



COMMUNITY DEVELOPMENT

P.O. Box 1609 Mammoth Lakes, CA 93546

MEETING DATE: March 10, 2010

PLANNING COMMISSION ITEM:

SUBJECT: Old Mammoth Place (Vesting TTM 09-003, UPA 09-003, DR 09-005, ADJ 09-004, DZA 09-001)

FROM: Pam Kobylarz, Associate Planner

APPLICANT: Severy Realty Group

OWNER: Metric Mammoth, LLC

LOCATION: 164, 202 and 248 Old Mammoth Road (APNs: 035-230-005, -006, -007)

ZONING/GENERAL PLAN: Clearwater Specific Plan/Clearwater Specific Plan

PROJECT DESCRIPTION: The proposed project includes the following:

- Up to 488 lodging rooms,
- On-site workforce housing,
- Outdoor public events plazas and associated amenities,
- 19,500 square feet of retail and 17,000 square feet restaurant space,
- 9,500 square feet of conference space,
- 4,500 square foot quality spa and wellness center, and
- Subterranean parking.

STAFF RECOMMENDATION: The Planning Commission should determine whether or not the proposed district zoning amendment meets the intent of the General Plan and the CSP and whether it helps to achieve the goals that the Town desires for this site and district. If so, staff recommends that the Planning Commission choose Option 1: adopt the attached resolution recommending that the Town Council determine that the project is consistent with the Clearwater Specific Plan Environmental Impact Report (EIR) pursuant to the California Environmental Quality Act (CEQA) Guidelines and approve District Zoning Amendment 09-001. Approve Vesting Tentative Tract Map 09-003, Use Permit 09-003, Adjustment 09-004, and Design Review 09-005 contingent upon Town Council's approval of DZA 09-001.

A. REPORT ORGANIZATION

The content of this staff report is organized as follows:

- A. Report Organization
- B. Summary and Background
- C. Subject Property and Surrounding Land Uses
- D. Related Policy Background and Studies
- E. Issues Analysis
- F. Conformance with the General Plan and Vision
- G. CEQA Compliance
- H. Options Analysis
- I. Project Alternatives
- J. Recommendation
- K. Attachments

B. SUMMARY AND BACKGROUND

1. Adoption of the Clearwater Specific Plan

The CSP was adopted by the Town Council on January 7, 2009. The CSP envisions a pedestrian-oriented mixed-use corridor along Old Mammoth Road and calls for a mix of retail, condominium hotel, and conference uses, along with on-site workforce housing, and public plaza areas that provides a venue for a variety of community activities and events. The CSP was adopted after an extensive and lengthy public process, including numerous public meetings and workshops, giving residents, neighbors, and decision-makers ample opportunity to comment on the proposed plan prior to its adoption. These comments ultimately contributed to a number of changes that were incorporated into the final plan. The CSP created new zoning standards intended to help implement the vision and achieve a mixed-use project that will attract both residents and visitors to the area, and is currently the regulating document for this site.

2. Project Background and Public Participation

On December 23, 2005, the Town received a pre-application submittal for the original Clearwater proposal that proposed 480 rooms within 339 units, 45-foot building height across the entire site, including along the street frontages, excavation of 90% of the site for parking, and large vehicular plaza in the center of the site. This proposal complied with all zoning requirements at that time and would not have required a district zoning amendment. This concept was presented to the Planning Commission on February 8, 2006, where the Planning Commission expressed the following comments:

- Concern about the amount of space dedicated to cars;
- Project needs to emphasize pedestrian scale and accessibility along Old Mammoth Road;
- The proposal doesn't take advantage of southern exposure, views, or provide for sun corridors;

- Concern about height along the street; it would be better off pushed back to reduce shadowing;
- Height should be clustered in the center and step down toward the street to enhance the pedestrian environment; and
- The applicant has missed an opportunity to incorporate green building components into the project design.

On April 24, 2006, Town staff received a formal application submittal for the Clearwater Specific Plan. Like the previous proposal, the revised proposal also included 480 rooms, 6 buildings, approximately 33 units of on-site affordable housing, and an underground parking structure. In response to the comments from the February 8, 2006 Planning Commission workshop, the applicant proposed stepping the buildings back from between one and three stories along Old Mammoth Road to six stories in the center of the site, with non-habitable tower features extending to 110 feet. The increase in height was the reason for the specific plan application.

Between the time of submittal of the application and Planning Commission action, 20 public meetings were held that related either directly to the CSP application or to the district study. The Town Council then held eight additional public meetings on the subject prior to their adoption of the CSP, for a total of 28 public meetings on the CSP application.

3. Old Mammoth Place Proposal Summary

On September 1, 2009, an application was submitted for the Old Mammoth Place project, which is located within the Clearwater Specific Plan (CSP) area. The proposal is for a condominium hotel, mixed-use project with up to 488 hotel rooms, and 8 units of workforce housing. The proposed project also includes several outdoor public plazas, approximately 17,000 square feet of restaurant, 19,500 square feet of commercial, 9,500 square feet of conference area, a spa, and an underground parking structure.

The project proposes five buildings with a combined building footprint of approximately 112,000 square feet, encompassing approximately 42% the overall site area, leaving 58% as open space. The underground parking facility would encompass 160,000 square feet or approximately 60% of the site. The buildings would range in height from one to five stories and have been sited to maximize sun exposure to the greatest number of units possible as well as to the public plaza areas.

Vesting Map

The applicant has requested a vesting tentative tract map rather than a tentative tract map. A vesting map is different than a standard tentative tract map in that a vesting map gives subdividers the right to proceed with development that is in substantial compliance with the development standards that are in place at the time the vesting tentative map is deemed complete. The vesting tentative map is valid for not less than one year, and no more than two years after the final map has been recorded. The applicant has requested a vesting tentative map so that they can be confident that zoning and public works

standards will not be different at the time of construction than they are now. The vesting map does not vest building code requirements or fees; the applicant will pay the applicable development impact and other fees in place at the time of a building permit application submittal.

4. Required Actions

Six actions are required in order to enact the Old Mammoth Place project:

1. Determine that the project is consistent with the Clearwater Specific Plan Environmental Impact Report (EIR) pursuant to the California Environmental Quality Act (CEQA) Guidelines.
2. Design Review (DR 09-005): This application request relates specifically to the design aspects of the project, including architecture, site design, and exterior materials.
3. Adjustment (ADJ 09-004): This application requests an adjustment in building height of 10% (3.5 additional feet) for up to 28% of the three-story buildings along Old Mammoth Road and 6% of the buildings (the southernmost building) fronting Laurel Mountain Road.
4. Use Permit (UPA 09-003): This application request is for a use permit that would allow the proposed uses, including hotel, workforce housing, retail, restaurant, spa, public plazas, and conference space. The Planning Commission will vote to approve or deny this application, contingent upon approval of the DZA.
5. Vesting Tentative Tract Map (VTTM 09-003): This application request is for a vesting tentative tract map allowing a maximum of 340 residential units, including workforce housing, and 80 commercial units. The Planning Commission will vote to approve or deny this application, contingent upon approval of the DZA.
6. District Zoning Amendment (DZA 09-001): The Planning Commission will make a recommendation to the Town Council regarding whether or not to modify the Clearwater Specific Plan to clarify how height is measured when a building sits on top of a parking podium (underground parking).

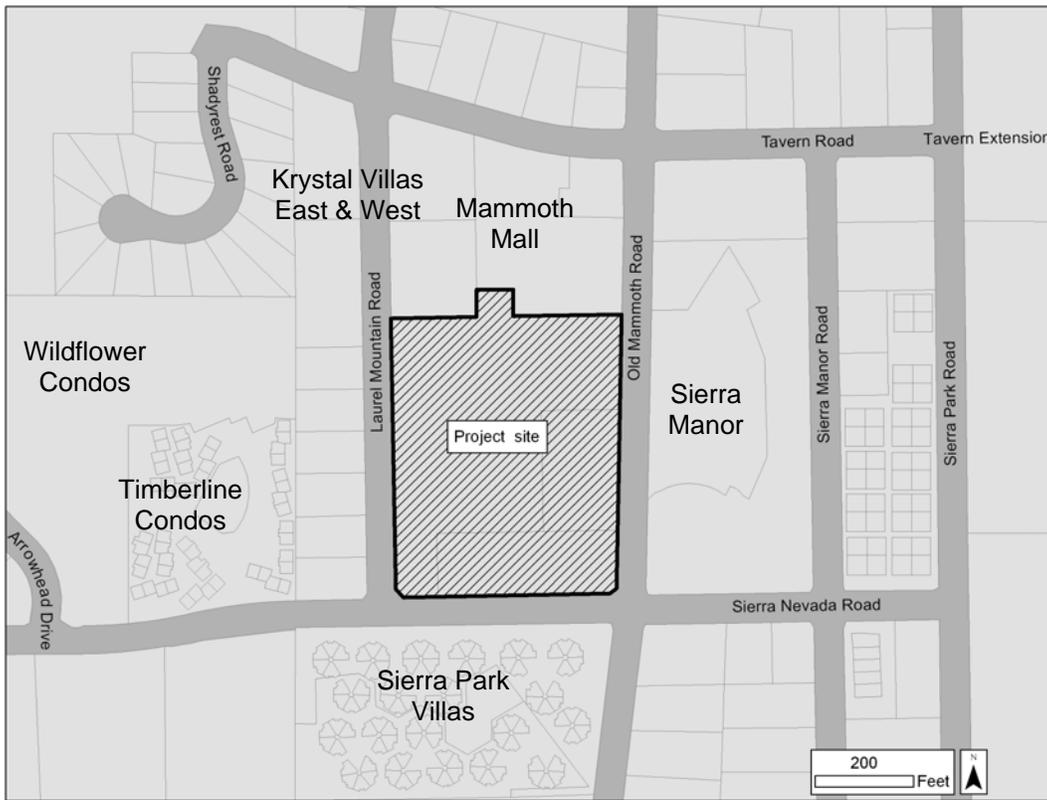
C. SUBJECT PROPERTY AND SURROUNDING LAND USES

The Old Mammoth Place site is located within the Clearwater Specific Plan area. It consists of three parcels and is approximately 6.1 acres in size. There are existing buildings on the property, most of which were built in the 1960s. They include the Sierra Nevada Lodge, which is currently in operation; the Rafters Restaurant, which recently reopened; and the Ocean Harvest Restaurant, which has been closed for several years. A miniature golf course has also recently been installed on the site. Although the site appears generally flat, there is a grade change of approximately 19 feet from the northwest to the northeast corner. A number of small coniferous trees exist around the perimeter of the site and approximately 10 larger Jeffrey Pines are concentrated on the southeast corner of the site. The site is nearly 100% disturbed, and is covered with deteriorating parking lots, driveways, and concrete areas. The site is bounded by Old

Mammoth Road to the east, Sierra Nevada Road to the south, Laurel Mountain Road to the west, and Krystal Villa East and the Mammoth Mall to the north (see Figure 1 below).

To the west of the property, across Laurel Mountain Road, are various commercial general (CG)-zoned parcels that contain apartments and small businesses. Beyond that are several different condominium complexes zoned residential multi-family 2 (RMF-2), including the Wildflower and Timberline complexes. To the east of the site, across Old Mammoth Road, on property zoned CG, are the Sierra Manor condominiums. The Sierra Park Villas condominiums are to the south of the site, across Sierra Nevada Road, on property zoned RMF-2. The Sierra Park Villas have perpendicular parking along Sierra Nevada Road that is located outside of the right-of-way within their property.

Figure 1: Site Map



D. RELATED POLICY BACKGROUND AND STUDIES

1. North Old Mammoth Road District Special Study (NOMRDSS)

As part of the process of adoption of the CSP, the NOMRDSS was developed and was accepted by Town Council on November 19, 2008. The intent of the NOMRDSS is to reinforce this district as a desirable place for residents as well as visitors to live, shop and recreate while reducing the dependency on the automobile. This document identifies goals and objectives for the North Old Mammoth Road District and recommends development standards to help achieve those goals. Since the NOMRDSS has not been adopted, it is not enforceable and has no regulating power, however, it is still looked to

by staff and the community as an important reference document for the district. Most of the development standards recommended in the NOMRDSS have been included in the CSP and were adopted as part of that document.

2. People at One Time (PAOT) and Impact Assessment Policy

On April 15, 2009, the Town Council adopted a policy, the intent of which is to provide a clear and consistent framework for the Town to track and report development and Population at One Time, to be used in project evaluations. The policy requires a detailed PAOT analysis for projects with discretionary approvals, including major legislative approvals. Consistent with the adopted policy, a detailed PAOT assessment has been conducted for the Old Mammoth Place project. This information is summarized below in the PAOT analysis.

The April 15 policy includes the direction to shift from a PAOT-based project assessment to an impact based assessment. The Town Council requested that the PAOT Ad Hoc Committee work to further develop and refine this framework and return with additional policy recommendations. The Town Council adopted the Project Impact Evaluation Criteria (PIEC) Policies on June 17, and accordingly, a PIEC evaluation is included as part of this staff report. A summary of the PIEC evaluation is provided later in this report.

