



COUNTY OF PLACER
Community Development/Resource Agency

Michael J. Johnson, AICP
Agency Director

**PLANNING
SERVICES DIVISION**

Paul Thompson, Deputy Director

MEMORANDUM

TO: Honorable Board of Supervisors

FROM: Michael Johnson, Agency Director
Community Development/Resource Agency

DATE: December 6, 2011

SUBJECT: Third-Party Appeal of the Planning Commission's Approval of the Homewood Mountain Resort Ski Area Project (PSUB 20080052) and Final Environmental Impact Report (SCH No. 2008092008)

ACTION REQUESTED:

The Board of Supervisors is being asked to consider a third-party appeal of the Planning Commission's action to approve the Conditional Use Permit, Planned Development Permit and the Vesting Tentative Subdivision Map for the Homewood Mountain Resort project, and to approve amendments to the West Shore Area General Plan and to approve a Development Agreement for the Homewood Mountain Resort project. Staff recommends the Board take the following actions:

1. Deny the third-party appeal filed by Friends of the West Shore, the League to Save Lake Tahoe and the Tahoe Area Sierra Club;
2. Certify the Final Environmental Impact Report for the Homewood Mountain Resort project (SCH No. 2008 092008));
3. Approve the proposed amendments to the Plan Area Statement Uses and Boundaries in the West Shore Area General Plan;
4. Approve a Development Agreement with the Homewood Village Resorts, LLC, for the Homewood Mountain Resort project;
5. Uphold the action of the Planning Commission and approve the Conditional Use Permit and Planned Development Permit, and
6. Uphold the action of the Planning Commission and approve the Vesting Tentative Subdivision Map for the Homewood Mountain Resort project.

EXECUTIVE SUMMARY

On October 26, 20011, the Friends of the West Shore, the League to Save Lake Tahoe and the Tahoe Area Sierra Club filed a third-party appeal of the actions taken by the Planning Commission at its October 18, 2011 meeting. The third-party appeal on the Homewood Mountain Resort Ski Area project was considered by the Board of Supervisors at its November 15, 2011 meeting at Granlibakken Resort and Conference Center. At that meeting, 40 members of the public and community groups provided testimony on the merits of the project.

On November 2, 2011, prior to the Board's consideration of the third-party appeal, the County received a letter from the appellants' counsel questioning the November 15th appeal hearing date. The appellants' counsel sought a continuance of the hearing date based on his interpretation of Sections 17.60.110(C)(1) and 17.60.110(D)(1) of the Placer County Code (Appeals). County Counsel reviewed the issues raised by the appellants' counsel and concluded that the November 15th appeal hearing date had been scheduled in compliance with Sections 17.60.110(C)(1) and 17.60.110(D)(1) of the Placer County Code, and that moving forward with the hearing on that date would not result in any detriment of appellants' rights.

The Board of Supervisors opened the public hearing on November 15, 2011, received testimony from the appellant and applicant, received general public testimony, and closed the public hearing to further general public testimony. Nonetheless, in order to afford the appellant's the fullest opportunity to participate in the Homewood Mountain Resort project appeal, the Board then continued the hearing to the December 6, 2011, Board meeting in Auburn but kept the hearing open to allow the appellants to submit further documentation up through November 28, 2011, and to allow further testimony on any such additional documentation.

No additional information was submitted by the appellant regarding the appeal. As was discussed in the November 15, 2011, staff report to the Board on the third-party appeal, and as articulated by staff during its presentation to the Board on the third-party appeal, staff has reviewed each of the issues raised in the appeal. A summary of the comments raised in the appeal, and the County's response to each issue, is attached as Attachment I. Attachment I also includes two supplemental studies that were prepared to assist with the responses. Staff has concluded there are no merits in any of the issues raised by the appellants. On this basis, staff recommends that the Board of Supervisors deny the third-party appeal and uphold the recommendations and actions taken by the Planning Commission.

CONCLUSION / STAFF RECOMMENDATION

As detailed above, the Homewood Mountain Resort project has been through an exhaustive review process, including a significant public participation and public outreach process. Based upon the environmental analysis prepared for the project, including the associated mitigation measures that are included as Conditions of Approval, staff has concluded the proposed project is an appropriate design solution for the project site. On this basis, staff recommends the Board of Supervisors find the third-party appeal to be without factual or legal merit and take the following actions:

A. **Final Environmental Impact Report:** Adopt the resolution certifying the Final Environmental Impact Report for the Homewood Mountain Resort Ski Area Master Plan Project (State Clearinghouse #2008092008) and adopting CEQA Findings of Fact and a Statement of Overriding Considerations, and approving the Mitigation Monitoring Plan as included in the Final Environmental Impact Report, in the form set forth in Attachment A hereto.

B. **Amendment of West Shore Area General Plan (Plan Area Statements):** Adopt the resolution amending the allowable uses for Plan Area Statements 157 (Homewood), 158 (McKinney Tract Residential) and 159 (Homewood/Commercial), and to the boundary lines for Plan Area Statements 158 (McKinney Tract Residential) and 159 (Homewood/Commercial), in the form set forth in Attachment B hereto.

C. **Development Agreement:** Adopt the ordinance approving a Development Agreement by and between the County of Placer and the Homewood Village Resorts, LLC, relative to the Homewood Mountain Resort Project in the form set forth in Attachment C hereto, and authorize the Chair to execute two original copies of the Development Agreement on behalf of the County of Placer.

D. **Conditional Use Permit:** Deny the third-party appeal and approve a Conditional Use Permit for the Homewood Mountain Resort Project, based upon the following findings and subject to the Conditions of Approval attached hereto as Attachment D:

- (1) The proposed uses are consistent with all applicable provisions of Chapters 17 and 18 of Placer County Code.
- (2) The proposed uses are consistent with the objectives, policies, general land uses and programs as specified in the Placer County General Plan and the West Shore Area General Plan.
- (3) The establishment, maintenance or operation of the proposed uses will not be detrimental to the health, safety, and general welfare of people residing or working in the neighborhood of the proposed use, and will not be detrimental or injurious to property or improvements in the neighborhood or the general welfare of the County.
- (4) The proposed uses are consistent with the character of the immediate neighborhood and will not be contrary to its orderly development.

