



Town of Mammoth Lakes

Planning & Economic Development

Commission Recommendation Report

Date:	March 25, 2015	Case/File No.:	Tentative Tract Map 15-001, Variance 15-001, Use Permit 15-001, Design Review 15-001, and ADJ 15-001
Place¹:	Council Chambers, 2 nd Floor Minaret Village Shopping Center Mammoth Lakes, CA 93546	Project:	Mountainside
Time:	After 2:00 p.m.	Location:	413 Rainbow Lane
Agenda Item:	3	General Plan:	High Density Residential-2
Appeal Status:	N/A – Workshop item	Specific Plan:	NA
Applicant/ Property Owner:	John Hooper	Zoning:	Residential Multi-Family-2
Environmental Review:	Anticipate Categorically Exempt – In-fill Development (§15332)		

TITLE: Mountainside Project Workshop

A. EXECUTIVE SUMMARY

1. Subject/Requested Actions

The Commission is requested to discuss and provide comments on the proposed Mountainside project. The Mountainside project consists of a tentative tract map, variance, use permit, and design review.

2. Required Findings to Support Requested Actions

No required findings because this is a workshop item.

3. Report Summary

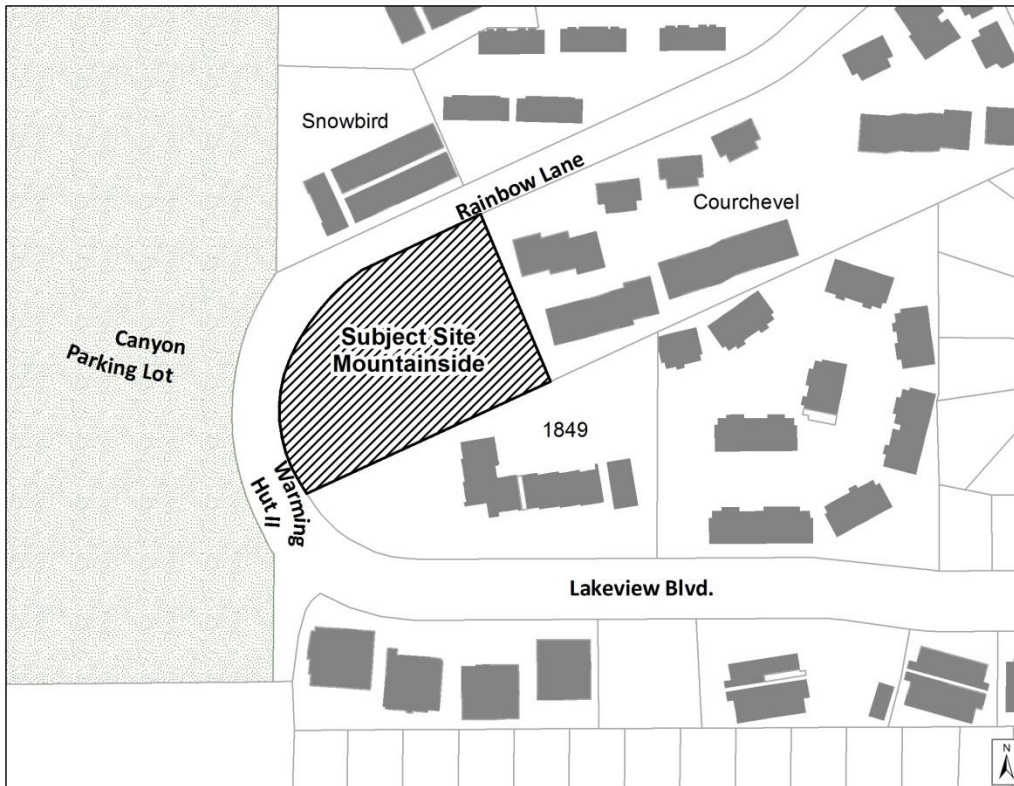
This workshop allows the Commission and public to provide early input on the proposed Mountainside project. The Mountainside project includes 16 townhome units, a variance request for setbacks and building height along Rainbow Lane, and an Alternative Housing Mitigation Plan (AHMP) to pay fees in-lieu of providing housing on-site. This report includes a brief and preliminary analysis of the project. Additional analysis will be available as the review progresses. Questions are posed in this report to facilitate the workshop discussion.