3. Community Benefits/Incentive Zoning

On August 5, 2009, the Town Council adopted the Community Benefits and Incentive Zoning (CBIZ) policy, which provides guidance for decision-making regarding the granting of discretionary development incentives in exchange for community benefits or amenities. The policy directly implements General Plan Policy L.5.G., which specifies that projects in the town's commercial zones that provide community benefits may increase density from 40 to 80 rooms per acre. CSP Section 5.2.3 also allows for up to 80 rooms per acre pursuant to the CBIZ policy. The CBIZ analysis for this project is discussed in great detail later in this report.

4. Condo Hotel Requirements

In recent years, the condo hotel model of development within resort communities became increasingly popular, raising concerns for the Town about maintaining hot bed accommodations, and in evaluating hotel project proposals against zoning standards that permit higher development densities for hotels. In 2008 and 2009 the Town Council and Town Commissions held a variety of discussions about possible regulations and requirements for condominium hotels; these discussions focused on physical, operating, and other requirements that would ensure all hotel projects strengthen and contribute to the town's destination resort goals.

With the recent adoption of the Destination Resort/Community and Economic Development Strategy (DRCEDS) and CBIZ, it seems probable that guidelines for hotels may be developed and implemented in conjunction with follow-up work efforts to complete district planning and update the Municipal Code. With the recent drastic changes in the economy, it may be that condo hotels are no longer a viable model for

hotel development, meaning that there is a less urgent need to adopt condo hotel standards. Nonetheless, the Council and Commission's discussions to date on condo hotel standards, including those in conjunction with the Clearwater Specific Plan, have provided some valuable direction on a number of guidelines that will set the expectations for all hotel developments in town. The staff report summarizes staff's analysis of the proposed hotel use and operation.

5. Real Estate Market Outlook and Development Strategy Recommendations by Economics Research Associates (ERA)

The ERA report provides numerous recommendations to help with the economic stimulus of Mammoth Lakes. To address the issue of off-peak visitation, ERA strongly recommends that the Town of Mammoth Lakes require the inclusion of meeting space in future larger hotels. The space would include rooms that could host a variety of both large and small events. ERA recommends that the Town consider establishing minimum meeting space requirements in some proportion to the size of the project and to a number of rooms.

ERA states that the Town of Mammoth Lakes needs to create a place that defines the heart, soul, spirit, and heritage of the community since no such place exists in town today. ERA recommends that this new "Main Street" be located near the commercial center of gravity, which is the intersection of Old Mammoth Road and Tavern Road. ERA envisions this area as having retail and restaurant spaces along the ground level on both sides of the street with minimum glass front requirements of 50 to 75 percent, ample sidewalks; intersections that facilitate pedestrian crossing; short-term, on-street parking on both sides of the street; and one lane of traffic in each direction. The shops and restaurants would line both sides of the street with resort lodging, worker housing, or office space on the upper floors.

Many of these recommendations are related to the Old Mammoth Place project; they were incorporated as appropriate into both the NOMRDSS and evaluation of the project. The CSP includes requirements that will ensure that the above listed recommendations are realized.

6. Financial Analysis (KMA and EPS Reports)

The CBIZ policy requires the preparation of a financial analysis as part of the overall evaluation of the applicant's proposal. Accordingly, the applicant has retained Keyser Marston Associates (KMA) to prepare the required analysis; separately, the Town has contracted with Economic and Planning Systems (EPS) to complete a peer review of the KMA study. Both firms are highly respected in the field of economic and financial analysis. Staff worked closely with both KMA and EPS through the process to develop the reports, and reviewed and provided comments on draft documents as they became available.

Among the components of EPS' peer review is an assessment of consistency with the requirements of the CBIZ policy pertaining to the methodology and content of the financial analysis. Staff agrees with the conclusion of the peer review that the CBIZ

policy requirements with regard to the financial analysis were met, and that the methodology, assumptions and conclusions of the report are sound and provide a reasonable basis for decision-making by the Town.

7. Transportation Report by Nelson\Nygaard Consulting Associates

Nelson\Nygaard, a respected transportation planning and consulting firm, was hired by the Town to peer review the applicant’s parking analysis and to assess the project’s parking demand based on its proposed mix of uses and intensities and their potential to share parking, its ability to capture demand on-site, and its ability to capture demand from surrounding uses. The study provides a number of recommendations that are discussed in more detail later in this report.

E. ISSUES ANALYSIS

1. Density and PAOT

The CSP permits a base density of 40 hotel rooms per acre with the opportunity to request up to 80 hotel rooms per acre given that amenities, services, and/or environmental benefits are provided that would “*enhance the tourism, community, and environmental objectives of the Town of Mammoth Lakes.*” This is consistent with policy L.5.G of the Town’s General Plan. For this property, which is 6.1 acres in size, 244 hotel rooms would be permitted as a base density with up to 488 rooms possible. The applicant has proposed a density of up to 488 rooms within 340 units based on the provision of community benefits as a part of the project. (see CBIZ discussion below).

Approximately 27,000 square feet of retail and restaurant space is proposed. Pursuant to the CSP, non-residential uses do not count toward the overall density, nor does workforce housing that meets the Town’s requirements.

PAOT Assessment

Table 1 summarizes the Population at One Time (PAOT) associated with the proposed Old Mammoth Place project. The project proposes to build 340 residential units, consisting of up to 8 affordable housing units and 488 hotel rooms for a total Unit/Room Equivalent (URE) of 252. This development amount is consistent with the density assigned to this property in the CSP and General Plan. As shown in the table, between 756 and 882 PAOT would be associated with the proposed project.

Table 1: Old Mammoth Place Proposed Development and PAOT

Proposed Development	Unit / Room Equivalent (URE)	PAOT @ 3.0 persons/URE	PAOT @ 3.5 persons/URE
488 rooms	244	732	854
8 units*	8	24	28
Total	252	756	882

*Proposed affordable housing

Table 2 summarizes the estimated buildout and PAOT for the CSP area. The estimate incorporated in the current PAOT model, based on the adopted CSP, assumed a project of

16 affordable housing units and 480 rooms for a total URE of 256. The associated PAOT for the CSP was estimated to be between 768 and 896. The PAOT associated with the Old Mammoth Place proposal would therefore be slightly less than projected for the buildout of the CSP.

Table 2: Clearwater Specific Plan PAOT

Existing and Future Development		Unit / Room Equivalent (URE)	PAOT @ 3.0 persons/room	PAOT @ 3.5 persons/room
Existing Rooms	156	78	234	273
Future Rooms	324	162	486	567
Future Units*	16	16	48	56
Total		256	768	896

*Affordable housing assumed in CSP PAOT calculations

The PAOT estimate and table include the same information and assumptions as were provided in the Mammoth Crossing and Vista Point projects, including the now-approved density of up to 80 rooms per acre for the Mammoth Crossing sites.

The Old Mammoth Place proposal is consistent with the density anticipated in the CSP, which was considered in recent PAOT analyses for the Snowcreek, Mammoth Crossing and Vista Point projects. Therefore, town-wide PAOT including the project would be the same as previously reported, at between 52,258 and 55,955 PAOT at buildout.

2. Project Impact Evaluation Criteria (PIEC) Analysis

Consistent with the recently adopted Project Impact Evaluation Criteria (PIEC) policy, staff has prepared the PIEC summary analysis, based on the assessment in this staff report, and other related studies including the Clearwater EIR and conformance document. The PIEC summary is included in Attachment 3.

The PIEC evaluation indicates a positive report in a number of assessment areas, including:

- Feet first mobility, including enhancement of pedestrian and bicycle facilities.
- Trip reduction through mixed-use development.
- Proximity to multiple transit lines.
- Place making and providing quality public spaces, and animating visitor-oriented districts.
- A high level of contribution to overall employment.
- A high level of increase to TOT and sales tax.
- Providing workforce housing in accordance with Town standards.
- Commitment to LEED Silver certification or higher.

- Project provides facilities that contribute to year-round economy and increase occupancy (retail, plazas, conference space).

Negative assessment areas reported in the PIEC include:

- Increased traffic, requiring intersection mitigations.
- Potential increases to on-site water demand.
- Conformance with current zoning standards within the district (due to the fact that this application proposes to modify zoning).

3. Community Benefits/Incentive Zoning

The applicant proposes to utilize the CBIZ policy and is requesting up to 80 hotel rooms of density per acre in exchange for providing a variety of community benefits on site. Based on input provided during the NOMRDSS and CSP processes, a list of community benefits appropriate to the site and the district have been incorporated into the adopted CSP.

CBIZ Policy Requirements

The CBIZ policy identifies a number of requirements for review and analysis of a CBIZ proposal:

- Non-binding input by the Town Council on the CBIZ proposal.
- Completion of a financial analysis of the proposal that:
 - Provides sufficient information to allow for a reasonable assessment of the value of the benefits offered relative to incentives being sought.
 - May include an independent peer review.

Town Council Input

Consistent with the requirements of the CBIZ policy, the Town Council provided an initial review and non-binding input on the CBIZ component of the Old Mammoth Place proposal on October 21, 2009. The Council provided generally positive input regarding the proposal; however, concerns were raised regarding how the proposed benefits will fit into the district. Staff has provided a comprehensive analysis of the consistency of the proposed project features with the policy objectives for the North Old Mammoth Road district as expressed in the General Plan, NOMRDSS, and CSP throughout the staff report. The analysis concludes that the proposal would directly meet the major objectives for the broader district.

Financial Analysis

Based on the CBIZ policy requirements, the applicant retained Keyser Marston Associates (KMA) to prepare a financial analysis of the relative benefits of the requested

density increase and the community benefits offered in exchange. Separately, the Town contracted with Economic and Planning Systems (EPS) to complete a peer review of the KMA study. Both the study and the peer review were introduced to the Planning Commission in a study session on January 13, 2009, and are included as Attachments 8 and 9. Staff provided a synopsis of the finding of the KMA and EPS reports in the staff report for the January study session. The synopsis points are repeated below.

KMA Report: Key Findings

KMA makes the following key findings with regard to the OMP CBIZ proposal:

- The financial value of the community benefits (excluding fiscal/economic benefits) outweighs the projected economic benefits to the developer by more than 10 times. The residual land value increase associated with the density bonus is estimated at approximately \$2.5 million, whereas the value of the physical benefits provided by the project is estimated at over \$26 million. From this, it can be concluded that the award of additional density will not result in a disproportionate "windfall" to the developer.
- Fiscal/economic benefits such as TOT, sales tax, and property tax (estimated at an addition \$1.8 million annually over the "base case") are not included in the above KMA calculation, but would add to the overall community benefit of the project.
- The package of benefits corresponds with and meets the vision, goals, and policies outlined in the General Plan and CSP.

EPS Peer Review Key Findings

The EPS peer review provides a careful critique of the KMA report's methodology and findings:

- The KMA analysis used a residual land value/static pro forma approach to estimate the value of the additional density to the developer. EPS fully agreed with this methodology, and found the assumptions built into the pro forma analysis to be reasonable and sound. In all other respects, EPS concludes that the methodology used in the KMA analysis was reasonable and their assumptions appear valid.
- In an effort to provide a fair assessment of the actual community benefits (versus project-benefiting components), KMA "discounted" or eliminated a number of project features from its calculations (discussed below). EPS agreed with this approach and discusses at some length the inherent (and in some cases unsolvable) challenge in precisely apportioning the two.
- Based on the above points, EPS found no basis to challenge or dispute the findings of the KMA report with regard to the value and balance of community benefits versus incentives, and found that the CBIZ criteria of a "fair financial balance" of costs and benefits to the applicant and the Town appears to be met.

- Because it is a policy intended to allow for flexibility in its application in different contexts, the CBIZ requirements do not include precise metrics or quantified measures of how community benefits are to be weighed against developer benefits from additional density. Therefore, KMA's scope included developing a rational method to make this comparison.

The EPS report concludes with observations on a number of points that relate to methodological and policy-based considerations for the Town as it assesses the Old Mammoth Place and future CBIZ proposals. These include the following:

- The community benefits and project-specific benefits are closely related. Maintaining a critical mass and scale of project amenities will be critical to the success of the project, and to achieving broader benefits for the district as a whole, including the "placemaking" goals established for the North Old Mammoth Road area.
- Translating some portion of the "community benefits" to a cash payment to fund other projects in town is likely undesirable since it may compromise the ability of the project to be successful.
- Achievement of policy goals and objectives (such as a revitalized Old Mammoth Road District) is a critical component of the CBIZ assessment and the Planning Commission's overall deliberations on the merits of the project.

List of Community Benefits

The applicant has proposed six community benefits for the Old Mammoth Place project in order to receive a density of 80 rooms per acre (a total of 488 rooms). Staff has received inquiries regarding the features of the Old Mammoth Place project considered to be community benefits versus improvements that the Town would receive regardless of the CBIZ policy. The CBIZ policy is clear in its definition of community benefits as "facilities, amenities and project features...above and beyond those that would be otherwise required through applicable planning processes and development standards..." (CBIZ Policy B.1). Such standards include those set forth in the General Plan, Zoning Code, Clearwater Specific Plan, and other relevant Town requirements such as subdivision or public works standards.