E. **Findings for Planned Development:** Deny the third-party appeal and approve the Homewood Mountain Report Project as a Planned Development in accordance with Placer County Code section 17.54.090(B) based upon the following findings, and subject to the Conditions of Approval attached hereto as Attachment D:

- (1) The Project is consistent with the West Shore Area General Plan, is consistent with the Plan Areas Statement uses and characteristics of the area, and is compatible with adjacent properties and their existing or allowed land uses, including minimum lot sizes proposed.
- (2) The Project is consistent with the purposes of a planned residential development as specified in Placer County Code Section 17.54.080 as follows: it protects environmentally sensitive areas, conserves visual and aesthetic resources, maintains the area's existing quality of life; provides for a variety of housing types, designs, and layouts; and is an efficient use of land and of public facilities and services.
- (3) The Project varies from otherwise applicable zoning and subdivision regulations by allowing for the development of a mixed-use project that establishes setback, building height and parking standards that are unique to the project site, based upon the analysis prepared for this project. Such departures are in the public interest because the resulting project is a site-specific design solution that takes into consideration the existing conditions of the project area, including the proximity to existing surrounding residences.
- (4) The purpose, location and amount of the common open space in the Project and the proposal for maintenance and conservation of the common open space, is adequate as related to the proposed density and type of residential development.
- (5) The physical design of the Project makes adequate provision for public services, control over vehicular traffic, and the amenities of light and air, recreation and visual enjoyment.
- (6) The relationship of the proposed Project is beneficial to the neighborhood wherein it will be located.
- (7) The conditions imposed upon the Project are sufficient to protect the interests of the public and of the residents of the Project throughout the Project's construction period.
- (8) The benefits or adverse impacts to the community as a result of density increases realized by the Project by using this process are appropriate because, by allowing for the development of a mixed-use project that establishes setback, building height and parking standards that are unique to the project site, based upon the analysis prepared for this project. Such departures

are in the public interest because the resulting project is a site-specific design solution that takes into consideration the existing conditions of the project area, including the proximity to existing surrounding residences.

- (9) Additionally, the increased density is appropriate based upon specific features of the Project.
- (10) The benefits of the Project versus a traditional lot and block development of the property include the development of a project that has been specifically designed around the existing features of the property, placing development in areas where development already existed and minimizing impacts to adjoining properties, and the Project is the superior method of development for the site in question.

F. **Vesting Tentative Subdivision Map**: Deny the third-party appeal and approve the vesting Tentative Subdivision Map for the Homewood Mountain Resort Project, as shown in Attachment E hereto, based upon the following findings and subject to the Conditions of Approval attached hereto as Attachment D:

- (1) The proposed subdivision, together with the provisions for its design and improvements, will be consistent with the Placer County General Plan, the West Shore Area General Plan and the applicable County Zoning Ordinances.
- (2) The site of the subdivision is physically suitable for the type and proposed density of development.
- (3) The subdivision, with the recommended conditions, is compatible with the neighborhood and adequate provisions have been made for necessary public services and mitigation of potential environmental impacts.
- (4) The design and proposed improvements of the subdivision are not likely to cause substantial environmental damage or public health problems.
- (5) The design of the subdivision and the type of the proposed improvements will not conflict with easements acquired by the public at large for access through, or use of the property, within the proposed subdivision.

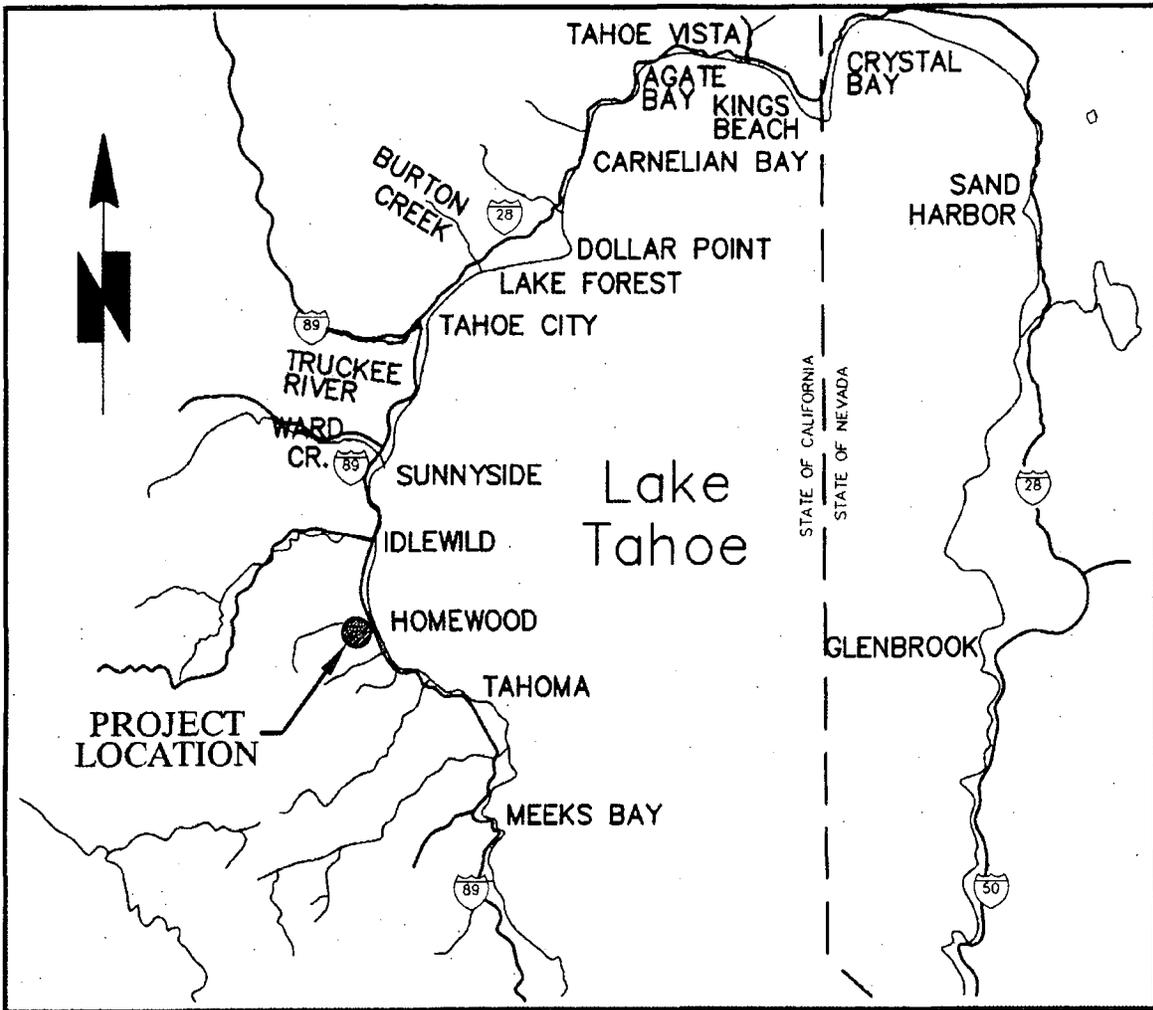
ATTACHMENTS:

