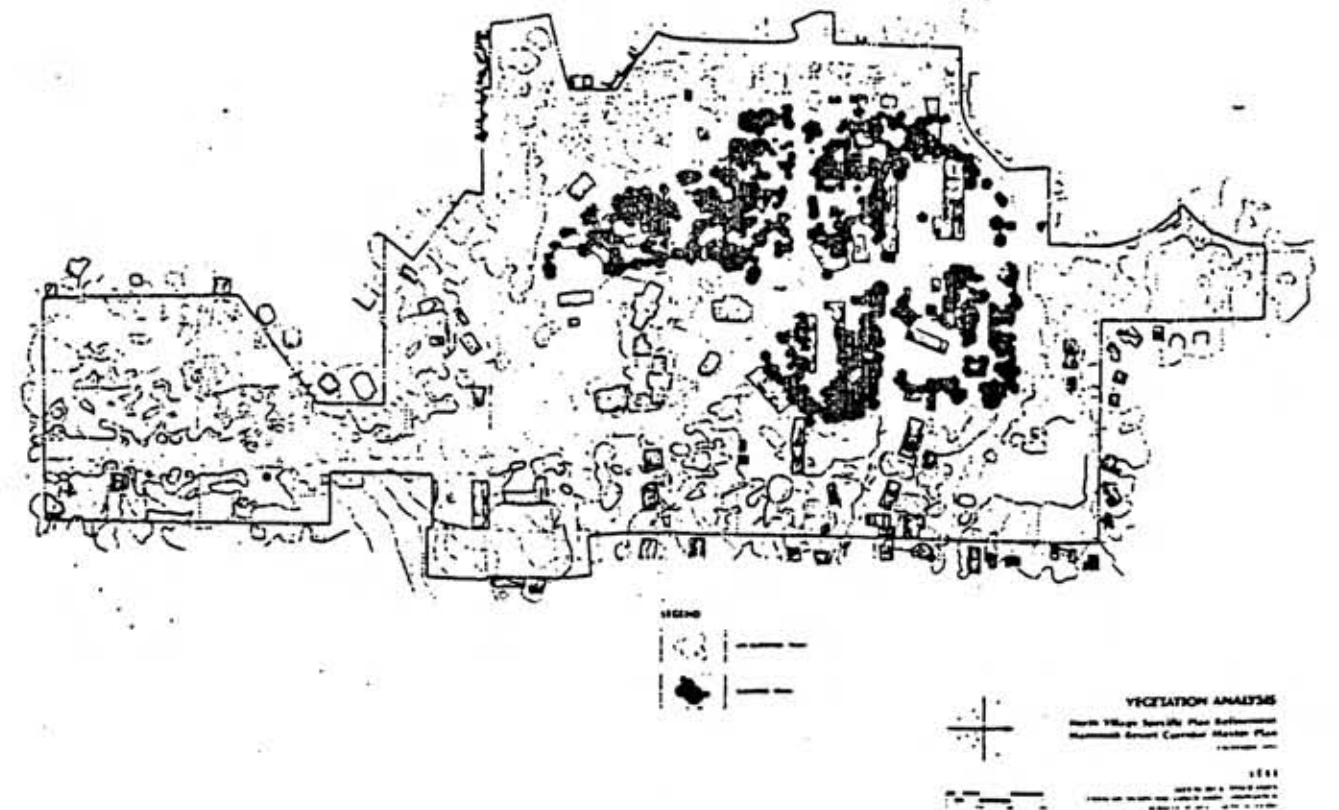
