



## **BACKGROUND**

Director Review 21-003 would permit the applicant off-site parking, off-site snow storage, alternative parking stall sizes, and substitution of one parking space for four bicycle parking spaces within the June Lake Central Business Parking District per Mono County General Plan (MCGP) chapter 06.090(C), for a multi-phase project on Boulder Drive.

In 2019 Scheckventures, LLC, was issued Director Review permit (19-005) approving an Alternative Parking Management Plan and Snow Management Plan for new commercial activities for Project Phases 1 (T-Bar Social Club), 2 and 3 (June Pie). This DR proposes revising the 2019 approval to allow for additional seating and employees for a Phase 4A restaurant, and reallocating most parking spaces previously assigned to Phase 2 and 3 (June Pie). The parking for June Pie was approved for 22 seats (5 spaces) and 2 employees (2 spaces). The 22 seats allocated to June Pie have been removed and reconfigured since June Pie is now takeout only, so only 2 spaces for June Pie employees are still required for Phases 2 and 3. The new Phase 4A is proposing 52 seats in addition to 5 employees, resulting in a new parking requirement for Phase 4A of 17 spaces, compared to the previous June Pie requirement of 7 spaces. The T-Bar requirement for 12 spaces has not changed. The total number of required parking spaces for the entire project has thus grown from 19 to 29 spaces if the same June Lake Central Business Parking District reduction factor methodology of DR 19-005 is used. If the same methodology factor of 60% is also applied to employee parking, the total spaces required are 25 rather than 29.

The subject property, 2588 Highway 158, contains an existing two-story, 4,300-square foot structure recently remodeled for the T-Bar Social Club (Phase 1) and the June Pie Pizza kitchen (Phase 2 & 3). Phase 4A plans to remodel a significant portion of the existing structure at street level into a restaurant. The remodel construction is segmented into four phases; phase one was the lower-level T-Bar Social Club (complete); phase two is the June Pie Pizza kitchen (complete); phase three is the June Pie dining area (complete); and phase four is the remaining street-level square footage now proposed for a restaurant. This parking management plan addresses the needs of phases 1 thru 4A. A subsequent Phase 4B, which is anticipated for remodel of the remaining street level space into additional restaurant seating, is not addressed in this permit.

## **DISCUSSION**

### Parking

The property is within the June Lake Central Business Parking District, designated to balance off-street parking requirements with existing community context and character and provide flexibility in allowing alternative means of addressing parking demand to encourage more economically productive land uses. MCGP requires 60% of the minimum off-street parking for non-overnight commercial uses identified in MCGP Table 06.010, which is one parking space for each three seats for restaurants, bars and food carts.

An alternative parking management plan may be approved by Director Review when:

- parking incorporates off-site spaces;
- alternative parking space dimensions (not less than 8' x 16') are proposed;
- tandem parking is proposed;
- substituting four bicycle parking spaces or equivalent alternative transportation measures reducing district-wide parking demand is proposed, for a maximum of one required off-street parking space. (MCGP 06.090(C))

Parking to accommodate the bottom level event area (T-Bar Social Club), pizza kitchen, and dining (Phase one, two, and three) was previously approved by DR 19-005, as follows:

FACILITY	PARKING REQUIREMENT CALCULATION CENTRAL BUSINESS DISTRICT	REQUIRED	PROVIDED	FULL SIZE	ALTERNATE SIZE 40% MAX
T-BAR SOCIAL CLUB PHASE 1	47 SEATS @ 1 SPACE PER 3 SEATS=15.6 X 60%=10 1 BIKERACK PROVIDED	9	9	9	-
	EMPLOYEES: 3	3	3	3	-
JUNE PIE PHASE 2&3	22 SEATS @ 1 SPACE PER 3 SEATS=7.3 X 60%=5	5	5	-	5
	EMPLOYEES: 2	2	2	-	2
TOTALS		19	19	12	7
ACCESSIBLE VAN SPACES	INCLUDED IN CALCULATIONS	2	2		

Phase one, two, and three required 19 parking spaces, including two ADA spaces. Of the 19 spaces, 10 spaces are 10' x 20' and 7 spaces, or 36%, are an alternative 8' x 16' size. Alternative parking space dimensions are allowed for up to 40% of required spaces. One bicycle rack capable of accommodating four bicycle parking spaces has been provided in substitution of one parking space. Two parking spaces are provided off site on the neighboring parcel, APN #015-075-028, and made available to customers from 6 pm to 8 am. A parking agreement was recorded against both properties to ensure the parking spaces are available and will be maintained while the business operates. Overnight parking is allowed only on the BROCC property and no long term parking is permitted on either property. The following parking exhibit displays alternative size spaces (#1-7), two ADA spaces, the off-site parking spaces (#7 and #17), and the location of the bicycle rack as approved by the previous DR permit.



