# Planning and Economic Development Commission Agenda

**Wednesday, December 11, 2024, 9:00 a.m.**

**437 Old Mammoth Road, Suite Z, Mammoth Lakes**

Members of the Planning and Economic Development Commission

Commissioner Greg Eckert, Commissioner Cynthia Fleming, Commissioner Lana Grand,
Vice Chair Dawn Vereuck, Chair Michael Vanderhurst

NOTE: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Town Clerk at (760) 965-3602. Notification 48 hours prior to the meeting will enable the Town to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 13.102-35.104 ADA Title II)

NOTE: Materials related to an item on this agenda submitted after distribution of the agenda packet are available for public inspection in the Town Offices located at 437 Old Mammoth Road, Suite 230 during normal business hours. Such documents are also available on the Town of Mammoth Lakes website at www.townofmammothlakes.ca.gov subject to staff's ability to post the documents before the meeting.

NOTE: You may watch the Planning and Economic Development Commission meetings on the Town of Mammoth Lakes' website at www.townofmammothlakes.ca.gov, on the local government cable channel 18, via Zoom or in person. Public comments can be submitted to the Town Clerk at clerk@townofmammothlakes.ca.gov before and during the meeting, via Zoom or in person.

NOTE: All comments will be limited to a speaking time of five minutes.

## ZOOM INFORMATION

*Join from a PC, Mac, iPad, iPhone, or Android device:*
*Please click this URL to join. https://monocounty.zoom.us/s/94467884456*
*Or join by phone:*
*Dial (for higher quality, dial a number based on your current location):*
*US: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 312 626 6799 or +1 646 876 9923 or +1 301 715 8592*
*Callers - To Raise your hand press *9, To Unmute/Mute press *6*
*Webinar ID: 944 6788 4456*
*International numbers available: https://monocounty.zoom.us/u/aeHBYOcpOu*

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. PUBLIC COMMENTS

The Public Comment portion of the agenda provides the public with an opportunity to address the Planning and Economic Development Commission on matters not otherwise listed on the agenda. Under California law the Planning and Economic Development Commission is prohibited from generally discussing or taking action on items not included in the agenda; however, the Commission may briefly respond to comments or questions from members of the public. Therefore, the Commission will listen to all public comment, but will not generally discuss the matter or take action on it. Requests for service from the Town may also be made at the Town offices during regular business hours. Members of the public desiring to speak on a matter appearing on the agenda should ask the Chair for the opportunity to be heard when the item comes up for Commission consideration.

4. PUBLIC HEARINGS

Public Hearing Procedure: The Chair will open the public hearing and then: Statement and presentation by staff. Statement and presentation by property owner or appellant. Questions from the Planning and Economic Development Commission. Call for testimony from those persons wishing to speak. Rebuttal to previous testimony by property owner or appellant. Close the public hearing, terminating public testimony. The Commission will deliberate the matter and arrive at a decision.

4.1 Consideration of District Zoning Amendment 24-001, Use Permit 24-004, and Tentative Tract Map 24-003 for a subsequent amendment to the Amended Phase One Clearwater Specific Plan (CSP) located at 164 Old Mammoth Road to modify the permitted uses for the

Amended Phase One CSP by adding Condominium Hotel uses subject to a use permit and subdivision map approval. The application includes a Tentative Tract Map for the subdivision of the twenty (20) units within the five four-plex structures (“Villas”) into condominium hotel units that may be sold individually. The project was previously analyzed pursuant to the California Environmental Quality Act (CEQA) in the 2021 Addendum to the Clearwater Specific Plan Environmental Impact Report. This item was continued from the November 13, 2024, meeting.

5. CONSENT AGENDA

5.1 Approve the minutes of the regular meeting of October 9, 2024.

5.2 Approve the minutes of the regular meeting of November 13, 2024.

## 6. COMMISSIONER REPORTS

Informational reports from Commissioner representatives on committees, commissions, and organizations; general reports on Commission activities. Opportunity to add urgency items pursuant to Government Code Section 54954.2(b)2, if necessary; and to remove items from consent for separate discussion.

Design Committee - Dawn Vereuck and Cynthia Fleming

Mobility Committee - To be appointed

## 7. DIRECTORS REPORT

The Director's Report portion of the agenda provides the Director with an opportunity to address the Planning and Economic Development Commission on Community and Economic Development work items.

## 8. ADJOURNMENT

The Planning and Economic Development Commission will adjourn to a regular meeting to be held on January 8, 2025.

# Planning and Economic Development Commission
# Agenda Action Sheet

**Title:** Consideration of District Zoning Amendment 24-001, Use Permit 24-004, and Tentative Tract Map 24-003 for a subsequent amendment to the Amended Phase One Clearwater Specific Plan (CSP) located at 164 Old Mammoth Road to modify the permitted uses for the Amended Phase One CSP by adding Condominium Hotel uses subject to a use permit and subdivision map approval. The application includes a Tentative Tract Map for the subdivision of the twenty (20) units within the five four-plex structures ("Villas") into condominium hotel units that may be sold individually. The project was previously analyzed pursuant to the California Environmental Quality Act (CEQA) in the 2021 Addendum to the Clearwater Specific Plan Environmental Impact Report. This item was continued from the November 13, 2024, meeting.

**Commission Meeting Date:** 12/11/2024

**Prepared by:** Kim Cooke, Senior Planner

**Recommended Motion:** Staff recommends the Planning and Economic Development Commission adopt the Resolution, making the required CEQA and Municipal Code findings, and recommending to the Town Council approval of District Zoning Amendment 24-001, Use Permit 24-004, and Tentative Tract Map 24-003, with conditions as recommended by staff.

**Summary:** The proposed project consists of a subsequent amendment to the Amended Phase One Clearwater Specific Plan (CSP) to: (1) add condominium hotel uses to the permitted land use table subject to use permit and subdivision map approval, and (2) remove language prohibiting condominium hotel uses in the Amended Phase One CSP project. The application includes a use permit for the proposed condominium hotel use and a tentative tract map for the subdivision of the 20 units within the five (5) four-plex structures ("Villas") into condominium hotel units that may be sold individually. No additional development on the site is currently proposed.

# Town of Mammoth Lakes

# Planning & Economic Development Commission Staff Report

# Meeting Date: December 11, 2024

**AGENDA TITLE:** Consideration of District Zoning Amendment 24-001, Use Permit 24-004, and Tentative Tract Map 24-003 for a subsequent amendment to the Amended Phase One Clearwater Specific Plan (CSP) located at 164 Old Mammoth Road to modify the permitted uses for the Amended Phase One CSP by adding Condominium Hotel uses subject to a use permit and subdivision map approval. The application includes a Tentative Tract Map for the subdivision of the twenty (20) units within the five four-plex structures ("Villas") into condominium hotel units that may be sold individually. The project was previously analyzed pursuant to the California Environmental Quality Act (CEQA) in the 2021 Addendum to the Clearwater Specific Plan Environmental Impact Report. **This item was continued from the November 13, 2024, meeting.**

Applicant/ Property Owner: Matthew Mering / WH SN Mammoth, L.L.C.

**REQUESTING DEPARTMENT:**
**Community & Economic Development**
Nolan Bobroff, CED Director
Kim Cooke, Senior Planner

**OBJECTIVE:**

1. Hear Staff and Applicant presentations
2. Hold Public Hearing
3. Planning & Economic Development Commission (PEDC) discussion
4. PEDC action to either:
    a. Adopt the Planning and Economic Development Commission Resolution, making the required CEQA and Municipal Code findings, and recommending to the Town Council approval of District Zoning Amendment 24-001, Use Permit 24-004, and Tentative Tract Map 24-003 as recommended by staff;
    b. Adopt the Resolution with modifications; or
    c. Deny the Resolution

**SUMMARY**

Proposal: The proposed project consists of a subsequent amendment to the Amended Phase One Clearwater Specific Plan (CSP) to: (1) add condominium hotel uses to the permitted land use table subject to use permit and subdivision map approval, and (2) remove language prohibiting condominium hotel uses in the Amended Phase One CSP project. The application includes a use permit for the proposed condominium hotel use and a tentative tract map for the subdivision of the 20 units within the five (5) four-plex structures ("Villas") into condominium hotel units that may be sold individually. No additional development on the site is currently proposed.

| | |
|---|---|
| Project Name: | Outbound Hotel “Villas” Project |
| Location: | 164 Old Mammoth Road |
| Size of Property: | 6.1 acres |
| Zoning: | Clearwater Specific Plan |
| General Plan: | Clearwater Specific Plan |
| Environmental Review: | Pursuant to the California Environmental Quality Act (CEQA) Guidelines Section §15162, no subsequent environmental review is required because there is no substantial evidence that the proposed Outbound Hotel “Villas” Project would result in any new significant effects or a substantial increase in the severity of previously identified significant effects. The Outbound Hotel “Villas” project is consistent with the scope of development analyzed in the October 2021 Addendum to the Clearwater Specific Plan EIR (SCH# 2006062154) which concluded that no new or increased significant environmental impacts would result from the project. |

**KEY ISSUES**

1. Can the findings be made for approval of a District Zoning Amendment (Specific Plan Amendment) pursuant to Municipal Code (MC) Section 17.112.060?
2. Can the findings be made for approval of a Use Permit pursuant to Municipal Code (MC) Section 17.68.050.?
3. Can the findings be made for approval of a Tentative Tract Map pursuant to the State Subdivision Map Act?
4. Is the proposed project consistent with the California Environmental Quality Act (CEQA)?

## I. INTRODUCTION AND BACKGROUND

The Clearwater Specific Plan (CSP) was adopted by the Town of Mammoth Lakes in January 2009, for the development of a new, pedestrian oriented, mixed-use, resort destination development located in the North Old Mammoth Road District of the Town. Adoption of the CSP included approval of Final Clearwater Specific Plan Environmental Impact Report (CSP EIR) (SCH# 2006062154).

In March 2010, in compliance with the CSP, the PEDC approved a vesting tentative tract map, use permit, and design review for a mixed-use project called "Old Mammoth Place." The Old Mammoth Place entitlements included up to 340 residential units with up to 488 lodging rooms, eight on-site workforce housing units, multiple outdoor public events plazas, approximately 20,000 square feet of commercial/retail space, approximately 17,000 square feet of restaurant space, 9,500 square feet of conference space, a 4,500 square-foot spa and wellness center, an ice rink, a pool, and an underground parking garage covering the entire site. As a part of the Old Mammoth Place project, the Town approved DZA 09-002 in April 2010, to clarify how building height is to be measured when a building sits atop a parking garage and DZA 10-002 in June 2010, to provide clarification on how fees would be charged for the entitled project.

Over the period of approximately six years following the Old Mammoth Place project approval, there proved to be no financing available to construct the project and no market for the sale of condominium hotel rooms. In August 2016, as an effort to improve the economic viability and marketability of the project, the owner obtained approval of amendments to the CSP (DZA 15-002) and the Old Mammoth Place entitlements, which included a 10-foot increase in building height, an increase in net residential square footage, and the elimination of an on-site workforce housing requirement. At that time, a CEQA addendum to the CSP EIR (Old Mammoth Place CUP Addendum [SCH# 2006062154]) was prepared. The Addendum concluded that the proposed modifications were consistent with what was analyzed as part of the CSP Final EIR. This Addendum was approved in 2016.

In September 2021, a new application was submitted to amend the CSP to establish interim development standards to serve as zoning for Phase One of the CSP. The interim development standards accommodated a less intensive expansion and upgrade of the existing hotel, restaurant, and public spaces than envisioned by the CSP/ Old Mammoth Place entitlements, while still allowing for future development consistent with the CSP's long-term vision and goals. The Town Council approved DZA 21-001 in December 2021.

The Planning and Economic Development Commission approved a Major Design Review (DR 21-005) application in February 2022, for a project consisting of interior and exterior improvements to the existing 149-unit hotel and Rafters restaurant, the construction of 30 new resort cabin units, including five (5) four-plex "Villa" structures, an expanded event/meeting space, and added amenities for both guests and the community. The project also included 7 on-site affordable housing units located within an existing spa building, a Parking Management Plan to allow for a 15% reduction in required parking (186 parking spaces proposed) and the incorporation of a valet program, and a range of regularly scheduled events managed by the Events Management Plan. Construction of the approved project began in April 2022 and is nearing completion with several final requirements and conditions of approval that must be satisfied before a final certificate of occupancy can be issued.

**Project Proposal**

The proposed subsequent amendment to the Amended Phase One CSP consists of a District Zoning Amendment (DZA) request to modify the permitted uses for the Amended Phase One CSP by adding 'condominium hotel uses subject to a use permit and subdivision map approval.' The proposed amendment includes a definition for condominium hotel uses, adds development and operating standards applicable to condominium hotel uses, and removes language that previously excluded condominium hotel uses from the Amended Phase One CSP development project. Additional minor text revisions are included to provide greater clarity to the reader.

The purpose of the proposed amendment to the Amended Phase One CSP is to allow the current property owner to subdivide the 20 units within the five (5) existing fourplex structures ("Villas" units) into 20 condominium hotel units that may be sold individually. A Use Permit application and a Tentative Tract Map application are included with this entitlement package as required pursuant to the proposed subsequent amendment to the Amended Phase One CSP. The applicant's intent is also to preserve the regulatory framework established by the CSP which would allow a future redevelopment project consistent with the CSP's long-term vision and goals. No additional development on the site is currently proposed. **Figure 1** (below) depicts the proposed lot configuration provided by the applicant for the creation of a separate "condominium owners' association" lot (Lot 1) for the proposed condominium hotel component of the site, plus a remainder "resort owner" lot, with required easements noted for shared access, parking, snow storage, trash enclosure, utilities, and other shared facilities. The final easement language and configuration will be completed through a Reciprocal Easement Agreement (REA) which is subject to review and approval by Town staff prior to Final Map Approval.

**Existing Site and Surrounding Land Uses**

The 6.1-acre site is in the Old Mammoth Road neighborhood district as identified in the General Plan and is bounded by Old Mammoth Road to the east, Laurel Mountain Road to the west, and Sierra Nevada Road to the south. Multi-family residential and multi-tenant commercial uses abut the north property line. Existing buildings and uses on the property include the Outbound Hotel campus, which is comprised of 179 hotel accommodation rooms, 7 affordable housing units, and the Bar Sierra restaurant. See **Figure 2** (below) for a recent aerial view of the existing site and surrounding properties.

**Figure 1: Proposed Subdivision Configuration**

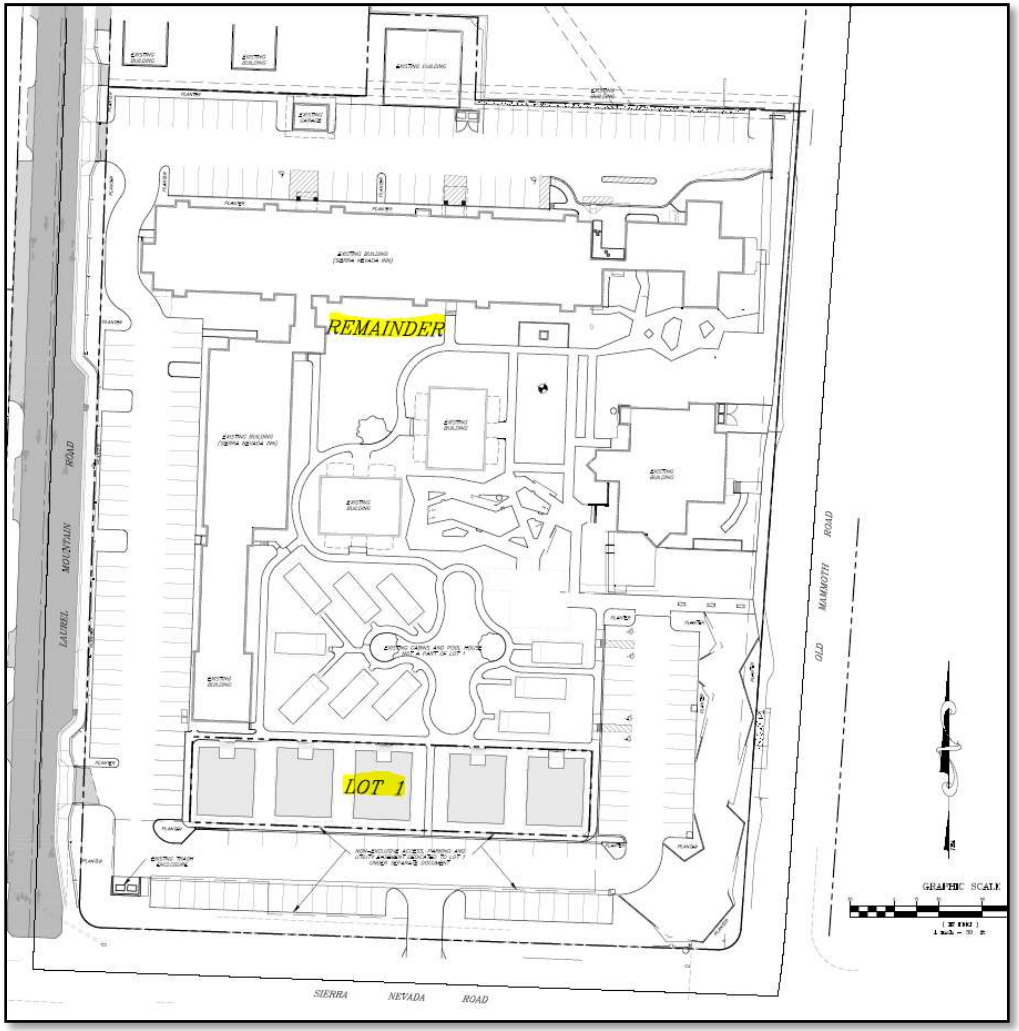



**Figure 2: Aerial View with Surrounding Land Use Context**



The property is zoned Clearwater Specific Plan (CSP), and the surrounding land uses include both commercial and residential uses. **Table 1** describes the surrounding land uses and zoning.

**Table 1: Surrounding Land Uses and Zoning**

| Location | Zoning* | Land Use | Special Considerations |
|---|---|---|---|
| North | D; OMR | Outpost/Mammoth Mall (commercial); Krystal Villa East (residential condos) | The Use Permit process is intended to evaluate the proposed location, design, configuration, and potential impacts of the proposed use, to evaluate the compatibility of the proposed use with surrounding uses and the suitability of the use to the site. |
| South | RMF-2 | Sierra Park Villas (residential condos) | |
| East | OMR | Sierra Manor (residential condos) | |
| West | OMR | Commercial, apartments, L'Abri (residential condos) | |

*D = Downtown; OMR = Old Mammoth Road; RMF-2 = Residential Multi-Family 2

**Site Zoning**

As discussed above, the property is zoned Clearwater Specific Plan (CSP) and is subject to the Amended Phase One Clearwater Specific Plan, as adopted in December 2021. There are three land use designations under The Clearwater Specific Plan which are depicted in **Figure 3** below. The proposed Outbound "Villas" subdivision for condominium hotel purposes is located within Land Use Area 2, which is designated for condominium hotel, and described as, "A building or combination of buildings that function as a hotel with privately held condominium hotel units or traditional hotel units. "

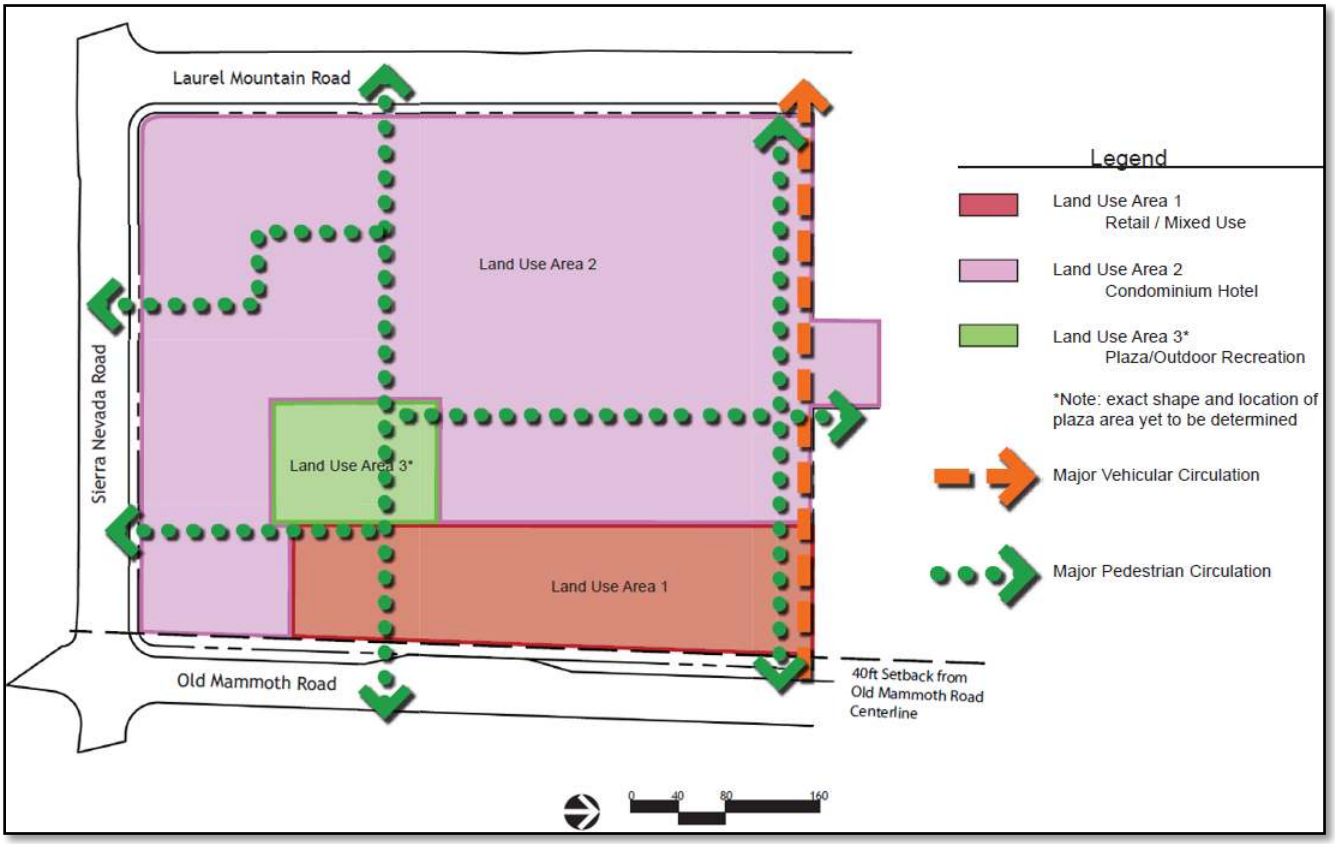



**Figure 3: CSP Conceptual Land Use Diagram**

**Consistency with the Clearwater Specific Plan**
The proposed subsequent amendment to the Amended Phase One Clearwater Specific Plan upholds the overall intent and goals of the original CSP and the Amended Phase One CSP. Condominium hotel uses are permitted within the CSP and, therefore, the conversion of the "Villas" to condominium hotel units will comply with the permitted uses in the CSP, as well as with the conceptual land use diagram of the CSP.

**General Plan Consistency**
The site is located within the Clearwater Specific Plan (CSP) land use designation of the 2007 General Plan. The intent of the CSP designation is to provide "for a pedestrian-oriented, mixed-use district for residents and visitors within the North Old Mammoth Road area. Permitted uses include hotel, condominium-hotel, workforce housing, street front retail along Old Mammoth Road, and a large public plaza intended for use as an event venue. The base density is forty (40) hotel rooms per acre with the potential for up to eighty (80) hotel rooms per acre. Pursuant to the Clearwater Specific Plan, significant community benefits are required to be provided. Workforce housing and commercial uses are exempt from density calculations." Please see **Key Issue #1** below for staff's analysis of the project's consistency with the General Plan.