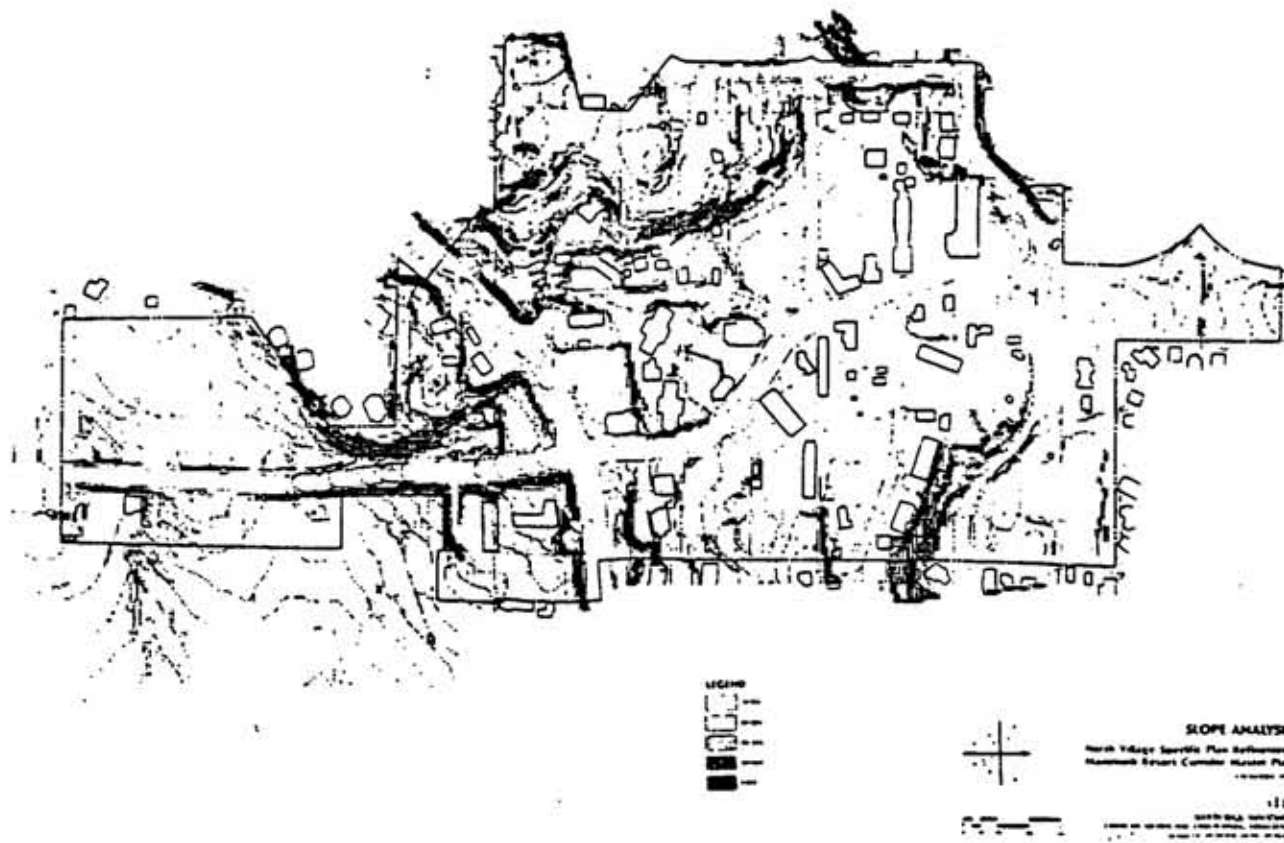
