Attachment 5

Public Comments received since publication of the February 2, 2022 agenda

From:	Judith Goddard
To:	Sandra Moberly; mvanderhurst@visitmammoth.com; jenb2374@gmail.com; Paul Chang; jessicarskennedy@gmail.com; eckertinmmth@verizon.net
Cc:	Lynda Salcido; Sarah Rea; Jamie Gray; Michael Peterka
Subject:	Villas III - Unresolved issues
Date:	Sunday, April 24, 2022 1:25:09 PM

[EXTERNAL EMAIL]

Dear Ms. Moberly, Commissioners,

At the April 13, 2022 PEDC meeting I listened to some of the discussion about the Residence Inn application. Frankly it was galling to hear that after receiving just seven letters of complaint about that application *TWO* members of the planning department had been out of the office and met with residents on-site in order to address their concerns. I appreciate that the planning department is short of resources, but it is frustrating that no-one has met on-site with San Joaquin Villas or Sierra Valley Estates residents who have voiced their many and varied concerns. We truly appreciate the Commissioners who have taken the time to visit the site.

No-one who has actually walked the property would consider the proposed design reasonable. It simply is not reasonable to place 3 story units with multiple floors of balconies directly facing into existing residences at a distance of only 30 feet. This is poor planning and we hope your department will do better for the sake of the communities affected by the Villas III application.

Review of the duplex renderings by an **Advisory Design Panel**, members of whom had actually been on site, would have easily identified many of the major issues that we are dealing with today. Some additional effort in the 'upfront' process could have prevented such a protracted timeline for the Villas III application.

Please ensure your department takes real action to address these fundamental issues. Require **no balconies** on the sides of the duplex units that directly face the existing homes in San Joaquin Villas and on Joaquin Road in Sierra Valley Estates. Provide a **reasonable setback** from existing homes; 20 ft is not reasonable, 75 ft+ is.

Please do not hesitate to contact me if I can assist in any way to help develop updated plans that provide a fair compromise to allow Mammoth's fulltime residents to maintain their quality of life alongside 'high end' development.

Sincerely,
Judith Goddard
SJV Unit #B4

From: Gina Varieschi
To: Michael Peterka
Subject: Public Comment Villas lll
Date: Friday, April 22, 2022 8:27:45 PM

[EXTERNAL EMAIL]

Dear Mr. Peterka,

Please include the following and attached photos of the current construction site of phase ll with my previously submitted public comments regarding the villas lll project
Thank you..

Mammoth does not need the current luxury townhouses and homes being built as part of phase ll and Mammoth does not need more luxury townhomes of phase lll.
Thank you.

Sincerely,

Gina Varieschi
SJV D6


924K
CAT
Patten

MCW
760-709-0054
924K


DEERE
350G

NO
TRESPASSING


CAT
JLG

We the People of

San Joaquin Villas

Oppose the Villas III Subdivision Plan

Because they would be a devastating impact on the quality of life for our community. Three story town homes located 30ft from our full time living and sleeping space; balconies and 30+ windows directly facing us; endless noise from hot tubs on nearby balconies; overnight renters (known for inconsiderate behavior and noise disturbance) in nearby units; traffic nuisance and 24hr a day disturbance due to an access gate located immediately beside SJV rather than on Dorrance Ave.

Signature	Printed Name	Address
D2	Maray Castro	61 Callahan Way
G3	Matt Zubiate	61 Callahan Way
G2	Pablo Toledo	"
F6	Patrick de Chastonay	"
F5	Wade & Christina Heinoch	"
F4 Santa	Feria Arevalo	"
D1	Jenica Law	"
	Ruben Sandoval	184 Joaquin
	Ellen McDonald	193 Joaquin Rd 93546
	David Ben-Ami	193A Joaquin Rd 93546
	Stu Gore	122 Joaquin
	Garrett Reiz	64 Joaquin
	Cathy Ocampo	61 Callahan Way G1
Isaac Ocampo	Isidro Ocampo	61 callahan way G1
Nancy Roan Worden	NANCY ROAN WORDEN	226 St. Anton Circle
	Lisa Anderson	103 Meadow Lane #34 ML

We the People *of*

San Joaquin Villas

Oppose the Villas III Subdivision Plan

Because they would be a devastating impact on the quality of life for our community. Three story town homes located 30ft from our full time living and sleeping space; balconies and 30+ windows directly facing us; endless noise from hot tubs on nearby balconies; overnight renters (known for inconsiderate behavior and noise disturbance) in nearby units; traffic nuisance and 24hr a day disturbance due to an access gate located immediately beside SJV rather than on Dorrance Ave.

Signature	Printed Name	Address
Hector Ocampo	Hector Ocampo	61 callahan way 01
Carlos Castro		61 Callahan Way D2
Jacob Castro		61 Callahan Way D2
Jared Langel	JARED LANGEL	61 Callahan Way A2
Michelle Chiang	Michelle Chiang	61 Callahan Way A2
MARIO GUTIERREZ	MARIO G	61 CALLAHAN WAY C1
	Mana Vrique	61 Callahan way C1
Susan R. Farley	Susan R. Farley	61 Callahan Way C6
	Nate Seevers	61 callahan F6
Yanet Lopez	Yanet Lopez	3711 Main St. Crowley LA 93546.
	Julio Chavarria	(Corner of main & Callahan Way)
	Chelsea Glende	104 Joaquin RD Apt #1
Ronald Glende	Ronald Glende	194 Joaquin St.
Ednamary C Glende	Ednamary Glende	4007 Crowley Lake Dr.
Chalese Miller	Chalese Miller	4007 Crowley Lake Dr.
Michelle Quirsfeld	Michelle Quirsfeld	109 Hidden Valley Rd
		138 Wagon Wheel Rd

We the People *of*

San Joaquin Villas

Oppose the Villas III Subdivision Plan

Because they would be a devastating impact on the quality of life for our community. Three story town homes located 30ft from our full time living and sleeping space; balconies and 30+ windows directly facing us; endless noise from hot tubs on nearby balconies; overnight renters (known for inconsiderate behavior and noise disturbance) in nearby units; traffic nuisance and 24hr a day disturbance due to an access gate located immediately beside SJV rather than on Dorrance Ave.

Signature	Printed Name	Address
	TAYLER NUTTALL	B5
	Maxine Pinn	SJV B-1
	Eric H. Taylor	SJV #E6
	Judith Goddard	SJV #B4
	Kimberly Taylor	SJV #E6
	Donna Mercer	SJV E4 M.L.
	Robert Frichtel	SJV E2
	Andrea Frichtel	SJV E2
	Frankie Alvarado	3199 chateau Rd
	Maria Lopez	44 Manzanita rd Mammoth Lk
	Jeanne Woo	64 Hill St.
	Gina Anderson	117 Lake Manor Pl

We the People *of*

San Joaquin Villas

Oppose the Villas III Subdivision Plan

Because they would be a devastating impact on the quality of life for our community. Three story town homes located 30ft from our full time living and sleeping space; balconies and 30+ windows directly facing us; endless noise from hot tubs on nearby balconies; overnight renters (known for inconsiderate behavior and noise disturbance) in nearby units; traffic nuisance and 24hr a day disturbance due to an access gate located immediately beside SJV rather than on Dorrance Ave.

Signature	Printed Name	Address
	Christian Newman	San Joaquin Villas #D3
	Amy Loncsa	San Joaquin #D3
	Jaime Pollock	SJV #E5
	Susanne Stech	SJV - E5
	Barry Pollock	SJV - E5
	Justin Pollock	SJV - E5
	Janette Miller	190 Foothill Rd SW.ca
	Amanda Taylor	2290 Sierra Nevada Rd #38 ML.
	Cathy Molina	374 MF Rm
	Karen Fiebiger	4995 Forest trail
	mike Fiebiger	1995 Forrest trail

We the People of

San Joaquin Villas

Oppose the Villas III Subdivision Plan

Because they would be a devastating impact on the quality of life for our community. Three story town homes located 30ft from our full time living and sleeping space; balconies and 30+ windows directly facing us; endless noise from hot tubs on nearby balconies; overnight renters (known for inconsiderate behavior and noise disturbance) in nearby units; traffic nuisance and 24hr a day disturbance due to an access gate located immediately beside SJV rather than on Dorrance Ave.

Signature	Printed Name	Address
	Denise Lafrancoise	41 ST. Anton Circle, M.L.
Araceli Fierro	Araceli Fierro	200 Azimuth #71 M.L
Juana Solorio	Juana Solorio	44# Manzanita M.L
Antonia Guzman	Antonia Guzman	Berney St 29 M.L
	Hiroki, Okamoto	359 Sierra Springs Dr. C.L.
	Silvia Escobar	200 Azimuth Dr, M.L.
Sean Burdett	SEAN BURDETT	98 TYROL LANE M.L.
Gloria Solorio		66 Dorrance Dr. ML
Adriana Madrigal		3072 Chateau Rd #106
	Dana Ellis	97 Valley View Rd
	CHRIS LEONARD	609 Sycamore Ave Bishop, CA 93514
	Annie Rinaldi	28 Shavercrk ML
	Sandra Villalpando	45 Montana Blvd ML CA 93526

We the People of

San Joaquin Villas

Oppose the Villas III Subdivision Plan

Because they would be a devastating impact on the quality of life for our community. Three story town homes located 30ft from our full time living and sleeping space; balconies and 30+ windows directly facing us; endless noise from hot tubs on nearby balconies; overnight renters (known for inconsiderate behavior and noise disturbance) in nearby units; traffic nuisance and 24hr a day disturbance due to an access gate located immediately beside SJV rather than on Dorrance Ave.

Signature	Printed Name	Address
	Raul Rodriguez	495 Lupin st. #6
Turner	Leigh Ann Turner	104 Lupin St.
		2290 Sierra Nevada Rd
Heather Hund	HEATHER HUND	151 Ridgecrest Dr.
Melissa Carey	Melissa Carey	525 Manzanita Rd.
	Alisa Moegling	3251 Chateau Rd.
Valerie Maddock	Valerie Maddock	396 Willow Brook Rd.
Francisco Solorio	Alex Solorio	PO Box 9354 M.L
Maria C Godinez	61 callahan way G4	M.L
	Laura Villalpando	1700 old Mammoth rd #H-105
	Madeline	163 Holiday Way M.L
Lisa Oliver	Lisa Oliver	99 Alexander lane M.L.

We the People of

San Joaquin Villas

Oppose the Villas III Subdivision Plan

Because they would be a devastating impact on the quality of life for our community. Three story town homes located 30ft from our full time living and sleeping space; balconies and 30+ windows directly facing us; endless noise from hot tubs on nearby balconies; overnight renters (known for inconsiderate behavior and noise disturbance) in nearby units; traffic nuisance and 24hr a day disturbance due to an access gate located immediately beside SJV rather than on Dorrance Ave.

Signature	Printed Name	Address
	J. BRIAN ANDERSON	#19 ST. ANTON CIR MAMMOTH
	Marc C. Overton	165 Aspen Terrace
Crystal C.	Crystal Castellanos	125 Winddrift cir.
	Bruce Heinl	554 Sierra Springs Dr.
Catherine I	Catherine Imperial	165 Old Mammoth Rd #119
Alma S.	Alma Solario	66 Dorrance Ave.
	Kola Abraado	550 manor
Antoine m	Antoine m	51 Joaquin street
Rudy C	Rudy Cossyleon	51 Joaquin Street
	JOHN SOUBLE	1403 lazy A Dr. Bishop, CA 93514
	Morley Strauss	527 Lakeview Blvd

We the People *of*

San Joaquin Villas

Oppose the Villas III Subdivision Plan

Because they would be a devastating impact on the quality of life for our community. Three story town homes located 30ft from our full time living and sleeping space; balconies and 30+ windows directly facing us; endless noise from hot tubs on nearby balconies; overnight renters (known for inconsiderate behavior and noise disturbance) in nearby units; traffic nuisance and 24hr a day disturbance due to an access gate located immediately beside SJV rather than on Dorrance Ave.

Signature	Printed Name	Address
	Jaime Blowin	3827 Main St, Mammoth
	Jaden Nilsson	65 Mt. Shadow
	Antonella Viteri	92 Snowridge Ln
	Jose Martinez	165 Old Mammoth
	Robbie Kellett	42 Davison Rd. #2
	TOM KEARNS	525 MANZANITA
	Kevin C. Hepburn	252 Mono Apt 1 5+

HEARING ON 3/2
9AM

We the People of San Joaquin Villas

Oppose the Villas III Subdivision Plan

Because they would be a devastating impact on the quality of life for our community. Three story town homes located 30ft from our full time living and sleeping space; balconies and 30+ windows directly facing us; endless noise from hot tubs on nearby balconies; overnight renters (known for inconsiderate behavior and noise disturbance) in nearby units; traffic nuisance and 24hr a day disturbance due to an access gate located immediately beside SJV rather than on Dorrance Ave.

Signature	Printed Name	Address
	Morgan Thies	357 Mono St. APt.3
	Dean Mercer	61 Callahan Wy
	KEITH WATSON	111 DAVISON RD #A
	Gleb Korolov	111 Davison Rd #B
	RAY McMILLIAN	1146 JUNIPER DR.
	Keyser Murphy	C.3 Sherwin OH Mammoth RD
	Steven Dittmer	477 Mono St. #A
	Christina Herrera	121 College Pkwy
	George Jiménez	293 Saint Anton

We the People of

San Joaquin Villas

Oppose the Villas III Subdivision Plan

Because they would be a devastating impact on the quality of life for our community. Three story town homes located 30ft from our full time living and sleeping space; balconies and 30+ windows directly facing us; endless noise from hot tubs on nearby balconies; overnight renters (known for inconsiderate behavior and noise disturbance) in nearby units; traffic nuisance and 24hr a day disturbance due to an access gate located immediately beside SJV rather than on Dorrance Ave.

Signature	Printed Name	Address
	Joseph Petrone	1700 Old Mammoth Rd
	Mary Sardinskas	505 Mono Street
	Warren Reis	121 college Pkwy
	Devin Tubbs	2441 Lakeview Blvd
Shane Rumkin	Shane Rumkin	877 Par Court st.
	NATE SMITH	325 JOAQUIN ST
	Marcus Cassidy	4 Alpine Circle
	Danny Halim	526 Lupin St.
	Kathleen Kelleher	59 Sierra Park Rd

We the People of

San Joaquin Villas

Oppose the Villas III Subdivision Plan

Because they would be a devastating impact on the quality of life for our community. Three story town homes located 30ft from our full time living and sleeping space; balconies and 30+ windows directly facing us; endless noise from hot tubs on nearby balconies; overnight renters (known for inconsiderate behavior and noise disturbance) in nearby units; traffic nuisance and 24hr a day disturbance due to an access gate located immediately beside SJV rather than on Dorrance Ave.

Signature	Printed Name	Address
Debbie Todd	Debbie Todd	P.O. Box 8886
[illegible]	Rocky Morelli	P.O. Box 8666
[illegible]	Jose Villalobos	P.O. Box 7590
[illegible]	John Teller	~~208~~ 71 meadow view
[illegible]	Madison Dusseau	Mammoth Lakes [redacted]
[illegible]	Patricia S. Barajas	25 Mountain Blvd.
[illegible]	Fernando Valladares	200 Azimuth
[illegible]	Lauri Marten	M.L.
[illegible]	ERIKA RODRIGUEZ	
[illegible]	MIKE DACOSTA	
[illegible]	BONNIE TURNER	Crowley Lake
[illegible]	A Smyth	518 Golden Creek

We the People of

San Joaquin Villas

Oppose the Villas III Subdivision Plan

Because they would be a devastating impact on the quality of life for our community. Three story town homes located 30ft from our full time living and sleeping space; balconies and 30+ windows directly facing us; endless noise from hot tubs on nearby balconies; overnight renters (known for inconsiderate behavior and noise disturbance) in nearby units; traffic nuisance and 24hr a day disturbance due to an access gate located immediately beside SJV rather than on Dorrance Ave.

Signature	Printed Name	Address
	Nicole Lee	1934 Meridian Blvd Apt 13 168 93546
	Lauren Gaul	3669 main st 93546
	Allegra Rodnunsky	877 Par Court 93546
	Lauren Brittain	229 Manz. 93546 93546
	Sophie McMahon	133 Trinkle Wells Rd 93546
	Kevin Asserijevz	229 Manzanita Rd
	Connor Craig	93546
	Daisy Godinez	61 Callahan Way 93546
	Skyler Kenny	541 Mono St #2 93546

Camille Miller
P.O. Box 100 PMB 362
Mammoth Lakes, CA
93546

March 23, 2021

The Town Of Mammoth Lakes Planning Department
The Town Of Mammoth Lakes Public Works Department
The Town Of Mammoth Lakes Planning Commission

Via email – 6 pdf pages including attachments

Dear Ms. Moberly, Mr. Hayes, and Esteemed Planning Commissioners:

The Subject:

This letter relates to the Obsidian development currently under construction and the same Developer's proposed Villas 3 project which would extend from the end of the current Obsidian phase all the way to Main Street via Callahan Way. We, the adjacent property owners at 191 Dorrance, do not oppose the current or the proposed project in general, and we take no issue with The Developer in general, either. But now that we see how this Obsidian project is maturing after 5 years of observation and as we anticipate how the Villas 3 project might develop, we recognize the need to address/solve certain issues and prevent others.

The Backstory:

It is important to understand that when our home was constructed in the early 1950's, it sat at the dead-end of Dorrance and was surrounded by extensive parcels of unentitled land. Things change and time marches on. We feel this in a very personal way at our parcel. For us, what has functioned effectively as our side yard - 170 feet along the northern edge of our parcel - now abuts a paved emergency access connector that has been used for about 4 years as a main thoroughfare for construction and occasionally owner traffic for Obsidian, despite having been slated for emergency ingress/egress only. Moreover, once a bike path easement was granted to the town along the west side of our home (another change which occurred long after our home was constructed), our parcel now sees a constant stream of ingress and egress for runners, walkers, dog walkers, and bikers both on the north and west sides of our parcel. We are not NIMBY's but we need your help adapting to these changes in a practical way.

These issues have combined to turn our home into a fishbowl, as our home is situated at the Northwest corner of our property and immediately adjacent to the abovementioned changes (3.5 feet to the west and less than 20 feet to the north). We have been told by the TOML Planning Department that we can not construct a 6 foot fence along our Northern property line as we would have done for a side yard, since this 170 feet is now considered to border a "road" instead of a side yard. According to the code, the setback for a privacy fence must be placed 20 feet from the property line if that property line fronts a road. Sigh. So what has been an undisturbed and unmaintained side yard for 70+ years is suddenly being considered a road? If this has always been a road, why has the TOML <u>not</u> provided snow removal for the first 6 years that we lived here and never provided snow removal on Dorrance for the previous property owner for 50+ years prior to that? We paid privately to remove the snow to access our own driveway up until a couple of years ago because we were considered by the TOML to live at the end of the road, not alongside it.

The purpose of the fencing code, I believe, is to encourage a front-facing residential neighborhood feeling? Our home does not present itself toward Dorrance and was constructed with a different orientation in mind 70+ years ago when the builders placed it all the way to the "back" of the parcel. In fact, a portion of our home sits within this questionable 20 foot setback from the north side. I suppose we should now think of our home as sitting next to an alley? Alleyways are not typically celebrated with front yard feelings but rather, neatly hidden behind privacy fences for the good of the neighbors who inherited their existence. Even if it were theoretically possible to relocate our home so that we could build a privacy fence at the 20 foot setback, we would lose roughly 3400 square feet of yard that we used to be able to enjoy freely before an emergency access corridor appeared adjacent to our home. The Developer did not purchase 3400 square feet of land from us, nor did The Town, and we should not lose this usable space because emergency codes required an ingress/egress to the back side of the Obsidian Developer's project whose entitlement came more than half a century after our home was constructed.

Moreover, an emergency access corridor is too narrow to support regular traffic, construction staging and parking (can one legally park on an emergency access corridor?) and truly is suitable for emergency access only. This emergency access corridor does not contemplate a turnaround area and therefore, its narrow width forces turnarounds to occur on the Fire Department Parcel, or in my own driveway. I must now place traffic cones on my driveway after heavy equipment and personal vehicles of construction crews have turned around - even attempted deliveries - in my driveway. Now that we have blocked our driveway, confounded vehicles have no choice but to back down the narrow Dorrance Emergency Access Corridor **in reverse, through a stop sign, and into the already difficult 3-way intersection at Joaquin Road** instead of turning around on our land. The situation is untenable and will likely cause a serious accident at the intersection of Dorrance and Joaquin.

To summarize, the Dorrance emergency access corridor was paved to act as an emergency ingress and egress access point for the later phases of Obsidian, not to facilitate 5 years of construction to be routed through an unfortunately adjacent working-class neighborhood trying to get some sleep.

The Documents:

There is confusion between what is stated in the approval documents and the direction that was given to The Developer.

Years ago, when we asked The Developer why the construction traffic was being routed via Dorrance, an unimproved stretch of dirt that would eventually be improved by The Developer when they were to build an emergency access gate coded for Fire Life and Safety officers to access only, The Developer shared that they were, in fact, required to use Dorrance as the access point for all construction traffic for this current Obsidian phase as a part of their permit. Hmmmmm… we found that odd since we had been told otherwise by the Planning Commissioners at the time their permit was issued (see attachments below) that Dorrance would be improved only so wide as to serve as Emergency Ingress and Egress and a gate would be put in place at Obsidian Place to insure the same. Nevertheless, all construction traffic, including all deliveries, heavy machinery, cement trucks, grading equipment, and storage containers have been routed through the narrow and winding Sierra Valley Sites Neighborhood via Joaquin Road to the Dorrance emergency access corridor, where the impossibility of parking or just turning around awaits them all.

The Town's intention for the construction ingress/egress can be found in Document 2014001037, Resolution Number PEDC 2014-01 on page 14 in the section "i" titled Transportation/Traffic impacts where Obsidian place was designated as the appropriate construction ingress/egress according to the traffic study. See below.

The intention for the use of the Dorrance Emergency Access Corridor is as Emergency Access can be found in Document 2016001473, Resolution 16-09 dated 5-2-16 on page 37 of 37 and in the Tallus TTM 15-002 PEDC Staff Report pages 12 & 13 dated 1-3-16. See below.

The intention can also be found in a recent document dated 08/21, the PEDC Resolution 08-2021, where the "Emergency Access" component is re-iterated in items 110-112 of the Special Engineering Conditions section. See below.

All documents specify that the Dorrance Emergency Access Corridor is to be used for Emergency Access only and, in fact, must be secured against through traffic and public access, and must have appropriate physical measures put in place to ensure those aims, ie, a gate and signage.

The Ask:

1. **We ask that the emergency gate at the intersection of the Dorrance Emergency Access Corridor and Obsidian Place be constructed immediately.**

2. **We ask that the traffic on the Dorrance Emergency Access Corridor be restored to the Emergency Access specifications found within several approval documents such as those attached below.**

3. **We ask that if the Villas 3 project is to be approved, that construction traffic, or any public traffic for that matter, not be permitted to travel via the gated emergency egress gate at Dorrance and that adequate staging and turnarounds be contemplated within the project's own borders.**

4. **We ask that our lot at 191 Dorrance be granted a variance allowing us to locate a 6-foot privacy fence along our Northern property line beginning at our parcel's northwest corner and continuing eastward where it would end no less than 20 feet from Joaquin road.**

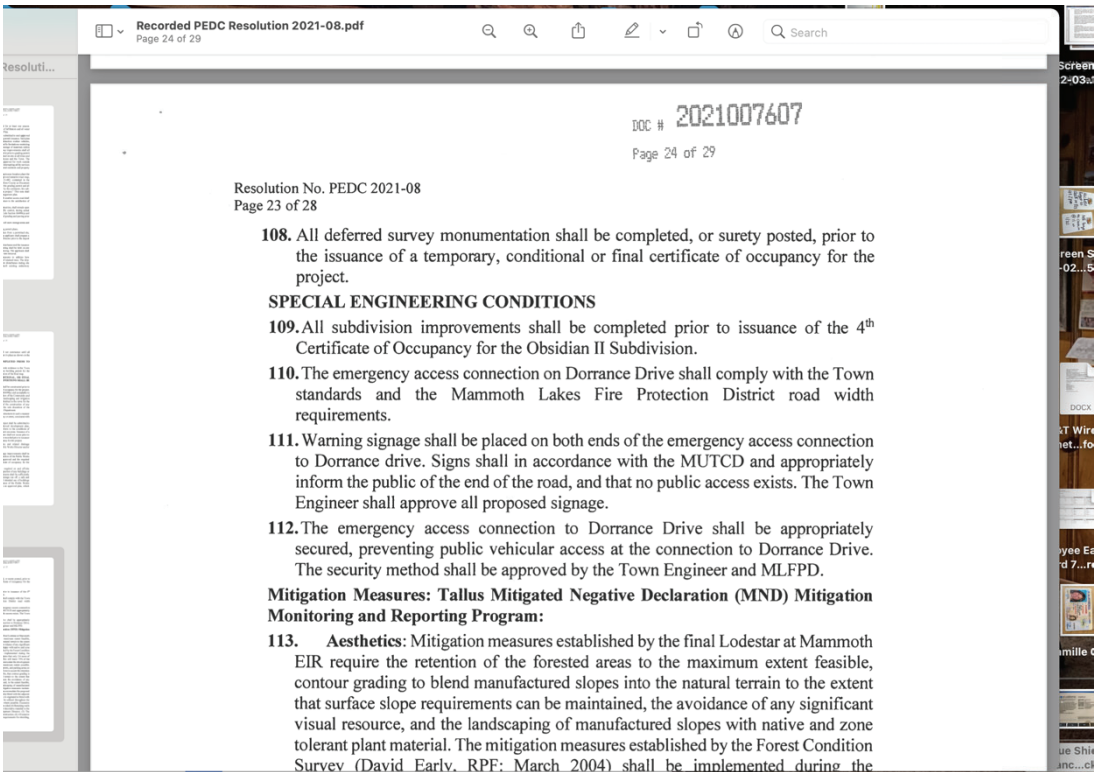
We are eager and willing to be reasonable and neighborly. We recognize that Obsidian might have a specific need to use Dorrance for occasional construction access until perhaps the end of this summer 2022, but there must be a sunset date to that type of use and we must find a solution to provide reasonable privacy for our home now and into the future. The way codes are written and the way they are applied in the real world seldom align without good and necessary variances to accommodate the reality of what a developer wants to do and how their project can best integrate with contiguous properties and neighborhoods. Observers, neighbors, and people like us must be willing to work with developers and not be afraid to bring forth our humanity and on-the-ground situational awareness in order to create good outcomes for all concerned, or mistakes will be made which are extremely difficult to reverse and which can cause lasting damage to the project in question and/or the properties and neighborhoods which surround it.

To reiterate, we want Obsidian to be successful and our town in general to be vibrant and builder-friendly, but we cannot let the success of one project forever condemn the usability and quiet enjoyment of its neighbors. Exceptions must be made on all sides. How can we all work together to that end?

We thank you for your time to review this detailed account and we thank you for reviewing the attachments below. Please feel free to reach out as your questions arise.

Sincerely,

Camille Miller



Recorded PEDC Resolution 2021-08.pdf
Page 24 of 29

DOC # 2021007607

Page 24 of 29

108. All deferred survey monumentation shall be completed, or surety posted, prior to the issuance of a temporary, conditional or final certificate of occupancy for the project.

SPECIAL ENGINEERING CONDITIONS

109. All subdivision improvements shall be completed prior to issuance of the 4th Certificate of Occupancy for the Obsidian II Subdivision.

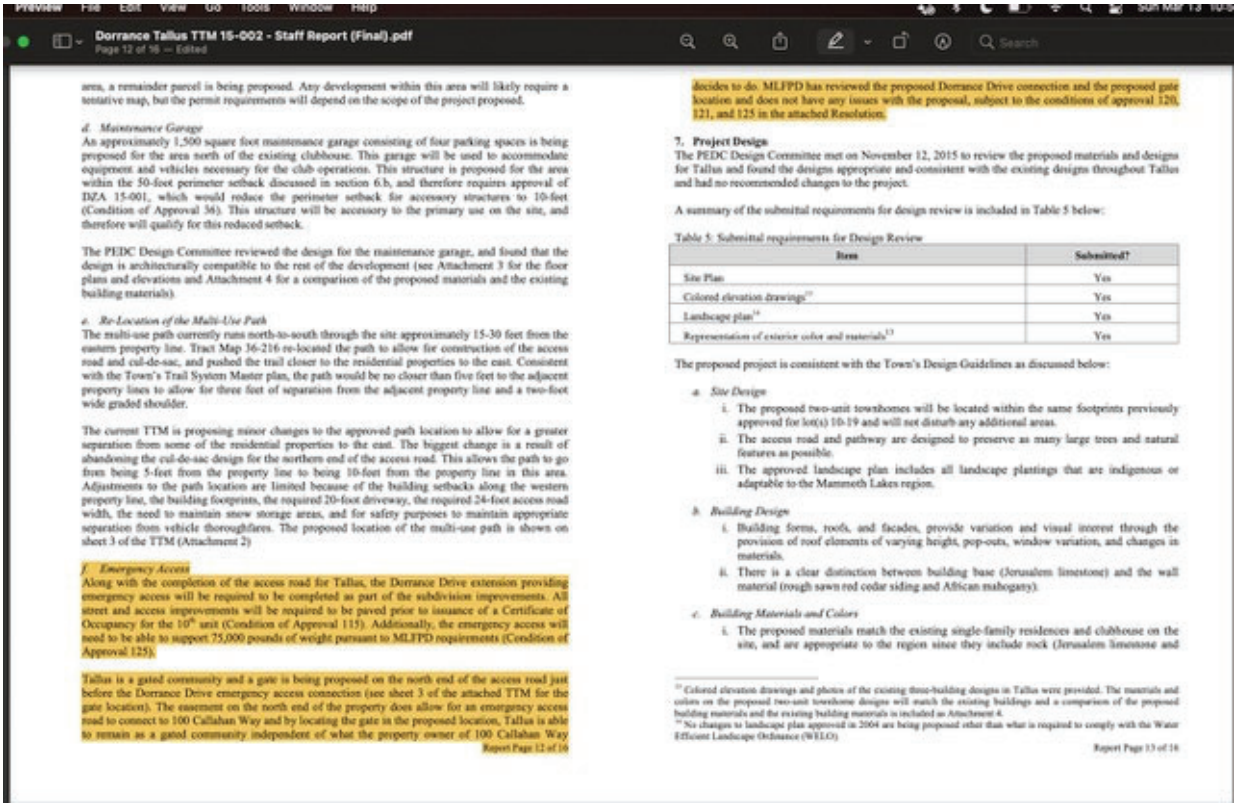
110. The emergency access connection on Dorrance Drive shall comply with the Town standards and the Mammoth Lakes Fire Protection District road width requirements.

111. Warning signage shall be placed on both ends of the emergency access connection to Dorrance drive. Signs shall in accordance with the MUTCD and appropriately inform the public of the end of the road, and that no public access exists. The Town Engineer shall approve all proposed signage.

112. The emergency access connection to Dorrance Drive shall be appropriately secured, preventing public vehicular access at the connection to Dorrance Drive. The security method shall be approved by the Town Engineer and MLFPD.

Mitigation Measures: Tallus Mitigated Negative Declaration (MND) Mitigation Monitoring and Reporting Program:

113. **Aesthetics**: Mitigation measures established by the final Lodestar at Mammoth EIR require the retention of the forested areas to the maximum extent feasible, contour grading to blend manufactured slopes into the natural terrain to the extent that surface slope requirements can be maintained, the avoidance of any significant visual resource, and the landscaping of manufactured slopes with native and zone tolerant plant material. The mitigation measures established by the Forest Condition Survey (David Early, RPF; March 2004) shall be implemented during the



Dorrance Tallus TTM 15-002 - Staff Report (Final).pdf
Page 12 of 16 — Edited

area, a remainder parcel is being proposed. Any development within this area will likely require a tentative map, but the permit requirements will depend on the scope of the project proposed.

d. Maintenance Garage

An approximately 1,500 square foot maintenance garage consisting of four parking spaces is being proposed for the area north of the existing clubhouse. This garage will be used to accommodate equipment and vehicles necessary for the club operations. This structure is proposed for the area within the 50-foot perimeter setback discussed in section 6.b, and therefore requires approval of IDZA 15-001, which would reduce the perimeter setback for accessory structures to 10-feet (Condition of Approval 36). This structure will be accessory to the primary use on the site, and therefore will qualify for this reduced setback.

The PEDC Design Committee reviewed the design for the maintenance garage, and found that the design is architecturally compatible to the rest of the development (see Attachment 3 for the floor plans and elevations and Attachment 4 for a comparison of the proposed materials and the existing building materials).

e. Re-Location of the Multi-Use Path

The multi-use path currently runs north-to-south through the site approximately 15-30 feet from the eastern property line. Tract Map 36-216 re-located the path to allow for construction of the access road and cul-de-sac, and pushed the trail closer to the residential properties to the east. Consistent with the Town's Trail System Master plan, the path would be no closer than five feet to the adjacent property lines to allow for three feet of separation from the adjacent property line and a two-foot wide graded shoulder.

The current TTM is proposing minor changes to the approved path location to allow for a greater separation from some of the residential properties to the east. The biggest change is a result of abandoning the cul-de-sac design for the northern end of the access road. This allows the path to go from being 5-feet from the property line to being 10-feet from the property line in this area. Adjustments to the path location are limited because of the building setbacks along the western property line, the building footprints, the required 20-foot driveway, the required 24-foot access road width, the need to maintain snow storage areas, and for safety purposes to maintain appropriate separation from vehicle thoroughfares. The proposed location of the multi-use path is shown on sheet 3 of the TTM (Attachment 2)

f. Emergency Access

Along with the completion of the access road for Tallus, the Dorrance Drive extension providing emergency access will be required to be completed as part of the subdivision improvements. All street and access improvements will be required to be paved prior to issuance of a Certificate of Occupancy for the 10th unit (Condition of Approval 115). Additionally, the emergency access will need to be able to support 75,000 pounds of weight pursuant to MLFPD requirements (Condition of Approval 125).

Tallus is a gated community and a gate is being proposed on the north end of the access road just before the Dorrance Drive emergency access connection (see sheet 3 of the attached TTM for the gate location). The easement on the north end of the property does allow for an emergency access road to connect to 100 Callahan Way and by locating the gate in the proposed location, Tallus is able to remain as a gated community independent of what the property owner of 100 Callahan Way

decides to do. MLFPD has reviewed the proposed Dorrance Drive connection and the proposed gate location and does not have any issues with the proposal, subject to the conditions of approval 120, 121, and 125 in the attached Resolution.

7. Project Design

The PEDC Design Committee met on November 12, 2015 to review the proposed materials and designs for Tallus and found the designs appropriate and consistent with the existing designs throughout Tallus and had no recommended changes to the project.