This new DR 21-003 increases the total number of spaces due to restaurant seating for the entire project by ten, from 19 spaces to 29 spaces, as the following table details.

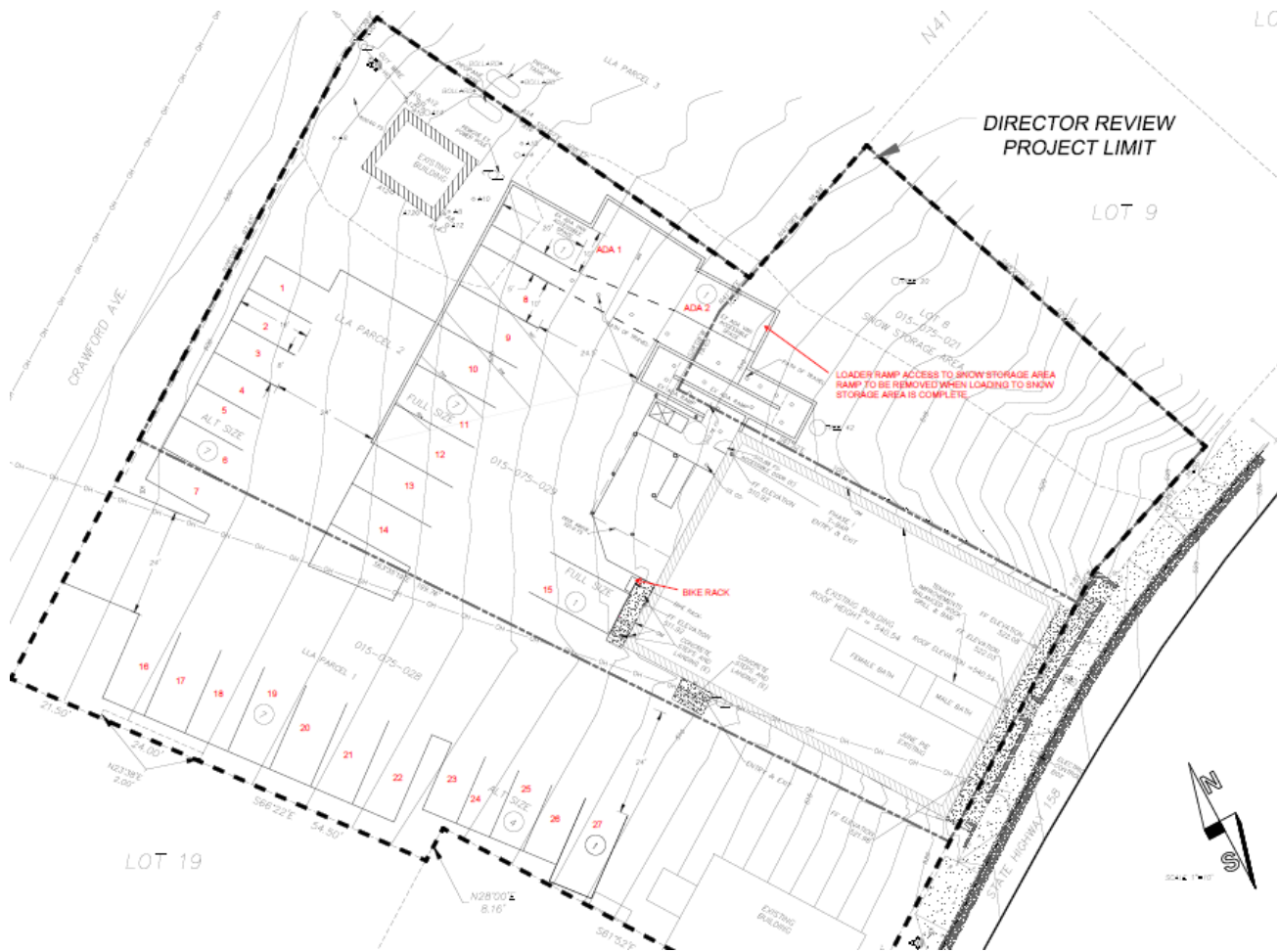
**NEW**

FACILITY	PARKING REQUIREMENT CALCULATION CENTRAL BUSINESS DISTRICT	REQUIRED	PROVIDED	FULL SIZE	ALTERNATE SIZE 40% MAX
T-BAR SOCIAL CLUB PHASE 1 EXISTING	47 SEATS @ 1 SPACE PER 3 SEATS=15.6 X 60%=10 1 BIKERACK PROVIDED	9	9	9	-
	EMPLOYEES: 3	3	3	3	-
JUNE PIE PHASE 2&3 TAKEOUT ONLY	EMPLOYEES: 2	2	2	-	2
RESTAURANT PHASE 4A	52 SEATS @ 1 SPACE PER 3 SEATS=17 X 60%=10.2	10	10	3	7
	EMPLOYEES: 5	5	5	3	2
TOTALS		29	29	18	11
ACCESSIBLE VAN SPACES	INCLUDED IN THE TOTAL OF 29	2	2		

If, in addition to using the 60% factor for restaurant seating, the 60% factor is applied to the total number of employees, the employee parking requirement is reduced from ten down to six. This brings the total number of parking spaces required to 25.

**Alternative Parking Management Plan**

The following site plan illustrates the parking spaces for Phase 4A. If the total number of spaces is reduced by four to 25, it is anticipated that the four spaces no longer required would be removed from the shared parking area, due to a potential conflict with residential parking.



**NEW DR 21-003 Alternative Parking Management Plan**

**Snow Storage**

Snow-storage areas are required for all new commercial developments. Snow-storage areas are required to be a percentage of the area from which the snow is to be removed and shall be allowed off site through this process provided the agreement is recorded against the properties’ deed (see Attachment C). The use of an off-site snow storage area has been downgraded from a Use Permit through this process because the storage area is adjacent to the property, under the same ownership, and is currently undeveloped.