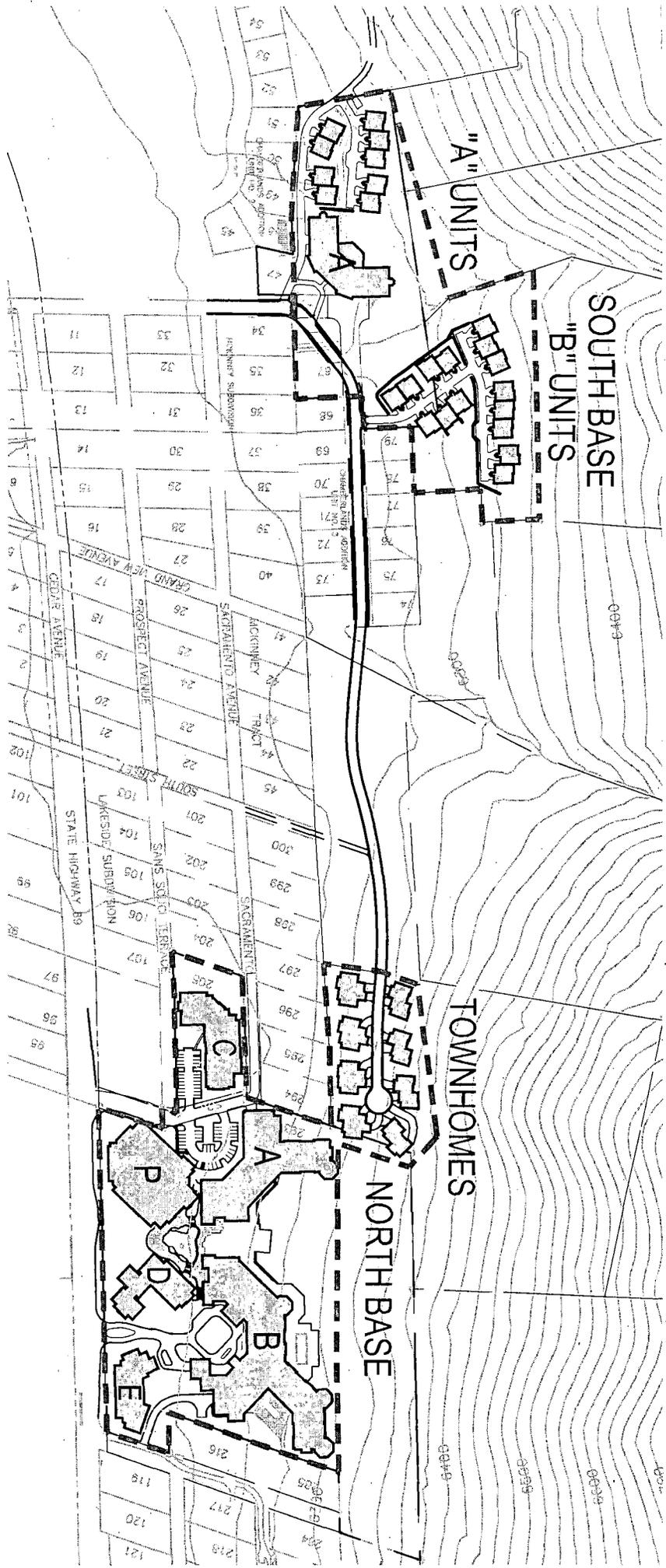
- | | |
|--------------|---|
| Exhibit 1: | Project Vicinity Map |
| Exhibit 2: | Project Site Plan |
| Exhibit 3: | Proposed Building Elevations |
| Attachment A | Resolution Certifying the Final Environmental Impact Report, Adoption of a Statement of Findings, a Statement of Overriding Considerations, and Mitigation Monitoring Plan |
| Attachment B | Resolution Approving Amendments to the West Shore Area General Plan |
| Attachment C | Ordinance Adopting a Development Agreement for Properties within the Homewood Mountain Resort |
| Attachment D | Recommended Conditions of Approval |
| Attachment E | Planned Development / Vesting Tentative Subdivision Map |
| Attachment F | Letter of Appeal, dated October 26, 2011, from Friends of the West Shore, the League to Save Lake Tahoe and the Tahoe Area Sierra Club (including previously submitted letters) |

- Attachment G Letter from Michael Louzeau, Counsel for the appellants, dated November 2, 2011
Attachment H Letter from County Counsel, dated November 8, 2011
Attachment I Appeal Comment Summary and Response

cc: Art Chapman and David Tirman, Homewood Village Resorts, LLC, Applicant
Michael Johnson – CD / RA Director
Paul Thompson - Deputy Planning Director
Scott Finley - County Counsel's Office
Yu Shuo Chang - Air Pollution Control District
Rebecca Taber - Engineering and Surveying Department
Andrew Gaber - Department of Public Works
Mohan Ganapathy - Environmental Health Services
Andy Fisher - Parks Department
Allen Breuch - Supervising Planner
Placer County Environmental Coordination Services
David Landry - TRPA Project Planner
Subject/chrono files

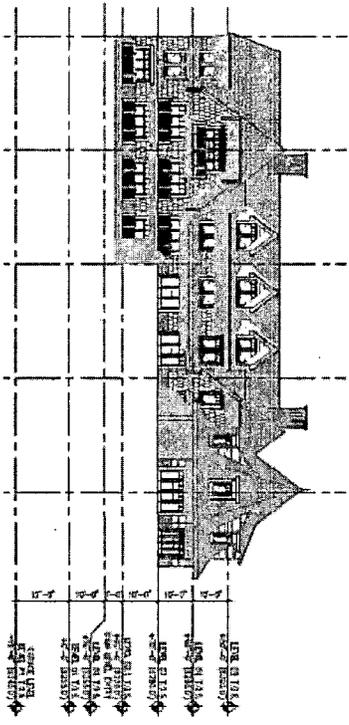
VICINITY MAP





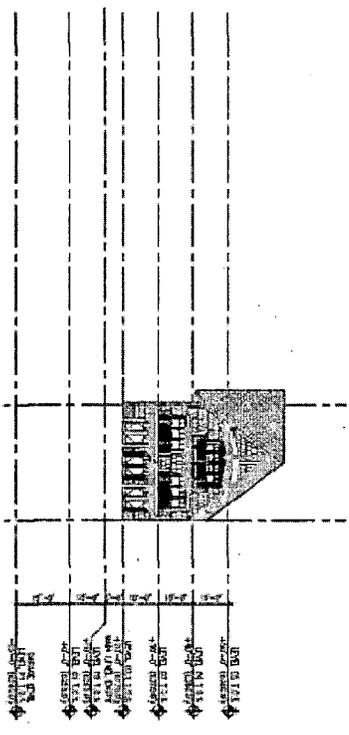
North Base-Building A

(Day Skier Base Facility & Residential)