A summary of the submittal requirements for design review is included in Table 5 below:

Table 5: Submittal requirements for Design Review

Item	Submitted?
Site Plan	Yes
Colored elevation drawings[17]	Yes
Landscape plan[18]	Yes
Representation of exterior color and materials[13]	Yes

The proposed project is consistent with the Town's Design Guidelines as discussed below:

a. Site Design

i. The proposed two-unit townhomes will be located within the same footprints previously approved for lot(s) 10-19 and will not disturb any additional areas.

ii. The access road and pathway are designed to preserve as many large trees and natural features as possible.

iii. The approved landscape plan includes all landscape plantings that are indigenous or adaptable to the Mammoth Lakes region.

b. Building Design

i. Building forms, roofs, and facades, provide variation and visual interest through the provision of roof elements of varying height, pop-outs, window variation, and changes in materials.

ii. There is a clear distinction between building base (Jerusalem limestone) and the wall material (rough sawn red cedar siding and African mahogany).

c. Building Materials and Colors

i. The proposed materials match the existing single-family residences and clubhouse on the site, and are appropriate to the region since they include rock (Jerusalem limestone and

[17] Colored elevation drawings and photos of the existing three-building designs in Tallus were provided. The materials and colors on the proposed two-unit townhome designs will match the existing buildings and a comparison of the proposed building materials and the existing building materials is included as Attachment 4.
[18] No changes to landscape plan approved in 2004 are being proposed other than what is required to comply with the Water Efficient Landscape Ordinance (WELO).

Map 36-216.

130. Warning signage shall be placed on both ends of the emergency access connection to Dorrance drive. Signs shall in accordance with the MUTCD and appropriately inform the public of the end of the road, and that no public access exists. The Town Engineer shall approve all proposed signage.

131. The emergency access connection to Dorrance Drive shall be appropriately secured, preventing public access at the connection to Dorrance Drive. The security method shall be approved by the Town Engineer and MLFPD.

reduce adverse noise impacts to a level below significance.

h. Public Services: Impacts to public services will result from the build-out of the Lodestar Master Plan area. Town services, school, police and fire services will be impacted by the proposed project and by the eventual build-out of the Master Plan area. On-site snow storage areas shall equal at least 75 percent of the impervious surfaces used for access and unenclosed parking. The project proponents shall pay school impact fees prior to the issuance of Building Permits for the proposed residential structures. All other Development Impact Fees (DIFs) shall be paid in accordance with the adopted ordinances of the Town. These mitigation measures shall be assured by the Community and Economic Development Director and Town Engineer prior to Grading or Building Permit issuance to reduce adverse impacts to public services to a level below significance.

i. Transportation / Traffic Impacts: Traffic volumes at some intersections indicate that signalization will be required to maintain acceptable Levels of Service as determined by the Town Engineer at the build-out of the Lodestar Master Plan. The subject project will generate approximately 190 Average Daily Trips which will not adversely impact traffic volumes and Levels of Service at adjacent intersections and along nearby road segments. A Traffic Analysis for the Revised Loadstar Master Plan Circulation System was prepared by Les Card of LSA Associates, Inc. (March 31, 2004). The report concludes that revisions to the Lodestar circulation plan, making the local road discontinuous between Meridian and Minaret, coupled with the application of current Town policies regarding traffic analysis methodology and level of service criteria, will not cause any significant impact to adjacent circulation system and that the existing adopted mitigation measures for the Lodestar Master Plan are adequate. Construction of the private access roadway (Obsidian Place) to the subdivision will be adequate to accommodate project-generated traffic. Transportation impacts are mitigated by requiring annexation into the Transit and Transportation Fee Community Facility District (CFD 2013-03) to reduce vehicular use. This mitigation measure shall be assured by the Community and Economic Development Director and Town Engineer prior to Grading or Building Permit issuance to reduce adverse transportation and traffic impacts to a level below significance.

j. Utilities and Service Systems: An increase in the amount of impervious surface and storm water runoff will result from the construction of the project and build-out of the Lodestar Master Plan area. Drainage collectors, the utilization of Best Management Practices for erosion control, and the construction of retention and filtration (desiltation basins) facilities shall be constructed and maintained to prevent the transport of silt and urban pollutant with the runoff from a 20-year storm event. The project is not anticipated to produce solid wastes in any amounts that cannot be disposed of by current disposal methods. The extension of utilities to serve the proposed Single Unit Residential Structures and the Clubhouse/Manager's Unit shall be constructed as required by the service provider. No additional

April 7, 2022

Michael Vanderhurst, Chair, Economic Development & Planning Commission
Commissioner Jennifer Burrows, Vice Chair
Commissioner Paul Chang
Commissioner Jessica Kennedy
Town of Mammoth Lakes
437 Old Mammoth Rd. Ste R
Mammoth Lakes, CA 93546

Dear Commissioners,

My name is Donna Mercer and I have lived and worked in Mammoth Lakes for 22 years. I bought my home in San Joaquin Villas (SJV) workforce housing in 2008, and work for Mammoth Unified School District as a school bus driver. Like my SJV neighbors, I work hard to keep this Town running, and love coming home to my quiet home after work for some peace and tranquility.

I'm extremely worried about the Villas III's plan to build 2 massive duplexes (units 22-25) just 30' from my home because it will have a terrible impact on Quality of Life for my son, me, and my SJV neighbors. Their 3-story, 35' tall buildings will have balconies and windows looking directly into my living-dining room, bedroom, and onto my deck. These units will take-away the most important things I've worked for in Mammoth. A bedroom with **Quiet Outside, gone**. A home with a little **Privacy, gone**. A living room and deck with **Sunshine, gone**.

Like most Mammoth workers I wake early, 4:30am and work all day, 10.5 hours, and go to bed by 9pm. The developer wants to squeeze these giant buildings as close to us as possible, and we will be forced to hear all their noises. To make it much worse, the PEDC is considering their Use Permit application for overnight renters just outside my bedroom window. **NO to the Use Permit!**

The Town's Planning Commission approved SJV Workforce Housing over 15 years ago – a Mammoth Lake Housing project. Do not destroy our Quality of Life to gain a little TOT! We've given the Town the best years of our lives and continue to do so. The Lodestar Master Plan did not intend to have Transient Occupancy units pressed up against Workforce Housing. The Villas III development should be like SJV and not allow transient occupancy.

One of my greatest joys before and after work, and on my days off, is spending time on my back deck. It is only 10' x 6', but it is my little outdoor quiet space that brings me peace. Every morning I step out back into the sunshine and listen to birds and wildlife. During winter I bundle up and watch the sun's rays sparkle through the tree branches from low on the horizon. In these moments, I realize life is good and that buying my SJV home and living in Mammoth has been worth all the sacrifices. This sunlight in my life for the past 15 years will go extinct if you approve this development's units 22-25.

These units will put us in **constant shade** from fall to spring, with higher heating bills, more snow to shovel and block our emergency exit. They will rob us of privacy, generate nearby noise while we are sleeping, and be an ongoing stress on our mental and physical health.

I don't understand why the Town's Planning department is so eager to pass this project, to ignore the problems and inconsistencies, and try to suppress and dismiss the Community's legitimate concerns?

- The Staff Report for the March 2nd hearing was shockingly reckless by including their **architect's fake "solar / shade study."** Whoever did this study did it quickly and had no clue as to what they were doing. The Planners are paid to review and filter out phony "science" before presenting it to the Commissioners and the public. Please read the evaluation by Kimberly Taylor, P.E., of this "study" in her 3/1/2022 Public Comments which shows this so-called "study" is **full of errors that intentionally mislead readers and distort the size of shadows.** I call for the Town Planners to formally remove that document and make a **public retraction and statement that the Town rejects that "study"** (and hopefully issues an apology too). Why must the Community be responsible for catching so many errors and problems in this project? I've lived at SJV for 15 years and watched the sun from my deck over 10,000 times, and I assure you their duplexes just off my deck will put my neighbors and me in constant shade.

- Snow is another big problem being ignored. First, **snow on their roofs will create more shadows on SJV** homes – a fact not previously factored in. Second, the Staff Report dismisses the Community's concern that roof snow on units 22-25 will end up on SJV property, which is only 20' away. In the real world of Mammoth Lakes, when a snowstorm drops several feet of snow, like December 2021, the ground behind SJV is deep in snow for months. If built, crews that shovel 22-25 roofs will shovel to the back, towards SJV, because the gap between Villas III duplexes will already be full. **Their massive snow piles will tumble towards SJV** as gravity requires, and there won't be any sunshine to help it melt. It will be a dangerous, frozen mess that SJV will be forced to deal with. (Just look at all the snow problems at the high-end "Birdhouse" complex just north of SJV on Main's frontage road.) SJV residents will be required to shovel Villas III snow on our property in addition to our own snow. **SJV's back yard is our only emergency exit** if the front is blocked. This is a big safety concern.

- Town staff also dismissed the **Community's concerns about noise** from proposed nearby units. Their "evidence" was that Obsidian homes don't get noise complaints. How is this relevant? All Obsidian homes face west towards the open golf course, where the closest houses are two fairways away. This is no comparison between Obsidian's noise and the Villa lll duplexes 30' from SJV bedrooms. The bottom line is that their noises and close proximity will degrade our Quality of Life significantly.

- Where is the primary vehicle entrance and exit to the Villas III? Still unanswered.

- Why is this project allowed to consume part of the Multi-Use Path easement? Still unknown.

- Why the flip-flops? First, they say "*The Town really needs more development of Overnight Rentals."* The Community replies with the obvious: "***Overnight Renters are noisy and inconsiderate and should not be next to Workforce Housing***." The Commissioners all agreed that overnight renters can be very noisy and inconsiderate at the Feb 9 hearing.
  Then, in response, the developer and Planner turn 180 degrees and say, "*These units will only get rented 1/3 of the nights"* and imply that SJV residents will only experience

noisy, inconsiderate renters 1 out of 3 nights for the rest of our lives. Is this supposed to make us feel better?

Am I supposed to feel better knowing that the 2 duplexes that will block my sunlight, raise my heating bills, and significantly reduce Quality of Life **will sit vacant 66% of the time**? This is ludicrous and shameful. I've worked my entire life for a tiny home which came with Mammoth's sunlight and this development kills it with buildings that will sit empty or have nightly renters coming and going day and night.

- The developer and Town staff are making our point. If these units sit empty 2 out of 3 nights, then there is NOT a need for more Overnight Rental units. At a minimum, this development should remove units 22-25 because there are lots of empty rooms available in the other 29 units.

- The Planner has also completely skirted the **Public Participation objective of CEQA** by simply modifying a 32-year-old EIR with yet another Addendum. The fact that the Addendum is 152 pages long, and includes 6 new technical appendices**, is proof that there are conditions requiring a new EIR.** Any expert of CEQA and EIRs will tell you the Villas III development demands a new EIR and is out of compliance with CEQA. Please see my 3/1/2022 letter that includes an expert's evaluation for details.

- The Big Irony is that the Town of Mammoth Lake has **no Housing Mitigation agreement** with the developer - zero, none. The Town's "hope" is that someday he'll pay a few thousand dollars towards future affordable housing units as mitigation. The money won't be enough to build affordable housing, but it "meets the Town Ordinance." **At the same time this development wrecks the QUALITY OF LIFE and property values of SJV homeowners who bought into this Workforce Housing project,** like me, that the PEDC approved previously. This is a tragedy, but **only if the PEDC approves Villas III as is.**

The Villas III units 22-25 need to be removed or set back an additional 75' to mitigate the extreme problems caused by this development. Please try to imagine if you lived in SJV's building E and these duplexes were proposed 30' away. Do not allow units 22-25 to be built and ruin my life simply because this developer wants to do so. You are the PEDC Commissioners, **You Do Have the Power** to stop this.

Sincerely,
Donna Mercer
San Joaquin Villas Resident & Owner since 2008

CC
Mayor, Lynda Salcido
City Council Member John Wentworth
City Council Member Bill Sauser
City Council Member Kirk Stapp
City Council Member Sarah Rea

April 13, 2022

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

CC: Director Moberly, Mayor Salcido, Town Councilmembers, Jamie Gray, Angela Plaisted

SUBJECT: Public Comment for Villas III PEDC 4.13.2022

Commissioners,

I oppose the Villas III plan, and specifically the 2 duplex buildings pressed against San Joaquin Villas. **Units 22-25 are unreasonably close and will severely degrade Quality of Life** for my neighbors and my family.

- They'll stare directly into our windows and onto our deck stealing our **Privacy**.

- They will **Block our Sunlight**, chill our homes, increase heating costs, and delay snow melt.

- Their huge **shadows** on us become that much larger when rooftop snow piles up.

- Then that Roof Snow will blow and be shoveled onto our property and block our back Emergency Exit. Most of you visited SJV in March and witnessed the wall of snow that forms beside our buildings and doesn't melt until summer.

  Their Units, *so close* to SJV, will create a similar wall of snow behind our building that **blocks our emergency exit** and is a **safety haza**rd.

- Then there is the **NOISE problem**. The NOISE at night keeping us awake. Their balconies and open windows will project and amplify sounds directly at us.

Do Not approve Use Permit

The sound problems becomes significantly worse if you approve an Overnight Rental Use Permit. Don't doom us and Joaquin Road neighbors with loud, inconsiderate renters every night. These partiers will be just feet from our bedrooms when we need to sleep and rise early for work.

The Lodestar Master Plan does not guaranty rentals and they will harm our community.

The Planning Commission and Mammoth Lakes Housing approved our subdivision on the Condition of no overnight rentals. INTRAWEST built SJV as its Housing Mitigation commitment, and that allowed them to build the Westin.

The Planning Commission needs to honor the spirit of that agreement and NOT DESTROY our Quality of Life.

Buffer Zone

There's another very critical point not yet discussed. Our neighborhood has been given the impression that there is a buffer zone, south of SJV property, that prevents buildings this close.

- The Town's 2008 Sierra Star Neighborhood Plan shows it is impossible to build within 60 feet of SJV. (See attached)

- Also, in 2011 Town Planners wanted to build a Multi-Use Path 50 feet south of SJV, and Town Council discussed it right here in Suite Z. **That path was planned to be exactly where units 22-25 are now planned.**

- There is also the fact that Town realtors have been selling SJV units by saying our decks have views of dense trees and great south-facing weather for the past decade. (See attached).

For years the Town communicated that a buffer zone exists south of us. Now, without warning, the Planners are eager to approve this subdivision jammed up onto us.

This isn't right and these units need to be removed.

We've all seen how Mammoth's real estate prices have increased 25 to 35% over the last year, and that directly benefits the developer.

Don't get me wrong. I am good with the developer making a huge profit on Villas III. That's an American Dream, and I support it**, if achieved fairly**.

Please DO NOT FORGET the **hundreds of RESIDENTS who have their own AMERICAN DREAM,** here in Mammoth, living next to this development.

Do not crush Our Dreams simply so 1 individual can accumulate more wealth at our expense.

Thank you,

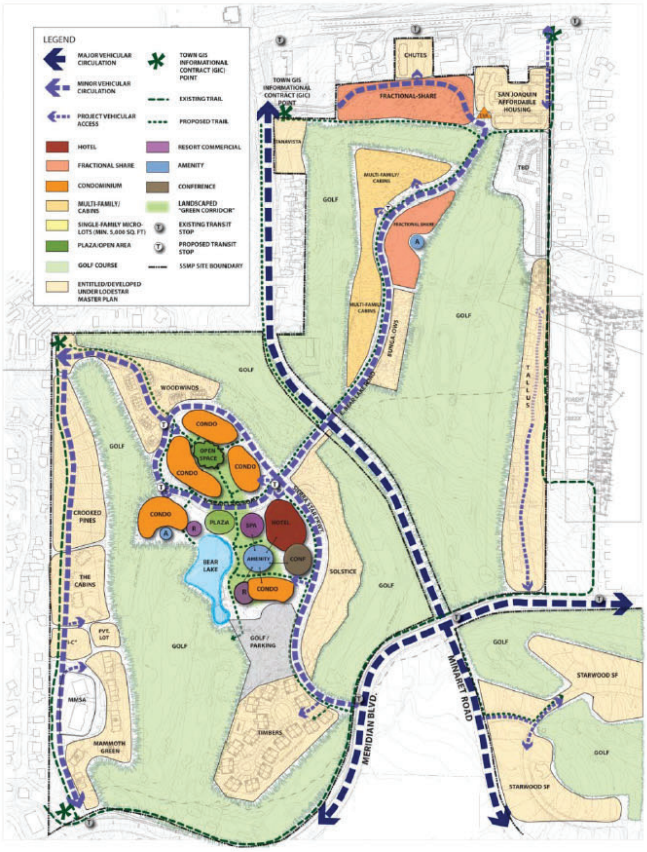
Eric Taylor

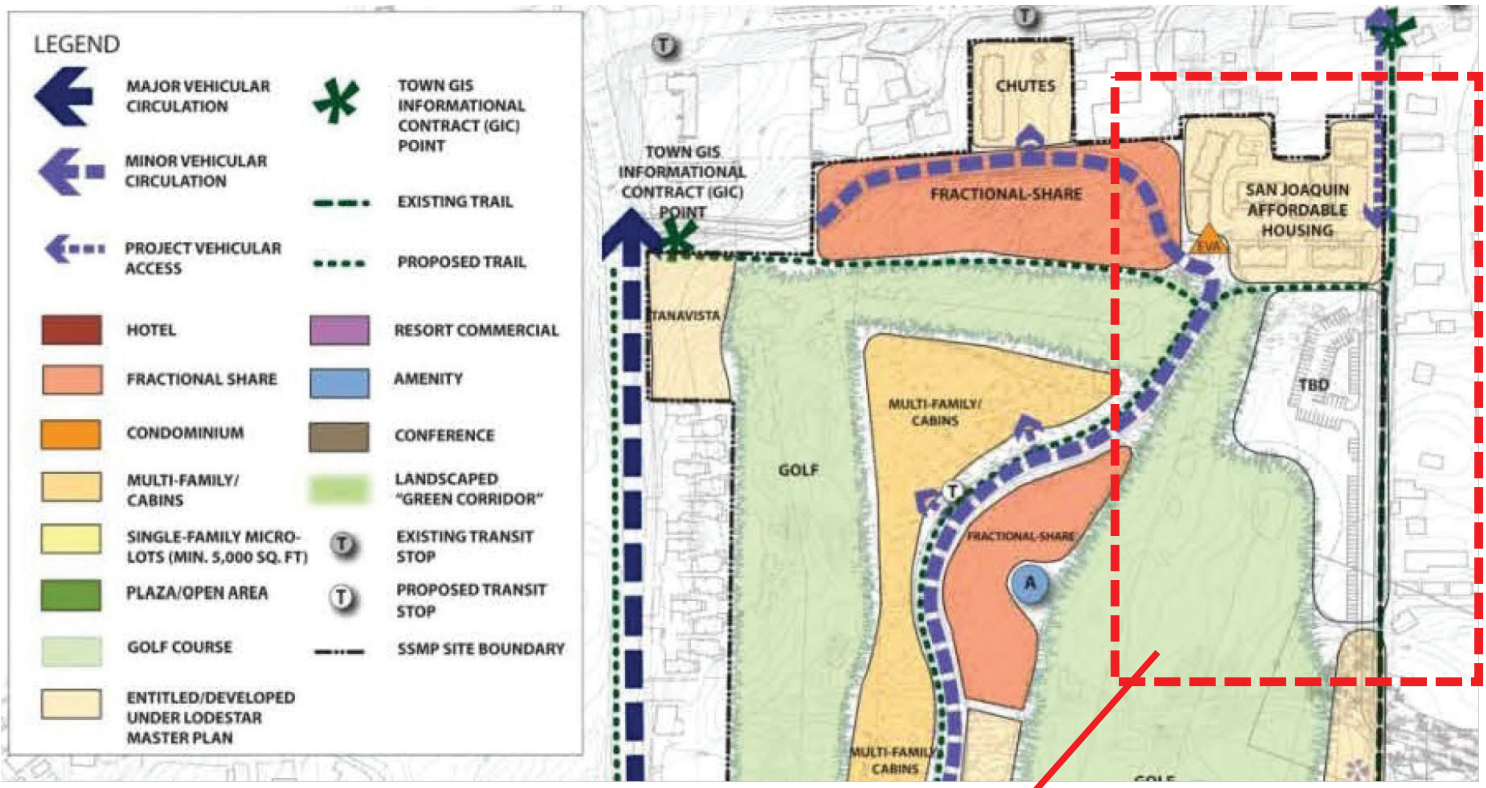
SJV Owner & Resident since 2009

Sierra Star Neighborhood District Planning Study

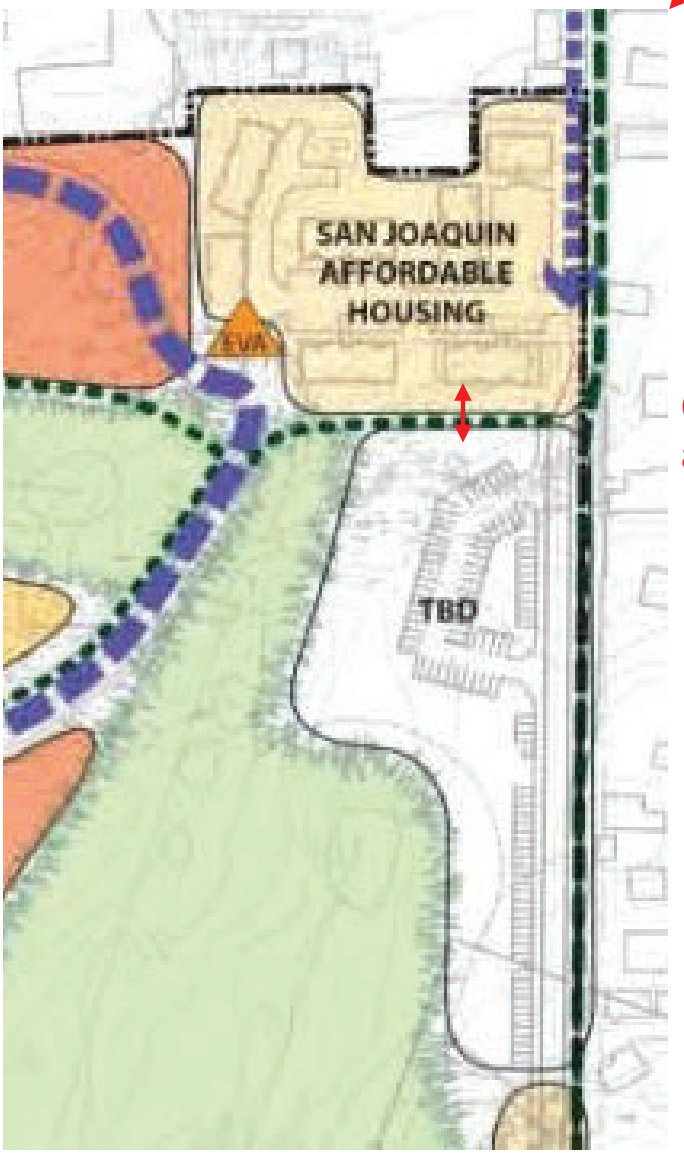
Town of Mammoth Lakes, CA

Next Steps





Enlarged area



Over 60’ between SJV and potential building.

As Shown 4/11/2022

mammothrealtygroup.com/san-joaquin-villas.php

61 Callahan Way Mammoth Lakes, CA 93546

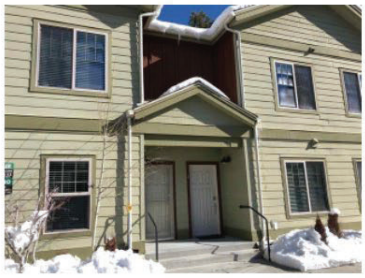
San Joaquin Villas

The San Joaquin Villas are located adjacent to the Sierra Star Golf Course and close to restaurants, shopping, and more. This complex was built in 2007 with 40 units as a workforce housing developed by Intrawest. The floor plans consist of three and four-bedroom townhome-style units. Scroll down to learn more!

San Joaquin Villas Condos For Sale in Mammoth Lakes

The San Joaquin Villas are located adjacent to the Sierra Star Golf Course and close to restaurants, shopping, and more. This complex was built in 2007 with 40 units as a workforce housing developed by Intrawest. The floor plans consist of three and four-bedroom townhome-style units.
This complex sits on Callahan Way right on the Sierra Star Golf Course. Callahan Way is a road off of Main Street (Highway 203), so you're close to some of the best Mammoth has to offer!
The units are approximately 1,200 square feet and some have a bonus room. Some of the decks face dense trees perfect for BBQing and enjoying the weather. The living space is open and has doors that lead to the outside. San Joaquin Villas are perfect for locals due to the historically low HOA fees and deed restrictions. Be sure to ask your local real estate agent about the most current restrictions on this condominium complex.
To learn more about the San Joaquin Villas, please contact us!
The amenities include:

- Open Parking



NOTE: Comments in RED added by E. Taylor

Currently Up

As Shown 4/11/2022

mammothrealtygroup.com/san-joaquin-villas.php

MRG MAMMOTH REALTY GROUP

SEARCH ABOUT CONDOS RESIDENTIAL NEW DEVELOPMENTS CONTACT AGENTS SIGN IN

Home / Communities / San Joaquin Villas

61 Callahan Way Mammoth Lakes, CA 93546

San Joaquin Villas

The San Joaquin Villas are located adjacent to the Sierra Star Golf Course and close to restaurants, shopping, and more. This complex was built in 2007 with 40 units as a workforce housing developed by Intrawest. The floor plans consist of three and four-bedroom townhome-style units. Scroll down to learn more!

San Joaquin Villas Condos For Sale in Mammoth Lakes

The San Joaquin Villas are located adjacent to the Sierra Star Golf Course and close to restaurants, shopping, and more. This complex was built in 2007 with 40 units as a workforce housing developed by Intrawest. The floor plans consist of three and four-bedroom townhome-style units.

This complex sits on Callahan Way right on the Sierra Star Golf Course. Callahan Way is a road off of Main Street (Highway 203), so you're close to some of the best Mammoth has to offer!

The units are approximately 1,200 square feet and some have a bonus room. Some of the decks face dense trees perfect for BBQing and enjoying the weather. The living space is open and has doors that lead to the outside. San Joaquin Villas are perfect for locals due to the historically low HOA fees and deed restrictions. Be sure to ask your local real estate agent about the most current restrictions on this condominium complex.

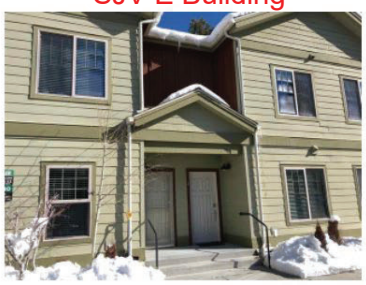
To learn more about the San Joaquin Villas, please contact us!

The amenities include:

- Open Parking

Realtors sold SJV E condos as having dense trees off deck & nice weather.

SJV E Building



Looking south from SJV E building deck towards Villas III

MRG MAMMOTH REALTY GROUP

Dear Commissioners,

This is my second letter in response to the Application Request: Villas lll Subdivision.

Over thirty years ago, the town decided to clear cut a forest to make way for a private 18-hole golf course and luxury second homes, presumably, motivated by a lack of broad consensus, greed and entitlement. It was a bad idea thirty years ago and it is a terrible idea today.

I am a native Californian. And like tens of thousands of visitors, I have been recreating in Mammoth and the surrounding Sierras for most of my life (over fifty years). I enjoy, skiing, snow shoeing, hiking, camping, backpacking, bicycling, kayaking and swimming. However, I have never once had the desire or the inclination to play golf at 8,000 feet.

The forest is home to Mammoth's abundant wildlife. Wildlife includes bears, coyotes, rabbits, squirrels, birds, deer and mountain lions.

The proposed Villas lll project would destroy this last remainder of forest and a necessary corridor for such wildlife. The proposed luxury condos would displace wildlife habitat and prevent wildlife from having a safe migrating corridor. Furthermore, a fence along Joaquin Road would force wildlife onto busy Main/Hwy203 and Meridian Streets. In INYO County in 2021 alone, 13 bears and about 140 mule deer were hit and killed by cars.

Not only will building 33 condominium units and three single family residence take up valuable wildlife habitat and create a nuisance for neighboring residents but increasing the height to the three single-family residences by two and half feet tall (to36'6"} will require more resources to build, maintain and heat.

I do not think Mammoth aspires to become an over developed Park City or an exclusive Aspen.

Mammoth does not need more second home luxury condos. Most of the condos in Mammoth sit empty for more than half of the year as it is.

Instead, the town should offer homeowners of existing older condos like many that were built in the 1960's and 1970's an incentive to remodel and/or renovate; to put in more modern and energy efficient and water efficient appliances and fixtures; furnace; windows; doors; insulation, etc.

Finally, our resources are limited. Future predictions for the Sierra snowpack are dire. As the most recent (April 1, 2022) *Los Angeles Times* article reported the Sierra snowpack stands at just 38% of the long-term average. Warmer temperatures mean less snow and more rain. Rain in the form of runoff as the ground where forest once stood whether by the devastation of wildfires, drought, bark beetle or man-made will be more susceptible to erosion. Aquifers will be over pumped and will less likely refill. Perhaps it is time to have a conversation about restoring the golf course to a more natural state, like a meadow or a forest with plants and trees that are native and more tolerant to drought, wildfires and bark beetle. Expand the Valentine Reserve. Perhaps install a wildlife viewing station or two…

The effects of climate change cannot be ignored. Mammoth has amazing wildlife and wildlife can be an economic advantage.

Gina Varieschi, SJV D6

April 11, 2022

TO: The Planning & Economic Development Commission, Town of Mammoth Lakes
Chairman Vanderhurst, Vice Chair Burrows, Commissioner Chang, Commissioner Kennedy.
CC: Director Mobley, Mayor Salcido, Council Members….

SUBJECT: Villas III Subdivision Proposed Plans

Commissioners Vanderhurst, Burrows, Chang, Kennedy,

I am writing a third time to recommend to you that you **do not approve** the Villas III application until significant changes are made. I am a Board member at SJV and have been a resident and owner in San Joaquin Villas (SJV) for 8 years, I am writing to you today as an individual and not on behalf of the SJV HOA Board. Having been a member of the Board since 2017, I do have a fair sense of our community's thoughts and mood. As a group, I have never witnessed SJV residents so opposed to anything like it is against Villas III. The time and effort being expended to stop the current plan is hard to measure, but likely over 1,000 hours so far. The efforts appear to be increasing and expanding.

The opposition to the Villas III development appears to be growing and strengthening. The overwhelming negative impact the 2 duplexes on the property border (units **22-25**) is beginning to be grasped by more community members. More neighbors are more committed to preventing these units than ever before. Recent letters to the Commissioners describe those issues – noise/sleep, sunlight/ shade, privacy, snow, heating expenses, etc. These concerns are unifying our community with a stronger dedication to having them eliminated, and many have expressed they are against them for as many months and years as needed.

SJV residents are also very concerned about the Villas III plan for additional traffic on the existing Callahan Way, which is the only vehicle access in and out for all SJV residents. The hope is that Callahan Way would only be used as a Villas III emergency exit. Callahan Way needs ongoing snow plowing to provide continuous access to SJV's resident essential Town workers. There are already safety issues, especially in winter, on Callahan Way at the staggered intersection with Main Street. Allowing more vehicles, especially by people unfamiliar with Mammoth and driving in snow and ice, will make matters worse. Additionally, by connecting Villas III to the existing Villas and Obsidian developments we will see additional traffic flow from those two developments cutting through to Main Street. What mitigation is the Town requiring from the Developer to improve the **safety** at this dangerous intersection? What mitigation is the Town providing for SJV for all the "turnaround" traffic that will be forced into SJV's private parking lot when vehicles attempt to cut through the road without realizing it is gated.

The negative impact of Use Permit permitted overnight renters is an immense concern to both SJV residents and our neighbors on Joaquin Road and Town central. Late-night noise from Villas III balconies and open windows will prevent and disturb sleep for people who work in early morning. I've heard concerns about units **18-25** and about units **26-33** that will amplify balcony noise into central Mammoth neighborhoods as well as directly into SJV.

From my experience, SJV residents are hard-working, friendly, and easy-going. They are not prone to protesting or complaining in general, but this Villas III project has rubbed residents in a bad way. Residents have expressed that they're feeling betrayed by Town staff trying to force this project into us regardless of its negative impacts, and that they work only in the developer's interests. They've expressed skepticism about whether the PEDC cares about the Town's workforce residents or are more focused on TOT than on workforce Quality of Life. Many are distraught about the current proposal and how it would impact the rest of their lives. Many are having sleepless nights over these concerns, and/or using all their limited vacation hours to fight this project and/or to attend the never-ending string of public hearings that are held during the day.

The concerns I hear from SJV residents are sincere and heart-felt, and they appear to be growing. No one benefits from dragging out this process longer than needed. I believe if the developer removed units 22-25, and re-oriented the balconies on units 26-33, then our community would stop resisting Villas III as strongly. I'm aware that the Developer is attempting to squeeze an extra 5 feet or so out of the project to push Units 22-25 a little further away. This tiny amount simply does not move the properties a reasonable

distance away from SJV E building. Units 22-25 need to be removed. Again, I speak only as an individual, but these changes are, most likely, enough to win the support of SJV residents, and I recommend it as a solution for our combined neighborhood.

The comprehensive and detailed EIR concerns raised in earlier public hearings have not been adequately addressed. An extensive addendum to a 32 year old EIR is not appropriate; **a new EIR is essential**.

As I have mentioned in previous communication, I strongly **object to the proposed height increase** of the three single family homes and request the PEDC deny the request.

Lastly, I strongly object to the limited review time that the Planning Department is adhering to for the public hearing. How is it fair or reasonable that a 33 unit development is allowed the same short review time as a single family home application? Release of hundreds of pages of documentation on a Friday for a Wednesday review is grossly unfair, especially when there is no process for identifying the changes. I challenge the Planning Department and PEDC to rethink their process and procedures.

Thank you for your careful review and detailed consideration of my comments.

Sincerely,

Judith Goddard
SJV #B4, since 2015

To: Town of Mammoth Lakes Planning and Economic Development Commission, Commissioners Vanderhurst, Burrows, Chang and Kennedy

CC: Director Moberly, Mayor Salcido

Date: April 12, 2022

Subject: Opposition to proposed Villas-III development plans at 100 Callahan Way

I am writing again to oppose the Villas III subdivision application because it would have significant direct negative impact on quality of life for so many Town residents. The specific reasons for my disapproval are very clearly documented in opposition letters sent previously, and listed below, which I support.

My last letter was sent March 2nd, the same day that the scheduled March 3rd PEDC hearing was unexpectedly cancelled by the Planning department. Given the abrupt cancellation, it is unclear whether Commissioners received my letter. For that reason, I am attaching it here for your review.

The thought of the Villas III duplex units 22-25 built in such tight proximity to our SJV homes is highly distressing and has multiple negative impacts on health and quality of life of our residents, including:

- Blockage of *existing* sunlight to E-building's south-facing 1st- and 2nd-floor rooms and decks, which will put our living spacing into permanent shade months, cause increased heating costs, increased snow accumulation and decreased snow melt which will create safety issues.
- Loss of privacy due to the proximity of the duplex units just 30 feet away, especially with their decks and rear windows looking down and into our homes.
- Significant noise from the 4 proposed duplexes, the buildings size and proximity will amplify and ricochet noise from multiple decks / open windows in the narrow distance between us.

