

TOWN COUNCIL STAFF REPORT

Subject: Consider approval of the Old Mammoth Place Amendment project (District Zoning Amendment 15-002, Vesting Tentative Tract Map 16-001, Use Permit 16-001, and Design Review 16-004), including finding the project consistent with the Addendum to the Clearwater Specific Plan Environmental Impact Report.

Meeting Date: July 20, 2016

Written by: Nolan Bobroff, Assistant Planner

RECOMMENDATION:

Waive the first reading and introduce by title only an ordinance making the required CEQA and Municipal Code findings, and approving District Zoning Amendment 15-002; adopt the attached resolution making the required CEQA findings and adopting the Addendum to the Clearwater Specific Plan EIR; and adopt the attached resolution making the required CEQA, Subdivision Map Act, and Municipal Code findings, and approving Vesting Tentative Tract Map 16-001, Use Permit 16-001, and Design Review 16-004 with conditions are recommended by the Planning and Economic Development Commission (Commission), or as modified by the Town Council.

PROJECT SUMMARY

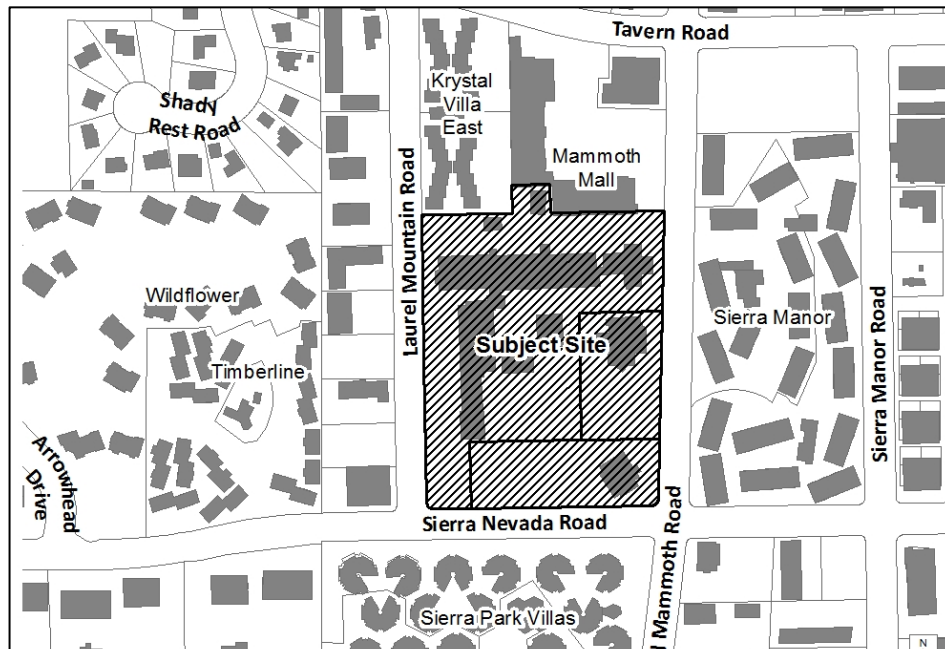
The Old Mammoth Place (OMP) Amendment project is a proposed redesign of the 2010 approved OMP project. The project is a mixed-use condo-hotel project located within the Clearwater Specific Plan area located at 164, 202, and 248 Old Mammoth Road (see Figure 1, Location Map). For a comparison of the approved project and proposed project, see Table 1, Project Comparison in the analysis section below.

Proposed project summary:

- The project consists of a six-story condo-hotel with up to 343 residential condo-hotel units containing a maximum of 488 bedrooms (“hotel rooms”) (80 hotel rooms/acre). The number of keys, or separately lockable portion of a unit, is proposed to be 460. The project was designed as a series of modules that can be configured in a variety of room configurations (i.e., studio units, two-bedroom units with one lock-off, two-bedroom unit with no lock-offs, and three-bedroom unit with two lock-offs) depending on the residential market desires. A description of the various room nomenclatures (i.e., key, unit, bedroom/hotel room) is provided in the project narrative (Attachment 4 – Vol. 1, Appendix).¹
- The hotel is proposed to be a full service four-star branded hotel and room sizes will range between approximately 465 sq. ft. and 1,650 sq. ft. depending on the number of bedrooms.

¹ “Key” = individual lockable portions of a unit; “Unit” = individual real estate item for sale; “Hotel Room” or “Room” = bedroom