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Report Approved By:
Sandra Moberly, Planning Manager

¹ Please note that a site visit at 413 Rainbow Lane will occur at 2:00 p.m. on Wednesday March 25, 2015.

4. Location Map



B. ANALYSIS

1. Background and Project History

In 2008, Mammoth Mountain Ski Area (MMSA) submitted preliminary plans for this site. These preliminary plans included 18 freestanding condominiums. Staff concerns with these plans included building separation (10-foot separation was proposed), snow storage, and driveway and parking area slopes. The preliminary plans were not reviewed by the Commission, and a formal application for this MMSA project was never submitted. The site was recently sold to John Hooper, and Mr. Hooper submitted the Mountainside proposal in February 2015.

2. Development Proposal

The Mountainside project includes 16 townhome units. Two of these units would be freestanding (i.e., single family structures), and 14 units would be located in seven duplex buildings. All units would be three stories and approximately 2,000 square feet of habitable area with three bedrooms and a two car garage. Building separation would be approximately 15 feet, which would accommodate snow storage. A driveway off of Rainbow Lane would serve the project. A pedestrian path is proposed to connect the west side of the project to Rainbow Lane. The site plan and building floor plans and elevations are included as Attachments 1 and 2.

Due to the slope of the site, the buildings are proposed to be located towards Rainbow Lane, leaving the steepest sloped area at the rear (south portion) of the site undisturbed. Retaining walls would be required to build into this slope, and the maximum retaining wall height proposed is approximately 10 feet at the southwest corner of the site (Lot 1, Building B). This wall would not be visible to the public as it would

be combined with the buildings on Lots 1-9. However, other retaining walls on the site would be visible off-site and are proposed to be a tan colored split-face concrete masonry unit (CMU) wall.

The project is separated into two phases. Phase 1 includes construction of Lots 1-9 and all of the civil engineering work (grading, retaining walls, utilities, driveway, etc.). Phase 2 includes construction of Lots 10-16 and the storm water retention structures in Phase 2.

3. Subject Property and Surrounding Land Uses

The project is zoned Residential Multi-Family 2 (RMF-2) and the surrounding land uses are multi-family condominiums (Snowbird, 1849, and Courchevel) and Mammoth Mountain Ski Area Canyon Lodge and associated parking lot.

4. General Plan Consistency

The project appears to be consistent with the General Plan as follows:

- The project would provide new townhome and single family product available for nightly rental adjacent to Canyon Lodge (visitor lodging located in an appropriate area).
- The steeply sloped portion of the site would be preserved.
- The architecture would be appropriate to the Eastern Sierra and Mammoth Lakes.
- The project would be below the maximum density allowed for the site.

5. Municipal Code Consistency

The proposed project appears to be consistent with all applicable zoning requirements; however, the following items warrant discussion:

Setbacks

Due to the unique configuration of this lot, staff is analyzing whether this lot is considered to be a corner lot or an interior lot, which will dictate the required setbacks². At minimum, the project would require one setback variance to reduce the setback along Rainbow Lane from 25 feet to 16 feet. However, if the lot is considered to be a corner lot, the project would require two setback variances: 1) to reduce the setback along west property line from 25 feet to 10 feet, and 2) to reduce the setback along the east property line from 20 feet to 10 feet.

The findings necessary to approve a variance include that there are special circumstances applicable to the property that would deprive the property of privileges enjoyed by other properties in the vicinity. The steep slope and lot configuration with the adjacent U.S. Forest Service property could be considered as special circumstances applicable to the property. Another required finding is that the variance would not be detrimental to the public health, safety, or welfare or injurious to the property or improvements in the vicinity. At this time, staff does not anticipate any potential detrimental impacts because Rainbow Lane has adequate right-of-way, and sufficient snow storage and storm drain infrastructure would be provided. Furthermore, both density (9.6 units per acre) and lot coverage (48%) would be below the maximum allowed.