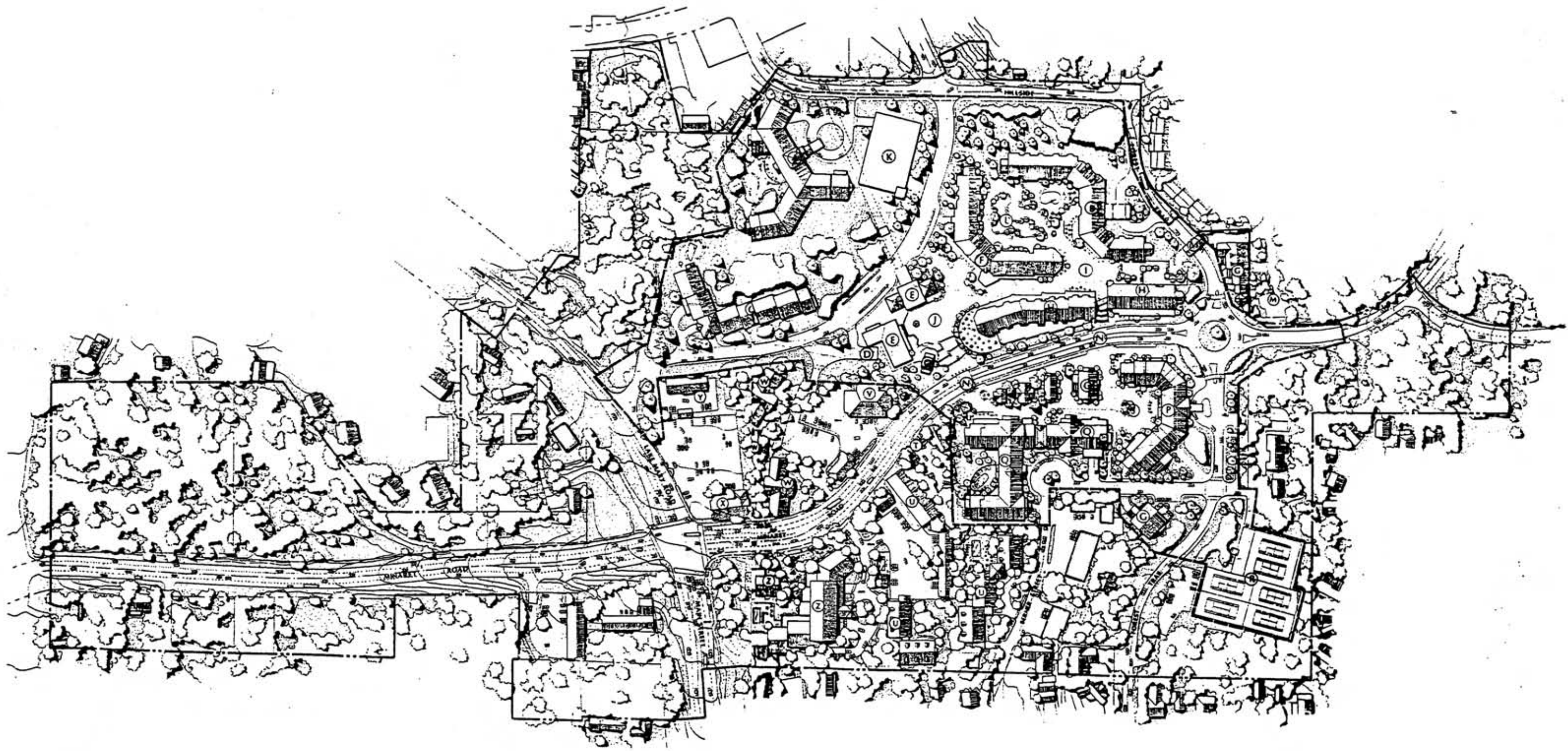