Figure 1: Location Map

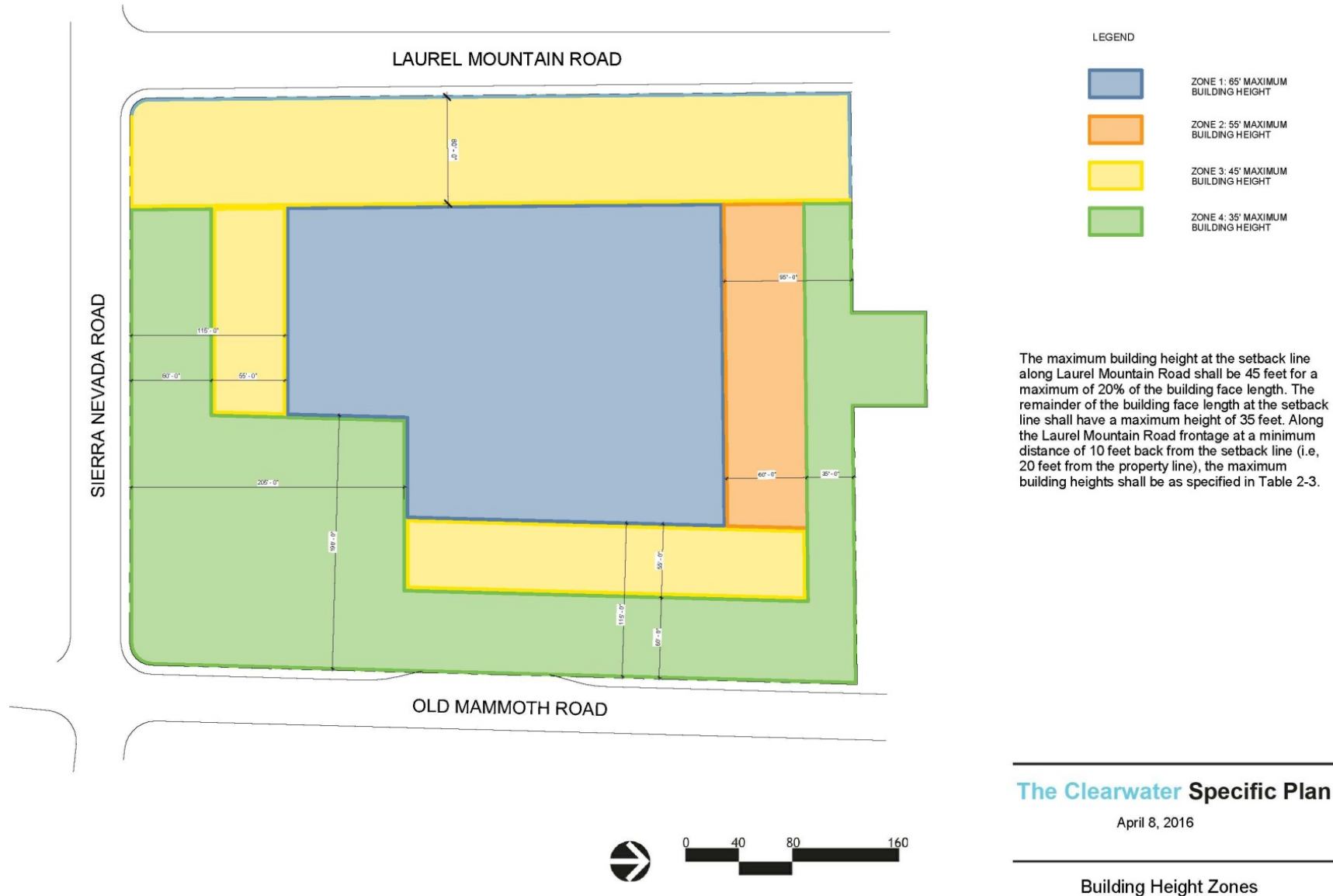


- Building heights will range from 35-65 feet as measured from the parking podium and the building heights will step up from the perimeter of the site to the center. The building height steps are aligned with the building height zones proposed in the amended CSP (See Figure 2, Proposed CSP Building Height Zones):
 - Zone 1 has a maximum height of 65 feet and is located in the center of the site.
 - Zone 2 has a maximum height of 55 feet and is located on the northern portion of the site at a distance of 35 feet from Old Mammoth Place.
 - Zone 3 has a maximum height of 45 feet and is located on the eastern portion of the site at a distance of 60 feet from Old Mammoth Road; the southern portion of the site at a distance of 60 feet from Sierra Nevada Road and 190 feet from Old Mammoth Road; and along Laurel Mountain Road.²
 - Zone 4 has a maximum height of 35 feet and is located on the perimeter of the site along Old Mammoth Place, Old Mammoth Road, and Sierra Nevada Road.
- The combined building footprint is 125,344 sq. ft. and encompasses 48% of the overall site area.³

² For the area along Laurel Mountain Road, a maximum 45-foot height is allowed for 20% of the building face length at the setback line, a maximum 35-foot height for 20% of the building face length, and a maximum 25-foot height for the remainder of the building length at the setback line. At a minimum distance of 10 feet from the setback line (i.e., 20 feet from the property line), the building can be at the maximum height for the full building length. This is consistent with what is permitted in the adjacent Old Mammoth Road (OMR) Zoning District.

³ Pursuant to the CSP, subterranean or podium structures topped by landscape areas (of at least a minimum dimension of 10 feet x 10 feet x 4 feet deep) shall not be considered structures for purposes of calculating site coverage.

Figure 2: Proposed CSP Building Height Zones



- The mixed-use building area is approximately 482,800 sq. ft. and is split between five buildings. The approximate square footage of each primary use is:
 - Residential area: approximately 308,000 sq. ft.
 - Restaurant space: approximately 16,000 sq. ft.
 - Retail space: approximately 21,000 sq. ft.
 - Conference and banquet space: approximately 14,500 sq. ft.
 - Spa and wellness center: approximately 5,500 sq. ft.
- Understructure parking for no fewer than 597 vehicles.⁴ Valet parking is proposed to maximize space and provide the required number of parking spaces.
- New pedestrian and vehicular mid-block connector road and sidewalks (Old Mammoth Place). Old Mammoth Place also serves as the access to the hotel and the understructure parking garage.
- Old Mammoth Road street improvements including a wider sidewalk, a new transit shelter, and an expanded bus pull-out area.
- Public open space areas:
 - Market Commons (approx. 10,500 sq. ft.)
 - Old Mammoth Square (Multi-Function Area) (approx. 23,000 sq. ft.)
 - The Grove (approx. 13,800 sq. ft.)

Proposed Clearwater Specific Plan (CSP) Amendments

The project includes the following amendments to the CSP:

1. Building Height – An increase in building height of 10 feet (one floor) per building height zone is requested (See Figure 2, Proposed CSP Building Height Zones). The building heights would range from 35-65 feet as measured from the podium. The Clearwater Specific Plan Environmental Impact Report (EIR) analyzed a project with a maximum building height of 65 feet; however, the adopted CSP and approved OMP project had a maximum building height of 55 feet as measured from the podium.
2. Workforce Housing – The project requests an amendment to the CSP to allow the developer to mitigate workforce housing by applying the Town’s current Housing Ordinance, which allows a variety of mitigation options, including payment of Housing Impact Mitigation Fees. The adopted CSP required on-site workforce housing and the approved OMP project had eight (8) units of on-site workforce housing.

The proposed amendments to the CSP are included in a redline version of the CSP (Attachment 2, Exhibit “A”). Town staff has taken the opportunity to include some minor edits to correct typos and provide consistency with the current conditions on the site in this redline version of the CSP, including updating Figure B to reflect the current zoning on the sites adjacent to the project site.

⁴ The number of parking spaces effectively provided on-site will be approved by the Public Works Director and any short-fall of the parking supply will be satisfied by payment of in-lieu parking fees.

BACKGROUND:

Clearwater Specific Plan (DZA 2006-03; GPA 2008-02) & North Old Mammoth Road District Special Study

The Clearwater Specific Plan (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, condo-hotel, and conference uses, along with on-site workforce housing and public plaza areas that provide a venue for a variety of community activities and events. The CSP was adopted after an extensive public process, including numerous public meetings and workshops, giving ample opportunity to comment on the proposed plan prior to its adoption.

As part of the CSP adoption, the North Old Mammoth Road District Special Study (NOMRDSS) was completed. The intent of the NOMRDSS was to reinforce the North Old Mammoth Road District as a desirable place for residents as well as visitors to live, shop, and recreate while reducing the dependency on the automobile. The NOMRDSS identifies goals and objectives for the District and recommends development standards to help achieve these goals. Although the NOMRDSS has no regulating power, it is an important reference document for the District. Most of the development standards recommended in the NOMRDSS are included in the CSP (e.g., building setbacks, setbacks, massing, and height). The NOMRDSS is included as Attachment 13.