A snow storage area equal to 65% of the parking and access area is required for this property. The parking and access area are approximately 8,139 square feet total, therefore requiring a snow storage area of 5,290 square feet. The applicant will remove the snow off site to the neighboring property, APN 015-075-021, which is 6,098 square feet. The entire neighboring parcel will be dedicated to snow storage in addition to the property owner maintaining a snow removal contract. Snow removal for the off-site parking spaces is the responsibility of that property’s owners.

The following Snow Removal Management Plan has been provided by the applicant:

## **Snow Removal Management Plan**

To move snow from the parking area to the snow storage area a loader will create a temporary snow ramp to the storage area over the small existing retaining wall. Snow will then be transported to the storage area. When snow removal from the parking area is complete, the ramp will be removed and the ADA parking space will be available. Snow removal will take place during off business hours or when snow fall is greater than 1" per hour. If a vehicle is parked in the ADA space during the time snow removal is necessary, the owner of the vehicle will be contacted to move it or it will be towed.

### **SHARED PARKING**

Per the existing shared parking agreement parking on the adjacent parcel, Ernie's Tackle, will be available during evening hours when Ernie's is closed. During the day when parking is not needed for Balanced Rock the spaces will be available for Ernie's customers. A condition has been added to this DR permit requiring an updated agreement to explicitly designate which spaces on the Ernie's property will be subject to shared parking.

### **PERVIOUS PAVING**

Parking area is a combination of impervious and semi pervious paving. Much of the existing AC paving has been removed and replaced with compacted gravel which is semi pervious. Semi pervious paving is consistent with the County Public Works Dept recommendations for new parking areas. Semi pervious paving reduces storm water runoff by allowing storm water infiltration into the ground water.