² Staff has requested information from the U.S. Forest Service, property owner to the west, to assist with this analysis.

Building Height

The following approximate building heights are proposed:

- Lot 1 (Building B) – 29.3 feet
- Lots 2-5 (Building A) – 38.8 feet
- Lots 6-9 (Building A) – 37.8 feet
- Lot 10 (Building D) – 36.9 feet
- Lots 11-16 (Building C) – 43.9 feet

The maximum height limit is 35 feet. The building heights proposed for Lots 6-10 could be approved through an adjustment, which allows a height increase of 10% (i.e., up to 38.5 feet). The building heights for Lots 2-5 and 11-16 could be approved through a variance. The findings for a variance would have to be made to approve either an adjustment or a variance. As mentioned under Setbacks, above, a height adjustment and variance request could be approved based on topography and/or other conditions related to the property.

For context, the 1849 Condominium building to the south is approximately 60 feet in height, and the Snowbird Condominium building to the north is over 40 feet in height, both measured from the garage entry.

Dumpster Location

The dumpster is proposed to be located in the setback along the east property line. Dumpsters may be located in setback areas if approved by the Community and Economic Development Director. At this time, staff finds the location appropriate because it would be readily accessible to refuse collection and recycling vehicles and would be screened with a four foot retaining wall.

Additional items may arise as staff proceeds with review, and if so, these items would be discussed by the Commission during the public hearing as appropriate.

6. Project Design

As required for a Major Design Review permit, the applicant has provided color elevations, photos of materials and colors (which will match the Grayfox project)³, and a preliminary landscape plan (Attachments 3, 4, and 5). The applicant will also provide a photographically correct color perspective representation of the project.

The proposed project appears to be consistent with the Town's Design Guidelines as discussed below:

Site Design

- Natural site features are recognized by locating the buildings to the north to reduce disturbance of the steepest slope on the property.
- Grading and site disturbance is reduced as a result of the request for a reduced setback along Rainbow Lane. Site grading is necessary to meet Public Works Standards for parking and driveway slopes.

³ Since the materials and colors will match the Grayfox project, the applicant provided photos of that project instead of a colors and materials board. The Grayfox project is located at 59 Hillside Drive and will be included in the Commission's March 25, 2015 site visit.

- Parking areas are screened from the street by buildings, retaining walls, and landscaping.
- Landscape plan includes some species from the recommended plant list (e.g., Redtwig Dogwood and Feather Reed Grass).

Building Design

- Building forms, roofs, and facades provide variation, and visual interest.
- A clear distinction between building base and the wall material is provided.

Building Materials and Colors

- Materials appear to be appropriate for the neighborhood and Mammoth Lakes.
- Colors appear to be appropriate to both the natural environment and the neighboring buildings.

Depending on the Commission's discussion, staff anticipates that a meeting with the Commission Design Committee would be held to address any design issues prior to the public hearing.

7. Alternate Housing Mitigation Plan

Applicant Proposal

The applicant is proposing an Alternate Housing Mitigation Plan (AHMP) instead of providing an on-site deed restricted housing unit. AHMPs are allowed by the Interim Affordable Housing Mitigation Policy (Attachment 6). The proposed AHMP is to pay the current in-lieu fee for projects of nine or fewer units (\$23,222 per market rate unit). This would result in \$325,108 in housing in-lieu fees for this project. The AHMP, Attachment 7, describes the rationale for the proposal. The proposed rationale includes that the site is located away from Vons, schools, hospital, and other resident facilities/amenities; the project area is focused towards nightly rentals; fees would be paid to the Town earlier than when an on-site unit would be triggered; and fees can be utilized by the Town in a flexible manner.

Although Town Council has directed the development of a housing ordinance that allows in-lieu fees to be paid by all development projects, this ordinance is not anticipated to be effective until July 2015. Since the applicant anticipates obtaining building permits prior to July 2015, the applicant has proposed an AHMP for the payment of in-lieu fees instead of deferring to the future housing ordinance fee⁴. Since a fee for projects of more than nine units has not been established at this time, the applicant has proposed to utilize the fee applicable to projects of nine or fewer units (\$23,222 per market rate unit).