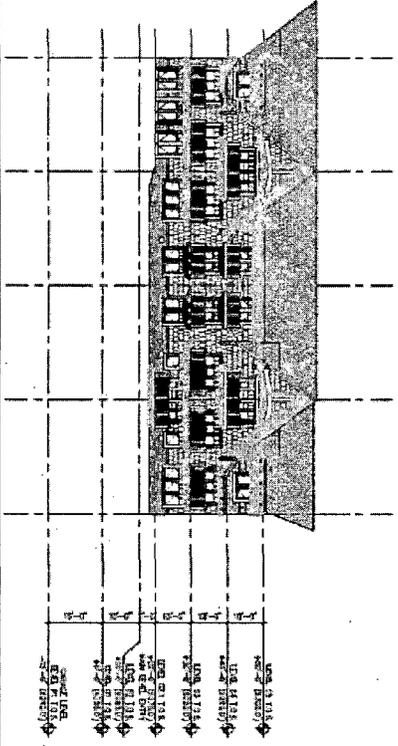
SOUTH ELEVATION
BUILDING A - NORTH

4



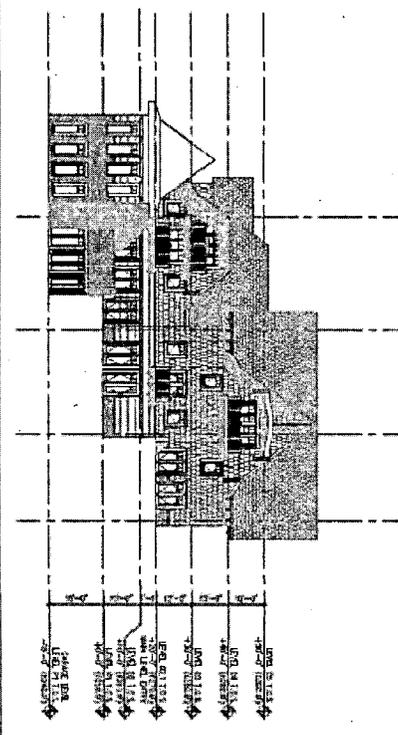
EAST ELEVATION
BUILDING A - NORTH

2



NORTHEAST ELEVATION
BUILDING A - NORTH

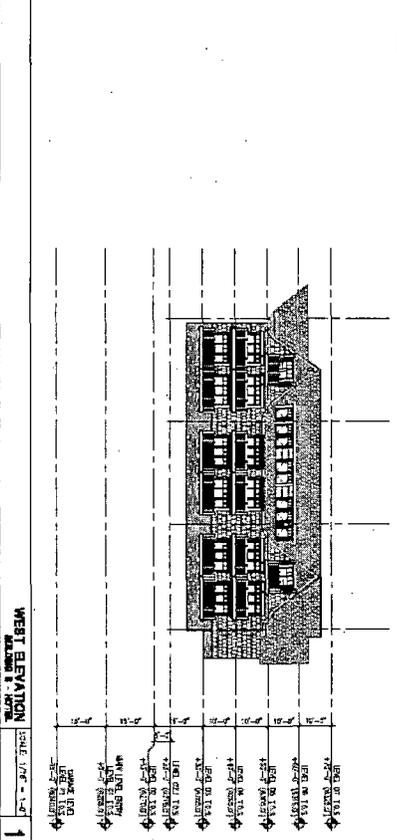
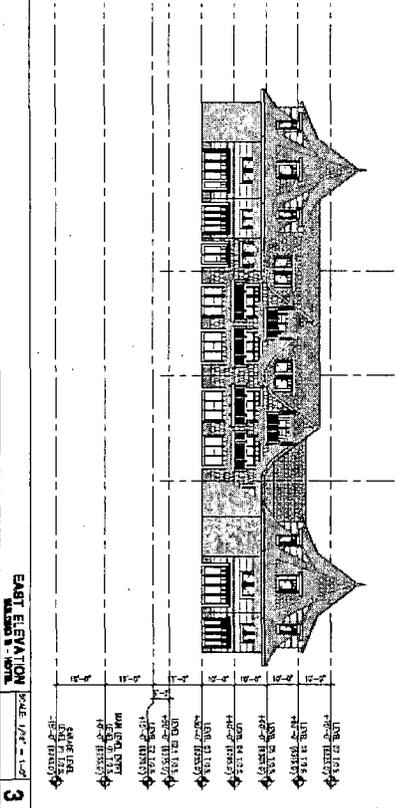
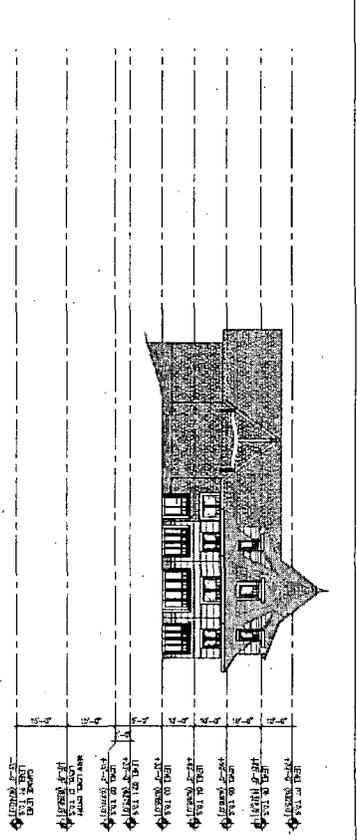
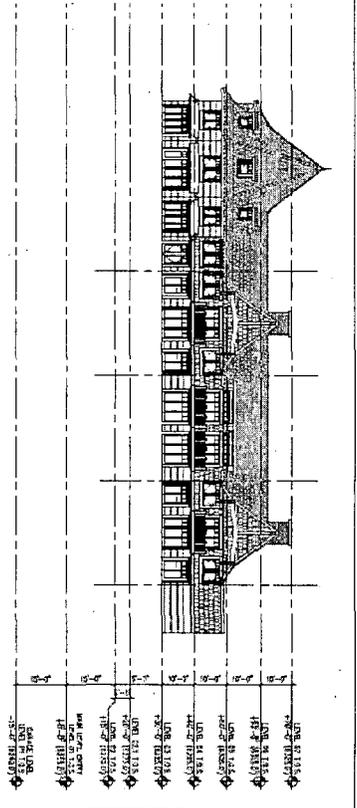
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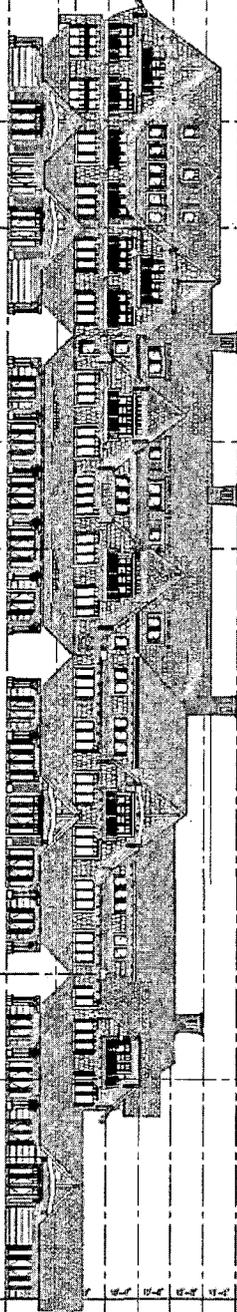
SOUTH ELEVATION
BUILDING A - NORTH

1

North Base-Building B (Hotel Elevations)