The Villas III proposal requires *real* and *substantial* corrections: The misleading and erroneous "solar study" in the 2022-03 Staff Report, uses unmistakably incorrect building proportions to fabricate a scenario showing less of a negative impact on SJV E-building during winter than true reality. A fact-based shadow analysis by an *independent* entity is required to assess the negative impact Villas III units 22-25 will have on SJV E-building. The inconsistent front setback vs primary development entrance must be addressed with significantly increased setback between SJV and proposed duplexes. The inconsistent proposed "limited" access gate on Callahan must be clarified and properly addressed. The concerns regarding the outdated 32-year-old Program EIR have not been adequately addressed; as previously highlighted a 152-page addendum with four technical appendices is clear evidence that the PEIR is not adequate and that there are new potential impacts/changed conditions that should have been addressed via a new EIR. The concerns regarding Callahan Way existing safety concerns, which will be further exacerbated by increased Villas III traffic especially overnight renters unfamiliar with winter driving conditions, require mitigation.

Thank you for your considered and thorough review.

Kimberly Taylor
SJV, Unit E6 since 2009

Submitted Public Comments opposing Villas III that I endorse:

Judith Goddard (Apr 13)
Lindsay Barksdale (Apr 13)
San Joaquin Villas HOA (Mar 3)
Donna Mercer (Mar 3)
Christian Newsom (Feb 9)
Gina Varieschi (Feb 9)
Lindsay Barksdale (Feb 9)
Anonymous – Joaquin St. (Feb 9)
Donna Mercer (Apr 13)
Sue Farley (April 13)
Kimberly Taylor (Mar 3)
Judith Goddard (Mar 3) #1, 2
Jaime Pollack (Feb 9)
Kimberly Taylor (Feb 9)
Jeremiah Mann (Feb 9)
Robert Frichtel (Apr 13)
Eric Taylor (Apr 13)
Eric Taylor (Mar 3) #1, 2, 3
Sue Farley (Mar 3)
Regina Fink (Feb 9)
Sue Farley (Feb 9)
Eric Taylor (Feb 9)

To: Town of Mammoth Lakes Planning and Economic Development Commission, Commissioners Vanderhurst, Burrows, Chang and Kennedy

CC: Director Mobley, Mayor Salcido

Date: March 1, 2022

Subject: Opposition to proposed Villas-III development plans at 100 Callahan Way

I am writing to again request that you as PEDC commissioners **do not approve** the Villas III application due to significant concerns regarding errors, inaccuracies and inconsistencies in the Staff Report and its bias toward the developer.

This proposed Villas-III development would have direct negative impact on quality of life on the residential community whose properties are adjacent to the planned project, particularly for the residents of 28 two-story San Joaquin Villas townhomes and their residents, over 70% are occupied by full-time Mammoth workforce and their families.

At the PEDC 2022-02-09 hearing, ToML attorney Andy Morris reminded everyone of the importance of specific findings and consistency within the application, and he stated that findings for denial would include inconsistency with plans, zoning, and such. The resultant 2-2 planning commission vote provided the ToML planning department and the developer with ample time to address the many issues; despite the additional time the concerns and inconsistencies remain.

These concerns include:

1. Erroneous, Flawed, Misleading and Biased “Solar Study”
2. Inconsistent / Missing pre-existing existing easements
3. Biased Justification for Use Permit UPA 21-006
4. Inconsistent Front Setback vs Primary Development Entrance
5. Inconsistent Proposed “Limited” Access Gate on Callahan way
6. Inconsistent Building Height Adjustment request ADJ 21-006
7. Inconsistent Fence Along Multi-Use Public Trail
8. Lack of Resolution to Enforce Compliance to Low Incoming Housing Ordinance
9. Renaming of Callahan Way
10. Construction Vehicle Access

Each of these will be discussed in further detail below.

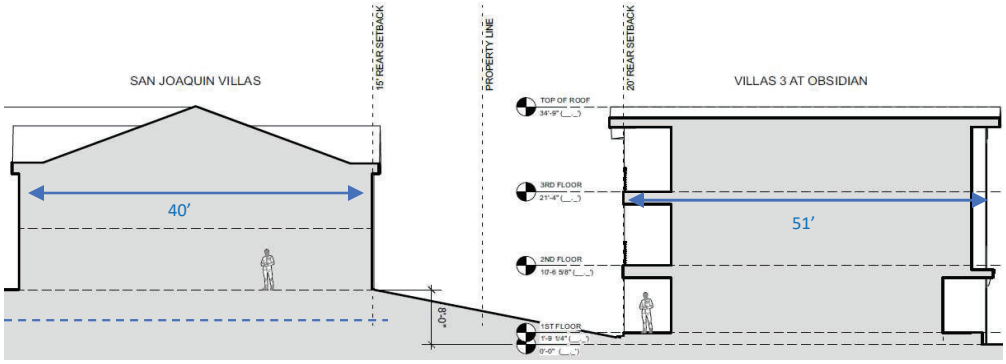
1. Erroneous, Flawed, Misleading and Biased "Solar Study":

A.) Erroneous, Flawed, Misleading and Biased "Solar Study"

The "solar study" provided by the architect in the Staff Report 2022-03 Attachment 2 (pp. 69-74 / 74) is not based on fact.

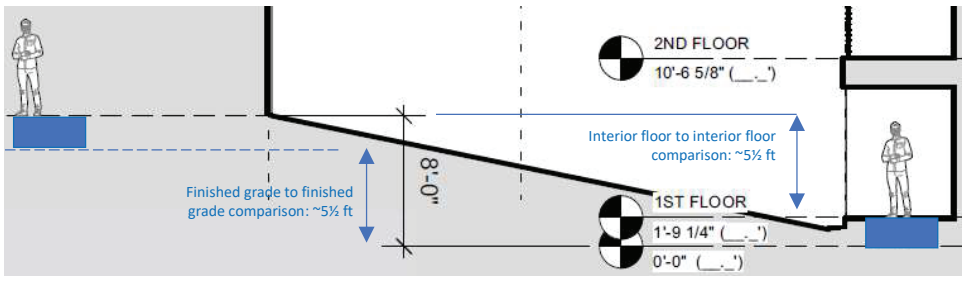
This so-called "study" does not use actual building dimensions and is a deceitful attempt to deliberately misconstrue the negative effect that the Villas III duplex units 22-25 will have on San Joaquin Villas (SJV) E-building. To start, their "study" misrepresents size of the buildings to downplay the difference of the structure size.

The "study" shows each building's length to be equal, which is incorrect. In fact, SJV's length is 40' and **Villas III duplex length is 27.5%** longer at 51'.



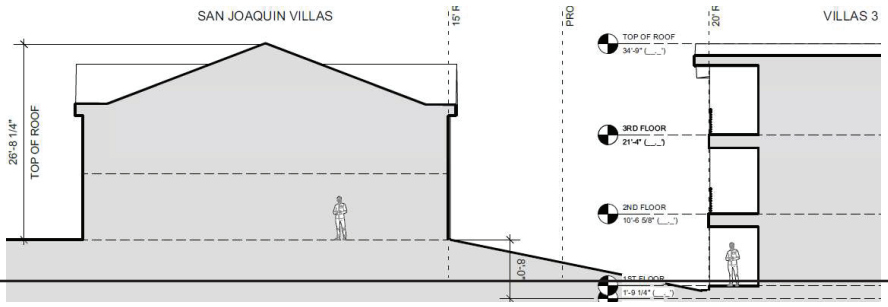
Additionally, this study **misrepresents the relative height** between the SJV E-building and Villas III duplexes by using inconsistent refence points between the two structures. Maximum building height is measured from the finished graded adjacent to the building exterior to the highest roof peak. This "study" does not use "apples-to-apples" references. Both structure heights should be measured from finished grade (indicated by horizontal blue dashed line on SJV image, and the zero-reference on the Villas III image).

This study "accidentally" measures its concluded 8-foot elevation change from SJV's first floor (higher) to Villas III's finished grade (lower). **This study is in fact showing the elevation change is only about 5 ½ Feet.**



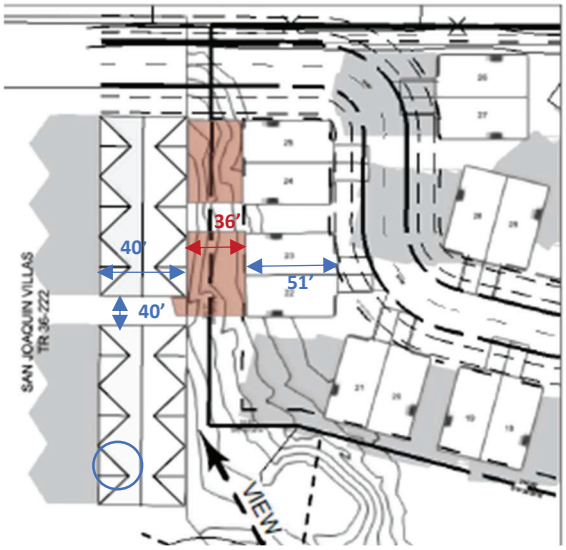
By mispresenting both the SJV image proportion and the incorrect height reference point, this "study" attempted diminish the actual impact of the Villas III duplex 35-foot height.

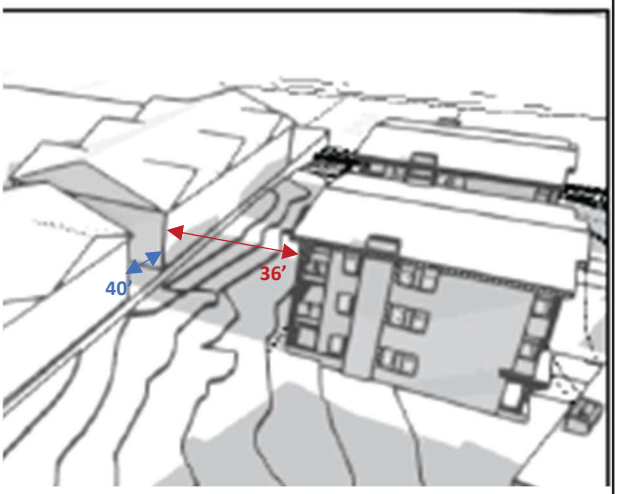
This "study" also misrepresents the relative **Heights** of the SJV E Building and the Villas III duplexes (p. 69/74). It shows the tops of the 2 buildings to be the same height. It claims SJV is 26'- 8 ¼" and Villas III is 34' - 9" tall. The actual difference in height would be 8'-3 ¾". However, the previous paragraph proves that the Elevation Change is actually about 5.5'. Their error is almost 3' in height, which is an **error of more than 10% relative to SJV's height.**



The **distances between buildings** are also misrepresented, as can be seen by the images below with the actual dimensions applied.

The distance between Villas III and SJV E-building (36') is shown inaccurately as significantly larger than the distance between SJV's E- and D-buildings (40').

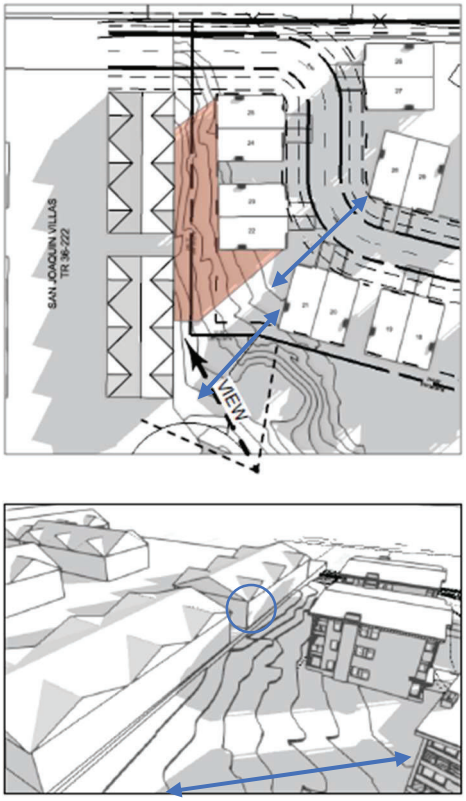




Further, these same "study" pages illustrate the significant size of the duplex shadows cast by the other duplex units and yet try to minimize that effect when the shadow strikes the SJV E-building.

WINTER SOLSTICE, DECEMBER 21ST

9AM

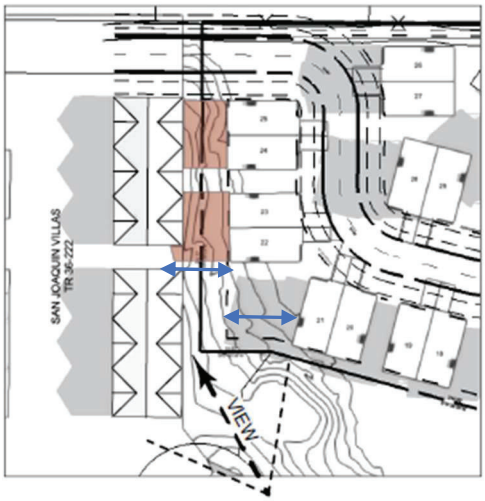


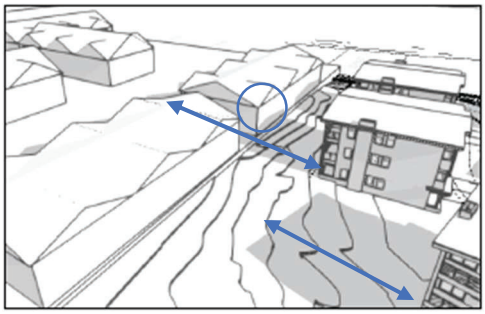
The Solar Study (Project Plans p.72/74) shows these Winter Solstice 9AM long shadows cast by Units 28 and 18-21 (blue arrows) are approximately 120 feet long. The (orange) indicates shadows cast by units 22-25 onto E-building.

These Winter 9am shadows cast by units 22-25 (orange) will impact and overshadow SJV E-building and half of SJV D-building by a significant amount.

Yet this simulated study inconsistently indicates my home will get sunshine during this long shadow period when units 22-23 are just 36' away ?? – inaccurate.

12PM





These Winter Solstice 12PM shadows cast by units 21 (shadow length indicated by blue arrow; note both shadow length and width) compared to units 22-25, which are the same size and would cast the same size shadow.

The second blue arrow shows the length expected from units 22-25, however the lower image unexpectedly shows sun on the E-building when the unit 21 shadow length clearly indicates there would not be sun in this location.

The Staff Report 2022-03 Figures 10-12 (pp 8-10) and Attachment 2 Project Plans (pp . 69-74) fail to use actual building dimensions of either the Villas III Duplex units 22-25 or San Joaquin E-building. By using **unmistakably incorrect building proportions**, the developer has <u>deliberately fabricated a scenario that provides a false impression</u> of lessening the negative impact of building shading on SJV E-Building during the winter months than the true reality.

Given the flawed solar study: Let's *pretend* for a moment the building dimensions used *were correct*… If we review the Solar Study as presented, it confirms the adjacent San Joaquin Villas property (E-building and D-buildings) would be impacted by, and in greater shadow as a result of, the presence of the Villas III duplex units 22-25. Now, had the solar study used accurate dimensional information the negative impact would even greater.

Plus, had this "study" included the added 4 to 10 feet of snow that will accumulate on these flat roofs (1.5 / 12 slope) during winter, then the shade cast on SJV would be another 30% greater.

This impact was not addressed in the either PEIR or the EIR Addendum and has also had no public review. In addition to the aesthetic impacts, including loss of sun during winter months, this greater shadow could cause **increased snow accumulation, decreased snow melt, and increased energy and snow removal costs** to the SJV residents. These impacts to the adjacent property must be addressed in an Initial Study.

Staff Report inclusion of this flawed study is another example of bias toward the developer. To rectify this egregious and deceptive attempt to sway benefit to the developer, I request the PEDC **require a fact-based Shadow Analysis be conducted by an <u>independent</u> entity using true and accurate building dimensions and spacing to factually represent the significant negative** impact the Villas III Duplex units 22-25 will have on SJV (E-building) during the winter months.

B.) Biased Design Review Conclusion:

The Staff Report 2022-03 only addresses concerns about the Obsidian property to the south **with no consideration for SJV property** despite the fact that **Villas-III duplexes will be closer to SJV**. **This selective approach shows a clear bias for the developer** and **disregards the negative impact** upon the community including the two-story SJV townhomes immediately to the north which are physically closer than *any other* neighboring property. If there had there been a comparison of the proposed Villas III 3-story duplex design with the San Joaquin Villas townhomes the Staff Report would have reached a negative conclusion.

Further, to address issues raised in both 1A and 1B, I request PEDC **require the following mitigations** to address the Size / Scale / Setback and increased shadow discrepancies that close-proximity enormous Villas III duplex units 22-25 will have on the immediately adjacent SJV (E-building):

I. **Eliminate Duplex units 22-25** from the design plan.

II. **At a minimum,** if those units were to remain included, **require duplex units 22-25 to have an increased setback of 50 feet**.

III. <u>Independent Shadow Study</u>: Require a **Shadow Analysis be conducted** by an **independent** entity using accurate building / setback dimensions to factually represent the significant negative impact the Villas III Duplex units 22-25 will have on SJV (E-building) during the winter months.

<u>Privacy / green natural barrier</u>: Require Villas III developer / subsequent owners/HOA be held responsible to install *and **maintain*** **a significant "green" natural barrier** between the Villas-III development and neighboring residences, specifically between duplexes 22-25 and San Joaquin Villas units E1 to E6

2. Inconsistent / Missing pre-existing easement on Villas III development plans:

Public Multi-use Path 12-foot easement for Mammoth Lakes Trail System. This issue was raised during the 2022-02- 09 hearing and inconsistency remains showing the 12-foot easement being vacated for the publicly funded Multi-Use Public Path (TTM 36-222). As currently stated, the development will absorb a portion of the previously approved 12-foot easement for the Mammoth Lakes Trail System.

3. Biased Justification for Use Permit UPA 21-006:

Resolution No. PEDC 2022-03, Section II Municipal Code Findings for Use Permit section makes the following claims:

A.) Findings for Use Permit (Paragraph A.1, page 3/178) states the proposed project "features a clubhouse and other on-site amenities that are not available within traditional multi-family developments".

The Villas III development plans do not include plans for a clubhouse, or other such onsite amenities as claimed. Further the Villas III development plans do not substantiate how this claim will be met. Both the Tallus / Obsidian I (Obsidian Private Residences Club) and Obsidian II (Villas at Obsidian) have their own separate and unique HOAs. Of these, only the Tallus / Obsidian I development has clubhouse / amenities, and which is owned and controlled by the Obsidian Private Residences Club HOA.

B.) Findings for Use Permit (Paragraph A.2, page 3/178) states the proposed use "will not be detrimental to the public health" and (Paragraph A.3, page 3/178) improperly concludes "Therefore, the proposed transient use of the site is consistent with other development in the vicinity".

This Staff Report conclusion is incorrect and ***grossly biased*** toward the developer, and it *deliberately ignores* the San Joaquin Villas workforce community *immediately adjacent* to the Villas III proposed development. The Staff Report review gives no consideration to disturbances from transient occupancy adjacent to a workforce community. The proposed Villas III development plans will severely impact quality of life and mental health for San Joaquin Villas residents.

Both of these inconsistencies need to be resolved and corrected. I **request the following mitigations** to address the noise and loss of privacy from the result of close-proximity transient overnight rentals:

i. Transient Rentals (Units 22-25): **Deny Use Permit Request UPA 21-001; do not allow transient overnight rentals in Villas III Duplex Units 22-25** due to the close proximity to the immediately adjacent SJV workforce community.

ii. Hot Tubs: **Do not allow exterior hot tubs on *any* Villas III duplex unit. Require that developer is not allowed to install either plumbing or electrical utility to any deck.**

4. Inconsistent Front Setback vs. Primary Development Entrance:

The Staff Report 2022-03 (p.12 /22) describes the Villas III development setbacks per municipal code §17.74.030 for RMF-2 zoning and states "The **front setback (25-feet)** has been applied to the southern property line as it is where the primary access to the project site will be taken through the existing

Obsidian Development (the project is required to be annexed into the Obsidian HOA)." This claim of primary access point is inconsistent with other parts of the Staff Report and Resolution.

The Staff Report / developer have misconstrued the northern SJV / Villas III border as the "Rear" and have applied the minimum rear setback of 20-feet to the SJV / Villas III property line. This is blatantly inconsistent with defined setbacks required and therefore the **front setback of 25-foot must be applied to the north property line** adjacent to SJV.

The Villas III development is clearly targeting Callahan Way as the primary entrance point with the proposed Access Gate, this since Dorrance is defined as Emergency Egress easement only, and the Tallus / Obsidian I main entry at Meridian is owned and controlled by its Obsidian I Private Residence Club HOA. There is no evidence provided to show any agreement that Obsidian Private Residence Club HOA has or will grant passage through their private access gate from Meridian Blvd.

Thus, the Callahan Way entry is clearly the planned primary entry into the Villas III development and therefore the SJV / Villas III property border is the "Front" of the property. Thus, the Staff Report must be revised to state "The **front setback (25-feet)** has been applied to the **northern** property line as it is where the **primary access to the project site will be taken via Callahan Way.** And the Tentative Tract Map must reflect the 25 foot setback on units 22-25.

Require clarification and correction:

- If Callahan Way *is* the primary entrance, then the northern SJV / Villas III property border must be defined as the **front and the front setback (25-feet) must be applied to the north property line** adjacent to SJV.
- If Callahan Way is *not* a primary entrance, then action is required to ensure that **only the Meridian entrance** is the primary entrance, and the proposed Callahan gate should be emergency or exit only.

5. Inconsistent Proposed "Limited" Access Gate on Callahan Way at current terminus:

A.) PEDC Resolution 2022-03 Standard Planning Conditions #1 states "*The proposed limited access gate on the north end of the project on the private Callahan Way road will require a subsequent use permit and is not part of this approval."*

The statement directly conflicts with Resolution PEDC 2022-03 (page 41/178) which states that there will be a gate on Callahan Way. Further, Special Planning Condition # 31, (page 15/178), describes the required gate elements. This implies that the gate design will be approved as part of the 2022-03-02 PEDC hearing – this is unacceptable, due process must be followed. **The Resolution must be updated to remove the conflicting statements that imply that a gate is being approved as part of the 2022-03-02 PEDC hearing.**

B.) While it is understood per PEDC Resolution 2022-03 that the gate *"will require a subsequent written permit and is not part of this approval"*, I am Clearly ON RECORD in opposition to Callahan Way as the primary entry/exit for the proposed Villas III development. An entry gate at Callahan Way would negatively impact SJV residents, especially with transient renters arriving in late night / wee hours of the morning.

There are numerous concerns related to a proposed gate in this location. **I request the following mitigations** as part of a future Callahan gate design and location and its *future approval process*:

I. Expressly prohibit any type of speaker communication system (e.g. call box, speaker-amplified keypad, etc.) at the gate location for communication purposes into the Villas III development in order to prevent emanation of vocal/beep noises, that would disturb SJV residents, especially during sleeping hours, particularly late-night arrival of transient renters or returning from bar/restaurants after night out.

II. Require that the gate be activated only via radio-frequency remote, RFID-card or similar silent mechanism.

III. Require that the gate design incorporate a "soft-close" gate to prevent clanging that will disturb SJV residents, especially during sleeping hours.

IV. Require that the PRIMARY entrance for Villas III be through Obsidian via Meridian and that this be actively enforced.

V. Require that the Callahan Way gate be used only for emergency access, or that it be solely used to exit the Villas III development.

VI. Require that, if the gate were allowed for entry access, entry time be limited to daytime/early evening hours (e.g. 8am-6pm) with afterhours access mandated via alternate Obsidian entry points such as Meridian or Dorrance.

VII. Require that the gate follow ToML code that in the case of malfunction, the gate shall automatically open and remain open for the extent of the malfunction.

VIII. Require that the gate design does not impede access to Public Access Trail nor block visual sight of Public Access Trail so as to dissuade casual users from utilizing the trail.

IX. Require that the gate does not impede snow removal from Callahan Way, which is 100% the responsibility of the Developer

6. Inconsistent Building Height Adjustment ADJ 21-006:

I object to the request for height adjustment ADJ 21-006. Per ToML municipal zoning code §17.36.060 a *maximum* building height of 35-feet for lots with 0-10% slope. The Lodestar Master Plan states the same 35-foot *maximum* building height for resort zones within Lodestar at Mammoth Master Plan Development Area 2.

ADJ 21-006 requests a building height increase from 35ft to 37.5ft for three single family homes.

Significant inconsistency exists between the Staff Report 2022-03 (page 4/22) and ADJ 21-006 / Resolution PEDC 2022-03 Findings for Adjustment (p. 6/178, paragraph C-1). The Staff Report claims "A 7.1% building height increase (37.5 feet vs 35 feet maximum height) is requested for the three single-family residences in order **to accommodate building infrastructure and maintain visual continuity** with the existing Obsidian development to the south"; the resolution sites **safety**.

The claim of "safety" is based on allowing a 3:12 roof pitch for the three single-family houses as justification for exceeding the 35-foot height limit. However, the 15 duplex structures within the same development which are held to the same requirements only utilize the lesser 1.5:12 roof pitch, which per this rationale would be considered unsafe. This justification **does not meet** the requirement per Municipal Code §17.76.020 for a height adjustment approval. Instead, this is simply a barefaced attempt to bypass the existing maximum building height code purely for the

developer convenience and smacks of bias toward the developer to allow such blatant failure to follow existing code. The PEDC should enforce the ToML maximum building height code consistently. **Do not approve Height Adjustment ADJ 21-006.**

7. Inconsistent Fencing Along Multi-Use Public Trail:

Resolution PEDC 2022-03 Special Planning Conditions #36 (p. 16/178) is inconsistent with TTM 21-001. The Resolution states the 6-foot solid fence is on the **eastern** property line, the TTM shows the fence along the **western** side of the multi-use trail.

Also, Resolution PEDC 2022-03 Special Planning Conditions #37 (p. 16/178) does not provide any justification for use of a split rail fence in areas where fencing is not required by municipal code.

Do not approve this Resolution, and **require** the following corrections:

A.) **Revise Tentative Tract Map (TTM) 21-001** to be consistent with the Resolution to show the fence on the **eastern** property line, and only in the locations mandated per code.

B.) **Revise TTM 21-001** to clearly identify the areas where the solid fence is not allowed.

C.) **Revise TTM 21-001** and **Resolution No. PEDC 2022-03** to eliminate split rail fence references.

Additionally, I also object to the following aspects related to this proposed development application:

8. Lack of Resolution Condition to Ensure Compliance with Low-Income Housing Ordinance Requirement:

PEDC Resolution 2022-03 Standard Planning Conditions # 26 (p. 15/178) states "*The affordable housing requirements for this project shall be mitigated in accordance with the Town's Housing Ordinance in effect at the time of building permit submittal*."

Also, PEDC Resolution 2022-03 section "Prior to Issuance of a Temporary, Conditional, or Final Certificate Occupancy, the Following Conditions Shall be Completed" Condition # 95 (p. 23/178) "*Recordation of the final map. The applicant shall provide evidence to the Town that the map has recorded prior to issuance of the first building permit for the project. Evidence shall consist of the recording information of the final map*."

The PEDC must **require an additional condition to ensure that agreement is reached to ensure compliance to the Low-Income Housing Ordinance before building permits are issued.**

9. Resolution PEDC 2022-03 Special Engineering Conditions # 111, re potential Callahan Way renaming:

This change will negatively impact SJV residents, many of whom have resided at 61 Callahan Way since 2008. For these individuals, changing street names after so many years will result in real costs and added financial burden, many of whom are Mammoth workforce on limited budgets, to change existing documents to reflect new street address (mortgages, property titles, utility bills, etc.) and create unnecessary confusion for local and visitors alike.

- Who will cover the costs to the SJV and other local residents impacted by this inane change?
- Who will cover potential late fees/damages resulting when an address change is missed or not made in a timely manner?

- Why must the local SJV residents who will already be so negatively impacted by the Villas III also be saddled with this financial burden and unnecessary documentation hassle solely for the developer's desire to have an "Obsidian" address??

10. Construction Vehicle Access via Callahan Way:

Construction vehicle access via Callahan Way should not be allowed since extended construction traffic would have significant negative impact on the adjacent SJV residential community. Additionally, entry into Callahan Way is through an already hazardous combined intersection consisting of Callahan Way - Frontage Road - Main Street - Mountain Blvd. This intersection is comprised of tight corners, is not conducive to construction traffic, and would block the sole SJV entry/exit route should a traffic accident occur as a result of oversized equipment transiting via Callahan. **Require that Villas III construction vehicle access is not allowed via Callahan Way.**

CONCLUSION

I request the Planning Commission **REJECT** the Villas-III development application for 100 Callahan Way submitted by Mammoth Spring Resorts, LLC due to the errors / inaccuracies / inconsistencies discussed herein which must be adequately addressed.

Thank you for your considered and thorough review.

Kimberly Taylor
SJV, Unit E6 since 2009

Michael Peterka

From: Lindsay Barksdale <lindsay.barksdale@gmail.com>
Sent: Monday, March 28, 2022 4:01 PM
To: Eric Taylor; Michael Peterka
Subject: Public Comment for Villas 3 at Obsidian
Attachments: Planning Commission Letter 3-28-22.docx

[EXTERNAL EMAIL]

Dear Mr. Peterka,
Thank you for passing along my public comments to the planning commissioners and to the developer of Villas 3. My letter is below and also attached.

Dear Planning Commission and the Developer of Villas 3 at Obsidian:

Thank you for your time to thoroughly review the Villas 3 at Obsidian development project. I appreciate many of you speaking with me on the phone or in person over the past few weeks.

I am still concerned with the proximity and height of units 22-25 with regard to San Joaquin Villas (SJV) Building E. Units 22-25, as proposed, are broad, very tall and imposing. They tower over the existing SJV Building E and throw it into shade and shadows for the entire day, diminishing quality of life for residents. The back of Units 22-25, which house the living spaces and bedrooms, will stare directly into the living rooms and bedrooms of the existing SJV Building E. Can smaller and shorter buildings be planned for this area? Or can the existing building be angled so both the living spaces of the new units and living spaces of SJV Building E are not staring directly at each other? Or could this area be changed into a community open green space and also be used as snow storage in winter?

With the current affordable housing shortage, what if units 22-25 were made smaller and more affordable for our local workforce? You would have new affordable units backing up against current affordable units. My current affordable townhome is 1,100 sq ft with 4 bedrooms. The developer could create 4 units within each 6,460 sq ft building in the current plan and sell double the number of units per building, each for half the price of the original plan. Or make the buildings half the height and half the size to fit better within the existing neighborhood and sell the smaller units for half the price, as perpetually affordable units. The developer would be deemed a local hero for thinking outside the box and supporting our local community.

Other concerns I have revolve around the use of Callahan Way as an entrance and exit for Villas 3 at Obsidian as well as snow storage for snow removed from Callahan Way. The plans say the use of the existing gate at Meridian will be used for Villas 3. I would like it clarified whether the Meridian entrance/exit will actually be open for Villas 3 because rumor around town (yes, we are a small town and rumors abound) is that Villas 3 will not be able to drive up past the existing Obsidian units and clubhouse. If Meridian is not going to be used then Callahan Way will become the only entrance and exit for Villas 3. Callahan way is a sneaky uphill when trying to get up to Main Street in the winter. More use will cause congestion and more stuck cars during snow storms, to say nothing of the wiggly tight turns to turn from Callahan Way, onto Frontage Road and then up onto Main Street. This awkward junction causes issues all the time during storms and icy conditions. I urge the Planning Commission to discuss and get clear answers from the developer on access roads for this project.

Regarding snow removal and snow storage from Callahan Way, currently Callahan Way snow is stored in a huge pile at the base of Callahan Way where the forest begins. The project snow removal plan states that snow removal will utilize trucking out of snow, but snow is trucked out after the storm passes. What will happen to snow during our big storms to allow access for local residents? If this junction at the base of Callahan Way becomes the current proposed entrance gate into Villas 3, I would like confirmation about a useful and timely plan for snow removal and snow storage.

Is the proposed gate on Callahan Way necessary? I am concerned that the proposed gate will deter users of the public path on Callahan Way and down through the Villas 3 project. This path from Main Street is very popular and I would hate to see public users come down Callahan Way, see the private gate and get confused about accessibility. Even if there is an opening for the public path next to the gate, I believe it would be a visual deterrent for the public to see a gated road as they come down Callahan Way. The opposite end of the public path, near Meridian, does not come in next to the Obsidian gate. It comes in from Joaquin Street and curves over next to the newer Obsidian property. I ask the project developer to rethink the need for a gate on Callahan Way.

I appreciate your consideration of the impact this project, at its northern end, will have on the existing neighborhood due to the height and proximity of units 22-25, the added traffic on Callahan Way, the reduction of current snow removal areas created by the new road into the project, and the limited access to the public path caused by the proposed gate. I feel confident the Villas 3 at Obsidian project will be a positive addition to our neighborhood with some additional changes to the project plan.

Sincerely,

Lindsay Barksdale, Homeowner at San Joaquin Villas

April 2, 2022

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

CC: Mayor Salcido, Council Member Rea, Council Member Wentworth, Council Member Sauser, Council Member Stapp, Director Mobley

FROM: Robert Frichtel, San Joaquin Villas, E2

SUBJECT: Villas III Development – Quality of Life

Commissioners Vanderhurst, Burrows, Chang, & Kennedy,

I am deeply concerned about the proposed Villas III duplexes (units 22-25) directly behind my home. I live at 61 Callahan Way, in San Joaquin Villas Unit E2 with my wife Andrea and our 2 children, Lila (9) and Zeke (7). I work at Mammoth Hospital as a Purchasing Analyst and have been employed there full-time since March 2017, and my wife works at the hospital also. Our children go to school at Mammoth Elementary. Andrea and I chose to move to Mammoth Lakes in 2016 to increase our family's quality of life, to enjoy a supportive community, and to participate as active community members.

Mammoth Lakes is a family orientated community with natural beauty and open spaces, which was a large draw for us to move here. We did not want to feel crowded and wanted a quiet and stable location to recharge after work and help our children with schoolwork and learning. We looked for a place with dependable neighbors and a healthy environment. We were very happy to find and buy our SJV home and it has been a wonderful place. Up until now.

The planned Villas III units 22-25 will be 30' from our home and will have a very negative impact on my family. I am very concerned about their property's **noise at night, nightly renters, loss of sunlight and increased shade, loss of privacy, negative impact to our emotional state, increased heating expenses, and dangerous ice in our emergency exit.** If these 2 duplexes are built the **Quality of Life** drops significantly for my family and my neighbors.

IF units 22-25 are built just feet from our home:
Noise. Their conversations, parties, music, and TV noises from residents and overnight renters will keep us up at night and wake us up. Open windows and their 2nd floor balconies will be a never-ending source of disturbed sleep and rest for my family and me. We go to bed between 8pm and 10pm nightly, and everyone in my family wakes up for work or school at 5:30am daily. Noise near our bedroom windows will be a huge problem. Poor sleep will affect our children's learning, and poor sleep will decrease our performance at the hospital where Town residents need us at our best.

