

Attachment 10

Planning and Economic Development Commission

Resolution No. PEDC 2016-11

Note: Full Resolution with all exhibits is available online at:

<http://www.townofmammothlakes.ca.gov/DocumentCenter/View/6179>

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RESOLUTION NO. PEDC-2016-11

**A RESOLUTION OF THE MAMMOTH LAKES
PLANNING AND ECONOMIC DEVELOPMENT COMMISSION
RECOMMENDING TO THE TOWN COUNCIL
ADOPTION OF THE ADDENDUM TO THE CLEARWATER
SPECIFIC PLAN ENVIRONMENTAL IMPACT REPORT AND
APPROVAL OF DISTRICT ZONING AMENDMENT 15-002,
VESTING TENTATIVE TRACT MAP 16-001,
USE PERMIT 16-001, AND DESIGN REVIEW 16-004,
TO ALLOW THE REVISED OLD MAMMOTH PLACE PROJECT
FOR PROPERTIES LOCATED AT
164, 202, AND 248 OLD MAMMOTH ROAD
(APN(s): 035-230-005-000; 035-230-006-000; and 035-230-007-000)**

WHEREAS, a request for consideration of a district zoning amendment, vesting tentative tract map, use permit amendment, and design review was filed by Brent Truax, on behalf of the owner, Metric Mammoth, LLC to amend the Clearwater Specific Plan to allow the revised Old Mammoth Place project, in accordance with Chapter 17.116 (Specific Plans), 17.68 (Use Permits), and 17.88 (Design Review) 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, 202, and 248 Old Mammoth Road; and

WHEREAS, the Planning and Economic Development Commission conducted a noticed public hearing on the application request on June 15, 2016, 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 exhibits;
2. The 2007 General Plan, Clearwater Specific Plan, State Map Act, Municipal Code, Design Review Guidelines, and associated Land Use Maps;
3. North Old Mammoth Road District Special Study;
4. Oral evidence submitted at the hearing;

5. Written evidence submitted at the hearing;
6. Amendments to the Clearwater Specific Plan, consisting of the complete text of the Specific Plan with changes as indicated in redline/strikeout format, dated June 15, 2016, attached hereto as Exhibit 2;
7. Project plans consisting of:
 - a. Volume 1: Project Narrative, dated May 27, 2016
 - b. Volume 2, dated June 7, 2016:
 - i. Conceptual Design and Approach, Sheets 10-15; 20-23; and 30-32;
 - ii. Architectural Drawings, Sheets A1.0 - A1.6; A2.0A - A2.0C; A2.1 - A2.7; A3.1 - A3.5; A4.1 - A4.3; and A.37 - A.39;
 - iii. Landscape Drawings, Sheets L1.0 - L1.7 and 5.2, dated February 2, 2010;
 - iv. Height, Massing & View Analysis, Sheets HA.2, HA.6, HA.7, HA.9, HA.12, AND HA.15,
8. Vesting Tentative Tract Map 16-001, Sheets C1.0 - C6.0, dated June 8, 2016
9. Addendum to the Clearwater Specific Plan Environmental Impact Report (EIR) (State Clearinghouse No. 2006062154), attached hereto as Exhibit 1; and
10. The Clearwater Specific Plan Environmental Impact Report, incorporated herein by reference.

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.** (EIR Addendum - California Environmental Quality Act Guidelines Section 15164)
 - a. The Planning and Economic Development Commission considered the Addendum to the Clearwater Specific Plan Environmental Impact Report (EIR) (State Clearinghouse No. 2006062154) together with the Clearwater Specific Plan EIR, any comments received, including the Mitigation Monitoring and Reporting Program, pursuant to the CEQA Guidelines, and finds that on the basis of the whole record, there is no substantial evidence that the proposed district zoning amendment, vesting tentative tract map, use permit, and design review will result in any new significant effects or a substantial increase in the severity of previously identified significant effects.
 - b. The Planning and Economic Development Commission finds that the Addendum to the Clearwater Specific Plan EIR has been completed in compliance with CEQA and reflects the lead agency's independent judgment and analysis.