## **DIRECTOR REVIEW FINDINGS**

Under Mono County General Plan, Land Use Element, Chapters 16.040 & 16.050 and 31.030, the Community Development Department director may issue a Director Review permit after making all of the following findings:

- 1. All applicable provisions of the Land Use Designations and Land Development Regulations are complied with, and the site of the proposed use is adequate in size and shape to accommodate the use and to accommodate all yards, walls and fences, parking, loading, landscaping and other required features.*

Through this permit, all applicable provisions of the Land Use Designations and Land Development Regulations will be fulfilled. The property contains an existing structure that will undergo interior and exterior remodels pertaining to the permitted use as an event venue and restaurant. The property has the land use designation Commercial and contains existing non-conforming lot coverage and reduced front-yard setback. The property accommodates 17 parking spaces, including two ADA parking space. Eight parking spaces are to be provided off-site, consistent with Condition #7 and reflected in previously recorded document #2018001496, as amended. Snow storage will be located on the neighboring parcel per the agreement made by recorded document #2019003871, Attachment C, consistent with Condition #6 and #9. During the winter months, Condition #8 requires Scheckventures, LLC, to contract with a snow removal company for snow removal.

- 2. The site for the proposed use relates to streets and highways adequate in width and type to carry the quantity and kind of traffic generated by the proposed use.*

The property is primarily accessed by Highway 158 and additional access is available to the north from North Crawford Avenue. Highway 158 is within the jurisdiction of Caltrans and the driveway encroachment is required to meet development and design standards established by Caltrans.

Through the alternative parking management plan, the site provides adequate off-street parking for the traffic generated by the use. This parking plan is necessary to accommodate the use at this location, at this time, given the physical constraints of the parcel.

- 3. The proposed use will not be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located.*

The parking and snow storage will not be detrimental to the public welfare or injurious to property or improvements, as the adjacent property owner has agreed to the shared parking of eight spaces, and the snow storage will occur on property owned by the project applicant. The property is designated Commercial, which allows for the proposed use. The property has been used for a similar purpose for decades. The alternative parking and snow storage management plan meets off-street parking requirements and provides snow storage without significant disruption and property modification.

- 4. The proposed use is consistent with the map and text of this General Plan and any applicable area plan.*

The proposed use is consistent with the Commercial land use designation of the June Lake Area Plan and Mono County General Plan. The building has been used for similar purposes for multiple decades. The proposed alternative parking and snow storage management plans are consistent with the parking regulations of the General Plan. The property is located within the June Lake Central Business Parking District which allows for alternative parking management, 60% of minimum off-street parking requirement, off-site parking, and tandem parking for employees.

- 5. The improvements indicated on the development plan are consistent with all adopted standards and policies as set forth in the Land Development Regulations, this General Plan and any applicable area plan.*

Project components are consistent with the requirements established by General Plan Chapter 6, Parking, for parking lot improvements and off-site parking. Parking lot surfaces consist of impervious asphalt and semi-pervious asphalt/gravel mix. The required snow storage area will be located on the neighboring parcel, APN 015-075-021, as stated in recorded document #2019003871, and approved with this Alternative Parking Management Plan. Scheckventures, LLC, will contract with a snow removal company during winter months in order to remove excess snow, as required by project conditions.

- 6. The project is exempt from the California Environmental Quality Act (CEQA).*

The project qualifies as an exemption under 15301 Class 1, Existing Facilities. 15301 Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing private structures, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.



## CONDITIONS OF APPROVAL

DR 21-003 is issued with the following conditions:

1. The Project shall comply with any requirements of the Community Development Department and Environmental Health Department.
2. Should any Project construction (i.e façade, signage, etc.) need be done from within SR 158 right-of-way, the Project shall obtain and comply with a Caltrans Encroachment Permit.
3. Any new uses of the property beyond Phases 1-4A, as described in this permit, shall provide adequate parking and snow storage, per the requirements of MCGP Chapter 6, Parking, and an amended Alternative Parking Management Plan.
4. The Project shall comply with Chapter 22, Fire Safe Regulations.
5. The Project shall comply with Chapter 23, Dark Sky Regulations.
6. The applicant shall maintain an agreement, recorded against the deed of both properties, ensuring access to the space(s) provided on the undeveloped parcel APN 015-075-021 for snow storage purposes from the developed parcel, APN 015-075-028.
7. The applicant shall update and/or supplement the shared parking agreement with Ernie's to specifically identify and address the additional number of shared parking spaces for this Phase 4A.
8. The applicant shall maintain a snow removal contract November 1 – April 15 for the removal of snow off-site as needed and shall provide a copy to the Community Development Department each year.
9. Snow shall be managed consistent with the Snow Removal Management Plan and in such a manner that parking spaces, the driveway, and any public right of ways shall not be impacted.
10. All construction shall conform to the setback, lot coverage, fees, snow storage, and other development requirements applicable to commercial construction in the C land use designation.
11. This Director Review Permit shall terminate if changes occur to either of the neighboring parcels affecting the agreed upon parking and/or snow management. Snow storage parcel APN 015-075-021 shall not be developed in any way that impacts snow storage capacity until an alternative snow storage management plan for the B-ROC is approved. The parking spaces provided on the neighboring property, APN 015-075-028, shall be provided or must be replaced by an alternative approved by the Community Development Department for this Director Review Permit to be valid.
12. Termination. A Director Review shall terminate, and all rights granted therein shall lapse, and the property affected thereby shall be subject to all the provisions and regulations applicable to the land use designation in which such property is classified at the time of such abandonment, when any of the following occur:
  - A. There is a failure to commence the exercise of such rights, as determined by the Director, within two years from the date of approval thereof. Exercise of rights shall mean substantial construction or physical alteration of property in compliance with the terms of the Director Review.
  - B. There is discontinuance for a continuous period of one year, as determined by the Director, of the exercise of the rights granted.