The NOMRDSS and public comments contributed to a number of changes that were incorporated into the CSP. The CSP established new zoning standards and is the regulating document for this site. Building height was a very controversial aspect of the CSP and when Council adopted the CSP, Council required that the proposed 65-foot maximum building height be reduced to 55 feet.

Old Mammoth Road Project (DZA 09-001; VTTM 09-003; UPA 09-003; DR 09-005; ADJ 09-004)

In March 2010, the Commission approved the Old Mammoth Place (OMP) project. An appeal was filed, but the Town Council rejected the appeal and confirmed the Commission's approval in May 2010. The OMP project is currently entitled for this site (i.e., the owner could apply for construction permits to build the 2010 OMP project).

The approved OMP project is a mixed-use condo-hotel project that includes the following components:

- Up to 488 bedrooms ("hotel rooms") (80 rooms/acre)
- Up to 340 residential units (332 market-rate condo-hotel units and 8 workforce housing units)
- Outdoor public plazas
- Approximately 17,000 sq. ft. of restaurant space
- Approximately 20,000 sq. ft. of commercial/retail space
- Approximately 9,500 sq. ft. of conference space
- A spa and wellness center of approximately 4,500 sq. ft.
- An understructure parking structure with a minimum of 619 parking spaces

- A pedestrian and vehicular mid-block connector between Old Mammoth Road and Laurel Mountain Road
- Building heights ranging from 35-55 feet as measured from the parking podium.

Concept Review (CR 15-001)

In July 2015, the Commission held a workshop on a proposed amendment to the Old Mammoth Place project. The workshop allowed the Commission and public to review preliminary plans and provide early input on the proposed amendment. The changes presented as part of the concept review consisted of increases to the residential (condo-hotel) square footage through additional building height, expanded building footprints and building mass, and elimination of the on-site workforce housing. The plans reviewed as part of the concept review are similar to what is being proposed as part of the current Old Mammoth Place Amendment project. The Commission reviewed each area of change individually and were supportive of the increased building heights along Laurel Mountain Road and Old Mammoth Place (new internal mid-block connector road), but had concerns about the 65-foot building height due to the fact that the Town Council previously reduced the height from 65 feet to 55 feet during the CSP adoption. Additionally, the Commission was supportive of applying the Town's current Housing Ordinance to the project for mitigation of workforce housing. Public input provided at the meeting and prior to the meeting was related to concerns about the loading dock location on Sierra Nevada Road and impacts from the increased building height. The Commission and public feedback from the concept review workshop was provided in a close-out letter sent to the applicant. Responses to each item in the close-out letter are provided in the project submittal (Attachment 4 – Vol. 1, Appendix).

All past project Resolutions, Ordinances, and other relevant Old Mammoth Place information, including the approved plans, is available online at:
<http://www.townofmammothlakes.ca.gov/index.aspx?NID=734> (Attachment 12).

Planning and Economic Development Commission Meeting on June 15, 2016

On June 15, 2016, the Commission held a public hearing to consider the Old Mammoth Place Amendment project. At this hearing, the Commission made a 4-0 recommendation to the Council to approve the project. The draft minutes from that meeting are included as Attachment 9, along with the Commission Staff Report (Attachment 8) and Commission Resolution No. PEDC 2016-11 (Attachment 10). The Commission did discuss a possible additional condition of approval that would require the detached laundry facility be removed and that the pocket park be constructed and be available for use by the public. The Commission did not include this in their recommendation, but the Council could vote to include this additional condition of approval. This is discussed in more depth below.

ANALYSIS/DISCUSSION:

A detailed analysis and discussion of the project is included in the staff report for the Commission's June 15, 2016 public hearing (Attachment 8). The analysis/discussion in this report focuses on responding to comments and discussion points raised during the Commission public hearing. The full Commission staff report including all attachments is available online at:

http://mammothlakes.granicus.com/GeneratedAgendaViewer.php?view_id=4&clip_id=561
(Attachment 8).

Permits and Findings Required

The Old Mammoth Place Amendment includes four permits:

1. District Zoning Amendment (DZA) 15-002 – would allow the amendment to the Clearwater Specific Plan (CSP) for building heights, workforce housing, and minor text edits.
2. Vesting Tentative Tract Map (VTTM) 16-001 – would allow the flexibility for an airspace subdivision for a condo-hotel of up to 343 units.
3. Use Permit (UPA) 16-001 – is required for the condo-hotel, conference/meeting facilities, public parks, public plazas, and understructure parking uses.
4. Design Review (DR) 16-004 – would allow the design of the proposed building and site.

The required findings for these four permits include, but are not limited to, the following:

1. Project is consistent with the General Plan.
2. Project is internally consistent with the CSP.
3. Project is in compliance with CEQA.
4. Project is consistent with the Design Guidelines.
5. Project will not be detrimental to the public interest, health, safety, convenience, or welfare of the town.
6. Project site is physically suitable for the proposed development.

The attached ordinance and resolutions include explanations describing the project compliance with all of the required findings (Attachment(s) 1, 2, and 3).

Project Comparison

Table 1 provides a comparison of the approved project and the proposed project, and the amount each component of the project is changing.

Table 1: Summary of Changes

	Approved Project	Proposed Project	Change
Number of Units	340 units (332 market-rate units and 8 units of workforce housing)	343 market-rate units	Inc. of 3 units
Number of Bedrooms ("Hotel Rooms")	480 rooms	480 rooms	No change
Number of Keys	471	460	Dec. of 11 keys
Parking Spaces	619	597	Dec. of 22 spaces
Building Height			
• Zone 1	55 feet	65 feet	Inc. of 10 feet
• Zone 2 (Now Zone(s) 2 & 3)	45 feet	45 – 55 feet	Inc. of 10 feet for a portion on the northern part of the project site
• Zone 3 (Now Zone(s) 3 & 4)	35 feet	25 – 45 feet	Inc. of 10 feet along Laurel Mountain Rd.
Building Footprint (site coverage)	111,735 sq. ft. (42%)	125,344 sq. ft. (48%)	Inc. of 13,609 sq. ft. (6%)
Net Residential Area	190,755 sq. ft.	307,956 sq. ft.	Inc. of 117,201 sq. ft.
Retail Space	21,250 sq. ft.	20,880 sq. ft.	Dec. of 370 sq. ft.
Restaurant Space	17,360 sq. ft.	16,328 sq. ft.	Dec. of 1,032 sq. ft.
Conference Space	9,580 sq. ft.	14,351 sq. ft.	Inc. of 4,771 sq. ft.
Spa	4,500 sq. ft.	5,473 sq. ft.	Inc. of 973 sq. ft.
Public Spaces			
• Old Mammoth Square	25,205 sq. ft.	22,770 sq. ft.	Dec. of 2,435 sq. ft.
• Market Commons	13,705 sq. ft.	10,428 sq. ft.	Dec. of 3,277 sq. ft.
• The Grove	14,910 sq. ft.	13,779 sq. ft.	Dec. of 1,131 sq. ft.
• Cascade Park	4,885 sq. ft.	0	Dec. of 4,885 sq. ft. (See <i>Potential Addtl. Condition of Approval</i> section below)

Analysis and Findings - Height

Justification for Height Increase

The project includes a request for an amendment to the CSP to allow an increase of the maximum building height for each building height zone by approximately 10 feet.

