

TOWN OF MAMMOTH LAKES PLANNING COMMISSION
Regular Meeting
Wednesday, January 10, 2007 - 9:00 a.m.
Council Chambers, Suite Z
Minaret Village Shopping Center

MINUTES

I. CALL TO ORDER

The regular meeting was called to order at 9:07 a.m.

II. ROLL CALL

Present were Commissioners Jo Bacon, Tony Barrett, Vice Chair Elizabeth Tenney and Chair Roy Saari. Commissioner Duggan had an excused absence that was previously reported to staff. Also present were Community Development Director Mark Wardlaw; Deputy Community Development Director Bill Taylor; Senior Planner Sandra Moberly; Contract Planner Sonja Porter; Senior Planner Craig Olson; and Administrative Coordinator Tina Bohannan.

III. PUBLIC PRESENTATION

1. Report from High Sierra Energy Foundation

Leslie O'Berry, HSEF, presented some of the accomplishments that the Foundation made in 2006 and upcoming plans for 2007. In 2006 they accomplished the following: \$100,000 in energy savings; pursuing a structure for a geothermal heating district in the town of Mammoth Lakes; public outreach included weekly ads in The Sheet and Mammoth Times; radio spots on KSRW "Did You Know"; High Sierra Energy party for a kick-off to High Sierra Energy Initiative was held September 16th; Did a "Getting Ready for Winter" campaign; co-sponsored the Town Tree Lighting ceremony on December 1st and made LED Christmas lights available; recently acquired co-sponsorship with MCWD for the "Living Wise Program"; provided statistics on various energy savings accomplished in 2006. In 2007, she explained several upcoming projects to include: continue community outreach on energy conservation; establishing a contact list of local developers to work with them on implementing the Mammoth Energy Smart Book and continue to familiarize them with the "Savings By Design" program; continue to work with Mark Wardlaw on a monthly basis to facilitate these ongoing

programs; continue to work with Mark Maldonado, M.L. Housing, to incorporate energy efficient design into workforce housing; continue the "Living Wise Program" on water and energy efficiency; working on an incentive program with SCE for retrofitting of older condos in Mammoth; completing the business plan for the Geothermal Heating District.

IV. REPORTS FROM THE COMMISSION

Commissioner Bacon expressed concern with the condition of the town sidewalks. She said in two separate instances they have been very icy and difficult to maneuver. She asked staff to provide her with the winter plan for upkeep. Her second concern was with the status of the sound system in Suite Z and wished to know when there would be improvements so that the public could hear the General Plan workshops and hearings.

Staff will provide follow-up to these requests.

Commissioner Barrett also inquired as to the possibility of having the Planning Commission meetings televised especially with the upcoming General Plan meetings. He said it is very important that we provide information to the public. He also asked if staff could provide a workshop on the Planning Commission's process and agenda bills.

Staff will provide follow-up to these requests.

Vice Chair Tenney also expressed concern with the condition of our sidewalks and who is responsible for their maintenance. She requested a timely report from the appropriate department that contains the following: 1) where the sidewalks are located; 2) who is responsible for clearing them; and 3) why is snow from road plowing dumped on the sidewalks.

Staff will provide follow-up to this request.

V. COMMENTS FROM THE PUBLIC

None.

VI. APPROVAL OF MINUTES

1. Minutes of November 1, 2006

Page 2, second paragraph from the bottom of page, change "major" to "mature".

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Action: It was moved by Commissioner Bacon, seconded by Commissioner Barrett and unanimously carried by a 4-0 vote to approve the minutes of November 1, 2006 as amended.

2. Minutes of November 8, 2006

Action: It was moved by Commissioner Barrett, seconded by Vice Chair Tenney and carried by a 3-0-1 vote with Chair Saari abstaining to approve the minutes of November 8, 2006 as presented.

3. Minutes of December 13, 2006

Page 4, first paragraph, line 10, change "realistic" to "simulated".
Page 7, in motion at bottom of page, line 3, "angles" should be "angle braces". Also on Page 7, in the motion, line 8, Condition #3, remove the words "for approval" at end of condition. Line 10, change "truck bay " to "loading bay".

Action: It was moved by Commissioner Barrett, seconded by Vice Chair Tenney and unanimously carried by a 4-0 vote to approve the minutes of December 13, 2006 as amended.

VII. CONSENT AGENDA

No scheduled items.