- c. An addendum is adequate because the Addendum demonstrates that the environmental analysis and impacts identified in the Clearwater Specific Plan EIR remain substantively unchanged by the proposed district zoning amendment, vesting tentative tract map, use permit, and design review, and supports the finding that the proposed district zoning amendment, vesting tentative tract map, use permit, and design review do not result in any new environmental effects and does not exceed the level of impacts identified in the EIR.
- d. The custodian and location of the documents and other material which constitute the record of proceedings upon which this decision is based is the Town Clerk at the Town of Mammoth Lakes Offices, 437 Old Mammoth Road, Suite R, Mammoth Lakes, California 93546.
- e. The Planning and Economic Development Commission finds that the proposed district zoning amendment, vesting tentative tract map, use permit, and design review 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.
- f. A program for reporting on or monitoring the required mitigation measures has been adopted and all of the mitigation measures remain applicable.
- g. All mitigation measures shall be conditions of Project approval.

2. MUNICIPAL CODE FINDINGS.

FINDINGS FOR DISTRICT ZONING AMENDMENT

(Municipal Code Section 17.116.060)

- a. The proposed amendment, which consists of revised project development standards for building height and requirements for workforce housing and minor text edits to provide consistency with the current conditions on the site, is consistent with the General Plan because it would comply with all applicable Goals and Policies of the General Plan.

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

Additionally, the proposed amendment is consistent with all applicable Goals and Policies of the Community Design Element of the General Plan since the increased height at the center of the site will be largely mitigated by the smaller, surrounding buildings. The public view planes from the sidewalk level and across the street from the project are governed by the foreground structures and the increased height in the center of the site will be largely outside of the public view. Additionally, as shown and described in the Addendum to the Clearwater Specific Plan EIR, the project would not result in increased public view blockage of the Sherwin Range compared to the approved and permitted Old Mammoth Place project. The amendment would maintain the sense of “*a village in the trees*” since the maximum building height of 65-feet is consistent with the average mature height of the trees on the site and with what was analyzed by the Clearwater Specific Plan EIR. Furthermore, the project incorporates a high quality of architecture through the use of varied natural materials that are consistent with mountain architecture and the building mass is broken up by incorporating significant building articulation and stepping of the building height from the perimeter of the site to the center.

The proposed amendment is consistent with the Housing Element of the General Plan since housing will be mitigated in a manner consistent with the Town’s Housing Ordinance.

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

- b. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the town because with the incorporation of the mitigation measures from the Clearwater Specific Plan EIR, the amendment would not impact public health, safety, convenience, or welfare.
- c. The proposed amendment is in compliance with the provisions of the California Environmental Quality Act (CEQA) because an Addendum to the Clearwater Specific Plan EIR has been prepared for the Project, which determined that on the basis of the whole record, there is no substantial evidence that the proposed district zoning amendment, vesting tentative tract map, use permit, and design review will result in any new significant effects or a substantial increase in the severity of previously identified significant effects. The Clearwater Specific

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

- d. The affected site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle access and public services and utilities for the requested zoning designation and the proposed use and development because the site is already developed with a lodging establishment and the proposed re-development of the site would result in a pedestrian-oriented mixed-use lodging establishment that is consistent with the Clearwater Specific Plan, as amended. Based on a maximum density of 488 hotel rooms, the Clearwater Specific Plan EIR found that adequate public services and utilities could be provided to the site. Furthermore, the conditions of approval require compliance with all Mammoth Lakes Fire Protection District requirements for emergency access and fire protection.
- e. The amendment is consistent with Mammoth Yosemite Airport land use plan because the project is located approximately seven miles from the Mammoth Yosemite Airport and due to the nature and scope of the project, no impact to air traffic patterns are anticipated.
- f. The amendment has been processed in accordance with Municipal Code Section 17.116.070.C (Specific Plans – Amendments) and Government Code 65453.