C. No extension is granted as provided in Section 31.080.

13. Extension: If there is a failure to exercise the rights of the Director Review within two years of the date of approval, the applicant may apply for an extension for an additional one year. Any request for extension shall be filed at least 60 days prior to the date of expiration and shall be accompanied by the appropriate fee. Upon receipt of the request for extension, the Planning Division shall review the application to determine the extent of review necessary. Conditions of Approval for the Director Review may be modified or expanded, including revision of the proposal, if deemed necessary. The Planning Division may also deny the request for extension. Exception to this provision is permitted for those Director Reviews approved concurrently with a tentative parcel or tract map; in those cases, the approval period(s) shall be the same as for the tentative map.
14. Revocation: The Planning Commission may revoke the rights granted by a Director Review, and the property affected thereby shall be subject to all provisions and regulations of the Land Use Designations and Land Development Regulations applicable as of the effective date of revocation. Such revocation shall include the failure to comply with any condition contained in the Director Review or the violation by the owner or tenant of any provision pertaining to the premises for which such Director Review was granted. Before revocation of any permit, the commission shall hold a hearing thereon after giving written notice thereof to the permittee at least 10 days in advance of such hearing. The decision of the commission may be appealed to the Board of Supervisors in accordance with Chapter 47, Appeals, and shall be accompanied by an appropriate filing fee.

This Director Review permit shall become effective 15 days following the issuance of the Director's decision. This decision may be appealed within 10 days by filing a written notice of appeal with the secretary of the Planning Commission. If an appeal is filed, the permit will not be issued until the appeal is considered and the Planning Commission renders a decision.

PREPARED BY: Michael Draper, Planning Analyst  
& Scott Burns

DATE OF DECISION: \_\_\_\_\_

SIGNED: \_\_\_\_\_  
Wendy Sugimura, Community Development Director

## Balanced Rock Saloon Project Phase Descriptions

### Phase 1

- Change of sign copy for the T-Bar.
- Remodel existing T-Bar with new finishes on floor 1.
- Repair and replace existing ac paving in parking area.
- Construct accessible van parking space and access ramp.
- Project square footage: 1,292 SF
- Parking Required:
  - 47 seats @ 1 space per 3 seats=15.6 Spaces
  - Reduced for Central Business District: 15.6 X 60%=10 Spaces
- Parking Provided:
  - Full Size Spaces: 9
  - Bike Rack: 1 rack of 4 spaces in substitution of 1 required parking space.
  - Employee: 3
  - Total: 13

### Phase 2&3

- Remodel portion of building to construct June Pie Pizza Kitchen and Store Front.
- Floor 1: Remodel 195 SF area to add accessible unisex bathroom
- Floor 2: Remodel 1,760 SF to construct pizza kitchen, pizza sales store front with seating and men's & women's accessible bathrooms.
- Parking Required:
  - 22 seats @ 1 space per 3 seats=7.3 seats
  - Reduced for Central Business District: 7.3 X 60%=5 Spaces
- Parking Provided:
  - Alternate Size Spaces: 5
  - Employee: 2
  - Total: 7

### Phase 4:

- Remodel portion of building to construct Balanced Rock Saloon Concert and Event Venue.
  - Parking requirement has not been determined at this time.
  - An amended or new DR package will be prepared at a later date.