**SB 18 Tribal Consultation**
Senate Bill 18 (SB 18) law requires local governments to initiate consultation with California Native American Tribes when a project creates or amends general or specific plans and/or undertakes development projects that trigger the California Environmental Quality Act (CEQA). Since this application includes an amendment to a Specific Plan, the SB 18 tribal consultation process was followed. Letters inviting tribal consultation and project review were sent to tribes included on the Native American Contact List provided by the Native American Heritage Commission on August 30, 2024. The required 90-day period for Native American Tribes to request consultation ended on November 29, 2024. Staff did not receive any requests for consultation during the 90-day period, thereby concluding the SB 18 tribal consultation process.

**Public Notice**
A Public Hearing Notice, which included a project description, was mailed to the 504 property owners within 300 feet of the subject property on October 30, 2024, and was published in The Sheet newspaper on November 2, 2024 and November 9, 2024, to inform the neighbors and the overall community of the proposed project. The public hearing was originally scheduled for the November 13, 2024, PEDC meeting, but was continued to the December 11, 2024, PEDC meeting to allow for additional time for staff to work with the applicant on the specific language included in the subsequent amendment to the Amended Phase One CSP and conditions of approval for the project. The public hearing was not re-noticed because the item was continued to a date certain, which does not require re-noticing of the public hearing.

If the PEDC recommends approval of this application to the Town Council, a future Public Notice will be mailed to the same 504 property owners and will be published in The Sheet newspaper prior to the public hearing before the Town Council.

No public comments were received at the time this staff report was published.

## II. ANALYSIS OF KEY ISSUES

1. **Key Issue #1: Can the findings be made for adoption of a Specific Plan Amendment pursuant to Municipal Code (MC) Chapter 17.112.060?**
   Pursuant to Section 17.112.070(C)(1), "an adopted specific plan may be amended through the same procedure specified by this chapter for the adoption of a specific plan." Therefore, the proposed subsequent amendment to the Amended Phase One CSP must meet the required findings for adoption of a Specific Plan as set forth in MC Section 17.112.060. Staff has determined that the required findings can be made for approval of a Specific

Plan pursuant to MC Chapter 17.112.060. Specifically, staff finds that by allowing the proposed district zoning amendment to modify the permitted uses for the Amended Phase One CSP, which would add condominium hotel uses subject to a use permit and subdivision map approval; the Amended Phase One project will remain consistent with the overarching goals included in the Amended Phase One CSP, as well as the original CSP document.

In addition, staff finds that there are no substantial changes to the project from what was analyzed in the 2021 Addendum to the Clearwater Specific Plan EIR that will require revisions to the Addendum, and therefore, the proposed project is in compliance with the provisions of the California Environmental Quality Act (CEQA). Staff's analysis of the Specific Plan approval criteria is included below.

**Section 17.112.060, Findings and Decision - The Council may adopt a specific plan, with or without conditions, only after all of the following findings are made:**

**A. That the specific plan is consistent with the General Plan and other adopted goals and policies of the Town;**

The proposed subsequent amendment to the Amended Phase One Clearwater Specific Plan (CSP) is consistent with the General Plan and other adopted goals and policies of the Town because the amendment will result in a project that continues to meet the intent, goals, and objectives of the 2007 General Plan, and the CSP. The amendment proposes to modify the permitted uses for the Amended Phase One CSP by adding condominium hotel uses subject to a use permit and subdivision map approval. The proposed amendment includes a definition for condominium hotel uses, adds development and operating standards applicable to condominium hotel uses, and removes language that excludes condominium hotel uses from the Amended Phase One CSP development project.

The purpose of the proposed amendment to the Amended Phase One CSP is to allow the current property owner to subdivide the 20 existing units within five fourplex structures ("Villas" units) into 20 condominium hotel units that may be sold individually. The proposed amendment is consistent with allowable land uses identified in Section 5.2.1, Land Use Designations, of the CSP, which states, "Land Use Area 2: Residential: A building or combination of buildings that function as a hotel with privately held condominium hotel units or traditional hotel units."

The proposed amendment does not increase the allowable density or intensity of development subject to the Amended Phase One CSP, and importantly, the amendment also maintains the existing allowances of the CSP for future redevelopment, thereby ensuring that any goals not met by the current development can be met when the site redevelops in the future.

Finally, the proposed subsequent amendment to the Amended Phase One CSP maintains consistency with the intent of the General Plan's Clearwater Specific Plan land use designation, which is to provide "for a pedestrian-oriented, mixed-use district for residents and visitors within the North Old Mammoth Road area. Permitted uses include hotel, condominium-hotel, workforce housing, street front retail along Old Mammoth Road, and a large public plaza intended for use as an event venue…" The base density is forty (40) hotel rooms per acre with the potential for up to eighty (80) hotel rooms per acre. Pursuant to the Clearwater Specific Plan, significant community benefits are required to be provided. Workforce housing and commercial uses are exempt from density calculations."

**B. That the specific plan is consistent with any applicable airport land use plan as required by Government Code Section 65302.3; and**

Not applicable, as there are no applicable airport land use plans that have an impact on the CSP.

C. **That the specific plan is in compliance with the provisions of the California Environmental Quality Act (CEQA).**

Pursuant to CEQA Guidelines Section §15162, no subsequent environmental review is required because there is no substantial evidence that the proposed District Zoning Amendment, Tentative Tract Map, and Use Permit application for the Outbound Hotel "Villas" Project would result in any new significant effects or a substantial increase in the severity of previously identified significant effects. The Outbound Hotel "Villas" project is consistent with the scope of development contemplated for the Amended Phase One Clearwater Specific Plan development project analyzed in the October 2021 Addendum to the Clearwater Specific Plan EIR. Therefore, with the incorporation of applicable mitigation measures from the 2021 EIR Addendum, the Specific Plan Amendment is in compliance with the provisions of the California Environmental Quality Act (CEQA).

2. **Key Issue #2: Can the findings be made for approval of a Use Permit pursuant to Municipal Code (MC) Section 17.68.050?**

The proposed subsequent amendment to the Amended Phase One CSP requires use permit approval and subdivision map approval for condominium hotel uses. Staff have determined that the required findings can be met for approval of a Use Permit pursuant to MC Section 17.68.050 (Use Permit Findings). Staff's complete analysis of the required findings can be found in the project Resolution, included as **Attachment 1**.

The proposed subdivision configuration in the context of the existing site layout and project design provides the necessary site amenities that would be required of other condominium hotel developments including site access, designated parking, required dumpster, and snow storage. Additionally, the proposed condominium hotel use will be occupied and operated as a transient rental (lodging) use in such a way that will not be detrimental to the health and safety of the surrounding community nor injurious to properties or improvements in the vicinity.

3. **Key Issue #3: Can the findings be made for approval of a Tentative Tract Map pursuant to the State Subdivision Map Act?**

Pursuant to the State Subdivision Map Act, the project requires approval of a Tentative Tract Map since the proposed project is a common interest subdivision for condominium hotel units that can be individually owned and sold. Prior to Final Map approval, the applicant team shall obtain Town staff approval of the Reciprocal Easement Agreement and associated exhibits, CC&Rs applicable to the condominium hotel units, and a condominium plan. Staff has reviewed the tentative map and finds that it is in conformance with the Town's Subdivision Ordinance and the State Subdivision Map Act. Tentative Tract Map 24-004 is included in **Attachment 2**.

4. **Key Issue #4: Is the proposed project consistent with the California Environmental Quality Act (CEQA)?**

Staff determined that the Outbound Hotel "Villas" Project is consistent with the scope of development contemplated for the Amended Phase One CSP project as analyzed in the October 2021 Addendum to the Clearwater Specific Plan EIR, which concluded that the proposed project modifications are minor technical changes that do not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The applicable mitigation measures from the 2021 Addendum remain applicable and are included as conditions of approval for the project. The 2021 CEQA Addendum is included as **Attachment 3**.

**Agency/Public Comments**

Staff has been working closely with various local agencies throughout the planning process. The project was routed to Mammoth Community Water District, Mammoth Lakes Fire District, and internal Town departments for review. The Conditions of Approval included with the PEDC Resolution **(Attachment 1)** require compliance with all applicable local agency requirements.

In addition, notice of the public hearing, including a project description, was mailed to 504 property owners within 300 feet of the subject property and a Public Notice was published in The Sheet newspaper on November 2nd and November 9th. No public comments were received at the time this staff report was published.

## III. STAFF FINDINGS AND RECOMMENDATION

Staff finds that the proposed Outbound "Villas" Project meets the applicable requirements and recommends that the Planning and Economic Development Commission adopt the attached Planning and Economic Development Commission Resolution, making the required CEQA and Municipal Code findings, and recommending to the Town Council approval of District Zoning Amendment 24-001, Use Permit 24-004, and Tentative Tract Map 24-003, with conditions as recommended by staff or with modifications.

**Attachments**

Attachment 1: Planning and Economic Development Commission Resolution
- Exhibit A: Conditions of Approval
- Exhibit B: DZA 24-001: Subsequent Amendment to the Amended Phase One Clearwater Specific Plan

Attachment 2: Tentative Tract Map Plan Sheets 1 and 2
Attachment 3: 2021 Addendum to the Clearwater Specific Plan Environmental Impact Report
Attachment 4: Application Narrative

# ATTACHMENT 1

# PEDC Resolution No. 2024-13

Recording Requested by and )
When Recorded Mail To: )
)
Town of Mammoth Lakes )
Community & Economic Development Department )
P.O. Box 1609 )
Mammoth Lakes, CA 93546 ) _____

Recordation fee exempt per Government Code §27383
Space Above for Recorder's Use

# RESOLUTION NO. PEDC 2024-13

# A RESOLUTION OF THE MAMMOTH LAKES PLANNING AND ECONOMIC DEVELOPMENT COMMISSION RECOMMENDING TO THE TOWN COUNCIL APPROVAL OF DISTRICT ZONING AMENDMENT 24-001, TENTATIVE TRACT MAP 24-003, AND USE PERMIT 24-004, FOR A SUBSEQUENT AMENDMENT TO THE AMENDED PHASE ONE CLEARWATER SPECIFIC PLAN DOCUMENT TO ALLOW THE SUBDIVISION OF THE TWENTY UNITS WITHIN THE FIVE FOURPLEX STUCTURES ("VILLAS" UNITS) INTO TWENTY CONDOMINIUM HOTEL UNITS LOCATED AT 164 OLD MAMMOTH ROAD

## (APN: 035-230-012-000)

**WHEREAS**, a request for consideration of a District Zoning Amendment, Tentative Tract Map, and Use Permit was filed by Matthew Mering on behalf of the property owner, WH SN Mammoth, L.L.C., for a subsequent amendment to the Amended Phase One Clearwater Specific Plan (CSP) to add condominium hotel uses to the permitted land use table subject to use permit and subdivision map approval and remove language prohibiting condominium hotel uses in the Amended Phase One project. The application also includes a Tentative Tract Map for the subdivision of the twenty units within the five (5) four-plex structures ("Villas" units) into twenty condominium hotel units that may be sold individually. The applications were submitted in accordance with Chapter 17.112 (Specific Plans), of the Town of Mammoth Lakes Municipal Code, and Section 10.0 of the Clearwater Specific Plan, for property located within the Clearwater Specific Plan Zoning District at 164 Old Mammoth Road; and

**WHEREAS**, the noticed public hearing was opened on November 13, 2024, at which time the public hearing was continued to the regularly scheduled December 11, 2024, PEDC meeting; and

**WHEREAS**, the Planning and Economic Development Commission conducted the continued public hearing on December 11, 2024, at which time all those desiring to be heard were heard; and

**WHEREAS**, the Planning and Economic Development Commission considered, without limitation:

1. The staff report to the Planning and Economic Development Commission with attachments;
2. The 2007 General Plan, the Clearwater Specific Plan, the Amended Phase One Clearwater Specific Plan, and the Municipal Code;
3. Oral and written evidence submitted at the hearing;
4. District Zoning Amendment (DZA) 24-001, Tentative Tract Map (TTM) 24-003, and Use Permit (UPA) 24-004 applications received by the Town of Mammoth Lakes on July 15, 2024;
5. The Amended Phase One Clearwater Specific Plan document with proposed revisions shown as ~~strikeout~~ (removed) or underlined (added) text, dated December 11, 2024, and attached hereto as Exhibit B; and
6. The 2021 Addendum to the Clearwater Specific Plan Environmental Impact Report (EIR) (State Clearinghouse No. 2006062154).

**NOW THEREFORE, THE PLANNING AND ECONOMIC DEVELOPMENT COMMISSION OF THE TOWN OF MAMMOTH LAKES DOES RESOLVE, DETERMINE, FIND AND ORDER AS FOLLOWS:**

## SECTION 1. FINDINGS.

### 1. CEQA.

**CEQA Guidelines Section 15162**

The Planning and Economic Development Commission considered the 2021 Addendum to the Clearwater Specific Plan Environmental Impact Report (EIR) (State Clearinghouse No. 2006062154) together with the Clearwater Specific Plan EIR, pursuant to the CEQA Guidelines Section 15162, and finds that on the basis of the whole record, there is no substantial evidence that the proposed Outbound Hotel "Villas" project will result in any new significant effects or a substantial increase in the severity of previously identified significant effects.

**a.** The Planning and Economic Development Commission finds that there are no substantial changes to the project from what was analyzed in the Addendum to the Clearwater Specific Plan EIR that will require revisions to the Addendum, and therefore, no new significant environmental effects or a substantial increase in the severity of previously identified significant effects will occur.

**b.** There are no substantial changes with respect to the circumstances under which the project is being undertaken that will require major revisions to the adopted 2021 Addendum to the Clearwater Specific Plan EIR because the Outbound Hotel "Villas" project involves the subdivision of the twenty units within the five existing four-plex structures for condominium hotel purposes, in a location that the Clearwater Specific Plan identifies for siting condominium hotel uses. Therefore, the 2021 Addendum is adequate because it demonstrates that the environmental analysis and impacts identified in the Clearwater Specific Plan EIR remain substantively unchanged by the proposed district zoning amendment, tentative tract map, and use permit, and supports the finding that

the project does not result in any new environmental effects and does not exceed the level of impacts identified in the EIR.

**c.** There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified and at the time that the 2021 EIR Addendum was adopted, to show that:

(1) The project will have one or more significant effects not previously discussed in the EIR since, as described in the 2021 Addendum to the Clearwater Specific Plan EIR, no changes have occurred with respect to the intensity of the development that was previously analyzed, and all potential environmental effects were found to be adequately analyzed in the 2021 Addendum to the Clearwater Specific Plan EIR;

(2) Significant effects previously examined will be substantially more severe than shown in the previous EIR. The Amended Phase One to the Clearwater Specific Plan would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects. No new information has become available and no substantial changes to the circumstances (under which the project is being undertaken) since the certification of the Final EIR and the 2016 Addendum has occurred.

(3) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative. 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 certified Final EIR and the 2016 Addendum to the Clearwater Specific Plan EIR.

(4) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR and would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative. 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 certified Final EIR and the 2016 Addendum to the Clearwater Specific Plan EIR.

Therefore, none of the criteria in CEQA Guidelines §15162 calling for preparation of subsequent environmental review has occurred. The Outbound Hotel "Villas" Project is consistent with the scope of development contemplated for the Amended Phase One CSP project as analyzed in the October 2021 Addendum to the Clearwater Specific Plan EIR, which supports the conclusion that the proposed project modifications are minor technical changes that do not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

The applicable mitigation measures from the 2021 Addendum remain applicable and are included as conditions of approval for the project.

**d.** The Planning and Economic Development Commission finds that the proposed Outbound Hotel "Villas" Project will not result in a safety hazard or noise problem for persons using the Mammoth Yosemite Airport or for persons residing or working in the Project area because the Project site is located approximately seven miles from the Mammoth Yosemite Airport.

**e.** A program for reporting on or monitoring the required mitigation measures has been adopted.

**f.** All applicable mitigation measures shall be conditions of Project approval.

**2. FINDINGS FOR SPECIFIC PLAN AMENDMENT**
(Municipal Code §17.112.060)

**a. The specific plan is consistent with all applicable sections of the General Plan and Title 17 and is consistent with other adopted goals and policies of the Town.**

The proposed subsequent amendment to the Amended Phase One Clearwater Specific Plan (CSP) is consistent with the General Plan and other adopted goals and policies of the Town because the amendment will result in a project that continues to meet the intent, goals, and objectives of the 2007 General Plan, and the Clearwater Specific Plan. The amendment proposes to modify the permitted uses for the Amended Phase One CSP by adding condominium hotel uses subject to a use permit and subdivision map approval. The proposed amendment includes a definition for condominium hotel uses, adds development and operating standards applicable to condominium hotel uses, and removes language that excludes condominium hotel uses from the Amended Phase One CSP development project.

The purpose of the proposed amendment to the Amended Phase One CSP is to allow the current property owner to subdivide five existing fourplex structures referred to as the "Villas" into 20 condominium hotel units. The proposed amendment is consistent with the allowable land uses identified in Section 5.2.1, Land Use Designations, of the CSP, which states, "Land Use Area 2: Residential: A building or combination of buildings that function as a hotel with privately held condominium hotel units or traditional hotel units."

The proposed amendment does not increase the allowable density or intensity of development subject to the Amended Phase One CSP, and importantly, the amendment also maintains the existing allowances of the CSP for future redevelopment, thereby ensuring that any goals not met by the current development can be met when the site redevelops in the future.

Finally, the proposed subsequent amendment to the Amended Phase One CSP maintains consistency with the intent of the General Plan's Clearwater Specific

Plan land use designation, which is to provide "for a pedestrian-oriented, mixed-use district for residents and visitors within the North Old Mammoth Road area. Permitted uses include hotel, condominium-hotel, workforce housing, street front retail along Old Mammoth Road, and a large public plaza intended for use as an event venue. The base density is forty (40) hotel rooms per acre with the potential for up to eighty (80) hotel rooms per acre. Pursuant to the Clearwater Specific Plan, significant community benefits are required to be provided. Workforce housing and commercial uses are exempt from density calculations."

**b. That the specific plan is consistent with any applicable airport land use plan as required by Government Code Section 65302.3; and**

Not applicable, as there are no applicable airport land use plans that have an impact on the Clearwater Specific Plan.

**c. That the specific plan is in compliance with the provisions of the California Environmental Quality Act (CEQA).**

Pursuant to CEQA Guidelines Section §15162, no subsequent environmental review is required because there is no substantial evidence that the proposed District Zoning Amendment, Tentative Tract Map, and Use Permit application for the Outbound Hotel "Villas" project would result in any new significant effects or a substantial increase in the severity of previously identified significant effects. The Outbound Hotel "Villas" project is consistent with the scope of development contemplated for the Amended Phase One Clearwater Specific Plan development project analyzed in the October 2021 Addendum to the Clearwater Specific Plan EIR. Therefore, with the incorporation of applicable mitigation measures from the 2021 EIR Addendum, the Specific Plan Amendment is in compliance with the provisions of the California Environmental Quality Act (CEQA).

**3. FINDINGS FOR USE PERMIT (**Municipal Code Section 17.68.050)

**a. The proposed use is consistent with all applicable sections of the General Plan and Title 17 and is consistent with any applicable Specific Plan;**

The 2007 *Town of Mammoth Lakes General Plan* land use map designates the entire project site Clearwater Specific Plan (CSP). The CSP land use designation allows hotel, condominium-hotel, workforce housing, street front retail along Old Mammoth Road, and plaza areas for gathering/events. The Outbound Hotel "Villas" Project proposes to subdivide five existing fourplex ("Villas") structures into twenty condominium hotel units. The location of the Villa structures is situated in Land Use Area 2 of the CSP, which allows condominium hotel uses subject to use permit and subdivision map approval. Therefore, the proposed conversion of twenty hotel units into twenty condominium hotel units is consistent with the CSP General Plan land use designation.

The CSP sets forth the land use development standards for this site rather than Title 17 (Zoning Code). The proposed subdivision of the five (5) existing fourplex structures into twenty (20) condominium hotel units is consistent with the CSP land use designation which allows hotel, condominium hotel, retail, restaurant uses as well as amenities to enhance the visitor experience and support long-term visitation.

**b. The proposed use and the conditions under which it would be operated or maintained will not be detrimental to the public health and safety nor materially injurious to properties or improvements in the vicinity; and**

The proposed use and the conditions under which it would be operated will not be detrimental to the public health or safety nor materially injurious to properties or improvements in the vicinity because the Clearwater Specific Plan EIR (SC# 2006062154) and the 2021 Addendum analyzed potential impacts of the proposed use related to aesthetics, air quality, noise, hazards and hazardous materials, traffic, and other issues. The analyses prepared for each potential impact category concluded that the proposed project would not have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly, following conformance with the existing regulatory framework and mitigation measures.

**c. The Commission shall make such other findings as deemed necessary to support approval or denial of the proposed use.**

The Outbound Hotel "Villas" Project includes a Tentative Tract Map for the proposed subdivision of the existing twenty hotel units for condominium hotel purposes. The subsequent amendment to the Amended Phase One CSP includes the addition of a definition for condominium hotel uses as well as operating standards that are consistent with the Municipal Code and the CSP operating standards. These clarifications to the Amended Phase One CSP will ensure that the condominium hotel units continue to be operated and used as transient rentals, thereby providing an alternative lodging option that promotes a mix of uses in a pedestrian-scaled environment at a scale and form appropriate to the neighborhood context and adjacent residential uses and forms.

**4. SUBDIVISION MAP ACT FINDINGS.** (State Map Act §66474)

**a. The proposed map is consistent with applicable general and specific plans.**

The proposed map is consistent with applicable 2007 General Plan, and with the subsequent amendment to the Amended Phase One Clearwater Specific Plan (CSP) because the proposed subdivision of the five existing fourplex structures into twenty condominium hotel units that may be sold individually is a permitted use within Land Use area 2 of the Clear Water Specific Plan and is consistent with intended uses described in the General Plan Land Use designation for the CSP. The General Plan land use description for the CSP states that the designation is intended to create a visitor-oriented entertainment,

retail, and lodging district with uses including hotels, and similar visitor accommodations along with supporting restaurants, retail and services.

**b. The design or improvement of the proposed subdivision is consistent with applicable general and specific plans.**

No additional development on the site is currently proposed. However, the existing design and improvements of the subdivision are consistent with the applicable General Plan and Clear Water Specific Plan because the CSP establishes minimum parcel size for the creation of new parcels within the CSP and allows for alternative parcel sizes to be established for condominium uses in accordance with the proposed development, and subject to the approval of a subdivision map and use permit.

**c. The site is physically suitable for the type of development.**

The site is physically suitable for the type of development proposed because construction of the Amended Phase One CSP project is almost complete, and the five "Villa" structures already exist and are currently operated as traditional hotel units. The existing surface parking area located on the south side of the "Villas" can accommodate the twenty-one (21) parking spaces required to be dedicated for use by the twenty (20) proposed condominium hotel units.

The project site consists of approximately 6.1 acres and the proposed subdivision boundaries are situated so as to comply with the development standards of the CSP and the Municipal Code including minimum lot size, street access, snow storage, parking, utilities, and trash enclosure access. Additionally, since the subject "Villa" structures already exist and the site is an in-fill development, all utilities and access roadways have been improved and/or extended to service the Project area.

**d. The site is physically suitable for the proposed density of development.**

The site is physically suitable for the proposed density of development because construction of the Amended Phase One CSP project is almost complete, and the proposed subdivision is only applicable to the five existing fourplex structures which are proposed to be converted from traditional hotel units to condominium hotel units.

**e. The design of the subdivision or the proposed improvements are not likely to cause substantial environment damage or substantially and avoidably injure fish or wildlife or their habitat.**

The design of the subdivision is not likely to cause substantial environmental damage or substantially injure fish or wildlife because the project is not located within an environmentally sensitive area and because the CEQA Addendum that was prepared for the Amended Phase One CSP project supports the conclusion that the proposed project would not cause substantial environmental damage or substantially injure fish or wildlife.

**f. The design of the subdivision and types of improvements is not likely to cause serious health problems.**

The design of the subdivision is not likely to cause serious public health problems because a CEQA Addendum was prepared for the scope of the Amended Phase One CSP development project, and identified applicable mitigation measures from the certified Clearwater Specific Plan Environmental Impact Report EIR (SCH# 2006062154) which have been included as conditions of approval to ensure health-related impacts are reduced to a less than significant level. No evidence has been submitted during the planning review process to indicate that the Project would cause any serious public health problems. All necessary public services are currently provided, or can be extended to, the site for those individuals occupying and using the proposed condominium hotel facilities.