The CSP includes a list of community benefits to be among those that may be considered for the project site. Specifically, Section 5.2.3 of the CSP states:

“For the purpose of considering increased density up to 80 units per acre, this Specific Plan contemplates the community benefits listed below to be among those that may be determined to be desired by the Town of Mammoth Lakes 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.

- *Indoor meeting and conference space.*

- *Outdoor public events plaza.*
- *Commercial, retail, and restaurant uses along Old Mammoth Road.*
- *Underground parking.*
- *Pedestrian and vehicular mid-block connectors.*
- *Dedication of property for the purpose of improving public rights-of-way and sidewalks and the achieving "complete streets."*
- *Public access to the events plaza and mid-block connectors secured through easements."*

The proposed project includes all of the above listed benefits; however, not all of them may meet the definition in the CBIZ policy. As noted previously, a financial analysis of the community benefits is provided in the KMA report dated December 18, 2009. In its analysis, KMA only considered six items (public plazas, certain mobility improvements, provision of retail/restaurant space, conference space, underground parking for retail/restaurant uses, and parking for the balance of proposed uses) from among those listed by the applicant. KMA elected to not give the project full credit for some of these proposed features based on the fact that it would partially be required for a successful project, regardless of a density increase. The following sections outline the KMA analysis in terms of the "credit" for each community benefit that they calculated, and present a staff analysis of these features against Town standards, to determine if the proposed features meet the CBIZ policy definition of community benefit versus project requirement.

Outdoor plazas and public open spaces

This includes the proposed Old Mammoth Square, Market Commons, The Grove, and Cascade Park. The applicant is not proposing the River Terrace area to be a community benefit as it would largely be an amenity for hotel users.

The KMA report estimated development cost of these facilities in order to determine the benefit to the community, noting their value at approximately \$5.87 million.

Neither the General Plan, the Zoning Code, nor the CSP *require* outdoor plazas and public open spaces; the Town has limited ability to require the outdoor plazas and public spaces that the project is proposing. However, outdoor plazas and public space areas are cited among the list of "program opportunities" on Page 24 of the General Plan to ensure successful and sustainable districts, with the intent of inviting pedestrian activity and providing gathering places. Page 24 of the General Plan further outlines the general characteristics of the Main Street, Old Mammoth Road, and Shady Rest district to include "centrally located parks, plazas, courtyards and pedestrian links that create a sense of exploration" as well as "occasional small plazas and courts visible from the public way that can be used as public event venues." The proposed outdoor plazas and public open spaces achieve these characteristics described in the General Plan as well as achieving policies C.2.A, C.2.B, C.2.E, C.2.M, C.3.C, C.3.D, and P.5.D. Based on this, staff

concludes that counting all of the proposed public plaza space (with the exception of the River Terrace) as a community benefit is appropriate.

New mid-block connector and widening of Old Mammoth Road

The proposed project will include a new mid-block connector road and the widening of Old Mammoth Road, both of which are listed as community benefits in the Clearwater Specific Plan.

The KMA report estimated the development cost of these facilities in order to quantify the community benefit provided; their analysis valued the benefit of these features at \$2.18 million.

Mid-block connectors and street widening are listed on Page 24 of the General Plan as characteristics of the Main Street, Old Mammoth Road, and Shady Rest district. Particularly, Page 24 of the General Plan suggests that “*new development should improve connectivity and circulation with bike and pedestrian paths, sidewalks and roads.*” The proposed mid-block connector and widening of Old Mammoth Road achieve these characteristics described in the General Plan as well as achieving policies C.2.P, M.4.A, and M.4.B.

The mid-block connector and widening of Old Mammoth Road are not required by the CSP and are cited as possible community benefits in CSP Section 5.2.3 (quoted above).¹ The Zoning Code and the CSP do not require new development to provide mid-block connectors, nor do the Town's Public Works standards. The Public Works Department would require the *dedication* of right-of-way along Old Mammoth Road in order to meet the Public Works standard for Old Mammoth Road, however, they could not require the other proposed improvements that the project will provide (sidewalk widening, transit shelter and improved transit stop, on-street parking, landscaping, etc.).

However, General Plan policy C.2.P states: “*Require mid-block connectors through long blocks as development and redevelopment occurs.*” The General Plan does not speak to the other mobility improvements noted above as requirements. The KMA report estimates the cost of this project component at approximately \$2.2 million dollars, or about 12 percent of the total of all “physical benefits.” Even if the mid-block connector were deleted from the overall calculation of developer costs, it would not significantly alter the ratio of value of the proposed community benefits to the developer benefits. (The removal of the mid-block connector from the calculation would alter the ratio from \$26 million to \$24 million in developer benefits, versus \$2.5 million in developer benefits.)

¹ The CSP includes Section 3.5.4 (Street Improvements) which includes a discussion of the mid block connector, as follows: “*At a minimum, the applicant shall be required to make street and/or sidewalk improvements consistent with the standards of the Public Works Department in place at the time of submittal of a use permit. Any additional improvements that the applicant wishes to make shall be consistent with the descriptions in this section.*”

The intent of this language is to qualify that improvements to the project site be consistent with Public Works standards and, if additional requirements are proposed, they be in accordance with this section.

Retail/restaurant space

The Town has identified a lack of specialty retail space within the Town as a part of recent market studies on the subject (for example by EPS and ERA). The proposed project would address this need by including 40,000 square feet of retail and restaurant space. The retail is also provided beyond the street level of Old Mammoth Road, throughout the project site, and would include smaller retail spaces in order to provide a space for smaller retail tenants, such as local artists.

KMA's evaluation indicates that the retail/restaurant component of the proposed project is unlikely to generate returns to a degree that would meet the cost of providing this space. Based on the amount of restaurant space at the Westin project, KMA estimates that approximately 8,000 square feet of retail/restaurant space is needed in the proposed project as an on-site amenity for the hotel. The 32,000 square foot balance of space is included in the project to address the community's desire to further activate this area of the Town. The KMA report estimated the financial feasibility gap of the retail/restaurant space above the 8,000 square feet needed to sustain the proposed project, excluding the cost of the underground parking for this retail space. The value of this space is estimated at \$2.57 million.

Although the CSP does not require projects to provide restaurant or retail space as a project component, General Plan Action L.3.B.1, is to "*require retail, restaurants and other similar active commercial uses at the ground level along designated streets.*" The General Plan Physical Development Concept identifies Old Mammoth Road as a street that should have such active commercial uses. Based on this action, provision of *some* amount of retail space (or other animating use) may be considered a requirement, rather than a community benefit.

However, the General Plan does not specify how much retail space should be provided, and as noted above there is a significant gap between the amount of retail that may be feasibly supported by a project, and which may be desirable from a community benefit standpoint. Therefore, the calculation used by KMA appears to be appropriate and to reasonably assess the amount of retail that would constitute the "community benefit."

Meeting/conference space

The project is proposing 9,500 square feet of conference facilities. Determining the appropriate amount of meeting/conference space that should be required is difficult in Mammoth Lakes because of the Town's remote location and limited commercial air service. In the past, projects have built a minimal meeting/conference space because they were targeting leisure travelers and condo/hotel purchasers rather than the business or convention market. Typically, a new development would only produce as much meeting/convention space as was necessary to satisfy the occasional user group, and only occasional use of the space can be expected. This was the case with the Westin project that built 2,050 square feet of conference space (approximately nine square feet of meeting/conference space per room).

KMA analyzed the amount of conference/meeting space needed to support the proposed project based on recent hotel projects in town; they concluded that the project is providing 6,400 square feet of conference above the amount that may ordinarily be expected without developer incentives. The additional conference space is intended as a community benefit to assist the Town in seeking to achieve its goal of attracting more meetings/conferences to the Town, thereby enhancing visitor activity in the midweek and shoulder seasons. KMA's estimated value of the additional increment of meeting space is \$2.56 million.

Neither the General Plan nor the CSP specify that projects shall provide meeting or conference space, in any amount, as a requirement. The potential requirements for condo-hotels considered (but not adopted) by the Planning Commission and Town Council in 2008 specified meeting space as an important feature that may appropriately be included among other amenities in a hotel project. No minimum space requirement per room was specified in the draft hotel definition; however, the ERA report suggested a minimum of 40 to 70 square feet per room. The General Plan includes policies (E.1.L, E.2.A, and E.3.C) that support the development of meeting/conference space but does not include a requirement to provide such space. Section 3.4 of the CSP requires meeting/conference space but does not include a square footage minimum. Therefore, as analyzed by KMA, the conference space the project would provide above the 3,100 square foot minimum a similar project, might be expected to provide without incentives, although less than the amount suggested by ERA, would still appear to meet the community benefit definition.

Underground parking

The project proposes to construct underground parking for all of its proposed uses. Underground parking is significantly more expensive to build than surface parking, and is considered a positive project feature because the parking is hidden from view and allows more space at-grade to be dedicated to retail, restaurant, plazas, open space, and hotel functions.

The KMA report quantified the community benefit of underground parking for the retail/restaurant by estimating the full construction cost of the underground stalls serving the retail/ restaurant uses, because this parking is only required for uses that KMA has counted as community benefits. For the remainder of the underground parking stalls in the proposed project, KMA quantified the community benefit by applying the cost differential between the underground parking and less expensive above-ground parking.

Neither the CSP nor the General Plan require all parking for the project to be underground. Convenient structured parking is listed as a characteristic of the Main Street, Old Mammoth Road, and Shady Rest district on Page 24 of the General Plan. Underground parking is listed in the Clearwater Specific Plan as a community benefit. General Plan Policies C.2.H and M.6.A encourage provision of shared parking and alternate parking solutions.

CBIZ policy B.2.A notes that "*underground parking shall not be the exclusive consideration in granting a discretionary development incentive.*" This policy is

intended not to preclude underground parking from being considered as a community benefit at all, but merely for it not to be the sole basis for granting a density increase from 40 to 80 rooms per acre as was previously permitted.

Policies and standards under Objective 5.1.2 of the CSP state that:

- *“Underground parking shall minimize the amount of surface level parking, while still maintaining more than adequate parking on the site.*
- *All residential parking shall be underground.”*

The issue has been raised regarding whether the proposed parking for the project is truly “underground.” The project site has a gradual slope from the northwest to southeast of approximately 19 feet. The parking structure is completely underground at the northwest portion of the site and gradually rises above existing grade you travel to the northeast and southeast portions of the structure. The CSP does not contain a definition of “underground.” The Municipal Code contains language in Section 17.20.040.B.1.a that references allowable density bonuses “*where the majority of the volume of the parking is underground.*” The provisions for density bonuses are regulated by the CSP, but this Municipal Code section provides guidance on the determination of whether the proposed parking is “underground” or “understructure.” The applicant has calculated the percentage of the parking structure that is completely underground versus above ground. Approximately 69.5% of the parking garage is below grade and 30.5% is above existing grade. Therefore, the parking is considered underground per the Municipal Code, would meet the requirement of the CSP, and would meet the CBIZ policy definition of a community benefit, as calculated by KMA.

Other Benefits

In addition to the above-listed community benefits identified and quantified by the KMA report, which are analyzed in regard to the requested density increase from 40 rooms per acre to 80 rooms per acre, the report identified benefits that are important to the community but, for various reasons, are not included in the calculation of the community benefits for this project. These include *dedication* to the Town of the mid-block connector (Old Mammoth Place), the spa and wellness center, green features included in the project/LEED certification, and direct and indirect financial benefits including TOT, property taxes, sales taxes, and new jobs created by the project.

Developer Benefits from CBIZ Fee Waiver Provision

The CBIZ policy includes a provision that exempts density awarded as a component of a CBIZ proposal, and any square footage (of retail, meeting space, etc) provided as a community benefit, from payment of Development Impact Fees (DIF) and from Housing Mitigation requirements. (CBIZ Policy A.4.) This provision was included in the adopted policy on the basis that applying fees to incentivized density or a community benefit works contrary to the intent of the policy, because it applies a financial penalty to such features. At the same time, when the Town foregoes these fees, it means that any costs to mitigate service or other impacts generated by the additional density will have to be

borne by someone other than the developer. Mitigation of impacts identified in the CEQA document would still be required.

To supplement the CBIZ financial analysis provided above, and to ensure that this aspect of the CBIZ equation is disclosed, staff has developed an analysis of the value of the "foregone fees" permitted by the CBIZ policy. All values shown in Table 3 reflect the fee schedule adopted in conjunction with the November 2009 interim DIF and Housing Policies. In all cases, only the incremental density or commercial square footage considered to be the incentive or community benefit (per the KMA analysis) is counted in the table. As shown in the Table, pursuant to the CBIZ policy, the Town would forego approximately \$3.64 million in DIF. If payment of fees (rather than provision of on-site housing) were required, an additional minimum of \$2.93 million would be foregone.²

Table 3: Estimate of Foregone DIF and Housing Fees

Project Component		DIF per unit/ sq. ft	Total	Housing Fee	Total
Rooms ("Incentive" Density Only)	244 rooms	\$12,940 per unit	\$3,157,360	12.2 units (per 10% inclusionary requirement)* OR \$11,611 per room	\$2,833,084
Meeting Space	6,400 sq.ft.	\$12.53/sq.ft.	\$80,192	\$14.99	\$95,936
Restaurant/Retail	32,000 sq.ft.	\$12.53/sq.ft.	\$400,960	Not Required (per Interim Housing Policy)	\$0
			\$3,638,512		\$2,929,020
Grand Total: \$6,567,532					

* See Affordable Housing Discussion for additional detail on calculation of housing mitigation requirements

4. Setbacks and Lot Coverage

Setbacks

Setbacks within the CSP are measured from the ultimate right-of-way, except for the setbacks along Old Mammoth Road, which are measured from the edge of the sidewalk. All of the proposed buildings are consistent with the setback requirements, as shown in Table 4, below.

