



Town of Mammoth Lakes

Planning & Economic Development Commission Staff Report

Meeting Date: January 12, 2022

AGENDA TITLE: Consider approval of Time Extension Request 21-001 for a five-year time extension of the Mammoth Hotel project entitlement (DR 19-003 & ADJ 19-002) located at 452 Old Mammoth Road

Applicant/ Property Owner: 452 OM RD Investors, LLC

REQUESTING DEPARTMENT:

Community & Economic Development

Sandra Moberly, Director

OBJECTIVE:

1. Hear Staff and Applicant presentations
2. Hold Administrative Hearing
3. Planning & Economic Development Commission (PEDC) discussion
4. PEDC action to:
 - a. Adopt the attached Planning and Economic Development Commission Resolution (the Resolution), making the required Municipal Code findings, and approving Time Extension Request 21-001 with conditions as recommended by staff;
 - b. Adopt the Resolution with modifications; or
 - c. Deny the Resolution

SUMMARY:

Proposal:

The proposed project would consist of a time extension for the Mammoth Hotel project which a complete renovation and remodel of the existing 3-story Sierra Center Mall building to create a new 4-story, 164-room boutique luxury hotel with accessory restaurant, retail, and office uses. The approvals also included a 10% Height Adjustment to allow for a total building height of 49 feet 6 inches where 45 feet is the maximum otherwise allowed per OMR zoning district standards.

Project Name:	Mammoth Hotel Project
Location:	452 Old Mammoth Rd.
Size of Property:	1.93 acres (84,491 sq. ft.)
Zoning:	Old Mammoth Road (OMR)
General Plan:	Commercial 2 (C-2)
Environmental Review:	Categorically Exempt (CEQA Guidelines Section 15332)

KEY ISSUES:

1. Can the findings be made for approval of a Time Extension Request pursuant to Municipal Code (MC) Section 17.64.060?

I. INTRODUCTION AND BACKGROUND

The Mammoth Hotel project is a new hotel which will include a complete renovation and remodel of the existing 3-story Sierra Center Mall building to create a new 4-story, 164-room boutique luxury hotel with accessory restaurant, retail, and office uses. The project entitlement also included a 10% Height Adjustment to allow for a total building height of 49 feet 6 inches where 45 feet is the maximum otherwise allowed per OMR zoning district standards. The entitlement consists of the following two applications: Design Review 19-003 and Adjustment 19-002 (DR 19-003 & ADJ 19-002)

This project was approved by the Planning and Economic Development Commission (PEDC) on November 13, 2019. The project scope includes demolition of all existing interior improvements and mechanical systems down to the building's basic structural components and the selective removal of exterior perimeter walls and windows in order to comply with code standards applicable to alterations of continued non-conforming uses under MC Section 17.100.040. The Project would include structural upgrades in the garage and in other major structural components to meet current building code requirements and support the proposed fourth floor roof deck addition. The additional floor would allow the implementation of new restaurants, hotel suites, common areas, and partially open-air pool deck. Once the structural work has been completed, the entire Project would then be completely reconstructed with all new materials, mechanical systems and interiors, then closed in with new exterior windows and facades. The addition of the fourth-floor hotel rooms and kitchen and common areas would add roughly 24,607 square feet of new floor area to the existing building. The Project was granted a 10% Height Adjustment to allow for a total building height of 49 feet 6 inches where 45 feet is the maximum otherwise allowed per OMR zoning district standards.

Pursuant to Resolution No. 2019-09, if construction had not commenced within 24 months of the project approval, the project entitlement would expire, unless a Time Extension Request (TER) was granted in accordance with the Town of Mammoth Lakes Municipal Code (MC). The property owner ("applicant") submitted a TER on December 23, 2021 requesting a five-year time extension, which is one year less than the maximum length of time permitted by the Town's MC.¹ Pursuant to MC §17.64.060.B(2), the expiration of the entitlement is suspended until a decision is made by the original review authority (i.e., PEDC). The requested five-year time extension will extend the project approval to November 13, 2026.

II. ANALYSIS OF KEY ISSUES

1. Can the findings be made for approval of a Time Extension Request pursuant to Municipal Code (MC) Chapter 17.68.050?

TER 21-001 requests a five-year time extension of the Mammoth Hotel project entitlement, which is consistent with the length of extension permitted by the Town's MC. In the TER letter submitted by the applicant (Attachment 2), the applicant indicates that the COVID-19 global pandemic has had a negative impact on hospitality industry projects and they have proceeded in good faith on their building/demolition permits during

¹ The review authority may grant a permit extension for a period or periods not exceeding a total of six years beyond the expiration date of the original approval, not to exceed a total of eight years of life.

this time. With the time extension, they can continue to make progress towards the commencement of construction.

The project approval (i.e., Resolution No. 2019-09) found the project to be consistent with the General Plan and OMR zoning district and no changes have occurred to the project since approval by the PEDC. The proposed project is required to comply with all federal and state laws, statutes, ordinances, regulations, directives, and order related to the development of the project (Resolution No. 2019-09 Condition of Approval #3). Additionally, there are no new federal or state laws that would necessitate the denial of the time extension or the imposition of additional conditions.

The PEDC may approve the time extension request based upon the site-specific conditions, provided that conditions have not changed. At the time of the original project approval, the application request was found to be consistent with the General Plan and the Municipal Code. Since the project was approved in 2019, no changes to the governing documents or site-specific conditions have occurred that would impact the approved project. Therefore, none of the situations requiring denial or the addition of new conditions are present.

M.C. Section 17.64.060.B.1. requires that applications for time extensions be filed before the expiration of the permit. It is standard practice for staff to provide letters to applicants reminding them of the expiration of their permits; however, due to COVID, that did not occur in this case. This application was filed approximately three weeks after the expiration of the permit, but due to the lack of notification from the Town due to COVID, we are allowing the request to be processed. We are currently reviewing our files and will offer this to other projects in a similar situation.

Environmental Analysis

In November 2019 the PEDC determined that the project was exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines §15332, In-Fill Development Projects. No changes have been made to the project or CEQA that would change the CEQA determination. There are no potential environmental impacts related to the time extension request itself.

Staff Findings and Recommendation:

Staff finds that the proposed 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 Municipal Code findings, and approving Time Extension Request 21-001 for a five-year time extension of the Mammoth Hotel project entitlement (DR 19-003 & ADJ 19-002) with conditions as recommended by staff or with modifications.

Attachments

1. Resolution 22-02 – Mammoth Hotel Project Entitlement Time Extension Request
2. Time Extension Request Letter, dated December 23, 2021
3. Resolution No. 19-09 – Mammoth Hotel Project Entitlement – available online:
https://www.townofmammothlakes.ca.gov/DocumentCenter/View/10192/Recorded-Resolution_DR-19-003
4. Mammoth Hotel Project Plans – available online:
https://www.townofmammothlakes.ca.gov/DocumentCenter/View/10193/Attachment-B_Project-Plans-Dated-110719