VIII. PUBLIC HEARINGS

Public Hearing Procedure

- a. Statement and presentation by staff
- b. Statement from applicant
- c. Testimony from interested parties (Chair may limit testimony to 5 minutes per individual)
- d. Response from applicant if necessary
- e. Chair closes public hearing
- f. Commission deliberation

1. District Zoning Amendment 2005-03 and General Plan Amendment 2005-01, initiated by Mammoth Mountain Ski Area – to amend the existing Juniper Ridge Master Plan, the Mammoth Mountain Ski Area Master Plan and the Inyo National Forest Land and Resource Management Plan in the areas of parking, height, density, setbacks, visual quality and land use. In addition, the project includes a General Plan Amendment to rezone Lot 87, Mammoth Vista 2 Subdivision, from Residential Single Family to

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Resort, with the majority of the lot being utilized for circulation and open space. The Planning Commission will also consider recommendation to the Town Council of a resolution certifying the Joint Environmental Assessment and Program Environmental Impact Report, making California Environmental Quality Act (CEQA) Findings of Fact, approving Statements of Overriding Consideration, and adopting the Mitigation Monitoring Plan. Location: 4000 Meridian Blvd. (Chair 15 parking lot); APN's 32-040-12 and 32-040-08. Zoning: Resort. Staff contact: Sonja Porter, Contract Planner and Sandra Moberly, Senior Planner, x251.

Senior Planner Sandra Moberly gave a brief introduction of the project. She then introduced Greg Broughton of PCR Services and Sonja Porter with Denise Duffy and Associates. She also indicated that several letters and e-mails had been forwarded to the Commission prior to the meeting and after the packet was prepared from the following individuals: Roy and Fumy Machida, and Robert Amonic (1-8-07); Andrew S. Pauley (1-7-08); Lawrence P. Grassini (1-8-07); Joseph and Janine Angeletti (1-9-07); and Sharon A. Jones (1-9-07). Letter from Tim Sanford was included in the packet.

Contract Planner Sonja Porter presented a brief history of the site and a comprehensive outline of all aspects of the staff report. She explained that the Commission had three Alternatives proposed in the EA/DEIR and that the applicant preferred Alternative #3. She reviewed the three significant and unavoidable impacts which would require the Commission to adopt Statements of Overriding Consideration. She reviewed the potential community benefits that would be required to move forward with approval of this project.

The Commission asked for several clarifications about the staff report and Ms. Porter responded.

Chair Saari asked staff to provide a comment on a 1994 Agreement between MMSA and Monterey Pines Homeowners.

Deputy Community Development Director explained that "the Town Attorney had reviewed the relevance of this Agreement in this application and found that it was not germane to the zoning action taken today but would be potentially relevant for the action on a map and use permit." He said "the details of the action at that time would be to make sure that any development proposal is consistent with any Town-imposed restrictions or any actual encumbrances on the land." He said "for the purposes of this action it is the position of the Town that the presence or absence of the Agreement is not relevant and there is nothing in the Commission's action today that would in any way invalidate any provisions of that Agreement because it is not authorizing any development."

The public hearing was opened.

Rusty Gregory, CEO, MMSA, reported on the following in his presentation: gave a comprehensive Power Point historical chronology on the Base Lodge location beginning in 1975 to present time and concluded with the plans for expansion; he described the existing facilities including the high speed six person chair lift and two tent structures.

Tom Hodges, MMSA, reported on the following in his presentation: the Town's Vision Statement and how Eagle Lodge supports it; mentioned many of the specific community benefits associated with the project; described project strategies which included LEED certification and the formation of a geothermal heating district; explained the efforts made by MMSA to provide extensive public outreach on the project over the last few years to help determine the public's preferred alternative.

Mr. Gregory continued his presentation by reading a prepared statement by the Stakeholders regarding the General Plan Update and potential approval of this project. He spoke of neighboring property owners and the controversy that this project presents. He also commented on the direction and guidance that they have received from staff and the ADP Board on how to proceed with the size, height and intensity of the project. He spoke of Barry Sternlich and the team of professionals working on this development.

Commissioner Bacon inquired as to why MMSA was claiming a LEED certification but did not choose the reduced intensity alternative environmental impact.

Mr. Gregory explained that the density and intensity of this project makes sense at this location adjacent to a base lodge and transit facilities. He said this location has been identified as one of the four resort high intensity nodes and is consistent with the Town's Vision.

Chair Saari inquired as to the need to reduce the setbacks.