The additional height is requested for the following reasons:

- The additional height is required to gain the necessary additional residential square footage while still maintaining a site coverage of 48% and to justify the project's significant proposed open spaces and public amenities from an economic perspective. The building footprints will occupy 48% of the site and the remaining 52% will be public open space areas.
- The additional height along Laurel Mountain Road has provided additional flexibility to design a building with more variety and articulation along the street frontage and avoid the previous "wedding cake" step back design. Additionally, the proposed design is consistent with what would be permitted in the adjacent Old Mammoth Road (OMR) Zoning District where 20% of the building face (i.e., street-facing building face) is permitted to be a maximum 45 feet, 20% of the building face is permitted to be a maximum 35 feet, and the remaining 60% of the building face is permitted to be a maximum 25 feet. With a minimum setback of 10 feet, the building can be at the maximum building height for the entire building length, but still requires building articulation and other design features to break up the massing.
- The current design mitigates the visual impacts of the additional height and massing through various step backs, architectural treatments, well positioned public open spaces, and by placing the additional height at the center of the site.
- The view plane analysis (Attachment 5– Vol. 2, Relative Height Sections) show that the public view planes from the sidewalk and across the street from the project are largely governed by the foreground structures and the increased height in the center of the site will be outside of the public view. Additionally, when the photo simulations of the original project analyzed by the Clearwater Specific Plan EIR are compared to the photo simulations of the proposed project, the public view blockage of the surrounding mountain and hillsides remain similar (see Attachment 1, Exhibit "A" - Addendum, Section 3.2).
- The proposed 65-foot height is consistent with the analysis in the Clearwater Specific Plan EIR and proposed project. The Addendum to the Clearwater Specific Plan EIR found that the resultant public view blockage from the proposed project would remain similar to that analyzed in the EIR.
- The location of the building's additional height and massing has very minimal additional shadow impacts given its placement on the site. The Addendum to the Clearwater Specific Plan EIR found that shadow impacts would increase slightly compared to the project analyzed by the EIR, but that those increases would not be substantial and no new mitigation measures are required.

- Per the market study that was commissioned by the applicant, the current resort hospitality market is demanding larger, more luxurious accommodations, and the only way to achieve larger accommodations while still maintaining all of the public amenities on the site and the relatively low site coverage is to go higher. The market study was peer-reviewed by a financial analyst retained by the Town, and the financial analyst agreed with the market study findings and confirmed that the reconfiguration is necessary in order to get a successful project per the demands of the Mammoth Lakes marketplace. Additionally, the financial analyst indicated that the approved project had an internal rate of return (IRR) for investors of only 5% and the revised project is estimated to have an IRR of approximately 20%. The financial peer review analysis is included as Attachment 7 to this report.

Private Views

While the General Plan and Municipal Code do not include an explicit definition of public views, public views are considered to include those view available from publicly-accessible vantage points, including streets, sidewalks, and significant public spaces, as indicated and defined in General Plan Figures 1 and 2. General Plan Figure 1 identifies the view of the Sherwin Range from the public areas in the vicinity of the project area as a major view corridor and vista.

As a result, the Addendum to the Clearwater Specific Plan EIR analyzed potential view impacts of the Sherwin Range from Old Mammoth Road and Laurel Mountain Road from the proposed project and found that the public view blockage of the Sherwin Range would remain similar to the public view blockage from the approved project and with what was analyzed in the Clearwater Specific Plan Environmental Impact Report (EIR). Addendum Exhibit(s) 3.2-2, 3.2-3, and 3.2-4 (see Attachment 1, Exhibit “A”) show the approved project and the revised project from the key public views in the vicinity of the project.

On September 16, 2009, the Council voted to not proceed with a policy to protect private views and continue to rely on the General Plan and Zoning Code standards regarding public views. Therefore, the height analysis does not include a discussion of potential impacts to private views and no findings related to private views are required.

General Plan Building Height Policies

The General Plan includes policies about limiting the height of buildings to the top of the forest canopy and preserving public views, which are analyzed in Table 2:

Table 2: General Plan Building Height Policies Analysis

Policy	Analysis
Goal C.2. Design the man-made environment to complement, not dominate, the natural environment.	As shown in the photo simulations completed for the revised project and discussed in <u>Section 3.2, Aesthetics/Light and Glare</u> , of the Addendum, the public view blockage of the surrounding mountains and hillsides from the revised project would remain similar to the

Policy	Analysis
	public view blockage from the approved project and with what was analyzed in the Clearwater Specific Plan EIR. The design of the building includes significant stepping and modulation of scale in order to minimize the building mass and mitigate the public view impacts. Additionally, the building heights at the perimeter of the site are consistent with what would be allowed on adjacent sites pursuant to the zoning designations of those sites and the increased height at the center of the site will be largely mitigated by the smaller, surrounding buildings. Furthermore, as shown in the <u>Height, Massing & View Analysis</u> section of Volume 2 (see Attachment 5), the public view planes from the sidewalk level and across the street from the project are largely governed by the foreground structures and the increased height in the center of the site will be outside of the public view.
C.2.J. Be stewards in preserving public views of surrounding mountain, ridgelines, and knolls.	As shown in the photo simulations completed for the revised project and discussed in <u>Section 3.2, <i>Aesthetics/Light and Glare</i></u>, of the Addendum, the public view blockage of the surrounding mountains and hillsides from the revised project would remain similar to the public view blockage from the approved project and with what was analyzed in the Clearwater Specific Plan EIR. The design of the building includes significant stepping and modulation of scale in order to minimize the building mass and mitigate the public view impacts. The building heights at the perimeter of the site are consistent with what would be allowed on adjacent sites pursuant to the zoning designations of those sites and the increased height at the center of the site will be largely mitigated by the smaller, surrounding buildings. As shown in the <u>Height, Massing & View Analysis</u> section of Volume 2 (see Attachment 5), the public view planes from the sidewalk level and across the street from the project are governed by the foreground structures and the increased height in the center of the site will be largely outside of the public view.