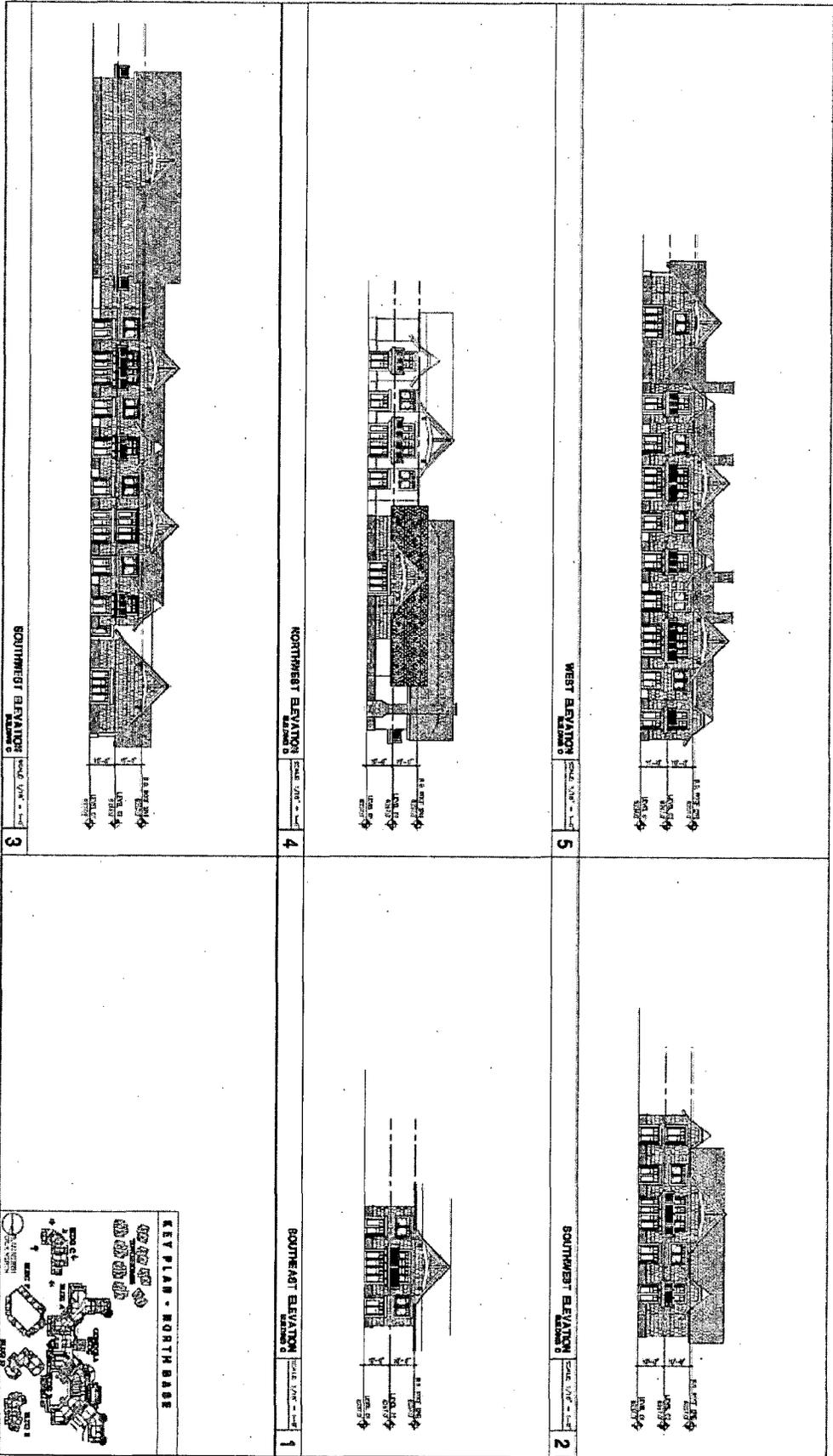
North Base-Building B (Hotel)



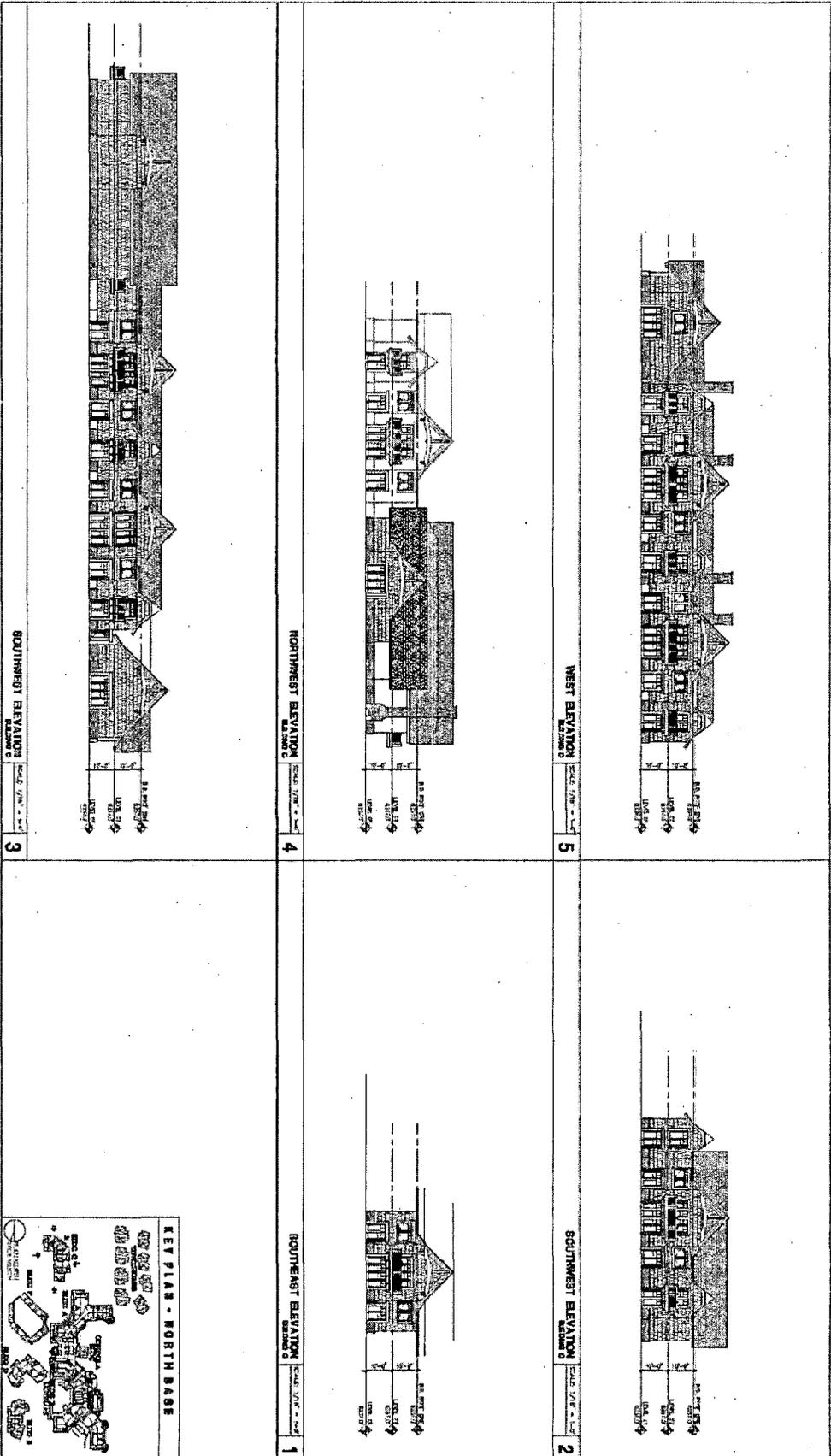
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OVERALL ELEVATION - WEST
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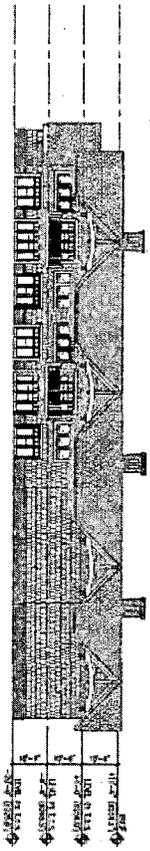
North Base-Building C elevations