Use Permit. The application for overnight rentals should be denied. Overnight renters right behind us will be a huge problem, and all the Commissioners talked about their own problems with overnight renters at the February 9 PEDC hearing. Renters come and go at all hours of the night and are loud and increasingly disrespectful of Town residents, and Villas III renters will not know that SJV is workforce

housing. Transient use creates so much unpredictability for us residents - when will we be woken up? When can we enjoy our home in privacy?
The Lodestar Master Plan does not guaranty transient use rentals for this land, and this Villas III development **does not inherently have the right for overnight rentals**. This development will only be allowed transient use renters IF the PEDC chooses to approve the Use Permit. How can the PEDC vote for the Use Permit when it causes so many negative mental and physical health affects to my family and SJV residents? Before a Use Permit can be approved the Town's code requires that it "not be **detrimental to the public health… in the vicinity because of transient use.**" SJV residents are definitely "in the vicinity" and the thought of transient use is causing extreme levels of emotional distress, sleepless nights, and mental health concerns for SJV residents. If approved, our health is jeopardized.

Privacy. We will lose all sense of Privacy in our own homes. These Villas III units will have balconies and windows that face directly into our bedrooms and living room. Why build multi-million-dollar homes staring into workforce housing? As permanent full-time residents we need our privacy at home to rest and "recharge." One of our favorite weekend activities is relaxing on our deck in the morning, enjoying family time with our coffee and sunshine. If built, our privacy will be completely lost. Their balconies and windows stare down on SJV decks, and the units block our sunshine.

Sunlight. If built, these duplexes will block all rays of sunshine to our home in winter, and most of the time in fall and spring. We will be in constant shadow and our home will be much colder. The lack of sunlight will likely affect our children emotionally. There is a common disease called Seasonal Affective Disorder (SAD) that is caused by too little sunlight that we want to avoid. Medical research proves that SAD is a type of depression, and it makes concentrating and learning difficult for children and adults. Daylight is already limited from Fall to Spring, especially here at Mammoth's elevation. These 2 duplexes will be a WALL over 100' wide x 35' tall that blocks the sun and puts us in the shadows.

Shadows. In addition to the duplexes blocking our sunlight, the snow piled up on their roofs will block more sunlight and cast larger shadows. There is very little pitch to these Villas III duplexes and snow is going to accumulate by 3, 4, maybe 6 feet or more. SJV's roofs have a high pitch but they are still covered with 3' to 4' of snow in winter before the roof is cleared by professional snow removal crews. After a big storm these roof crews are in short supply and high demand across Town. Any kind of true shadow analysis needs to factor in the added roof snow throughout winter into spring.

Heating Expenses. To state the obvious, all the shade from these duplexes will block the sun's radiant heat, and our home will become significantly colder. Our home's heating expenses will go much higher, and this is negative for our budget. These higher costs won't only impact E2, all my SJV workforce housing neighbors in the E and D buildings will pay higher bills too. Some neighbors already work with a very tight budget, and higher heating bills will make it worse.

Snow. These 2 duplexes, if built, would run parallel to our building for over 100' and stand only 20' from our property. Our backyard will be buried in snow all winter and spring. Snow from their 35' tall roofs will blow off into my yard and deck. When their roofs are cleared of snow, their roof closest to SJV will unavoidably be shoveled towards us. I know the Staff Report says those roofs will slope away from SJV, but this misses the point. When roofs are cleared that snow piles up away from their building and those

snow piles will often be 10' - 15' tall. Those Villas III piles of snow will fall and expand onto SJV property that is only 20' away.

Shoveling. I already spend many mornings shoveling snow from my back deck after storms and roof clearings (See Attached Photo). As an example, SJV's roofs get so much snow they must be cleared multiple times every winter when 3' to 4' of snow piles up. This was needed twice during this past December's storms. (See Attached Photos of our deck that faces south). As a full-time employee at the hospital and full-time father I don't have the time or energy to be shoveling unwanted snow coming off luxury duplexes built way too close.

Ice & Safety. Please try to imagine the volume of roof snow from both SJV and Villas III units 22-25 in the 30' gap between SJV and Villas III. This snow will be 100% in the shade and will not melt all winter and spring. On the first warm day the top surface will melt and then re-freeze overnight. Our backyards will be icy and dangerous for my children, my wife, my neighbors, and me for many months and into summer.
Except for the front door, SJV's back door to this area is our only emergency exit and ice and snow will be a danger to our community's safety.

Wildlife. My family and I enjoy viewing wildlife from our back deck. We have watched a mama bear raise two sets of cubs these past few years and it connects us to nature. We regularly see bears climb up the big tree behind our home and sleep in the branches all day, then climb down in the evening. This exceptionally large tree provides a resting place for even the biggest bears, or a family of bears like this mama (see Attached Photos) and provides them with a safe haven. Bears run to and climb this magnificent tree when they're scared by a dog, aggressive human, or anything threatening. The mama bear and cubs rest and play near the base of this tree knowing it provides the perfect safety escape (see Photo). Unless this development's goal is to permanently extinguish bears in this area, this tree should be preserved along with others that offer safety.

I do understand the land is owned by the developer and he has rights, but this development will kill an incredibly wonderful wildlife corridor for bears and other animals. This very parcel of land, that the developer plans to clear-cut, has a Black Bear population density that is one of the highest anywhere on Earth according to scientists.
Scientific researchers conducted a DNA-based CMR "hair-snare" study just a hundred feet south of SJV, according to my SJV neighbor living here at the time. That study collected hairs from bears on this parcel over a 3-year period and the scientists ran DNA tests on those hairs. They found that dozens of bears pass through this land regularly, and the research is published and highly respected. Fusaro, Jonathan L., *Estimating Populations of Black Bear in Mono County, CA* (2014), and Fusaro et al., *Comparing Urban and Wildland Bear Densities* (June 2017).

My neighbor also tells me that Steve Searles of Mammoth Lakes and global "Bear Whisperer" fame spent lots of time right behind SJV viewing bears. As you probably know, Searles had an international TV show that video recording only in Mammoth Lakes, and many scenes are of this land planned for Villas III. "The Bear Whisperer" episodes are available on Amazon Prime video today. Many people believe it is Mammoth's BEARS and this international show that attract more international visitors to Mammoth Lakes than anything else. We should not cut down their habitat needlessly. At a minimum, **this tree**

should not be cut down since it allows scared bears to climb up-and-away from trouble (and people) rather than flee into the street and neighborhood and endanger people and itself.

Callahan Way. Additionally, I am also very concerned about adding more traffic on Callahan Way. This road is the only vehicle entrance and exit for SJV residents, and an accident, stalled car or road delay will block essential workers from getting to their work and serving the community. SJV residents work at the hospital and the schools, drive buses and provide transportation, clear snow from roadways and roofs, work for Mammoth's water district and the Town's waste disposal, fix and install plumbing and utilities, provide ski lessons on the mountain and golf lessons on the course, work at restaurants and storefronts and office buildings, work construction projects, manage their own small businesses, and so much more. Callahan is the only route to drive to our workplaces and more congestion creates a problem for services throughout Town.

Dangerous. Callahan Way already poses a dangerous situation to drivers, pedestrians, and bicyclists. To get to it from Main Street there is a downhill sharp right turn onto the Frontage Road and then an immediate left onto Callahan Way. This corner is busy with vehicles and people who are coming and going from the Loco Frijole restaurant on the corner.

Callahan Way is a long downhill road with homes close on one side and a fence on the other. This road should not be used by out-of-towners trying to navigate and find their rental, especially in the dark or when it is snowing. Callahan gets icy in winter thru early spring and SJV residents walk up and down the street on their way to or from work, shopping, Main Street, and school. Strangers driving on Callahan will pose a significant safety risk to our children that play and ride bikes here. Callahan should only be used as an emergency exit for Villas III, if built. There is no place to stop or to turn around except in SJV's parking lot, and there are many children that play in and around our community.

Gate. Villas III's Tentative Tract Map proposes putting a gate right next to my building. This is a crazy idea. This is a narrow road that requires ongoing snow plowing for safety and access for SJV workers. A gate will prevent snowplows from clearing the road. Vehicles at their gate would block SJV residents from accessing our parking lot. There is no room to turn around on Callahan and it is all downhill.

Snow Storage. There isn't enough snow storage for the 500' long Callahan way now. That snow is piled high and wide next to and behind my building (see Attached Photos). A neighbor says the land behind my building was intended by the developer for Callahan snow storage. This is the perfect place to store Callahan's snow, and Villas III units 22-25 should either be 70' further south or eliminated.

I respectfully request, **do not approve Villas III to build units 22-25 so close to my home**. These buildings will destroy our **Quality of Life** - for **my children, our family, and our neighbors.**

Sincerely,

Robert Frichtel
SJV, Resident and Homeowner

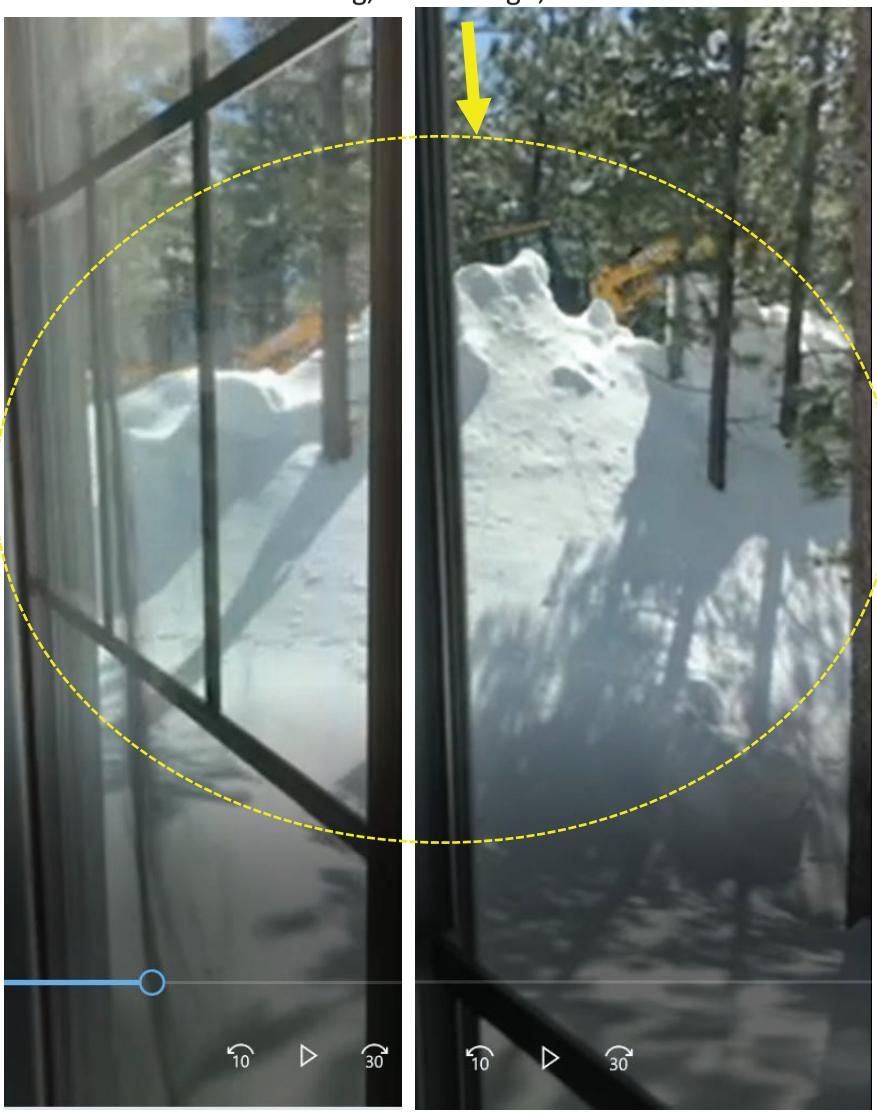
San Joaquin Villas E2. My back deck, facing south-southeast.

E2's deck facing directly south, after shoveling my deck after a snowstorm.

Mama bear and cubs we have watched from our home.
This is the second set of cubs we've seen her raise
on this property to south.

Mama and cubs at the base of their "safety tree."
Ready to climb up and away when threatened.
This tree should be preserved.

SJV E2 from 2nd Floor bedroom. **Facing south-southeast** at 30' tall pile of snow storage at south end of Callahan Way / behind SJV. (2 clips below are from 1 video I took of Loader moving snow further behind SJV E building). This snow storage for Callahan Way is about 100 feet long, 30 feet high, and 35 feet wide.



SJV E2. My back deck, facing directly south.
30' tall pile of snow storage from Callahan Way behind E building.

SJV E2. My back deck, facing south-southeast.
30’ tall pile of snow storage at end of
Callahan Way / behind E building.

From SJV E2 back deck facing south-southeast. South end of Callahan Way & behind SJV E building snow storage. Home on Joaquin Road in background.

To: Mammoth Lakes Planning Commission

Copy to: Mammoth Lakes Town Council

Regarding: Villas III Development Application

Date: April 12, 2022

My name is Sue Farley. I first moved to Mammoth in 1981, and currently reside full-time at San Joaquin Villas #C6, where I purchased my townhouse in 2009. I am retired from a career with the Forest Service, previously working on the Mammoth Ranger District.

This is my third comment letter regarding the Villas III application. I am concerned that the Villas III development application contains elements which present public safety concerns for residents of the workforce housing development at San Joaquin Villas (SJV), and which are not requirements of the Lodestar Master Plan. My concerns include traffic safety and impediments to snow removal on Callahan Way, setback and building heights for proposed Villas III unit #'s 21-25, and permitting of nightly rentals.

I am asking that the Mammoth Lakes Planning Commission and civic leaders reject the current Villas III development application based on the following concerns, and to adopt measures to protect the quality of life for SJV residents, as follows:

- Reject the current application because of inconsistencies for vehicle access with the Tentative Tract Map 21-001, Resolution No. 2022-03, the Staff Report, the Developer's 2/9 hearing statement, and the Planner's 2/9 hearing statement;

- Require revision to the current application for primary access to this development via Dorrance, because the access via Callahan Way is treacherous in winter when ice forms at the steep slope adjacent to the stop sign at the junction with the frontage road: visitors who are unprepared or unskilled with driving on snow and ice are likely to become stuck here, which will block egress for SJV residents, snow removal equipment, and emergency vehicles. Since Callahan Way is the only access point for SJV residents and others, the potential for egress to be blocked by stranded visitor vehicles is a serious public safety concern. Perhaps Callahan Way could be constructed as open public access for through traffic between the Main Street Frontage Road and Dorrance, as this would completely negate safety concerns associated with obstructions as would be seen with the current single point of egress?

- Reject the current application because of inconsistencies for building height with the requirements of the Lodestar Master Plan and inconsistencies for roof slope standards compared to requirements of Safety Standards in Adjustment 21-006 and the project plans;

- Require revision to the current application for building setback and building height, for ensuring public safety in the adjoining SJV workforce housing: all SJV units have only 2 points of egress via the doors at the front and back doors. Snow removal at the back doors is a herculean effort because the work must be done by hand. If the Villas III unit #'s 21-25 are built too close and too tall, then even more snow will accumulate and less snow will melt because of roof-shedding and shading from Villas III unit #'s 21-25. Thus, snow removal at the back of SJV units in building D will experience greater difficulties in keeping egress to their back doors snow-free in winter, which represents a significant safety hazard should there be a need for emergency exit through the back doors.

- Deny the transient use permit for units #21-25 because this is not a requirement of the Lodestar Master Plan for Development Area #2, and because this type of use is incompatible with the neighboring workforce housing and full-time residents who are the backbone of the services industry in this community.

Thank you for your consideration.

Sincerely, /s/ Sue Farley

March 1, 2022

To Whom It May Concern:

I was born and raised in Mammoth, and I recently returned to make this my permanent home. I live on Joaquin Street and my property and privacy will be significantly affected by the Villas III development. I understand that development is inevitable. I address you to express my hopes that the Town of Mammoth Lakes make decisions that will favor local residents over second home owners and money.

First, I ask that you deny the appeal to increase the maximum allowable height of 35' to 37'6". Not only am I going to lose my back yard and the open space behind my home, but I will also lose all of my sun and my views. *Please deny the height increase.* These massive townhomes cast shadows on everything around them. These second homes do not need to be monstrous, nor do they need to have an even greater ecological footprint. What is the point of the height increase? Wouldn't those homes be just fine at 35 feet tall? Please maintain the original building specification of 35'.

Next, this development includes fencing. I question the necessity of fencing. Why fence out the locals from accessing the bike path and their "back yard"? We are the people that are here 24/7 and we access the public path out of our back doors. The occupants of the Forest Creek Condominiums are now unable to directly access the path without having to walk into and through a neighbor's yard. I do not want to do that, nor do I want anyone cutting through my yard to access the path. Furthermore, I do not want the general public using an opening in the fence to cut through my yard to get from the path to Joaquin Street. In my opinion, fencing with sporadic openings will direct people to use those specific access points, thus encouraging trespassing (which can lead to increased crime), and quite frankly, as a single female living alone, increases safety risks.

Additionally, this fencing is supposed to mitigate noise coming from Joaquin Street homes. I have never experienced a problem with noise. However, once multiple units are built behind me and are zoned for short-term rentals, I imagine the noise (from the Villas III units) will be outrageous at times, especially if there

are hot tubs on the decks. A fence will not stop noise from traveling from a second story deck to the homes on Joaquin.

Ideally, the Town of Mammoth Lakes would deem these units as private single-family townhomes, *not to be short-term rentals.* That is my suggestion for a peaceful solution. I believe it is a viable compromise for the people living in the adjacent areas. This would reduce the traffic and the noise that we will be subjected to. It would maintain some of the peace and quiet that we are accustomed to and would show that the TOML values its locals. As I said in my first letter, the last thing Mammoth needs is more short-term rentals and more visitors. We locals live in Mammoth for a reason. Please protect our space. Please protect our community. Please protect our integrity. Please, stand for the locals.

So again, I ask you to make decisions based on how they will affect the locals and not prioritize nightly rentals or second home owners. Please prioritize the locals' well-being, locals' property and its value, and the locals' quality of life over that of second home owners and tourists.

Thank you,

Chelsea Glende
194 Joaquin Street

March 2, 2022

Michael Vanderhurst, Chair, Economic Development & Planning Commission
Commissioner Jennifer Burrows, Vice Chair
Commissioner Paul Chang
Commissioner Jessica Kennedy
Town of Mammoth Lakes
437 Old Mammoth Rd. Ste R
Mammoth Lakes, CA 93546

Dear Chair Vanderhurst and Commissioners,

The Town Planning Division's RESOLUTION NO. PEDC 2022-03 states:

"An addendum is adequate because the Addendum demonstrates that the environmental analysis and impacts identified in the 1991 Lodestar EIR remain substantively unchanged by the Project and supports the finding that the proposed modifications to the original project do not trigger the need for preparation of a subsequent EIR under the criteria listed in CEQA Guidelines Sections 15162."

(Source: RESOLUTION NO. PEDC 2022-03 states in SECTION 1. FINDINGS. I. CEQA. PUBLIC RESOURCESCODE SECTION 21166; CEQA GUIDELINES SECTION 21166; CEQA GUIDELINES SECTION15164 l.c. pg. 2)

This statement is not true, and a new EIR is needed based on a Review by an expert in the field (see below). Many things have change in 30 plus year that need to be addressed. I personally am not a CEQA expert, but a very close friend is.

I asked my friend who is a CEQA expert, who has performed hundreds of CEQA and EIR Reviews for government agencies in California, if he would review this Villas III EIR and Addendum. He agreed and performed a full review. Please see below.

CEQA expert's evaluation and response to the Villas III EIR Addendum:

"The Use of an Environmental Impact Report Addendum for California Environmental Quality Act (CEQA) compliance:

The Lodestar Master Plan Environmental Impact Report, is self-labeled as a Program EIR (PEIR), and therefore has certain constraints on its use for future projects (CEQA Guidelines Section 15168). When used with later activities in the program, those activities must be examined in the light of the program EIR to determine whether an additional environmental document must be prepared (Guidelines Section 15168(c)). If a later activity would have effects that were not examined in the program EIR, a new Initial Study would need to be prepared leading to either an EIR or a Negative Declaration (Guidelines Section 15168(c)(1)).

The PEIR was certified in 1991 and the draft was circulated in late 1990. A PEIR and supporting technical reports prepared 32 years ago is unlikely to fully address the environmental setting of today or adequately document impacts from a project 32 years in future. The public is expected to review the three volume 886-page PEIR to determine if project impacts have been fully documented and mitigated without the benefit of a public review and comment period and then determine if the Addendum constitutes minor technical changes to the PEIR. Authoring a 152-

page long addendum is a clear indication that the Program EIR could not comply with the changes to CEQA practice, case law and to the statue/guidelines that have occurred since certification. To expect the public to review a total 1,038 pages of technical environmental documentation without the benefit of any kind of a review period does not meet the objectives of CEQA.

Addendums are to be used for minor technical changes to the base document and, at 152 pages, including six new technical appendices, the PEIR Addendum is evidence that there are new potential impacts/changed conditions that should have been addressed in new initial study and, if determined to be significant, a subsequent EIR. At a minimum, a subsequent negative declaration that grants the public a period to review the determination that there are no new significant environmental impacts would show that the town cares about informing the public of its analysis and decision. Encouraging public participation is one of the fundamental objectives of the California Environment Quality Act.

Based on the Commission s scheduling of hearings designed to prevent the working public from participating, and including an Addendum without a public review period would appear to be a logical choice to further limit informing the public of the impacts of the project, but in this case it cannot be used due to the changes in project/environmental setting which per Guidelines Section 15168 require the preparation of a new Initial Study and subsequent environmental document.

Examples of effects/project description changes/mitigation changes that are not addressed in the PEIR and Addendum (all text/references from the Addendum):

Addendum page 27:
Mitigation measure 4.10-1(d) from the PEIR required that:
In order to reduce visual impacts, a forested buffer averaging no less than 100 feet shall be retained along Meridian Boulevard, Minaret Road, and along the western and eastern edges of the project site as required in project approval or by the Planning Director.

The Addendum (page 28) claims that the measure is not applicable:
4.10-1(d) is not applicable as mitigation to the Project because the specific Site is essentially within 100 feet of the eastern boundary of the overall Master Plan site and already contains a buffer of trees between the Site and the homes on Joaquin Road.

The elimination of this mitigation from the Program EIR is an impact that will need to be addressed in an Initial Study for the Villas III project. It cannot be simply waved away and the impact of the buffer loss should be considered significant until evaluated and potentially having new mitigation proposed. It is not appropriate to use an addendum for this PEIR mitigation measure elimination.

Additionally, staff has just provided a shadow analysis of the Villas III project which shows the adjacent properties in greater shadow. This impact was not addressed in either the PEIR or the Addendum and also has had no public review. In addition to aesthetic impacts, this could cause increased snow accumulation and increased energy and snow removal costs to SJV residents. These impacts to the adjacent property should be addressed in an Initial Study.

Biological Resources (page 38):

No new resource survey was performed, so the project impacts are based on the 32-year old PEIR and the biologic resources report performed at the time. The site s resources may have substantially changed since PEIR evaluation since 1990. As evidence of the need of an update biological resources survey, it was determined by staff that an updated tree survey was required. If the trees on site warranted reevaluation, why not reevaluate the remainder of the biological resources on site? The Addendum does not address this potential impact and never documents the number and type of trees that will be lost. Instead, it claims that a replacement planting plan would limit the impacts to less than significant. Without initially establishing the level of impact, this is impossible to determine, and the public never had the opportunity to review this impact, mitigation and level of resulting impact.

Another mitigation measure that is determined to be not applicable to the Project (Page 44): 4.3-5(a) is not applicable to the Project because the area around the Project Site has been developed since the Certified EIR. Specifically, the golf course, and surrounding residential uses have been developed which have already removed wildlife habitat areas and corridors for wildlife movement

A golf course is not a barrier to wildlife movement and the surrounding area has substantial amounts of habitat. A new biological resources survey could determine the amount of both resident and transitory wildlife. Until then, the deletion of the mitigation is inappropriate and would result in a potentially significant environmental impact. No input from the California Department of Fish and Game was sought for evaluation of the Vistas III impacts. Again, a new tree study was warranted, why not a new biological resources survey?

Cultural Resources:

(Page 46 of the Addendum) The cultural resources survey for the project is dated, and a new survey
should be performed to assess the potential for resources to exist on site. Professional standards normally recommend against the use of a cultural resources survey older than five years. The Addendum notes that the possibility of human remains was not addressed in PEIR and the addendum does not address the omission, no consultation with the designated Native American tribal representative(s) was conducted, therefore there has been no evaluation of potentially significant impacts.

Greenhouse Gas Emissions (GHG):

(Page 65 of Addendum): GHGs were not addressed in PEIR. The Addendum does address this impact but there has been no public review of this impact category, the project s impacts, or the rationale for why the Vista III project s GHG emissions are considered less than significant.

Hydrology and Water Quality:

(Page 78 of the Addendum): This section s evaluation of impacts is based on a new drainage analysis and water quality management plan prepared for the project. This is new information that the PEIR did not address and public has not had the opportunity to review and comment on

the analysis and conclusions contained in the Addendum. This is not a minor technical change to the project.

Public Services:

(Page 106 of the Addendum) The San Joaquin Villas project was conditioned to use over 6,000 square feet of The Villas III project site for snow removal and storage (both properties had a common owner at the time of approval). Construction of The Villas III project would result in the loss of this snow storage and is a potentially significant impact of the project. This impact is not addressed in either the PEIR or Addendum.

Transportation:

(Pafe 121 of the Addendum) The project includes a different methodology than used in the PEIR to determine that the project s impacts are less than significant. The map-based methodology is more than a minor technical change and deserves review by the public to see if the assumptions made in the Addendum are representative of the project impacts and can be considered less than significant.

Because of these deficiencies in the Addendum and the antiquated analysis in the PEIR the Section 15162 determination lacks substantial evidence and a subsequent environmental document that permits public review and comment needs to be prepared.

The Town has also failed to make the needed findings in its Resolution to reflect significant impacts identified in the PEIR and has not included a Statement of Overriding Considerations for impacts that are noted as significant and unavoidable in the certified PEIR and Addendum.

These comments are supplied on behalf of the Town residents, but any potential commentator on the PEIR and the addendum is free to use these comments in any future proceeding or challenge to the environmental findings

As a result of these shortcomings and others in the environmental documentation, The Commission should vote to not use the PEIR, as modified by the Addendum, for the Villas III approval, since it does not comply with the requirements of CEQA. Without adequate CEQA compliance, the Commission must deny the project approval at this time."

Thank you for your time,
Donna Mercer
San Joaquin Villas Resident

CC:

Mayor, Lynda Salcido
City Council Member John Wentworth
City Council Member Bill Sauser
City Council Member Kirk Stapp
City Council Member Sarah Rea

February 28, 2022

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

SUBJECT: Inconsistencies of Villas III Subdivision Documents

At the February 9th PEDC meeting Town Attorney Andy Morris spoke to everyone about the PEDC rules:

> *"The PEDC can't just vote in favor of a project or vote against a project based on whether you like it. It doesn't work that way. There are specific findings that have to be made to approve a project and specific findings that have to be made to deny a project. For a Tentative Tract Map like this one, the…* ***findings for denial would be things like inconsistency with the General Plan or Master Plan or Specific Plan****, inconsistency with zoning****, inconsistency with the Map Act*** *[and* ***inadequate review under CEQA****]…. It's that kind of thing…. As the PEDC is considering it you might think about it in those terms. The PEDC should probably be framing its questions and deliberations in context of 'What are the findings that need to be made either to approve the project or deny the project…"* *(Source: 2/9/22 PEDC Hearing recording time 12:00 - 13:09)*

Thanks to the Resolution No. PEDC 2022-03 NO votes by Vice Chair Burrows and Commissioner Chang, the problems with the project and the inconsistencies of the project documents could have been corrected. On review of updated Villas III documents posted 2/25 for the March 2 PEDC meeting, most of the inconsistencies and problems remain.

1. Vehicle Access into Villas III. Inconsistency between **Tentative Tract Map** 21-001, **Resolution** No. PEDC 2022-03, the **Staff Report**, the **Developer's 2/9 hearing statement,** and the **Planner's 2/9 hearing statement**.

2. Maximum Building Height. Inconsistent with the **Lodestar Master Plan**.

3. Roof Slope Safety Standards. Inconsistent application of Safety Standards for **Adjustment 21-006** and the **Project Plans**.

4. Easement. Inconsistent with the **State Map Act.**

5. **Inadequate Review under CEQA**. Inconsistent with the economic growth of Mammoth Lakes.

These inconsistencies are described below and they need to be corrected before Resolution No. PEDC 2022-03 can be approved. Most of these issues were raised in public comments before and during the PEDC hearing on 2/9.

1. Villas-III Entry / Exit Access. The inconsistency regarding vehicle Access to Villas III is overwhelming.

The Tentative Tract Map shows **Dorrance Ave. is for Emergency Access only**. [ATTACHMENT 1.1] This is inconsistent with both (1) the Resolution's listed direct access points and (2) the Developer's statements in the 2/9 PEDC Hearing.

The Resolution (pg. 39) lists **Dorrance Ave for direct access** to the Villas III along with Callahan Way. It does **not list the Obsidian entrance on Meridian Blvd** or Obsidian Place as direct access. [ATTACHMENT 1.2]

The Resolution is inconsistent with itself by then listing **Meridian Boulevard (using the Obsidian development)** as an operational as access point (pg. 41). [ATTACHMENT 1.3]

The Developer's statements at the February 9 PEDC Hearing were inconsistent with the (1) Tract Map, (2) the Resolution, (3) the Staff Report, and (4) the Planner's Hearing statement.

> Vice Chair Burrows: *"Is there an entrance for that development by the San Joaquin Villas at all?"*
>
> M. Rafeh: *" …Callahan Way's actually part of the development…., so there will be access there but there will also be **access off Dorrance as well as the front access off of Meridian,** where the front of Obsidian is. So **there'll be 3 access points** so it's not like everything's going to be funneling to 1 side."*
>
> Vice Chair Burrows: *"Ok. So traffic's going to be dispersed pretty well?"*
>
> M. Rafeh: *"Yeah."*
>
> (Source: 2/9/22 PEDC Hearing recording time 39:50- 40:29)

The Planner's Staff Report states that, *"**the primary access** to the project site will be taken through the existing Obsidian Development (the project is required to be annexed into the Obsidian HOA)."* (pg. 12 of 22). That claim of Meridian Blvd. as the primary access point is inconsistent with (1) the Resolution and (2) the Tract Map.

To add to the inconsistency, the Tract Map does not show the new road connecting to Obsidian Place. This property LLA PARCEL 2: LLA 19-002 033-370-028 is not yet developed. [ATTACHMENT 1.4]

This confusion about how the Villas III will be entered and exited is of serious concern. The developer needs to provide evidence that Meridian Blvd is the primary access into the proposed Villas III to substantiate the claim made in the Staff Report; or any form of access as claimed in the Resolution and by the Developer at the PEDC hearing to Commissioners. The concern is heightened because of the exclusivity of the Meridian Blvd access point.

Facts:

- The Meridian Blvd access gate onto Obsidian Place road is fully owned by Obsidian Private Residence Club HOA known as Obsidian Residences (formerly Tallus). The Private Residences Club consists of the first 9 homes from Meridian and their Clubhouse. No one legally passes in or out of their access gate without this HOA's consent. [ATTACHMENT 1.5]

- Obsidian Place's next 10 structures from Meridian are The Villas of Obsidian duplexes. The Villas of Obsidian is a separate entity with its own HOA. A written agreement between these 2 HOAs, and compensation from The Villas of Obsidian HOA to the Obsidian Private Residence Club HOA allows passage in and out of the Obsidian Private Residence Club's access gate.

It is hard to believe that the Obsidian Private Residence Club HOA has legally granted "primary access" or any access through their private gate to all future owners and visitors of the 33 proposed Villas III units.

Furthermore, the Resolution states, "This project shall be annexed into the Obsidian HOA." [ATTACHMENT 1.6] and Planner Mr. Peterka stated, "The project will share an HOA with the Obsidian Subdivision to ensure consistent shared maintenance of common areas and facilities." (Source: 2/9/22 PEDC Hearing recording time 18:47 - 18:54)

But there are 2 very distinct HOA's on Obsidian Place, it is not clear which HOA is being referenced.

The inconsistencies between the Tract Plan, Resolution, Staff Report, Developer's statement, and Planner's statement are troubling. It is not clear what the truth is regarding access. Will Meridian Blvd be an access point or is this wishful thinking by the Developer and Planner?
If this access point is not verified, then all traffic will route by SJV when going to and from Villas III, and the **traffic will not be dispersed** as Vice Chair Burrows, the Commission, and the audience was led to believe. The Resolution, Tract Map and other documents need to be made consistent before approval.

Requested Documentation:

R1.1 Evidence from the Developer that Obsidian Private Residence Club HOA will be providing access through their Meridian entrance to owners and guests of the proposed Villas III development.

R1.2 Evidence from the Developer that one of the Obsidian HOAs will annex Villas III into their HOA.

2. Inconsistent with the Lodestar Master Plan for Maximum Height .

I strongly object to the proposed height ADJUSTMENT 21-006. The Lodestar Master Plan states clearly that the maximum permissible building height is 35 feet for Development Areas 1, 2, 3, and 4. [ATTACHMENT 2.1]

The submitted Single-Family Residence Renderings show building heights of 37'-6". The Home on Lot 1 has three-stories with ceiling heights of 7'-6", **10'-0"**, and **9'-3"**. [ATTACHMENT 2.2] **High ceilings on 2 of 3 floors is the reason these homes exceed the maximum building height.**

Height Adjustment 21-006 request sites Municipal Code 17.76.20. Code 17.76.040 states that an adjustment can only be approved if it meets 1 of 4 criteria, and the applicant chose:

C. Increased safety of occupants or the public would result. [ATTACHMENT 2.3]

The Resolution's discussion for the Building Height Adjustment states that the increased height "will result in increased safety of the occupants by allowing for a 3:12 roof pitch." (Resolution pg. 6 of 178)

To design high ceilings and then claim "Increased Safety" as justification for exceeding the Maximum Height restrictions is very inconsistent with both the Lodestar Master Plan and the spirit of the Town's Municipal Codes and Ordinances. **Approving this Adjustment would make a mockery of the Master Plan** and building codes developed by the Town of Mammoth Lakes.

The Project Plan's Single-Family Renderings were finalized more than 4 months ago, on 10/29/2021, and there has been significant time to make the design corrections needed. If the 3 extra feet of ceiling height was removed the home heights could easily meet the Master Plan's requirements. The architect and developer need to correct the design to not exceed the 35' maximum height limit.

If this Height Adjustment 21-006 is approved, then a new precedent will be set and future developments will have an easy play-book to bypass the maximum permissible building height specification: 1) intentionally design beyond the maximum height, 2) justify it for unsubstantiated "safety" reasons, and 3) expect the PEDC Commissioners to plan along and approve the height adjustment.

Requested Documentation:

R2. The Architect's original or new design drawings that do not exceed the 35' height maximum.