Mammoth Lakes Housing, Inc. Board Review and Comments

The Mammoth Lakes Housing, Inc. (MLH) Board reviewed the AHMP on March 2, 2015. The Board recommended that an on-site unit be provided instead of the provision of an in-lieu fee because the Board concluded that the proposed AHMP did not meet the required findings to approve an AHMP.

⁴ The AHMP recently approved for the Inn at the Village project allowed housing mitigation to comply with the regulations in effect at the time of building permit issuance.

The following are the required findings to approve an AHMP:

1. On-site mitigation is undesirable for the community or infeasible; and
2. There would be substantial additional affordable housing benefit derived from the AHMP. “Additional housing benefit” may be defined by a number of parameters including, but not limited to:
 - A greater number of affordable/workforce units.
 - Units that more closely meet current priorities established by Mammoth Lakes Housing and/or the Town.
 - Provision of units at an earlier date that would otherwise occur.

The Board found the project location to be desirable for a deed-restricted workforce housing unit because it is close to employment (e.g., Canyon Lodge and Austria Hof), is in a residential neighborhood, and is on a year-round transit route. The Board ascertained that no additional housing benefit could be tied to the fee. The MLH staff report is Attachment 8. The Board approved Option 1.

As clarified by the Council Resolution 14-54, the MLH Board’s role is to review and comment on an AHMP, and the Commission’s role is to approve or deny an AHMP considering the Board’s comments.

Option for Compliance with the Housing Ordinance Update and Fee

Although the applicant has requested to proceed with his AHMP as proposed, the Commission may want to discuss the option of compliance with the housing ordinance update and fee. This option would require that the applicant comply with the housing ordinance in effect at the time of building permit issuance. However, if building permits are issued prior to this fee being effective, the Town could require the payment of these fees prior to the issuance of the 10th certificate of occupancy (i.e., when the Interim Housing Policy would trigger an on-site deed restricted unit). This may allow sufficient time for the applicant to proceed with construction of Phase 1 and for the housing ordinance update and fee to be effective. Prior to issuance of the 10th certificate of occupancy, the applicant would pay the new fee associated with the nine units already constructed. If the fee is not effective at the time of 10th certificate of occupancy, the applicant would have the option to deed restrict an on-site unit consistent with the Interim Housing Policy.

8. Environmental Analysis

The project appears to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to §15332, In-fill Development Projects. Projects eligible for this exemption must be consistent with the General Plan and Zoning Code, be substantially surrounded by urban uses, have no value as habitat for endangered, rare or threatened species, and not result in any significant effects related to traffic, noise, air quality, or water quality.

9. Discussion Questions

Below are discussion questions for the Commission to consider during this workshop.

1. What concerns, if any, does the Commission have with the setback variance(s)?
2. What concerns, if any, does the Commission have with the building height variance?
3. What concerns, if any, does the Commission have with the dumpster location?

4. What concerns, if any, does the Commission have with the design?
5. What feedback does the Commission have regarding the Alternate Housing Mitigation Plan?
6. Is there additional information the Commission requests for the public hearing?
7. Does the Commission have any other comments or suggestions?

C. OPTIONS

This item is a workshop so no options are provided.

D. RECOMMENDATION

Staff recommends that the Planning and Economic Development Commission take public input, discuss those questions identified in Section 9 of this report, and provide feedback to staff and the applicant.

Attachments

Attachment 1: Tentative Tract Map 15-001 (includes site plan, snow storage plan, etc.)

Attachment 2: Building floor plans and elevations

Attachment 3: Color building elevations

Attachment 4: Colors and materials photos

Attachment 5: Preliminary landscape plan

Attachment 6: Interim Affordable Housing Mitigation Policy (Council Resolutions 09-76 and 14-54)

Attachment 7: Alternate Housing Mitigation Plan (AHMP)

Attachment 8: Mammoth Lakes Housing, Inc. Mountainside AHMP staff report, March 2, 2015