

Jamie Gray

From: Eric Taylor <etaylor@oc-n.com>
Sent: Tuesday, March 1, 2022 2:03 PM
To: Michael Vanderhurst; Jennifer Burrows, Vice Chair; Paul Chang; Jessica Kennedy; Greg Eckert; Lynda Salcido; Sarah Rea; Jamie Gray
Cc: Sandra Moberly; John Wentworth; Bill Sauser; Kirk Stapp
Subject: PEDC 3/2 Hearing- Villas III- Affordable Housing / Quality of Life
Attachments: E. Taylor Public Comment2 - Villas III March 2 Hearing.pdf

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[EXTERNAL EMAIL]

Dear PEDC Commissioners, Mayor Salcido, and Town Council Members:

Please find attached my 2nd letter for the March 2 PEDC hearing regarding the Villas III. This letter covers different and important issues and I hope you'll take the opportunity to read.

I know tomorrow's scheduled Hearing has been continued to the April 13th PEDC meeting, but would like this to be included in the record.

Thank you in advance,

Eric Taylor
SJV Owner & Resident since 2009
714.679.2550

TO: The Planning & Economic Development Commission (PEDC), Town of Mammoth Lakes
Chairman Vanderhurst, Vice Chair Burrows, Commissioner Chang, Commission Kennedy,
Director Mobley, Mayor Salcido, Town Councilmember

SUBJECT: Workforce Housing, Environment, Quality of Life / Villas III

We all want a better Mammoth Lakes. The people who love Mammoth are more alike than we are different. We agree that:

- Mammoth's Workforce is the backbone and muscle that allows our economy to run, and that we need more Affordable Workforce Housing.
- Mammoth's Environment needs to be protected and preserved for future generations, and to do this we must Study and Understand it better.
- Quality of Life is extremely important to Visitors to Mammoth, and Quality of Life is extremely important to Residents of Mammoth Lakes. More is needed to solve Nightly Rental problems.

We may agree on many other things, and this is only the start.

Commissioner Chang captured it best during the Feb 9th PEDC hearing after reading and listening to the Community's legitimate concerns and fears about the planned Villas III development:

"I feel their pain... It's difficult to hear these issues from our community members... There has to be a way... to make certain we serve our community correctly and fairly."

(Source: 2/9/22 PEDC Hearing recording time 1:44)

I could not agree more and want to address several key issues.

Affordable Workforce Housing. Everyone I talk with in Mammoth agrees there is not enough housing for the people who work in town. Everyone agrees the cost of housing for the Town's working people is too high relatively to incomes and that much more needs to be done.

Commissioner Chang's questions regarding the No Net Loss Law and Housing Mitigation were spot-on at the 2/9 PEDC hearing for Villas III :

*"I'm puzzled by this particular law or regulation in that we have such a housing shortage, but then somehow **this** particular developer is not required to have **any** workforce housing units or community housing units."*

Regarding the Housing Mitigation requirements, Planner Mr. Bobroff explained that the developer was bound by them. However, Villas III specific commitment is not required at this time.

Commissioner Chang: *"So you want the Commissioners to **approve** a project where the developer and the town is still in discussion about workforce housing?"*

Mr. Bobroff explained the commitment is required after the project is fully approved but before issuance of the building permit. This is when the Town Attorney Andy Morris jumped in,

*"...The ordinance allows the developer to figure that out later. And if anyone's thinking, '**Well that seems like an odd way to approach it,**' that's simply what the ordinance says, and the Council could amend it... but for now this what we have for an ordinance."*

It seems obvious that this ordinance is backwards and needs to be changed. I contacted Town Clerk Jamie Gray and asked how an ordinance can be changed. Based on her advice I hope to initiate that change in this letter.

Dear PEDC Commissioners, Mayor Salcido, and Town Councilmembers:

As a member of the public, I request that you direct your staff to amend this ordinance to require future developments seeking PEDC approval be required to complete negotiations with the Town and secure a Housing Mitigation commitment from the Developer prior to receiving Resolution, Tentative Tract Map, and Project Plans approval.