3. Inconsistent Safety Standards regarding roof slopes and snow loads.

The requested Height Adjustment 21-006 states that the increased height "will result in increased safety of the occupants by allowing for a 3:12 roof pitch." (Resolution pg. 6 of 178; ATTACHMENT 3.1]. I agree that a 3:12 slope in Mammoth Lakes is safer than a 1.5 :12 slope. Why is this 3:12 safety standard not consistently applied to the duplex roofs that show in the Project Plans have just 1.5 :12 slope? [ATTACHMENT 3.2 – 3.3].

Requested Documentation:

R3. Evidence and an explanation for why a 3:12 is needed for the homes, but only a 1.5 :12 slope is needed for the duplexes.

R4. Evidence that the 1.5 /12 slope on the duplexes is adequate for safety of both the inhabitants and SJV Building E.

R5. Evidence that the 1.5 /12 slope on the duplexes, and units 22-25 specifically, will not cause snow to pile up on the roofs, decreasing estimated sunlight even further.

4. Easement changes shown in the **Tentative Tract Map** is inconsistent with the **State Map Act**. A portion of the Mammoth Lakes Trail System easement is being given away to this development, and there is not clear evidence that all parties have agreed to this. The Tract Map shows that the existing 12-foot easement will be reduced to 11.5-feet [ATTACHMENTS 4.1 – 4.2] and the Villas III development will absorb a portion of the easement for the Mammoth Lakes Trail System (MLTS).

The reduction of the Easement is a violation of the State Map Act [ATTACHMENT 4.3] unless is has been approved by MLTS and the funders of MLTS. The MLTS program https://www.mammothtrails.org/about/ is funded by the local special tax initiative Measure R. As part of the MLTS *The Town Loop trail* is described as, "The main hub of the Mammoth Lakes Trail System. [ATTACHMENT 4.4]

The Tract Map shows that the Villas III development seeks to remove an existing section of the Town Loop Trail and construct a new trail on the eastern edge of the development with a smaller easement. In essence the private Villas III development plans to absorb a portion of the existing MLTS easement, and MLTS has been funded by tax initiative Measure R.

Requested Documentation:

R4. Corrected Tract Map showing 12-foot easement the entire length, or documentation showing that Mammoth Lakes taxpayers and MLTS support giving away this portion of the easement to this development.

5. Inadequate review under CEQA. Mammoth Lakes has become one of the world's pre-imminent destinations because of its 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.

To rely on a 30-year-old Environment Impact Report to make current building decisions is inconsistent with the Town's future growth. 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. A 30-year-old EIR does not adequately address all changes that effect this Villas III property and the rest of Town.

The intended use of Addendums is for minor technical changes. The Addendum for this project is evidence that conditions have changed and that there are new potential impacts. At the very minimum there should be a negative declaration allowing the public to review and decide whether there are significant environmental impacts.

Since the 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.

This development's **Tree Survey Report** (CEQA – Villas 3 Appendix B-1) by a Certified Arborist discusses the bark beetle problem as follows,

> *"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)

The current Addendum is an **inadequate review of CEQA review and should not be approved.**

In addition to the above-mentioned corrections to the inconsistencies described above,

I OBJECT to:

6. USE PERMIT 21-001 for Villas III units 22-25 because of the night-time noise it will cause near residents of Workforce housing.

7. The very close proximity of units 22-25 to SJV's E Building for negative impact on privacy and Quality of Life.

8. The Town not securing a Housing Mitigation agreement prior to approving this development.

9. Installation of an Access Gate on Callahan Way near SJV's parking lot because a gate would: 1) hinder snow removal on Callahan Way; 2) cause backup of vehicles and hinder access for SJV residents into and out of SJV's parking lot; 3) generate noise for SJV residents 24-hours per day; and 4) generate toxic fumes for SJV residents as vehicles idle in cue to enter the Villas III development.

While there are aspects of the Villas III development that I like and support, there are significant inconsistencies and problems that need to be resolved prior to approving this development.

Vote NO on Resolution No. PEDC 2022-03 until there is Consistency in all the findings and documents.

Thank you in advance. Respectfully,

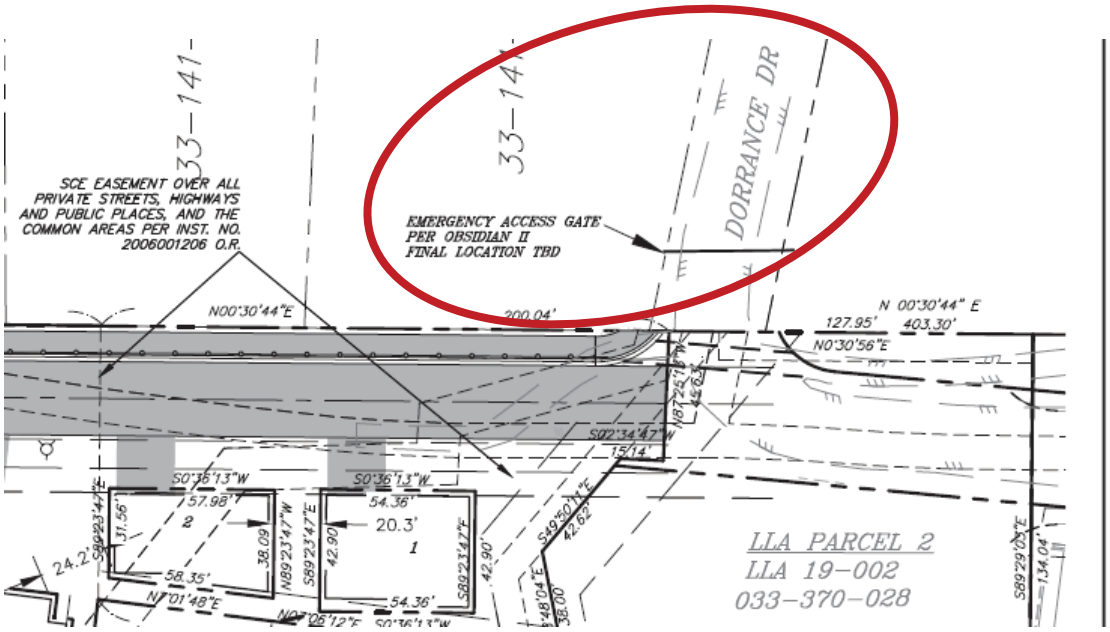
Eric Taylor
SJV Resident & Owner since 2009

ATTACHMENT 1

1.1 Emergency Access Gate on Dorrance Dr.

Source: PROJECT PLANS- TRACT MAP (pg. 2 of 66)

)



1.2 Access directly from Dorrance Dr. and not Meridian Blvd

Source: RESOLUTION (pg. 49 of 178)

2.1.3 Regional and Local Access

Access directly to the Site is provided by the following:

- Callahan Way to the north
- Dorrance Avenue to the southeast

1.3 Access directly from Meridian Blvd and not Dorrance Dr.

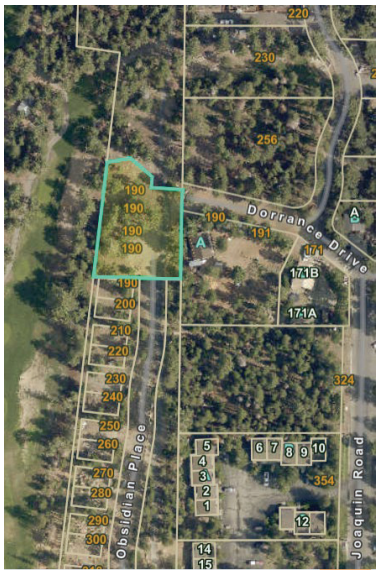
Source: RESOLUTION (pg. 42 of 178)

2.5.1 Circulation and Parking

Circulation will include a new roadway with 2 operational access points, each of which would feature a vehicle gate to restrict cut through traffic, one on Callahan Way and one on Meridian Boulevard (using the Obsidian development). A third emergency and bicycle/pedestrian access point will be provided on Dorrance Avenue.

1.4 Undeveloped Parcel between Obsidian Place & Villas III

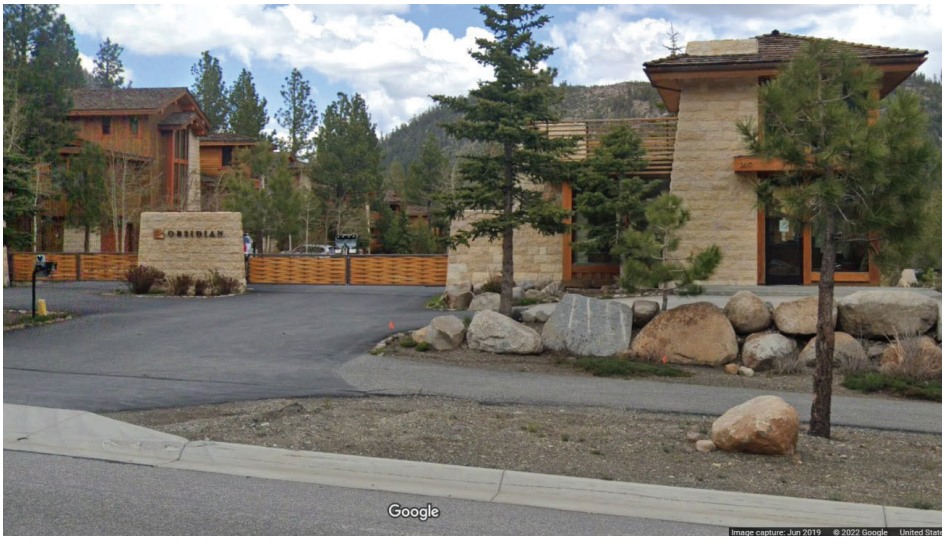
Source: Mono County PARCEL VIEWER 4.0 https://gis.mono.ca.gov/apps/pv/parcel/033370028000



1.5 Obsidian Private Residence Club – MERIDIAN ENTRANCE GATE

Source: Google Streetview 2610 Meridian Blvd

https://www.google.com/maps/@37.6401315,118.9778371,3a,28.7y,346.28h,89.88t/data=!3m6!1e1!3m4!1sc32Yn_k7NMBB0U1enKpomA!2e0!7i16384!8i8192



1.6 Villas III HOA

Source: RESOLUTION (pg. 18 of 179)

> **58.** The CC&Rs shall contain provisions granting rights of access and parking, as necessary, to the owners, tenants, and their guests, of the PUD units. This project shall be annexed into the Obsidian HOA.

ATTACHMENT 2

2.1 Lodestar Master Plan – Maximum Building Heights

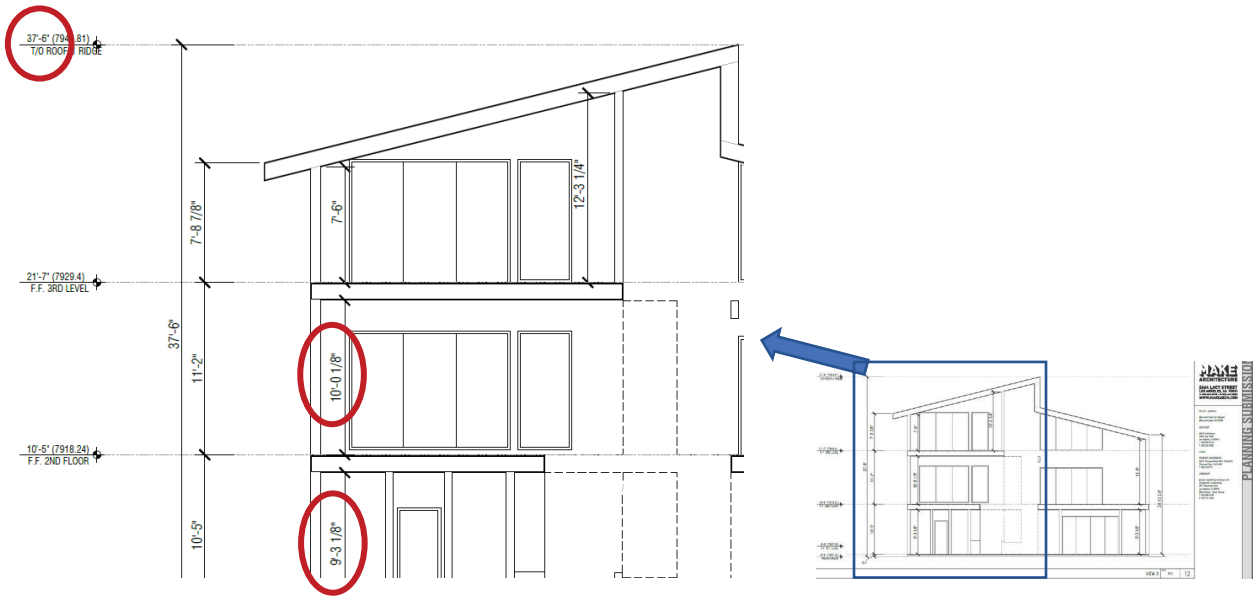
Source: Lodestar Master Plan (pg. 5 of 56)

3. Building Height
   A. The maximum permissible building height is:
      1. Development Areas 1,2,3, and 4 — 35 feet
      2. Development Area 5 — 65 feet*
      3. Development Area 4A — 63 feet
      4. Affordable Housing Projects in Development Area 4, fronting Main Street — 45 feet

1991 Lodestar Master Plan, Amended June 19, 2013, March 16, 2016, and April 6, 2016 3

2.2 HOMES WITH 37'-6" HEIGHT , and HIGH CEILINGS ON 2 FLOORS

Source: PROJECT PLANS (pg. 15 of 30) - Single-Family Rendering MAKE Architecture



2.3 REQUIREMENTS FOR ADJUSTMENTS (Chapter 17.76)

Source: Mammoth Lakes Municipal Codes

https://library.municode.com/ca/mammoth_lakes_/codes/code_of_ordinances?nodeId=TIT17ZO_ARTIVLAUSDEPEPR_CH17.76AD

17.76.040 - Findings and Decision.

After an adjustment application is deemed complete, the Director shall approve, conditionally approve, or deny an adjustment application. The Director may approve an adjustment application, with or without conditions, only after the following findings are made:

A. The findings necessary to grant a variance (Subsection 17.72.040); or

B. A significant public benefit will result (e.g., protection of trees or other significant features, enhanced circulation, or improved landscaping or snow storage); or

C. Increased safety of occupants or the public would result.

D. For adjustments to setbacks or the distance between structures, a finding shall also be made that adequate snow storage and shedding areas are provided.

(Ord. No. 14-02, § 4, 3-19-2014; Ord. No. 15-01, § 4(Exh. A, § 26), 1-21-2015)

ATTACHMENT 3

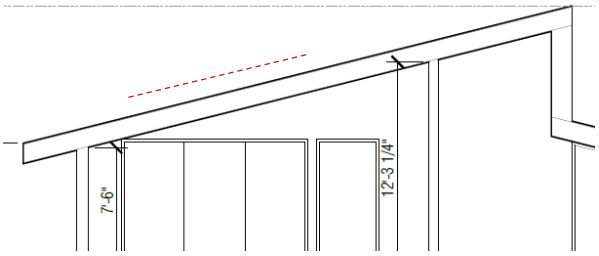
3.1 SAFER BUILDING DESIGN 3:12 ROOF PITCH

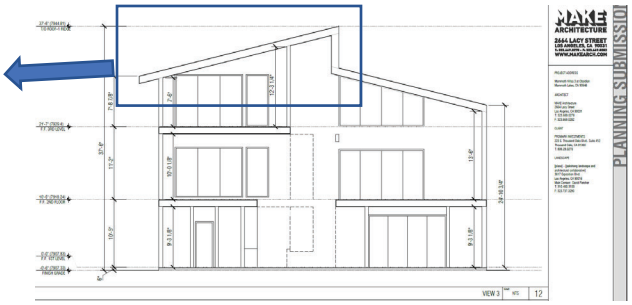
Source: RESOLUTION (pg. 6 of 178)

> 1. **Increased safety of occupants or the public would result;**
>
> "…a 3:12 roof pitch which provides a safer building design in that the increased roof pitch reduces potential snow loading on the roof."

3.2 HOME = 3:12 ROOF PITCH

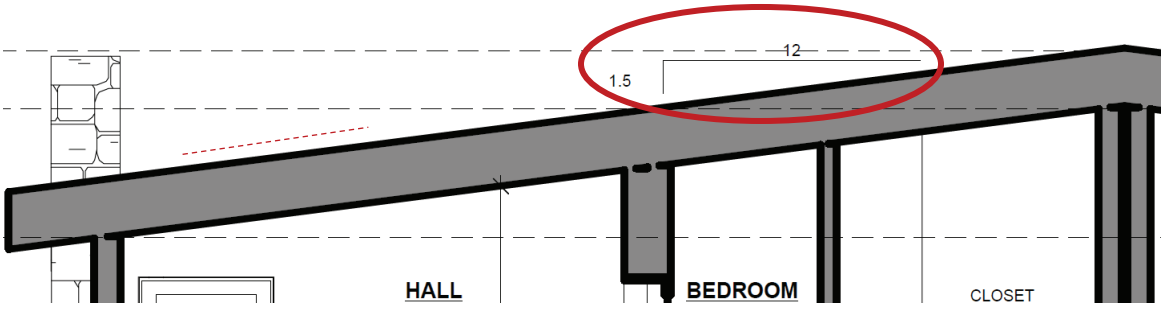
Source: PROJECT PLANS - Single-Family Design MAKE Architecture 10/29/2021 (pg. 8 of 10)
https://www.townofmammothlakes.ca.gov/DocumentCenter/View/11847/single-family-renderings

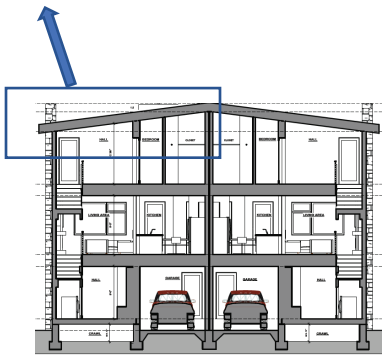




3.3 DUPLEXES = 1.5 :12 ROOF PITCH

Source: PROJECT PLANS – Duplex design ch x tld 12/2/2021 (pg. 12 of 30)
https://www.townofmammothlakes.ca.gov/DocumentCenter/View/11847/single-family-renderings

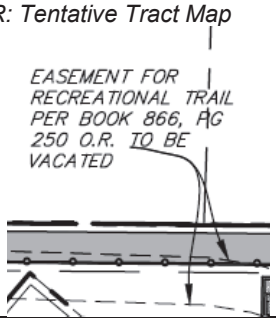




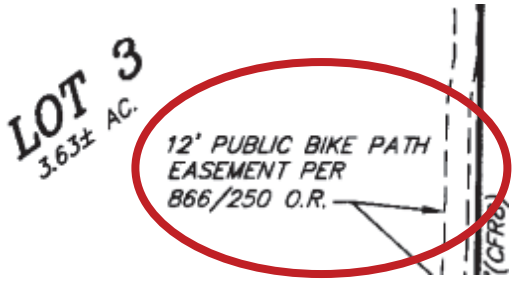
ATTACHMENT 4

4.1 Existing EASEMENT being Vacated for Villas III

Source: Appendix A-3 page 2. Addendum to 1991 Lodestar EIR: Tentative Tract Map

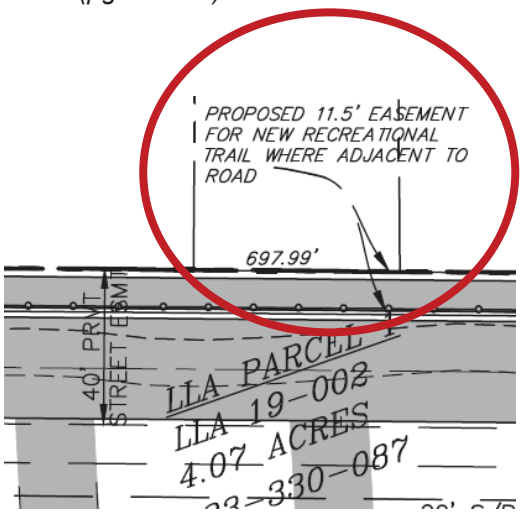


Source: From Tract no 36-222



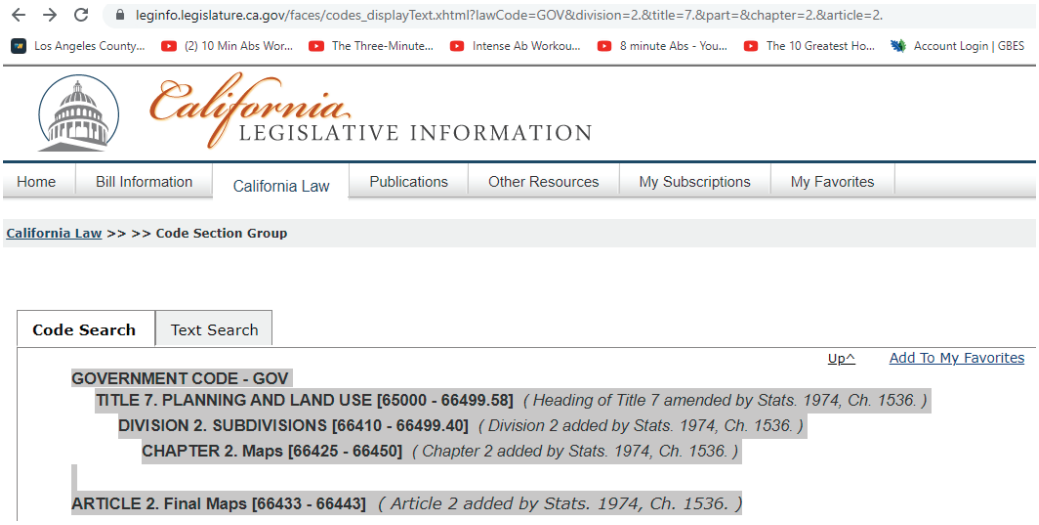
4.2 Villas III Proposed Reduction to Existing 12' Easement to 11.5'

Source: PROJECT PLANS (pg. 2 of 66) – TENTATIVE TRACT MAP 21-001



4.3 California State Map Act on Easements

Source: California State Map Act



(Article 2 added by Stats. 1974, Ch. 1536.)

66434.

(g) Any public streets or public easements to be left in effect after the subdivision shall be adequately delineated on the map. The filing of the final map shall constitute abandonment of all public streets and public easements not shown on the map, provided that a written notation of each abandonment is listed by reference to the recording data or other official record creating these public streets or public easements and certified to on the map by the clerk of the legislative body or the designee of the legislative body approving the map. **Before a public easement vested in another public entity may be abandoned pursuant to this section, that public entity shall receive notice of the proposed abandonment. No public easement vested in another public entity shall be abandoned pursuant to this section if that public entity objects to the proposed abandonment.**

(Amended by Stats. 2009, Ch. 332, Sec. 72. (SB 113) Effective January 1, 2010.

4.4 Improvements "Will Not Conflict with Easements"

Source: Resolution (pg. 8-9 of 179)

g. The design of the subdivision and the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

The design of the subdivision and the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision since all existing public easements shown on the tentative tract map are either maintained or planned to be relocated, and the property has access to a public street with approved street alignments and widths.

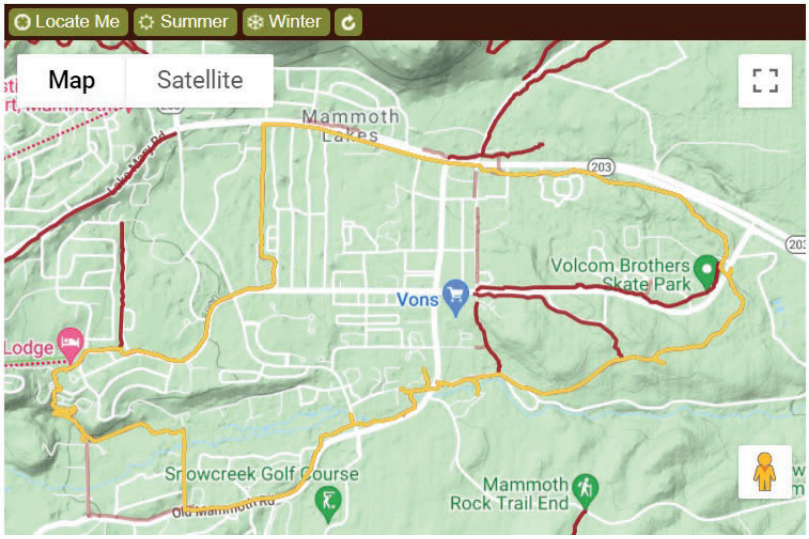
4.5 Mammoth Lakes Trail System - TOWN LOOP

Source: https://www.mammothtrails.org/trail/30/town-loop/#mapTab

Town Loop 7.8 mi

Trail adopted by: Tony Colasardo • Trail maintained by: The Seely Family

Overview | **Map**



The main hub of the Mammoth Lakes Trail System, the Town Loop--made up of multi-use path, on-street sections, promenades and bridges--provides a family-friendly tour of town with access to a variety of out-bound trails and staging areas. Mammoth Creek Park is a popular start point from which you can tour the eastern half of Mammoth--offering sweeping views of the Sherwins and connections to local schools, the library and dining/shopping--or the western portion, which cruises sleepily through Old Mammoth and past the Valentine Reserve to Eagle Lodge before turning into a quiet neighborhood on its way back out to the Main Street frontage road.

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

3/2/2022

Good morning. My name is Eric Taylor.

First, THANK YOU Vice Chair Burrows and Commissioner Chang for allowing me to speak today, due to your NO votes 3 weeks ago today on this proposed Villas III project.

Thank you to all 4 Commissioners and Mayor Salcido, for taking the time to speak with SJV residents since the last PEDC Hearing on February 9th.

Director Mobley and Michael, thank you for choosing to continue the Public Hearing for an additional 5 weeks to review and update the plans. I echo Judith Goddard's and Kimberly Taylor's request that the next staff report be published earlier than April 8th. Please release the Staff Report and updated documents to the Public on Friday, April 1st.

I'll keep my comments brief. And have just 1 request.

Mayor Salcido, Director Mobley, and ALL 4 Commissioners for this project: Please ask the Developer, Mark Rafeh and team, to perform an internal Pro-Forma analysis of the Villas III project **without units 22-25**.

This may sound crazy, but please hear me out. Removing these 4 units will not hurt the Developer's bottom line and will "pencil out" to be more profitable for the Developer. Please consider the benefits for everyone:

- These 4 units, if built, would Sell for Far Less than the other 29, maybe for only half as much. The reasons are obvious and have been discussed in Public Comments this past month. No one purchasing high-end property wants their Primary View to be staring at Workforce Housing. SJV is a great community, but it's not the "luxury view" desired by Villas III clientele.

- While these 4 units would sell for much less, the Developer's costs to build would be just as high as the others. **Building these 4 units would make this development less profitable**, not more.

- If built, well-to-do vacationers won't want to rent them because they would face Workforce Housing. The Town would earn little TOT on these units. With these 4 units built, Everyone Loses.

On the other hand, by Removing These 4 units, the Developer will get the benefit of fast approval and Community Support. The Tentative Tract Plan will only need minor changes - simply remove these 2 duplexes from the Plans.

- This land between the planned Road and North Property Line (units 22-25) is THE PERFECT SPOT for SNOW STORAGE for both Callahan Way and the newly developed road. This snow storage area will give Villas III owners and guests more space to enjoy, and less snow clogging their roadways and to pile high between units (reducing expenses for owners).

- This snow storage area will make the perfect visual barrier for Villas III guests and give them a strong **sense of exclusivity** that they will LOVE and pay extra to get.

- Each of the 29 units will sell for a higher price than originally planned because of this increase in exclusivity and this decrease in packed snow on and between their property.

- And the Town of Mammoth Lakes earns **more TOT because of their higher rental prices**.

- In late-Spring to early-Fall this snow storage area can double as a Greenbelt and natural wildlife crossing and habitat. And Villas III owners and guests will have a **private, all-natural space** to enjoy.

Most importantly, this land provides the perfect location for Snow Storage for Callahan Way's snow. As everyone knows, Callahan's **pavement stretches 500 feet downhill** from the Main Street's frontage road to the Villas III project. Callahan's plowed snow has been piled up at the end of Callahan, where the Villas project begins, since this road was built.

Please remember, Callahan Way is SJV's only entrance and exit for vehicles (except emergency exit) and has always needed plowing after every snowfall. This road's snow should be plowed down the hill and stored on Villas III property, between Villas III's new road and its northern border (south of SJV), making this a dedicated snow storage area where units 22-25 were proposed.

This allows any neighborhood existing signage to move south away from SJV and will give a much greater sense of exclusivity. Villas III guests, as well as owners and investors, will Love It.

When the Developer / Mark factors just some of these ideas into the financial analysis without units 22-25, this solution will prove to be a profitable option for the builder. The Town will earn more TOT without these units because the 29 units will become more valuable and rent for higher prices. And law enforcement resources will not be wasted on noise complaints for the removed units 22-25.

Removing these 2 duplexes (4 units) will allow this project to be approved and built sooner, before interest rates skyrocket, before investors disappear, and hopefully before world-war 3 erupts.

This is a **Win-Win-Win solution**.

Please consider my request to REMOVE These 4 Units from the project and use the land for dedicated snow storage and a greenbelt north of the planned road.

Please reach out to me with questions and discussion. We look forward to working with the Planners, all the Commissioners, and the Developer, Mark, to help turn this into a successful development for the Town of Mammoth Lakes.

Thank you.

From:	Jamie Gray
To:	Sandra Moberly; Michael Peterka; Greg Eckert (eckertinmmth@verizon.net); Jen Burrows; Jessica Kennedy; Michael Vanderhurst; Paul Chang
Subject:	FW: Public comment, PEDC March 02, 2022 Villas III public hearing
Date:	Tuesday, March 1, 2022 9:13:02 AM

Jamie Gray, Town Clerk
Town of Mammoth Lakes
PO Box 1609
Mammoth Lakes, CA 93546
(760)965-3602
jgray@townofmammothlakes.ca.gov

From: San Joaquin Villas <sjvboard@gmail.com>
Sent: Tuesday, March 1, 2022 8:52 AM
To: Jamie Gray <jgray@townofmammothlakes.ca.gov>
Cc: San Joaquin Villas <sjvboard@gmail.com>
Subject: Public comment, PEDC March 02, 2022 Villas III public hearing

[EXTERNAL EMAIL]

Dear Commissioners,

The Board of Directors of San Joaquin Villas HOA believe that a majority of the Owners of San Joaquin Villas HOA support that Units 22 to 25 of Villas III not be built.

Sincerely,
SJV Board of Directors

From: Gina Varieschi
To: Michael Peterka
Subject: Villas III Planning Commssion
Date: Friday, February 25, 2022 9:46:27 PM

[EXTERNAL EMAIL]

Attached please find documentation of wildlife (photos of bears) near and around SJV. I would like to include them with my previously submitted letter. Thank you very much.
Gina Varieschi

February 28, 2022

TO: The Planning & Economic Development Commission, Town of Mammoth Lakes
Chairman Vanderhurst, Vice Chair Burrows, Commissioner Chang, Commissioner Kennedy.

CC: Director Mobley, Mayor Salcido.

SUBJECT: Application Request: Villas III Subdivision. (Public hearing March 02, 2022).

Commissioners Vanderhurst, Burrows, Chang, Kennedy,

I am writing to you for the second time to recommend to you that you **do not approve** the Villas III application due to significant **errors, omissions and inconsistencies** in the application, specifically with respect to:

1. Front setback vs primary entrance to the development;
2. Projections in setback are not in compliance with ToML code;
3. Limited access gate on Callahan Way;
4. Solid fence along the public trail;
5. Errors in snow storage information.
6. Width of the multi-use path easement;
7. Bias in justification of the Use Permit.
8. Outdated information in the staff report;
9. Building height increase request / inconsistent application of roof design requirements;
10. Failure to provide a condition in the Resolution that requires compliance with the Town's workforce housing ordinance.

Each issue is explained in detail in the following pages.

At the February 9th PEDC meeting, ToML attorney Andy Morris reminded everyone of the importance of specific findings and consistency within the application. The 'no' votes by Commissioners Burrows and Chang provided the ToML planning department and the developer with ample time to address the many issues; despite the additional time the issues remain.

I appreciate the efforts made thus far by the developer and planning department, but they are far short of having completed the process and providing an application ready for approval.

Commissioners, this application is *not* a simple "check box" and move on. Do not approve PEDC Resolution 2022-03 without addressing the errors, omissions and inconsistencies that are identified in this document.

Please do not hesitate to contact me if you need explanation of any of the concerns raised.

Sincerely,

Judith Goddard
SJV #B4, since 2015

1. **Front setback vs primary entrance to the development.**
   Staff report page 12 of 22 details the setbacks, with RMF-2 applied. The Staff Report states "The **front setback (25')** has been applied to the southern property line as it is where the primary access to the project site will be taken through the existing Obsidian Development (the project is required to be annexed into the Obsidian HOA)."
   This statement is inconsistent with the Resolution (pg. 39) which states Callahan Way and Dorrance Ave. as the access points and is inconsistent with the Project Plan's Tract Map (pg. 2) which shows Dorrance Ave. as an emergency exit. Additionally, there is no evidence that Obsidian Private Residence Club Association has or will grant passage through their private access gate from Meridian Blvd.
   If Callahan Way is not a primary entrance, then action is required to ensure that **only the entrance through Obsidian (Meridian)** is the primary entrance.
   Conversely, since Callahan Way is clearly intended as a primary entrance the **front setback of 25' must be applied to the northern property line** adjacent to SJV.

2. **Projections into setback are not in compliance with ToML code.**
   The roof/eaves of units #22-25 project into the 20' setback. This is allowed only when certain conditions are met, namely installation of "snow restraint device" on the roof; for units #22-25 these conditions are not met.
   Resolution PEDC 2022-03 page 25 of 178, Special Engineering Conditions #108 **must be updated to also require snow rails on east, south and west roof edges of units #22-25.**

3. **Limited access gate on Callahan Way.**
   Resolution PEDC 2022-03 Standard Planning Conditions #1 states "*The proposed limited access gate on the north end of the project on the private Callahan Way road will require a subsequent use permit and is not part of this approval."*
   The directly conflicts with PEDC 2022-03 page 41 of 178 which states that there will be a gate on Callahan Way. Additionally, Special Planning Condition #31, (page 15 of 178), describes what the gate must be like.
   Due process must be followed. The resolution must be updated to remove the conflicting statements and references that imply that a gate is being approved.

4. **Solid fence along the public trail.**
   Resolution PEDC 2022-03 Special Planning Conditions #36, page 16 of 78 is inconsistent with TTM 21-001. The resolution states the solid fence is on the **eastern** property line, the TTM shows the fence along the **western** side of the multi-use trail.
   TTM 21-001 must be updated to be consistent with the resolution and show the fence on the eastern property line, this is also required to be consistent with the fence at Tallus/Obsidian.
   Additionally, the TTM must be **updated to identify the areas where the solid fence is not allowed**. There is NO justification for including any split rail fence. **All such references should be removed from the documents.**

5. **Errors in snow storage information.**
   Staff Report page 12 of 22, Table 2: Zoning Consistency contains **inaccurate data** for snow storage. The Proposed/Provided quantity per the calculations in EIR Addendum section 2.5.3 page 14 states that the project provides **31,998 sq ft** of snow storage with pavement area of 42,445 sq ft. The Staff Report erroneously states the total pavement area (42,445 sq ft) as the total snow storage area. **The Staff Report must be corrected to keep the historical record accurate.**

6. **Width of the multi-use path easement.**
   The inconsistency between the plans and the staff report with respect to the easement width (11.5' vs 12') was brought to your attention at the February 09, 2022 public hearing. The planning department has updated page 4 of 22 of the staff report to refer to the 11.5' to 12' easement.