EXHIBIT C — SITE ANALYSIS



LEGEND

- | | |
|---------------------------------------|--|
| A LODGE/HOTEL H-2 | N PEDESTRIAN CROSSINGS ON MINARET |
| B LODGE W-1 | O SMALL SCALE RETAIL SHOPS |
| C LODGE H-3 | P LODGE E-1 |
| D CENTRAL SERVICE FACILITY | Q LODGE E-2 |
| E GONDOLA /DAYLODGE | R PUBLIC PARKING/ COMMUNITY FACILITIES |
| F LODGE W-3 | S MOUNTAIN PLAZA & WATER FEATURE |
| G BED & BREAKFAST | T EXISTING BERGER'S BURGERS |
| H LODGE W-2 | U ALPENHOF, ADDED RETAIL & ACCOMMODATION |
| I EVENTS PLAZAS | V EXISTING PIONEER MARKET |
| J GONDOLA PLAZA | W EXISTING FIRESIDE CONDO'S |
| K PUBLIC PARKING FACILITY | X EXISTING WHISKEY CREEK |
| L MOUNTAIN POND & WATERFALL | Y EXISTING OFFICES |
| M SKIER BRIDGE/SKI BACK TRAIL OPTIONS | Z PARCEL 38, MIXED USE |

999 AMENDMENT AREA

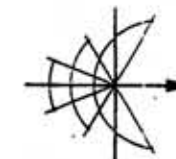


EXHIBIT D

NORTH VILLAGE CONCEPTUAL SITE PLAN

North Village Specific Plan Refinement
Mammoth Resort Corridor Master Plan

1 NOVEMBER, 1993

Revised: 1 SEPTEMBER, 1999

eba

ELDON BECK ASSOCIATES
LANDSCAPE ARCHITECTURE LAND PLANNING URBAN DESIGN
San Rafael, CA 415.451.4733 FAX 415.451.4734

EXHIBIT E

PROPOSED PDEESTRIAN CORE CONCEPTUAL SITE PLAN

North Village Specific Plan Refinement
Mammoth Resort Corridor Master Plan

1 NOVEMBER 1993
REVISED: 1 SEPTEMBER 1999
MC MAY 2008

LEGEND

- A LODGE/HOTEL H-2
- B LODGE W-1
- C LODGE H-3
- D CENTRAL SERVICE FACILITY
- E CONDOLA/DAYLODGE
- F LODGE W-3
- G BED & BREAKFAST
- H LODGE W-2
- I EVENTS PLAZA
- J CONDOLA PLAZA
- K PUBLIC PARKING FACILITY
- L MOUNTAIN POND AND WATERFALL
- M SKIER BRIDGE/SKI BACK TRAIL OPTIONS
- N PEDESTRIAN CROSSINGS ON MINARET
- O SMALL SCALE RETAIL SHOPS
- P LODGE E-1
- Q LODGE E-2
- R PUBLIC PARKING/COMMUNITY FACILITIES
- S MOUNTAIN PLAZA & WATER FEATURE
- T EXISTING BERGER'S BURGERS
- U ALPENHOF, ADDED RETAIL & ACCOMMODATION
- V 80/50
- W EXISTING FIRESIDE CONDO'S
- X MAMMOTH CROSSING SITE 1
- Y MAMMOTH CROSSING SITE 2
- Z MAMMOTH CROSSING SITE 3
- AA PARCEL 38, MIXED USE

