

TOWN COUNCIL OF MAMMOTH LAKES

MINUTES OF REGULAR MEETING

JULY 1, 2009

REGULAR MEETING

CALL TO ORDER

The Mayor called the meeting to order at 6:05 p.m. at the Council Chambers, Old Mammoth Road, Mammoth Lakes, California. The Council was present in its entirety with Councilmembers Jo Bacon, John Eastman, Skip Harvey, Mayor Pro Tem Neil McCarroll, and Mayor Wendy Sugimura in attendance.

Councilmember Eastman led the flag salute.

PUBLIC COMMENTS

Debbie Hess, Southern California Edison, reported on Edison's local investments and explained the status of the power outages, the new cable, and energy efficiencies.

Danna Stroud, Director of Tourism and Recreation, listed the activities happening in Town over the Fourth of July weekend.

COUNCIL REORGANIZATION

1. **Selection of Mayor and Mayor Pro Tem.**

610-70 Agenda bill from Town Clerk Anita Hatter appending Town Council Resolution No. 06-67 regarding the rotation and selection of the presiding officer of the Town Council.

ACTION:

610-70 It was moved by Mayor Sugimura, seconded by Councilmember Bacon, and carried by a 5-0 voice vote to nominate and appoint Mayor Pro Tem McCarroll as Mayor and Councilmember Eastman as Mayor Pro Tempore pursuant to the rotational system set forth in Resolution 06-67.

610-50 2. **Recognition of outgoing Mayor Wendy Sugimura.**

The Council presented a gavel plaque to Mayor Sugimura and thanked her for her service to the community during the past year.

100-50 3. **Recap of Accomplishments – Wendy Sugimura.**

Councilmember Sugimura outlined the accomplishments of the Town over the last year.

100-50 4. Statement of goals – Neil McCarroll.

Mayor McCarroll outlined his goals for the Town Council for the next year.

COUNCILMEMBER REPORTS/ADDITIONS TO THE AGENDA

Councilmember Sugimura attended the dedication of the Roy Saari memorial bench and the Mammoth Mountain Ski Area liaison meeting.

Mayor McCarroll attended the Mammoth Mountain Ski Area liaison meeting and directed staff to put a discussion regarding sponsoring a new event at the Village on the next agenda.

PUBLIC HEARINGS

1. Fiscal year 2009-10 State Community Development Block Grant allocation. (Continued from the meeting of June 3 and 17, 2009.)

470-20 Agenda bill from Tourism and Recreation Director Danna Stroud outlining the options to obtain CDBG grant funds for the Town's Economic Development Program. Town Clerk's Notice of Public Hearing dated May 18, 2009.

The Mayor opened the public hearing at 6:29 p.m.

Ms. Stroud outlined the information in the staff report.

With no members of the public coming forward to speak, the Mayor closed the public hearing at 6:31 p.m.

ACTION:

470-20 It was moved by Councilmember Sugimura, seconded by Councilmember Harvey, and carried by a 5-0 voice vote to accept and file the CDBG 2009-10 General Allocation Grant Program Review, thereby meeting the CDBG public hearing requirement.

2. Snowcreek Master Plan Update (Snowcreek VIII): Environmental Impact Report, Minor General Plan Amendment (GPA) 2009-01, and Zone Code Amendment (ZCA) 2006-04. This Project would update the 1981 Snowcreek Master Plan to include land uses, density, development standards for build out of the Snowcreek VIII site. Location: Approximately 237 acres in the southeast portion of town, including approximately 222 acres south of Old Mammoth Road and west of Sherwin Creek (APNs 40-070-10, 11, 12, 13, 23, 40-140-04, and 05) and approximately 15 acres north of Old Mammoth Road and west of Minaret Road (APN 40-160-02). Applicant: Snowcreek Investment Company, L.P. Staff contact: Jen Daugherty, Associate Planner, x260.

450-20
(650-10) Agenda bill from Associate Planner Jen Daugherty and Community Development Director Mark Wardlaw appending the Snowcreek VIII, Snowcreek Master Plan 2007 Update. "Mini-agenda" to guide Council discussion. Town Clerk's Notice of Public Hearing dated June 11, 2009.

The Mayor opened the public hearing at 6:31 p.m.

Ms. Daugherty outlined the information in the staff report. Rob Carnahan, CAJA, gave a Power Point presentation outlining the CEQA analysis for the Snowcreek EIR.