Despite the update the inconsistency remains; a 12' easement is being vacated (ref. TM 36-222 sheet 3 of 4, Lot 3); **TTM 21-001 must be updated to provide a 12' easement for the entire length.** Without the update the development will absorb a portion of the easement of the MLTS.

What is the justification for giving up the 0.5' of MLTS easement width to the developer? Refer also to PEDC 2022-03 #106.

7. **Bias in justification of use permit (UPA 21-001).**
   Municipal Code Findings (page 3 of 178) Paragraph II A. 3. States "Therefore, the proposed transient use of the site is consistent with other development in the vicinity".
   This blatant bias deliberately ignores the presence of Workforce Housing at SJV immediately adjacent to the Villas III development.
   Commissioners, do not approve UPA 21-001 for units #22-25.

8. **Outdated information in the Staff Report.**
   The duplex renderings included in page 5 of 22 of the staff report are the design presented at the February 09, 2022 hearing. **The Staff Report must be updated to show the new design in order to keep the record accurate.**

9. **Building height increase request / inconsistent application of roof design requirements;**
   ADJ 21-006 requests a building height increase from 35ft to 37.5ft for three single family homes. Significant inconsistency exists between the Staff Report (page 4 of 22) and ADJ 21-006 / Resolution PEDC 2022-03 page 6 of 178, paragraph C1.
   The staff report claims "A 7.1% building height increase (37.5 feet instead of 35 feet) is requested for the three single-family residences in order **to accommodate building infrastructure and maintain visual continuity** with the existing Obsidian development to the south"; the resolution sites **safety**.

   How does the planning department justify the inconsistency between the rules applied to the single-family homes compared with the duplexes? If the roof slope of the single-family homes needs to be 3:12 for safety then the 3:12 safety standard must be applied to the 15 duplex buildings. In this application the duplexes all have an "unsafe" 1.5 :12 roof slope.

   ADJ 21-006 is a thinly veiled attempt to circumvent clear and simple height rules. The planning commission should enforce the height rule as written to ensure a fair and consistent approach to all parts of the application. **Commissioners, do not approve ADJ 21-006.**

10. **No Resolution Condition guaranteeing compliance with the workforce housing Ordinance.**
    During the February 9, 2022 public hearing the following conversation took place.

49:15	Bobroff	"They're conditioned to comply with the Town's housing ordinance. And that housing ordinance then provides a series of options on ways they can comply	49:23
49:24	Andy Morris	"Right, and I'll just interject. The ordinance does not require the developer to identify or select which means of complying with it the developer will use at the time of getting entitlements. The ordinance allows the developers to figure that out later. And um 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 at some point but for now this is what we have for an ordinance. It does appear the developer is going to comply. As indeed, the developer will be required to comply.	49:55

The PEDC should **require a condition to ensure that the developer has to comply**; let's just not hope that he does. Without a condition the ordinance has no teeth, and the developer has no motivation to comply. A condition requiring workforce housing agreement be reached before building permits are issued should be added to Resolution PEDC 2022-03 page 23 of 178, section "THE FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO ISSUANCE OF BUILDING PERMITS".

In addition to the above items that must be addressed, I also object to Resolution PEDC 2022-03 Special Engineering Conditions #111, for the potential renaming of Callahan Way.

Lastly, I request that the Callahan Way entrance not be allowed to be used for construction traffic access; the hazardous intersection of Main Street / frontage road / Callahan Way is not suited to construction traffic access.

Thank you for taking the time to review this detailed information.

Good morning Commissioners,

This message is from Judith Goddard, San Joaquin Villas unit B4. Not surprisingly I am unable to attend a 9am weekday public hearing in person.

I would like to thank you for collectively taking your foot of the gas and allowing time for a thorough and fair review of the Villas III application, particularly in light of the extensive public comments you have received.

The community has brought to your attention a wide range of real issues and concerns: the juxtaposition of nightly rentals against a workforce housing community; inadequate snow storage for Callahan Way; new construction placing existing residences in permanent shadow; and multiple technical deficiencies and errors in the application. All of these issues deserve a thoughtful and considered review and real solutions.

The community members who have raised the concerns are willing and available to work with the Commissioners to help seek out fair and reasonable solutions. Please engage us in your discussions.

Moving forward, in working to keep the process fair and transparent I request that the documents provided for the April 13 PEDC meeting clearly identify all changes made to them. It is not fair or reasonable to expect public review to have to start from scratch for a third time, trying to identify any and all changes to the vast quantity of documents.

Secondly, the documents should be made available to the public a full week in advance of the April 13 meeting.

Thank you for your time and attention this morning.

Judith Goddard

SJV #B4

To: Town of Mammoth Lakes Planning and Economic Development Commission, Commissioners Vanderhurst, Burrows, Chang and Kennedy

CC: Director Mobley, Mayor Salcido

Date: March 1, 2022

Subject: Opposition to proposed Villas-III development plans at 100 Callahan Way

I am writing to again request that you as PEDC commissioners **do not approve** the Villas III application due to significant concerns regarding errors, inaccuracies and inconsistencies in the Staff Report and its bias toward the developer.

This proposed Villas-III development would have direct negative impact on quality of life on the residential community whose properties are adjacent to the planned project, particularly for the residents of 28 two-story San Joaquin Villas townhomes and their residents, over 70% are occupied by full-time Mammoth workforce and their families.

At the PEDC 2022-02-09 hearing, ToML attorney Andy Morris reminded everyone of the importance of specific findings and consistency within the application, and he stated that findings for denial would include inconsistency with plans, zoning, and such. The resultant 2-2 planning commission vote provided the ToML planning department and the developer with ample time to address the many issues; despite the additional time the concerns and inconsistencies remain.

These concerns include:

1. Erroneous, Flawed, Misleading and Biased “Solar Study”
2. Inconsistent Front Setback vs Primary Development Entrance
3. Biased Justification for Use Permit UPA 21-006
4. Inconsistent Proposed “Limited” Access Gate on Callahan way
5. Inconsistent Building Height Adjustment request ADJ 21-006
6. Inconsistent Fence Along Multi-Use Public Trail
7. Inconsistent / Missing pre-existing existing easements
8. Lack of Resolution to Enforce Compliance to Low Incoming Housing Ordinance
9. Renaming of Callahan Way
10. Construction Vehicle Access

Each of these will be discussed in further detail below.

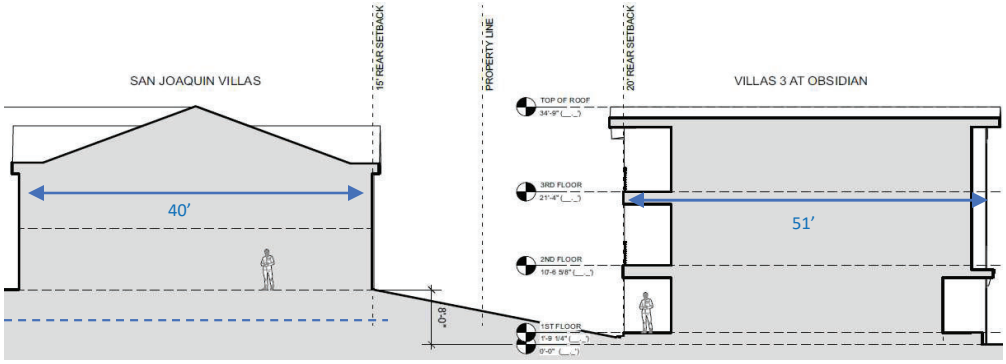
1. Erroneous, Flawed, Misleading and Biased "Solar Study":

A.) Erroneous, Flawed, Misleading and Biased "Solar Study"

The "solar study" provided by the architect in the Staff Report 0222-03 Attachment 2 (pp. 69-74 / 74) is not based on fact.

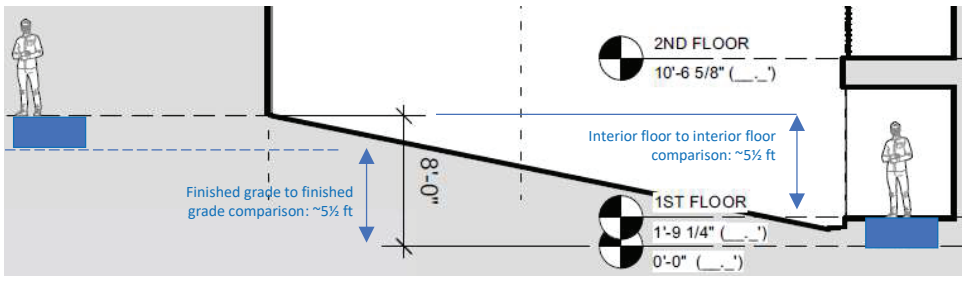
This so-called "study" does not use actual building dimensions and is a deceitful attempt to deliberately misconstrue the negative effect that the Villas III duplex units 22-25 will have on San Joaquin Villas (SJV) E-building. To start, their "study" misrepresents size of the buildings to downplay the difference of the structure size.

The "study" shows each building's length to be equal, which is incorrect. In fact, SJV's length is 40' and **Villas III duplex length is 27.5%** longer at 51'.



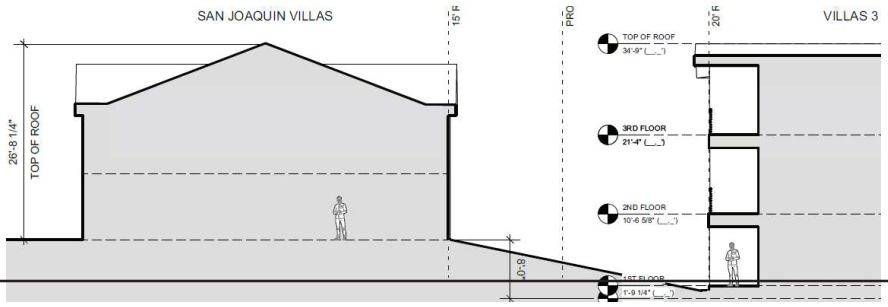
Additionally, this study **misrepresents the relative height** between the SJV E-building and Villas III duplexes by using inconsistent refence points between the two structures. Maximum building height is measured from the finished graded adjacent to the building exterior to the highest roof peak. This "study" does not use "apples-to-apples" references. Both structure heights should be measured from finished grade (indicated by horizontal blue dashed line on SJV image, and the zero-reference on the Villas III image).

This study "accidentally" measures its concluded 8-foot elevation change from SJV's first floor (higher) to Villas III's finished grade (lower). **This study is in fact showing the elevation change is only about 5 ½ Feet.**



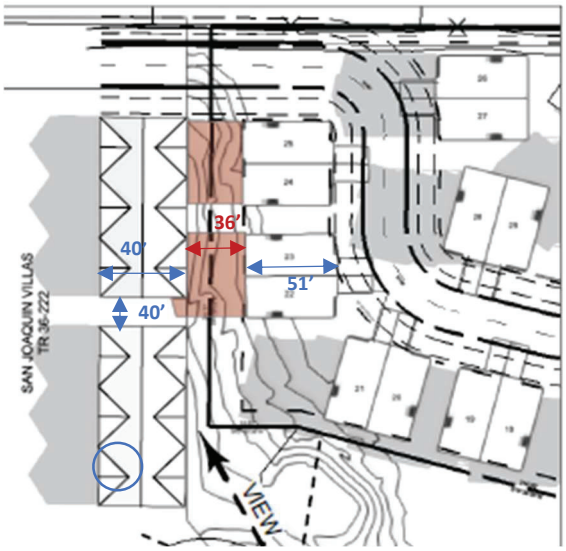
By mispresenting both the SJV image proportion and the incorrect height reference point, this "study" attempted diminish the actual impact of the Villas III duplex 35-foot height.

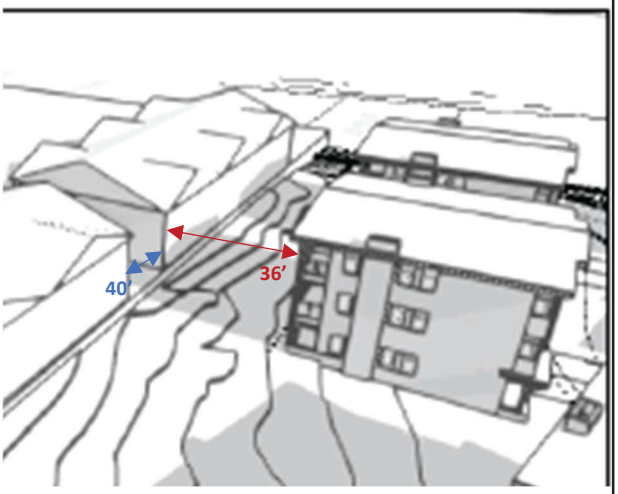
This "study" also misrepresents the relative **Heights** of the SJV E Building and the Villas III duplexes (p. 69/74). It shows the tops of the 2 buildings to be the same height. It claims SJV is 26'- 8 ¼" and Villas III is 34' - 9" tall. The actual difference in height would be 8'-3 ¾". However, the previous paragraph proves that the Elevation Change is actually about 5.5'. Their error is almost 3' in height, which is an **error of more than 10% relative to SJV's height.**



The **distances between buildings** are also misrepresented, as can be seen by the images below with the actual dimensions applied.

The distance between Villas III and SJV E-building (36') is shown inaccurately as significantly larger than the distance between SJV's E- and D-buildings (40').

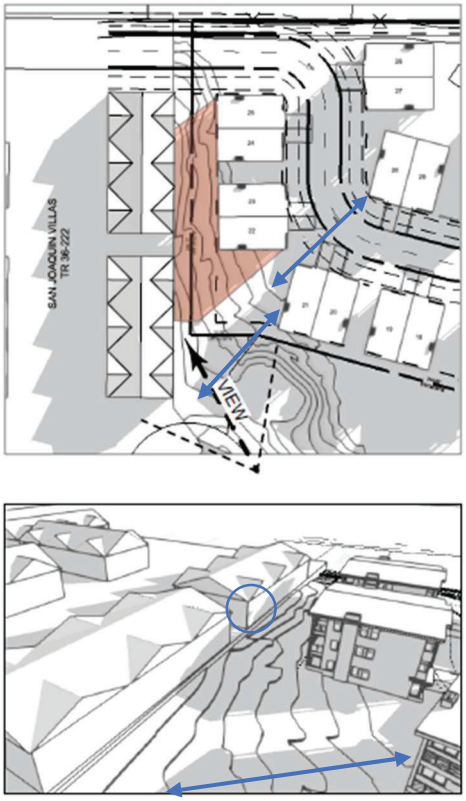




Further, these same "study" pages illustrate the significant size of the duplex shadows cast by the other duplex units and yet try to minimize that effect when the shadow strikes the SJV E-building.

WINTER SOLSTICE, DECEMBER 21ST

9AM

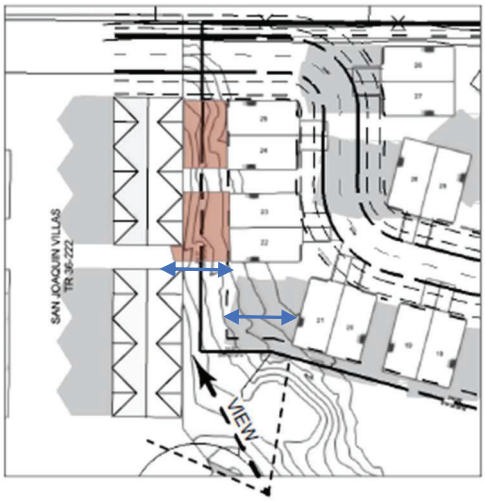


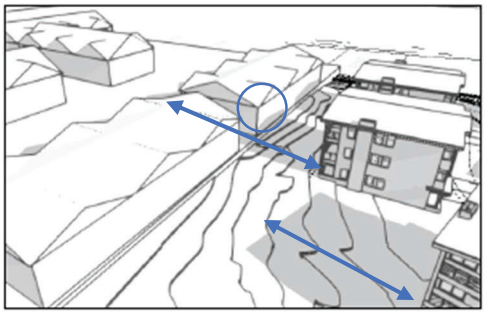
The Solar Study (Project Plans p.72/74) shows these Winter Solstice 9AM long shadows cast by Units 28 and 18-21 (blue arrows) are approximately 120 feet long. The (orange) indicates shadows cast by units 22-25 onto E-building.

These Winter 9am shadows cast by units 22-25 (orange) will impact and overshadow SJV E-building and half of SJV D-building by a significant amount.

Yet this simulated study inconsistently indicates my home will get sunshine during this long shadow period when units 22-23 are just 36' away ?? – inaccurate.

12PM





These Winter Solstice 12PM shadows cast by units 21 (shadow length indicated by blue arrow; note both shadow length and width) compared to units 22-25, which are the same size and would cast the same size shadow.

The second blue arrow shows the length expected from units 22-25, however the lower image unexpectedly shows sun on the E-building when the unit 21 shadow length clearly indicates there would not be sun in this location.

The Staff Report 2022-03 Figures 10-12 (pp 8-10) and Attachment 2 Project Plans (pp . 69-74) fail to use actual building dimensions of either the Villas III Duplex units 22-25 or San Joaquin E-building. By using **unmistakably incorrect building proportions**, the developer has <u>deliberately fabricated a scenario that provides a false impression</u> of lessening the negative impact of building shading on SJV E-Building during the winter months than the true reality.

Given the flawed solar study: Let's *pretend* for a moment the building dimensions used *were correct*… If we review the Solar Study as presented, it confirms the adjacent San Joaquin Villas property (E-building and D-buildings) would be impacted by, and in greater shadow as a result of, the presence of the Villas III duplex units 22-25. Now, had the solar study used accurate dimensional information the negative impact would even greater.

Plus, had this "study" included the added 4 to 10 feet of snow that will accumulate on these flat roofs (1.5 / 12 slope) during winter, then the shade cast on SJV would be another 30% greater.

This impact was not addressed in the either PEIR or the EIR Addendum and has also had no public review. In addition to the aesthetic impacts, including loss of sun during winter months, this greater shadow could cause **increased snow accumulation, decreased snow melt, and increased energy and snow removal costs** to the SJV residents. These impacts to the adjacent property must be addressed in an Initial Study.

Staff Report inclusion of this flawed study is another example of bias toward the developer. To rectify this egregious and deceptive attempt to sway benefit to the developer, I request the PEDC **require a fact-based Shadow Analysis be conducted by an <u>independent</u> entity using true and accurate building dimensions and spacing to factually represent the significant negative** impact the Villas III Duplex units 22-25 will have on SJV (E-building) during the winter months.

B.) Biased Design Review Conclusion:

The Staff Report 2022-03 only addresses concerns about the Obsidian property to the south **with no consideration for SJV property** despite the fact that **Villas-III duplexes will be closer to SJV**. **This selective approach shows a clear bias for the developer** and **disregards the negative impact** upon the community including the two-story SJV townhomes immediately to the north which are physically closer than *any other* neighboring property. If there had there been a comparison of the proposed Villas III 3-story duplex design with the San Joaquin Villas townhomes the Staff Report would have reached a negative conclusion.

Further, to address issues raised in both 1A and 1B, I request PEDC **require the following mitigations** to address the Size / Scale / Setback and increased shadow discrepancies that close-proximity enormous Villas III duplex units 22-25 will have on the immediately adjacent SJV (E-building):

I. **Eliminate Duplex units 22-25** from the design plan.

II. **At a minimum,** if those units were to remain included, **require duplex units 22-25 to have an increased setback of 50 feet**.

III. <u>Independent Shadow Study</u>: Require a **Shadow Analysis be conducted** by an **independent** entity using accurate building / setback dimensions to factually represent the significant negative impact the Villas III Duplex units 22-25 will have on SJV (E-building) during the winter months.

<u>Privacy / green natural barrier</u>: Require Villas III developer / subsequent owners/HOA be held responsible to install *and **maintain*** **a significant "green" natural barrier** between the Villas-III development and neighboring residences, specifically between duplexes 22-25 and San Joaquin Villas units E1 to E6<u>2. Inconsistent / Missing pre-existing easement on Villas III development plans:</u>

Public Multi-use Path 12-foot easement for Mammoth Lakes Trail System. This issue was raised during the 2022-02- 09 hearing and inconsistency remains showing the 12-foot easement being vacated for the publicly funded Multi-Use Public Path (TTM 36-222). As currently stated, the development will absorb a portion of the previously approved 12-foot easement for the Mammoth Lakes Trail System.

3. Biased Justification for Use Permit UPA 21-006:

Resolution No. PEDC 2022-03, Section II Municipal Code Findings for Use Permit section makes the following claims:

A.) Findings for Use Permit (Paragraph A.1, page 3/178) states the proposed project "features a clubhouse and other on-site amenities that are not available within traditional multi-family developments".

The Villas III development plans do not include plans for a clubhouse, or other such onsite amenities as claimed. Further the Villas III development plans do not substantiate how this claim will be met. Both the Tallus / Obsidian I (Obsidian Private Residences Club) and Obsidian II (Villas at Obsidian) have their own separate and unique HOAs. Of these, only the Tallus / Obsidian I development has clubhouse / amenities, and which is owned and controlled by the Obsidian Private Residences Club HOA.

B.) Findings for Use Permit (Paragraph A.2, page 3/178) states the proposed use "will not be detrimental to the public health" and (Paragraph A.3, page 3/178) improperly concludes "Therefore, the proposed transient use of the site is consistent with other development in the vicinity".

This Staff Report conclusion is incorrect and ***grossly biased*** toward the developer, and it *deliberately ignores* the San Joaquin Villas workforce community *immediately adjacent* to the Villas III proposed development. The Staff Report review gives no consideration to disturbances from transient occupancy adjacent to a workforce community. The proposed Villas III development plans will severely impact quality of life and mental health for San Joaquin Villas residents.

Both of these inconsistencies need to be resolved and corrected. I **request the following mitigations** to address the noise and loss of privacy from the result of close-proximity transient overnight rentals:

i. Transient Rentals (Units 22-25): **Deny Use Permit Request UPA 21-001; do not allow transient overnight rentals in Villas III Duplex Units 22-25** due to the close proximity to the immediately adjacent SJV workforce community.

ii. Hot Tubs: **Do not allow exterior hot tubs on *any* Villas III duplex unit. Require that developer is not allowed to install either plumbing or electrical utility to any deck.**

4. Inconsistent Front Setback vs. Primary Development Entrance:

The Staff Report 2022-03 (p.12 /22) describes the Villas III development setbacks per municipal code §17.74.030 for RMF-2 zoning and states "The **front setback (25-feet)** has been applied to the southern property line as it is where the primary access to the project site will be taken through the existing Obsidian Development (the project is required to be annexed into the Obsidian HOA)." This claim of primary access point is inconsistent with other parts of the Staff Report and Resolution.

The Staff Report / developer have misconstrued the northern SJV / Villas III border as the "Rear" and have applied the minimum rear setback of 20-feet to the SJV / Villas III property line. This is blatantly inconsistent with defined setbacks required and therefore the **front setback of 25-foot must be applied to the north property line** adjacent to SJV.

The Villas III development is clearly targeting Callahan Way as the primary entrance point with the proposed Access Gate, this since Dorrance is defined as Emergency Egress easement only, and the Tallus / Obsidian I main entry at Meridian is owned and controlled by its Obsidian I Private Residence Club HOA. There is no evidence provided to show any agreement that Obsidian Private Residence Club HOA has or will grant passage through their private access gate from Meridian Blvd.

Thus, the Callahan Way entry is clearly the planned primary entry into the Villas III development and therefore the SJV / Villas III property border is the "Front" of the property. Thus, the Staff Report must be revised to state "The **front setback (25-feet)** has been applied to the **northern** property line as it is where the **primary access to the project site will be taken via Callahan Way.** And the Tentative Tract Map must reflect the 25 foot setback on units 22-25.

Require clarification and correction:

- If Callahan Way *is* the primary entrance, then the northern SJV / Villas III property border must be defined as the **front and the front setback (25-feet) must be applied to the north property line** adjacent to SJV.
- If Callahan Way is *not* a primary entrance, then action is required to ensure that **only the Meridian entrance** is the primary entrance, and the proposed Callahan gate should be emergency or exit only.

5. Inconsistent Proposed "Limited" Access Gate on Callahan Way at current terminus:

A.) PEDC Resolution 2022-03 Standard Planning Conditions #1 states "*The proposed limited access gate on the north end of the project on the private Callahan Way road will require a subsequent use permit and is not part of this approval."*

The statement directly conflicts with Resolution PEDC 2022-03 (page 41/178) which states that there will be a gate on Callahan Way. Further, Special Planning Condition # 31, (page 15/178), describes the required gate elements. This implies that the gate design will be approved as part of the 2022-03-02 PEDC hearing – this is unacceptable, due process must be followed. **The Resolution must be updated to remove the conflicting statements that imply that a gate is being approved as part of the 2022-03-02 PEDC hearing.**

B.) While it is understood per PEDC Resolution 2022-03 that the gate *"will require a subsequent written permit and is not part of this approval"*, I am Clearly ON RECORD in opposition to Callahan Way as the primary entry/exit for the proposed Villas III development. An entry gate at Callahan Way would negatively impact SJV residents, especially with transient renters arriving in late night / wee hours of the morning.

There are numerous concerns related to a proposed gate in this location. **I request the following mitigations** as part of a future Callahan gate design and location and its *future approval process*:

I. Expressly prohibit any type of speaker communication system (e.g. call box, speaker-amplified keypad, etc.) at the gate location for communication purposes into the

Villas III development in order to prevent emanation of vocal/beep noises, that would disturb SJV residents, especially during sleeping hours, particularly late-night arrival of transient renters or returning from bar/restaurants after night out.

II. Require that the gate be activated only via radio-frequency remote, RFID-card or similar silent mechanism.

III. Require that the gate design incorporate a "soft-close" gate to prevent clanging that will disturb SJV residents, especially during sleeping hours.

IV. Require that the PRIMARY entrance for Villas III be through Obsidian via Meridian and that this be actively enforced.

V. Require that the Callahan Way gate be used only for emergency access, or that it be solely used to exit the Villas III development.

VI. Require that, if the gate were allowed for entry access, entry time be limited to daytime/early evening hours (e.g. 8am-6pm) with afterhours access mandated via alternate Obsidian entry points such as Meridian or Dorrance.

VII. Require that the gate follow ToML code that in the case of malfunction, the gate shall automatically open and remain open for the extent of the malfunction.

VIII. Require that the gate design does not impede access to Public Access Trail nor block visual sight of Public Access Trail so as to dissuade casual users from utilizing the trail.

IX. Require that the gate does not impede snow removal from Callahan Way, which is 100% the responsibility of the Developer

6. Inconsistent Building Height Adjustment ADJ 21-006:

I object to the request for height adjustment ADJ 21-006. Per ToML municipal zoning code §17.36.060 a *maximum* building height of 35-feet for lots with 0-10% slope. The Lodestar Master Plan states the same 35-foot *maximum* building height for resort zones within Lodestar at Mammoth Master Plan Development Area 2.

ADJ 21-006 requests a building height increase from 35ft to 37.5ft for three single family homes.

Significant inconsistency exists between the Staff Report 2022-03 (page 4/22) and ADJ 21-006 / Resolution PEDC 2022-03 Findings for Adjustment (p. 6/178, paragraph C-1). The Staff Report claims "A 7.1% building height increase (37.5 feet vs 35 feet maximum height) is requested for the three single-family residences in order **to accommodate building infrastructure and maintain visual continuity** with the existing Obsidian development to the south"; the resolution sites **safety**.

The claim of "safety" is based on allowing a 3:12 roof pitch for the three single-family houses as justification for exceeding the 35-foot height limit. However, the 15 duplex structures within the same development which are held to the same requirements only utilize the lesser 1.5:12 roof pitch, which per this rationale would be considered unsafe. This justification **does not meet** the requirement per Municipal Code §17.76.020 for a height adjustment approval. Instead, this is simply a barefaced attempt to bypass the existing maximum building height code purely for the developer convenience and smacks of bias toward the developer to allow such blatant failure to follow existing code. The PEDC should enforce the ToML maximum building height code consistently. **Do not approve Height Adjustment ADJ 21-006.**

7. Inconsistent Fencing Along Multi-Use Public Trail:

Resolution PEDC 2022-03 Special Planning Conditions #36 (p. 16/178) is inconsistent with TTM 21-001. The Resolution states the 6-foot solid fence is on the **eastern** property line, the TTM shows the fence along the **western** side of the multi-use trail.

Also, Resolution PEDC 2022-03 Special Planning Conditions #37 (p. 16/178) does not provide any justification for use of a split rail fence in areas where fencing is not required by municipal code.

Do not approve this Resolution, and **require** the following corrections:

A.) **Revise Tentative Tract Map (TTM) 21-001** to be consistent with the Resolution to show the fence on the **eastern** property line, and only in the locations mandated per code.

B.) **Revise TTM 21-001** to clearly identify the areas where the solid fence is not allowed.

C.) **Revise TTM 21-001** and **Resolution No. PEDC 2022-03** to eliminate split rail fence references.

Additionally, I also object to the following aspects related to this proposed development application:

8. Lack of Resolution Condition to Ensure Compliance with Low-Income Housing Ordinance Requirement:

PEDC Resolution 2022-03 Standard Planning Conditions # 26 (p. 15/178) states "*The affordable housing requirements for this project shall be mitigated in accordance with the Town's Housing Ordinance in effect at the time of building permit submittal*."

Also, PEDC Resolution 2022-03 section "Prior to Issuance of a Temporary, Conditional, or Final Certificate Occupancy, the Following Conditions Shall be Completed" Condition # 95 (p. 23/178) "*Recordation of the final map. The applicant shall provide evidence to the Town that the map has recorded prior to issuance of the first building permit for the project. Evidence shall consist of the recording information of the final map*."

The PEDC must **require an additional condition to ensure that agreement is reached to ensure compliance to the Low-Income Housing Ordinance before building permits are issued.**

9. Resolution PEDC 2022-03 Special Engineering Conditions # 111, re potential Callahan Way renaming:

This change will negatively impact SJV residents, many of whom have resided at 61 Callahan Way since 2008. For these individuals, changing street names after so many years will result in real costs and added financial burden, many of whom are Mammoth workforce on limited budgets, to change existing documents to reflect new street address (mortgages, property titles, utility bills, etc.) and create unnecessary confusion for local and visitors alike.

- Who will cover the costs to the SJV and other local residents impacted by this inane change?
- Who will cover potential late fees/damages resulting when an address change is missed or not made in a timely manner?
- Why must the local SJV residents who will already be so negatively impacted by the Villas III also be saddled with this financial burden and unnecessary documentation hassle solely for the developer's desire to have an "Obsidian" address??

10. Construction Vehicle Access via Callahan Way:

Construction vehicle access via Callahan Way should not be allowed since extended construction traffic would have significant negative impact on the adjacent SJV residential community. Additionally, entry into Callahan Way is through an already hazardous combined intersection consisting of Callahan Way - Frontage Road - Main Street - Mountain Blvd. This intersection is comprised of tight corners, is not conducive to construction traffic, and would block the sole SJV entry/exit route should a traffic accident occur as a result of oversized equipment transiting via Callahan. **Require that Villas III construction vehicle access is not allowed via Callahan Way.**

CONCLUSION

I request the Planning Commission **REJECT** the Villas-III development application for 100 Callahan Way submitted by Mammoth Spring Resorts, LLC due to the errors / inaccuracies / inconsistencies discussed herein which must be adequately addressed.

Thank you for your considered and thorough review.

Kimberly Taylor
SJV, Unit E6 since 2009

To: Mammoth Lakes Planning Commission Date: March 1, 2022

Copy to: Mammoth Lakes Town Council

Regarding: Villas III Development Application

My name is Sue Farley. I first moved to Mammoth in 1981, and currently reside full-time at San Joaquin Villas #C6, where I purchased my townhouse in 2009. I am retired from a career with the Forest Service, previously working on the Mammoth Ranger District.

This is my second comment letter regarding the Villas III application. I am concerned that the Villas III development application contains elements which are inconsistent with requirements of the Lodestar Master Plan or other local and state planning specifications, and which are incompatible with the workforce housing development at San Joaquin Villas (SJV). My concerns include vehicle access, maximum building height, roof slope standards, easements, impediments to snow removal on Callahan Way, and permitting of nightly rentals.

I am asking that the Mammoth Lakes Planning Commission and civic leaders reject the current Villas III development application based on the following inconsistencies, and to adopt measures to protect the quality of life for SJV residents:

- Reject the current application because of inconsistencies for vehicle access with the Tentative Tract Map 21-001, Resolution No. 2022-03, the Staff Report, the Developer's 2/9 hearing statement, and the Planner's 2/9 hearing statement;
- Reject the current application because of inconsistencies for building height with the requirements of the Lodestar Master Plan;
- Reject the current application because of inconsistencies for roof slope standards compared to requirements of Safety Standards in Adjustment 21-006 and the project plans;
- Reject the current application because of inconsistencies in the easement compared to requirements of the State Map Act;
- Require revision to the plan to for a limited access gate on Callahan Way to prevent impedance of roadway snow removal activities and potential impact to SJV egress;
- Deny the transient use permit for units #21-25 because this is not a requirement of the Lodestar Master Plan for Development Area #2, and because this type of use is incompatible with the neighboring workforce housing at SJV and the full-time SJV residents who are the backbone of the services industry in this community.

Thank you for your consideration.

Sincerely, /s/ *Sue Farley*

From: Sharon Clark
To: Michael Peterka
Subject: Villas at Obsidian
Date: Tuesday, March 1, 2022 5:01:30 PM

> You don't often get email from sharonr.clark@gmail.com. Learn why this is important

[EXTERNAL EMAIL]

Hi Michael,
Is it too late to get the following into PEDC packets? They meet in the morning.

PEDC Members:

Thanks you for serving on the Mammoth Lakes PEDC.

I have grave reservations about the Villas III development. As you know ML has been in a housing crisis since 2014. Yet, somehow the Villas III project before the PEDC is not building the density allowed. Normally, developers request maximum density. Are 33 units instead of 133 really the highest and best use of this land? Granted that the project meets necessary codes, etc., but is this the project that ML needs? If a project ***only*** needs to comply with a Master Plan and Zoning Codes, why do we need a PEDC?

You represent our entire community. You decide which project, which development benefits our town and which does not.