Policy	Analysis
C.2.V. Building height, massing and scale shall complement neighboring land uses and preserve views to the surrounding mountains.	Refer to response Goal C.2 and C.2.J.
C.2.W. Maintain scenic public views and view corridors (shown in Figures 1 and 2) that visually connect community to surroundings.	Refer to response C.2.J. Implementation of the project will result in public view blockage of the Sherwin Range. However, as shown in the photo simulations completed for the revised project and discussed in <u>Section 3.2, Aesthetics/Light and Glare</u> , of the Addendum, the public view blockage of the surrounding mountains (i.e., Sherwin Range) would remain similar to the public view blockage from the approved project and with what was analyzed in the Clearwater Specific Plan EIR. The mitigation measures from the Clearwater Specific Plan EIR remain applicable. Additionally, due to the public benefit and value of the existing trees on the site that will remain, a damage surety in the amount of \$5,000 per tree over 12” diameter-at-breast height (DBH) that will remain is required prior to issuance of a grading permit. Although removal of some vegetation will occur as part of the project, replacement trees are required to be native species and a minimum of 8-feet in height at the time of planting in order to maintain and enhance the character of the site and its surroundings.
C.2.X. Limit building height to the trees on development sites where material tree coverage exists and use top of forest canopy in general area as height limit if no trees exist on site.	A survey of the existing mature trees on the site completed as part of the original CSP project, revealed the average mature tree height was 63-feet, which is consistent with the maximum proposed height of the project. Additionally, the requested 65-foot height is consistent with the recommendations in the NOMRDSS and what was analyzed in the EIR.

Shadow/Shading Analysis

Section 3.2 (Aesthetics/Light and Glare) of the Addendum to the Clearwater Specific Plan EIR analyzed the potential shading/shadow impacts that would result from the proposed project. Addendum Exhibit 3.2-5 (Attachment 1, Exhibit “A”) shows the shading/shadow impacts from the proposed project and a comparison of the shading/shadow impacts from the approved project and the proposed project is included in Attachment 5 (pages 19-20). Those exhibits show the anticipated shadow and shading that will occur as a result of the proposed- and approved project during the summer

solstice, fall equinox, and winter solstice. For each of those days, shading impacts are shown at 9am, 12pm, and 3pm.

- Summer Solstice – Shadows cast by the revised OMP project would remain relatively the same during the summer solstice as compared to the approved project and the areas that would be shaded are primarily within the project site.
- Fall Equinox – Shadows cast by the revised OMP project would slightly increase compared to the approved project during the fall equinox. The areas of increase are confined to portions of Old Mammoth Road. In the morning hours, limited shading of Laurel Mountain Road would occur as a result of both the approved project and the proposed project.
- Winter Solstice – Shadows cast by the revised OMP project would slightly increase compared to the approved project during the winter solstice. The areas that would increase are along portions of Old Mammoth Road and the commercial properties to the north (i.e., Mammoth Mall). In the morning hours, Laurel Mountain Road would be shaded as a result of both the approved project and proposed project.

Although shadows would slightly increase during portions of the year, the Addendum determined that these increases would not be substantially different than the approved project or with what was analyzed in the Clearwater Specific Plan EIR, and no additional mitigation measures are required. A snow removal and cindering plan and/or heat traced pavement is required for all vehicle and pedestrian areas that receive less than two hours of mid-day sun for more than a week.

DZA Findings – Height

The Zoning Code identified the findings required to approve a district zoning amendment. Each of these six findings is listed below with an analysis of the proposed height amendment's consistency.

1. *The amendment is consistent with the General Plan.*

The proposed height amendment is consistent with the General Plan because it would allow for a project that implements the goals and objectives of the Old Mammoth Road District and the Clearwater Specific Plan by providing a pedestrian-oriented, mixed-use condominium-hotel development that has ground-floor retail that is oriented to the street; commercial corridors that are walkable year-round; distinctive mountain architecture; streetscapes that are safe and designed for the pedestrian; numerous public plazas, courtyards, and pedestrian links that create a sense of exploration; and mid-block pedestrian access.

Additionally, the project reflects thoughtful site planning since the increased height at the center of the site will be largely mitigated by the smaller, surrounding buildings and the project is able to gain the necessary additional residential square footage, while still maintaining a site coverage of 48%. The public view planes from the sidewalk level and across the street from the project are governed by the foreground structures and the increased height in the center of the site will be largely outside of the public view. Additionally, as shown and

described in the Addendum to the Clearwater Specific Plan EIR, the project would not result in increased public view blockage of the Sherwin Range compared to the approved and permitted Old Mammoth Place project. The amendment would maintain the sense of “a village in the trees” since the maximum building height of 65 feet is consistent with the average mature height of the trees on the site and with what was analyzed by the Clearwater Specific Plan EIR. Furthermore, the project incorporates a high quality of architecture through the use of varied natural materials that are consistent with mountain architecture and the building mass is broken up by incorporating significant building articulation and stepping of the building height from the perimeter of the site to the center.

2. *The amendment is internally consistent with all other provisions of the CSP.*

The proposed amendment is internally consistent with the Clearwater Specific Plan because the project would create a condominium-hotel that includes ground-floor commercial and other associated uses (i.e., restaurant and retail spaces, understructure parking garage, conference space, spa and wellness center, and public open spaces). The mass of the buildings would be aggregated to the center of the site to reduce impacts to public views and to maintain a building height at street level that is consistent with the adjacent Zoning Districts. The project does not exceed the total allowable density in the General Plan or the Clearwater Specific Plan. Additionally, the project complies with all of the development standards of the Clearwater Specific Plan with the exception of building height. The amendment to the building height standards will achieve a project that is consistent with the Clearwater Specific Plan.

3. *The amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the town.*

The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the town because the Addendum to the Clearwater Specific Plan EIR, along with the full Clearwater Specific Plan EIR, analyzed potential project impacts associated with land use, aesthetics, light and glare, traffic and circulation, air quality, noise, and utilities and service systems. As described in the Addendum to the Clearwater Specific Plan EIR, the amendments would not result in any new significant effects or a substantial increase in the severity of previously identified environmental effects with the incorporation of mitigation measures. Mitigation measures have been adopted through the Mitigation Monitoring and Reporting Program (MMRP).