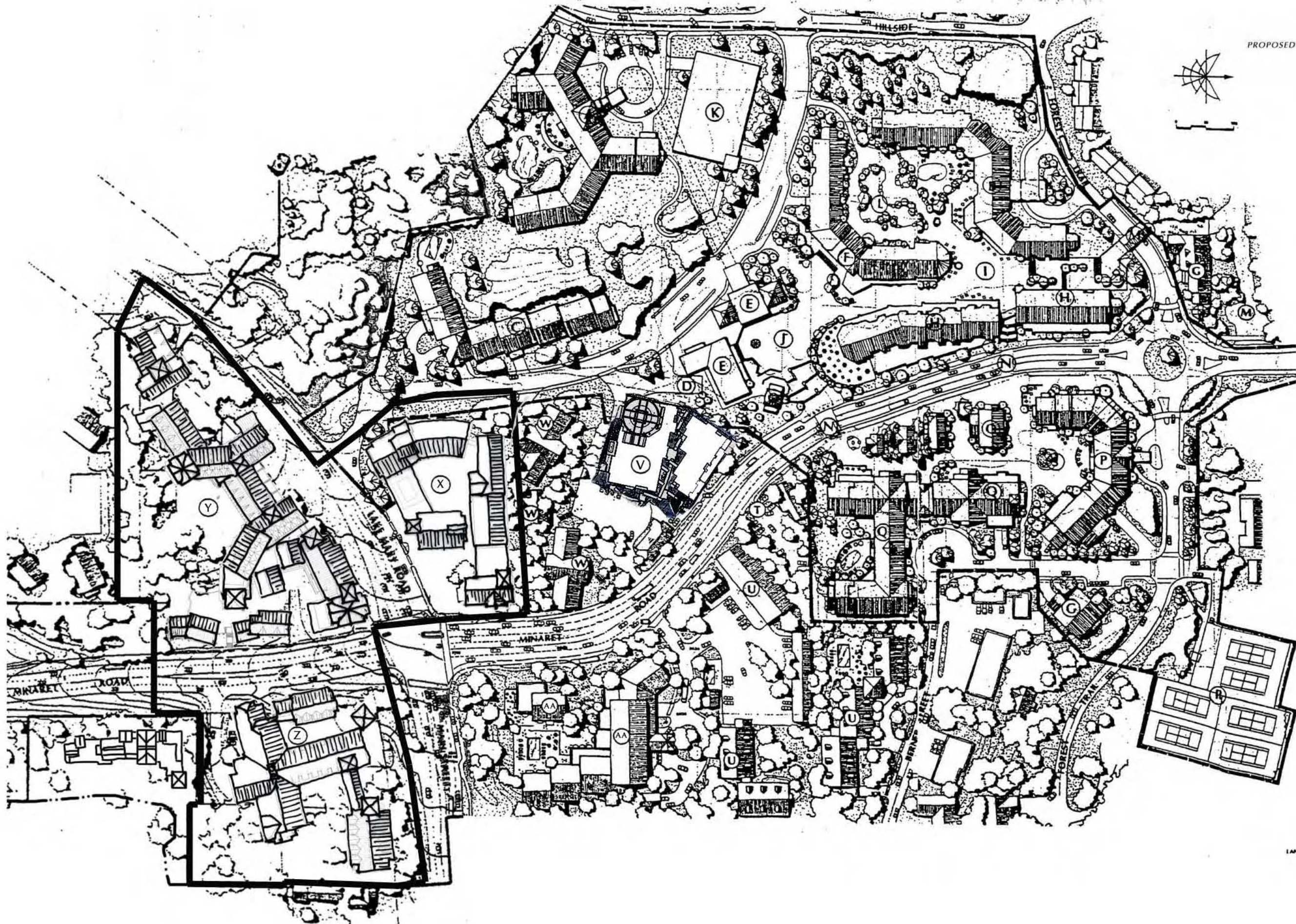
KEY

1999 AMENDMENT AREA

2009 AMENDMENT AREA

PERKINS DESIGN ASSOCIATES
Site Planning Resort Design Landscape Architecture
35 Washington Avenue, Point Richmond, CA 94801
510-215-1600 fax 510-215-5351 cas#2291

eba
ELDON BECK ASSOCIATES
LANDSCAPE ARCHITECTURE LAND PLANNING URBAN DESIGN
San Rafael, CA 415.455.0722 San Francisco, CA 415.774.0666



PROPOSED PEDESTRIAN/BIKE
CIRCULATION

North Village Specific Plan Refinement
Mammoth Resort Corridor Master Plan

1 NOVEMBER 1993
REVISED: 1 JANUARY 2001
MC MAY 2008

NOTE

PEDESTRIAN CIRCULATION PATHS
WITHIN PRIVATE PROPERTY ARE
CONCEPTUAL ONLY AND NOT
INTENDED TO IMPLY PUBLIC
DEDICATIONS, EASEMENTS, ETC.
DEVELOPMENT PATTERNS MAY
AFFECT ACTUAL LOCATION OF
PEDESTRIAN CIRCULATION IN THESE
AREAS.