North Base-Building C Elevations



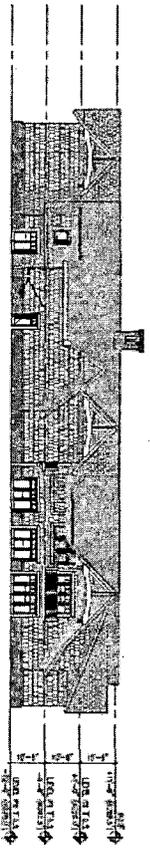
North Base-Building D (Elevations)



NORTHEAST ELEVATION
SECTION 4

SCALE: 1/8" = 1'-0"

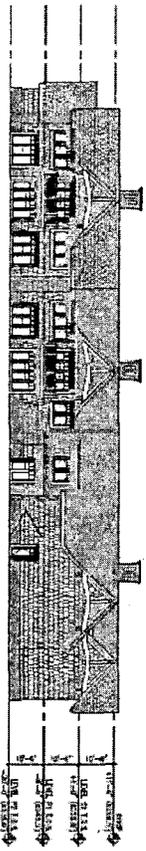
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SOUTHWEST ELEVATION
SECTION 2

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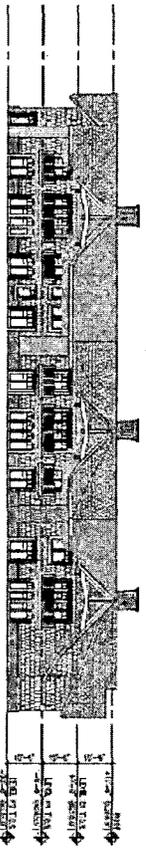
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SOUTHEAST ELEVATION
SECTION 3

SCALE: 1/8" = 1'-0"

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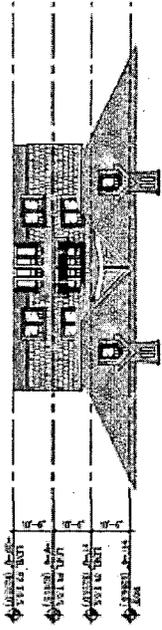


NORTHWEST ELEVATION
SECTION 1

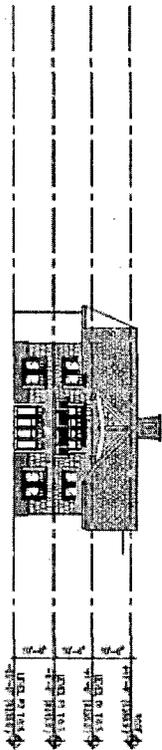
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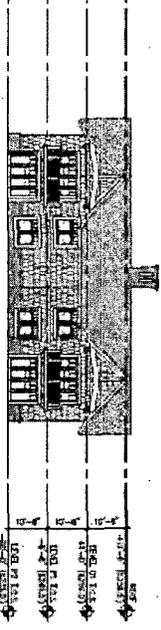
North Base-Building E (Elevations)



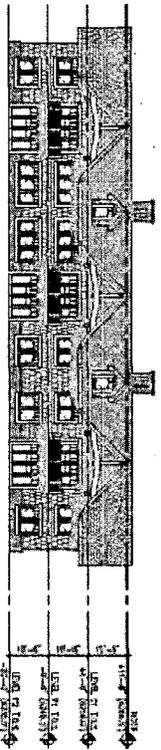
NORTHEAST ELEVATION
SCALE 1/8" = 1'-0"
4



SOUTHWEST ELEVATION
SCALE 1/8" = 1'-0"
2

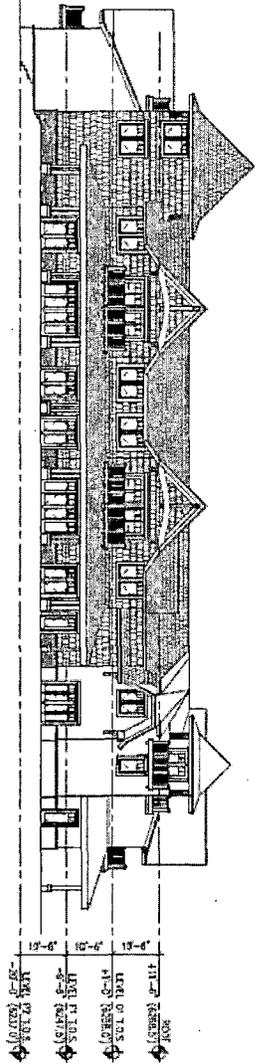


SOUTHEAST ELEVATION
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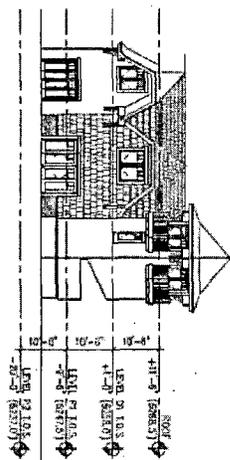


WEST ELEVATION
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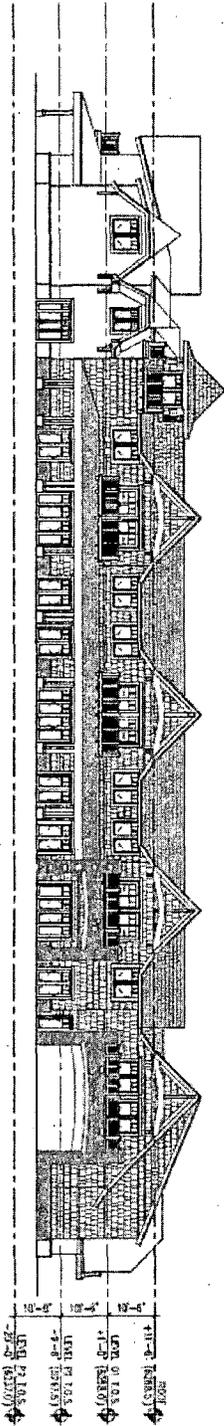
North Base-Building P elevations (day skier parking, employee housing, shop space)



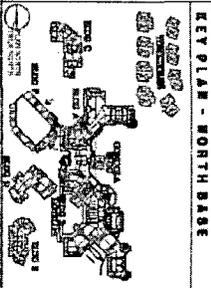
WEST ELEVATION
SCALE: 1/8" = 1'-0"
3



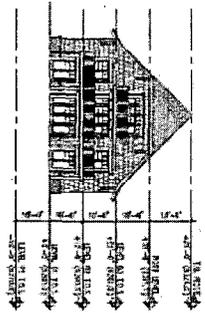
SOUTHWEST ELEVATION
SCALE: 1/8" = 1'-0"
2