4. *The amendment is in compliance with CEQA.*

The proposed amendment is in compliance with the provisions of the California Environmental Quality Act (CEQA) because an Addendum to the Clearwater Specific Plan EIR has been prepared for the Project, which determined that on the basis of the whole record, there is no substantial evidence that the proposed district zoning amendment, vesting tentative tract map, use permit, and design review will result in any new significant effects or a substantial increase in the severity of previously identified significant effects. The Clearwater Specific Plan

EIR did conclude that impacts to aesthetics/light and glare, land use and relevant planning, and short-term construction noise would remain significant and unavoidable despite implementation of mitigation measures and a statement of overriding considerations was adopted. The proposed amendment does not increase the severity of these impacts that were found to be significant and unavoidable.

5. *The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle access and public services and utilities for the proposed development.*

The site is already developed with a lodging establishment and the proposed re-development of the site would result in a pedestrian-oriented, mixed-use lodging establishment that is consistent with the Clearwater Specific Plan, as amended. Based on a maximum density of 488 hotel rooms, the Clearwater Specific Plan EIR found that adequate public services and utilities could be provided to the site. Furthermore, the conditions of approval require compliance with all Mammoth Lakes Fire Protection District requirements for emergency access and fire protection.

6. *The amendment is consistent any applicable airport land use plan.*

The amendment is consistent with Mammoth Yosemite Airport land use plan because the project is located approximately seven miles from the Mammoth Yosemite Airport and due to the nature and scope of the project, no impact to air traffic patterns are anticipated.

Workforce Housing

The project includes a request for an amendment to the CSP to eliminate the on-site affordable housing requirements and instead, allow the developer to mitigate housing impacts by applying the Town's current Housing Ordinance, which allows payment of Housing Impact Mitigation Fees. The approved Old Mammoth Place project had eight (8) on-site workforce housing units.

In 2015, the Town adopted Ordinance 15-03, which updated the Housing Ordinance (Municipal Code Chapter 17.136) and allows a variety of housing mitigation options, including payment of housing fees, on-site provision of units, off-site provision of units, conveyance of land, or an alternative AHMP.

Staff finds the amendment acceptable since it allows for the provision of housing mitigation consistent with the Housing Ordinance, which was adopted through a public process and reflects the Town's visions, goals, and current strategies for affordable housing.

Parking Analysis

Based on the parking requirements in the CSP, the revised project has a lower parking demand than the approved project by 22 spaces. This is due to the elimination of the on-site workforce housing (20 spaces) and a slight decrease in the parking demand for the commercial uses (2 spaces). Since the parking demand is not increased by this project

and the density and uses remain the same, the assumptions and conclusions from the two parking studies done for the approved project remain applicable to this project and the same reductions (i.e., 32% reduction for retail/restaurant demand peak sharing and the 50% reduction for internal and “external” capture) are proposed. Similar to the approved project, the applicant is proposing a shared parking plan that incorporates valet parking and tandem parking. Table 3 outlines the parking demand calculations for the revised project using the same approach as the approved project.

Table 3: Parking Demand

Project Product	Quantity	Parking Ratio	Parking Spaces
Hotel Room (“Bedroom”)	488 (max density)	1 space / bedroom	488
Hotel Guest	488	1 space / 20 rooms	24
Manager Unit	1	2 spaces / unit	2
<i>Total Residential</i>			<i>514</i>
Retail	20,880	1 space / 250 sq. ft.	84
		32% reduction*	$84 - 27 = 57$
Restaurant	16,328	1 space / 150 sq. ft.	109
Total Commercial without Internal Capture			$57 + 109 = 166$
<i>Total Commercial with Internal Capture**</i>			<i>$166/2 = 83$</i>
<i>Total Spaces with Sharing and Internal Capture</i>			<i>$514 + 83 = 597$</i>

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

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

Parking Operation Proposal

A shared parking plan similar to the shared parking plan for the approved project has been proposed, which proposes to utilize valet parking and tandem parking to provide the required number of parking spaces. The valet parking program is for the restaurant and hotel uses, while parking for the retail uses would be self-parked, pursuant to the CSP. The valet parking program would be required to be operated 24 hours a day, 365 days a year. The valet program will also be required to maintain a five-minute customer vehicle turnaround. Such valet programs are common in similar developments.

The current parking proposal includes 447 standard parking spaces (9' x 18') (Attachment 5 - Vol. 2, Sheet A2.0A), with the potential to increase the capacity by potentially 166 parking spaces through the use of on-site valet parking. This would potentially provide 619 parking spaces (16 over the required 597) on-site with the valet parking operation. However, staff has concerns about the proposed valet parking layout provided in Volume 2, Sheet A2.0B (Attachment 5) since the spaces shown are only 16 feet long and do not meet the Town Standard parking space depth of 18 feet, and the

vehicles are stacked six-deep. This is similar to the layout that was approved in 2010, but the conditions of approval for the approved project give the Public Works Director the authority to approve the total number of parking spaces effectively provided on-site through the valet parking operation (i.e., parking spaces that meet Town Standards) and require in-lieu parking fees for any short-fall of the parking supply. Staff requested the applicant provide an alternative valet parking layout where all parking spaces meet Town Standards so that the applicant and staff would have an idea of the potential short-fall of parking spaces. The alternative valet parking layout is provided in Volume 2, Sheet A2.0C (Attachment 5) and indicates that with all Town Standard parking spaces, there is potential for an estimated 541 valet parking spaces (56 stalls short of the 597 required). Based on the three parking scenarios provided, it can be concluded that there is potential for between 541 and 619 parking spaces on the site with valet parking operations and any short-fall of the 597 required parking spaces would be mitigated through in-lieu fees consistent with the parking provisions identified in the CSP and Municipal Code Section 17.44.040.C (Parking In-Lieu Fee).

Density and Community Benefits

The project proposes a maximum density consistent with the maximum density allowed by the CSP and the approved OMP project, which is 80 rooms/acre. However, to be permitted a density of 80 rooms/acre, the CSP requires the provision of adequate and appropriate community benefits.

As part of the original and approved OMP project, a financial analysis of the relative benefits of the requested density increase and the proposed community benefits offered in exchange was completed by Keyser Marston Associates (KMA). Separately, the Town contracted with Economic and Planning Systems (EPS) to complete a peer review of the KMA study. The KMA study found that the community benefits outweighed the projected economic benefit to the developer by more than 10 times. The residual land value increase associated with the density bonus was estimated at \$2.5 million, whereas the value of the physical benefits provided by the project is estimated at \$26 million. The EPS report agreed with the KMA report and found the methodology used to be reasonable and their assumptions to be valid.

Since the project has not changed with regards to the density or overall hotel room count and the proposed community benefits are relatively the same, the previous financial analysis comparing the density increase and the community benefits remains applicable.