² If the developer proposed an Alternate Housing Mitigation Plan for the 12 units of additional affordable housing that may be required, the mitigation fee per unit would be negotiated and may be higher than the amount listed in the interim housing fee policy.

Table 4: Setbacks

Setback from	Minimum setback distance from right-of-way (unless otherwise stated)	Proposed setback
Old Mammoth Road	Maximum range from 0 – 5 feet from sidewalk	0 feet from sidewalk (sidewalk varies 23 – 35 feet from ROW)
Sierra Nevada Road	10 feet	18 feet
Laurel Mountain Road	10 feet	12 feet
Other properties	10 feet	11 feet

Site Coverage

Section 5.2.4 of the CSP permits a maximum site coverage of 70%, where site coverage is defined as “*the percent of lot area that may be covered by buildings or structures.*” This is different from the definition of site coverage contained in the Municipal Code, where all impervious structures are counted toward site coverage, and therefore allows for the large public plaza areas that are being proposed not to count as site coverage. The proposed project has a site coverage of approximately 42% which is well below the maximum permissible site coverage of 70%.

5. Design Review

Advisory Design Panel Review

The Advisory Design Panel (ADP) reviewed the Old Mammoth Place project on three separate occasions (October 22, 2009, January 14, 2010, and February 2, 2010). Staff has included the ADP notes from the three meetings as Attachment 10. The ADP was generally pleased with the site plan and project layout. They considered the details of the project design and made numerous recommendations regarding the project design, signage, and materials. The January and February meetings included design revisions proposed by the applicant in order to respond to the ADP comments. The ADP was satisfied with the majority of the changes that were completed by the applicant, but requested some additional changes to the project design and requested that the project be subject to a final ADP review prior to the issuance of a building permit. Staff has included Condition #67, which requires a final review by the ADP.

Design Guidelines

Staff has reviewed this project against the Town’s Design Guidelines and also presented the project to the Advisory Design Panel (ADP) on several occasions. Numerous elements of the project have changed over the course of staff’s review of the application; this analysis only discusses the current design shown in the project plan set. The project

generally complies with the Town's Design Guidelines and a summary is provided below.

Form, Mass, and Scale:

The proposed building mass steps back from shortest along the streets to tallest in the center of the site. This is consistent with the Design Guidelines requirements to “*ease the effect of a single large mass*” as well as to compose roofs and facades to “*provide variation, visual interest, appropriate scale and proportions.*” The site plan has been composed to maximize sunlight into public spaces as well as to provide southern exposure and natural light for the buildings. All of the buildings have common complementary architectural design elements, materials, and colors and are congruent across the site.

The proposed hotel portion of the project includes buildings that extend beyond 200 feet in length and the façade includes heavy timber elements, rough hewn granite, channel glass, and rustic metal accents. The top of the building is recessed and helps to better define the base, middle, and top of the building.

Roofs:

The applicant proposes large eaves and overhangs, as well as interesting design features such as variation in roof height and roof pitch, as well as interesting roof forms (butterfly roof) to break up the roof forms on the non-hotel buildings. Although there are differing roof forms on some of the buildings, the roof form of the various buildings is generally flat. The Town's Design Guidelines state that “*flat roofs are generally not a form permitted in Mammoth, but will be considered when there is a 0' setback and no room to shed snow.*” The Town's Design Guidelines are intended to aid the design process and are flexible in form. The proposed roof forms do not comply explicitly with the Guidelines, however the design intent is to reduce the dominance of the roof form and focus on the wall articulation of the structures. The applicant acknowledges the non-conformance issues related to the roof form and believes that the variation sought by the Design Guidelines and the CSP are expressed in the projects exterior walls. Additionally, due to the siting of the buildings with the taller buildings significantly shielded by the lower buildings on the exterior of the site, the flat roof forms are not readily visible. The flat roofs are also being utilized to serve as snow management (hold snow) and to mount a series of solar panels that will help to power this project.

Building Base:

The bases of the buildings vary throughout the site and include a variety of materials and finishes. Along the Old Mammoth Road street frontage, the storefronts are comprised of wood and glass, with board formed concrete used between suites. The storefront window elements of wood and glass, along with the board-formed concrete, help to ground the base of the buildings along the retail frontage.

Building Façade:

The building façade fronting Laurel Mountain Road has a good variety of form and reads as individual building units rather than as a massive single building form. The Design Guidelines state that building façades should be varied by “*providing significant steps in horizontal and vertical planes, recessed openings, and color and material changes.*” The building elevations contain modulation, variety in form, and a unity in massing with material changes that express the intent of the Design Guidelines.

Entrances and Storefronts:

The primary entrances to the project are located on Old Mammoth Road. The main entrance to the market area for pedestrians is an indoor paseo that takes the guest from Old Mammoth Road upstairs to the market area on the second level. This paseo entrance includes an overhang to protect pedestrians from the elements as well tall window elements to identify the entrance. The main vehicular and hotel guest entrance is the hotel lobby entry which is located on the north side of the project off of the new vehicular connector. The vehicular entrance is clearly identifiable by the porte cochere and the hotel guest unloading area is protected by buildings that overhang the area. Secondary entrances are numerous, including entrances to the two restaurants and several entrances from plaza to the market and/or hotel. Both of the main entrances utilize large areas of glazing to ensure that natural light coming into the space is maximized.

Storefronts along Old Mammoth Road consist of wood framed, individual windows set in a mosaic pattern, and the doors are wood framed safety glazing. The pedestrian area in front of the shops are proposed be covered by the overhanging extended skirt and the units above. The proposed storefronts are consistent with the Design Guidelines requirements that “*storefronts should extend the width of the shop as a highly detailed and composed façade,*” and that window treatments should “*enable merchandising to be seen.*”

Colors and Materials:

The proposed exterior materials include the following:

- Cement Board shake siding.
- Concrete – board formed and smooth-seamed.
- Post and beam heavy timber bracing.
- Core-ten for exterior accent walls.
- Glass with wood for railings.
- Channel glass.
- Rough hewn granite.
- Articulated metal clad (corrugated or panelized form).
- Flat seamed weathered zinc metal roofing.

The materials and colors are consistent with the Design Guidelines, which encourage natural or synthetic materials that require little maintenance and colors that are “*taken from the natural setting of Mammoth Lakes.*” The Design Guidelines also encourage the use of strong elements, “*such as timber, logs, and steel with matte finish...as framing or design accent materials.*” A number of heavy timbers, steel, and other similar features have been incorporated into the current design.

Public Spaces and Pedestrian Paths:

The project proposes numerous public plazas, each of which are described in detail in the project narrative (Attachment 12), as well as a variety of pedestrian connections around and through the site. The plazas are designed to utilize sunlight and accommodate a variety of uses and functions throughout the year. The plazas and paths are integrated with and connect to the Town sidewalks surrounding the site. The proposed plazas meet the intent of the Design Guidelines requirement that all plaza areas “*be designed to accommodate expected pedestrian uses (and bicycles where permitted) and level of use.*” A large water feature is proposed to extend across several of the plaza areas to help tie them together.

Signage

Although some large signs are shown on some of the renderings and plans provided by the applicant, no signs are proposed as part of this use permit application. Section 5.2.10 of the CSP requires a master sign plan to be approved for this site, consistent with the Town’s sign ordinance. The master sign plan would regulate the total amount of allowable sign area for the site and various buildings; the location, materials and maximum area of each sign that an individual business will be allowed to display; and any other special sign requirements for the site, such as special place-making signs that may be permitted. Condition #94 requires submittal and approval of a master sign plan.

Landscaping

The landscape treatment of the site includes the preservation of existing trees on the perimeter of the project. These trees will help to integrate the new development into the existing “urban forest.” The development will be buffered on the north from off-site views by proposed mixed conifer and deciduous trees and plants. Deciduous street tree plantings and accent trees will provide context for the retail frontage along Old Mammoth Road. The on-street parking stalls on Old Mammoth Road will be separated from the pedestrian walkways by deciduous trees and the other side of the walkways will be defined by planters and accent trees. The other three street frontages will contain a mix of tree types and areas of shrubs, perennials, grasses, groundcover and ferns that will help to bring scale to the building facades. Plan sheets L1.0 through L5.2 illustrate the proposed landscaping.

The interior landscape treatment is distributed into various themes or outdoor rooms. The Grove is intended to utilize the existing mature pines in the southeast corner of the site. The Commons contains a more open character leading to other use areas, such as the Galleria, River Terrace, and Old Mammoth Square. The River Terrace area containing

the pool and spa is enclosed in the center of the development with accent trees and large shrub beds providing visual interest. The Old Mammoth Square is framed by turf grass seating steps with shade trees above providing summer shade for users. The final interior special feature area known as the Zen garden, an area defined by surrounding building walls and formal grouping of deciduous accent trees over a low groundcover and permeable paving system. The majority of site landscaping will be organic, free flowing, and express random natural shapes, however, the Zen Garden will be a more rigid symmetrical form.

The various landscape treatments throughout this large site (the size of a city block) help to add scale and context to the project. The existing trees are integrated into the perimeter, the retail sidewalk zone is accented with street trees and planters, additional screening has been added where needed, the internal “landscaped rooms” are further defined by the type and form of the tree planting, shrub beds, and ground plane expressions.

Per the Town of Mammoth Lakes Design Guidelines Section 5.2.5 and Appendix 10.2, projects are encouraged to use plants that are native or adaptable to the local region. The plant material selection is compliant with the Town of Mammoth Lakes Design Guidelines and the use of native/adapted plants should provide for a high level of performance.

Trees: All trees proposed (100%) are native/adaptable or listed in the Design Guidelines.

Tall shrubs: Of the six plants listed all but one, mugo pine, are native/adaptable or listed in the design guidelines. The mugo pine is native to the mountains of Spain and central Europe and should do well here in Mammoth.

Low shrubs: Of the nine plants listed all but one, Rosa Rugosa, are native/adaptable or listed in the design guidelines. Rosa Rugosa is very hardy and with stand hard freezes, wind, and drought. This rose should do well here in Mammoth.

Groundcover: Bearberry is listed as a low shrub and a groundcover. The plant is listed in the design guideline and does well in Mammoth.

Grasses: Creeping Wild Rye is listed as the only grass. It will be planted individually and not used as a turf grass. The plant is listed in the design guideline and does well in Mammoth.

Perennials: Of the nine plants listed three are not included in the design guidelines. Perennial is a very large category of plants and the design guideline list is only a suggested list. Larkspur, Wild Strawberry, and Iris should do well in the various planting beds of this project.

Ferns: Western Sword Fern is the only listed plant and is native from California to Alaska and Montana. The plant does well in shaded areas with rich soil and ample water and should do well in the various planting beds of this project.

Turf: There are no specific proposed turf type species proposed on the plans. There is however a note indicating “drought tolerant.” The areas indicated for turf grasses are less than the 15% maximum of total site area allowed by the code.

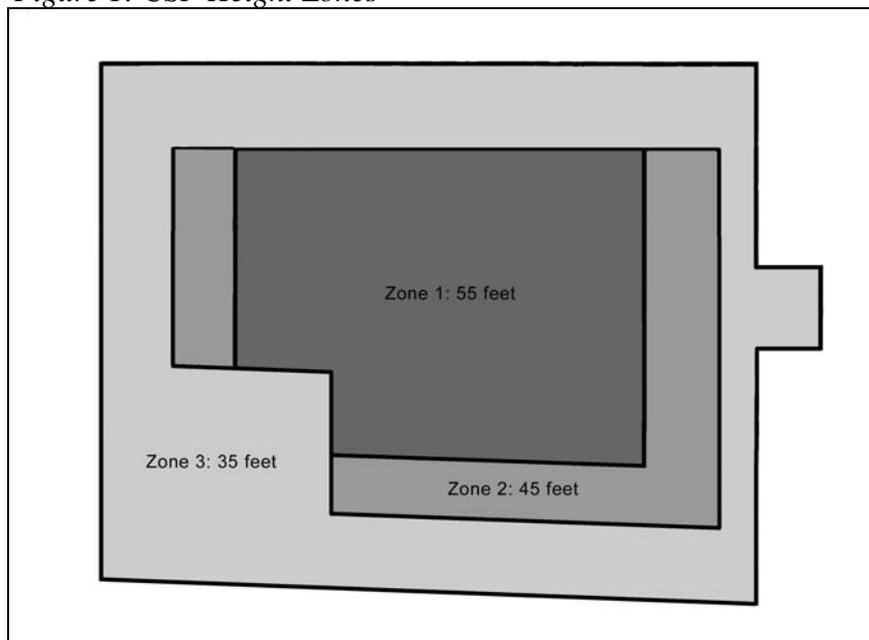
Tree Retention

When the CSP was adopted, special consideration was taken to the existing trees on the site, and Figure E was adopted as part of the document, which requires a minimum of 10 specific trees on the site to be retained. Figure E identifies nine additional trees that may be saved depending upon the layout of the new sidewalk improvements along Sierra Nevada and Laurel Mountain Roads. The applicant has designed the sidewalks to meander around a number of the existing trees, and therefore has been able to retain the 10 required trees plus six additional trees around the edge of the site. None of the trees that will be saved are located above the proposed parking structure. Please refer to sheets C5.0 and L2.0 for the tree preservation plan.