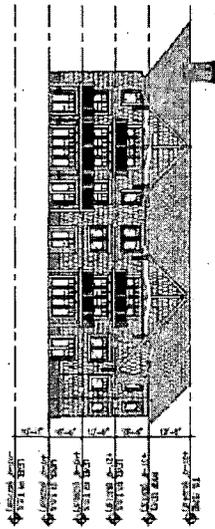
SOUTH ELEVATION
SCALE: 1/8" = 1'-0"
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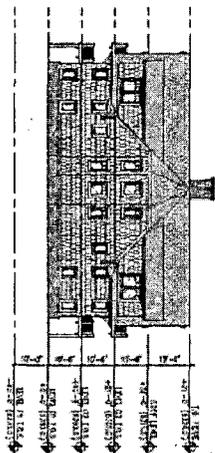
South Base-Building A elevations (central condominium lodge)



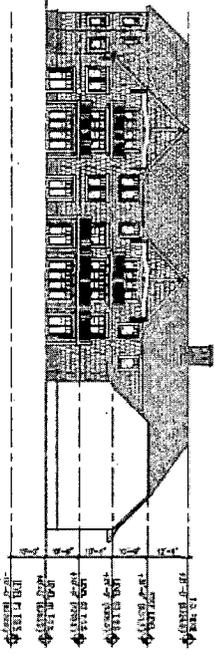
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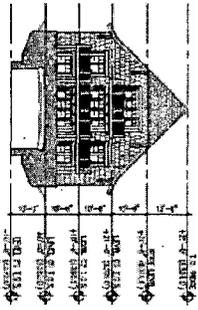
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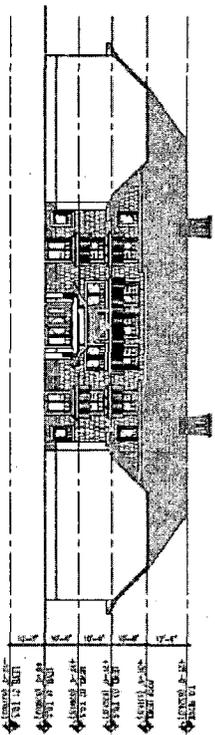
BUILD A ELEVATION SCALE: 1/8" = 1'-0" 4



BUILD A ELEVATION SCALE: 1/8" = 1'-0" 3



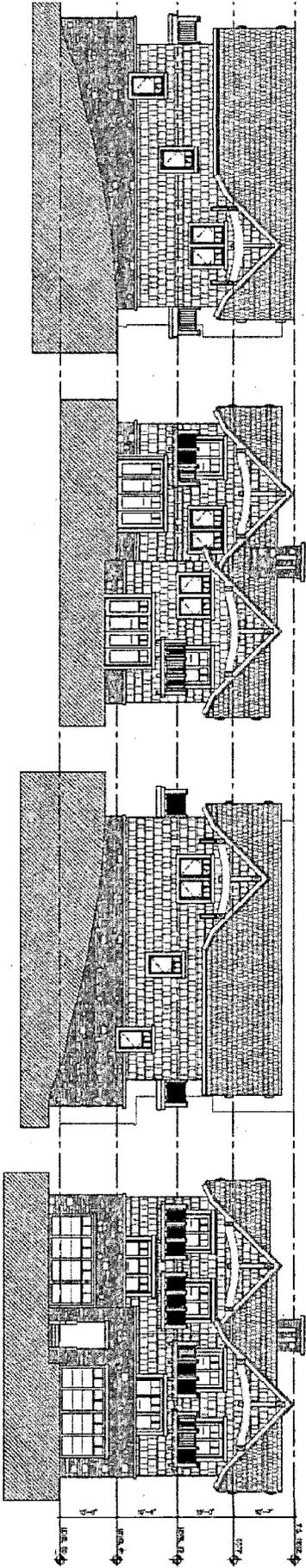
BUILD A ELEVATION SCALE: 1/8" = 1'-0" 2



BUILD A ELEVATION SCALE: 1/8" = 1'-0" 1

South Base-Chalets

(chalet duplex building elevations)



ELEVATION 4

ELEVATION 3

ELEVATION 2

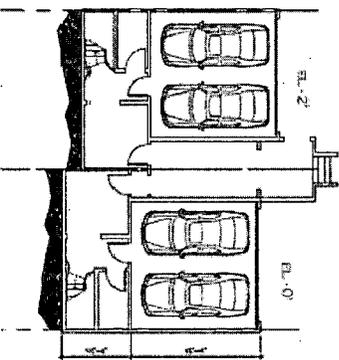
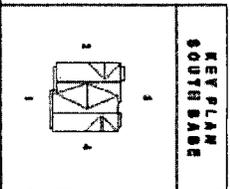
ELEVATION 1

ROOF

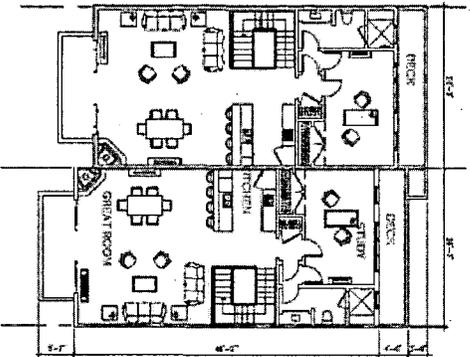
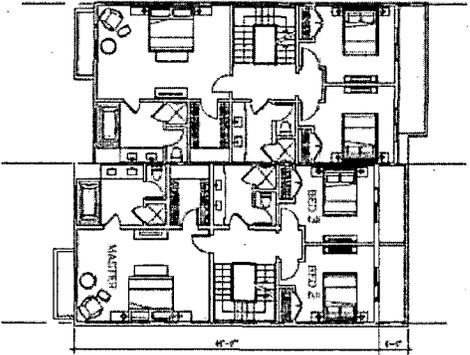
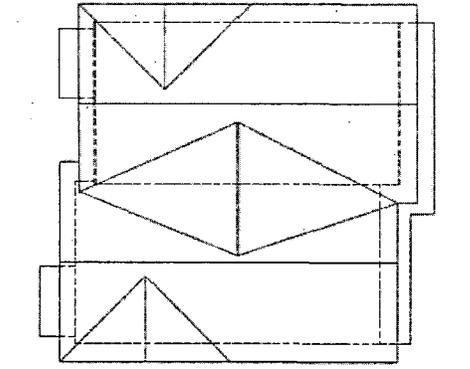
LEVEL 2

LEVEL 1

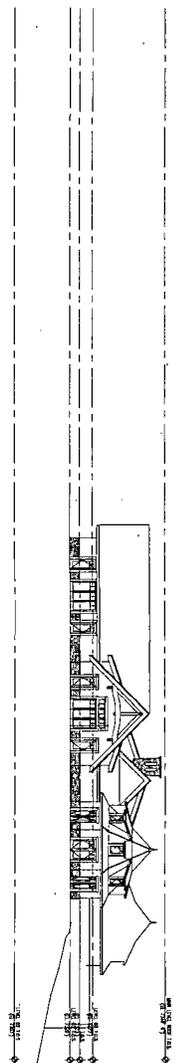
South Base
Town House Elevations
Building B
SCALE 1/8" = 1'-0"