Mr. Hodges explained that the request for reduced setbacks only pertains to the Forest Service property on the western side of the project. He said this is needed so that the building would not need to be broken up at the property line.

Tim Sanford, attorney for Michael Arus and Robin Hobson and homeowners on Majestic Pines Drive, spoke of a 1994 Agreement

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between MMSA and the property owners regarding the re-routing of Majestic Pines Drive. He said eventually the Town would need to address the agreement at the next phase of this development. He did not mention any specifics of the Agreement in regards to his clients.

Dave Harvey, local, spoke in support of the application. He said that the town is beginning to achieve the "resort node product" that has been discussed and envisioned for many years. He expressed praise for the fact that MMSA will produce a LEED certified project and will help in the creation of a geothermal heating district at this location.

Rick Phelps, HSEF, said he has been working with Tom Hodges on the establishment of a geothermal heating district and thanks MMSA for their "leadership" in the process. He felt that MMSA can be a leader in promoting the environmental renewable energy source in the Town of Mammoth Lakes especially through the creation of a geothermal heating district. He expressed his support of the project.

Mike Schlafmann, USFS, expressed his thanks to both staff and MMSA for their help in the lengthy and complicated process of this project. He said the Forest Service would not be making a decision at this time until the Planning Commission and Town Council have made their decisions. He said under the NEPA/CEQA process the Forest Service has not identified any significant issues or concerns.

Vice Chair Tenney asked for information on the traffic pattern for delivery trucks and unloading for the project.

Mr. Gregory explained that the entrance to the project has now been located on Majestic Pines. He said all deliveries would occur at the guest entrance with a specified unloading area; trucks would not circulate beyond the entrance to the hotel into the Majestic Pines Subdivision; diesel trucks would not be allowed to leave their engines idling.

The public hearing was closed.

Commissioner Bacon was very concerned with the height of the building and could not support the proposal as presented. She also expressed concern with the parking mitigation plan to allow day parking along Minaret Road without analysis of traffic impacts.

Chair Saari said that he could support the proposal knowing that it will come under the scrutiny of the tentative tract map and use permit process. He said it would allow the Commission the opportunity to amend the height if it is not justified.

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Commissioner Barrett said he could support the proposal and felt that there is a tremendous amount of community benefit associated with the project. He said it is in line with the Town's Vision and is definitely appropriate as one of our key resort nodes. He said with the help of the ADP process, and the map and use permit process will guarantee that we get a good project.

Vice Chair Tenney also said she could support the proposal but did list the following concerns about the building design: bulk and size of building is huge; building needs more articulation especially with the large uninterrupted vertical planes; needs more vertical elements; wants to see more ins and outs on the façade; maybe include a series of towers; needs more distinctive features; needs something that makes it a classic looking building.

Director Wardlaw explained that you need to focus on the Master Plan amendment. He said you can include specific language in your action or you can understand that the details will be covered in the map and use permit submittal.

Commissioner Bacon was still very concerned with the bulk and height of the building and the ability of the Commission to request further reduction to the size of the project in the future; she was also concerned that the applicants had not provided enough community benefits to warrant approval and wanted further input of what community benefits are in excess of what is required or is needed for mitigation for the EIR.

Mr. Gregory spoke of his "best effort to provide" an on-site geothermal system, enhancing the Chair 15 base area and building an ice skating facility that could be used in summer months as a venue for additional community benefits; said the site is very challenging on the narrow parcel; design of facility places all of the project on private land which does create the large volume of the building.

Deputy Director Taylor directed the Commission to Page 37 of the staff report to review the listed benefits associated with the project.

There was further discussion regarding the geothermal heating feature at this location.

Commissioner Barrett made the following motion with Vice Chair Tenney seconding:

Action: It was moved by Commissioner Barrett, seconded by Vice Chair Tenney: to recommend that the Town Council certify the Joint Environmental Assessment and Program Environmental Impact Report.

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make California Environmental Quality Act (CEQA) Findings, approve Statements of Overriding Consideration, adopt the Mitigation Monitoring Plan, and recommend to Town Council approve of General Plan Amendment 2005-01 and District Zoning Amendment 2005-03 based upon the applicant's Alternative 3; add ADP's nine comments from Page 11 of the staff report; and, with the following language: "Achieve rugged classic mountain architecture in building top and roofs significantly differentiated."

There was further discussion.

Commissioner Bacon felt there should be more benefits for the community in order to justify the mass and size of the project. She felt that the project should have reduced intensity.