The following components of the project were considered community benefits:

- Outdoor plazas and public open spaces (Old Mammoth Square, Market Commons, and the Grove). The Cascade Park (i.e., pocket park), if included would be considered a community benefit.
- Mid-block connector and widening of Old Mammoth Road.
- Retail/Restaurant space (29,000 of the total 37,000 sq. ft. is considered a community benefit).
- Meeting/Conference Space (11,250 of the total 14,350 sq. ft. is considered a community benefit).

- Portions of the understructure parking. Specifically, 100% of the parking for the commercial and restaurant areas, and 50% of the parking spaces for the hotel areas.

Pursuant to Ordinance No. 10-09, which amended the CSP pursuant to the Town's Community Benefits/Incentive Zoning (CBIZ) policy, the portions of the project that are considered incentive density (i.e., portion over 40 rooms/acre) are exempt from payment of housing, development impact fees (DIF), and public art fees. This exemption granted by Ordinance No. 10-09 is specific to the Old Mammoth Place project only and does not apply to other projects in the community. The basis for the exemption was 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. Staff is recommending a condition of approval which identifies the base number of units for density is 244 "keys", rather than 244 "rooms", in order to avoid any confusion about which units represent the base density and which units represent the incentive density. This is due to the fact that the Town's fee schedule uses "keys" for determining the amount of the required fee and the CSP uses bedrooms (i.e., "Hotel Rooms") for determining density, which could account for a varying amount of "keys" depending on how many non lock-off two- and three-bedrooms units are ultimately proposed.

Public Comments

Public comments were provided both in writing prior to the Commission hearing and orally during the Commission hearing and additional written letters have been submitted since the Commission hearing. Staff has organized the comments and responses by topic. A discussion of those comments is described below.

- Building Height and Views
The majority of the comments that have been received have raised issues with the proposed height increase. The proposed project height is consistent with what was analyzed by the Clearwater Specific Plan EIR, which analyzed a project with a maximum height of 65 feet. As shown in the public view analysis that has been completed for the project, the impact to public views from the proposed project will remain similar to those that were analyzed by the Clearwater Specific Plan EIR. The General Plan identifies major view corridors and vistas, and in the vicinity of the project the General Plan identifies the view of the Sherwin Range as the only major public view. Town regulations, such as the General Plan and Town Code, only include policies and regulations that protect *public* views (e.g., views from streets, sidewalks, and public places). *Private* views (e.g., views from private units) are not considered during project analysis. In regards to the request in the comment letters to keep the height at the current height of the existing buildings, the currently entitled project allows a building height of 55 feet for the Old Mammoth Place project site. Additionally, the permitted building height for the areas in the immediate vicinity of the project site are 55 feet for the Mammoth Mall site (adjacent to the Krystal Villa East) and 45-feet for the Krystal Villa East site and the adjacent areas along Laurel Mountain Road and Old Mammoth Road, pursuant to the Town's Zoning Code. For additional information on building height, please refer to the *Analysis and Findings - Height* section.

Regarding the comment about Old Mammoth Place being the tallest buildings in Mammoth, the buildings in The Village were approved with a maximum height of 78 feet from natural grade; the Westin was approved with a maximum height of 90 feet; and the Inn at the Village is permitted a maximum height of 80 feet.

- Shade/Shadow

Shade/shadow is discussed previously in this report in the *Analysis and Findings - Height* section. The Addendum to the Clearwater Specific Plan EIR found that no substantial increases in this impact would occur as a result of the revisions to the project and no new mitigation measures are required.

- Story Poles

The Town's story pole policy allows for alternatives to story poles in the event that it is determined that the erection of story poles is not practicable and allows for use of photo simulations to show what the project will look like in the context of the surrounding areas. Photo-simulations provide a better representation of projects since you can see the actual design and massing of the buildings. The photo simulations for the revised OMP project were compared to the photo simulations completed as part of the EIR, and it was determined that the public view blockage would remain similar to what was analyzed in the Final EIR. These are provided in Attachment 5 – Vol. 2, Architectural Drawings page(s) A.37 – A.39 and in Attachment 1, Exhibit “A”.

- Affordable Housing Proposal

The applicant is proposing to remove the on-site affordable housing and comply with the Town's Housing Ordinance through the payment of affordable housing fees. The Housing Ordinance was adopted through a public process and reflects the Town's visions, goals, and current strategies for affordable housing. Additionally, the Housing Ordinance found all forms of housing mitigation identified in the Ordinance as being appropriate methods to mitigate the demand for affordable housing. For additional information on the affordable housing proposal, please refer to the *Workforce Housing* section.

- Density

The proposed project is identical to the approved project with regards to density, and remains at 80 rooms/acre (488 bedrooms).

- Traffic

Traffic was analyzed in the Clearwater Specific Plan EIR and impacts from traffic were found to be less than significant with implementation of the recommended mitigation measures. Since no changes to density are proposed as part of this project, the Addendum found that the project would not result in any new, different, or potentially adverse traffic and circulation impacts not previously considered and addressed.

- Parking
Parking is discussed previously in this report in the *Parking Analysis* section. The Addendum to the Clearwater Specific Plan EIR determined that the proposed parking proposal is not substantially different than that considered in the EIR and impacts would remain less than significant with implementation of the mitigation measures.
- Emergency Vehicle Roof Access
The Mammoth Lakes Fire Protection District (MLFPD) has a ladder truck that has the capability to reach the roof of the proposed building. MLFPD has reviewed the project and their comments have been integrated into the project.
- Waste Management
Prior to issuance of a building permit, the applicant is required to submit a trash and recycling management plan that ensure efficient, convenient, and unobtrusive removal of trash, restaurant waste, shipping materials, and disposal of recyclables.
- Snow Removal
A snow removal/storage plan is required to be submitted and approved by the Community and Economic Development Department prior to building permit issuance. This is standard for all commercial projects that will store snow off-site and addresses items such as temporary snow storage, timing of removal, and hauling location.
- Construction Hours
Construction hours will be limited to those normally permitted by the Town which limits operations under a building permit to the hours between 7 a.m. and 8 p.m., Monday – Saturday. Working on Sundays or Town recognized holidays requires special approval from the Town Building Official.
- Size of Retail and Restaurant Components
The retail and restaurant components of the project are slightly decreasing in size from the approved project. The approved project has approximately 38,600 sq. ft. of retail/restaurant space and the proposed project will have approximately 37,200 sq. ft. of retail/restaurant space. For a detailed comparison of the approved and proposed project, please see the *Project Comparison* section of this report.