STATEMENT AND PRESENTATION BY APPLICANT:

Chuck Lande, Chadmar, gave a Power Point presentation outlining the history and current issues of the Snowcreek VIII project.

There was discussion among members of Council, staff, Mr. Carnahan, and Mr. Lande regarding the Urban Growth Boundary, Forest Service covenants, the proposed height of the hotel and measurement details, fill and drainage issues, Sherwin Creek Road access, Forest Service permitting, deer migration/habitat issues, parking locations, the "outfitters cabin" and outdoor concierge services, landscaping issues and fire resistance.

SPEAKING IN SUPPORT:

Dave Harvey said that it was a "marvelous project" and that the Town Council should support the developer.

John Wentworth, Mammoth Lakes Trails and Public Access (MLTPA), said that he supported the progress that the project had made regarding trails and public access. He said that MLTPA was very involved in the process and was happy to see that coordination with the Forest Service was a condition of the plan. He said that the written comments from MLTPA would fit in with the conditions of approval.

There was discussion among members of Council and Mr. Wentworth regarding the width of the trails and the efforts of the Sherwin Working Group.

Dennis Brown, representing Snowcreek Ranch and Fairway Ranch Homeowners Associations, said he would defer comments to hearing on July 8.

Stacy Bardfield, Fairway Ranch, said she would defer her comments to the meeting of July 8.

Thom Heller, Mammoth Lakes Fire Protection District, said that he had worked with the applicant for two years and that the Master Plan was the most complete one that he had seen. He said that he wanted the Town Council to support the plan. He said that he was concerned about traffic and that the mobility process should be addressed in the development agreement. He said that he would work with the applicant on developing native vegetation and getting rid of the vegetation that posed a fire hazard.

SPEAKING IN OPPOSITION:

John Walter, Advocates for Mammoth, said that the project had a problem with the urban growth boundary and its inconsistency with the General Plan. He said that he was

concerned about the increase in acreage in developable land and the need for a General Plan amendment. He distributed a document reflecting the Advocates' testimony before the Planning Commission on this issue. He said that he was concerned about the height and the buildings "competing" with views of the Sherwins and Mammoth Rock. He said that everything needed to be written down and that he was concerned about amenities.

There was discussion among members of Council and Mr. Walter regarding height and the urban growth boundary.

GENERAL TESTIMONY:

Leigh Gaasch said that she was concerned about over-crowding and parking on the streets in the Sierra Valley Sites. She said that she wanted the Sierra Valley Sites to have a district plan.

There was discussion among members of Council regarding the alternate housing mitigation plans.

Teri Stehlik, Tourism and Recreation Commission, said that she was concerned about the project from an economic development point and that she wanted the Tourism and Recreation Commission to review the final draft and provide comments. She said that she was concerned about access.

There was discussion among members of Council, Ms. Stehlik, and Mr. Lande.

CONSENSUS:

450-20 Allow the Tourism and Recreation Commission to review the final draft of the project and (650-10) provide comments.

Jennifer Gerard said that she was concerned about utilities and the water supply. Mr. Carnahan responded that the project had adequate water and that Mammoth Community Water District was addressing the issue of a water shortage at the Town's buildout in the summer months.

There was discussion among members of Council.

The item was continued to a special meeting to be held on July 8th at 8:00 a.m.

The Mayor called a recess at 8:38 p.m. and the Council reconvened at 8:47 p.m.

POLICY MATTERS

1. Acceptance of North Village District Study. (Continued from the meetings of June 17 and 24, 2009.)

- 430-90 Agenda bill from Community Development Director Mark Wardlaw and Senior Planner Ellen Clark appending the North Village District Planning Study Addendum, June 2009; discussion agenda; and illustrations of "critical mass" concepts.

There was discussion among members of Council and staff regarding community benefits.

CONSENSUS:

- 430-90 Add performing arts space to the list of community benefits.

There was discussion among members of Council and staff regarding event/conference space and how it might be located in the North Village area, and the need for animation in the public spaces.

There was discussion of "critical mass," the optimum mix of retail square footage, and where density should be located in the district.

SPEAKING FROM THE FLOOR:

John Wentworth, Mammoth Lakes Trails and Public Access, said that the district needed a bike park loading area in the summer and that recreation would animate the district. He said that the physical infrastructure needed to connect to the surrounding forests.

There was discussion among members of Council and staff.