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

The project proposes a maximum of 488 condominium-hotel rooms, along with streetscape improvements, retail and restaurant uses, conference space, a spa and wellness center, and public open space areas. The streetscape improvements include wider sidewalks, landscaping, and a new pedestrian and vehicular mid-block connector road. Ground-floor retail and restaurants along Old Mammoth Road provides further animation by providing outdoor café seating and other pedestrian scaled elements. The project would not result in increased public view blockage of the Sherwin Range compared to the

approved and permitted Old Mammoth Place project. The project would not exceed the maximum density allowed within the General Plan or the Clearwater Specific Plan.

The Clearwater Specific Plan sets forth the required land use development standards for the site rather than Title 17 (Zoning Code). The proposed condominium hotel use and other associated uses are all consistent with the Clearwater Specific Plan land use designation. As described in the staff report, incorporated herein by reference, the project is consistent with the Clearwater Specific Plan, with the exception of building height. The proposed amendment to the building height standard will achieve a project that is consistent with the Clearwater Specific Plan.

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

- 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 because the proposed project will comply with the mitigation measures required by the Clearwater Specific Plan EIR and will include street and sidewalk improvements, pedestrian paths through the project site, and a transit stop on Old Mammoth Road.
- c. The proposed amendments to the Clearwater Specific Plan Housing Section (Section 7.0), to allow mitigation of the affordable housing requirements of this project through compliance with the Housing Ordinance in effect that the time of building permit submittal, is adequate because the Housing Ordinance reflect the Town's visions, goals, and current strategies for affordable housing. Additionally, the Housing Ordinance found all forms of housing mitigation identified in the Ordinance as being appropriate ways to mitigate housing.

FINDINGS FOR DESIGN REVIEW PERMIT

(Municipal Code Section 17.88.060)

- a. The proposed project is consistent with the applicable standards and requirements of the Mammoth Lakes Zoning Code because the project is consistent with the Clearwater Specific Plan development standards, which supersede Title 17 (Zoning Code), except for building height. The proposed amendment to the building height standard will achieve a project that is consistent with the Clearwater Specific Plan.

As described in the staff report, incorporated herein by reference, the proposed project is consistent with the Clearwater Specific Plan because the project conforms to the Clearwater Specific Plan development standards including, but not limited to permitted uses, density, site coverage, building separation, setbacks, parking, and snow storage and removal. Additionally, the proposed amendment to the building height standard will achieve a project that conforms to the building height standard of the Clearwater Specific Plan.

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

The project proposes a maximum of 488 condominium-hotel rooms, along with streetscape improvements, retail and restaurant uses, conference space, a spa and wellness center, and public open space areas. The streetscape improvements include wider sidewalks, landscaping, and a new pedestrian and vehicular mid-block connector road. Ground-floor retail and restaurants along Old Mammoth Road provides further animation by providing outdoor café seating and other pedestrian scaled elements. The project would not result in increased public view blockage of the Sherwin Range compared to the approved and permitted Old Mammoth Place project. The project would not exceed the maximum density allowed within the General Plan or the Clearwater Specific Plan.

The proposed project is consistent with the Clearwater Specific Plan because the project conforms to the Clearwater Specific Plan development standards including, but not limited to permitted uses, density, site coverage, building separation, setbacks, parking, and snow storage and removal. Additionally, the proposed amendment to the building height standard will achieve a project that conforms to the building height standard of the Clearwater Specific Plan. The proposed project is also consistent with the design guidelines of the Clearwater Specific Plan because it requires projects to be consistent with the Town's Design Guidelines (see below).