**g. The design of the subdivision and the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.**

The design of the subdivision will not conflict with easements acquired by the public at large for access through or use of the property within the proposed subdivision because all easements are shown on the tentative tract map and/or are required through the conditions of approval for the project. The proposed parcel configuration for the condominium hotel use can be accessed from Sierra Nevada Road and Laurel Mountain Road, which provides adequate street alignment and width to serve the project.

**SECTION 2. PLANNING AND ECONOMIC DEVELOPMENT COMMISSION ACTIONS.** The Planning and Economic Development Commission hereby takes the following actions:

1. Recommends to the Town Council adoption of the required CEQA and Municipal Code findings; and
2. Recommends to the Town Council approval of District Zoning Amendment (DZA) 24-001, Tentative Tract Map (TTM) 24-003, and Use Permit (UPA) 24-004.

**PASSED AND ADOPTED** this 11th day of December 2024, by the following vote, to wit:

AYES:

NAYS:

ABSENT:

ABSTAIN:

ATTEST:

| | |
|---|---|
| Nolan Bobroff,<br>Community and Economic<br>Development Director | Michael Vanderhurst,<br>Chair of the Mammoth Lakes Planning<br>and Economic Development<br>Commission |

**NOTE:** This action is subject to Chapter 17.104 of the Municipal Code, which specifies time limits for legal challenges.

**EXHIBIT "A"**
**Resolution No. PEDC 2024-13**
**Case No. DZA 24-001, UPA 24-004, TTM 24-003**

## CONDITIONS OF APPROVAL

### PLANNING DIVISION CONDITIONS

### STANDARD PLANNING CONDITIONS

1. This approval authorizes the following:
   a. The subsequent amendment to the Amended Phase One CSP to modify the permitted uses for the Amended Phase One CSP by adding condominium hotel uses subject to a use permit and subdivision approval. The proposed amendment includes a definition for condominium hotel uses, adds development and operating standards applicable to condominium hotel uses, and removes language that excludes condominium hotel uses within the Amended Phase One CSP development.
   b. Approval to subdivide the existing 20 units within the five (5) existing fourplex structures referred to as the "Villas" units into 20 condominium hotel units that may be sold individually.
2. The approved tentative tract map includes: Tentative Tract Map Plan Sheets 1-2, dated received by the Town on October 21, 2024. Drafts of the Reciprocal Easement Agreement (REA) and Exhibit A (Parking and Snow Storage), Exhibit C (Private Roadways and Paths of Travel) and Exhibit E (Shared Utilities Plan) were dated received by the Town on November 27, 2024. Prior to final map approval and recordation, the final REA and associated exhibits shall be reviewed and approved to the satisfaction of the Engineering Manager and Public Works Director.
3. This permit and all rights hereunder shall automatically terminate unless the Final Map is approved within two years after the issuance of this permit, or an extension of time has been granted in accordance with Municipal Code §17.60.060.B.
4. All new improvements constructed on the site shall be in compliance with all Town of Mammoth Lakes, County of Mono, Mammoth Community Water District, the Mammoth Lakes Fire Protection District, the CRWQCB Lahontan District, Great Basin Air Pollution Control District, OSHA, State of California and United States of America laws, statutes, ordinances, regulations, directives, orders, and the like applicable thereto and in force at the time thereof. Any violation of the above may constitute grounds for revocation under Chapter 17.128 of the Mammoth Lakes Municipal Code.
5. This resolution of approval, as conditioned herein, shall be recorded for the subject property by the Mono County Recorder's Office to commence the approved use on the property or the issuance of any building permits for new or remodeled structures.
6. The site shall be maintained in a neat, clean and orderly manner. All improvements shall be maintained in a condition of good repair and appearance. Outdoor storage

of equipment and other materials, except for firewood, is prohibited. Non-operating vehicles, equipment and materials inappropriate to the site and its use shall not be stored within outdoor areas on the site.

7. Storage of construction materials and equipment off-site shall not be permitted without a permit issued by the Community and Economic Development Department of the Town. Any public or private property altered, damaged or destroyed by site preparation, grading, construction or use shall be restored to its pre-existing condition by the permittee.
8. All uses are subject to review by the Building Official of the Town of Mammoth Lakes and must conform to occupancy ratings of the structures to obtain occupancy.
9. Town staff shall have the right to enter the subject property to verify compliance with these conditions. The holder of any permit associated with this project shall make the premises available to Town staff during regular business hours and shall, upon request make records and documents available to Town staff as necessary to evidence compliance with the terms and conditions of the permit.
10. Prior to the issuance of a certificate of occupancy, the applicant shall pay all applicable fees as prescribed by ordinance and/or resolution and pay any fees due on the project processing account.
11. Where compliance with the conditions of approval or applicant-initiated changes to the plans require additional staff review, that review time shall be billed at the Town's established billing rates. Prior to the issuance of a building or grading permit, the applicant shall pay all outstanding costs for the processing of this application.
12. This action may be appealed to the Town Council within fifteen (15) calendar days from the date of Planning and Economic Development Commission approval in accordance with Municipal Code Chapter 17.104.
13. Pursuant to Government Code Section 66474.9 the subdivider shall defend, with counsel selected by the Town, indemnify, and hold harmless the Town and its agents, officers, and employees from any claim, action, or proceeding against the Town and its agents, officers, or employees to attack, set aside, void, or annul, an approval of the Town, advisory agency, appeal board, or legislative body concerning this approval, which action is brought within the time period provided for in Government Code Section 66499.37. The Town shall promptly notify the subdivider of any claim, action, or proceeding and shall cooperate fully in the defense.
14. All exterior lighting shall comply with Chapter 17.36.030 of the Town of Mammoth Lakes Municipal Code, Exterior Lighting. Exterior light fixtures having a total of over 400 lumens of output shall be equipped with shields that extend below the horizontal plane of the light source to direct the light downward onto the structure or surrounding grounds. Accent lighting is permitted as described in Municipal Code Section 17.36.030.F.6. This shall be verified prior to issuance of a certificate of occupancy.

15. New or changed improvements, exterior illumination, elevations, designs, materials, or colors shall conform to the adopted Design Guidelines of the Town of Mammoth Lakes and will require review and approval from the Town of Mammoth Lakes Community and Economic Development Department or Planning and Economic Development Commission pursuant to Municipal Code Chapter 17.88.
16. All conditions of approval shall be printed verbatim on all of the working drawing sets used for issuance of building permits (architectural, structural, electrical, mechanical, and plumbing) and shall be referenced in the index.
17. The project shall meet the requirements of Municipal Code Chapter 17.40 (Water Efficient Landscape Regulations). All landscape plantings shall be maintained in a healthy and growing condition at all times (as applicable for the season) and individual plants shall be replaced if they become diseased or die. Landscaping and irrigation systems within the public right-of-way within or adjacent to the project area shall be maintained by the property owner, with the exception of benefit assessment district areas.
18. Developers of residential properties shall include a disclosure statement indicating that Mammoth Lakes is an area of habitat for Mountain Lions, which indicates potential risk, particularly to small children and pets. (General Plan Mitigation Measure 4.3-1)

**SPECIAL PLANNING CONDITIONS**

19. The Mitigation Monitoring and Reporting Program (MMRP) established by the Clearwater Specific Plan Final EIR and 2016 Addendum (SCH No. 2006062154) shall be adhered to in the implementation and operation of the proposed use and is incorporated herein by reference.
20. Any future changes to the CC&Rs for the Outbound "Villas" condominium hotel units which relates to a Town condition of approval for the Subdivision Map, may not be amended without the prior written consent of the Town Community and Economic Development Director and Public Works Director. Inclusion of this condition in the final CC&Rs shall be verified by the Town prior to recordation of the final map and CC&Rs.
21. The required trash enclosure shall be maintained in good condition and dumpsters shall be stored within the trash enclosure. Adequate space for recyclable materials shall be provided within the enclosure. All trash enclosures, and receptacles shall be animal resistant.
22. No snow shall shed or be deposited onto adjacent properties or Town right-of-way. This shall include snow that is removed from any portion of the property, including, but not limited to, the structure, driveway, and/or common areas. All interim snow storage areas shall be on the subject property. The property owner shall be subject to fines pursuant to Municipal Code §12.16.030 (*Snow Removal – Violation/Penalty*) if found to be in violation of this condition.
23. A key box shall be provided with an individual master key that provides access

to each unit.

**ENGINEERING DIVISION CONDITIONS**

**STANDARD CONDITIONS / GENERAL REQUIREMENTS:**

24. A final map, consistent with the tentative map and the conditions herein, shall be recorded with the County Recorder of Mono County prior to the expiration of the approved tentative map. The final map shall conform to the Subdivision Map Act and the Subdivision Ordinance for the Town of Mammoth Lakes. The tentative map shall expire 24 months after the approval date. Failure to submit to the Town a complete application for approval and recording of the final map prior to the tentative map expiration will nullify all approvals, except as such time limitation may be extended by law or by the Planning and Economic Development Commission in accordance with the Subdivision Map Act.
25. Nothing in the approval of this project shall be construed to allow for the deviation, adjustment, variance or non-conformance of any Municipal Code or ordinance, or of any local, State, or federal standard, policy, regulation or law, unless specifically provided for herein.

**THE FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO APPROVAL BY STAFF OF THE FINAL MAP:**

26. The final map shall conform to the requirements of Town of Mammoth Lakes Ordinance 84-10 and all amendments thereto.
27. As required by the Town's Subdivision Ordinance Section 17.20.160 and the most recent Town Council Resolution adopting a Schedule of Fees, the applicant shall pay a fee for each unit, parcel or lot, including lettered lots and parcels and common area lots or parcels created, to the Community and Economic Development Department for long range planning reimbursement prior to approval by staff of the final map.
28. Final map application submittal to the Town shall include a copy of the current grant deed, a preliminary title report dated within the past 30 days, copies of all exceptions, easements, restrictions and encumbrances listed in the preliminary title report, a copy of each record map for the subject property shown within the tentative map boundary, and a copy of each and every adjacent map, deed or other document as necessary that establish, or were used for the survey of, and for the retracement of the subdivision boundary.
29. All easements and dedications as shown on the tentative map shall be granted on the final map or recorded by separate document prior to or concurrent with recordation of the final map. Easements shown on the tentative map to be granted or dedicated shall indicate the beneficiary of the easement(s). Easements shown on the tentative map to the benefit of an agency other than the Town or to other parties shall be shown on the final map as "Easements Reserved". The owner's statement on the final map shall reserve said easements unto themselves, their heirs and assigns.
30. Easements, dedications and other documents that are required to be recorded by

separate document prior to or concurrent with the recordation of the final map shall be in a form and with content acceptable to the Town's Engineering Manager and Public Works Director, and shall be submitted to the Town for review and approval. Upon Town approval, the original fully executed, notarized documents shall be submitted to the Town prior to approval of the final map.

31. The CC&Rs and Reciprocal Easement Agreement (REA) shall contain provisions granting rights of access and parking, as necessary, to the owners, tenants, and their guests, of the condominium units.
32. Existing CC&Rs, if any, encumbering the property shall be amended as necessary for the proposed development of this project.
33. Applicant shall submit a request for unit, building and street addressing to the Public Works Department. Approval of the addressing shall be completed prior to approval of the final map by staff.
34. Applicant shall provide evidence to the Town that all property taxes have been pre-paid to the Mono County Tax Collector or their payment has been secured by the filing of a surety bond or other cash-equivalent security acceptable to the County prior to approval of the final map by staff.
35. Applicant shall submit to the Town a subdivision guarantee, issued within 30 days prior to approval of the final map by staff.
36. Applicant shall install monumentation of the subdivision in accordance with the Subdivision Ordinance of the Town, Ordinance 84-10. Upon approval of the Town Surveyor and Public Works Department, a form of security listed in Government Code Section 66499(a) shall be posted with the Town in a form acceptable to the Town Surveyor for any deferred final monumentation for the final map. The estimated amount of the surety shall be prepared by the licensed land surveyor preparing the final map and shall be approved by the Town Surveyor. The estimates shall be at prevailing wage rates and shall include 20% for construction contingencies and 20% for administrative costs.
37. The final condominium plans for the project shall be submitted to the Town for review for conformance with the approved development plan, tentative map, CC&Rs and REA. The condominium plans shall conform to the conditions of approval with respect to ownership of required appurtenant use areas. Recordation of the condominium plans shall not occur prior to Town approval of the condominium plans.
38. Within 30 days after approval of and prior to recording of the final map by the Planning and Economic Development Commission, the applicant shall submit to the Town an electronic file of the final map with coordinate system and format as may be approved by the Public Works Director.

**SPECIAL ENGINEERING CONDITIONS**

39. The Reciprocal Easement Agreement (REA) is required to grant condominium owners rights to public street access, 21 parking spaces, snow removal and storage, utilities, and trash enclosure, and shall be written to the satisfaction of, and approved by, the Town's Engineering Manager and Public Works Director prior to final map

approval by staff. The REA shall include a provision that any future changes to the REA shall be approved by the Town, and that the parties to the REA may not oppose changes required by the Town.

40. The Property's 30-room contribution to the Town's Transit and Transportation Fee Community Facility District (Transit CFD 2013-03) shall be split such that each of the 20 condominium units is responsible for 1 share, and the resort is responsible for the remaining 10 shares.
41. The Property's contribution to the Town's Old Mammoth Road Benefit Assessment District (OMR BAD 2002-01) shall be split on a per-room basis such that each of the 20 condominium units is responsible for 1 room's share and the resort is responsible for the remaining 159 rooms' shares.
42. The Property's contribution to the Town's Maintenance Community Facility District (Maint CFD 2023-1) shall be split on a per-room basis such that each of the 20 condominium units is responsible for 1 room's share and the resort is responsible for the remaining 159 rooms' shares.

**SPECIAL DISTRICT CONDITIONS - MCWD**

43. The domestic water supply for the 20 condominium hotel units shall be privately sub-metered, per Senate Bill 7, (SB7), to the satisfaction of the Mammoth Community Water District (MCWD). Installation of the submeters shall be in accordance with manufacturers' specifications, comply with the California Plumbing Code, and is subject to testing by MCWD and approvals. A separate Connection Permit from MCWD is required. The submeters shall be capable of being accessed and read by the homeowners, tenants of the dwelling unit, and read by the newly developed Old Mammoth Road Residences Owners' Association without entering the dwelling unit. It is the property owner's responsibility to operate and maintain these submeters and reporting requirements. Meters shall be re-inspected and recalibrated within the time limits specified in law and/or regulations.

# EXHIBIT "B"
# Resolution No. PEDC 2024-13
# Case No. DZA 24-001, UPA 24-004, TTM 24-003

## DZA 24~~1~~-001: Subsequent Amendment to the Amended Phase One of the Clearwater Specific Plan

**December 11 ~~October 20~~, 2024~~1~~**

**I. Background.**

In January 2009, the Town Council adopted the Clearwater Specific Plan ("CSP") (District Zoning Amendment [DZA] 06-003). In March 2010, in compliance with CSP, the Planning and Economic Development Commission approved a vesting tentative tract map, conditional use permit, and design review for a mixed-use project called "Old Mammoth Place." The Old Mammoth Place entitlements include up to 340 residential units with up to 488 lodging rooms, eight on-site workforce housing units, multiple outdoor public events plazas, approximately 20,000 square feet of commercial/retail space, approximately 17,000 square feet of restaurant space, 9,500 square feet of conference space, a 4,500 square-foot spa and wellness center, an ice rink, a pool, and an underground parking garage covering the entire site. As a part of the Old Mammoth Place project, the Town approved DZA 09-002 in April 2010 to clarify how building height is to be measured when a building sits atop a parking garage and DZA 10-002 in June 2010 to provide clarification on how fees would be charged for the entitled project.

Throughout the first six years after the approval of Old Mammoth Place, there proved to be no financing available to construct the project and no market for the sale of condominium hotel rooms. In August 2016, in order to improve the economic viability and marketability of the project, the owner obtained approval of amendments to the CSP (DZA 15-002) and the Old Mammoth Place entitlements, which included a 10-foot increase in building height, an increase in net residential square footage, and the elimination of an on-site workforce housing requirement.

Nonetheless, 12 years after ~~since~~ the adoption of the CSP, there ~~is~~ was still no indication that a project on the scale of Old Mammoth Place ~~can~~ could be financed and developed in the near term. Meanwhile, the current hotel and amenities fall short of meeting the vision and goals of the General Plan and the CSP, and ~~do~~ did not meet the needs and standards of Mammoth's target visitors and families. The site includes the original hotel and restaurant buildings, large paved parking areas, a concrete miniature golf course, and limited vegetation.

Therefore, in December 2021, the Town Council approved DZA 21-001, which revised the Clearwater Specific Plan (CSP) to establish development standards for an Amended Phase One Project. The approved development standards applicable to the amended phase 1 accommodate a less intensive expansion and upgrade of the hotel, restaurant, and public spaces than originally envisioned by the CSP/Old Mammoth Place entitlements, while still

allowing for the future development of the Old Mammoth Place project consistent with the CSP's long-term vision and goals.

The current District Zoning Amendment application (DZA 24-001) requests a subsequent amendment to the Amended Phase One CSP to allow a new condominium hotel component of the Phase One CSP project. The application includes a proposed subdivision of twenty (20) hotel units located within five fourplex "Villa" structures for condominium hotel purposes. The proposed subdivision of the Villas for condominium hotel purposes would not have a material impact on hotel operations because use of the Villas will be restricted to transient occupancy. Transient occupancy restrictions mean and include: (i) owner stays shall be limited to 30-days maximum per stay, without limitation on the number of stays per year; and (ii) each condominium hotel unit shall be made available for rental by the general public when the unit is not owner occupied; provided such restrictions are severable in the event of a judicial determination that a restriction is unenforceable, void or unconstitutional. In addition to the transient occupancy restrictions set forth in Town Zoning, the condominium hotel units (Villas) shall be maintained for transient occupancy use and language shall be included in the governing CC&Rs of the Villas to ensure that the Villas' primary use remains lodging.

**II. The Goal of this Subsequent Amendment to the Amended Phase One CSP (DZA 241-001).**

The goal of this subsequent Amendment is to ~~establish ***interim*** development standards~~ expand the allowable land uses in the Amended Phase One CSP to include condominium hotel uses that are subject to use permit and subdivision map approval, establish development standards for those condominium hotel uses, and reaffirm project requirements for the site that will: (1) accommodate the ~~interim~~ reduced Phase One development of a ~~less tall and less dense~~ smaller scale expansion and upgrade of the hotel, restaurant, and public spaces than is envisioned by the CSP and Old Mammoth Place Project (the "Amended Phase One of the CSP"); (2) enhance and expand upon the available assortment of lodging, food and beverage, and event/meeting space options on the site; (3) provide a new and vibrant outdoor venue and park for community activities and events; (4) animate and activate the Old Mammoth Road streetscape; and (5) allow for and accommodate the future development of the Old Mammoth Place project consistent with the CSP's long-term vision and goals, if and when market conditions allow.

**III. Amended Phase One of the CSP Project Description.**

The goal of the Amended Phase One of the CSP is to transform the site into a fully upgraded, full-service family-oriented lodging establishment ~~hotel~~ and public events venue that will serve to increase lodging ~~hotel~~ occupancies and revitalize the Old Mammoth Road streetscape. The ~~proposed~~ redevelopment of the site ~~would be~~ is the first major renovation of a hospitality project in Mammoth in decades, and would make significant strides toward achieving the Town's vision and goals for the Old Mammoth Road corridor~~,~~ as set forth in the General Plan and the CSP. To that end, the owner ~~will seek~~ has obtained the Town's approval to:

- Upgrade and enhance all of the hotel's entryways, lobby areas, public spaces, and accommodations;

- Upgrade and increase the capacity of the event and meeting space at the Rafters Restaurant and Lounge and in the current lobby;
- Upgrade the pool and add hot tubs;
- Create multiple landscaped social and amenity areas to include a gazebo, a volleyball court, lawn games, fire pits, and hammocks;
- Add ~~30~~ 10 family-friendly resort cabins and 20 units within five (5) fourplex structures ("Villas") to the site's ~~and~~ hotel inventory;
- Provide on-site workforce housing for a minimum of five hotel employees;
- Demolish the Jimmy's Taverna and Red Lantern building;
- Demolish the miniature golf course;
- Expand the Rafters deck;
- Create a landscaped food and beverage garden and food truck venue south along Old Mammoth Road from the Rafters deck to a new public park;
- Create a new public park and events pavilion at the corner of Old Mammoth Road and Sierra Nevada Road to accommodate community festivals and events; and
- Provide new public restaurants to support the public's use of the new food and beverage garden and public park.
- Pursuant to DZA 24-001, condominium hotel uses may be permitted subject to use permit and subdivision map approval.

**IV. The Town's Vision and Goals for the Site.**

The Town's vision and goals for the site are encompassed in the following quotes from the CSP:

> "These guidelines and standards provide a framework for development of a cohesive, mixed-use, pedestrian-oriented … hotel opportunity that will significantly contribute to the revitalization of the Old Mammoth Road corridor."
>
> "The hotel will provide a contemporary and enjoyable place to stay for Mammoth visitors, central to the multitude of recreational opportunities available in and around the Town of Mammoth Lakes."
>
> "The overall goal of the Specific Plan is to create an attractive, hotel opportunity that shall serve to revitalize the economy of the core of the North Old Mammoth Road District area."

> "A project shall provide additional transient occupancy options to the Town of Mammoth Lakes" and shall "contribute to the overall revitalization of the Old Mammoth Road corridor."
>
> "To support the needs of the Town of Mammoth Lakes as a premier destination resort community … a project shall provide additional 'hot beds' and additional transient occupancy options to the Town."

The ~~proposed~~ subsequent amendment to the Amended Phase One of the CSP will ~~include~~ permit ~~30 the addition of~~ 10 single-story resort cabins that will provide additional hot beds and amenities, ~~without any condominium component.~~ as well as 20 Villa units located within five four-plex structures along the southern portion of the site which may be subdivided for condominium hotel purposes subject to use permit approval and stipulation that the units are restricted to transient occupancy use.

The resort cabins and Villa units are designed for families, ~~will~~ add to the lodging options offered within the community, and have the capacity to increase TOT generation though higher occupancies and average daily rates. The expansion of indoor and outdoor event and meeting space, the creation of a food and beverage garden, and the development of a public park and events pavilion ~~will~~ provide benefits to the community and animate the Old Mammoth Road streetscape.

