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December 30, 2009

Pam Kobylarz
Associate Planner
The Town of Mammoth Lakes
Community Development Department
P.O. Box 1609
Mammoth Lakes, California 93546

RE: Request for an amendment to the Clearwater Specific Plan relative to the definition of building height

Dear Pam,

The following letter outlines our request, as part of our current tentative tract map and conditional use permit applications, for an amendment to the Clearwater Specific Plan regarding the definition of building height. In addition to the proposed clarifying language in our proposed amendment, we have provided our underlying rationale for this request.

BACKGROUND

The Clearwater Specific Plan ("CSP") outlines site setbacks related to height and massing and, within these setbacks, establishes 35'0", 45'0" and 55'0" height zones, exclusive of building appurtenances, across the six acre Rodeway Inn redevelopment site. Within the CSP, height is defined as "the vertical distance from existing grade adjacent to the structure to the topmost point of the building". These defined height zones will, of course, guide building massing on the site with the overall goal of creating as good of a project as possible for the Town from a planning and building design perspective.

During the very public review and approval process for the CSP, it is perhaps well to point out that the spirited discussion regarding building height was always in the context of a project concept that anticipated a five story building in the center of the property with the supporting ensemble of building stepping down to three stories along the periphery of the property. Further, all parties to the CSP approval process will acknowledge that the project was always envisioned as having a large underground parking structure that encompassed a large portion of the site (i.e. over 60%). Clearly, this buried parking solution serves to advance the Town's social planning objective of having significant outdoor public activity plazas associated with the

redevelopment of the subject property by freeing up land for these animating and pedestrian oriented uses rather than following the Town’s historic development strip mall development pattern dominated by unsightly surface parking lots.

TECHNICAL ASSESSMENT of CSP CALCULATION of BUILDING HEIGHT

In Appendix 1 of the Clearwater Specific Plan, building height, as previously noted, is defined as “the vertical distance from existing grade adjacent to the structure to the topmost point of the building”. As previously stated, this definition is simply not appropriate to buildings that sit atop parking structures. Given the orthogonal realities of parking systems and building construction, the podium created by a parking structure is essentially flat, thus reference to a height definition based on adjacent grades (that creates a tilted plane across a sloping site like the subject property) becomes an obviously flawed metric of measurement with respect to buildings atop parking podiums. The two are simply incompatible given the fact that the Rodeway Inn parcel features an almost 20 foot elevation change across the site and has always been contemplated to be redeveloped with a large subterranean parking structure. As such, there is an obvious need to provide clarifying language to the CSP to address this disconnect between definitional matters and the community’s expectation for the redevelopment program for the Rodeway Inn property. Relative to buildings on grade, the relationship to the “average” existing grade adjacent to a building makes sense as it takes into account the building footprints relationship to the site’s natural condition. Along an entire block, however, good planning principles suggest the need to recognize individual building masses that can naturally adjust to the grades as they vary from one end to the other. This is the tradition of any “Main Street.” It would be unfortunate from a design perspective to set one average starting point along the entire length of Old Mammoth Road. Hence we are suggesting language that clarifies the intent to have the individual building masses relate to their adjacent contours.

DESIGN APPROACH

In pursuit of a physical design solution that best addresses the community objectives as set forth in the General Plan, North Old Mammoth Road District Plan, and CSP, with particular regard to the desired creation of a vibrant pedestrian oriented social hub for the downtown commercial core, the project team has adopted a common sense approach to planning with a particular emphasis on the following:

- Get the private car out of sight and into a subterranean parking structure to “manufacture” real estate for expansive public plazas;
- Maximize the quality of the space between the buildings so as to create inviting pedestrian oriented public events plazas;
- Locate the public plazas and pocket parks to maximize the quality of their solar orientation and utility to locals and visitors alike;

- Locate the podium of the parking structure at the appropriate elevation so the pedestrian plazas are in concert with the site's natural slope from north to south such that their visibility and accessibility are maximized to the benefit of the entire community;
- Create a meaningful street wall along Old Mammoth Road such that a vibrant retail oriented streetscape can be established and as a result of its scale can also serve as catalyst for further redevelopment of the Old Mammoth Road commercial corridor;
- Within very limited height constraints, create an architecturally interesting ensemble of buildings that add to the vibrancy of the redeveloped Rodeway Inn site;
- Create a new east/west connector roadway (i.e. Old Mammoth Place) on the northern part of the property that serves to break-up the current "super block" that encompasses all lands between Sierra Nevada Road and Tavern Road thus (a) making for a more pedestrian oriented neighborhood and (b) allowing for the entrance to the subterranean parking structure to be relocated from Sierra Nevada Road to this new roadway to minimize neighborhood impacts.

PROPOSED CLARIFYING LANGUAGE to the CSP

Based on the above, we hereby submit our request for amendment to the Clearwater Specific Plan with respect building height with the proposed clarifying language as follows:

"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."

We thank you in advance for your thoughtful consideration of this matter. We would welcome the opportunity to answer any questions you have after you have had an opportunity to review this processing request.

Regards,



Dana Severy



December 30, 2009, revised February 5, 2010

Via email –Hard Copy to Follow

Ms. Pam Kobylarz
Associate Planner
The Town of Mammoth Lakes
Community Development
Box 1609
Mammoth Lakes, CA 93546

RE: Old Mammoth Place: Request for Adjustment

Dear Pam:

As outlined in Section 10.0 of the Clearwater Specific Plan (CSP), Administrative Procedures, Section 10.3 allows for certain adjustments or minor modifications to the CSP in line with the Municipal Code Section 17.76. Relative to building height, this section allows for a discretionary increase of up to 10% by the Community Development Director. The CSP broadens the Town's findings for adjustment. Section 10.3 of the CSP additionally notes 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)."

As part of the Town's review of our VTTM and UPA for Old Mammoth Place, and conditioned upon the findings of the Town's independent peer review (i.e. RBF), we are requesting 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'-0" height zones. Consistent with the Town's architectural objectives, 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. This adjustment fulfills the intent of CSP's adjustment section further as this consideration will further offset building heights and improve the project's overall scale and massing. We also believe this additional roof height articulation will further improve the aesthetics and pedestrian experience along both sides of Old Mammoth Road.

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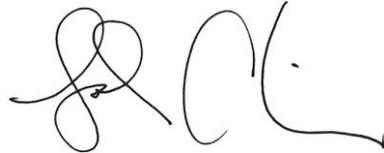
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Ms. Pam Kobylarz
Town of Mammoth Lakes
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Thank you in advance for your review and consideration of this matter. Please contact me should you have any questions regarding this correspondence or if I can provide you any additional detail facilitating your review.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'JA', with a stylized flourish extending to the right.

John Ashworth, AIA, LEED™ AP
Principal
Bull Stockwell Allen
BSA Architects – A California Corporation

Cc: Dana Severy, Severy Realty Group
Mark Carney, Esq, Liebersbach, Mohun, Carney & Reed
John Thompson, BSA Architects