6. Height and Mass

Height within the CSP area is separated into three different height zones, as shown in Figure 1, below. Zone 1 is located in the central part of the site and permits a maximum height of 55 feet. Zone 2 borders Zone 1 to the north, east, and south and permits a maximum height of 45 feet. Zone 3 permits a maximum height of 35 feet, and is located around the border of the site on all sides. The height zones have been designed to step back from shortest at the edge of the site to tallest in the center of the site in order to mitigate the massing of the buildings onsite. Additionally, stepping back the heights in this manner makes the 45- and 55-foot portions of the building less visible to the pedestrian from the public areas surrounding the site.

Figure 1: CSP Height Zones



The CSP currently defines height as “*the vertical distance from existing grade adjacent to the structure to the topmost point of the building.*” During development of the CSP the height definition was reflective of the language within the Commercial General (CG) zone. The Zoning Code and the CSP do not contain language or guidance on how to measure height when a project sits on top of a parking structure, provisions for elevator and stairway overruns, or calculation of building height when there are multiple adjacent grades. The CSP was developed in the context of an illustrative concept plan. The discussion of height measurement for parking and elevators was not at the forefront and was therefore not discussed. The applicant has proposed a specific plan amendment to clarify how height is measured in these three cases.

This site has a grade change of approximately 19 feet, or nearly two stories from the highest to lowest points, making it difficult to measure from a single grade. Furthermore, while the parking structure sits below grade on the high part of the site, as the site slopes down, a portion of the podium extends above the existing grade. The parking structure does meet the Municipal Code definition of an underground structure because the majority, or 69.5%, of the volume of the structure is below grade.

For these reasons, the applicant has requested a District Zoning Amendment (DZA 09-001) to amend the CSP to include additional language related to how height is measured when buildings sit on top of a parking structure. The applicant’s request is included as Attachment 5.

DZA request

The applicant proposes the following revision to the CSP definition of building height:

“The height of any building located above structured parking shall be measured from the top of the podium to the topmost point of the building, provided that maximum podium height is based on existing grade adjacent to the structure on at least two sides and is no more than nine feet six inches above any other adjacent existing grade. The height of elevator and/or stairway overruns required for standard building operation and code required ADA and rooftop access shall be excluded from the height calculations, as are solar energy and water conservation devices.

For buildings located on grade, the height of buildings shall be measured using the average grade using the outermost corners of any distinct building mass defined by physical separation between building elements or significant plan offsets greater than ten feet.”

The proposal to measure height for buildings located above a podium from the top of the podium is consistent with the way height is measured in both the North Village Specific Plan and the Lodestar Master Plan. Sections 5d and 5e of the North Village Specific Plan contains the following regulation for measuring height:

“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.”

The Lodestar Master Plan Section 3.C. contains the following provision for the measurement of building height:

“Where understructure parking is provided under 70% or more of a structure’s footprint, the height of the structure may be measured from the ceiling of the garage, provided that the total building height is not increased by more than eight feet.”

The Snowcreek Master Plan Updated (SMPU) also measures height from finish grade, which is essentially the same thing as the top of podium. The Snowcreek MP measures building height from

“The average finished grade (as determined by average grade along a building’s perimeter) to the top of the ridgeline. For either design or operational purposes, architectural appurtenances (roof features, towers, cupolas, chimneys, mechanical equipment enclosures, etc.) are allowed to exceed the height limit by up to 10 percent.”

It is clear that in other areas of Town where buildings are anticipated to be constructed above a parking garage, height is measured from the top of the parking podium. The method of calculating height for buildings that sit on top of a parking podium should be described within the CSP as should the provisions for elevator and stairway overruns. Additionally, the CSP should be clarified to better articulate how building height is calculated for buildings that do not sit on top of a parking podium.

Proposed project

The applicant has measured the buildings that site above the podium from the roof of the podium and therefore the proposal is not consistent with height as currently defined by the CSP. Staff has analyzed the proposal against the existing definition where an average existing grade below each building footprint as the basis for measuring height. Staff found the majority of the buildings to exceed the maximum permissible height based on the existing definition.

Height and Mass Evaluation

As part of its height analysis, staff retained RBF Consulting to conduct a 3rd party review of a 3D computer model of the project that was created by the applicant. The study concluded that the applicant’s model accurately portrayed the size, height, and locations of the proposed buildings. The study also concurs with staff’s analysis that the proposed

buildings exceed height as currently defined by the CSP. However, it finds that the proposed buildings are consistent with the proposed height definition amendment, with the exception of elevator and stair overruns. The RBF analysis is included as Attachment 6.

To help illustrate the visual impacts of the proposed building heights, the applicant has prepared a number of line-of-sight analyses, which are included as plan sheets HA1 through HA.16 of the plan set. These diagrams show that from many public vantage points, the taller portions of the building will not be visible because they will be blocked by the shorter buildings along the streets. Additionally, some of the diagrams show that even an additional story could be constructed without being visible.

As part of this analysis, the applicant also provided an alternative option to show how the buildings would fit on the site if all aspects of the buildings, including elevator overruns, were within the maximum height envelopes. This alternative is illustrated on plan sheets HA.17 through HA.21. They show that there are numerous negative impacts to the project, including a steep and very long parking garage ramp, a lobby that is completely below grade, and plazas that are below street grade and would therefore require retaining walls and guardrails around the majority of the site to protect pedestrians from falling in.

CSP Section 5.2.6 states that “*All height that exceeds 35 feet is discretionary, and shall be approved by the Town of Mammoth Lakes Planning Commission.*” Although height zones 2 and 3 permit maximum heights that exceed 35 feet, buildings above 35 may only extend up to those heights if approved by the Planning Commission. The Planning Commission should determine whether the design of the project merits building heights that exceed 35 feet in zones 2 and 3.

The Planning Commission should also consider the proposed revisions to the CSP and determine whether they sufficiently clarify the calculation of building height per the intent of the CSP and whether or not it is appropriate to measure buildings that sit atop a podium from the top of the podium.

Adjustment request

In addition to the request to amend the CSP’s definition of height, the applicant has requested an adjustment in building height of 10% for up to 28% of the three-story buildings along Old Mammoth Road and 6% of the buildings (the southernmost building) fronting Laurel Mountain Road. The proposed areas for adjustment are the articulated, sloped shed portions of the proposed development that fall within the development’s 35-foot height zones. The purpose for this request is to allow for visual variety and articulation of the building eave heights for elevations comprising the length of an entire city block. Plan sheet HA.25 in the plan set clearly illustrates which portions of the roof would be considered for the adjustment.

Municipal Code Section 17.76 allows for certain adjustments or minor modifications to zoning subject to specific findings. CSP Section 10.0 also allows for adjustments, and allows that “...the Community Development Director may consider one additional

finding: a strong design rationale (such as enhanced relationship to street frontage; enhanced retail environment; enhanced pedestrian spaces; enhanced tree and landscaping provisions; offsetting building heights; ...improved building scale and massing; and other design factors).”

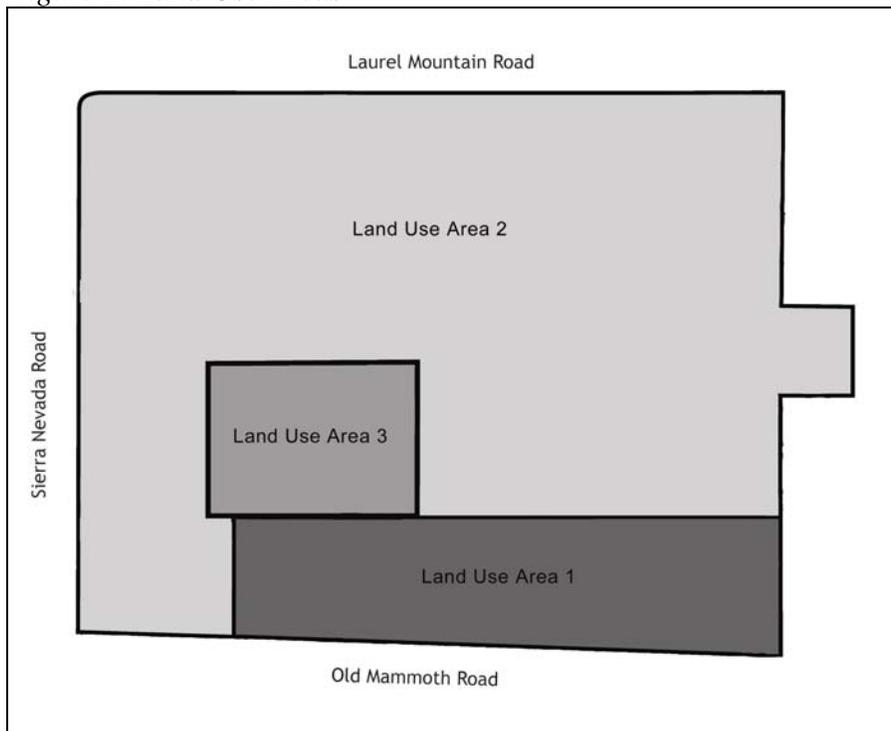
The adjustment would allow an additional 10% in height for those portions of the building that it is requested, which equates to 3.5 additional feet or 38.5 feet total. Appurtenances would be allowed to extend 2 feet beyond that, for a total height of 40.5 feet, including appurtenances. The area proposed for adjustment includes the southern sides of the buildings along Old Mammoth Road and Laurel Mountain Road, which includes a large roof eave that extends to 40.5 feet.

The Planning Commission should determine whether or not the adjustment request is appropriate in order to provide architectural variation along the Old Mammoth Road and Laurel Mountain Road street frontages. They should also determine whether or not the roof eaves that extend to 40.5 feet meet the definition or intent of an architectural appurtenance.

7. Development Program/Use and Operation

The CSP includes three land use areas: Area 1, Retail/Mixed-Use; Area 2, Residential; and Area 3, Plaza/Outdoor Recreation. The boundaries of the land use areas are shown in Figure 2, below. The CSP allows land use area boundaries to shift by up to 50 feet in any direction based on the site plan submitted with the tentative tract map. The proposed site plan complies with the land use areas defined in the CSP and all of the proposed uses are consistent with the permitted uses within the CSP.

Figure 2: Land Use Areas



Land use area 1 allows for retail commercial uses and also permits condominium hotel or other commercial uses above the retail. Proposed uses within land use area 1 include retail, hotel, and workforce housing. The ground floor along Old Mammoth Road is proposed to consist entirely of commercial uses. The second and third floors of the Old Mammoth Road elevation will include hotel and possibly workforce housing units. Additional commercial units are proposed within the western portion of land use area 1, facing the market area at the plaza level. The proposed hotel and workforce housing uses are permitted with a use permit and retail is a permitted use.

Land use area 2 allows for visitor-oriented, major lodging activities and accessory activities, including retail shops, restaurants, bars, recreational facilities, pools, and spas. The following uses are proposed within this land use area: hotel; restaurant; retail; hotel lobby, reception, and lounge; conference and pre-function space; spa; pool; ice rink; public plazas; and community center and day care for workforce housing residents. Both The CSP and this use permit application conform to and help to implement the Town's condo hotel policy. The hotel use is proposed to be incorporated throughout the site while the restaurants would be located in two freestanding buildings toward the southern end of the site. Hotel amenities, such as the lobby area, are focused in the northern-central part of the site off of the new mid-block connector, "Old Mammoth Place." The majority of the proposed uses require a use permit; the day care and restaurant uses would require an administrative permit if not otherwise associated with this use permit application. The retail is a permitted use. Land use area 2 does not specifically permit an ice rink, however, "recreational facilities for hotel guests" are permitted within this zone with an administrative permit.

Land use area 3 allows for open-air, paved areas for use for public events and other community functions with the approval of a use permit. This land use area includes the "Market Commons," a large plaza area, and a portion of the spa.

Workforce housing units are proposed to be integrated throughout land use area 1 and/or 2. Although not all of the proposed uses require a use permit, and some require a lower level of discretionary review such as an administrative permit, since they are proposed as part of an overall package, all of the uses described above are included as a part of UPA 09-003.