- c. The proposed project is consistent with the Town of Mammoth Lakes Design Guidelines and any applicable design guidelines adopted by the Town Council because the mass of the buildings is broken up through significant building façade articulation and stepping from the perimeter of the site to the center; the roofs have a dominant form with interesting design features such as changes of height and varied eaves; and the buildings adjacent to the street are at a scale that creates comfort and interest for the pedestrian environment. Additionally, the building materials and colors are appropriate to Mammoth Lakes since the buildings on the periphery of the site have a more rugged mountain feel achieved through the use of heavy timber, granite, rusted metal and a natural color palette of shingles, while the taller buildings in the center have a more

refined mountain feel achieved through the use of heavy timber and channel glass accents. The building design would not result in increased public view blockage of the Sherwin Range compared to the approved and permitted Old Mammoth Place project. Furthermore, conflicts between pedestrian and vehicular circulation are minimized and the parking areas are screened from public view. The revised project was reviewed by the Planning and Economic Development Commission Design Committee and the Committee members were supportive of the revisions to the project and felt that the project remained consistent with the overall design intent of the approved Old Mammoth Place project.

- d. The proposed site design and building elements integrate in an attractive and visually cohesive manner that is compatible with and complements the desired architectural character of the Clearwater Specific Plan area and a mountain resort community. The General Plan discourages architectural monotony (Policy C.2.U), and the proposed buildings would have unique architecture that expresses mountain character appropriate to the area. The project would encourage pedestrian activity in the area through the increased sidewalk width on Old Mammoth Road, the new pedestrian and vehicular mid-block connector, retail and restaurant uses at the ground level oriented to the street, café seating and other pedestrian scaled elements along Old Mammoth Road, and numerous public open space areas and plazas throughout the site. The project would promote compatibility among neighboring uses by limiting the maximum building height at the street level to at or below the building height standard for the adjacent Zoning Districts.
- e. The proposed project includes streetscape improvements, including landscaping, wider sidewalks, café seating and other pedestrian scaled elements, and a new pedestrian and vehicular mid-block connector that will be consistent with the desired pedestrian-oriented character of the Clearwater Specific Plan area and the Old Mammoth Road District.
- f. The proposed project includes a subterranean parking garage that will provide an adequate number of parking spaces to accommodate the proposed uses, or will pay in-lieu fees for any short-fall of the parking supply as determined by the Public Works Director. The project does include valet parking to maximize efficiency of the subterranean parking garage. The subterranean parking garage will not be visible from the street since it will be underground or blocked from view by the ground-floor retail and restaurant uses along Old Mammoth Road. Additionally, the access to the subterranean parking garage will only be visible from Old Mammoth Place (the new mid-block connector Road). Conflicts between vehicles and pedestrians and cyclists will be prevented since access to the parking garage is only via Old Mammoth Place and no other curb cuts are necessary along Old Mammoth Road. Curb cuts along Sierra Nevada Road and Laurel Mountain Road will be minimal and are only for emergency vehicle access and/or delivery truck/bus parking. Stormwater run-off and the heat-island effect will be minimal since the landscaped open space areas account for 52% of the site and those landscaped areas atop the parking garage are required to have a minimal depth of four-feet (4') to allow for the rooting of vegetation and

drainage. Additionally, the project will be required to comply with all stormwater management requirements of the Town and the State.

- g. The proposed project will include attractive lighting that complements the proposed architecture and will comply with the Town's Outdoor Lighting regulations as required by the conditions of approval.
- h. The proposed project landscaping will be required to comply with the Town's and the State's Water Efficient Landscape Ordinance and the Clearwater Specific Plan Landscape Design Guidelines. The landscaping is designed to help relate the buildings to the surrounding landscape and enhance the architectural character. The preliminary landscape plan was not revised as part of this project. A final landscape plan will be required as part of the future building permit submittal.
- i. The proposed project is consistent with any approved tentative map, use permit, variance, or and Clearwater Specific Plan, as described above, because the design review permit is being processed concurrently with the district zoning amendment, vesting tentative tract map, and use permit, and therefore, will be consistent with these approvals.
- j. The project does not indiscriminately destroy trees or natural vegetation, nor does it create excessive or unsightly grading, indiscriminate clearing of the property, or the destruction of natural significant landforms since the project site is already developed. Additionally, the conditions of approval require a surety bond prior to issuance of a grading permit for each tree that is larger than 12-inch diameter-at-breast height (DBH) that will remain.