**V. Development Standards.**

The following development standards ~~will~~ apply to the Amended Phase One of the CSP:

| DEVELOPMENT STANDARD | Proposed |
|---|---|
| Total Project Site Size: | 6.09 acres |
| Number of existing hotel rooms: | 149 rooms |
| Number of ~~additional~~ new resort cabins ~~rooms~~: | ~~3~~10 rooms |
| Number of new Villa units (these units may be subdivided for condominium hotel purposes subject to use permit and subdivision map approval): | 20 units |
| Maximum Building Height – Cabins and Villas: | 35 feet |
| Restaurant square feet: | 10,000 square feet |
| Event space square feet: | 2,000 square feet |
| Minimum Building Separation | 5 feet |
| Setbacks - Old Mammoth Road Frontage | 5 feet |
| Setbacks – Sierra Nevada | 10 feet |
| Setbacks – Laurel Mountain | 3 feet |

| | |
|---|---|
| Maximum Lot Coverage | 70% |
| Total parking spaces: | Parking shall meet the requirements set forth in the 2016 Clearwater Specific Plan unless a Parking Reduction is approved pursuant to MC Section 17.44.040 |
| Minimum Snow Storage | 53,300 square feet |
| Minimum Open Space/ Landscaped Area | 73,000 square feet |

**VI. Proposed Modifications to CSP Standards.**

The following table describes the requested modifications to the 2016 CSP requirements to accommodate the ~~proposed~~ Amended Phase One of the CSP. These standards shall only apply to the Amended Phase One project, and any future redevelopment of the site following completion of the Amended Phase One project shall be subject the standards found in the 2016 Amendment to the Clearwater Specific Plan.

| Section | Title | Proposed Changes to the Clearwater Specific Plan |
|---|---|---|
| 1.0 | Introduction | None. |
| 2.0 | Existing Setting and Conditions | None. |
| 3.0 | Project Description of the Specific Plan | • The Project Description for the Amended Phase One of the CSP is included under Section III above. The project description for the Old Mammoth Place project as detailed in the 2016 CSP Amendment shall not apply to the Amended Phase One project. |
| 3.1 | Conceptual Plan | • The Conceptual Plan for the Amended Phase One of the CSP is for illustrative purposes only and does not constitute a formal approval of any site or building design. Final site and architectural plans must be approved through the Design Review process. |
| 3.2 | Design Objectives | • The Amended Phase One of the CSP shall not require:<br>○ the construction of any commercial retail space along Old Mammoth Road;<br>○ improvement of the transit stop or construction of a bus shelter on Old Mammoth Road;<br>○ regular shuttle service to MMSA, the airport, the golf courses, and Vons (shuttle service shall be on-demand); or |

| | | |
|---|---|---|
| | | ○ on-site changing rooms and lockers for employees of the resort who choose to walk or bike to work. |
| 3.3 | Sustainability Guidelines | • Improvements constructed for the Amended Phase One of the CSP shall not require LEED certification. |
| 3.4 | Operations | • Although the Amended Phase One of the CSP shall contain event space and meeting space, it need not include conference space.<br>• For the purposes of this Amended Phase One CSP document, the term "condominium hotel" shall be defined as any building or portion thereof containing guest rooms used, designed, or intended to be used, let or rented for periods of no more than thirty days at a time either by transient occupants or the individual owner(s) of a unit or units within the project; and that is also an estate in real property consisting of an undivided interest in common in a portion of a parcel of real property together with a separate interior space in the building on the real property.<br>• The Amended Phase One of the CSP ~~shall not include any "condominium hotel" units, any units that "will be sold fully furnished with standardized furniture, fixtures and equipment at the time of initial sale," any "homeowner association," or any "space for a rental management operation."~~ may include condominium hotel uses subject to use permit and subdivision map approval.<br>• A maximum of twenty (20) "condominium hotel" units may be approved under the Amended Phase One CSP.<br>• All condominium hotel units shall include the following services and amenities:<br>○ a. Central front desk, lobby, and telephone connections to all hotel rooms with staff available 24-hours a day;<br>○ b. Check-in spaces for arriving vehicles;<br>○ c. Amenities supportive of lodging uses (e.g., concierge/guest services on site; conference/meeting space, with food and |

| | | |
|---|---|---|
| | | beverage support, flexible room configuration, industry-standard audiovisual, telecom, and conferencing infrastructure; food and beverage operations in the form of restaurant or room service; ski and luggage storage; and recreation facilities such as spas, swimming pools, or fitness room facility open to all hotel users);<br>○ d. Standardized furniture, fixtures, and equipment in all rooms;<br>○ e. Centralized management and standards for guest reservations, daily housekeeping service, and maintenance services, for all units;<br>○ f. Space for a rental management operation;<br>○ g. Management by a qualified entity with at least five years' experience in the hotel management business, including a "flag" hotel or company with equivalent experience; and<br>○ h. Inclusion of hotel amenities in common areas through condominium covenants, conditions, and restrictions (CC&Rs). |
| 3.5.1 | Traffic Mitigation | • No offsite traffic improvements shall be required. |
| 3.5.2 | Site Access | • The Amended Phase One of the CSP may be accessed from Sierra Nevada Road even though it will not include underground parking. |
| 3.5.3 | Transit Improvements | • No transit improvements shall be required. |
| 3.5.4 | Street Improvements | • The Amended Phase One of the CSP shall include curb, gutter, and sidewalk improvements along Laurel Mountain Road.<br>• The east-west vehicular connector:<br>○ need not have a 40-foot right-of-way offered for dedication to the Town for use as a public road;<br>○ need not be named;<br>○ need not be improved with curb and gutter; and<br>○ need not contain sidewalks or heat tracing.<br>• The north-south pedestrian connector in the Amended Phase One of the CSP will provide access from Sierra Nevada Road to the hotel pool complex, |

| | | |
|---|---|---|
| | | but will not connect to the northern property boundary. |
| 3.5.5 | Storm Drainage | • The project will meet Town drainage standards and requirements. |
| 3.5.6 | Sewer and Water | • The project will meet all applicable Mammoth Community Water District standards and requirements as determined through the construction permit process. |
| 3.5.7 | Dry Utilities | • Undergrounding of on-site overhead utilities serving the site shall not be required. |
| 3.5.8 | Phasing | • The Amended Phase One of the CSP shall be constructed in one phase, as determined by the owner after consultation with the Town. |
| 3.5.9 | Public Facilities | • The food and beverage garden along Old Mammoth Road need not be hardscaped. |
| 3.6 | Community Benefits | • The community benefits required by the CSP will not be provided as part of Amended Phase One but may be required upon future redevelopment of the site. |
| 4.1 | Consistency with the 2007 General Plan | None. |
| 4.2 | Consistency with the NOMR District Study | None. |
| 4.3 | Consistency with the Municipal Code | None. |
| 5.1 | Land Use Objectives, Policies, and Standards | • No underground parking is required.<br>• No residential units (other than workforce housing) are required.<br>• The north-south pedestrian connector need not connect to the northern property boundary. |
| 5.2 | Development Standards | • See the Development Standards Table for Details. |
| 5.2.1 | Land Use Designations | • The location and description of the uses shall not apply to the Amended Phase One of the CSP. |
| 5.2.2 | Permitted Uses | • Condominium hotel uses may be permitted subject to use permit and subdivision map approval.<br>• ~~Permitted uses for h~~ Hotel operations may include the construction or placement of ~~3~~10 resort cabins |

| | | |
|---|---|---|
| | | and 20 units within 5 four-plex ("Villas") structures that are affixed to foundations. |
| 5.2.3 | Density | None. |
| 5.2.4 | Site Coverage | None. |
| 5.2.5 | Building Separation | None. |
| 5.2.6 | Building Height | • The maximum building height for resort cabins and Villa structures shall be 35 feet. |
| 5.2.7 | Setbacks | • Setbacks for buildings and vehicles are set forth in the Development Standards table above. |
| 5.2.8 | Parking | • Parking shall meet the requirements set forth in the 2016 Clearwater Specific Plan unless a Parking Reduction is approved pursuant to MC Section 17.44.040. Underground parking shall not be required. |
| 5.2.9 | Snow Storage and Removal | None. |
| 5.2.10 | Signage | None. |
| 5.2.11 | Lighting | None. |
| 5.2.12 | Public Art | • No specific requirements for public art |
| 5.2.13 | Additional Standards and Requirements | None. |
| 6.0 | Design Guidelines | • Final design of the cabins, Villas, and site amenities will be determined through the Design Review process. |
| 7.0 | Housing | • The Amended Phase One of the CSP shall provide on-site workforce housing for a minimum of five hotel employees and shall otherwise comply with the Town's Housing Ordinance. No parking shall be required for on-site workforce housing units. |
| 8.1 | Recreation | None. |
| 8.2 | Conservation and Open Space | None. |
| 8.3 | Noise | None. |
| 8.4 | Safety | None. |
| 9.1 | Maintenance | • The hotel owner/operator shall maintain the hotel property and improvements. |

| | | |
|---|---|---|
| 9.2 | Construction and Drainage | • No off-site drainage systems shall be required. |
| 9.3 | Site Utilities | • The project will meet all applicable utility requirements as determined during the construction permit process. |
| 10.0 | Administrative Procedures | • Use Permit and Design Review approval shall be required prior to construction of the Amended Phase One project. |

# ATTACHMENT 2

# Tentative Tract Map Plan Sheets

Full size 24"x36" plans available at the Town offices for review

# OUTBOUND MAMMOTH
## TENTATIVE TRACT MAP
## WN SN MAMMOTH, LLC.

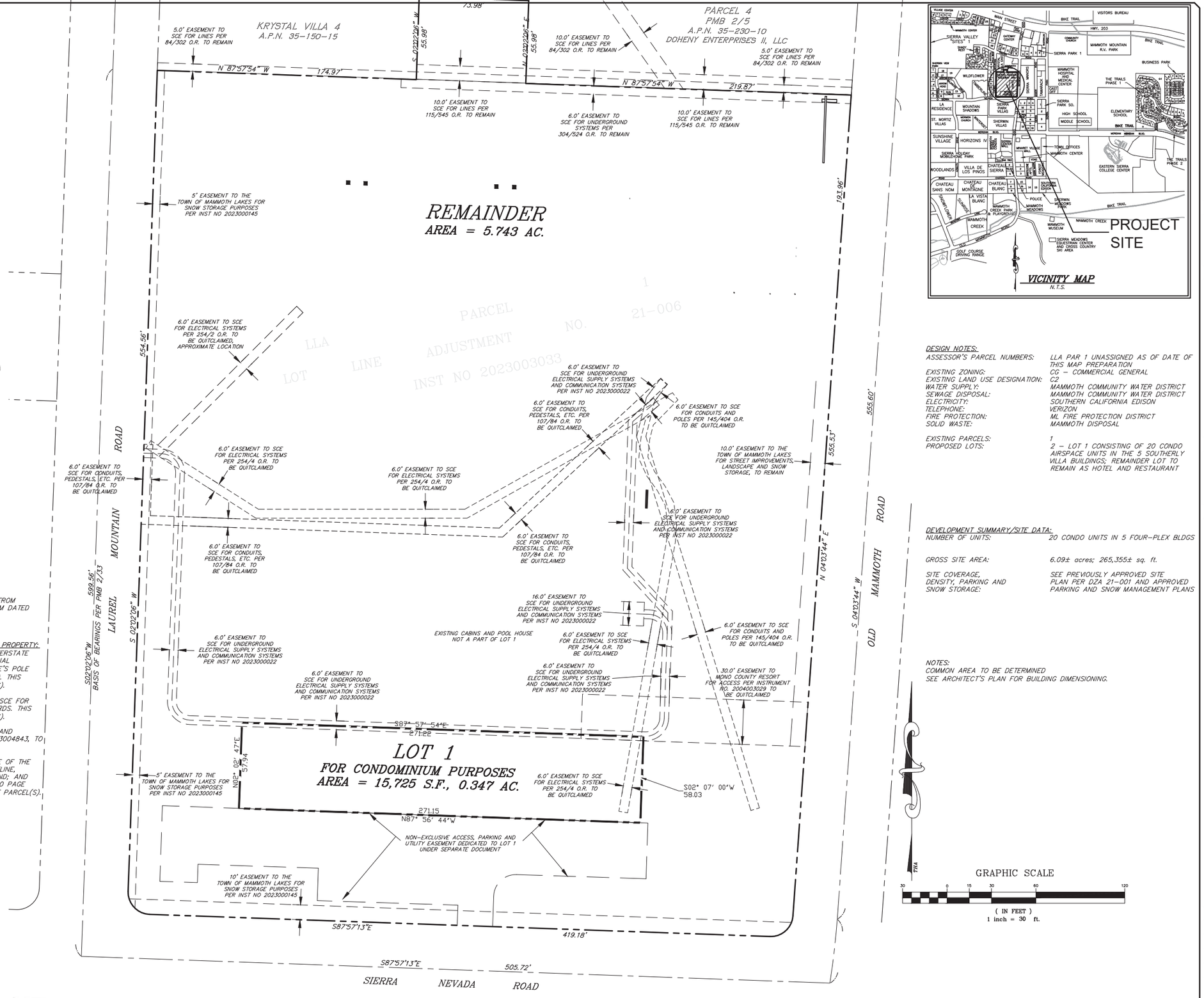
INDEX TO SHEETS


SHEET 1 TENTATIVE TRACT MAP
SHEET 2 VILLAS UNIT SITE LAYOUT


RECORD OWNER(S):
WH SN MAMMOTH, LLC
437 OLD MAMMOTH RD
MAMMOTH LAKES, CA 93546

PREPARED BY:
TRIAD/ HOLMES ASSOCIATES
P.O. BOX 1570
MAMMOTH LAKES, CA 93546
(760)934-7588 PHONE
(760)934-5619 FAX

LEGAL DESCRIPTION(S):
LOT LINE ADJUSTMENT PARCEL 1 OF LOT LINE ADJUSTMENT NO. 21-006 RECORDED IN INST. NO. 2023003033 OF DOCUMENTS IN THE OFFICE OF THE COUNTY RECORDER OF MONO COUNTY, ALSO BEING MORE PARTICULARLY DESCRIBED AS PARCEL 1, PARCEL 2, AND PARCEL 3 AS SHOWN ON THE MAP ENTITLED "PARCEL MAP 36-47" AND RECORDED IN BOOK 2, PAGE 5 AND 5A OF PARCEL MAPS IN THE OFFICE OF SAID COUNTY.







DESIGN NOTES:

| | |
|---|---|
| ASSESSOR'S PARCEL NUMBERS: | LLA PAR 1 UNASSIGNED AS OF DATE OF THIS MAP PREPARATION |
| EXISTING ZONING: | CG – COMMERCIAL GENERAL |
| EXISTING LAND USE DESIGNATION: | C2 |
| WATER SUPPLY: | MAMMOTH COMMUNITY WATER DISTRICT |
| SEWAGE DISPOSAL: | MAMMOTH COMMUNITY WATER DISTRICT |
| ELECTRICITY: | SOUTHERN CALIFORNIA EDISON |
| TELEPHONE: | VERIZON |
| FIRE PROTECTION: | ML FIRE PROTECTION DISTRICT |
| SOLID WASTE: | MAMMOTH DISPOSAL |
| EXISTING PARCELS: | 1 |
| PROPOSED LOTS: | 2 – LOT 1 CONSISTING OF 20 CONDO AIRSPACE UNITS IN THE 5 SOUTHERLY VILLA BUILDINGS; REMAINDER LOT TO REMAIN AS HOTEL AND RESTAURANT |

DEVELOPMENT SUMMARY/SITE DATA:

| | |
|---|---|
| NUMBER OF UNITS: | 20 CONDO UNITS IN 5 FOUR-PLEX BLDGS |
| GROSS SITE AREA: | 6.09± acres; 265,355± sq. ft. |
| SITE COVERAGE, DENSITY, PARKING AND SNOW STORAGE: | SEE PREVIOUSLY APPROVED SITE PLAN PER DZA 21-001 AND APPROVED PARKING AND SNOW MANAGEMENT PLANS |

NOTES:
COMMON AREA TO BE DETERMINED
SEE ARCHITECT'S PLAN FOR BUILDING DIMENSIONING.

GRAPHIC SCALE
30 0 15 30 60 120
( IN FEET )
1 inch = 30 ft.

EASEMENT NOTES:
EASEMENTS ARE FROM THE PRELIMINARY TITLE REPORT FROM INYO-MONO TITLE CO., COMMITMENT NO. IMT-00016108-M DATED DECEMBER 15, 2023..

THE FOLLOWING MAY AFFECT A PORTION OR ALL OF THE PROPERTY:
NOT LOCATABLE: 10' WIDE EASEMENT TO CALIFORNIA INTERSTATE TELEPHONE COMPANY PER BOOK 79, PAGE 391 OF OFFICIAL RECORDS. EASEMENT IS 5 FEET EITHER SIDE OF GRANTEE'S POLE LINE FACILITIES "AS THEY NOW EXIST" (MARCH 10, 1966). THIS EASEMENT MAY OR MAY NOT AFFECT SUBJECT PARCEL(S).

NOT LOCATABLE: EASEMENTS, 20' AND 4' IN WIDTH, TO SCE FOR POLE LINES, PER BOOK 79 PAGE 417 OF OFFICIAL RECORDS. THIS EASEMENT MAY OR MAY NOT AFFECT SUBJECT PARCEL(S).

BLANKET EASEMENT ON APN 35-230-05 FOR PARKING AND ACCESS TO APN 35-230-06, PER INSTRUMENT NO. 2003004843, TO BE QUITCLAIMED.

NOT LOCATABLE: 10' WIDE EASEMENT, 5' ON EITHER SIDE OF THE CENTER LINE OF SHADY REST WATER TRANSMISSION PIPELINE, LOCATED IN PLACE, OVER, UNDER AND ACROSS SAID LAND; AND ANY VESTED AND ACCRUED WATER RIGHTS, PER BOOK 80 PAGE 219. THIS EASEMENT MAY OR MAY NOT AFFECT SUBJECT PARCEL(S).

BASIS OF BEARINGS:
BASIS OF BEARINGS IS THE CENTER LINE OF LAUREL MOUNTAIN ROAD S02°02'06"W PER PMB 2/33.


triad/holmes assoc
civil engineering
land surveying
MAMMOTH LAKES
BISHOP
REDWOOD CITY

PREPARED & SUBMITTED BY:
LICENSED LAND SURVEYOR
ANDREW K. HOLMES
No. 4428
STATE OF CALIFORNIA
DATE:



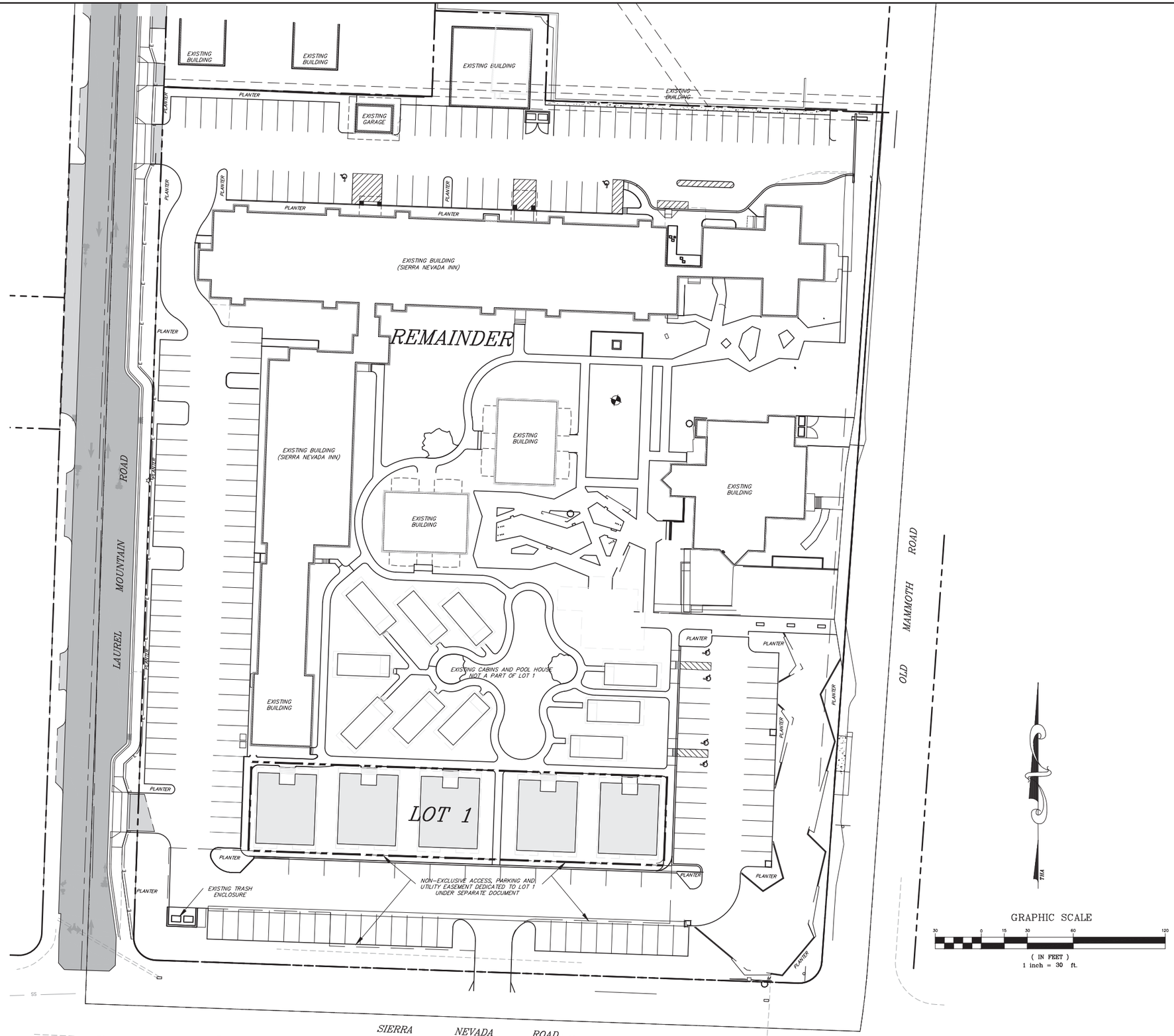
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| REVISIONS: | BY: |
|---|---|
| | |

OUTBOUND MAMMOTH
TENTATIVE TRACT MAP NO.
TOWN OF MAMMOTH LAKES, MONO COUNTY, STATE OF CALIFORNIA

| | |
|---|---|
| DATE | 12/27/2023 |
| SCALE | |
| DRAWN | TP/GP |
| JOB NO. | 2740.3 |
| DWG | 1 |
| SHEET | 1 OF 2 |

2:\01 Mammoth\2740-3 SW waterton\CAD\TM\2740-3 -ttm.dwg Oct 16,2024 - 11:56am tplotz





tha
triad/holmes assoc
civil engineering
land surveying
MAMMOTH LAKES
BISHOP
REDWOOD CITY


PREPARED & SUBMITTED BY:

LICENSED LAND SURVEYOR
ANDREW K. HOLMES
No. 4428
STATE OF CALIFORNIA

DATE:


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| REVISIONS: | BY: |
|---|---|
| | |

# OUTBOUND MAMMOTH

## TENTATIVE TRACT MAP NO.

TOWN OF MAMMOTH LAKES, MONO COUNTY, STATE OF CALIFORNIA

DATE 12/27/2023
SCALE
DRAWN TP/GP
JOB NO. 2740.3
DWG 2
SHEET 2 OF 2

# ATTACHMENT 3

# 2021Addendum to the Clearwater Specific Plan EIR

OCTOBER 2021

# Sierra Nevada Resort Amendment

## ADDENDUM TO THE CLEARWATER SPECIFIC PLAN ENVIRONMENTAL IMPACT REPORT

SUBMITTED BY
MICHAEL BAKER INTERNATIONAL

Michael Baker
INTERNATIONAL

This document is designed for double-sided printing to conserve natural resources.

**ADDENDUM TO THE CLEARWATER SPECIFIC PLAN ENVIRONMENTAL IMPACT REPORT**

# Sierra Nevada Resort Amendment

October 2021

**Lead Agency:**

**Town of Mammoth Lakes**
437 Old Mammoth Road, Suite 230
Mammoth Lakes, California 93546
**Contact: Mr. Chandler Van Schaack, AICP**
**Senior Planner**
Phone: (760) 965-3637
Email: cvanchaack@townofmammothlakes.ca.gov

This document is designed for double-sided printing to conserve natural resources.

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A – VMT Assessment

# 1.0 INTRODUCTION

The proposed project is located within an area covered by *The Clearwater Specific Plan* (Specific Plan). The Specific Plan was adopted by the Town of Mammoth Lakes (Town) on January 21, 2009, for the development of a new, pedestrian oriented, mixed-use, resort destination development (herein referenced as the "Specific Plan Development Scenario") located in the North Old Mammoth Road District of the Town. The Town, as the Lead Agency under the California Environmental Quality Act (CEQA), determined that an Environmental Impact Report (EIR) was required for the Specific Plan prior to adoption.

Following approval of the Specific Plan and Specific Plan EIR, a Conditional Use Permit (CUP) was approved by the Town for the project site on March 10, 2010 (2009 Old Mammoth Place CUP). As part of this process, the Town's Community and Economic Development Department prepared a CEQA Conformance Analysis to confirm if the proposed CUP was consistent with what was analyzed as part of the Specific Plan Final EIR. The 2009 Old Mammoth Place CUP included Use Permit Application (UPA) 09-003 and Vesting Tentative Tract Map (VTTM) 09-003.