Snow Storage

CSP Section 5.2.9 addresses snow management on the site, although it does not specify how much snow storage area is required to be provided. For this reason, staff has referred to the Municipal Code, which requires 60% of all required drive and parking areas to be provided as snow storage. In this case, the project would need to provide a minimum of 11,394 square feet of snow storage area. The snow management plan, which is shown on plan sheet C5.0 identifies 3,620 square feet of available snow storage area. Therefore, some snow will need to be hauled off-site. Condition of approval #77 requires the applicant to submit a more detailed snow management to the Town for review and approval as part of the final map application

Workforce Housing

Town policies and regulations require projects to mitigate demand for workforce housing units associated with their new development. The Town adopted interim housing mitigation policies in November 2009. However, CSP Policy 7.1.1 states: “All development shall comply with the Town of Mammoth Lakes’ housing mitigation standards in place at the time of an application submittal.” Since the interim housing policy had not been adopted at time the VTTM and Use Permit application was submitted, the mitigation standards specified in Municipal Code Chapter 17.36 would apply to the project.

Table 5 summarizes the workforce housing mitigation requirements for Old Mammoth Place, based on Chapter 17.36, adopted CBIZ policies, and the Clearwater Specific Plan’s requirements. The table reflects the following:

1. CBIZ policy A.4 states “...*impact fees (including affordable housing, development impact fees and public art fees) are not applied to density provided as community benefits or granted as an incentive.*” Affordable housing mitigation fees are a monetized version of a required workforce housing unit. Therefore staff interprets this provision to exempt the increment of rooms above the base density of 40 rooms per acre as exempt from housing mitigation requirements.
2. Based on this same policy, project components that are considered community benefits are also exempt from housing mitigation requirements. Staff has used the Keyser Marston Associates analysis to allocate the portion of the restaurant/retail and conference space that are “base” project requirements and would require housing mitigation, versus those that do not.
3. The Housing Ordinance (Section 17.36.030.B) and CSP (Policy 7.2.3) both allow for “credit” for existing uses to be applied against total mitigation requirements, such that only the new incremental demand of the redevelopment project is mitigated. Staff has applied this credit for the existing Sierra Nevada Lodge rooms. No credit has been applied for the Ocean Harvest restaurant, which has been closed for more than five years, and therefore has no employees associated with it.

Table 5: Workforce Housing Mitigation Summary

Project Component	“Base” or CBIZ Quantity	Units	Square Feet	FTEE Generation Rate (per sq.ft)	Required FTEEs
Proposed Uses					
Hotel Rooms (Base Density)	Base	244 rooms	109,800 sf	0.0005	54.9
Hotel Rooms (Additional CBIZ Density)	CBIZ	244 rooms	109,800 sf	0	0
Restaurant/Retail	Base		8,000 sf	0.00042	3.4
Restaurant/Retail	CBIZ		32,000 sf	0	0
Meeting Space	Base		3,100 sf	0.00042	1.3
Meeting Space	CBIZ		6,400 sf	0	0
Spa	Base		4,500 sf	0.00042	1.9
Subtotal					61.5
Existing Uses “Credit”					
Hotel Rooms ¹	n.a.	153 rooms	72,822 sf	0.0005	(36.4)
Restaurant (Rafters)	n.a.		5,800 sf	0.00042	(2.4)
Subtotal					(38.8)
				Net FTEE Requirement	23 FTEEs
^{1.} The “credit” excludes 3 existing rooms/1,428 sf that are used for hotel employee housing					

As shown in the table, the total housing mitigation demand for the Old Mammoth Place project is 23 FTEEs. Old Mammoth Place proposes eight three-bedroom units totaling approximately 8,800 square feet (1,100 square feet per unit). Based on this and the requirements of Chapter 17.36, each unit would satisfy a total of 3.5 FTEEs, for a total of 28 FTEEs. The project would therefore conform to the housing mitigation requirements of the Municipal Code and CSP.

As noted above, the Town recently adopted an Interim Affordable Housing Policy that will ultimately be codified as an amendment to Chapter 17.36. The new policy represents the Town's progressive thinking on housing mitigation, and is intended to result in more equitable outcomes and attainable standards for developers. Therefore, staff has included a provision among the conditions of approval that would allow the applicant to propose an Alternate Housing Mitigation Plan (AHMP), subject to a separate approval prior to grading permit, which would apply either the interim policy or a future amended Housing Ordinance to determine the project's workforce housing requirements. Chapter 17.36, the CSP, and the Interim Policy permit an AHMP to be submitted, subject to a separate Town approval.

Interim Housing Mitigation Policy

Staff has performed an analysis of the project's conformance with the Interim Housing Mitigation policy for the Planning Commission's information. The same basic assumptions listed above apply: i.e. that mitigation is required only for the "base" density that project features offered as community benefits do not require mitigation, and that credit may be taken for existing on-site uses. In addition, the Interim Policy exempts all retail and restaurant development in a Specific Plan zone from payment of housing fees.

Table 6 summarizes the on-site units required to mitigate the proposed lodging development, based on the policy's ten percent inclusionary requirement. Because the CSP allows workforce housing units to be excluded from calculation of project density, these units are additive to, rather than included within the maximum number of lodging rooms allowed on the site. The total shown includes replacement of the existing employee rooms on-site, for a total requirement of a minimum of five housing units that include a minimum of 12 bedrooms. Since no mitigation requirements would apply to the proposed retail/restaurant uses, no "credit" is applied for the existing restaurant uses.

Table 6: Inclusionary Housing Mitigation Requirements

	Rooms*	Unit Equivalents*
"Base" Density	244 rooms	122 Unit Equivalents
"Credit" for Existing Rooms:	(156 rooms)	(-78 Unit Equivalents)
Net Lodging Development to be Mitigated:	91 rooms	44 Unit Equivalents
10% On-Site Inclusionary Requirement	9 rooms, plus 0.1 rooms to be mitigated via in-lieu fees	4 units, plus 0.4 units to be mitigated via in-lieu fees
Replacement of Existing Employee Housing Rooms	3 rooms	1 unit, plus 0.5 units to be mitigated via in-lieu fees
Total On-Site Mitigation Requirement*	12 rooms, plus 0.1 rooms	5 units, plus 0.9 units to be mitigated via in-lieu fees

* The minimum mitigation for both rooms and units must be met (i.e. a minimum of 5 units, containing a minimum of 12 bedrooms)

In addition to the quantified requirements for workforce housing mitigation, other policies of the CSP, and recently adopted livability guidelines by Mammoth Lakes Housing would apply to the workforce housing units. Conditions of approval #102, 103, and 104 specify these requirements, including a minimum of 150 square feet of on-site common/recreation space per unit, bicycle and other storage, and adherence to livability criteria established by Mammoth Lakes Housing.

As discussed above in the CBIZ analysis, the CBIZ policy excludes the increment of density awarded as part of a CBIZ proposal, and any square footage considered a community benefit, from housing mitigation requirements. As discussed above in the CBIZ analysis, if this provision was not in place, the developer would be required to provide an additional 70 FTEE (approximately 20 workforce units) based on the existing

Housing Ordinance, or 12 workforce units based on the inclusionary rate in the interim housing policy.

On-site Amenities

The CSP requires a minimum of 150 square feet of recreation space to be provided on-site for each housing unit. For the proposed 8 units, this equates to a minimum of 1,200 square feet of recreation space. The applicant proposes to accommodate this requirement by providing a community center and supervised day care area that is over 3,000 square feet in size. The CSP also requires bicycle storage and personal storage areas for each unit to be provided. Since the final designs of the units have not been determined at this point, condition of approval #103 will ensure that these requirements are satisfied.

8. Feet First Mobility

Parking

With the adoption of the CSP, a parking schedule and other parking requirements were established for the CSP area in Section 5.2.8. Table 7, below, summarizes the base parking requirements for the proposed project per the CSP.

Table 7: CSP Base Parking Requirements

Project Product	Quantity	Parking Ratio	Parking Spaces
Hotel Bedroom	488 (max density)	1 space / bedroom	488
Hotel Guest	488	1 space / 20 rooms	24
Manager Unit	1	2 spaces / unit	2
Workforce Housing	8 – 3 bdrms	2 spaces / unit	16
Workforce Guest	8 – 3 bdrms	0.5 space / unit	4
Total Residential			534
Retail	19,603	1 space / 250 sf	78
Restaurant	17,361	1 space / 150 sf	116
Total Non-Residential			194
Total Spaces Required with No Sharing or Internal Capture Reductions			728

The above calculations represent the basic parking requirements of the CSP. However, the CSP also provides for the potential reduction of these requirements under the following conditions:

1. A shared parking plan is submitted and approved with a use permit and a study identifying how shared parking will operate,
2. Developer requests and is annexed into a parking district, and
3. Developer pays all in-lieu fees (if applicable).

The CSP does not allow hotel and residential uses to be incorporated into any shared parking analysis. This prohibition was adopted to encourage a “park-once” concept, which assumes that a driver staying at the hotel will park their vehicle there and leave it there once in town, using transit or other “feet-first” methods of travel. The CSP also does not allow for retail uses to be valet parked, meaning that the parking management plan must designate self-parked spaces for retail uses. This requirement is intended to provide greater convenience for those customers of the retail shops.

The CSP does not establish a specific parking rate for conference space and plaza/outdoor recreation space, but rather allows for the parking demand for these uses to be satisfied through shared and/or off-site parking, recognizing that the primary demand for these uses comes from on-site hotel guests and that a smaller portion comes from “walk-in” traffic from surrounding uses. The CSP requires an event management plan, including a parking management plan, to be submitted to and approved by the Town if off-site parking is necessary. Proof of off-site parking agreements (as applicable) is also required.

Parking Demand Analysis

Proposed developments under the CSP must submit a detailed shared parking, tandem parking, and valet parking plan if seeking parking quantities below CSP base requirements. As part of the use permit evaluation, the Town hired Nelson\Nygaard Consulting Associates to prepare an independent parking study for the project and to provide a third-party review of the applicant’s proposed parking study and operational plan. The Nelson/Nygaard report is included as Attachment 6.

Nelson\Nygaard’s Parking Demand Analysis

The Nelson\Nygaard report explains, “*mixed-use projects have the natural efficiency advantages of internal trip capture and staggered peaks of demand. Internal trips are those that do not need to occur by car since a hotel patron may stay on-site to dine or shop, removing the need for a second parking space. The staggered peaks of different use’s peak parking demands rarely occur at the same time of day, so that when two or more uses are mixed together, the same parking space may accommodate the peak demand of one use at one time of day and that of another during another time of day. In particular, the peak for residential uses matches well with the peak for retail uses.*”

Based on the above considerations, Nelson\Nygaard used six different models to analyze the parking demand for the project, each of which took a slightly different approach to the calculating the project’s parking demand. Ultimately, Nelson\Nygaard combined the results of three of the six models to achieve, in their opinion, the most representative estimate of the project’s parking demand.

The three models that were used incorporate analysis of other comparable resorts and development projects, analysis of potential district-wide sharing opportunities, and analysis of on-site sharing opportunities for *all* uses, including hotel and residential uses, *which is not allowed by the CSP*. The Nelson\Nygaard report also assumed that valet

operations would be required for all project users, including those of the retail, *which is also not allowed by the CSP.*

Parking demand for the conference center and outdoor recreational space is included in the demand calculation for the hotel. This assumption is standard per the Institute of Transportation Engineers (ITE) for calculations of parking generation (and trip generation) because the data collection surveys used by ITE to establish hotel parking demand include varying amounts of conference/meeting space and other amenities and are ultimately included in the overall hotel demand.

While Nelson\Nygaard's analysis considered all CSP requirements, and two of the six models excluded hotel and residential uses from the shared parking analysis per the CSP, their ultimate estimation of the demand did not. This demand estimation represents a more aggressive approach and may imagine a more progressive set of circumstances than are currently present in Mammoth today.

Still, Nelson\Nygaard feels that it is important to avoid over-parking the project, which could have a negative impact on the furthering of the community's "feet-first" goals. The report states, *"The cost of excess parking at Old Mammoth will detract from other more important walking, biking, and transit improvements that could be made."*

A summary of the Nelson Nygaard report recommendations are as follows:

- The estimated maximum daily parking demand for this project is 570 spaces, based on an average of three of the six models used to assess the development plan. This demand can be accommodated for within the project site if valet operations are required for all hotel guests.
- Twenty-four hour valet parking services are recommended for this development, particularly during seasons where hotel occupancy is expected to be highest.
- A parking utilization monitoring program is recommended for this and other large future developments in Mammoth Lakes. Automated vehicle counters should be installed at the garage entry ramp(s) which can record garage accumulation for each and every hour of the day, 365 days per year.
- A transportation demand management (TDM) program is recommended for this development, including employee ride-matching, employee guaranteed rides homes, and employee and hotel guest cash-back discounts for not driving a vehicle to the project.
- The Town may want to consider an in-lieu fee for this development. Based on progressive approaches in use throughout the United States, a logical connection between economic development and trip reduction can be made for reductions in parking requirements.

Nelson/Nygaard's recommendations have been incorporated into the conditions of approval for this project.