FINDINGS FOR COMMUNITY BENEFITS/INCENTIVE ZONING

- a. The proposed project would result in a project where the proposed community benefits and increment of development incentives are appropriate for the site and relate appropriately to the adjacent uses and structures because the project will accommodate the proposed uses and community benefits on site within the maximum development envelope approved in the Clearwater Specific Plan and the project will serve to revitalize this portion of Old Mammoth Road which may serve as a catalyst for other commercial developments in the area. Additionally, the project has been designed with the tallest portions of the building in the center of the site so as to effectively screen the mass from adjacent properties.
- b. The proposal will be consistent with the accepted list and prioritization established in Section 3.6 of the Clearwater Specific Plan; and the proposed benefits would not otherwise result through provisions of the Town's policies, Codes, and other requirements. The project is consistent with the accepted community benefits list which is contained within the Clearwater Specific Plan. The Clearwater Specific Plan outlines the following community benefits for the proposed project, all of which are included in the Old Mammoth Place project

and were the subject of a financial analysis completed by KMA and peer reviewed by EPS, incorporated into these findings by reference:

- i. Indoor meeting and conference space
 - ii. Outdoor public events plaza
 - iii. Commercial, retail, and restaurant uses along Old Mammoth Road
 - iv. Underground parking
 - v. Pedestrian and vehicular mid-block connectors
 - vi. Dedication of property for the purpose of improving public right-of-way and sidewalks and achieving “complete streets”
 - vii. Public access to the events plaza and mid-block connectors secured through easements
- c. The proposal reflects a fair financial balance of costs and benefits to the applicant and the Town in that the financial analysis completed by KMA concluded that the financial value of the community benefits (excluding fiscal/economic benefits) outweighed the projected economic benefits to the developer by more than 10 times. The residual land value increase associated with the density bonus was estimated at approximately \$2.5 million, whereas the value of the physical benefits provided by the project was estimated at over \$26 million. From this, it can be concluded that the award of additional density will not result in a disproportionate “windfall” to the developer. Further, the benefits accruing to the community from the project’s proposed features and amenities have been determined to achieve community goals, as defined in the General Plan, to a greater extent than would be achieved through the payment of impact fees and other exactions that may be foregone pursuant to Section 3.6.1 of the Clearwater Specific Plan.
- d. The project will not result in unacceptable environmental or other impacts as assessed through CEQA and the original Population at One Time (PAOT) assessment. An Addendum to the Clearwater Specific Plan EIR was completed for this project, which determined that on the basis of the whole record, there is no substantial evidence that the proposed project will result in any new significant effects or a substantial increase in the severity of previously identified significant effects. Since the project is not proposing to increase the overall density allowed by the General Plan or the Clearwater Specific Plan, PAOT would remain unchanged.

3. SUBDIVISION MAP ACT FINDINGS. (State Map Act Section 66474)

- a. The proposed map is consistent with applicable General and Specific Plan as specified in Section 65451 of the Subdivision Map Act because it would implement the goals and objectives of the Old Mammoth Road District and the Clearwater Specific Plan by providing a pedestrian-oriented mixed-use condominium-hotel development that has ground-floor retail that is oriented to the street; commercial corridors that are walkable year-round; distinctive mountain architecture; streetscapes that are safe and designed for the pedestrian;

numerous public plazas, courtyards, and pedestrian links that create a sense of exploration; and mid-block pedestrian access.