Again, thanks for your service,
Sharon

From: Michael Peterka
To: Michael Peterka
Subject: FW: Villas III - Planning and Economic Development Committee notice
Date: Wednesday, February 23, 2022 3:53:36 PM

From: Jaime Pollack <pollacknv@gmail.com>
Date: February 18, 2022 at 8:03:45 PM PST
To: Lynda Salcido <lsalcido@townofmammothlakes.ca.gov>, John Wentworth <jwentworth@townofmammothlakes.ca.gov>, Bill Sauser <bsauser@townofmammothlakes.ca.gov>, Kirk Stapp <kstapp@townofmammothlakes.ca.gov>, Sarah Rea <srea@townofmammothlakes.ca.gov>, Jamie Gray <jgray@townofmammothlakes.ca.gov>, mvanderhurst@visitmammoth.com, jenb2374@gmail.com, Paul Chang <pchang@townofmammothlakes.ca.gov>, eckertinmmth@verizon.net, jessicarskennedy@gmail.com, Sandra Moberly <smoberly@townofmammothlakes.ca.gov>, Pam Kobylarz <pkobylarz@townofmammothlakes.ca.gov>
Subject: Villas III - Planning and Economic Development Committee notice

[EXTERNAL EMAIL]

Dear Mammoth Planning and Economic Development Committee Members, Town Council Members and Mayor Salcido:

This email is in regard to the Villas III Public Hearing(s). First of all, thank you to all the members and council members, who took the time to speak to me one on one.

To continue the conversation around this matter, I would like to request to be put directly in touch with the project developer/applicant, Mark Rafeh, in order to work on a list of compromises around the deep issues that have been raised in the previous hearing and by the community at large. As already discussed with many members on this email, it is the intention to find a fair middle ground here.

That being said, there seems to be a continued lack of proper public review around this application and its process. Even after raising concerns that the initial public hearing was smack in the middle of the work day, the next scheduled meeting was set during work hours again. And now, the new hearing date of March 2, is even sooner and starts at 9am. It is impossible for most members of the community to attend the hearings and to have their voices properly heard. In all circumstances, across the state and country, public hearings for similar matters are scheduled during evening hours. This continues to be a bad look.

Secondly, in addition to the previous CEQA issues raised, the current application itself, pushed through via addendum after a 30 year old EIR, violates the spirit of CEQA and in effect bypasses proper public review. This is another real legal issue that the Town should take seriously.

After continued consultation with local counsel, it is clear that the Town's determination that the applicant's addendum to the original EIR does not pose new or increased environmental impacts is not a proper conclusion. It very easy for the Town to immediately delay any hearings and request that the developer take the proper steps in applying for its project. This will also allow for the community to have a meaningful discussion with Mark Rafeh and his project, and allow for him to take the proper legal steps with public review opportunities.

Thank you in advance,
Jaime Pollack
SJV resident

From: Sharon Clark
To: Michael Peterka
Subject: Obsidian Villas III
Date: Wednesday, February 23, 2022 3:43:42 PM

[EXTERNAL EMAIL]

Hi Michael,

I'm a long-time ML resident concerned about our lack of housing in town. One thousand people have moved from ML since the 2010 census. I think it's because they were unable to find a place to live.

If the land/zoning allows 133 units to be built at this site and only 33 units are proposed...this is quite a change. Developers normally want maximum density. Why is the developer asking for so few units? Are nightly rentals allowed in the Lodestar Master Plan? How old is the Lodestar Master Plan?

Are dwellings in ML still limited to a 45 feet height? If so, what is the purpose/excuse for the developer to need almost 3 more feet? What is the height of nearby existing dwellings?

What is the time, date and location for the meeting when staff, developer and the public try to find a compromise solution to the tie vote?

Thanks for your assistance,
Sharon

From: Gina Varieschi
To: Michael Peterka
Subject: Application Request: Villas III Subdivision
Date: Friday, February 4, 2022 7:04:55 PM

[EXTERNAL EMAIL]

Dear Planning Commission,
Re: Application Request: Villas lll Subdivision Tentative Tract Map (TTM)221-001, Use Permit (UPA)221-001, Design Review (DR)21-001, and Adjustment (ADJ)21-006.
My name is Gina Varieschi and I am a homeowner and resident at 65 Callahan Way, San Joaquin Villas, Unit D6 and I am writing to request that you reconsider and not move forward with the three single family residences and 15 duplex structures to be subdivided as a 33 unit Planned Unit Development (PUD) to be sold as wholly owned townhome units. The 4.07 – acre site is located at 100 Callahan Way.
Application is requested to allow transient occupancies. In addition, proposed plans indicate hot tubs on every second -floor rear deck of every duplex unit.
The proposed project would have a negative effect on the environment and on the quality of life of SJV residents and surrounding community. Hundreds of trees will have to be removed in order make way for the project. Trees produce oxygen, store green- house gases, provide shade and help keep temperatures cool and prevent erosion. The proposed plan does nothing to address the urgency of global warming. Furthermore, this is the last piece of forest within the town of Mammoth Lakes and a necessary corridor for wildlife. Deer, bears, coyotes, squirrels and birds make their home in these woods. Noise from traffic, lawn mowers, leaf blowers and visitors partying in their hot tubs late at night would further negatively impact the quality of life for all SJV residents and surrounding neighbors. In addition, water required to fill hot tubs, irrigate lawns and man- made landscaping further ignores the constant threat of drought and the need to conserve water.
I respectfully request that the Planning Commission seriously consider how the project will have a long-term negative impact on SJV residents and the surrounding community and not move forward with the project. Thank you.
Gina Varieschi

February 6, 2022

To Whom it May Concern,

I am writing to express my concern and opposition to the new development titled “The Villas III.” I live on Joaquin Street adjacent to the 4.07 acres proposed to be developed. I was born and raised in Mammoth. I am a teacher at Mammoth Elementary School. I chose to move into a house that my parents bought in 1990 instead of elsewhere. This house is on Joaquin Street. I wanted to live with the golf course in my back yard. I chose to live on Joaquin for the beauty out my back door. I chose to live on Joaquin for the sense of community that I have with knowing my neighbors. I chose to live on Joaquin because I had a view, space, and a quiet, safe place to call home. I chose to live on Joaquin to avoid heavy traffic, noise, and short-term renters. Now, a developer is proposing a development that will extinguish those dreams of having a home on a nice lot in a place where otherwise unattainable for a single local professional. And the Town of Mammoth Lakes is going to let that happen. Why? To collect the TOT? For money?

When you approve to develop this parcel of land, you will deprive me and many other locals of a unique space that we all enjoy. No longer will we see bears, coyotes, rabbits, squirrels, and birds in our back yard. No longer will we be able to walk out our back doors to see the trees, mountains, or sunset. No longer will we have a nice area to walk our dogs. No longer will we be able to access the land for which we live here. No longer will we be able to walk on the access path. We will be fenced out (six feet high) of our own backyards. Instead, we will stare at massive second homes behind fences. We will have to navigate another road in an already impacted part of town. And we will be subject to the noise and trash that another transient neighborhood creates.

What is the rationale behind this? It seems like the rationale is money. This development proposes 15 duplexes and three single family homes. Thirty-three new units. Thirty new opportunities to collect the transient occupancy tax (maybe 33 if the single-family homes are zoned as transient). Gross. Why are you even considering this when Mammoth is in a *dire* need of workforce housing? Why expand short-term housing when the lack of long-term housing is the demise of businesses? The lack of long term housing has led to an employee shortage throughout the town. Where are your priorities? I’m disappointed in the Town because I remember when the locals used to matter.

Furthermore, these buildings will stand 37’6” tall. Three and a half stories high. Gross. Why is that necessary? I suppose the higher the income, the higher the ceiling. *Please do not approve the extra 3 feet for these buildings.*

In regards to the “historically caused flooding issues” as referenced in the EIR, why did the Town not address this prior to this proposed development? If the “floods” were such a concern, the TOML should have acted on that in October when that area did flood. I was out there cleaning trash out of the drains and off of the path. Where was the TOML?

Regarding the Environmental Impact Reports, please forgive me if my understanding of these documents is incorrect. Volume I is 290 pages. Volume 2 is 227 pages, and Volume 3 is 369 pages. Additionally, the scanned maps are nearly impossible to read from a layperson’s perspective. The documents are overwhelming.

In looking at the EIR from 1991, the objectives of this project are as follows:

1. Design and develop a resort country club that is compatible with adjacent and surround land uses;
2. To construct a project that will have the fewest long-term and short-term environmental impacts as is practically and feasibly possible;
3. To provide both short and long-term economic benefit to the region and the TOML:
4. To provide a development that will enrich and enhance the quality of lifestyle for both existing and future residents of the region of the TOML

In response to #1: Hasn't the "country club" gone far enough?

In response to #2: Bears and other wildlife will be displaced. The undeveloped area of this parcel provides a home to many species of wildlife. In my sarcasm, it makes perfect sense to reduce even further their [bears'] habitat and drive them into town even more than they already are to cause more problems and consequently be "eliminated." Additionally, the mitigation of flooding - again, if this was a concern, why hasn't it already been addressed?

In response to #3: Please explain to the general public how this will benefit them economically. It is quite clear how it will benefit the TOML. People in the service industry (that keep this town afloat) cannot find housing. Working professionals cannot find housing. How does that benefit locals and this community?

In response to #4: Please explain how this will "enhance the quality of lifestyle for existing and future residents of the region of the TOML." I cannot wrap my head around this "goal." Personally, attracting more people to a region that is already saturated will in no way enhance my lifestyle. And I am confident enough to say that many locals would agree with me.

In closing, I ask that you please do not let this developer continue with this project and rape what little land the town has left. Please do not approve more transient housing, more traffic, more congestion that this will bring. Please do not approve 3 ½ story houses and 6-foot high fences or the additional three foot extension upward. Please, members of the Town of Mammoth Lakes, please favor your locals instead of the developers.

From: Lindsay Barksdale
To: Michael Peterka; Ian Birrell; Mary Barksdale; Donna Mercer
Subject: Concerns about Villas 3 at Obsidian Development
Date: Tuesday, February 8, 2022 3:03:19 PM

[EXTERNAL EMAIL]

Dear Planning Commission,
I have a few concerns about the plans for the Villas 3 at Obsidian development. Thank you for your time to thoroughly review this project.

1. I am disappointed that the Villas 3 at Obsidian units will not be affordable for our workforce and I am opposed to this project being zoned for nightly rentals. Nightly rentals will make it hard for full time workers to rent or own one of these units as their permanent residence. Due to its zoning as available for nightly rentals and the size of these units, the sales price will most likely be above what is affordable for our local workforce.

As stated on Page 2 of the Staff Report, "The subject site is identified in the Town's 2019-2027 Housing Element as being a potential site for future affordable housing development to satisfy the Town's Regional Housing Needs Allocation (RHNA) established by the State; however, there are currently no affordability restrictions burdening the site that require the developer to provide those units identified in the Housing Element." The chart on Page 14 shows, "The subject site was identified in the Housing Element Land Inventory as a potential housing site that would provide 28 affordable units (Very Low- to Moderate-Income) of the 155 units identified as being needed by the State in the Town's RHNA ." I doubt the developer's Housing Mitigation will be able to cover the cost of 28 new affordable units in town. If we continue to use our limited undeveloped land to only build market rate homes, and allow these market rate homes to be rented nightly, we will never be able to make a dent in our affordable housing need for our workforce. What if a few of these 33 new units were required to be affordable, in perpetuity, for local workforce making 120% AMI or higher?

I would like to see our Planning Commission, Town Staff and Town Council review our zoning and land use requirements as well as our Housing Mitigation Ordinance in order to promote new affordable units in town. The development of Villas 3 at Obsidian as market rate homes is another missed opportunity for our community's workforce.

2. Looking at the project plans, I do not believe the Proposed Gate on Callahan Way is a good idea. The proposed gate could present an issue with snow removal on Callahan Way. The location of the gate is the current snow storage spot for Callahan Way. What is the proposed alternate snow storage location for Callahan Way? Also, I do not want the proposed gate to create a deterrent for users of the public path. Even if there is an opening for the public path I believe it could be a visual deterrent for the public to see a gate on the road.

3. Using Callahan Way as the only entrance and exit for the newest Obsidian projects will add a lot of traffic to Callahan Way and cause potential traffic congestion at the farthest north end near Lopez Loco Frijole. The turn off Main Street onto Frontage Road and then onto Callahan is very tight and often icy in the winter. Adding more cars and Nightly Renters arriving in the dark, who are inexperienced with the downhill slope, curves and the ice could cause a problem. There are also cars pulling in and backing up at the Lopez Loco Frijole restaurant to

add to the mix. The uphill slope going north on Callahan Way can present a problem during storms and icy conditions as cars often get stuck on Callahan and Frontage Road. Dorrance will offer a flat road for entry and exit. It seems prudent to allow access from both Callahan and Dorrance to alleviate traffic at both locations.

4. Regarding the 6 foot fence along the public path, I am happy to hear there will be openings for wildlife. I also hope there are openings for humans. During the summer, the section of public path next to the proposed Villas 3 at Obsidian project is filled with local children who live along Joaquin street and other areas in the Sierra Valley Sites. The public path is a safe and healthy way for our local children to recreate and access our greater trails system. I hope these children will still have access to the public path along the Villas 3 at Obsidian development, and not just at Dorrance and the north end of Callahan Way.

5. I am concerned with the proximity and height of units 22-25 with regard to San Joaquin Villas (SJV) Building E. Units 22-25, as proposed, are broad and very tall and will put SJV E building into shade and shadows for the entire day diminishing quality of life for owners in SJV E building. The back end of Units 22-25 will also stare directly into the living rooms of SJV E Building. Can smaller and shorter buildings be planned for this area or changed to open green space which can also be used as snow storage in winter?

6. I am opposed to outdoor hot tubs on back decks of Units 20-25. These units are in close proximity to SJV buildings D and E and have the potential to cause a noise nuisance for home owners in SJV buildings D and E. I imagine there is a potential for outdoor hot tubs on back decks of Units 26-33 to cause a noise nuisance for homes along Joaquin Street as well.

Thank you for your consideration of my concerns.

Sincerely,
Lindsay Barksdale, Homeowner at San Joaquin Villas

Feb. 7, 2022

Michael Vanderhurst
Chair, Economic Development & Planning Commission
Town of Mammoth Lakes
437 Old Mammoth Rd. Ste R
Mammoth Lakes, CA 93546

Dear Mr. Vanderhurst and Planning Commissioners,

Thank you for the opportunity to comment on the Mammoth Springs Resort Villa III. First I want to say, the town has failed to comply with CEQA, in that has prepared an Addendum to a 31-year old EIR that no longer is accurate in its description of local land use or environmental impacts. Addendums are to be used when only "minor technical changes" are required to a project and a new 33-unit residential development does not qualify for the use of the Addendum.

I have been a resident of the adjacent San Joaquin Villas for 15 years. I will not be able to attend the public hearing in person as I am working – as are almost all my neighbors and most Mammoth locals who will be impacted by this development. This public hearing – which directly affects our quality of life – was scheduled in the middle of a workday, preventing the public from participating and limiting feedback on the project's impacts.

In addition, the notice of public hearing received in the mail just ten days prior to the hearing provides inadequate time for concerned neighbors and residents to respond. Please understand that our community is frustrated with Town staff and the Planning Commission for not giving the public enough time to respond and not listening to the community's valid concerns and needs.

As a result of the short notice, I was only able to spend a few hours of my limited free time collecting signatures in opposition to the development. Every person I described the project tosaid, "I can't believe that the Town Planning Commission has agreed to the demands of this developer over the concerns of the residents" and thought the project was flawed as follows:

1. "Why are they building right up to the property line and so close to existing buildings?"
2. "What is the town thinking – why are they allowing hot tubs on the upper decks with nightly rentals so close to the homes of folks who are working and trying to sleep?"
3. "Don't they understand how much noise there will be late at night from visitors using the hot tubs which will disturb folks who need to get up in the morning to work?"
4. "That's exactly why I moved out of Mammoth, my neighbor was renting a nightly Air B&B, I never slept, my quality of life was gone."
5. "A fence will not make a difference to the noise coming from these units. What is the real purpose of the fence?"
6. "This is another example of the Town focusing on increasing TOT taxes – no thought about the workforce and our quality of life, only about making money!

Repeatedly, I heard the same comments, concerns and outrage from the neighborhood residents.

On 2/2/22 I spoke with Michael Peterka, Assistant Planner who has spent considerable time working on the Mammoth Springs Resort development. He told me that the developer wants to put up a six-foot-high wooden fence primarily to help with noise issues.

The proposed six-foot fence has NOTHING to do with stopping noise from the neighborhood.

The fence is to keep people and wildlife out of a "private, gated community"– to give the impression of exclusivity and upper scale luxury, like gated Obsidian development. It is an elitist amenity, designed to increase the sale price of the units and the developer's revenue..

The absurdity of the fence is that all the noise will be coming FROM Villa lll, especially from the new duplexes that are being built above the garages on the 2nd and 3rd stories --well ABOVE the six-foot fence and with their back decks facing Joaquin Street. To compound the issue, the decks will have hot tubs on them, where the overnight rental guests will be incredibly noisy, drinking, and partying loudly at night. All noise will be directed TOWARDS Joaquin Street homes and residents, keeping working Mammoth locals awake well into the night.I myself must be at work at 5:30 a.m. Renters do not know or care that SJV and Joaquin Street residents go to bed early and rise before sunrise to work. We are the people who serve visitors and locals and keep the Town running. We cannot function on a couple hours of sleep. The decks with hot tubs, as currently proposed, are just feet from our bedroom windows! This is an untenable situation which must be revisited and removed from the plan proposal.

The Planning Commission's role is to balance the needs of the developer with those of the local community. Please help minimize noise and disturbance coming FROM Villa III and prevent the developer frominstalling hot tubs on their duplex decks. Common-area hot tubs on the ground level are the appropriate solution, as other multi-residential developments have in place. Eliminating private hot tubs from the outer decks will provide the neighboring residents – and indeed even the visitors renting Villa III units – some chance at maintaining the current quietude and peace of the neighborhood.

I respectfully request that the project be modified as follows:

1. NO to a senseless fence along the bike path, a fence that will ultimately get broken and become unsightly under snow load and the elements. Any fence, even with two small openings, is unfriendly and dangerous to wildlife. No one wants to look at an ugly, unwelcoming fence along the bike path that has no purpose but to pretend to be a noise barrier.

2. NO to individual unit hot tub on the decks. The ambience of our neighborhood is being compromised by the development itself – the hot tubs outside our bedroom windows will eliminate all privacy and quietness and will negativelyimpact our quality of life.

3. NO to allowing nightly rentals in Villa III units 22-25 that are directly adjacent to SJV due to the close proximity of the buildings and the impacts of noise and disturbance.

4. that the developer be held responsible for maintaining a significant “green” and natural barrier between the development and neighboring buildings with a landscaping plan that includes trees and hedges. Snowshed from the building rooves must be managed and cleared away so our backyards do not become an icy mountain of snow.

5. that the Commission and staff do the RIGHT thing and consider the needs, concerns, and quality of life of the local community members over developer profits.

Again, Additionally, the town has failed to comply with CEQA, in that has prepared an Addendum to a 31-year old EIR that no longer is accurate in its description of local land use or environmental impacts. Addendums are to be used when only “minor technical changes” are required to a project and a new 33-unit residential development does not qualify for the use of the Addendum.

Thank you for your consideration.

Donna Mercer
61 Callahan way E4
Mammoth resident since 1999

Representative Scale of Building
Separation & Height

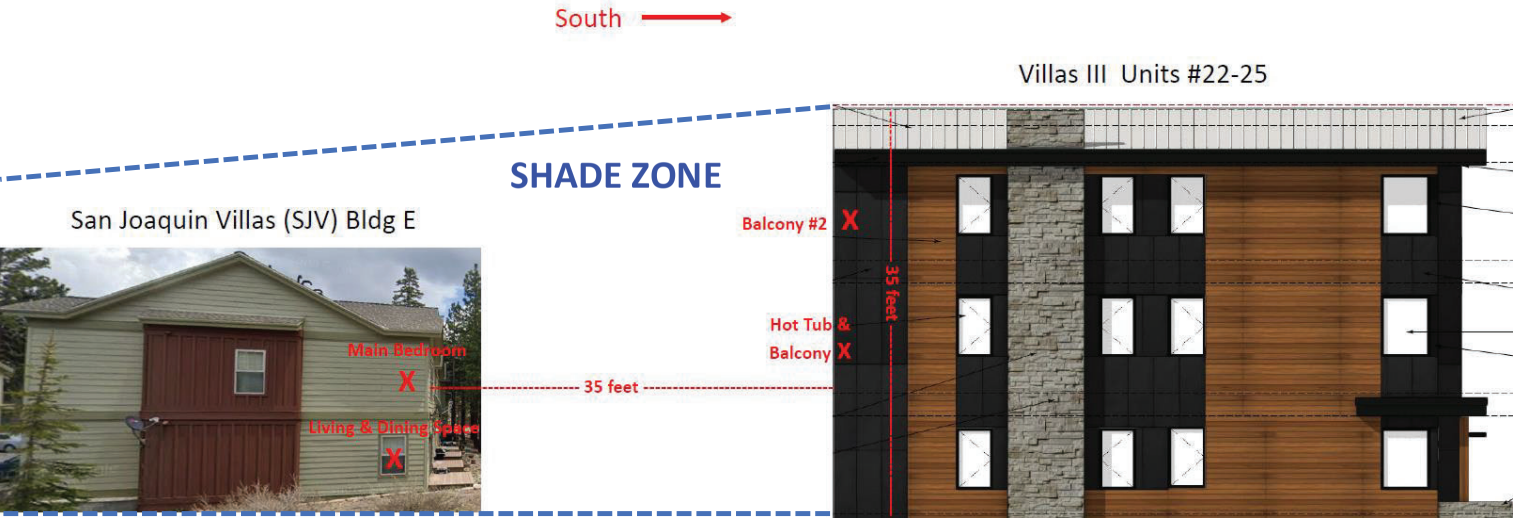
South →

San Joaquin Villas (SJV) Bldg E

35 feet

Villas III Units #22-25

Representative
Sunlight & Shadow



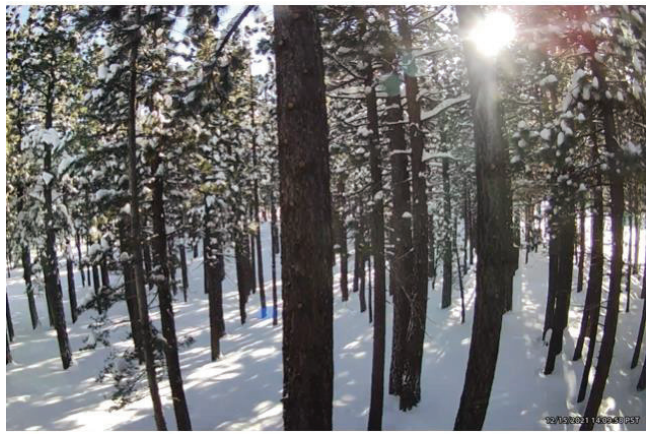


Photo of South from back of SJV Bldg E.
Dec. 15, 2022 2pm

Representative

Sunlight & Shadow with Roof Snow

Planned roofs have little slope and SNOW will pile up.
Easily adding 6-12 feet of height.

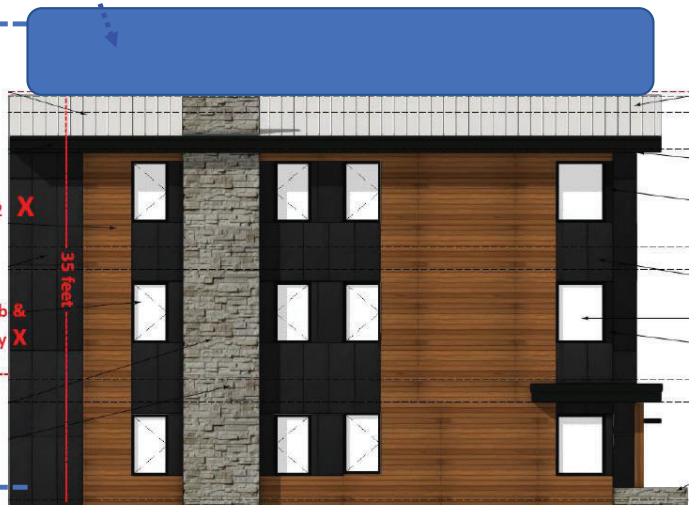
SJV's roofs are sloped but accumulate 4' of snow multiple times each winter.
Snow was cleared twice the week of Christmas, 2021.

South →

SHADE ZONE

San Joaquin Villas (SJV) Bldg E

35 feet

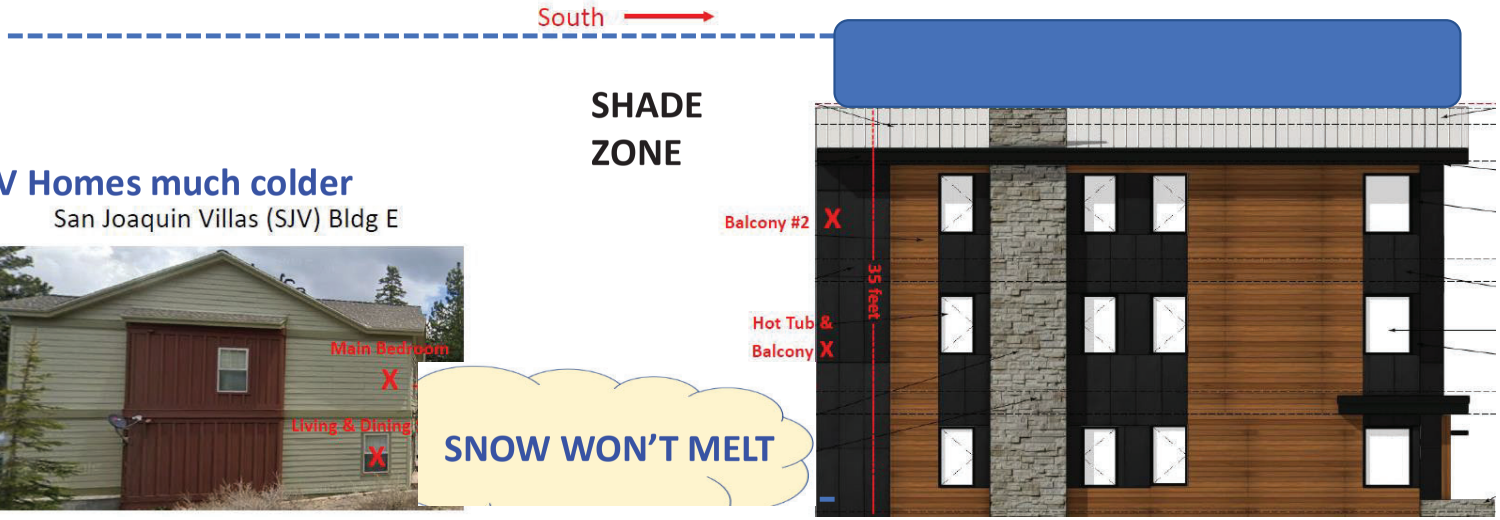


Representative

Sunlight & Shadow SNOW CAVE

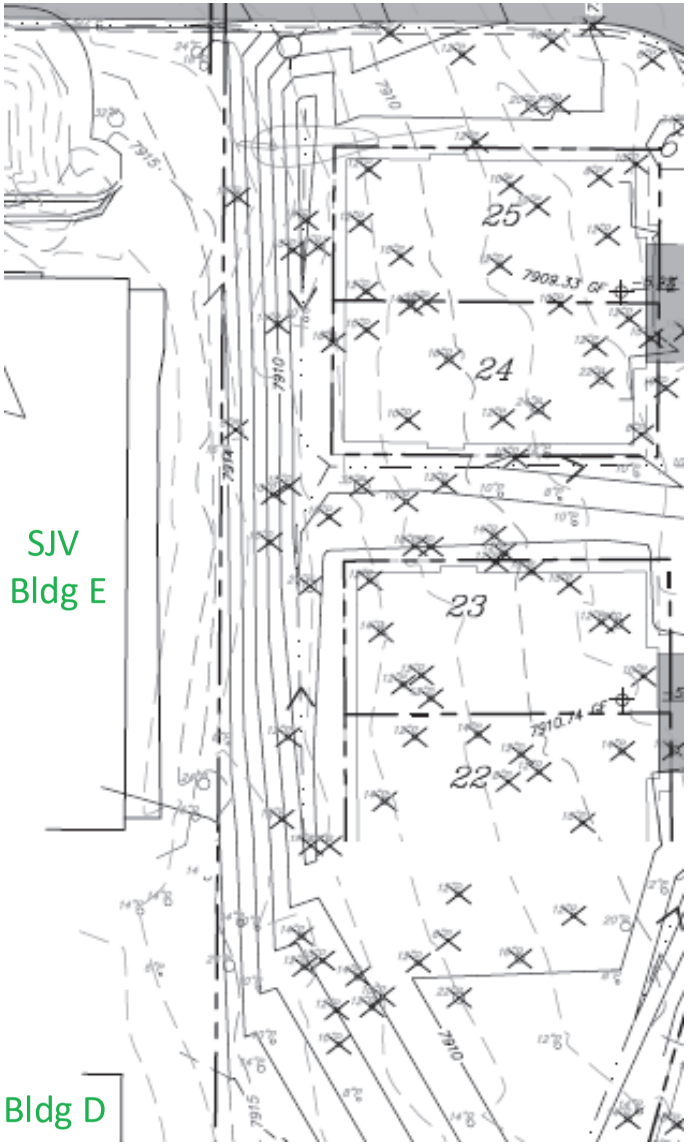
Backside of SJV's E Building. Shown are 2nd floor windows. Snow piled over 20 feet above the ground. Photo taken from top of snow storage area at the end of Callahan Way (to be replaced by Villas III entrance).

Back yard & deck of SJV's E Bldg (photos from inside).



Representative Scale of Building Positions

Landscaping Plan



Plan is to cut down trees near SJV.

X = Removed

Plant very few between building.

Feb. 8, 2022

TO: The Mammoth Lakes Planning & Economic Development Commission

FOR: Public Hearing for Villas III Subdivision

RE: OPPOSITION PETITION

Dear Planning & Economic Development Commission:

Please find attached a petition OPPOSING the Villas III Subdivision Plan because it would have a devastating impact on our San Joaquin Villas (SJV) community and neighbors.

The attached petition has **80 signatures** from residents and owners of SJV, our effected neighbors (on Joaquin Rd, Callahan Way, Lupin St, Dorrance Ave, etc.) and concerned and outraged Mammoth Residents. This petition started less than 4 days ago*.

SJV was built by the Town as Workforce housing. SJV is 70% full time occupied and the residents of SJV work at Mammoth's hospital, schools, the mountain, golf course, restaurants, plumbing, property management, Caltrans, forest service, housecleaning, transportation, service industries, consulting from home, and more. Many young children live at SJV.

These Plans will DEVASTATE our lives and destroy the community.

Everyone who heard about this Villas III Opposing petition wanted to sign it. Multiple SJV residents volunteered to talk with their neighbors and to collect their signatures. Those volunteers said yesterday, *"If I only had more time, I'd easily have 2 or 3 times as many signatures. Everybody works during the day, and some are out of town."*

Most of this petition's signers expressed anger and frustration about how this development will ruin their health, sleep, and quality of life. Most signers expressed that they think the developer and Town is trying to sneak this project through* without concern or input from SJV residents and locals effected.

"Not again! The Town is using the taxes I pay to screw me while I'm not looking!"
"This process is so rushed. They ask for public comment then immediately dismiss it."
"Why???... HOT TUBS on decks with nightly rentals so close [to us]!!!"
"No thought about workforce people." "I can't believe the Town Planning Commission agreed to the WANTS of the developer."

*Please note that our neighborhood heard about this project for the first time when receiving the Notice of Public hearing less than 2 weeks ago. We found the project's TOML website with details only last Thursday afternoon, Feb. 3, for the very first time. The Assistant Planner provided the link but only after 4 days not replying to 5 emails and voicemails requesting information.

We are united in our opposition to these Villas III development Plans.

Sincerely & respectfully,

The People of SAN JOAQUIN VILLAS

We the People of

San Joaquin Villas

Oppose the Villas III Subdivision Plan

Because they would be a devastating impact on the quality of life for our community. Three story town homes located 30ft from our full time living and sleeping space; balconies and 30+ windows directly facing us; endless noise from hot tubs on nearby balconies; overnight renters (known for inconsiderate behavior and noise disturbance) in nearby units; traffic nuisance and 24hr a day disturbance due to an access gate located immediately beside SJV rather than on Dorrance Ave.

Signature	Printed Name	Address
D2	Maray Castro	61 Callahan Way
G3	Matt Zubiate	61 Callahan Way
G2	Pablo Toledo	"
F6	Patrick de Chastonay	"
F5	Wade & Christina Heinoch	"
F4 Santa	Feria Arevalo	"
D1	Jenica Law	"
	Ruben Sandoval	184 Joaquin
	Ellen McDonald	193 Joaquin Rd 93546
	David Ben-Ami	193A Joaquin Rd 93546
	Stu Gore	122 Joaquin
	Garrett Reiz	64 Joaquin
	Cathy Ocampo	61 Callahan Way G1
Isaac Ocampo	Isidro Ocampo	61 callahan way G1
Nancy Roan Worden	NANCY ROAN WORDEN	226 St. Anton Circle
	Lisa Anderson	103 Meadow Lane #34 ML

We the People *of*

San Joaquin Villas

Oppose the Villas III Subdivision Plan

Because they would be a devastating impact on the quality of life for our community. Three story town homes located 30ft from our full time living and sleeping space; balconies and 30+ windows directly facing us; endless noise from hot tubs on nearby balconies; overnight renters (known for inconsiderate behavior and noise disturbance) in nearby units; traffic nuisance and 24hr a day disturbance due to an access gate located immediately beside SJV rather than on Dorrance Ave.

Signature	Printed Name	Address
Hector Ocampo	Hector Ocampo	61 callahan way 01
Carlos Castro		61 Callahan Way D2
Jacob Castro		61 Callahan Way D2
Jared Langel	JARED LANGEL	61 Callahan Way A2
Michelle Chiang	Michelle Chiang	61 Callahan Way A2
MARIO GUTIERREZ	MARIO G	61 CALLAHAN WAY C1
	Mana Vrique	61 Callahan way C1
Susan R. Farley	Susan R. Farley	61 Callahan Way C6
	Nate Seevers	61 callahan F6
Yanet Lopez	Yanet Lopez	3711 Main St. Crowley LA 93546.
	Julio Chavarria	(Corner of main & Callahan Way)
	Chelsea Glende	104 Joaquin RD Apt #1
Ronald Glende	Ronald Glende	194 Joaquin St.
Ednamary C Glende	Ednamary Glende	4007 Crowley Lake Dr.
Chalese Miller	Chalese Miller	4007 Crowley Lake Dr.
Michelle Quirsfeld	Michelle Quirsfeld	109 Hidden Valley Rd
		138 Wagon Wheel Rd

We the People *of*

San Joaquin Villas

Oppose the Villas III Subdivision Plan

Because they would be a devastating impact on the quality of life for our community. Three story town homes located 30ft from our full time living and sleeping space; balconies and 30+ windows directly facing us; endless noise from hot tubs on nearby balconies; overnight renters (known for inconsiderate behavior and noise disturbance) in nearby units; traffic nuisance and 24hr a day disturbance due to an access gate located immediately beside SJV rather than on Dorrance Ave.