Applicant's Parking Demand Analysis

LSA Associates, Inc., a consultant to the applicant, prepared a parking demand analysis which largely follows the requirements of the CSP and is based on a “worst-case scenario” that reflects the maximum permitted hotel density (488 hotel rooms). The attached memo, dated January 22, 2010, has been updated from the December 28, 2009 memo to include more detailed information about the demand analysis and also includes a revised valet operational plan.

The applicant's demand calculation provides a shared parking analysis that represents a “park-once” concept, meaning that the hotel and workforce housing units are not part of the shared parking calculation, pursuant to the CSP. Per the LSC Shared Parking Report (July 2005), which has been used as a reference document for other town parking studies, the retail parking demand was reduced by 32% to account for the differing demand peaks between the two uses. This method is consistent with Nelson\Nygaard's overall method for assessing shared parking. However unlike Nelson\Nygaard's analysis, it does not include hotel or residential uses in the calculation, and represents a more conservative approach. Also consistent with Nelson\Nygaard and ITE, the conference space and outdoor recreational space demand is assumed under the overall hotel demand.

The applicant's demand calculation also included an estimation of internal and “external” capture, or what could be considered “walk-in” traffic from surrounding uses, for the retail and restaurant portions of the project. Transit and bike ridership are also considered to be “walk-in” traffic. A reduction of 50% was applied to the restaurant and retail uses of the project, which is considered to be a standard assumption for mixed-use projects within mixed use districts that are located adjacent to transit and offer other “feet-first” amenities such as on-site bicycle storage and parking (per Nelson\Nygaard).

Consistent with the CSP, the applicant has not proposed any reductions to the hotel, workforce housing, manager unit, or guest parking requirements. Table 8 outlines the parking demand calculations as determined by LSA.

Table 8: LSA Parking Demand Calculations

Project Product	Quantity	Parking Ratio	Parking Spaces
Hotel Bedroom	488 (max density)	1 space / bedroom	488
Hotel Guest	488	1 space / 20 rooms	24
Manager Unit	1	2 spaces / unit	2
Workforce Housing	8 – 3 bdrms	2 spaces / unit	16
Workforce Guest	8 – 3 bdrms	0.5 space / unit	4
Total Residential			534
Retail	19,603	1 space / 250 sf	78
		32% Reduction*	78 – 25 = 53
Restaurant	17,361	1 space / 150 sf	116
Total Commercial Without Internal Capture			116 + 53 = 169
Total Commercial With Internal Capture**			169/2 = 85
Total Spaces With Sharing and Internal Capture			619

*LSA reduced retail use by 32% to account for sharing between restaurant and retail (per 2005 LSC Shared Parking Study).

**LSA reduced retail and restaurant uses by 50% for internal and “external” walk-in capture.

Applicant’s Parking Operation Proposal

Staff presented the parking information for the Old Mammoth Place project in a study session form to the Planning Commission on January 13, 2010. Since that time, staff has worked with the applicant to revise the valet configuration to effectively meet adopted Public Works standards, including one-way and two-way drive aisle width based on approved vehicle length calculations per the Public Works Director.

The applicant’s current parking proposal includes 450 standard parking spaces (9’ x 18’), with the potential to increase the capacity by at least 169 vehicles through the use of on-site valet parking. This would provide a minimum of 619 vehicles on-site with the valet parking operation, representing a 38% increase in parking capacity and an on-site supply that meets projected demand.

The applicant has proposed a valet parking program for the restaurant, hotel and residential units, while parking for the retail uses would be self-parked, pursuant to the CSP. The valet parking program would be operated 24 hours a day, 365 days a year, as a condition of project use permit approval. The valet program will also be required to maintain a five-minute customer vehicle turnaround. Such valet programs are common in similar developments.

Parking Summary

As shown above, the applicant provides a more conservative demand estimate than has been suggested by the Nelson\Nygaard analysis (619 vs. 570). The applicant’s proposed parking demand estimate is also consistent with the requirements of the CSP and meets Public Works standards.

While the Nelson\Nygaard report provides the Town with beneficial recommendations and provides support for the acceptance of a reduction in parking requirements for the project, the ultimate demand estimation may be too progressive for consideration at this time. Staff feels that the applicant’s more conservative demand estimation (619 spaces) is a more appropriate representation of the parking reductions that can be made due to the shared parking and capture advantages offered by the project.

Bus Parking

Section 5.2.8 of the CSP requires a bus loading and drop-off facility, as well as overnight parking with electrical plug-ins for at least two busses. The applicant has satisfied this requirement by providing overnight bus parking in the loading area off of Laurel Mountain Road. It is anticipated that the busses would not be parked in the loading area during the day while delivery vehicles come to make deliveries.

Bicycle Parking

The CSP is the first zoning document within the Town of Mammoth Lakes to establish bicycle parking and storage requirements. Bicycle parking and storage generation rates are outlined in Table 9 below, with the approximate parking requirement included as well. The plans show that a bicycle storage area will be provided at the parking level, next to the entrance ramp. Additional bike racks are located throughout the site for non-guests of the project.

Table 9: Bicycle Parking Requirements

	Generation Rate (in spaces)	Spaces Required
Commercial Units	2 per unit	160
Plaza Space	2 per 2,500 square feet	68
Hotel Units	1 per 5 units	66
Workforce Housing	1 per 1.5 units	5
TOTAL		299

Access and Street Improvements

Primary vehicular access to the site is taken from a new mid-block connector on the north side of the site. This is consistent with permitted site access described in CSP Section 3.5.2. The mid-block connector is proposed to be one-way from Old Mammoth Road, so that cars cannot exit onto Old Mammoth Road. As vehicles take access from Old Mammoth Road, they can directly access the underground parking structure from the mid-block connector, “Old Mammoth Place.” The westerly portion of the road will be two-way, so that cars may enter the site from either Old Mammoth Road or Laurel Mountain Road.

Pedestrian access to the site can be taken from any number of places since there are several public plazas that open up onto the public sidewalks. The site is conducive to pedestrian circulation as there are number of ways for a pedestrian to get through or around the site, both going east to west and north to south. A public access easement will be granted to the Town for all of the public plaza areas.

All of the streets surrounding the site will also be improved with wider sidewalks, bicycle lanes, and on-street parking consistent with the approved street sections in Appendix IV of the CSP. All of the improvements exceed what would be required by the current Public Works Standards. On Sierra Nevada Road and Laurel Mountain Road these improvements will fit within the existing Town-owned right-of-way, however, along Old Mammoth Road, a 10-foot right-of-way dedication will be required. The applicant will also provide an irrevocable offer of dedication for the new mid-block connector, which will also include sidewalks and parking, in addition to the driving lanes.

Transit

Public transit access to the site will be available near the location of the existing transit stop on the southeast corner of the site. The existing transit stop, which is located along Old Mammoth Road near the intersection with Sierra Nevada Road, will be shifted toward the intersection and will also be made larger in order to accommodate two busses at one time. In addition to the improved transit stop, the applicant will be required to construct a transit shelter consistent with Town specifications.

9. Energy Conservation and Sustainability

Section 3.3 of the CSP identifies sustainability guidelines applicable to the subject site. Specifically, *“all development proposed on the Clearwater site shall incorporate sustainable design features throughout its architectural design and construction to reduce its impact on the environment. Development shall utilize integrated site design and green building features.”*

The Old Mammoth Place project complies with the CSP sustainability guidelines as shown through the project’s Energy Savings Plan, LEED Certification Plan, Recycling Program Plan, Green Project and Landscape Maintenance Plan, and documentation for Southern California Edison’s Savings by Design (SBD) program and from High Sierra Energy Foundation (HSEF). The following sustainable features are incorporated into the project’s design:

- The site’s central location with conveniently accessible public transit, businesses, and services makes this a prime site for a sustainable, feet-first, mixed use project.
- The project’s layout provides access to solar exposure, creating both daylight and passive solar gain benefits that will reduce the energy required for light and heating.
- The project will incorporate Energy Star or similar energy efficient appliances throughout to optimize energy performance.

- Low-E thermally efficient glass is proposed (condition #92 requires this for all windows).
- The project will include energy efficient lighting (e.g. LED lighting) and super-insulated roofing to reduce energy consumption.
- Comprehensive recycling storage facilities and a recycling program plan consistent with Objective 8.2.1.3 of the CSP. The recycling program plan encompasses both the construction and operational phases of the project. Existing materials such as larger wood members and asphalt will be reused during construction. Recycling bins will be located in each hotel room or dwelling unit, public areas, and common areas.
- Spray-foam insulation with a rigid thermal break on the exterior plane of the wall will prevent thermal bridging and air infiltration to create a thermal envelope with little or no possibility of condensation and associated problems (e.g. mold).
- Low-emitting/low-VOC materials such as paints, carpets, caulks and adhesives that enhances indoor air quality.
- The project proposes the use of native and drought tolerant plant species, efficient irrigation, and either recycled wastewater or captured rainwater to reduce water requirements on site. Drought resistant turf has been limited to very small areas which serve as usable spaces for occupants.
- A smart irrigation controller will be connected to a weather satellite, rain sensor, and soil moisture sensor to calculate the most efficient and effective watering schedule.
- The project would redevelop a mostly impervious infill site along the Old Mammoth Corridor. The project utilizes pervious material to reduce storm water runoff; the proposed lot coverage is 42%.
- Lastly, the Applicant consulted with the HSEF and Edison's SBD program and is considering geothermal heat pumps for the project.

These sustainable features and others provide for a possible LEED project score of 62, which meets the requirements for a LEED GOLD rating.

10. Construction Staging and Phasing

Construction of the project is expected to happen in three phases, each taking between 18 to 24 months, for a total construction time of between four and a half to six years. The first phase would consist of the underground parking garage as well as the new connector street on the north side of the property. The second phase would consist of construction of all of the buildings except for the building along Laurel Mountain Road. This phase would also include the public plazas and the street and sidewalk improvements along Old Mammoth and Sierra Nevada Roads. The third and final phase would include the building along Laurel Mountain Road as well as the street and sidewalk improvements on Laurel Mountain Road. The construction plan will include conditions to provide reasonable protections to the surrounding neighbors.

Construction parking and materials storage would be contained on-site throughout the construction phases. For the first phase parking and storage would be accommodated along the new mid-block connector. For the second two phases, parking and storage would be located inside the new parking structure. The construction storage and management plan is shown on sheet A1.1, included in your plan packet.

11. Dumpsters and Loading/Service areas

The primary delivery/service area is located off of Laurel Mountain road. The loading area is large enough to accommodate two large delivery trucks at any given time. The trash and recycling area is also accessed from here. Smaller service vehicles will also be able to make deliveries via the underground parking garage. The new connector street will also provide a temporary loading/unloading area for large vehicles, if necessary.

12. Agency Comments

On November 9, 2009, staff routed this application to the following agencies: Mammoth Disposal, Mammoth Lakes Housing (see Workforce Housing discussion above), Amerigas, Mammoth Community Water District (MCWD), Southern California Edison, Turner Propane, and Mammoth Lakes Trails and Public Access (MLTPA). Comments were received only from MCWD, in a letter dated December 9, 2009 (Attachment 12).

MCWD

In its comment letter the District asserts that the Old Mammoth Place project appears to propose more development than was analyzed in the Clearwater EIR; it also reiterates a comment made by the District at the time the EIR was prepared, expressing concern that the redevelopment and intensification of the project site was not accounted for in the 2005 Urban Water Management Plan, thus potentially contributing to a projected potential long range water supply deficit. The District further asserts that a Water Supply Assessment (WSA), as required by SB610, appears to be needed.

In response to MCWD's letter, Town staff met with District staff, and agreed that some additional water demand analysis should be provided. Per staff's discussion with the District, RBF has analyzed the projected project demand compared to existing water use on this site, including and an evaluation of water savings that might be expected with a LEED Silver-rated project, as proposed; compares the Old Mammoth Place project to the analysis in the Clearwater EIR; and provides an assessment of the need for a WSA pursuant to State law. RBF's analysis utilized data and demand factors provided by MCWD, and information provided by the applicant regarding water efficiency factors. RBF scrutinized the latter data and found it to be accurate.

RBF's analysis, which is summarized in a memorandum included as Attachment 12, makes the following conclusions:

- The Old Mammoth Place proposal is consistent with the analysis in the EIR, and does not propose more development or demand more water than was estimated in the EIR. (MCWD's comment appears to be based on confusion between "hotel

units” versus “hotel rooms” in the calculation, which has since been clarified with the District).

- The Old Mammoth Place project would not meet the threshold set by State law to require a formal WSA, based on the projected water demand from the individual project components within this mixed use project.
- If the project did not include the additional water saving features associated with a LEED-Silver project (i.e. using MCWD’s typical generation factors based on typical water use of similar projects in Mammoth Lakes) the increased water demand associated with redevelopment of the site would be just over 27,000 gallons per day. With incorporation of water efficient interior fixtures and landscaping, this would be reduced to an increase of approximately 17,860 gallons per day.

It should be noted that, regardless of the assumptions included in the 2005 UWMP, the Old Mammoth Place proposed density is consistent both with the Clearwater Specific Plan, and with the CG zoning that was in place when the 2005 UWMP was adopted. It is also consistent with both the 1987 and the 2007 General Plans. As noted in the EIR, based on the UWMP, sufficient water supply would be available to serve the project at its completion. As required by State law, MCWD is currently working to update its UWMP, which will allow any revised data and assumptions regarding existing and future water supply (including assumptions for the Old Mammoth Place site, plus other recently approved projects), to be incorporated into the District's long range forecasts.