I mentioned this idea for ordinance change to my SJV neighbor with expertise on the issue. She fully agrees with this ordinance change, and advocates for a more comprehensive revisit of the Housing Mitigation requirements ordinance. She provided a quick education that the fees developers are required to pay do not cover the costs to build affordable housing. And that the required mitigation fee was lowered after the 2008 housing crash and have not been made whole again. So, as I understand it, while home prices have about doubled since 2008 in Town, the mitigation fees to build more Workforce Housing has not kept pace. The hard-working people of Mammoth Lakes have been forgotten, and it is time for a change.

I recommend to the PEDC and the Mayor's office to work with Mammoth Lakes Housing and other experts to update the ordinances that improve the lives of Mammoth's workforce. It is time to revisit and revise these ordinances so Mammoth's workforce and their families can grow strong to support the Town's vibrant and growing economy.

This is not a new idea, and the Town has been thinking about Community Housing for a long time. In fact, the Town Council listed it first in the 2021 list of Priorities in their Short Term Vision.

https://www.townofmammothlakes.ca.gov/DocumentCenter/View/11471/2021-Strategic-Priorities-Adopted-May-19-2021_FINAL

Mammoth's Environment must be Understood and Protected.

I, like my neighbors and most residents understand that the physical environment in and around Mammoth Lakes is the primary driver of attracting visitors from around the world. Mammoth Lakes has become one of the world's pre-imminent destinations because our physical environment, best-in-class mountain resort and golf course, and ever-growing hospitality industry and luxury accommodations. All future growth or decline is 100% dependent on the health of our natural environment.

We should keep this in mind when the Town chooses to rely on a 30-year-old Environment Impact Report to make current building decisions. It may be faster and cheaper to tack on an Addendum that avoids deeper and more current issues, but is it wise for the Town's long-term sustainability?

So much has changed since 1991. Greenhouse Gas (GHG) analyses and its contribution to Climate Change was not common knowledge back then. Not until 2007 did California's lawmakers expressly recognize the need to analyze GHG emissions as part of the CEQA (California Environmental Quality Agency) process.

How can a 30-year-old EIR adequately address all changes that effect this Villas III property and other Town properties in the future? Since the development's EIR was written the parcel planned for Villas III development has experienced dramatic changes :

- California's historic multi-decade drought.
- Global warming and, more specifically, Mammoth Lakes warming.
- Stormwater flooding on the eastern side of the property.
- Bark beetle infestation.

A Certified Arborist performed a **Tree Survey Report** (CEQA – Villas 3 Appendix B-1) and found trees dying from Bark Beetles. The report explains what is happening:

*"These infestations are largely the result of several variables including **drought** conditions, **hot summers** and **successively warmer than normal winters**, as they tend to target trees in a weakened condition."* (pg. 3 of 6)

I recommend that the Villas III development and future developments be required to conduct a new EIR. The Town should not ignore the dramatic environmental changes over the past 3 decades. Let us seek to understand and find ways to counter the negative changes.

Unless we research and embrace the data, and take action to protect our environment, our Town's future will be limited. Imagine our beloved Mammoth Mountain and Mammoth Lakes Basin when there is **too little snow** for skiing, snowboarding, sledding, and making snowmen and snowwomen.

Where will the Town of Mammoth Lakes and its people be then?

Quality of Life is extremely important to the people lucky enough to visit Mammoth Lakes. While Quality of Life for Town Residents is frequently discussed as a top priority, actions have not been as robust. Unfortunately, all Town residents have experienced loud and inconsiderate out-of-towners that have decreased our quality of life.

*"... we're seeing more tourists becoming **more disrespectful of our residents that live here and our community as a whole.**" 1:41:15- 1:41:35*

*I live where there are "nightly rentals and it's getting noisier, with people coming in and out at all hours of the night... it does get very noisy and it's difficult for the Town to enforce the noise ordinance because **in the middle of the night nobody is going to come out to resolve any of the issues.**" 1:42:59*

*"I get it. I was clearing beer bottles and cigarette butts out of my back yard just about every weekend. **I know that quality of life can suffer when you have that [overnight rentals] adjacent to your property.**" 1:45:47*

Listening to these PEDC Commissioner statements during the 2/9 Villas III hearing tells me that SJV residents near the Villas III property can look forward to a lower quality of life and poor sleep. But this is not the way it was master planned.