In 2016, the Applicant requested approval of modifications to the 2009 Old Mammoth Place CUP (the 2016 Old Mammoth Place CUP Amendment). At that time, a CEQA addendum to the Clearwater Specific Plan (2016 Addendum) was prepared to confirm if the proposed modifications were consistent with what was analyzed as part of the Specific Plan Final EIR. The Old Mammoth Place CUP Addendum was approved in 2016.

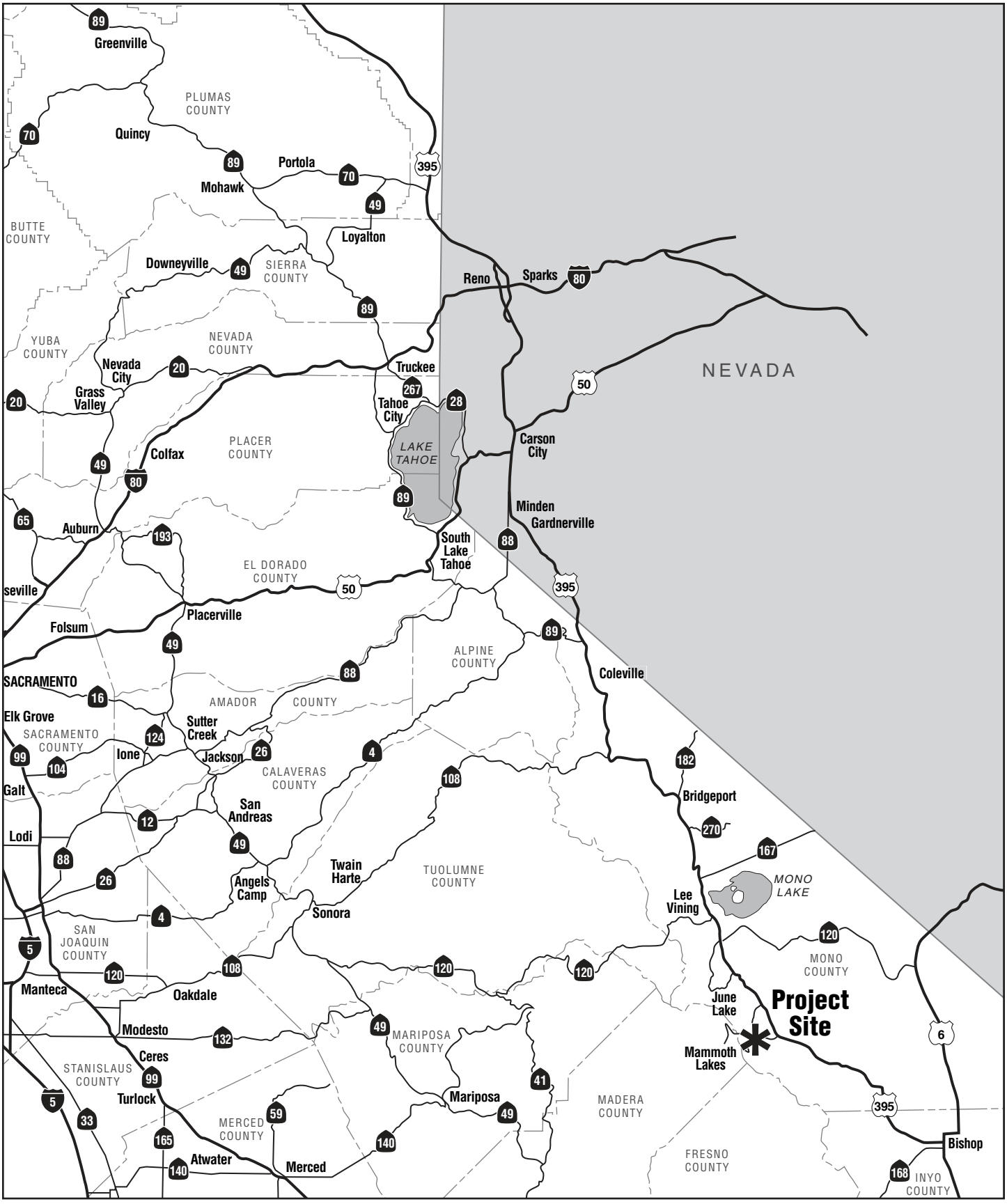
Since that time, development of the project site, as anticipated in the Specific Plan and the 2016 Old Mammoth Place CUP Amendment, has not occurred. At this time, the Applicant is requesting appropriate entitlements to allow for an interim development ("Amended Phase One") to be constructed at the project site, while preserving the existing Specific Plan allowances for the potential future development per the approved 2016 Old Mammoth Place CUP Amendment. These changes for implementation of an Amended Phase One (referenced as the proposed Sierra Nevada Resort Amendment, or project) are the subject of this 2021 Addendum to The Clearwater Specific Plan EIR.

## 1.1 PROJECT LOCATION AND EXISTING CONDITIONS

The Town of Mammoth Lakes is located in the eastern portion of the Sierra Nevada Range, within southwestern Mono County, California; refer to Exhibit 1-1, *Regional Vicinity*. Regional access to the town is provided via U.S. Highway 395, which is approximately three miles east. Mammoth Lakes is served primarily by State Route 203, which acts as a connector to U.S. 395.

The approximate 6.1-acre site is located to the west of Old Mammoth Road and is surrounded on the remaining three sides by Sierra Nevada Road to the south, Laurel Mountain Road to the west, and the Mammoth Mall and Krystal Villa East condominiums to the north; refer to Exhibit 1-2, *Site Vicinity*. The Specific Plan area consists of three parcels (Accessor Parcel Numbers [APN] 35-230-05, 35-230-06, and 35-230-07).

The site is currently developed with commercial uses, which include the Sierra Nevada Resort and Spa and Frosty's Miniature Golf (both located at 202 Old Mammoth Road), Rafters Restaurant and Lounge (164 Old Mammoth Road), and a second restaurant building occupied by Red Lantern downstairs and Jimmy's Taverna upstairs (248 Old Mammoth Road).




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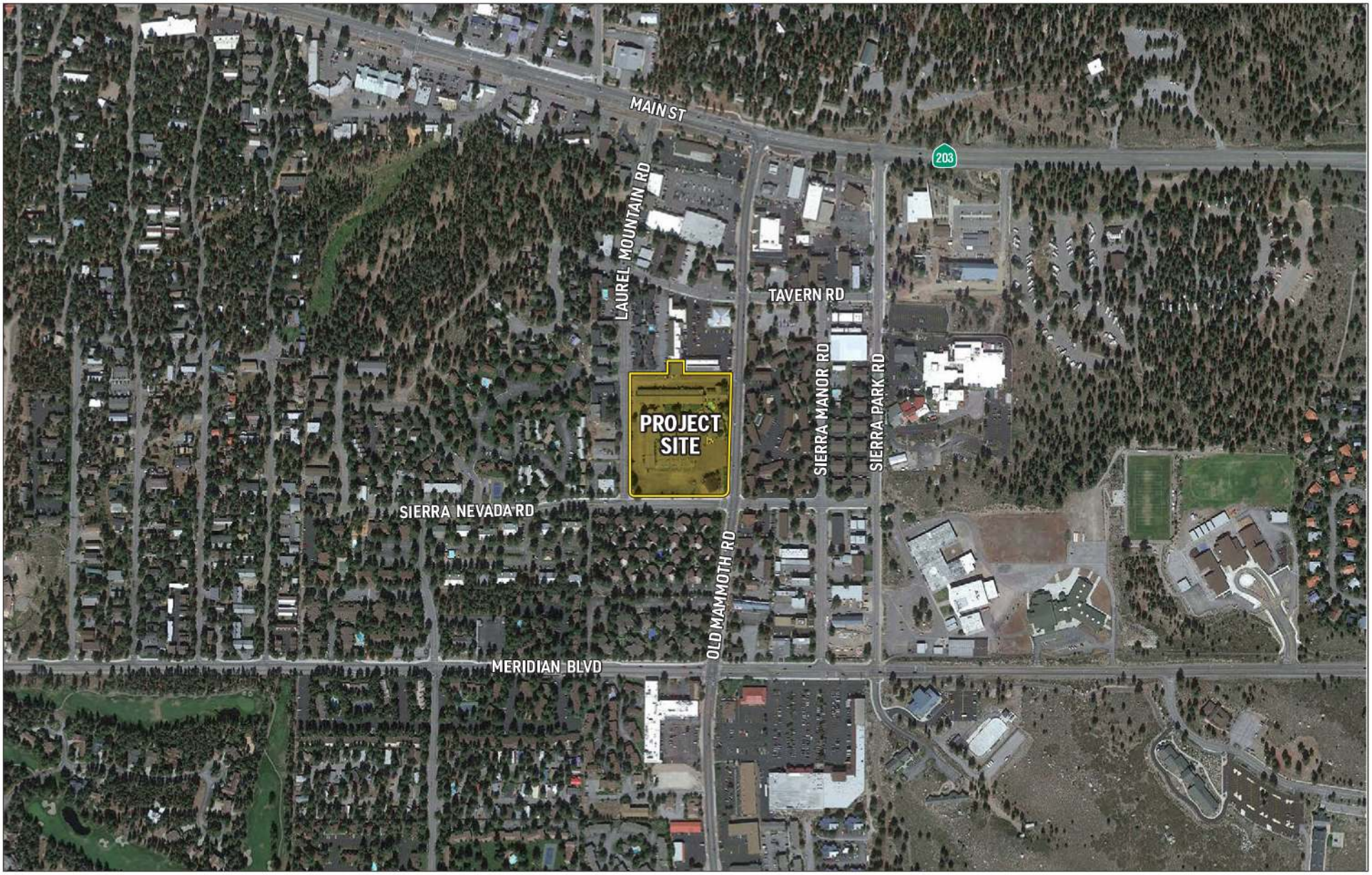
Michael Baker INTERNATIONAL

09/2021 JN186150

SIERRA NEVADA RESORT AMENDMENT
2021 ADDENDUM TO THE CLEARWATER SPECIFIC PLAN
ENVIRONMENTAL IMPACT REPORT

# Regional Vicinity

**Exhibit 1-1**




Source: Google Earth Pro, September 2021

NOT TO SCALE

Michael Baker INTERNATIONAL

09/2021 JN186150

SIERRA NEVADA RESORT AMENDMENT
2021 ADDENDUM TO THE CLEARWATER SPECIFIC PLAN
ENVIRONMENTAL IMPACT REPORT

**Site Vicinity**

**Exhibit 1-2**

The Sierra Nevada Resort and Spa is an L-shaped building situated at the north and west sides of the project site. Two detached buildings owned and used by the hotel are located north of Frosty's Miniature Golf, which occupies the center portion of the site. Rafters Restaurant and Lounge is located at the central east side of the site. The two-story wooden restaurant building occupied by Red Lantern (currently closed) and Jimmy's Taverna (currently operating) is located at the southeastern corner of the site. Existing vegetation includes approximately 33 trees and ornamental landscaping around the perimeters of the site and buildings. The remainder of the site consists of a surface parking lot serving the hotel and restaurants.

To the east of the project site, across Old Mammoth Road, is the Sierra Manor condominium project (zoning designation of Old Mammoth Road [OMR]). To the south, across Sierra Nevada Road, is the Sierra Park Villas condominiums (zoning designation of Residential Multi-Family [RMF-2]). Across Laurel Mountain Road to the west is the Laurel Mountain Professional Center, L'Abri residential condos, an unnamed apartment building, and the Sierra Park Apartments (zoning designation of OMR). To the north of the site, are the Krystal Villa East condominiums (zoning designation of OMR) and the Mammoth Mall (zoning designation of Downtown [D]), which houses business offices and retail establishments.

## 1.2 PREVIOUS ENVIRONMENTAL DOCUMENTS

**Clearwater Specific Plan and EIR**

The Clearwater Specific Plan was adopted by the Town on January 21, 2009, for the development of a new, pedestrian oriented, mixed-use resort destination development located in the North Old Mammoth Road District of the town. The Town, as the Lead Agency under the CEQA, determined that an EIR was required for the Specific Plan prior to adoption. The EIR was prepared in conformance with CEQA (California Public Resources Code [PRC] Section 21000 et seq.); CEQA Guidelines (California Code of Regulations [CCR], Title 14, Section 15000 et seq.); and the rules, regulations, and procedures for implementation of CEQA, as adopted by the Town. The purpose of the EIR was to review the existing conditions, analyze potential environmental impacts, and identify feasible mitigation measures to reduce potentially significant effects of the Specific Plan.

The Draft Environmental Impact Report (Draft EIR) for the Specific Plan was distributed to responsible and trustee agencies, interested groups, and organizations. The Draft EIR (SCH# 2006062154) was made available for public review and comment for a period of 45 days. The public review period for the Draft EIR established by the CEQA Guidelines commenced on December 15, 2006 and ended January 29, 2007. A public scoping meeting for the Draft EIR was held on January 24, 2007, at the Town Council Chambers, in order to gather information on concerns and issues that the general public may have regarding the Specific Plan and Draft EIR.

The Draft EIR focused primarily on changes in the environment that would result from the Specific Plan. The Draft EIR identified potential impacts that would result from the construction and operation of the Specific Plan and provided measures to mitigate potential significant impacts. Those impacts that cannot be mitigated to less than significant levels were also identified.

After publication of the Draft EIR, the project Applicant submitted minor modifications to the project, which were reflected in the Final EIR for the Specific Plan (Specific Plan Final EIR). The project modifications proposed considered a 308-unit (480 room) condominium hotel with 18,000 square feet of retail and restaurant commercial uses and 11,900 square feet of recreation uses and ranged

in height from 35-65 feet. The condominium hotel also included 32 dwelling units for workforce housing and 8,000 square feet for conference space; refer to Exhibit 1-3, *Approved 2008 EIR CUP*.

Specific Plan Final EIR Section 2.0, *Revisions to Information Presented in the Draft EIR*, documented these project changes prior to certification of the Specific Plan Final EIR. Per this analysis, these revisions did not change the conclusions presented in the December 2006 Draft EIR. The revised Specific Plan Final EIR development scenario was determined to not create any new significant impacts or create the need for additional mitigation. On January 7, 2009, the Town Council adopted the *Final Clearwater Specific Plan* and certified the Specific Plan Final EIR.

**2009 Old Mammoth Place CUP and CEQA Conformance Review**

Following approval of the *Final Clearwater Specific Plan* and Specific Plan Final EIR, a CUP was approved by the Town on March 10, 2010 (2009 Old Mammoth Place CUP). The 2009 Old Mammoth Place CUP included a 332-unit (488 room) condominium hotel with 36,964 square feet of retail and restaurant commercial uses and 75,425 square feet of recreation uses. The condominium hotel also included 8 dwelling units for workforce housing and 9,582 square feet for conference space; refer to Exhibit 1-4, *Approved 2009 Old Mammoth Place CUP*, which illustrates the proposed development scenario under the 2009 Old Mammoth Place CUP. Prior to approval of the 2009 Old Mammoth Place CUP, the Town underwent a CEQA Conformance Review in February 2010, in order to verify if the proposed CUP was consistent with the analysis presented in the Specific Plan Final EIR, or if additional CEQA Clearance Documentation was necessary.

The 2009 Old Mammoth Place CUP proposed only minor differences compared to the project described in the Specific Plan Final EIR. Further, the proposed amendment to the Specific Plan included minor administrative changes to clarify definitions presented in the Specific Plan. As such, the CEQA Conformance Review determined that the 2009 Old Mammoth Place CUP would result in similar impacts to land use and relevant planning, aesthetics/light and glare, traffic and circulation, air quality, noise, utilities service systems, as well as long-term implications. Mitigation measures recommended within the CEQA Conformance Review are the same as those presented in the Final EIR. Based on the findings presented in the CEQA Conformance Review, it was concluded that the 2009 Old Mammoth Place CUP project would not result in substantial changes compared to the development scenario analyzed in the Specific Plan Final EIR.

**2016 Old Mammoth Place CUP Amendment and Addendum to the Clearwater Specific Plan**

In 2016, the Applicant requested approval of modifications to the approved CUP (2016 Old Mammoth Place CUP Amendment), which required discretionary action by the Town; Exhibit 1-5, *Approved 2016 Old Mammoth Place CUP Amendment*. Discretionary action included approval of a CEQA addendum to the Specific Plan Final EIR to confirm if the proposed modifications were consistent with what was analyzed as part of the EIR. Proposed changes included amendments to the Specific Plan to increase the allowed building heights and removal of on-site workforce housing. The 2016 Old Mammoth Place CUP Amendment and CEQA Addendum were approved in 2016.




Source: The Landau Partnership; June 20, 2008.

NOT TO SCALE

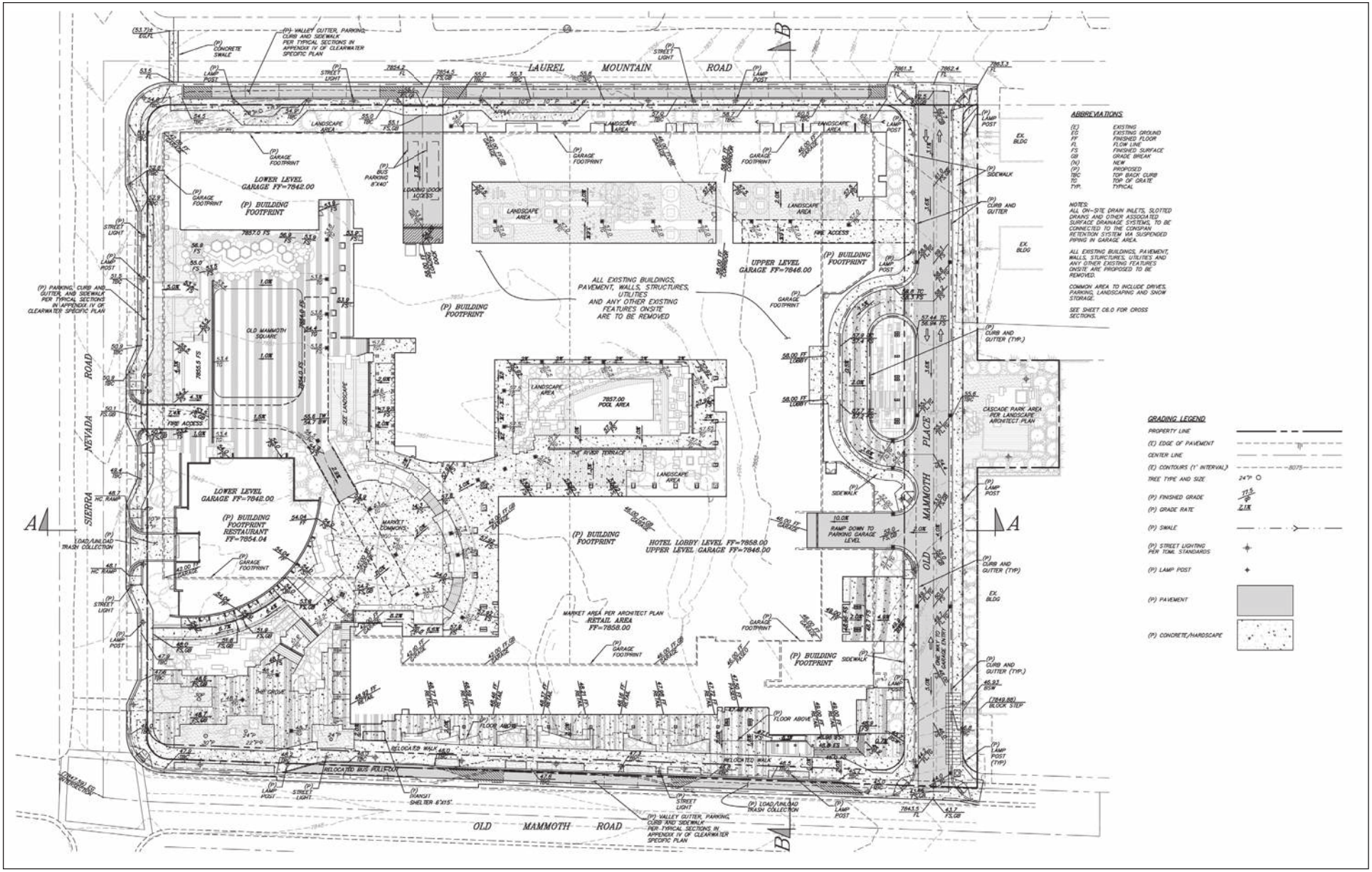
Michael Baker INTERNATIONAL

09/2021 JN186150

SIERRA NEVADA RESORT AMENDMENT
2021 ADDENDUM TO THE CLEARWATER SPECIFIC PLAN
ENVIRONMENTAL IMPACT REPORT

# Approved 2008 EIR CUP

**Exhibit 1-3**




Source: Triad/Holmes Associates, February 2, 2010.

NOT TO SCALE

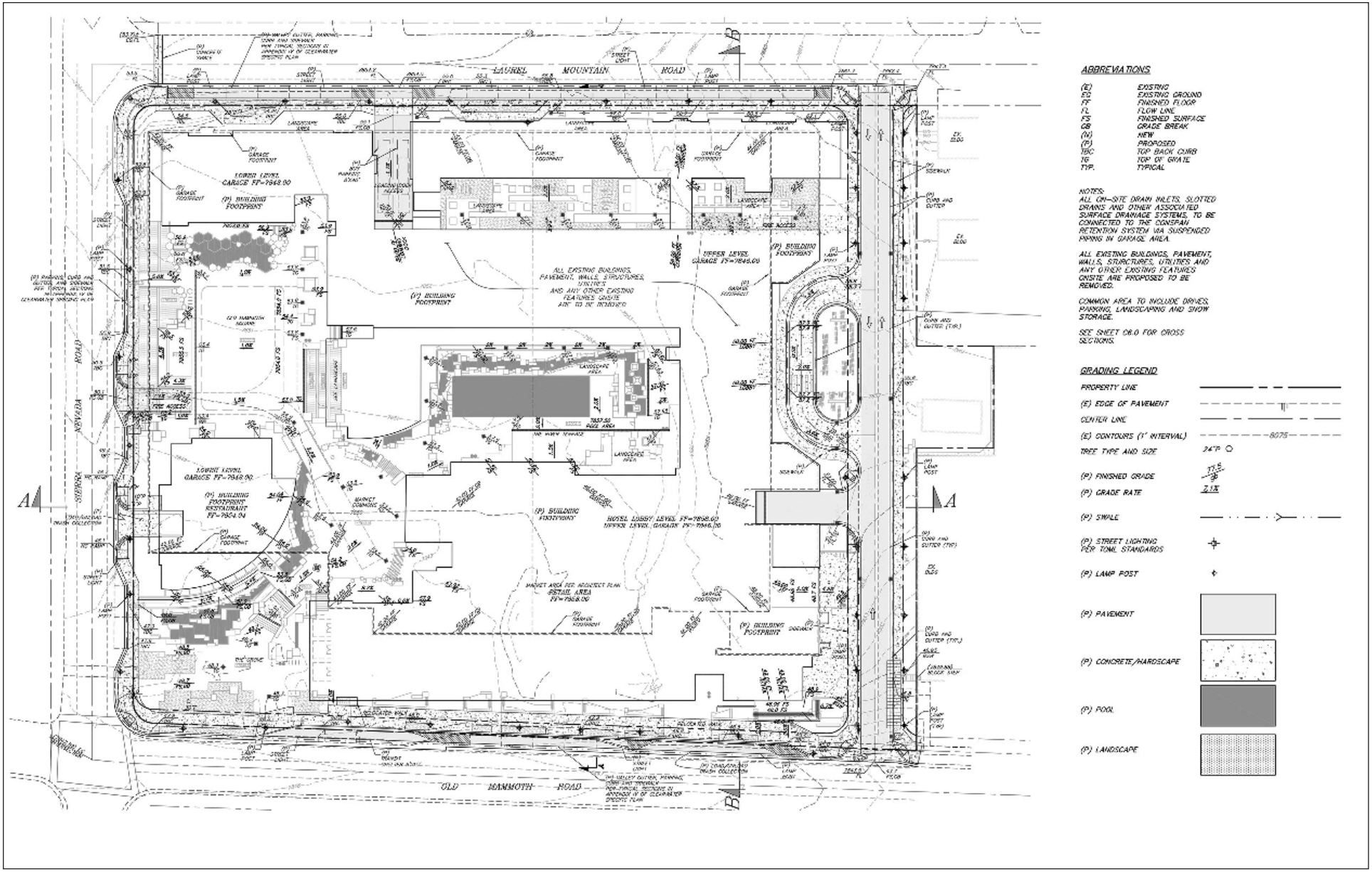
Michael Baker INTERNATIONAL

10/2021 JN186150

SIERRA NEVADA RESORT AMENDMENT
2021 ADDENDUM TO THE CLEARWATER SPECIFIC PLAN
ENVIRONMENTAL IMPACT REPORT

# Approved 2009 Old Mammoth Place CUP

**Exhibit 1-4**




Source: Triad/Holmes Associates, February 2, 2010.