Mammoth Lakes Fire Protection District (MLFPD)

The Town has been working with MLFPD throughout the review of this application. MLFPD has had concerns regarding ladder truck access to the hotel building at the center of the site, and has been working with the architect to address this. The current design (shown on plan sheet A1.4) proposes that ladder truck access to the commons area be taken via a bridge from Old Mammoth Square and Sierra Nevada Road. MLFPD is generally satisfied with this design, however additional minor revisions may be needed. MLFPD has included the necessary conditions of approval to ensure that all of their access requirements can be met, and will also review the application for a building permit prior to its issuance.

F. CONFORMANCE WITH THE GENERAL PLAN & VISION

General Plan

The General Plan identifies this district as one that should invite pedestrian activity and provide gathering places and opportunities for interaction in a vibrant mix of retail, commercial, and workforce housing. The Physical Development Diagram in Appendix C of the General Plan also identifies this area as a mixed-use commercial district with street level retail. The proposed Old Mammoth Place project is consistent with the policies in the 2007 General Plan by incorporating the following items into the project:

- Supporting “feet-first” by providing pedestrian mid-block connectors on-site and improving sidewalks around the perimeter of the site (M.3, M.7, C.2.P);
- Creating public open space on-site that will also function as a venue site to support arts and events (E.1.L, A.3.B, C.3.D, C.2.A);
- Improving neighborhood character and economic vitality by redeveloping an existing deteriorating site and providing street-front retail along Old Mammoth Road (C.2.F, L.1.C, L.3.B.1);
- Dedication of right-of-way along Old Mammoth Road to allow for on-street parking near retail, a bus turnout that will accommodate 2 busses, and a wider sidewalk for pedestrians (M.7.D.2, M.8.C, M.9.B);
- Including a mix of uses within the project including hotel-like condos, retail, affordable housing, conference space, and public plaza area (M.3.C, R.10.B, C.2.H);
- Redeveloping an already disturbed infill site (C.2.F, L.1.C, M.3.C); and
- Encouraging transit use by constructing a bus shelter at the bus stop adjacent to the project and locating housing and other services near an existing transit stop (M.5.B, R.7.B).

Vision

The proposed Old Mammoth Place project is consistent with the Community Vision of providing the very highest quality of life for our residents and the highest quality of experience for our visitors by creating a mixed-use, infill development plan within the Town’s Urban Growth Boundary. Development of the site under the Clearwater Specific Plan standards will create new affordable housing, market rate units, and commercial that will help to house workers and provide services for both residents and visitors in a central location that is near transit and other amenities.

Additionally, the project proposes to preserve a number of trees currently on-site, and the proposed landscaping will help to enhance the current natural characteristics of the site. Development of a condo-hotel project will contribute to the Town’s goal of becoming a year-round resort by creating conference space and a plaza area that can be host to events during the shoulder seasons. Redevelopment of this site helps to limit the urbanized area of the Town since it is an in-fill site. The project will also support a variety of transportation options by providing a shuttle for guests and constructing a transit shelter adjacent to the site for easy access to numerous transit lines.

G. CEQA COMPLIANCE

An environmental impact report (EIR) was adopted for this site on January 7, 2009 (SCH #20066012041). The EIR evaluated a conceptual project and the maximum building envelope within which a project could be built on this site. The Town retained RBF Consulting to conduct a conformance analysis to determine whether the proposed Old Mammoth Place project is consistent with the development capacity and building envelope that was previously analyzed for this site. RBF’s review and analysis

concluded that the proposed project is consistent with what was analyzed under the Clearwater EIR and that there would be no new or increased environmental impacts resulting from the changes to this project. Table X below summarizes the development scenarios that were evaluated in the EIR compared with the current proposal. The conformance document is included as Attachment 2.

Table 10: CEQA Development Scenario Comparison

Proposed Land Use	Development Scenario		
	Specific Plan Draft EIR	Specific Plan Final EIR	Proposed Project
Residential Medium Density (MF) –Seasonal Condominiums	339 units (480 rooms)	308 units (480 rooms)	332 units (488 rooms)
Residential Medium Density (MF) – Year Round (Employee Housing)	43 units	32 units	8 units ¹
Restaurant	8,000 s.f.	5,000 s.f.	17,361 s.f.
Retail	20,205 s.f.	13,000 s.f.	19,603 s.f.
Recreation	0	11,900 s.f.	75,425 s.f. ²
Conference	0	8,000 s.f.	9582 s.f.
<p>¹ The Specific Plan features the provision rates for affordable housing, therefore the exact numbers will be a function of the unit mix and use in any project under the Specific Plan. Should this happen, the exact number of spaces actually built on-site may not reflect the rates in the Specific Plan.</p> <p>² The project proposes four recreational areas and other public areas, which include Old Mammoth Grove (25,205 s.f.), The Market Commons (13,705 s.f.), The Grove (14,910 s.f.), Cascade Park (4,885 s.f.), as well as public sidewalks along Old Mammoth Place (14,720 s.f.).</p>			

H. PROJECT ALTERNATIVES

Background

In late 2009 the Town Council directed staff to include a high level comparison of alternatives for large projects such as the Old Mammoth Place Project. Accordingly, staff has developed four alternatives for comparison as outlined below.

Alternatives

Alternative 1 is considered the “base case” and would include retaining the existing building on site and the construction of additional hotel rooms to achieve the base density. The base density is 40 rooms per acre for a hotel project or 12 units per acre

for a residential (condo) project. The base case would result in adding 88 hotel rooms to the existing 156-room hotel to achieve 244 hotel rooms (40 rooms per acre). The KMA report (Attachment 8) considered the base case and provided analysis showing that the project would meet the CSP zoning standards including lot coverage and parking.

Alternative 2 would include demolition of the existing hotel and construction of a new project at the base density for the site.

Alternative 3 would result in a project that would be consistent with the CSP definition of height (height measured from existing grade without consideration of parking podium). This alternative may include the same density as the proposed project or may include reduced density based on the need to sink the parking structure lower into the ground.

Alternative 4 represents the proposed project with modifications to the CSP clarifying how building height is measured on top of a parking podium. This includes a 488-room hotel which is the maximum density permitted on the project site (80 rooms per acre).

Comparison of Goal and Policy Attainment

The following table provides a high level comparison of the level of goal attainment of these four alternatives. The major objectives of the CSP are included and staff has ranked them from high to low in order to compare the alternatives and to determine how the desired outcomes are attained. In conclusion, the proposed project (Alternative 4) has a high level of goal attainment.

Goal/Policy	Alt. 1	Alt. 2	Alt. 3	Alt. 4
Objective 3.2.1: Create an attractive, pedestrian-friendly, mixed-use condominium hotel opportunity.	Low	Med	Med	High
Objective 3.2.2: To discourage the use of personal vehicles for transportation around Mammoth Lakes and encourage guests to park their vehicles for the duration of their stays and walk, bike, and use public transit facilities and/or hotel shuttles.	Low	Med	High	High
Objective 3.2.3: Encourage a successful commercial environment in Mammoth Lakes.	Low	Low	High	High
Objective 3.2.4: To design building massing so that it is considerate of neighbors and the pedestrian environment.	Med	Med	Med	Med
Objective 5.1.1: To support the needs of the Town of Mammoth Lakes as a premier destination resort community.	Low	Med	High	High
Objective 5.1.2: To improve the efficiency of land use on the site.	Low	Low	High	High
Objective 5.1.3: To improve the visual quality of the streetscape along Old Mammoth Road.	Low	Med	Med	High
Objective 5.1.4: To enhance the pedestrian experience along Old Mammoth Road and throughout the area.	Low	Med	Med	High
Objective 5.1.5: To improve both vehicular and pedestrian circulation patterns and foster use of public transportation.	Low	Low	Med	High
Objective 5.1.6: To provide housing for employees.	Low	Low	High	High
Objective 5.1.7: To bring more jobs and housing to the North Old Mammoth Road District.	Low	Med	High	High
Objective 5.1.9: To contribute to the overall revitalization of the Old Mammoth Road corridor.	Low	Med	High	High
Objective 7.1.1: To provide on-site workforce housing.	Low	Low	High	High
Objective 8.1.1.1: To provide guests with access to recreational opportunities both on-site and throughout the Town of Mammoth Lakes.	Med	Med	High	High
Objective 8.2.1.1: To develop a high-density urban infill project that includes newly revitalized urban open space areas throughout.	Low	Low	High	High
Objective 8.2.1.2: To conserve energy resources.	Low	Med	High	High
Objective 8.2.1.3: To maintain air quality, reduce waste, and conserve and protect natural resources and wildlife.	Med	Med	Med	Med
Objective 8.3.1.1: To minimize inappropriate noise levels through a project to provide a setting conducive to a high quality destination experience.	High	High	High	High
Objective 8.4.1.1: To construct and operate development under the Clearwater Specific Plan in a manner that minimizes potential hazards to human life, safety and property and promotes sound safety practices.	High	High	High	High

I. OPTIONS ANALYSIS

- Option 1: Recommend that the Town Council determine that the project is consistent with the Clearwater Specific Plan Environmental Impact Report (EIR) pursuant to the California Environmental Quality Act (CEQA) Guidelines and approve District Zoning Amendment (DZA) 09-001. Approve Vesting Tentative Tract Map (VTTM) 09-003, Use Permit (UPA) 09-003, Adjustment (ADJ) 09-004, and Design Review (DR) 09-005 contingent upon Town Council's approval of DZA 09-001.
- Option 2: Recommend that the Town Council determine that the project is consistent with the Clearwater Specific Plan Environmental Impact Report (EIR) pursuant to the California Environmental Quality Act (CEQA) Guidelines and approve District Zoning Amendment (DZA) 09-001. Approve Vesting Tentative Tract Map (VTTM) 09-003, Use Permit (UPA) 09-003, Adjustment (ADJ) 09-004, and Design Review (DR) 09-005 with minor modifications, contingent upon Town Council's approval of DZA 09-001.
- Option 3: Provide direction to the applicant regarding substantial changes recommended by the Planning Commission and continue the public hearing to a later date.
- Option 4: Deny Vesting Tentative Tract Map (VTTM) 09-003, Use Permit (UPA) 09-003, Adjustment (ADJ) 09-004, and Design Review (DR) 09-005. Recommend that the Town Council deny District Zoning Amendment (DZA) 09-001.

Option 1 would allow the applicant to move forward with District Zoning Amendment 09-001 to request approval by Town Council and would approve VTTM 09-003, UPA 09-003, ADJ 09-004, and DR 09-005 contingent upon Town Council approval of DZA 09-001. Town Council approval would allow the applicant to continue with the planning process by submitting grading and building permits in order to construct the proposed project.

Option 2 would allow the applicant to move forward with District Zoning Amendment 09-001 to request approval by Town Council and would approve VTTM 09-003, UPA 09-003, ADJ 09-004, and DR 09-005 for a project that is substantially similar to the proposed project, contingent upon Town Council approval of DZA 09-001. The Planning Commission should outline the recommended changes for Town Council consideration. Town Council approval of DZA 09-001 would allow the applicant to continue with the planning process by submitting grading and building permits in order to construct the proposed project.

Option 3 would result in a continuance of the public to allow the applicant to make major changes recommended by the Planning Commission. This option would be appropriate if the Planning Commission was recommending a project other than the proposed project with or without minor changes to the Town Council. The applicant would need to prepare new plans and staff would need to analyze those plans prior to scheduling the

continued public hearing. The project would not be scheduled for a Town Council public hearing until a recommendation is made by the Planning Commission at a later date.

Option 4 would deny the application and would end the planning process and would not allow the applicant to move forward with the current proposal. The applicant would have the option to appeal the Planning Commission's denial and request a hearing before the Town Council.

J. RECOMMENDATION

The Planning Commission should determine whether or not the proposed district zoning amendment meets the intent of the General Plan and the CSP and whether it helps to achieve the goals that the Town desires for this site and district. If so, staff recommends that the Planning Commission choose Option 1: adopt the attached resolution recommending that the Town Council determine that the project is consistent with the Clearwater Specific Plan Environmental Impact Report (EIR) pursuant to the California Environmental Quality Act (CEQA) Guidelines and approve District Zoning Amendment 09-001. Approve Vesting Tentative Tract Map 09-003, Use Permit 09-003, Adjustment 09-004, and Design Review 09-005 contingent upon Town Council's approval of DZA 09-001.

Attachments:

1. Planning Commission Resolution
 - Exhibit A: Findings
 - Exhibit B: Conditions of Approval
 - Exhibit C: Mitigation Measures
2. CEQA compliance documentation
3. PIEC Analysis
4. LU Analysis for GP conformance
5. DZA and ADJ request
6. RBF 3D model third party review
7. Nelson Nygaard report
8. KMA Report
9. EPS Report
10. ADP notes
11. Public comments
12. MCWD comments and Town response
13. Project narrative from applicant
14. Project Plans