The project proposes a maximum of 488 condominium-hotel rooms, along with streetscape improvements, retail and restaurant uses, conference space, a spa and wellness center, and public open space areas. The streetscape improvements include wider sidewalks, landscaping, and a new pedestrian and vehicular mid-block connector road. Ground-floor retail and restaurants along Old Mammoth Road provides further animation by providing outdoor café seating and other pedestrian scaled elements. The project would not result in increased public view blockage of the Sherwin Range compared to the approved and permitted Old Mammoth Place project. The project would not exceed the maximum density allowed within the General Plan or the Clearwater Specific Plan.

The proposed project is consistent with the Clearwater Specific Plan because the project conforms to the Clearwater Specific Plan development standards including, but not limited to permitted uses, density, site coverage, building separation, setbacks, parking, and snow storage and removal. Additionally, the proposed amendment to the building height standard will achieve a project that conforms to the building height standard of the Clearwater Specific Plan.

- b. The design and improvements of the subdivision are consistent with the General and Specific Plan because the proposed condominium-hotel project would be consistent with the Old Mammoth Road District and standards of the Clearwater Specific Plan. The Clearwater Specific Plan development standards implement the goals and policies of the Town's General Plan because the Clearwater Specific Plan supersedes the Municipal Code Zoning requirements. Although the project requires an amendment to the specific plan for building height; the proposed changes would allow for a viable project and achieve a critical mass of hotel rooms and associated amenities (i.e., restaurant and retail spaces, subterranean parking garage, conference space, spa and wellness center, and public open spaces), while achieving an efficient and functional hotel layout. The project includes wider sidewalks and a new pedestrian and vehicular mid-block connector road consistent with General Plan, Clearwater Specific Plan, and Town standards.

Furthermore, the project is consistent with the Clearwater Specific Plan because the project conforms to the Clearwater Specific Plan development standards including, but not limited to permitted uses, density, site coverage, building separation, setbacks, parking, and snow storage and removal. Additionally, the proposed amendment to the building height standard will achieve a project that conforms to the building height standard of the Clearwater Specific Plan. The proposed project is also consistent with the design guidelines of the Clearwater Specific Plan and the Town's Design Guidelines since the mass of the buildings is broken up through significant building façade articulation and stepping from the perimeter of the site to the center; the buildings adjacent to the street are at a scale that creates comfort and interest for the pedestrian environment; conflicts between pedestrian and vehicular circulation are minimized; and the parking areas are screened from

public view. The building design would not result in increased public view blockage of the Sherwin Range compared to the approved and permitted Old Mammoth Place project.

- c. The site is physically suitable for the type of development because the site is already developed with a lodging establishment and the proposed re-development of the site would result in a pedestrian-oriented mixed-use lodging establishment that is consistent with the Clearwater Specific Plan, as amended and would include ground-floor commercial space and a subterranean parking garage.
- d. The site is physically suitable for the proposed density of development because the maximum density proposed for the site is 488 hotel rooms, which is the maximum allowable density for the site based on the 6.1 acre parcel size and a density of 80 hotel rooms/acre.
- e. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage nor substantially injure fish or wildlife or their habitat since the project is not located within an environmentally sensitive area and the Clearwater Specific Plan EIR and the Addendum to the Clearwater Specific Plan EIR found all impacts to biological resources would be less than significant.
- f. The design of the subdivision and the types of improvements is not likely to cause serious public health problems since the required mitigation measures reduce health-related impacts to a less than significant level and no evidence has been submitted during the planning review process to indicate that the development would cause any serious public health problems. All necessary public services are currently provided, or can be extended to, the site to assure health and safety for those individuals occupying and using the site 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 since all easements are shown on the tentative map or are required through the conditions of approval, and the property has access to three existing public streets with approved street alignments and widths, proposes a new private road that will have a public access easement, and will grant a public access easement to the plaza areas on the site. All utilities, and their easements, are currently in place on, or can be extended to, the property and the proposed subdivision will not impact upon adjacent property easements and/or common areas shared among condominium owners.