Since that time, development of the project site, as anticipated in the Specific Plan and the 2016 Old Mammoth Place CUP Amendment, has not occurred. At this time, the Applicant is requesting appropriate entitlements to allow for an interim development to be constructed at the project site, while preserving the existing Specific Plan allowances for the potential future development per the approved 2016 Old Mammoth Place CUP Amendment (the proposed Sierra Nevada Resort Amendment, or project). The Town has determined that an addendum to the Specific Plan Final EIR is required to allow for development of the Sierra Nevada Resort Amendment.

For the purpose of the analysis presented in this 2021 Addendum to the Clearwater Specific Plan, the proposed project modifications are compared to the 2016 Old Mammoth Place CUP Amendment development scenario.

# 2.0 DESCRIPTION OF PROJECT MODIFICATIONS

## 2.1 ADDENDUM'S PURPOSE AND NEED

When an EIR has been certified or a negative declaration adopted for a project, no subsequent or supplemental environmental review documentation shall be required unless one or more of the following events occurs:

1) Substantial changes are proposed in the project, which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

2) Substantial changes occur with respect to the circumstances under which the project is undertaken, which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

    A. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

    B. Significant effects previously examined will be substantially more severe than shown in the previous EIR;

    C. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

    D. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant

effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

When none of the above events has occurred, yet minor technical changes or additions to the previously adopted EIR or negative declaration are necessary, an addendum may be prepared (State CEQA Guidelines Section 15164[b]).

As discussed below, none of the conditions described in State CEQA Guidelines Section 15162 calling for preparation of subsequent environmental review has occurred. This Addendum supports the conclusion that the proposed project modifications are minor technical changes that do not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In addition, as discussed below, the proposed project modifications would not result in any new or substantially increased significant environmental impacts, new mitigation measures, or new alternatives that would substantially reduce significant impacts. As a result, an addendum is an appropriate CEQA document for analysis and consideration of the proposed project modifications.

Circulation of an addendum for public review is not necessary (State CEQA Guidelines Section 15164, subdivision (c)); however, the addendum must be considered in conjunction with the adopted Specific Plan Final EIR and 2016 Addendum by the decision-making body (State CEQA Guidelines Section 15164, subdivision (d)).

## 2.2 LOCATION OF PROJECT MODIFICATIONS

The proposed project modifications would apply to the same 6.1-acre project site identified and described in the Specific Plan Final EIR and 2016 Addendum. The project site is comprised of three parcels located at 164, 202, and 248 Old Mammoth Road, at the northwest corner of Old Mammoth Road and Sierra Nevada Road, in Mammoth Lakes, California.

## 2.3 COMPONENTS OF PROJECT MODIFICATIONS

The Applicant proposes to amend the Specific Plan in order to allow for the interim development (Amended Phase One) of 30 hotel cabins in the southern portion of the project site. Other improvements would include upgrades to the interior and exterior areas of the existing Sierra Nevada Resort and Spa and Rafters Restaurant and Lounge.

The new interim development scenario would include the following components:

- Demolition of the existing restaurant building at the southeast corner of the site and the construction of up to 30 new hotel lodging cabins, to be rented out by the existing hotel. The cabins would be “tiny home-style” cabins, up to 35 feet in height, situated in the central and southern portions of the project site. Specifically, single cabins would be up to 25 feet in height, and duplex, triplex, and four-plex cabins would be up to 35 feet in height.

- Interior and exterior hotel amenity improvements would be constructed. Interior improvements would be made to the existing on-site Sierra Nevada Resort and Spa and Rafters Restaurant and Lounge. Exterior improvements would include a public open space/event area at the southeast corner of the site, relocation of the existing pool to the central portion of the project site, upgrades to amenity areas (including expanded outdoor seating and lawn game areas). Outdoor amenities may include casual gathering spaces

with fixed and/or flexible seating, a terraced lawn, hammocks, firepits, gazebo, volleyball court, cornhole, bocce ball, private pool, and spa amenities, etc. Exterior improvements would also include the creation of a public food garden corridor (dining area) along Old Mammoth Road, which could accommodate one or more food trucks on-site.

- The proposed modifications would eliminate the southernmost driveway along Old Mammoth Road; and relocate the existing driveway along Sierra Nevada Road from its current location to the center of the site. Additionally, it is acknowledged that proposed sidewalk improvements along Laurel Mountain Road allowed per the existing Specific Plan would be required to be constructed as part of this Amended Phase One.

Proposed landscaping would include the preservation of existing trees wherever possible, as well as the planting of new canopy, evergreen, and flowering trees throughout the site. Understory planting would include a mix of native grasses, perennials, and shrubs that would complement the native ecology of the region.

- Create a new public park and, potentially, an events pavilion at the corner of Old Mammoth Road and Sierra Nevada Road to accommodate community festivals and events; and

- The project would also restripe the existing 225-space surface parking lot to accommodate 182 parking spaces total.

- Appropriate utility connections would be installed, connecting the new cabins to water, sewer, electrical, gas, and telecommunications.

It is acknowledged that this analysis assumes that the Amended Phase One development and associated utilities would be demolished prior to developing the full development scenario outlined as part of the 2016 Old Mammoth Place CUP Amendment.

# 3.0 ENVIRONMENTAL ASSESSMENT

As discussed in Section 1.2, *Previous Environmental Documents*, for the purposes of this analysis, the proposed project modifications are compared to the certified Final EIR development scenario and/or the certified 2016 Old Mammoth Place CUP Amendment development scenario. Potential environmental impacts resulting from the proposed project, as compared to the development scenario presented in the certified Final EIR and Addendum for the Specific Plan, are presented below for each environmental topic area considered in the certified Final EIR. Implementation of the proposed project would not require any new mitigation measures compared to those recommended in the Final EIR and/or Addendum. Mitigation measures recommended within this analysis are the same as those presented in the Final EIR and only include those applicable to the proposed project modifications.

## 3.1 LAND USE

The Final EIR determined that potential impacts to land use and relevant planning would be significant and unavoidable due to conflict with policies in the *1987 Town of Mammoth Lakes General Plan* related to the obstruction of existing views and exceedance of maximum site coverage. The 2016 Addendum concluded that the requested modifications to the project would not result in substantial changes compared to the development scenario analyzed in the Final EIR.

The project site is designated Clearwater Specific Plan (CSP) under the *Town of Mammoth Lakes General Plan* (General Plan) and zoned Clearwater Specific Plan under the Town's Zoning Map. The revised project proposes an interim development of 30 hotel cabins in the southern portion of the project site and several other site improvements and amenities (Amended Phase One). This analysis assumes that all development associated with Amended Phase One would be demolished prior to developing the full development scenario outlined in the 2016 Old Mammoth Place CUP Amendment. As such, the revised project would require a Specific Plan Amendment to allow the proposed Amended Phase One.

The proposed Specific Plan Amendment includes development standards specific to the Amended Phase One development scenario. As such, Amended Phase One would be required to comply with the proposed standards, including land use type (i.e., hotel cabins), building height, restaurant and event space square footage, minimum setbacks, minimum building separation distance, parking space requirements, minimum snow storage area, and minimum open space/landscaping. Although Amended Phase One would allow for an interim development not previously analyzed in the Final EIR or 2016 Addendum, the revised project would be consistent with the Town's vision and goals for the project site as detailed in the Specific Plan. Specifically, the Amended Phase One would contribute towards creating a pedestrian-oriented mixed-use corridor along Old Mammoth Road, providing a blend of hotel, restaurant/event space, and a venue for a variety of community activities and events (i.e., the proposed public park, food and beverage garden, and food truck venue). The 30 additional hotel cabins would provide places to stay for Town visitors and the site improvements and amenities would revitalize the site's existing character and enhance the Town's overall character as a destination resort community. The Specific Plan would also be amended in various sections to allow the Amended Phase One development scenario. Thus, upon adoption by the Town, the project would be consistent with the Specific Plan, as amended.

Overall, the revised project would not result in any additional land use impacts that were not previously considered and addressed in the Final EIR and 2016 Addendum.

**Mitigation Program**

No mitigation measures were found to be feasible in the Final EIR or 2016 Addendum for this topic area, and no new measures are feasible.

## 3.2 AESTHETICS/LIGHT AND GLARE

The certified Final EIR determined that despite the implementation of recommended mitigation measures, the previously analyzed project would result in significant and unavoidable construction impacts as the surrounding residential areas would be exposed to the visually related impacts of construction activities. Additionally, long-term visual/aesthetic impacts due to increased building heights, removed mature vegetation, increased hardscape features, and view obstruction would remain significant and unavoidable following implementation of recommended mitigation measures. Further, the 2016 Addendum concluded that the 2016 Old Mammoth Place CUP Amendment would be similar to those identified in the Final EIR. Similar to the Final EIR, shade/shadow impacts would remain significant and unavoidable. Construction of the project would involve demolition, site preparation, construction, and phasing similar to what was identified in the Final EIR. Thus, short-term construction impacts would not be increased, compared to that analyzed in the Final EIR. The Final EIR Mitigation Measures AES-1 through AES-15 would still be applicable to the 2016 Old Mammoth Place CUP Amendment.

Development of the Amended Phase One would include demolition of the existing restaurant located at the southeast corner of the site and the construction of 30 hotel cabins. The cabins would be "tiny home-style" cabins, up to 35 feet in height, situated in the central and southern portions of the project site. Specifically, single cabins would be up to 25 feet in height, and duplex, triplex, and four-plex cabins would be up to 35 feet in height. Interior and exterior improvements to hotel amenities are also proposed for the existing Sierra Nevada Resort and Spa and Rafters Restaurant and Lounge. Additionally, construction of an outdoor food garden (dining area) along Old Mammoth Road is proposed, which could accommodate one or more food trucks on-site. The Amended Phase One would create a new public park and, potentially, an events pavilion at the corner of Old Mammoth Road and Sierra Nevada Road to accommodate community festivals and events as well.

The Amended Phase One would appear similar in character to the existing on-site hotel and surrounding community. Proposed cabins would range from 25 to 35 feet in height, similar to existing structures in the area. The 2016 CUP Amendment considered on-site building heights ranging from 35 to 65 feet in height. As such, the Amended Phase One development (up to 35 feet in height) would not result in increased resultant view blockage to the surrounding mountains and hillsides, compared to that analyzed in the certified Final EIR and 2016 Addendum. Resultant shadow patterns would be similar in character to the existing surrounding community. Construction of the project would involve demolition, site preparation, and construction similar to the extent of what was identified in the certified Final EIR and 2016 Addendum. The Amended Phase One development would also include interior and exterior lighting for security, parking, signage, landscaping, street lighting, and interior lighting of the proposed structures, although to a lesser extent than the full development considered as part of the Specific Plan. Implementation of the Final EIR certified Mitigation Measures AES-13 and AES-14 (as amended in the 2016 Addendum) would still be required in order to reduce light and glare impacts. As such, the intensity of operational lighting impacts would be reduced compared to that analyzed in the certified Final EIR and 2016 Addendum.

Overall, the proposed project would result in fewer aesthetic/light and glare impacts, compared to that considered in the certified Final EIR and 2016 Addendum. Notwithstanding, the Amended Phase One would still be required to comply with the certified Mitigation Measures AES-1 through AES-14. With implementation of certified mitigation, the Amended Phase One would not result in any new or potentially adverse aesthetics/light and glare impacts not previously considered and addressed.

**Mitigation Program**

The Final EIR Mitigation Program, as amended by the 2016 Addendum, includes measures to reduce significant and unavoidable impacts associated with the previously approved project to the extent feasible. The following measures from the certified Final EIR and 2016 Addendum would also be applicable to the proposed project. Any modifications to the original measures are shown in strikethrough for deleted text and new, inserted text is underlined.

*Applicable Mitigation Measures*

AES-1 Construction equipment staging areas shall use appropriate screening (i.e., temporary fencing with opaque material) to buffer views of construction equipment and material, when feasible. Staging locations shall be indicated on Final Development Plans and Grading Plans. *Old Mammoth Place Addendum, 2016.*

AES-2 A grading plan shall be submitted concurrently with the development plans and shall be approved through the design review process by the Planning & Economic Development Commission. All grading and earthwork activities must be conducted in accordance with an approved construction grading plan and grading permit issued by the Mammoth Lakes Public Works Department. All grading plans must meet Lahontan Regional Water Quality Control Board standards for interim and permanent erosion control measures. *Old Mammoth Place Addendum, 2016.*

AES-3 The applicant shall prepare and submit a construction hauling plan to be reviewed and approved by the Community & Economic Development Department prior to issuance of grading permit. The plan shall ensure that construction haul routes do not affect sensitive uses in the project vicinity.

AES-4 All construction-related lighting shall be located and aimed away from adjacent residential areas and consist of the minimal wattage necessary to provide safety at the construction site. A construction safety lighting plan shall be submitted to the Community & Economic Development Department for review concurrent with grading permit application. *Old Mammoth Place Addendum, 2016.*

AES-5 The overall color scheme shall be determined by the Town's Design Guidelines and Town of Mammoth Lakes Advisory Design Panel, subject to approval by the ~~Town of Mammoth Lakes~~ Planning & Economic Development Commission. The color of exterior materials, whether applied or innate, shall reflect the appearance of the natural surroundings and not seem synthetic or man-made. Accent colors shall integrate with the overall color scheme and form of the building. *Old Mammoth Place Addendum, 2016.*

AES-6 All signs shall be in accordance with the general provisions, prohibitions, exemptions, and special purposes delineated in Chapter ~~17.40~~17.48 of the Town's Municipal Code, the Clearwater Specific Plan, and the Clearwater Landscape Design Guidelines as established and adopted hereafter by the ~~Town~~ Planning & Economic Development Commission. *Old Mammoth Place Addendum, 2016.*

AES-7 Landscape design shall be consistent with ~~TOML~~ Municipal Code Chapter ~~17.20.040~~17.40, California Model Water Efficiency Landscape Ordinance (CA MWELO), property development standards, and the Clearwater Specific Plan Landscape Design Guidelines. The landscape shall enhance the character of the on-site development and shall be compatible with, and complementary to, the natural environment in Mammoth Lakes and the surrounding region. *Old Mammoth Place Addendum, 2016.*

AES-8 Flat roofs shall be designed to carry snow accumulations of a minimum of 161 pounds per square feet, and have a minimum slope of 3/12 for adequate drainage. A roof pitch of less than 3/12 is subject to the approval of the Building Official. Roofs shall be designed to not shed ice and snow onto adjacent properties, walkways, plaza, driveways, and decks. *Old Mammoth Place Addendum, 2016 [modified for clarification].*

AES-9 Roof appurtenances shall be integral parts of the architecture of the structure. Non-functional roof ornamentation shall be avoided. Mechanical, electrical and roof access equipment, vents, and antennas shall be integrated into the roof design to avoid visual

impact on other properties. Skylights, solar collectors and clerestories shall be designed as masses at angles relating to the primary roof, and building architecture, not applied forms. Exposed chimney flues shall not be permitted. *Old Mammoth Place Addendum, 2016.*

AES-10 All appurtenances (i.e., meters and electrical equipment, etc.) shall be integrated into the project design to avoid visual impact from pedestrians and other properties. These appurtenances shall be screened or placed in areas that are not highly visible, where possible. *Old Mammoth Place Addendum, 2016.*

AES-11 Fencing and outdoor enclosures shall be compatible in material, color, and design to adjacent structures, and the neighborhood and regional character. Fences and enclosures shall be designed to withstand heavy snowfall conditions and snow removal operations. Fences, walls, and enclosures shall be no higher than necessary to perform the intended function. Landscape features, fences, and walls in dedicated snow slope areas shall be designed to accommodate snow storage and removal activities. *Old Mammoth Place Addendum, 2016.*

AES-12 All outdoor furnishings shall complement adjacent building character and scale, and shall be appropriate to the project theme, allow for snow removal operations, and accessibility requirements. ~~The tree~~Tree grates shall be used in areas of high pedestrian activity and traffic. They shall be constructed of cast iron, metal, or concrete. *Old Mammoth Place Addendum, 2016.*

AES-13 The applicant shall prepare and submit an outdoor lighting plan pursuant to the Town's Lighting Ordinance (~~Chapter~~ Section 17.34.~~060~~030, Exterior Lighting~~Outdoor Lighting Plans~~, of the Municipal Code) to the Community & Economic Development Director that includes a footcandle map illustrating the amount of light from the project site at adjacent light sensitive receptors. *Old Mammoth Place Addendum, 2016.*

AES-14 Landscape lighting should be designed as an integral part of the project. Lighting levels shall respond to the type, intensity, and location of use. Safety and security for pedestrians and vehicular movements must be anticipated. Lighting fixture locations shall not interfere or impair snow storage or snow removal operations. Light fixtures shall have cut-off shields to prevent light spill and glare into adjacent areas. *Old Mammoth Place Addendum, 2016.*

## 3.3 TRAFFIC AND CIRCULATION

The certified Final EIR determined that after implementation of recommended mitigation measures, the previously analyzed project would result in less than significant impacts with the implementation of the recommended mitigation measures. Further, the 2016 Addendum found that the Old Mammoth Place CUP Amendment would not result in any new, different, or potentially adverse traffic and circulation impacts not previously considered and addressed.

The Amended Phase One would result in the construction of 30 new hotel cabins and the removal of one on-site restaurant building (Jimmy's Taverna and Red Lantern in the southeast corner). This change in land uses would result in a net decrease in daily trips (approximately 487 fewer daily trips) compared to existing condition. As such, the Amended Phase One would result in fewer traffic impacts, compared to that analyzed for full buildout of the Specific Plan; refer to Appendix A, *VMT Assessment*.

*Transportation Policy Consistency Analysis*

The certified Final EIR acknowledged that the Town intends to make improvements of its existing pedestrian facility systems by increasing the connectivity and safety of existing bikeway, trail, and sidewalk networks per the Sidewalk Master Plan. Additionally, the Town of Mammoth Lakes Trail System Master Plan (MLTSMP) provides non-motorized facilities as alternate forms of transportation, including pedestrians, bicyclist, and cross country skiers. The Amended Phase One would initiate construction of a pedestrian walkway along Laurel Mountain Road, which was considered as part of the full buildout of the Specific Plan, in order to increase the pedestrian connectivity to the project site and surrounding area. The new pedestrian walkway would result in a near-term improvement, which would align with Town's goals pursuant to the Sidewalk Master Plan and MLTSMP. As such, the addition of the new pedestrian walkway would not create any new impacts, not considered as part of the certified Final EIR, regarding pedestrian access.

Implementation of the proposed Amended Phase One would not result in any changes/modifications to the existing bicycle or transit system. Less than significant impacts would result in this regard.

*Design Safety Hazard Analysis*

The Amended Phase One would alter the existing project site access, compared to that considered in the certified Final EIR. Project modifications would eliminate one of the two existing vehicular access driveways along Old Mammoth Road (the southernmost driveway) and move the vehicular access driveway along Sierra Nevada Road (from its current easterly location) to the center of the site. This change in access driveways would not create a design hazard for vehicles or pedestrians and would alleviate ingress/egress to the reconfigured hotel facility. Less than significant impacts would result in this regard.

*Vehicle Miles Traveled (VMT) Screening Analysis*

The certified Final EIR established 106,600 VMT as the threshold for projects within the Town. The 2016 Addendum determined that long-term operational impacts regarding VMT would result in approximately 6,270 daily trips and would be consistent with anticipated growth in the area. As such, the previously analyzed project would not exceed the Town's VMT limits.

The certified Final EIR and 2016 Addendum did not specifically address VMT (pursuant to Senate Bill [SB] 743), as it was not required in the CEQA Guidelines at the time of certification. As such, a VMT Assessment for the Amended Phase One was prepared to analyze potentially significant transportation impacts based on VMT. The purpose of the VMT Assessment is to determine if the Amended Phase One meets the Town's recently adopted *SB743 Implementation Guidelines* (Implementation Guidelines) screening thresholds for land use projects.

The VMT Assessment (provided as Appendix A, *VMT Assessment*) found that the Amended Phase One would meet two of the Town's Screening Criteria for land use projects (Map-Based Screening and Redevelopment Projects). According to these Screening Criteria, the development projects would have less than significant VMT impacts if: 1) a project is located within an area of development allowed by the screening map and would result in an average VMT below the allowed county average maximum value; or 2) would reduce daily VMT compared to existing conditions.

The proposed Amended Phase One is anticipated to result in a net decrease of 8,979 vehicle miles travelled (VMT) per day, based on the project's total VMT of 2,797 and the existing restaurant's total VMT of 11,776 (proposed to be removed). The proposed Amended Phase One would also be located within an area of development allowed by the Town's screening map. As the project site is situated in an area of allowed development and would have net decrease in VMT (which would be below the allowed county average maximum value), the project meets the Town's Map-Based Screening criteria. Additionally, the proposed Amended Phase One would reduce daily VMT compared to existing conditions, meeting the Town's Redevelopment Projects criteria as well.

As such, the Amended Phase One would be exempt from further VMT assessment and would result in a less than significant impact with regard to VMT. The Amended Phase One would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b). Less than significant impacts would result in this regard.

*Conclusion*

The Amended Phase One would result in substantially less development intensity than that considered for full buildout of the Specific Plan. This interim development would result in fewer daily trips, compared to the existing condition and buildout of the Specific Plan. As such, the certified Mitigation Measures would not apply to the Amended Phase One and impacts pertaining to transportation would be less than significant. The Amended Phase One would not result in any new or potentially adverse traffic and circulation impacts not previously considered and addressed.

**Mitigation Program**

The Final EIR Mitigation Program, as amended by the 2016 Addendum, includes measures to avoid potential adverse impacts associated with the previously approved project to maintain less than significant levels. However, the certified Mitigation Measures would not apply to the Amended Phase One.

## 3.4 AIR QUALITY

Air Quality

The certified Final EIR determined upon implementation of recommended mitigation measures, development of the Specific Plan would not result in significant air quality impacts during project construction and operation in regard to project consistency with the *Town of Mammoth Lakes Air Quality Management Plan* (AQMP) or result in significant cumulative air quality impacts along with implementation of other development in the project area. Further, the 2016 Addendum concluded that the air quality impacts resulting from the 2016 Old Mammoth Place CUP Amendment would be similar to those identified for the Specific Plan in the certified Final EIR.

For the proposed Amended Phase One, long-term operational impacts would be consistent with the anticipated growth within the project area, given this use is consistent with the existing land use conditions. The Amended Phase One is anticipated to generate approximately 152 daily trips, which is substantially lower than the number of trips forecast for buildout of the Specific Plan. Further, the proposed Amended Phase One is anticipated to result in a net decrease of 8,979 VMT per day, based on the project's total VMT of 2,797 and the existing restaurant's total VMT of 11,776 (proposed to be removed). Consequently, operational air quality impacts related to

vehicle mileage would be substantially less than what was anticipated for buildout of the Specific Plan. In conclusion, the Amended Phase One would result in substantially fewer operational air quality emissions than those considered for full buildout of the Specific Plan.

During project construction, the Amended Phase One would involve demolition of an existing restaurant at the southeast corner of the site, site preparation, and construction of 30 new cabins. The Amended Phase One would involve operating the new lodging cabins, available for rental through the existing on-site hotel facility. It is acknowledged that both project construction and operation would be significantly smaller in magnitude than what was assumed for full buildout of the Specific Plan. As a result, temporary construction-related air quality impacts resulting from the Amended Phase One would be substantially lower than those identified in the certified Final EIR and 2016 Addendum. Further, the certified Mitigation Measures AQ-1 through AQ-5 would still apply to the Amended Phase One. With implementation of certified mitigation, the Amended Phase One would not result in any new or potentially adverse air quality impacts not previously considered and addressed.