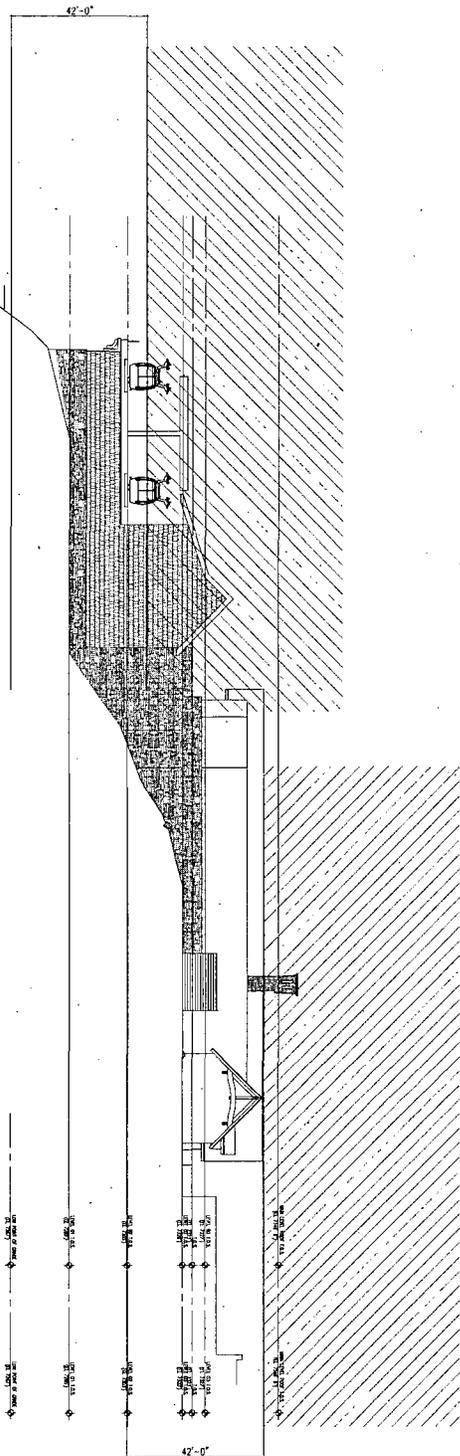
LEVEL 00



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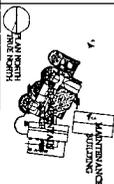
WEST ELEVATION
MID MOUNTAIN
Scale: 1/8" = 1'-0"
4



SOUTH ELEVATION
MID MOUNTAIN
Scale: 1/8" = 1'-0"
3

KEY PLAN -
MID MOUNTAIN

Mid-Mountain
Elevations
SCALE: 1/8" = 1'-0"



HOMERWOOD RESORT & RESIDENTIAL

Lake Tahoe, California
SCHEMATIC DESIGN SET - MAY 22, 2009

HKS
HILL, GLAZIER STUDIO
MANAGEMENT CONSULTING
ARCHITECTS

DESIGN WORKSHOP
ARCHITECTS

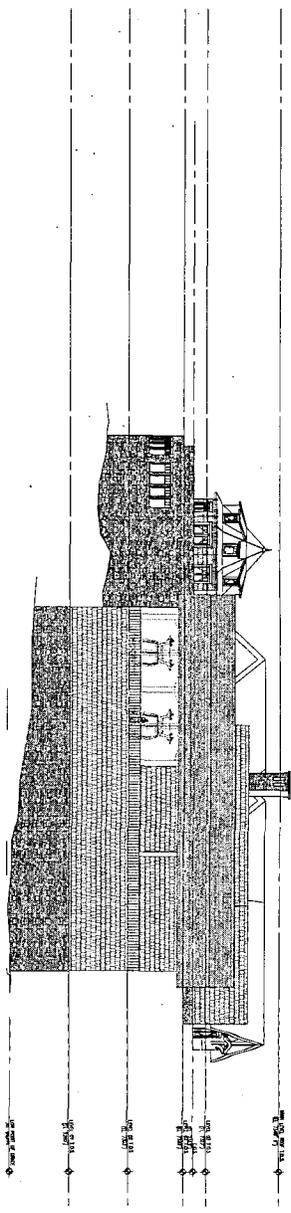
Nichols Consulting
ARCHITECTS

NISHKIAN CONSTRUCTION
GENERAL CONTRACTOR

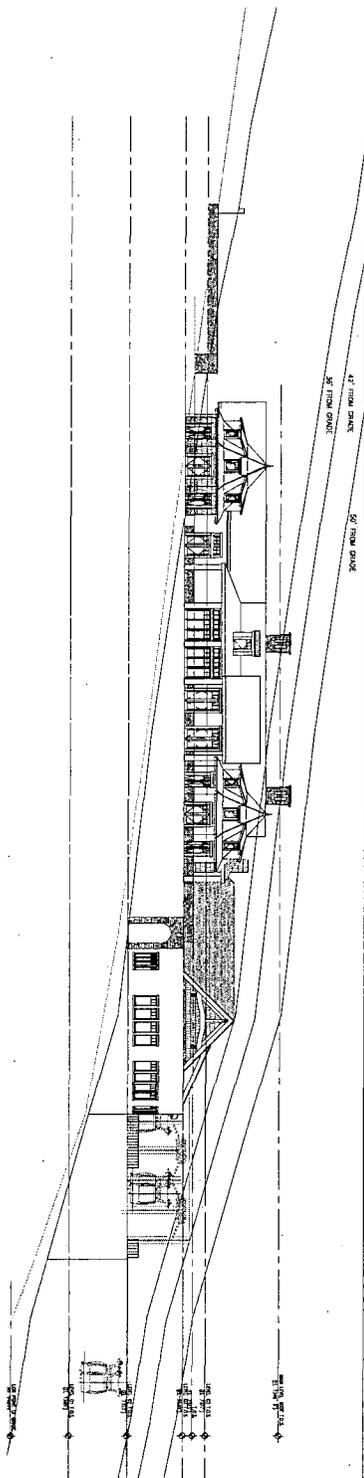
SLM
SUNSHINE LOGS

Project No. 0206/1729
Date: JANUARY 24, 2010
Scale: AS NOTED
Sheet No. **M-A502**

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NORTH ELEVATION
MID MOUNTAIN
SCALE 1/8" = 1'-0"
2



EAST ELEVATION
MID MOUNTAIN
SCALE 1/8" = 1'-0"
1

Mid-Mountain
Elevations
SCALE 1/8" = 1'-0"



KEY PLAN -
MID MOUNTAIN

HKS
HILL, GLAZIER STUDIO
ARCHITECTS

DESIGNWORKSHOP
ARCHITECTS

Nichols Consulting
Engineers, Chd.
No. 00000
775-255-4000

HOMERWOOD RESORT & RESIDENTIAL
Lake Tahoe, California

SCHEMATIC DESIGN SET - MAY 22, 2009

NISHRIAN
DESIGN/ENGINEER
CONSULTING AND ARCHITECTURAL
SERVICES INC.

DATE: 08/01/12/09
PROJECT: HOMERWOOD RESORT & RESIDENTIAL
SHEET: M-A-501

08/01/12/09
JANUARY 22, 2010
AT HKS