Mr. Gregory spoke of the benefits of the facility to accommodate high intensity use/assembly type functions; spoke of having a daycare facility located at this site; asked Commissioner Bacon to give him specifics of more community benefits.

Deputy Director Taylor proposed the following language: "While the project provides substantial community benefits, they are not in and of themselves sufficient to justify the proposed height increase and that the Commission would expect to see one or more additional community benefits at the time of the map and use permit approval."

Commissioner Barrett concurred and added this language to the motion as an amendment.

Mr. Gregory reiterated the many services that will be available and also mentioned that two public restaurants have been planned on-site.

After further discussion, Commissioner Barrett withdrew the amendment.

The final vote was for the original motion as stated above with Commissioner Barrett, Vice Chair Tenney and Chair Saari voting yes, Commissioner Bacon voting no and Commissioner Duggan was disqualified and not voting. The vote was 3-1-1 in favor of approval of the application.

IX. BUSINESS MATTERS

1. Review of exterior siding color and application on the 8050 project. Staff contact: Craig Olson, Senior Planner, x269.

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Senior Planner Craig Olson presented a summary of the staff report.

Vice Chair Tenney said that the too much of the base color is being exposed and should have more of a weathered look created by the dark gray wash.

Commissioner Barrett agreed and said that the entire area with the orange application should be reglazed.

Rhona Hunter, 8050, commented that she would be willing to reglaze a large portion for the Subcommittee to view and make a determination. She said it is currently too cold to do a large area but would be willing to do a patch test.

It was determined that a site visit by a Commission Subcommittee consisting of Commissioner Barrett and Vice Chair Tenney would take place for the members to make a determination on the color treatment.

2. Planning Commission Interpretation for Java Joes (Drive-thru use).
Staff contact: Sandra Moberly, Senior Planner, x251.

This matter was continued to a date uncertain.

The Commission took a lunch break at 12:10 p.m. and reconvened at 1:05 p.m.

3. General Plan Update Workshop – Population White Paper and Policy Issues. Staff contact: Mark Wardlaw, Community Development Director, x238.

Director Wardlaw presented a summary of the staff report. He said staff has received comments from several members of the community and met with several members. He said that all of the information that has been presented in the form of reports and any public comments will be put in a General Plan Background Binder. He reviewed the comments in a letter dated January 8, 2007 from MMSA and said staff would make the minor recommended changes to the document but overall he said he did not see anything that changes the overall result of the numbers. He also commented on Mr. Owen Maloy's comments and said that his memo consisted mostly of differences of opinion. He said staff has come up with reasonable assumptions from this information to come up with the current analysis. He said staff is also making conditional statements about what changes need to be made for the town to grow significantly. He asked the Commission to determine whether there are any flaws or errors in the Draft Policy White Paper so that the report can be closed out.

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Commissioner Barrett referred to bullet #3 of the MMSA's letter and asked for clarification.

Director Wardlaw went through the chart on Page 22 of the staff report to clarify the numbers for Recreational Capacity. He said we are trying to refine our expectations and frame the numbers for the GPU, not for a market study. He spoke of several more analyses that were made by staff using 1) land use capacity and 2) demographics. He said there will be more details provided to the Commission.

Rebecca Paranick, MMSA, made a brief comment on behalf of the MMSA and the Stakeholders regarding their January 8, 2007 letter. She said MMSA is available to assist in any way as the process continues and is looking forward to the opportunity to comment on the Revised Draft when it becomes available.

Dan Dawson, SNARL, commented that if you take reasonable assumptions and do the analysis in several ways, you usually get the same conclusions.

Director Wardlaw said staff would produce a final report. He thanked Ms. Paranick for the detailed comments.

4. Selection of Planning Commissioner for the DIF Blue Ribbon Committee.

The Commission discussed the matter and selected Vice Chair Elizabeth Tenney to the Committee.

IX. DIRECTOR'S REPORT

1. Director's Department Report

Director Wardlaw reported on the following:

- GPU schedule: final round of edits of elements from Ad Hoc Committees; Intent Sections have been drafted; Draft Plan is due out at end of January; EIR is due out at end of January; staff is continuing to work on community benefits; Planning Commission meetings to begin in February on the General Plan.

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X. ADJOURNMENT –

The regular meeting ended at 1:45 p.m. and adjourned to the next regular meeting of January 24, 2007.

Respectfully submitted,

Mark Wardlaw
Community Development Director

Tina Bohannon
Administrative Coordinator