Greenhouse Gas Emissions

The Final EIR for the Specific Plan was certified in 2009, and the 2016 Old Mammoth Place CUP Amendment and associated Addendum were approved in 2016. The 2016 Addendum was prepared to confirm if the proposed modifications were consistent with what was analyzed as part of the certified Final EIR. Section 3.4, *Air Quality*, of the 2016 Addendum concluded that the certified Final EIR already contained mitigation measures to address sources of greenhouse gas (GHG) emissions; certified Mitigation Measures AQ-1 through AQ-5. In addition, the 2016 Old Mammoth Place CUP Amendment was conditioned to achieve a Leadership in Energy and Environmental Design (LEED) Silver or equivalent certification as well as incorporate numerous water and energy efficiency programs during project construction and operation. As such, the 2016 Addendum concluded that GHG emissions resulting from the 2016 Old Mammoth Place CUP Amendment would be reduced with the mitigation measures from the certified Final EIR and the LEED Silver (or equivalent) certification requirements, and there is no evidence that further mitigation is necessary to further demonstrate compliance with the State mandated GHG reduction targets.

During project construction, the proposed Amended Phase One would involve demolition of an existing restaurant at the southeast corner of the site, site preparation, and construction of 30 new cabins. These new lodging cabins would be available for rental through the existing on-site hotel facility. It is acknowledged that both project construction and operation would be significantly smaller in magnitude than that considered for full buildout of the Specific Plan.

Based on the magnitude of the proposed Amended Phase One (as compared to full buildout of the Specific Plan) and implementation of the certified mitigation measures that address sources of GHG emissions, GHG emissions associated with development of the Amended Phase One would be minimized and no further mitigation would be necessary to further demonstrate compliance with State mandated GHG reduction targets. With implementation of certified mitigation, the Amended Phase One would not result in any new or potentially adverse GHG emissions impacts not previously considered and addressed.

**Mitigation Program**

The Final EIR Mitigation Monitoring and Reporting Program includes measures to reduce potential impacts associated with the previously approved project to less than significant levels.

Subsequently, the 2016 Addendum provided minor, editorial modifications to application measures for the 2016 Old Mammoth Place CUP Amendment. The following measures from the certified Final EIR and/or the 2016 Addendum would be applicable to the proposed Amended Phase One. Any modifications to the original measures are shown in strikethrough for deleted text and underlined for new, inserted text.

*Applicable Mitigation Measures*

AQ-1 Prior to approval of the project plans and specifications, the Public Works Director, or his designee, shall confirm that the plans and specifications stipulate that, in compliance with ~~GBUPACD~~ Great Basin Unified Air Pollution Control District (GBUAPCD) Rule 401, excessive fugitive dust emissions shall be controlled by regular watering or other dust preventive measures, as specified in the ~~GBUPACD~~ GBUAPCD Rules and Regulations. In addition, ~~GBUPACD~~ GBUAPCD Rule 402 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off-site. Implementation of the following measures would reduce short-term fugitive dust impacts on nearby sensitive receptors:

- All active portions of the construction site shall be watered to prevent excessive amounts of dust;
- On-site vehicles' speed shall be limited to 15 miles per hour (mph);
- All on-site roads shall be paved as soon as feasible or watered periodically or chemically stabilized;
- All material excavated or graded shall be sufficiently watered to prevent excessive amounts of dust; watering, with complete coverage, shall occur at least twice daily, preferably in the late morning and after work is done for the day;
- If dust is visibly generated that travels beyond the site boundaries, clearing, grading, earth moving or excavation activities that are generating dust shall cease during periods of high winds (i.e., greater than 25 mph averaged over one hour) or during Stage 1 or Stage 2 episodes; and
- All material transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust.

*Old Mammoth Place Addendum, 2016.*

AQ-2 Under GBUAPCD Rule 200-A and 200B, the project applicant shall apply for a Permit to Construct prior to construction, which provides an orderly procedure for the review of new and modified sources of air pollution. *Old Mammoth Place Addendum, 2016.*

AQ-3 Under GBUAPCD Rule 216-A (New Source Review Requirement for Determining Impact on Air Quality Secondary Sources), the project applicant shall complete the necessary permitting approvals prior to commencement of construction activities. *Old Mammoth Place Addendum, 2016.*

AQ-4 Prior to demolition activities, the applicant shall demonstrate to the GBUAPCD that the project is consistent with the Toxic Substance Control Act (TSCA), (15 U.S.C. Section 2601 et. seq.) Title 2 - Asbestos Hazard Emergency Response for handling asbestos. *Old Mammoth Place Addendum, 2016.*

AQ-5 Prior to approval of building plans, the applicant shall provide confirmation, to the satisfaction of the ~~Town of Mammoth Lakes~~ Town's Community and Economic Development Department, that wood fired stoves or appliances would not be used on-site. *Old Mammoth Place Addendum, 2016.*

## 3.5 NOISE

The certified Final EIR determined that after implementation of recommended mitigation measures, development of the Specific Plan would result in significant and unavoidable construction noise and cumulative construction noise impacts. The certified Final EIR concluded that implementation of Mitigation Measures N-1 through N-3 would significantly reduce noise impacts during project construction and operation. Despite implementation of the abovementioned mitigation measures, construction-related noise impacts and cumulative construction noise impacts were determined to remain significant and unavoidable due to the proximity of sensitive receptors to the project site. As such, a Statement of Overriding Considerations was adopted by the Town Council when the Final EIR was certified. Subsequently, the 2016 Addendum was prepared to confirm if the proposed modifications of the 2016 Old Mammoth Place CUP Amendment were consistent with what was analyzed as part of the certified Final EIR. Section 3.5, *Noise*, of the 2016 Addendum acknowledged that despite implementation of the Mitigation Measures N-1 through N-3, construction-related noise impacts and cumulative construction noise impacts resulting from the 2016 Old Mammoth Place CUP Amendment were determined to remain significant and unavoidable due to the proximity of sensitive receptors to the project site. As such, the 2016 Addendum concluded that construction-related noise impacts and cumulative construction noise impacts from the 2016 Old Mammoth Place CUP Amendment would remain significant and unavoidable.

The Amended Phase One would involve demolition of an existing restaurant at the southeast corner of the site, site preparation, and construction of 30 new cabins. It is acknowledged that both project construction and operation would be significantly less in magnitude than full development of the Specific Plan. Similar to the Specific Plan and the 2016 Old Mammoth Place CUP Amendment (which proposed outdoor recreation uses at the pedestrian plaza/outdoor recreation areas), the proposed Amended Phase One would include outdoor recreational uses (although to a lesser extent), including activities at the proposed public open space/event area at the southeast corner of the site, relocated pool, outdoor food garden (dining area) along Old Mammoth Road, and other amenity areas (including expanded outdoor seating and lawn game areas). Outdoor activities potentially generating excessive noise (i.e., music and performances) would be subject to a Use Permit, which would regulate the hours of performances and amplification of equipment.

Implementation of the certified Mitigation Measures N-1 through N-3 would significantly reduce noise impacts during construction and operation of the Amended Phase One. With implementation of certified mitigation, the proposed Amended Phase One would not result in any new, different, or potentially adverse construction-related noise impacts and cumulative construction noise impacts not previously considered and addressed.

**Mitigation Program**

The Final EIR Mitigation Program, as amended by the 2016 Addendum, includes measures to reduce significant and unavoidable impacts associated with the previously approved project to the extent feasible. The following measures from the certified Final EIR and 2016 Addendum would also be applicable to the proposed project. Any modifications to the original measures are shown in strikethrough for deleted text and new, inserted text is underlined.

*Applicable Mitigation Measures*

N-1 Prior to Grading Permit issuance, the project shall demonstrate, to the satisfaction of the ~~Town of Mammoth Lakes~~ Town's Community & Economic Development Department that the project complies with the following:

- All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers;
- Construction noise reduction methods such as shutting off idling equipment, installing temporary acoustic barriers around stationary construction noise sources, maximizing the distance between construction equipment staging areas and occupied residential areas, and use of electric air compressors and similar power tools, rather than diesel equipment, shall be used where feasible;
- During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers;
- During construction, stockpiling and vehicle staging areas shall be located as far as practical from noise sensitive receptors;
- Operate earthmoving equipment on the construction site as far away from vibration sensitive sites as possible; and
- Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow for surrounding owners and residents to contact the job superintendent. If the Town or the job superintendent receives a complaint, the superintendent shall investigate, take appropriate corrective action, and report the action taken to the reporting party.

*Old Mammoth Place Addendum, 2016.*

N-2 The proposed project shall be required to adhere to ~~Chapter 8.80.090~~Section 8.16.090 (Prohibited Acts) of the *Municipal Code,* which prohibits loading activities between the hours of 10:00 p.m. and 7:00 a.m. *Old Mammoth Place Addendum, 2016.*

N-3 Mechanical equipment shall be placed as far as practicable from sensitive receptors. Additionally, the following shall be considered prior to HVAC installation: proper selection and sizing of equipment, installation of equipment with proper acoustical shielding, and incorporating the use of parapets into the building design. *Old Mammoth Place Addendum, 2016.*

# 3.6 UTILITIES AND SERVICE SYSTEMS

The certified Final EIR determined that development of the Specific Plan would create increased demand on utilities and service systems serving the project area; however, impacts would be less than significant. Further, the 2016 Addendum found that the Old Mammoth Place CUP Amendment would involve similar development and demand for public services and utilities to that identified in the certified Final EIR.

The proposed Amended Phase One would result in a substantially reduced development, compared to that considered for full development of the Specific Plan. The proposed project would construct 30 hotel cabins. Project modifications would increase demand for public services and utilities compared to existing conditions, but would be less than those considered for the previously analyzed project. The proposed Amended Phase One would increase utility demands as follows:

- Electrical amperage to the property would increase an additional 2055 amps per day.
- Propane delivery to the site would increase by 440 gallons per day.
- Water to the site would increase by 220 gallons per day
- Sewerage from the site would increase 320 gallons per day

The Amended Phase One proposes the installation of new on-site utility connections to serve the new cabins, including water, sewer, electrical, gas, and telecommunications. Electrical, gas (propane), water, and sewer utilities would all see an increase regarding on-site demand. Based on the certified Final EIR, there are no deficiencies in the water delivery system serving the project site. Additionally, the certified Final EIR concluded that there are sufficient existing facilities for water supply and wastewater treatment. Dry utilities would be available to serve the project site upon approval of all necessary permits from the Town and other agencies. As a result, the proposed Amended Phase One's demand for public services and utilities is anticipated to be substantially less than that identified in the certified Final EIR and 2016 Addendum. The proposed Amended Phase One would not result in any new, different or potentially adverse public services and utilities impacts not previously considered and addressed in the certified Final EIR and 2016 Addendum. Furthermore, the proposed project's utilities and service systems would only be temporary, as they would be demolished, and reconstructed appropriately to service construction of full buildout of the Specific Plan.

**Mitigation Program**

The Final EIR Mitigation Program, as amended by the 2016 Addendum, includes measures to reduce potential impacts associated with the previously approved project to less than significant levels. The following measures from the certified Final EIR and 2016 Addendum would also be applicable to the proposed project. Any modifications to the original measures are shown in strikethrough for deleted text and new, inserted text is underlined.

*Applicable Mitigation Measures*

USS-1 The Applicant shall provide lateral sewer lines to the ~~centerlines~~sewer main of the nearest adjacent roadways. The lateral sewer lines shall be constructed in accordance with Town and ~~MCWD~~ Mammoth Community Water District (MCWD) standards and

specifications, to the satisfaction of the Town of Mammoth Lakes. *Old Mammoth Place Addendum, 2016 [modified for clarification].*

## 3.7 ENERGY

The Final EIR for the Specific Plan was certified in 2009, and the 2016 Addendum for the 2016 Old Mammoth Place CUP Amendment was approved in 2016. Although not addressed in a standalone section in the EIR, energy considerations were analyzed in Section 6.1, *Irreversible Environmental Changes That Would Be Involved In The Proposed Action Should It Be Implemented*.

The implementation of project design features and mitigation measures related to energy efficiency have also typically been incorporated into a project's air quality and greenhouse gas analyses. As such, the certified Final EIR contained mitigation measures to address energy consumption, despite energy consumption reduction has not been specifically stated as reasoning for implementing these mitigation measures. These mitigation measures include mitigation of traffic and air quality impacts of the proposed development under the Specific Plan.

Both construction and operation of Amended Phase One would be substantially less in magnitude compared to full buildout of the Specific Plan. Based on the magnitude of the Amended Phase One and implementation of the certified mitigation measures that address energy consumption, the Amended Phase One would not result in any new or potentially adverse energy impacts not previously considered and addressed.

**Mitigation Program**

The Final EIR Mitigation Program, as amended by the 2016 Addendum, includes measures to reduce potential impacts associated with the previously approved project to less than significant levels. The following measures from the certified Final EIR and 2016 Addendum would also be applicable to the proposed project. Any modifications to the original measures are shown in strikethrough for deleted text and new, inserted text is underlined.

*Applicable Mitigation Measures*

Refer to Mitigation Measures AQ-1 through AQ-5 above.

## 3.8 WILDFIRE

The certified Final EIR determined that the Town and surrounding area have been rated as having a very high fire potential. Further, the certified Final EIR determined the previously analyzed project would be subject to review by the Mammoth Lakes Fire Protection District (MLFPD) to ensure fire regulations are met. MLFPD review would include ensuring adequate clearance of flammable vegetation around individual structures to prevent the spread of fire between wildlands and structures. As such, compliance with applicable provisions and fire codes pertaining to fire control would result in less than significant impacts.

According to the California Department of Forestry and Fire Protection *Mono County Fire Hazard Severity Zones in LRA Map*, the project site is not located within a State Responsibility Area (SRA)

nor is classified as a very high fire hazard severity zone.[1] However, it is acknowledged that the site is situated within a Low fire hazard severity zone. The proposed Amended Phase One would not result in an adverse effect which could impede emergency evacuation routes serving the Town. Further, project modifications would be subject to review by MLFPD to ensure the project complies with fire requirements and emergency vehicle access. The Amended Phase One would also be subject to payment fees that are currently imposed by the Town and used to fund the required fire suppression equipment. Wildfire impacts resulting from the Amended Phase One would be less than those identified in the certified Final EIR and 2016 Addendum. Compliance with fire requirements, emergency vehicle access, and payment of required fees would reduce potential impacts associated with the Amended Phase One to less than significant levels. As such, impacts regarding wildfire would be less than significant.

**Mitigation Program**

The certified Final EIR and 2016 Addendum determined that potential wildfire impacts associated with the previously approved project were less than significant. As such, no certified mitigation measures apply for wildfire impacts and impacts in this regard would be less than significant.

# 4.0 DETERMINATION/ADDENDUM CONCLUSION

As detailed in the analysis presented above, this Addendum supports the conclusion that the proposed addition of the Amended Phase One to the Specific Plan would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects. No new information has become available and no substantial changes to the circumstances (under which the project was being undertaken) since the certification of the Final EIR and the 2016 Addendum has occurred. There are no new measures required and no new alternatives available that would substantially reduce the environmental effects beyond those previously described in the certified Final EIR and the 2016 Addendum.

# 5.0 ADDENDUM PREPARATION SOURCES/REFERENCES

*California Environmental Quality Act,* 1970, as amended, Public Resources Code Sections 21000-21189.

California Department of Forestry and Fire Protection, *Mono County Fire Hazard Severity Zones in LRA Map*, https://osfm.fire.ca.gov/media/6724/fhszl06_1_map26.pdf, September 21, 2007, accessed on October 15, 2021.

Google Earth Maps, http://maps.google.com, accessed October 2021.

Michael Baker International, *Old Mammoth Place, Addendum to the Clearwater Specific Plan, Environmental Impact Report*, June 1, 2016.

RBF Consulting, *Final Clearwater Specific Plan Environmental Impact Report*, SCH No. 2006062154, adopted July 2008.

1 California Department of Forestry and Fire Protection, *Mono County Fire Hazard Severity Zones in LRA Map*, https://osfm.fire.ca.gov/media/6724/fhszl06_1_map26.pdf, September 21, 2007, accessed on October 15, 2021.

RBF Consulting, *Old Mammoth Place, California Environmental Quality Act Conformance Review*, February 2010.

Town of Mammoth Lakes, *Town of Mammoth Lakes Municipal Code.*

Town of Mammoth Lakes, *Town of Mammoth Lakes General Plan 2007*, dated May 2007.

Town of Mammoth Lakes, *General Plan Update Final Program Environmental Impact Report*, SCH No. 2003042155, dated May 2007.

Town of Mammoth Lakes, *The Clearwater Specific Plan*, revised April 21, 2010 (DZA 09-001 and DZA 10-002).

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# APPENDIX A
# VMT Assessment

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# TECHNICAL MEMORANDUM

**To:** Amy Callanan, Town of Mammoth Lakes

**From:** Robert Davis, Michael Baker International
Dawn Wilson, Michael Baker International

**CC:** Kristen Bogue, Michael Baker International

**Date:** October 20, 2021

**Subject:** Sierra Nevada Resort Amendment VMT Assessment

## *Introduction*

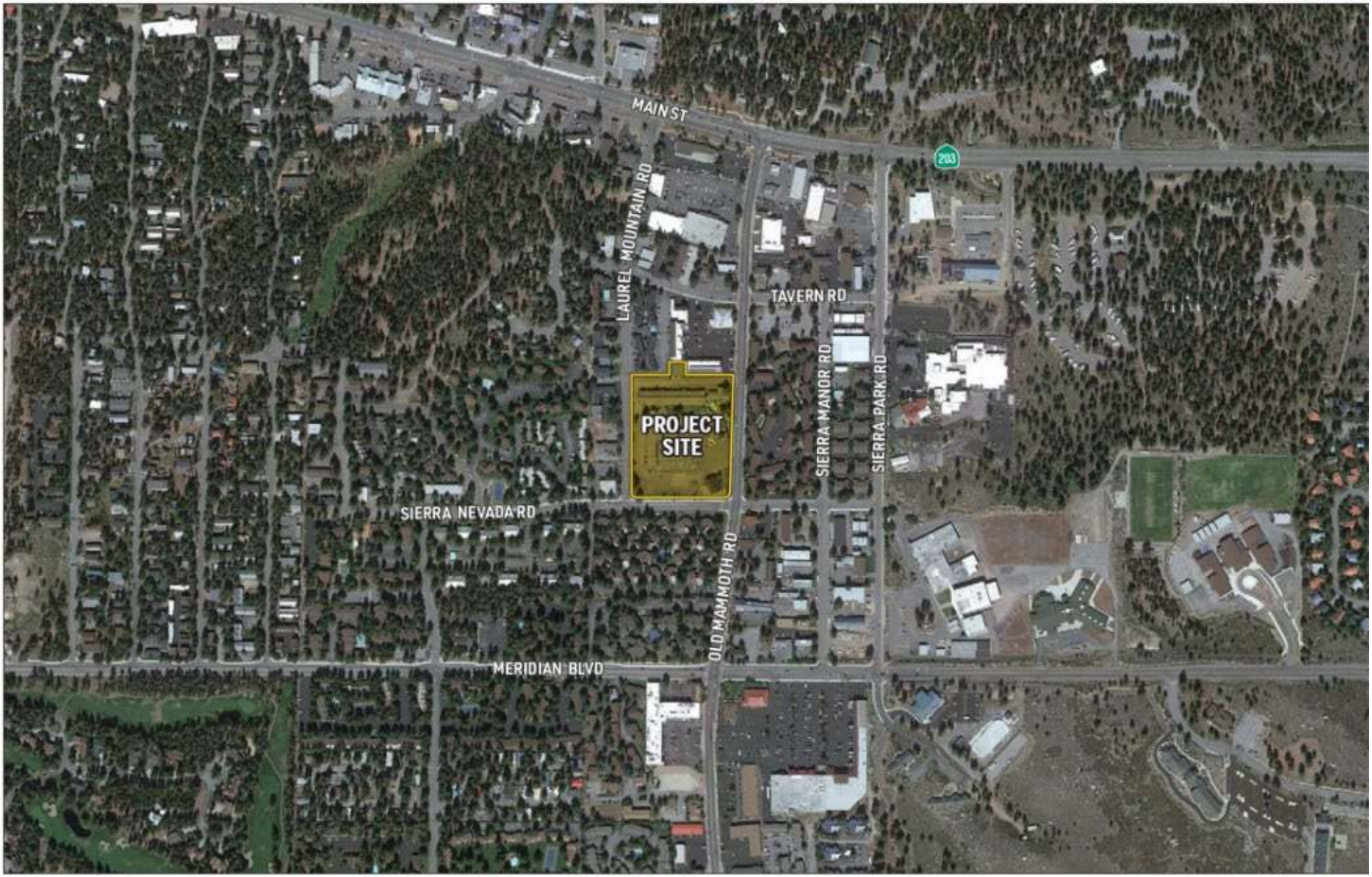
The purpose of this memorandum is to document the VMT assessment for the proposed Sierra Nevada Resort Amendment (Project) located in the Town of Mammoth Lakes, California. This memorandum has been prepared to support the Transportation component of the California Environmental Quality Act (CEQA) process. **Table 1** provides key project information. **Exhibit 1** shows the location of the project.

**Table 1: Project Information**

| Item | Description |
|---|---|
| Project Title | Sierra Nevada Resort Amendment |
| Project Location | 248 Old Mammoth Road - Situated on the northwest corner of the intersection of Old Mammoth Road and Sierra Nevada Road (Town of Mammoth Lakes, Mono County, CA) |
| Existing Use | Restaurant building occupied by Red Lantern downstairs and Jimmy's Taverna upstairs. Total existing restaurant floor area is approximately 5,700 square feet. |
| Proposed Use | 30 Hotel Room Units (Cabins) |
| Area | 6.1 acres |

The existing restaurant building would be replaced by the proposed 30 hotel units.

**Exhibit 1: Project Site Vicinity**




Source: Google Earth Pro, September 2021

## *Analysis Guidelines*

Per the direction of Town staff, the Town of Mammoth Lakes *SB743 Implementation Guidelines* November 24, 2020 was utilized as the primary resource in the development of this analysis. *Resolution 20-94* of the Town Council was adopted on December 2, 2020 and establishes the "Vehicle Miles Traveled Thresholds of Significance for Purposes of Analyzing Transportation Impacts under the California Environmental Quality Act."

## *Project Trip Generation Analysis*

The number of Project site trips was estimated using the Institute of Transportation Engineers' (ITE) *Trip Generation Manual* (10th Edition). **Table 2** shows the ITE trip generation rates used for this analysis and **Table 3** shows the estimated trips generated by the Project and by the existing restaurant use that will be replaced (redeveloped) by the Project.

**Table 2: Trip Generation Rates**

| Land Use | ITE Code | Daily Trip Rate | AM Peak Hour | | | PM Peak Hour | | |
|---|---|---|---|---|---|---|---|---|
| | | | Rate | In | Out | Rate | In | Out |
| High-Turnover (Sit-Down) Restaurant | 932 | 112.18 / KSF (1) | 9.94 | 55% | 45% | 9.77 | 62% | 38% |
| All Suites Hotel | 311 | 4.46 / Room | 0.34 | 53% | 47% | 0.36 | 48% | 52% |

*Notes:*
*1) KSF = Thousand Square Feet*

**Table 3: Estimated Project Trips and Existing Restaurant Trips**

| Land Use | ITE Code | Intensity | | Daily Trips | AM Peak Hour | | | PM Peak Hour | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | Trips | In | Out | Trips | In | Out |
| Existing: High-Turnover (Sit- | 932 | 5.7 | KSF(1) | 639 | 57 | 31 | 26 | 56 | 35 | 21 |
| Proposed: All Suites Hotel | 311 | 30 | Rooms | 134 | 10 | 5 | 5 | 11 | 5 | 6 |
| **Net Difference (Proposed – Existing) (2)** | | | | **-505** | **-47** | **-26** | **-21** | **-45** | **-30** | **-15** |

*Notes:*
*1) KSF = Thousand Square Feet*
*2) Values may vary slightly due to rounding.*

## *Screening Criteria*

Land use projects that meet the screening thresholds identified in **Table 4** are assumed to result in a less than significant transportation impact under CEQA and do not require a detailed quantitative VMT assessment. **The project meets two of the Screening Criteria for land use projects which would allow a determination of a less than significant impact on VMT, thus a detailed project-specific VMT assessment is not required.** Criteria for both the Map-Based Screening and the Redevelopment Project categories are met by the proposed Project.