The Lodestar Master Plan vision is not being viewed appropriately by the PEDC. The Lodestar Master Plan (LMP) intentionally designated Development Areas 1 and 5 for Transient Occupancy, and NOT Areas 2, 3, & 4. The proposed Villas III development is in Area 2.

For example, San Joaquin Villas in Area 4 has never applied for a Transient Occupancy Use Permit and never will allow overnight rentals. SJV was built in 2008 as workforce housing and intended to create a stable, peaceful family-friendly neighborhood for people who work, and where out-of-towners are not coming and going nightly. For 14 years SJV has been a miracle of a success for the LMP. Witness the unity and cohesiveness of our little community to protect the way of life that was part of the LMP Vision.

Up until now, the PEDC has assumed that Villas III's has the *Given Right* to the Use Permit for Transient Occupancy, and no evidence of harm to nearby Residents will stop this "guaranteed" approval.

However, the LMP does not support that assumption. The Lodestar Master Plan states under "Permitted and Conditional Uses" that:

"The following uses may be permitted subject to the granting of a use permit by the Planning Commission.

7. Transient occupancies within Development Area 2." (pg. 5 of 56):

There is no promise or guarantee that Villas III be granted a Use Permit for Transient Occupancy. **This decision is completely in the hands of the Planning Commission.**

We all know that Town residents are suffering from transient occupants staying too close, coming and going 24/7, being loud, and behaving badly. Public testimony by the Commissioners made that clear.

The PEDC should not choose to create the problem by granting Villas III units 18-33 a Use Permit for Transient Occupancy and allow overnight rentals.

My neighbor helped collect the 140+ signatures on the Petition Opposing specific aspects of the Villas III development. Nearly every Mammoth resident who heard about the proposed plan found it outrageous that luxury Overnight Rental units were being built 30 feet from Workforce Housing. With balconies staring into SJV bedrooms and living rooms. People in Town understand the need to go to bed early, get good sleep, and get up early to work. Most every petition signer also wanted to **vent about their own very bad experience with noisy and problematic visitors.**

Please do not misunderstand me. Most visitors to Mammoth are kind and thoughtful, but if 1 in 4 creates a problem issue for residents, it becomes a massive issue when there are millions of visitors to Mammoth Lakes each year. If a politician or leader could help solve this problem, then the votes at the ballot box could be staggering. The PEDC is not responsible for fixing these existing problems, but it will be responsible for the problems created for SJV Workforce Housing residents if it approves Villas III units 22-25. Please do not approve this obvious problem for SJV resident AND Villas III clientele.

The problems for SJV residents and the occupants of Villas III units will result from key factors working in combination:

- Very close proximity (30 feet) between SJV and the proposed unit 22-25. Villas III clientele want to enjoy a balcony view without seeing SJV Workforce Housing or into our bedrooms and living space. They will hate the close proximity as much as SJV residents.
- Very different occupants: Villas III clientele will spend about the same for 1 night's stay as the average SJV resident earns in a week.
- SJV was built for Mammoth's Workforce. Collectively, the residents of SJV's 40 units have worked more than 500 years in Mammoth Lakes. Villas III's units will be built for wealthy investors and vacationers.
- Villas III's ~ 3,300 square foot units are for entertaining and Transient Occupancy (requiring Use Permit), and occupants won't be required to wake early. They will stay up late entertaining.
- Most SJV residents need to go to sleep early for early morning jobs. The exceptions are the residents forced to work nightshift jobs and need to sleep during the day.

A neighbor really captured the dichotomy and potential problem with Villas III's planned units 22-25 and SJV Workforce condos feet away:

"Rich vacationers spending over \$500 per night to stay in units #22 to 25 are NOT going to enjoy being 'shushed' from SJV bedroom windows by residents needing to get up at 5am. I can only imagine the stories they'll tell back home. Won't be a good look or AirBnB review for Mammoth, oh well."

In closing, there must be a way to treat Town residents fairly while also allowing responsible development. Please do not approve the Villas III development unless units 22-25 are removed from the project. If built, remove units 18 – 33 from the Use Permit application.

Thank you in advance. Respectfully,



Eric H. Taylor
SJV Resident & Owner since 2009