All of the issues raised in the comment letters received prior to publication of this report and provided orally during the Commission hearing have been addressed in this staff report. Comment letters submitted for the Council hearing prior to publication of this report have been included as Attachment 14. Additional comment letters submitted to the Planning and Economic Development Commission are available on the Town's website.⁵

⁵ Granicus, Agenda Item 1 Public Comments:

http://mammothlakes.granicus.com/MetaViewer.php?view_id=4&clip_id=561&meta_id=54224
http://mammothlakes.granicus.com/MetaViewer.php?view_id=4&clip_id=561&meta_id=54226

Potential Additional Condition of Approval

During the Commission public hearing, the Commission discussed requiring removal of the detached laundry facility that is located on the northern portion of the project site and requiring that the pocket park (i.e., Cascade Park) that was originally approved for this area be constructed and be available for use by the public. The Council may consider including a condition of approval in the Council's action on the project. A draft condition of approval is provided below:

- a. *Draft Condition of Approval:* The existing laundry building located on the northern portion of the project site shall be removed and the area shall be used as a pocket park (i.e., Cascade Park) available for use by the public.

If the Council desires to include the additional condition of approval or any other additional conditions of approval, the Council should choose Option 2, below.

OPTIONS ANALYSIS

Option 1: Waive the first reading and introduce by title only an ordinance making the required CEQA and Municipal Code findings, and approving District Zoning Amendment 15-002; adopt the attached resolution making the required CEQA findings and adopting the Addendum to the Clearwater Specific Plan EIR; and adopt the resolution making the required CEQA, Subdivision Map Act, and Municipal Code findings, and approving Vesting Tentative Tract Map 16-001, Use Permit 16-001, and Design Review 16-004 with conditions as recommended by the Planning and Economic Development Commission.

Option 2: Waive the first reading and introduce by title only an ordinance making the required CEQA and Municipal Code findings, and approving District Zoning Amendment 15-002; adopt the attached resolution making the required CEQA finding and adopting the Addendum to the Clearwater Specific Plan EIR; and adopt the resolution making the required CEQA, Subdivision Map Act, and Municipal Code findings, and approving Vesting Tentative Tract Map 16-001, Use Permit 16-001, and Design Review 16-004 with conditions as recommended by the Planning and Economic Development Commission, as modified by the Town Council.

Option 3: Deny District Zoning Amendment 15-002, Vesting Tentative Tract Map 16-001, Use Permit 16-001, and Design Review 16-004.

Option 1 would allow the Ordinance approving DZA 15-002 to proceed to a second reading by Council, and would become effective 30 days after the second reading. Once the ordinance is effective, the applicant could submit a final map and building permit applications for project construction.

As with Option 1, Option 2 would allow the ordinance approving DZA 15-002 to proceed to a second reading by Council, but the Council's approval would be for a modified proposal. The modifications could be revisions to DZA 15-002 and/or revisions to the conditions of approval.

Option 3 would deny the project. The Council would need to make findings for denial.

FINANCIAL CONSIDERATIONS:

The applicant is paying for the staff time, including consultants, for the processing of this application.

ENVIRONMENTAL CONSIDERATIONS:

An environmental impact report (EIR) was prepared for the Clearwater Specific Plan and was certified on January 7, 2009 (SCH No. 20066012041). The EIR evaluated a conceptual project and the maximum building envelope within which a project could be built on this site. The Clearwater Specific Plan EIR found that impacts to aesthetics/light and glare, land use and relevant planning, and impacts from construction noise cannot be mitigated to a less than significant level and a statement of overriding considerations was adopted. The statement of overriding considerations found that the significant and unavoidable adverse impacts of the project, which will remain significant after mitigation, are acceptable and are outweighed by social, economic, and other benefits of the project. All other potential significant adverse project impacts have been mitigated to a less than significant level based on mitigation measures in the Final Clearwater Specific Plan EIR and the Mitigation Monitoring and Reporting Program (MMRP) adopted with the Final Clearwater Specific Plan EIR.

Consistent with CEQA Guidelines Section 15164, an Addendum to the Clearwater Specific Plan EIR has been prepared to address the current revisions proposed to the project. Staff retained Michael Baker International, Inc. to prepare the addendum. An addendum is appropriate when minor or technical changes or modifications to a project do not result in any new significant effects or a substantial increase in the severity of previously identified environmental effects. Staff's review and analysis concluded that there would be no new significant effects or a substantial increase in the severity of previously identified environmental effects from the changes to this project. This conclusion is supported by the analysis in the addendum. The mitigation measures from the Clearwater Specific Plan EIR and MMRP remain applicable and there are no new mitigation measures required and no new alternatives available that would substantially reduce the environmental effects beyond those previously described in the Final Clearwater Specific Plan EIR. The mitigation measures are incorporated into the conditions of approval for the project. The addendum is included as Attachment 1, Exhibit "A" and the Clearwater Specific Plan EIR is included as Attachment 11.

LEGAL CONSIDERATIONS:

The Town Attorney has reviewed this staff report and there are no legal considerations to address herein.

Attachments:

Attachment 1: Resolution making the required CEQA findings and adopting the Addendum to the Clearwater Specific Plan EIR

Exhibit A: Addendum to the Clearwater Specific Plan EIR

Exhibit B: CEQA Findings

Attachment 2: Ordinance approving District Zoning Amendment 15-002

Exhibit A: Revisions to the Clearwater Specific Plan

Attachment 3: Resolution making the required CEQA, Subdivision Map Act, and Municipal Code findings, and approving Vesting Tentative Tract Map 16-001, Use Permit 16-001, and Design Review 16-004

Exhibit A: CEQA Findings

Exhibit B: Municipal Code Findings

Exhibit C: Conditions of Approval

Attachment 4: Volume 1: Project Narrative

Attachment 5: Volume 2: Project Plans

Attachment 6: Vesting Tentative Tract Map 16-001

Attachment 7: Peer Review Analysis of the Applicant's Financial Analysis

Attachment 8: Planning and Economic Development Commission June 15, 2016 public hearing staff report – Full report with attachments is available online at: http://mammothlakes.granicus.com/GeneratedAgendaViewer.php?view_id=4&clip_id=561

Attachment 9: Draft Planning and Economic Development Commission minutes, June 15, 2016

Attachment 10: Planning and Economic Development Commission Resolution recommending approval of the Old Mammoth Place Amendment project (Commission Resolution 2016-11)

Attachment 11: Clearwater Specific Plan Environmental Impact Report – available online at: <http://www.townofmammothlakes.ca.gov/index.aspx?NID=142>

Attachment 12: Past Project Resolutions, Ordinances, and Other Relevant Project Information - Available online at: <http://www.townofmammothlakes.ca.gov/index.aspx?NID=734>

Attachment 13: North Old Mammoth Road District Special Study – available online at: <http://www.townofmammothlakes.ca.gov/DocumentCenter/Home/View/540>

Attachment 14: Public Comment Letters