**Table 4: Screening Criteria for Land Use Projects Presumed to Cause a Less Than Significant Impact**

| Project Type | Town Recommended Screening Criteria | Project Evaluation | Result |
|---|---|---|---|
| Small Projects | Project generation is less than 110 trips per day per the ITE Manual or other acceptable source determined by Town of Mammoth Lakes. Unless: It is inconsistent with the General Plan as determined by the Town of Mammoth Lakes. | Project is anticipated to generate approximately 134 daily trips, which exceeds the Small Project trip generation threshold. | Does Not Meet Criteria |
| Local Serving Retail | No single store on-site exceeds 50,000 square feet; and Project is local-serving as determined by the Town of Mammoth Lakes. Unless: The nature of the service is regionally focused as determined by the Town of Mammoth Lakes. | Not applicable since Project is not retail development. | Does Not Meet Criteria |
| Affordable Housing | A high percentage of affordable housing is provided as determined by the Town of Mammoth Lakes. Unless: The percentage of affordable housing is determined by the Town of Mammoth Lakes to not be high in relation to the residential element of a project. | Not applicable since Project does not contain affordable housing development. | Does Not Meet Criteria |
| Local Essential Service | Building is less than 50,000 square feet: and Land Use is:<br>• Day care center; or<br>• Public K-12 School; or<br>• Police or Fire facility; or<br>• Medical/Dental office building; or<br>• Government offices (in-person services such as post office, library, and utilities)<br><br>Unless: The nature of the service is regionally focused as determined by the Town of Mammoth Lakes. | Not applicable since Project is not retail or essential services development. | Does Not Meet Criteria |
| Map-Based Screening | Area of development is under threshold as shown on screening map as allowed by the Town of Mammoth Lakes. Note that screening maps for residential and employment based VMT projects are provided in Appendix B of the Town of Mammoth Lakes SB 743 Implementation Guidelines. Unless: The project represents significant growth as to substantially change regional travel patterns as determined by the Town of Mammoth Lakes. | Project is located Hex ID 588 and this zone is designated as "green" in the Appendix B Screening Maps and having a non-residential average VMT that is 15% or more below the Mono County Average. | **Meets Criteria** |
| Redevelopment Projects | Project replaces an existing VMT-generating land use and does not result in a net overall increase in VMT Unless: The project replaces an existing VMT-generating land use and results in a net overall increase in VMT. | The existing restaurant use has a daily VMT of 11,776. The proposed hotel units would have a daily VMT of 2,466 which represents a net reduction in VMT. | **Meets Criteria** |

## *Redevelopment Project VMT Assessment*

The VMT Screening Tool results are shown in **Table 6** and screenshots of the screening tool results are attached to this memo. The Project is estimated to generate a daily total (Production-Attraction, PA) of 134 trips. The average trip length for the Project is 18.4 miles. The resulting Total VMT is 2,466 (134 trips x 18.4 miles per trip). A comparison of the average trip length for the Project (18.4 miles) to the Mono County average trip length (27.4) shows an average trip length that is 32.8% lower than the County's average trip length.

A comparison of the Project total VMT (2,466) to the existing restaurant use total VMT (11,776) shows that the Project is anticipated to result in a net decrease of 9,310 VMT per day. Therefore, **the project is determined to have less than significant impact.**

**Table 5: VMT Summary**

| Category | Project Comparison | | |
|---|---|---|---|
| | Mono County | Existing Restaurant | Project |
| Daily Trips | N.A. | 640 | 134 |
| Average Trip Length (miles) | 27.4 | 18.4 | 18.4 |
| Total VMT | N.A. | 11,776 | 2,466 |

## *Mitigation Measures*

Since the project is projected to result in a less than significant impact, mitigation measures are not required.

## *Conclusions*

The Project VMT assessment for the Sierra Nevada Resort Amendment located in the Town of Mammoth Lakes shows that the Project meets two of the Town Screening Criteria and is therefore determined to have a less than significant impact. While a detailed VMT assessment is not required, an evaluation of the Project condition was conducted to demonstrate that redevelopment of the site results in a reduction in trips generated and a greater that 15% reduction in average trip length. As such, the Project results in a net reduction in VMT compared to the existing use. Based on this assessment, **the project is determined to have a less than significant impact and no mitigation is required.**

## VMT Calculator Output

# VMT CALCULATOR

Kimley»Horn  Mammoth Lakes CALIFORNIA

Version 1.1 Build Date 11_05_20

### PROJECT INFORMATION

| | |
|---|---|
| Project Name | Sierra Nevada Resort Amendment |
| Address | 248 Old Mammoth Road |
| HEX ID | 588 |
| Project Context/Setting | Suburban Center |

### LAND USE INFORMATION

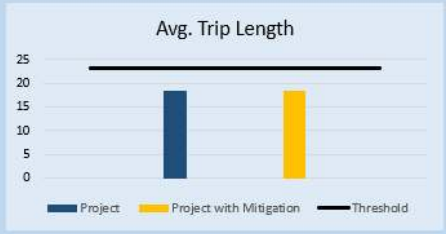
| | |
|---|---|
| VMT Land Use Type | Non_Residential |
| ITE Trip Gen Land Use | 311 \| All Suites Hotel |
| Room(s) | 30 |
| Mixed-Use Adjustment | 0% |

### PRESUMPTIONS OF LESS THAN SIGNIFICANT IMPACT

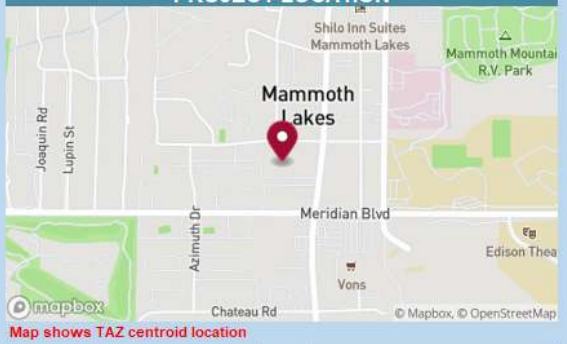
- ☐ Affordable Housing
- ☐ Within a 1/2 mile of Major Transit Stop
- ☐ Local Retail (<50,000 Sq Ft)
- ☐ Less than 110 Trips per Day

### VMT OUTPUT

| | PROJECT |
|---|---|
| Avg. Trip Length | 18.4 |
| Daily Trips | 134 |
| Average (Avg. Trip Length) | 27.4 |
| hreshold (15% below Average) | 23.3 |
| Significant Impact? | No |




### PROJECT LOCATION




Map shows TAZ centroid location

SEARCH LOCATION  RESET


# VMT CALCULATOR

Kimley»Horn  Mammoth Lakes CALIFORNIA

Version 1.1 Build Date 11_05_20

### PROJECT INFORMATION

| | |
|---|---|
| Project Name | Sierra Nevada Resort Amendment |
| Address | 248 Old Mammoth Road |
| HEX ID | 588 |
| Project Context/Setting | Suburban Center |


### LAND USE INFORMATION

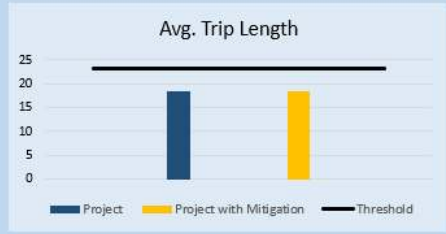
| | |
|---|---|
| VMT Land Use Type | Non_Residential |
| ITE Trip Gen Land Use | 932 \| High-Turnover (Sit-Down) Restaurant |
| 1,000 Sq Ft | 5.7 |
| Mixed-Use Adjustment | 0% |


### PRESUMPTIONS OF LESS THAN SIGNIFICANT IMPACT

- ☐ Affordable Housing
- ☐ Within a 1/2 mile of Major Transit Stop
- ☐ Local Retail (<50,000 Sq Ft)
- ☐ Less than 110 Trips per Day

### VMT OUTPUT


| | PROJECT |
|---|---|
| Avg. Trip Length | 18.4 |
| Daily Trips | 640 |
| Average (Avg. Trip Length) | 27.4 |
| hreshold (15% below Average) | 23.3 |
| Significant Impact? | No |





### PROJECT LOCATION






Map shows TAZ centroid location

SEARCH LOCATION  RESET

# ATTACHMENT 4

# Application Narrative

# PROJECT NARRATIVE

## Background

In 1967, the Sierra Nevada Lodge opened on Old Mammoth Road, where it operated largely unchanged for more than 40 years. In 2008, a new owner set out to develop a mixed-use resort on the site, consistent with the vision and goals of the General Plan. In 2009, the owner applied for, and the Town Council approved, the Clearwater Specific Plan ("CSP") to accommodate the owner's development plan for the proposed resort. The owner then applied for, and the Planning and Economic Development Commission approved, a conditional use permit ("CUP") for a mixed-use resort called "Old Mammoth Place." The approved project included 340 condo-hotel units, 488 lodging rooms, eight on-site workforce housing units, three outdoor public events plazas, 20,000 square feet of retail space, 17,000 square feet of restaurant space, 9,500 square feet of conference space, a 4,500 square-foot spa and wellness center, an ice rink, a pool and hot tubs, and an underground parking garage to accommodate 488 vehicles.

During the seven-year period following the approval of Old Mammoth Place, the owner failed to secure financing for the proposed project. Therefore, in August 2016, the owner sought to bolster the project's economic viability by securing amendments to the CSP and CUP. These amendments included increasing the building height to 80 feet, significantly expanding the residential square footage, increasing underground parking capacity to 610 spaces, and removing the on-site workforce housing requirement.

Despite these efforts, financing for Old Mammoth Place remained unattainable throughout the next five years. Therefore, the owner pivoted his focus to refreshing the existing hotel rooms and renovating the restaurants and public spaces at Sierra Nevada Lodge. Consequently, the vision and goals for the site, as outlined in the General Plan, remained unfulfilled, and Old Mammoth Road continued to struggle to meet the needs and expectations of visitors and locals alike.

## Waterton's Redevelopment of the Site

In 2021, WH SN Mammoth LLC ("Waterton") purchased the site and set out to expand, renovate, and rebrand the Sierra Nevada Lodge in a manner that could be financed. Waterton then applied for and obtained an amendment to the CSP ("Phase One Addendum") to accommodate a less dense and lower-scale expansion and renovation of the site, while leaving open the possibility that Old Mammoth Place could still be developed if it ever became financially feasible. Waterton then obtained Design Review approval and a Conditional Use Permit for the renovations, and made substantial investments to expand and upgrade the hotel, restaurant, and public spaces, and to create a dynamic outdoor food and entertainment venue along the Old Mammoth Road. Specifically, Waterton:

- Updated and enhanced all of the hotel's entryways, lobby areas, public spaces, and accommodations;
- Added twenty family-friendly Villa units and ten cabin units to the hotel inventory;
- Created a new restaurant and bar called "Bar Sierra" with an expanded outdoor seating deck;
- Created a food and beverage garden and events venue along Old Mammoth Road, which is served by Bar Sierra and a food truck stationed at the corner of Old Mammoth Road and Sierra Nevada Road.
- Upgraded and increased the capacity of the event and meeting space at the site;
- Created a new wine bar in the hotel lobby;
- Installed a new and enlarged pool and hot tub;
- Created multiple landscaped social and amenity areas;
- Provided on-site workforce housing for a minimum of five hotel employees; and
- Constructed a new sidewalk along Laurel Mountain Road, for the full length of the site, which supports the Town's Safe Routes to Schools Initiative.

Waterton's redevelopment of the site was the first major expansion and renovation of a hospitality project in Mammoth in decades. It transformed the site into a contemporary, full-service family resort, and made significant strides toward achieving the General Plan's goals for the Old Mammoth Road ("OMR") District, including increased hotel occupancies and a revitalized streetscape.

**The Villas**

Waterton's redevelopment of the site included the construction of five four-plex buildings that contain 20 family-oriented lodging units called the "Villas." Throughout the entitlement and redevelopment process, Waterton intended to own and operate the entire site as a traditional hotel. However, the quality and configuration of the Villas soon led to a number of unsolicited requests from hotel guests for Waterton to convert the Villas into condominium-hotel units.

The sale of the units would present guests a unique opportunity to invest in the OMR District, thereby contributing to its enhancement and sustainability. The sale of units would also bolster the long-term stability and viability of the resort, creating a mutually beneficial arrangement for both new unit owners and the local community. Moreover, more than two-thirds of the site would still remain available for redevelopment if the property owner were to pursue a scaled-down version of Old Mammoth Place if it were to become financially feasible.

The proposed subdivision of the Villas for condominium hotel purposes would not have a material impact on hotel operations because use of the Villas will be restricted to transient occupancy. Transient occupancy restrictions mean and include: (i) owner and guest stays will be limited to 30-days maximum per stay, without limitation on number of stays per year; and (ii) each Villa will remain available for rental by the general public when the Residence is not owner or guest occupied; (iii) such restrictions are severable in the event of a determination that a

restriction is found unenforceable, void or unconstitutional and subject to Town procedures whereby an owner can seek a waiver of transient occupancy restrictions due to hardship, change of circumstances, or other material grounds. In addition to the transient occupancy restrictions set forth in Town zoning, the Town's restrictions on transient occupancy will be included the governing CCRs of the Villas to ensure that the Villas' primary use remains transient occupancy.

**Waterton's Entitlement Applications**

Waterton's goals are to establish "condominium hotel" units as a permitted use for the Villas, as currently permitted under the CSP, and to allow each of the Villas to be marketed for sale. To accomplish those goals, Waterton requests the Town to: (i) amend the Phase One Addendum to allow the Villas to be used and sold as condominiums; and (ii) approve a Tentative Tract Map to document the conversion of the Villas to condominiums.

**Conformance to the General Plan**

The Town's General Plan identifies three core principles applicable to the OMR District: (1) create walkable communities; (2) maintain mountain town character; and (3) provide economic viability. Waterton's redevelopment of the site conforms to each of these principles through the creation of a vibrant, walkable site that maintains the character of Mammoth Lakes while laying a solid foundation for sustained economic viability.

**Compliance with the CSP**

The Municipal Code states that the OMR District "is intended to encourage a mix and intensity of uses in a pedestrian-scaled environment at a scale and form that is appropriate to its neighborhood context and adjacent residential uses and forms." The CSP is consistent with the General Plan. Residential condominiums are permitted uses within the CSP and, therefore, the conversion of the Villas to condominiums will comply with the permitted uses in the CSP.

The CSP and Phase One Addendum provide development standards for the site, including allowable density and building height. The CSP allows density of up to 340 condominiums and 488 guestrooms. The Phase One Addendum allows building heights up to 35 feet. The 20 Villas do not exceed 35 in height and, therefore, the Villas comply with the allowable density and development standards in the CSP and Phase One Addendum.

**Public Benefits**

Waterton's redevelopment efforts have attracted both locals and visitors to the upgraded hotel facilities, leading to increased activity for local businesses and playing a key role in the revitalization of the OMR District. Moreover, the project has actively fostered community engagement and inclusivity by providing spaces for social gatherings, cultural events, and recreational activities. The site is emerging to be a downtown hub for both residents and visitors, promoting social interaction and economic vitality throughout the year. Prompted in part by

Waterton's investment in the project, neighboring properties are now pursuing enhancement and redevelopment, contributing to the overall appeal and sustainability of the OMR District, and aligning closely with the vision and goals outlined in the General Plan.

**Compliance Agreement**

Waterton acknowledges the Compliance Agreement dated January 9, 2024, and affirms its commitment to address and resolve all items outlined within that agreement by January 9, 2025. The Outbound Hotel property is currently operating with a Temporary Certificate of Occupancy (TCO) due to outstanding conditions of approval and Building Division requirements that must be fulfilled prior to the issuance of a permanent Certificate of Occupancy by the Town.

As required by Municipal Code Section 17.08.020 – Requirements for Development and New Land Uses, all previous Town approvals and agreements must be adhered to before any alterations to land use can occur. Consequently, Waterton shall address and resolve all action items identified in the Compliance Agreement, including the conditions of approval imposed by PEDC Resolution #2022-03.

**Jamie Gray**

**Subject:** FW: district zoning amendment 24-001

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**From:** tom <tom@kittredge.net>
**Sent:** Tuesday, December 10, 2024 9:08 PM
**To:** Michael Vanderhurst <MVanderhurst@VisitMammoth.com>; dvereuck@townofmammothlakes.ca.gov; cfleming@townofmammothlakes.ca.gov; eckertinmmth@verizon.net; lgrand@townofmammothlakes.ca.gov
**Cc:** kcooke@townofmammtohlakes.ca.gov
**Subject:** district zoning amendment 24-001

To all:
This concerns the request of Clearwater Specific Plan, Zoning Amendment (DZA) 24-001, Tentative Tract Map (TTM) 24-003 and Use Permit (UPA) 24-004 for the Outbound Hotel Villas Project. These are not Hotel Villas, these are market rate condo's that should not be carved out of the DA.

To start off with a summary of my thoughts that this is a typical money grab by a developer that is asking for forgiveness instead of preparing up front for permission in the development of these 20 units and the amendments, tract map and use permit described above.

I will highlight my concerns for your consideration and I am sorry that I can not attend this meeting in person. I will attempt to keep this as brief as possible.

To begin please look at the ariel map provided in your packet and you will see some of the issues such as set back on the north side of these units that would have never been approved if requested to build as such. This map also shows the difficulty in the egress through this property to access the other units that are rentals and commercial food service plus the special events that have already been scheduled on this property on the old mammoth rd. side. All of this would have had issues with planning had it been proposed in this manner.

Technical merits for discussion:

SB7 – have these units meet the Required Plumbing Code that a standalone condo project would have to comply with?

Are the proper Water Bill Metering and sub meters in place

Has this complied with a private unit development?

Snow Management Plan – has this been established and that land been taken away from the Outbound Hotel as snow storage. These properties next to each other can only share so much in this re configuration of land use. Has this been presented?

Set backs on the North side of this property to other rental units seem much closer that required and will this set a new precedent for other developers?

Has there been a White paper to the Dept of Real Estate, along with a new sub div. map?

How will this affect the Clearwater DA. We have seen issues with other DA agreements in town when there is no time limit and changes are brought to the planning commission. In this original DA a carved out build of 20 units was never on the table.

How will an HOA of a 20-unit complex share in egress, costs of repairs, snow removal and storage.

Were there not supposed to be covering on the H-VAC units that face south and at best are un sightly?

The Tavern Rd. access was planned by the town for access to the entire property, can this condo complex now gate the access to other parts of this property closing off the old mammoth parking and access to the restaurant and food truck located on old mammoth? If the property line is drawn to exclude this parking, then it cannot be allowed for the balance of the property.

Finally, I am reminded that these units were going to be developed as temporary units while the new owner of the property and DA were going to figure out highest and best use.

Don't let the town be hood winked by this proposal, this is a DA that was to stay whole and not get divided into small pieces that will create a big problem while a developer leaves with pile of profit from asking for forgiveness instead of permission.

Please deny this request and at least address some of these issues along with the future rules of this existing DA with the Clearwater Specific Plan.

Thank you
Tom Cage
Concerned Citizen

I have no property ownership within 1000 feet, on old mammoth and no business interest with any businesses that are connected with this project or affected by this project.

**Town of Mammoth Lakes Planning and Economic Development Commission**

**Minutes of Regular Meeting**

**October 9, 2024, 9:00 a.m.**
**437 Old Mammoth Road, Suite Z, Mammoth Lakes**

Members Present: Commissioner Greg Eckert, Vice Chair Dawn Vereuck, Chair Michael Vanderhurst

Members Absent: Commissioner Cynthia Fleming, Commissioner Lana Grand

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## 1. CALL TO ORDER

The Chair called the meeting to order at 9:00 a.m. in the Council Chamber, 437 Old Mammoth Road, Suite Z, Mammoth Lakes.

## 2. PLEDGE OF ALLEGIANCE

Parks and Recreation Director Stuart Brown led the flag salute.

## 3. PUBLIC COMMENTS

Betsy Truax, Mammoth Lakes Tourism (MLT) Vice President of Community Engagement, gave an update regarding MLT's Special Events Funding Application period. She reported that last year's Resident Sentiment Survey had been uploaded to their website and said that a new survey would be sent out this year.

Parks and Recreation Director Stuart Brown outlined the information in the Community Recreation Center (CRC) presentation. There was discussion among members of the Commission and staff.

## 4. PRESENTATION

### 4.1 Receive Mammoth Main Base Redevelopment Project ("Evolving Main") Update (Mammoth Mountain Main Lodge Area)

Jen Murillo, Lisa Wise Consulting, outlined the information in the Mammoth Main Base Redevelopment Project presentation.

Tom Hodges, Mammoth Mountain Ski Area (MMSA) Vice President of Plan Development, provided additional details about the project. Mr. Hodges introduced Alterra Mountain Company Vice President, Workforce Housing Willa Williford.

There was discussion among members of the Commission, Ms. Murillo, and Mr. Hodges.

PUBLIC COMMENT:

Jorge Torres, Western States Regional Council of Carpenters (WSRCC) representative, outlined his labor concerns regarding the proposed Main Lodge Project.

### 4.2 October 2024 Public Works Engineering CIP Update

Public Works Director Haislip Hayes outlined the information in the 2024 Capital Project Update presentation. There was discussion among members of the Commission and staff.

Betsy Truax, Former Mammoth Lakes Foundation Executive Director, discussed the history of the McCoy/SCE land exchange for the parcel that would be used for the Mammoth Arts and Cultural Center (MACC).

## 5. BUSINESS MATTERS

### 5.1 Snowcreek Development Agreement Discussion

Community and Economic Development Director Nolan Bobroff outlined the information in the staff report.

There was discussion among members of the Commission, staff, and Chuck Lande, Chadmar Chief Operating Officer.

## 6. CONSENT AGENDA

Moved by Commissioner Greg Eckert
Seconded by Vice Chair Dawn Vereuck

Approve the Consent Agenda.

For (3): Commissioner Greg Eckert, Vice Chair Dawn Vereuck, and Chair Michael Vanderhurst

Absent (2): Commissioner Cynthia Fleming, and Commissioner Lana Grand

Carried (3 to 0)

**6.1 Approve the minutes of the regular meeting of September 11, 2024.**

## 7. COMMISSIONER REPORTS

There were no reports given at this time.

## 8. DIRECTORS REPORT

Community and Economic Development Director Nolan Bobroff gave updates on current projects. There was discussion among members of the Commission and staff.

## 9. ADJOURNMENT

The Commission adjourned the meeting at 11:15 a.m.

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Jamie Gray, Town Clerk

**Town of Mammoth Lakes Planning and Economic Development Commission**

**Minutes of Regular Meeting**

**November 13, 2024, 9:00 a.m.**
**437 Old Mammoth Road, Suite Z, Mammoth Lakes**

Members Absent: Commissioner Greg Eckert, Commissioner Cynthia Fleming, Commissioner Lana Grand, Vice Chair Dawn Vereuck, Chair Michael Vanderhurst

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## 1. CALL TO ORDER

The Town Clerk called the meeting to order at 9:00 a.m. in the Council Chamber, 437 Old Mammoth Road, Suite Z, Mammoth Lakes.

## 2. PUBLIC COMMENTS

There were no public comments given at this time.

## 3. PUBLIC HEARINGS

### 3.1 Public Hearing and consideration of District Zoning Amendment (DZA) 24-001, Tentative Tract Map (TTM) 24-003, and Use Permit (UPA) 24-004, for the Outbound Hotel "Villas" Project. This item is being continued to the December 11, 2024 PEDC Meeting.

The Town Clerk continued the public hearing to December 11, 2024.

## 4. ADJOURNMENT

The Town Clerk adjourned the meeting at 9:01 a.m.

Jamie Gray, Town Clerk