John Walter, Advocates for Mammoth, said that the district needed a mix of amenities and that the problem with the Village was connectivity. He said that he was concerned that the plan was creating a second node and that people would not be able to cross the street. He said that he was concerned about increasing height and density and that the existing problems needed to be solved.

There was discussion among members of Council regarding connectivity and street front activity.

CONSENSUS:

- 430-90 Direct the Planning Commission to thoroughly review pedestrian connectivity and enhance animation.

There was discussion among members of Council regarding critical mass and density.

CONSENSUS:

- 430-90 Affirm the NOMRDSS that projects state base density.

There was discussion among members of Council regarding building height, mass, scale, and transect approach.

CONSENSUS:

- 430-90 Direct Planning Commission to find a way to demonstrate height as part of the specific plan stage. Retain character as "a village in the trees."

There was discussion among members of Council regarding setbacks and stepback patterns.

CONSENSUS:

- 430-90 Direct staff to apply the NOMRDSS methodology of setbacks and stepbacks to the North Village District Study.

There was discussion among members of Council and staff regarding transitions to neighborhoods around the district; efforts to concentrate density at parcel centers; the need to protect view corridors; the difficulty of pedestrian connections given the width of the streets and the topography; "zones" within the district, and neighborhood character; animation; the relationship between the district study and other studies and policies; and a letter from Linda Dempsey, Minaret Investments, expressing concern about potential impacts on the implementation agreement between her and the Town.

ACTION:

- 430-90 It was moved by Councilmember Sugimura, seconded by Councilmember Bacon, and carried by a 5-0 roll call vote to accept the North Village District Planning Study: Determine that the draft NVDPS report and addendum contain adequate information. Accept the modified Preferred Plan Concept (Option 4) as outlined in the June 17th agenda bill. Provide direction on minor modifications necessary, if any, including Town comments and errata, and as noted above, and accept the draft NVDPS report with modifications as the final NVDPS report.

CONSENT AGENDA

This item was taken out of order.

ACTION:

It was moved by Mayor Pro Tem Eastman, seconded by Councilmember Eastman, and carried by a 5-0 roll call vote to adopt the consent agenda.

1. The minutes of the regular meeting of May 20, 2009.
2. The minutes of the regular meeting of June 3, 2009.
3. Resolution declaring its intention to order assessments for a previously approved benefit assessment district pursuant to the Benefit Assessment Act of 1982, preliminarily approving an Engineer's Report in connection with such district, and appointing a time

R09-43
340-10
BAD
2002-2

and place for comment (public hearing) on the Engineer's Report for the North Village Benefit Assessment District No. 2002-02.

- R09-44
340-10
BAD
2002-1
4. Resolution declaring its intention to order assessments for a previously approved benefit assessment district pursuant to the Benefit Assessment Act of 1982, preliminarily approving an Engineer's Report in connection with such district and appointing a time and a place for comment (public hearing) on the Engineer's Report fro Old Mammoth Road Benefit Assessment District No. 2002-01.

POLICY MATTERS (CONTINUED)

1. Schedule interviews of applicants or make appointments to the Public Arts Commission.

This item was taken out of order.

- 110-20
(900-60)
- Agenda bill from Town Clerk Anita Hatter appending the applications for the vacancies on the Pubic Arts Commission. Town Clerk's Notice of Vacancies dated May 29, 2009.

ACTION:

- 110-20
(900-60)
- It was moved by Mayor Pro Tem Eastman, seconded by Councilmember Harvey, and carried by a 5-0 voice vote to not conduct interviews, and direct staff to present the applications at the next regular meeting so that appointments may be made.

2. Review of Town Council Agenda format.

- 610-30
- Agenda bill from Town Clerk Anita Hatter appending the revised agenda sequence.

CONSENSUS:

- 610-30
- Direct staff to prepare the Town Council regular meeting agendas using the updated sequence as set forth in Attachment A until further notice.

3. Council appointments to commissions and committees.

- 610-80
- Agenda bill from Town Clerk Anita Hatter listing the current commission/committee appointments on which members of the Council currently serve.

There was discussion among members of Council.

CONSENSUS:

- 610-80
- Keep the current appointments of the Town Council.

REGISTERS OF DEMANDS

- 300-30
1. Register of Demands No. 09-49 in the amount of \$251,482.05.

There was no discussion or action.

ADJOURNMENT

The Council adjourned the meeting at 10:25 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Anita Hatter for".

Anita Hatter
Town Clerk