Signature	Printed Name	Address
	TAYLER NUTTALL	B5
	Maxine Pinn	SJV B-1
	Eric H. Taylor	SJV #E6
	Judith Goddard	SJV #B4
	Kimberly Taylor	SJV #E6
	Donna Mercer	SJV E4 M.L.
	Robert Frichtel	SJV E2
	Andrea Frichtel	SJV E2
	Frankie Alvarado	3199 chateau Rd
	Maria Lopez	44 Manzanita rd Mammoth Lk
	Jeanne Woo	64 Hill St.
	Gina Anderson	117 Lake Manor Pl

We the People *of*

San Joaquin Villas

Oppose the Villas III Subdivision Plan

Because they would be a devastating impact on the quality of life for our community. Three story town homes located 30ft from our full time living and sleeping space; balconies and 30+ windows directly facing us; endless noise from hot tubs on nearby balconies; overnight renters (known for inconsiderate behavior and noise disturbance) in nearby units; traffic nuisance and 24hr a day disturbance due to an access gate located immediately beside SJV rather than on Dorrance Ave.

Signature	Printed Name	Address
	Christian Newman	San Joaquin Villas #D3
	Amy Loncsa	San Joaquin #D3
	Jaime Pollock	SJV #E5
	Susanne Stech	SJV - E5
	Barry Pollock	SJV - E5
	Justin Pollock	SJV - E5
	Janette Miller	190 Foothill Rd SW.ca
	Amanda Taylor	2290 Sierra Nevada Rd #38 ML.
	Cathy Molina	374 MF Rm
	Karen Fiebiger	4995 Forest trail
	mike Fiebiger	1995 Forrest trail

We the People of

San Joaquin Villas

Oppose the Villas III Subdivision Plan

Because they would be a devastating impact on the quality of life for our community. Three story town homes located 30ft from our full time living and sleeping space; balconies and 30+ windows directly facing us; endless noise from hot tubs on nearby balconies; overnight renters (known for inconsiderate behavior and noise disturbance) in nearby units; traffic nuisance and 24hr a day disturbance due to an access gate located immediately beside SJV rather than on Dorrance Ave.

Signature	Printed Name	Address
	Denise Lafrancoise	41 ST. Anton Circle, M.L.
Araceli Fierro	Araceli Fierro	200 Azimuth #71 M.L
Juana Solorio	Juana Solorio	44# Manzanita M.L
Antonia Guzman	Antonia Guzman	Berney St 29 M.L
	Hiroki, Okamoto	359 Sierra Springs Dr. C.L.
	Silvia Escobar	200 Azimuth Dr, M.L.
Sean Burdett	SEAN BURDETT	98 TYROL LANE M.L.
Gloria Solorio		66 Dorrance Dr. ML
Adriana Madrigal		3072 Chateau Rd #106
	Dana Ellis	97 Valley View Rd
	CHRIS LEONARD	609 Sycamore Ave Bishop, CA 93514
	Annie Rinaldi	28 Shavercrk ML
	Sandra Villalpando	45 Montana Blvd ML CA 93526

We the People of

San Joaquin Villas

Oppose the Villas III Subdivision Plan

Because they would be a devastating impact on the quality of life for our community. Three story town homes located 30ft from our full time living and sleeping space; balconies and 30+ windows directly facing us; endless noise from hot tubs on nearby balconies; overnight renters (known for inconsiderate behavior and noise disturbance) in nearby units; traffic nuisance and 24hr a day disturbance due to an access gate located immediately beside SJV rather than on Dorrance Ave.

Signature	Printed Name	Address
	Raul Rodriguez	495 Lupin st. #6
Turner	Leigh Ann Turner	104 Lupin St.
		2290 Sierra Nevada Rd
Heather Hund	HEATHER HUND	151 Ridgecrest Dr.
Melissa Carey	Melissa Carey	525 Manzanita Rd.
	Alisa Moegling	3251 Chateau Rd.
Valerie Maddock	Valerie Maddock	396 Willow Brook Rd.
Francisco Solorio	Alex Solorio	PO Box 9354 M.L
Maria C Godinez	61 callahan way G4	M.L
	Laura Villalpando	1700 old Mammoth rd #H-105
	Madeline	163 Holiday Way M.L
Lisa Oliver	Lisa Oliver	99 Alexander lane M.L.

My name is Judith Goddard, I am an owner and full-time resident at San Joaquin Villas (SJV) for over 6 years.

Twenty eight two story SJV townhomes are directly affected by the Villas-III application; **over 70% are occupied full time** by Mammoth workforce and their families.

I am writing to **recommend to you that you do not approve the Villas III application due to inaccuracies and bias in the Staff Report.** Specifically:

Design Review Criteria. Staff Report page 8 paragraph A **only addresses the Obsidian property to the south**. The report completely ignores the SJV property immediately north and the residential properties to the east of the plot and to the west of the fairway. **This selective approach demonstrates bias towards the developers** and disregard of the negative impact upon the community including 28 two story townhomes in SJV adjacent to the proposed development. Had there been comparison with SJV it would not support the positive conclusion reached. **The design is not appropriate;** it does not blend with the height, architecture, building materials and color of the adjacent SJV property. No consideration is given to the negative impact of a three story property immediately on the south of a two story building (SJV E building) causing loss of daylight and constant shadow.

Multi use path easement. Staff Report page 3 incorrectly states that the new 8 foot trail "will be located within a new 12-foot easement". The plans (Appendix A-3 page 1) show the easement is 11.5 feet for 50% of its length toward the south end. A 12 foot easement is being vacated; **the plans require update to provide a 12 foot easement**.

Six foot solid fence Staff Report page 10 incorrectly states "the project consists of a six-foot solid fence along all portions of the road that are within 50 feet of the residential zone to the east". The plans (Appendix A-3 page 1) show the six foot solid fence runs along the entire length of the foot trail. At units 26-33 the road is clearly further than 50ft from both the trail and property line. **The plans require update to provide a six foot solid fence ONLY when the criteria are satisfied. Better still, get rid of the fence.** Where's the fence along East Bear Lake road immediately west of SJV B building? Evidently the criteria weren't enforced for Gray Bear II development project.

Use permit criteria

Staff Report page 8 incorrectly states that “the proposed use will not be detrimental to the public health and safety nor materially injurious to properties or improvements in the vicinity”. The review does not consider the **disturbance from transient occupancy adjacent to a workforce community** and the negative impact resulting from including an exterior hot tub at every duplex unit. The proposed plans will significantly and severely impact quality of life and mental health and will diminish property value; especially for the residents of SJV E and D buildings.

Proposed gate on Callahan Way (Staff Report page 3)

The purpose of the proposed “limited access gate” on Callahan Way is not clear. Do not allow the Villas-III entrance to be on Callahan Way due to the negative impact on the adjacent SJV residents. Only allow this as an emergency exit. Ensure that the **property entrance is only through Obsidian main entrance at the south.** Clarify the Staff Report and plans so that this is clearly the case.

Construction access

Do not allow **any** construction access via Callahan Way; it would have significant negative impact on the adjacent SJV community.

Procedural comment

The public hearing notice **did not** include the link to the development information on the town website, this should be rectified for any future notices. It felt like the process was designed to **discourage meaningful public input**.

Conclusion

Do not approve the plans as submitted; **require corrections** as identified in this statement and require a **meaningful design review** that actually considers the impact on SJV and our neighbors and take real **action to mitigate** the negative impact of the new development.

As a minimum I request that units 22-25 are limited to two story, that an increased setback of 50 feet is required for units 22-25, that the six foot solid fence is eliminated from the project and that exterior hot tubs are not approved for any duplex.

Thank you for your time.

To: Mammoth Lakes Planning and Economic Development Commission: Feb. 9, 2022

Subject: Opposition to proposed development plans for Villas-III at 100 Callahan Way

My name is Kimberly Taylor. I own unit E6 at San Joaquin Villas townhomes (SJV) and have been an SJV resident for over 12 years. The proposed Villas-III plan would be a direct negative impact on quality of life for the residents of **28 two-story San Joaquin Villas townhomes** and their residents, **over 70% are occupied by full-time** Mammoth workforce and their families.

As a San Joaquin Resident since 2009, we chose SJV due to its natural setting and quiet, stable community. The proposed Villas-III development is the **antithesis** of the quiet and stable San Joaquin Villas and the surrounding residential neighborhoods.

I am requesting that PEDC **do not approve** the Villas-III development proposal due to inaccuracies in the Staff Report and its bias toward the developer. The proposed plans do not take into consideration the residents and owners of properties adjacent to the planned project.

Design Review Criteria:

The Staff Report **only addresses concerns about the Obsidian property to the south with no consideration for SJV even though Villas-III will be closer to SJV** than any other neighboring property. The report completely ignores the SJV property immediately to the north. **This selective approach shows a clear bias for the developer** and **disregards the negative impact** upon the community including 28 two-story SJV townhomes which are physically closer. If there had there been comparison with San Joaquin Villas townhomes the Staff Report would have reached a negative conclusion.

The design is not appropriate; it does not blend with the height, architecture, building materials and color of the adjacent SJV property.

- **Size:** The proposed 3-story duplex design is significantly taller than the two-story SJV townhomes immediately adjacent. Villas-III Duplex units 22-25, just 35-feet to the south, will **tower over** and **block** sun to SJV E-building resulting in permanent shadow during the winter/fall/spring months.
- **Scale:** In addition, the overall **scale** of the duplex design is also vastly incongruous with the adjacent SJV townhomes. One Villas-III duplex building has more square footage than the *entire* 6-unit SJV townhouse building. The two behemoth duplex structures will **dwarf** the immediately adjacent SJV (E-building) with this massive scale.
- **Architectural Style:** The duplex design is essential a gigantic square block and *clearly* not cohesive with the adjacent SJV townhomes. Nor are they cohesive with the Tallus/Obsidian units which utilize varied roof heights to add visual interest and break up the vertical line. The Villas-III duplexes appear industrial.
- **Color / Building Materials:** The duplex colors are not visually cohesive or harmonious with the adjacent SJV property, nor are they cohesive with the existing Tallus/Obsidian

development. Specifically, the significant use of black metal panels / black finishes gives the duplexes a strong *industrial warehouse vibe* which is inconsistent with the mountain aesthetic claimed. Furthermore, the duplex rear-sides use >50% black panels/trim, resulting in 3-stories of black wall towering over the SJV E-building and will cause an even greater cave-like/shadowing effect during winter months. When the sun is finally overhead in summer months, these same black metal panels will absorb heat and radiate heat out onto SJV E-building, again due to the very close proximity.

- **Setback:** The setback distance is not cohesive with the rest of the Tallus / Obsidian development, again failing to recognize the SJV homes. Nowhere in the Tallus/Obsidian development do the Obsidian structure anywhere close to other residences except for the San Joaquin Villas townhomes. The report specifically mentioned the larger setbacks at the south end of development and highlights the buffer of trees between the Site and the homes on Joaquin Road. In contrast, Villas-III duplex units 22-25, directly adjacent to SJV, are just 35 feet from SJV building and the bedroom windows of hardworking residents and their children. With the buildings so close to one another, the duplex design should refrain from windows and decks that peer into existing SJV residences as the current Villas-III design proposes.

I **request the following mitigations** to address the Size / Scale / Style / Color / Setback discrepancies that close-proximity enormous duplexes will have on the immediately adjacent SJV (E-building):

1. Duplex Units 22-25:
    a. I request that **Duplex units 22-25 be eliminated** from the design plan.
    b. **At a minimum,** if those units were to remain included, I request that **units 22-25 be limited to two-stories** and **require an increased setback of 50 feet**
    c. **Do not allow transient rentals for duplex units** and **deny** use permit.
2. All duplex units: **Do not allow exterior hot tubs on any duplex unit**.

Use Permit Criteria: Staff Report incorrectly states that "the proposed use will not be detrimental to the public health and safety nor materially injurious to properties or improvements in the vicinity". The review gives no consideration to **disturbances from transient occupancy adjacent to a workforce community** and the **negative impact resulting from inclusion of an exterior hot tub at every duplex unit**. The proposed plans will severely impact quality of life and mental health for everyone at SJV.

I **request the following mitigations** to address the noise and loss of privacy that close-proximity transient overnight rentals will undoubtedly cause:

1. Hot Tubs: **Do not allow exterior hot tubs on any duplex unit**
2. Transient Rentals (22-25): **Do not allow transient overnight rentals in units 22-25**

3. Privacy / green natural barrier: Require developer / Villas-III be held responsible for install *and* ***maintain*** **a significant "green" natural barrier** between the Villas-III development and neighboring residences, specifically between duplexes 22-25 and San Joaquin Villas units E1 to E6.

4. Proposed "Limited" Access Gate on Callahan Way at current terminus: **Require that Villas-III property entrance is only through Obsidian from the south**, and that Callahan Way is used only as an emergency entrance/exit. An entry gate at Callahan Way would negatively impact SJV residents, especially with transient renters arriving in late night / wee-hours of the morning. Absolutely do not allow any call box / speaker box / communications system to be based at the gate for communication into the development for same reasons.

5. Construction Access: **Do not allow any construction vehicle access via Callahan Way** as it would have significant negative impact on the adjacent SJV residential community.

6. Construction Sequence: Due to the proximity of SJV townhomes to the north end of proposed Villas-III units, request that developer be **required to begin construction on the south half** of development (units 1-15) prior to initiating development on those units 16-26 which are most closely impacting SJV residents.

Solid 6-foot Fence: Do not allow employment of solid six-foot fencing along the bike path / Villas-III property border, *except where mandated by code*. Staff Report page 10 incorrectly states "the project consists of a six-foot solid fence along all portions of the road that are within 50 feet of the residential zone to the east". The plans (Appendix A-3 page 1) show the 6-foot solid fence runs along the entire length of the foot trail. At units 26-33 the road is clearly further than 50-ft from both the trail and property line. **The plans require update to provide a 6-foot solid fence ONLY where mandated.** Or **simply eliminate the fence.**

TOML Planning Process: I'm very disappointed in the Planning process for this development project and how it's been "rushed through" in hopes no one notices or comments.

CONCLUSION

I request the Planning Commission to **REJECT** the **Villas-III** development plans submitted by Mammoth Spring Resorts, LLC, for 100 Callahan Way. **Require modifications** detailed within this statement and **require real solutions to mitigate** the negative impact of the proposed development on neighboring SJV residences. **Please consider the quality of life of the local resident community and what is best for all Mammoth residents, not solely developer profit.**

Thank you for your consideration.

Kimberly Taylor
San Joaquin Villas, Unit E6

To: Mammoth Lakes Planning Commission

Copy to: Mammoth Lakes Town Council

Regarding: Villas III Development Application

My name is Sue Farley. I first moved to Mammoth in May 1981, and currently reside full-time at San Joaquin Villas #C6, where I purchased my townhouse in 2009. I am retired from a career with the Forest Service, previously working on the Mammoth Ranger District.

Mammoth is my beloved home, and I care deeply about this community. Over the years, I have made choices which involve economic trade-offs in order to live here. I have been willing to pay more for goods and services, while keeping my business local. I consider my choice to be a positive investment in this community and the people who make their livelihood here.

I am asking that the Mammoth Lakes Planning Commission and civic leaders require economic trade-offs of the developer(s) who submitted the Villas III application, to be made as an investment in the quality of life for the people who live in this community, particularly residents of the San Joaquin Villas (SJV).

Here are the changes I ask the Planning Commission to specify for the Villas III development application, as measures to protect the quality of life for SJV residents:

Limit the height of units #21-25 to a maximum of 25 feet, and constructed without rear balconies;

Require units #21-25 to be set back a minimum of 50 feet;

Deny the transient use permit for units #21-25;

Require double the number of landscaping trees to be planted between units #21-25 and San Joaquin Villas;

Require that Callahan Way is only used as emergency egress to the Villas III development and is gated or otherwise physically blocked to prohibit through traffic;

Prohibit construction traffic on Callahan Way during development.

Thank you for your consideration.

Sincerely, /s/ Sue Farley

From: Christian Newman
To: Michael Peterka
Subject: Villas III development
Date: Monday, February 7, 2022 12:50:00 PM

[EXTERNAL EMAIL]

Dear Planning Commission,

Please DO NOT approve hot tubs on 2nd level decks in Units 18 through 25.
Specifically for units 22 through 25 the PROPOSED plans put hot tubs 40 feet from workforce housing bedroom windows.
We are concerned about the noise of people partying in these hot tubs and keeping us awake.
Approval of this part of the plans will absolutely ruin the quality of life of full time residents.

Thank you for your consideration

Christian Newman and Amy Louisa
San Joaquin Villas Unit D3

From: Jeremiah Mann
To: Michael Peterka
Subject: Concerns about Villas III
Date: Thursday, February 3, 2022 8:20:02 PM

Hello! I am a part time resident and an owner in the San Joaquin Villas complex. I was reviewing the plans for the proposed Villas III complex. It appears that units 22 to 25 will have outdoor hot tubs facing a bunch of the units in the San Joaquin Villas complex, right at the level of the upstairs bedrooms. As you know, the San Joaquin Villas complex was built as workforce housing, is occupied almost exclusively by full time residents (nightly rentals are prohibited) and houses many hard working people that keep the Mammoth community functioning. My unit (A6) faces the nightly rentals that are between San Joaquin Villas and Main Street, and I can tell you that we have very frequent noise issues with renters using the hot tubs right outside our bedroom windows. We often have to ask them to be quiet (which they typically ignore since it is late at night and the renters are drunk), keep our windows closed on a hot summer night or, worst case, call the police. This is a bad situation, but the proposed hot tubs and nightly rental status of the Villas III (especially units 22 through 25) will create an even worse situation as it will certainly disturb the entire row of San Joaquin Villas units that they face (instead of just our unit), keeping the hard working full time residents who live in those units awake and unable to get a good night's rest. This is unfair. I ask that the outdoor hot tubs either be removed, or relocated to another part of each unit where the noise will not impact the full time residents at San Joaquin Villas.

Thank you.
Jeremiah Mann
San Joaquin Villas Unit A6

DRAFT

February 2, 2022

TO: The Planning & Economic Development Commission, Town of Mammoth Lakes

SUBJECT: Villas III Subdivision Proposed Plans

Dear Commissioners:

We respectfully ask the Commission, Please Do NOT approve these Villas III Plans.

The Villas III proposed Plan for the north-end of their property is ludicrous. How many multi-million-dollar luxury homes in Mammoth have balconies and windows that stare directly into Workforce Housing bedrooms from feet away? None, ZERO. The 2 proposed duplexes (#22-23, 24-25) would be the unique EXCEPTION within the entire Town.

We hope this huge mistake was an innocent oversight by their Planners and not PURE GREED. Their subdivision has over 177,000 square feet of land, but they want to build towering 35' tall homes just 30' from our small decks, living room glass sliders, and master bedroom windows of our San Joaquin Villas (SJV) condos. Did Villas III developers even consider the negative impact to their hard-working neighbors to the north, or did they just assume the Town's Planning Commission would simply approve their Plan to maximize profits by jamming in homes at our expense? The existing development Plan is crazy.

Their Plan is to build 35-foot-tall, 3-story luxury homes that block all sunlight to our back living rooms, decks and yard. These homes would cast a massive shadow on us and create a frozen fishbowl that prevents snow from melting from our decks and yard and make our living spaces dark and cold. *These townhomes will make our lives dark, cold, and miserable.*

They want to build towering homes with large balconies and windows that stare down into our bedrooms and living spaces. Only a Peeping-Tom would choose this view. And the Town is going to allow overnight renters?? They'll be so close that we'll hear their every word at breakfast, lunch, dinner and especially their late-night cocktail parties. *These townhomes take away all our privacy and will make our lives miserable.*

Villas III overnight renters won't know or care that SJV residents go to bed early and rise before sunrise to work at Mammoth's schools, hospital, ski resort, golf course, local trades, and town shops and stores. Their music, television, and voices will keep us awake after 9pm until 11pm or midnight or 2am because their noises will come from just 30 feet from our bedrooms. *This will negatively impact our work and make our lives miserable.*

The Villas III proposed Plan has no dedicated area for snow storage for their new road, driveways, or roofs. Their roof snow will blow onto our decks and yards, and their falling roof snow will pile onto our property. SJV's roof and yard snow piles up over 10 feet against our homes (see attached Photos). SJV residents already spend our winters shoveling deep snow from our decks and yards, and we don't want more snow falling from 35' tall luxury homes for us to shovel and deal with. *These homes will make our lives miserable.*

Their Plan would Clear-Cut every tree within 90 feet of our building (see Attached), even 25+ pine trees between their proposed buildings and SJV. How crazy and thoughtless is that? These trees would be the only visual break between homes that provide a sliver of privacy and nature. Unnecessarily clear-cutting is just another slap to us long-term owners at SJV and

shows Villas III developers disrespect for Mammoth Lake's working class. *This will make our lives miserable.*

Their Plan dramatically under-estimates their snow storage needs (see Attached photos). Villas III owns and is responsible for clearing Callahan Way from Frontage Road to their entrance (about 500' long & 25' wide). When 2 feet of snow falls there will be 25,000 square feet of snow that needs to be plowed. Currently, Callahan Way's snow is plowed to where it dead-ends next to SJV. Every winter the road's snow is piled up over 20' tall, 25' wide, and 50' deep. The planned development completely removes this snow storage space, and it is replaced by the Villas III gated entrance. Where will Callahan Way's 25,000+ cubic feet of snow be stored? This past December we received over 6 feet of snow in a week.

Their Plan has no dedicated guest parking spaces, only a garage and 1 driveway space for 30 townhomes. When a resident or overnight renters invite guests to their luxury home, where will their guests park? Most likely the overflow guests will park in one of SJV's very limited guest spots. Villas III needs more guest parking so they don't need to park in SJV's spaces.

For these reasons and more,

We respectfully ask the Commission, Please Do NOT approve these Plans.

Luxury homes towering over and staring into the windows of a Workforce Housing complex is Not Normal in Mammoth and an exception to standards and decency of the Town. For this reason, we also ask the Commission to **NOT approve their requested Building Height Exception**. They are asking for too much.

We demand changes to the Villas III Plans, and highly recommend that they:

1. Eliminate the 2 north-end duplexes (townhomes #22-23, 24-25), and leave all existing trees within 80 feet of their northern property line with San Joaquin Villas.

   Recommendation for consideration: Instead of the 2 duplexes, this forested area would provide privacy for Villas III owners. The 20' strip of land along their new road to the north (across from #27 to #21) would be ideal for a dedicated snow storage area for their winter snow. This space could double as a beautiful picnic, nature, and doggy area for Villas III owners as well as guest parking in all the other seasons.
   This solution would increase the value and selling prices for all Villas III homes because separating them from "affordable housing" makes it more exclusive and private. It would also keep SJV home values from dropping because of extreme crowding. The added benefit is that higher values generate higher property taxes for the Town of Mammoth Lakes and Mono County. More importantly, this will have a positive impact on the quality of life of everyone involved.

Thank you in advance. Respectfully,

Eric Taylor
SJV, Building E, Condo #6
Owner since 2010

Photos of San Joaquin Villas (SJV)

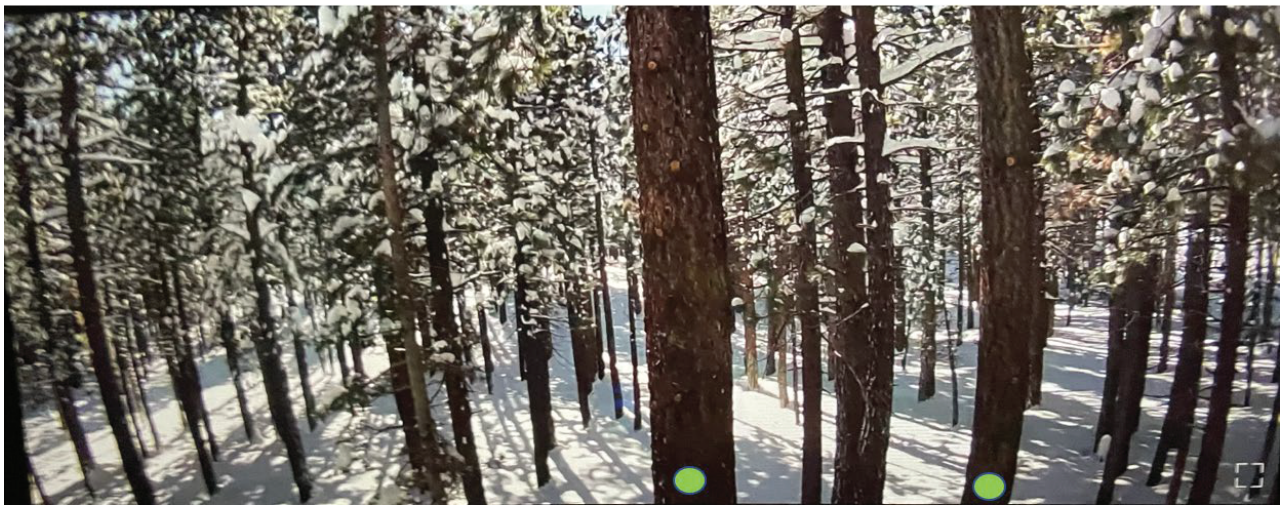
1. Backside of SJV's E Building. Shown are the 2nd floor windows. Snow piled over 20 feet above the ground. Photo taken from top of snow storage area at the end of Callahan Way (to be replaced by Villas III entrance). Current Plans would build 3-story homes with balconies just 30' from these back windows.

2. SJV's E Building (left) & F Building. This is the 2nd floor with 1st floor buried in snow. Photo taken from top of 20 foot tall snow storage area at the end of Callahan Way (directly above planned Villas III entrance).

3. Back yard of SJV's E Building buried in snow (photos taken from inside).

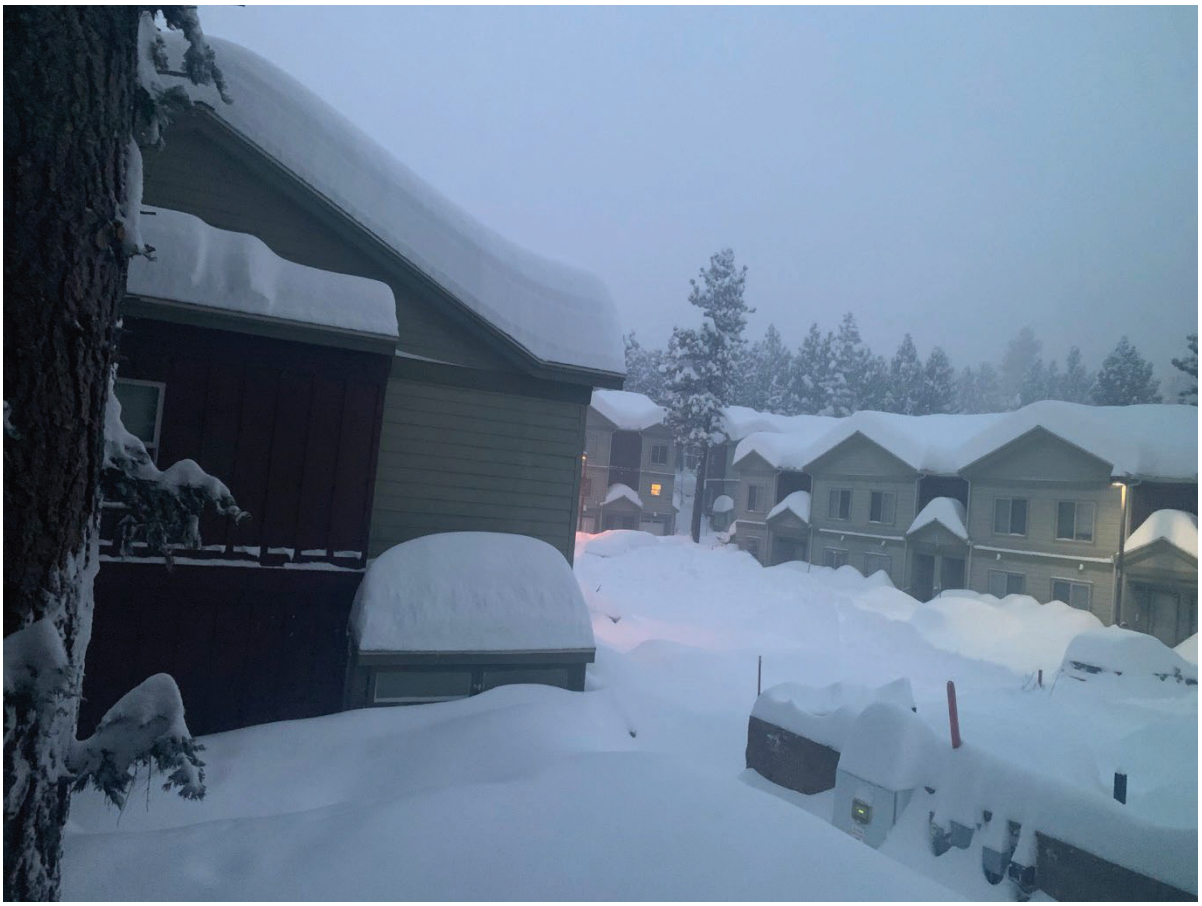
4. Behind SJV's E Building. Photo from 2nd floor window.

Current plan is to cut every tree in this photo (except the 2 with a green dot on SJV).



5. Typical SJV winter snow piles against E Building's front, side and back to exceed 12 feet deep.

6. Taken from Building E's 2nd floor window with D building to left and C building to right.



From: Jaime Pollack
To: Michael Peterka
Subject: Feb. 9th Hearing for Mammoth Springs Resorts, LLC
Date: Wednesday, February 2, 2022 9:29:23 PM

Dear Michael –

This email shall serve as notice of opposition to the request by developer, Mammoth Spring Reports, LLC to heighten the allowance of certain structures in its development plans. I am a resident of San Joaquin Villas, specifically, Unit E5.

Please find below the most significant arguments that support rejecting the developer's request. As a result, the developer shall go back to the "drawing board" and resubmit plans with the originally requested building height restrictions and incorporate a greenbelt space between SJV and their project property line.

<!--[if !supportLists]-->1. <!--[endif]-->The hearing should be extended during either earlier or later hours so that all homeowners have an opportunity to be heard live in person or Zoom. The majority of the homeowners work full-time and it is impossible to expect they can all appear during the middle of the day.

<!--[if !supportLists]-->2. <!--[endif]-->In the case that the development request is granted, the council should also consider a contingency fund be established by the development for San Joaquin Villas (SJV) HOA in order to pay for extra roof and snow removal due to the building changes.

<!--[if !supportLists]-->3. <!--[endif]-->Developer's removal plan of trees behind SJV will cause a decrease of SJV property value.

<!--[if !supportLists]-->4. <!--[endif]-->Proximity of the development structures and distance from SVJ will cause a decrease of SJV property value.

<!--[if !supportLists]-->5. <!--[endif]-->Proximity of the development structures and distance from SVJ can cause flooding issues that already exist in the tree area. Developer shall be requested to confirm with an engineering report.

<!--[if !supportLists]-->6. <!--[endif]-->Proximity of the development structures will decrease the light to the backside of SJV, which will result in increased snow load, more snow removal requirements and expense. It will be impossible to remove the snow all season long which will literally black out the entire backside of the building from sunshine.

<!--[if !supportLists]-->7. <!--[endif]-->Proximity of the development structures will decrease light which allows for increased snow and ice causing furnace and waters heater vents to clog.

<!--[if !supportLists]-->8. <!--[endif]-->Proximity of the development structures will lead to less use and enjoyment for SJV owners.

<!--[if !supportLists]-->9. <!--[endif]-->Proximity of the development structures and rental policies (VRBO/nightly) will increase risk of noise disturbances to SJV. Nightly rentals are prohibited at SJV residences and so, residents are mainly

working full time jobs in Mammoth. SJV was built with the intent to house Mammoth's year-round work force.

<!--[if !supportLists]-->10. <!--[endif]-->Proximity of fencing along the property line by developer will decrease the value of SJV and impact wildlife ability to move in the area, including bears and deer. Developer shall provide proof of an environmental report. Mammoth is a rural area and fencing should not be allowed. A border of greenbelt should be added to the developer's plans and this may result in less structures being built.

Thank you,

Jaime Pollack

From: Eric Taylor
To: Michael Peterka
Cc: Eric Taylor - OC-N
Subject: Info Request - Villas III Subdivision
Date: Monday, January 31, 2022 4:59:27 PM

You don't often get email from etaylor@oc-n.com. Learn why this is important <http://aka.ms/LearnAboutSenderIdentification>

[EXTERNAL EMAIL]

Hello Michael,

We received the mailed Notice of Public Hearing, and are preparing a response. Many of us homeowners in San Joaquin Villas (SJV) are very concerned, and I've reviewed the Villas III plans (TTM 21-001).

Can you please provide additional information that we didn't find in the plans?

Regarding the Townhomes (especially units #22-23, 24-25, 20-21):

1. What is the proposed height, and how many stories?

2. Will they be built on the ground or are they proposing to raise the foundation?

3. What is the duplex's design?

   A. Of particular interest is the backside windows, balconies, and doors that will face SJV.

   B. Color and material of the buildings

   C. Roof direction to understand where snow will slide off; and slope (snow on the roof will further block winter sun on SJV's Building E).

4. What is the proposed design for the Callahan road gate ?

5. Can you provide the width of the existing town paved trail on the Eastern edge of the Villas III property? The proposed plan keeps it at equal width along the property, correct?

6. Can you please send me the plans for the San Joaquin Villas property. I'm told it is TR 36-222.

Thank you in advance.

Eric Taylor

SJV #E-6

Eric Taylor

714.679.2550

Good morning Micheal Peterka,

I have and my neighbors have many concerns about the high density development of duplexes going in behind San Joaquin Villas that Mammoth Springs Resort is building. I live in building E at San Joaquin Villas.
Below are all of our concerns living in San Joaquin Villas especially building D and E.

My first and major concern is how close the duplex buildings are to San Joaquin property line.
And the duplexes built so close to each other. Exactly how far is each duplex spaced in between each duplex? 20' if so that is insane they are allowed to be built that close together. And so close to our buildings 35' This is unexceptionable in many aspects.

1. Snow load on the roofs could get 4' to 5' high from just one storm (remember their duplexes are a whole story higher then our buildings at San Joaquin Villas due to a garage on their the 1st floor) with that being said more shade will be blocking out the sun and making our units like living in a cave all winter.
2. The duplex buildings will blocking all the sun in the winter time and most of the sun, 85% to 90% in the summer time on our patios causing no snow melt on the roofs causing furnace and water heat vents to clog which they do now and we will have to pay more dues to have our roofs shoveled from snow that won't melt from the sun.
3. Snow shed….. where's the snow sliding? In between the buildings and pouring onto our property and coving our first floors? Why does the Town allow building duplexes side to side so close and so tall when the town well knows about snow shed in heavy winter. The bird houses on Main Street is a perfect example of bad planning those places are built so closely together and no considering about snow shed.
4. Who want to face outside their living room and look at a garage wall and a 3 to 4 story building?
5. How about just have the road one way narrowing the road to move the duplexes farther from San Joaquin Villas. In one way out at Dorrance? Entering on Callahan and exiting on Dorrance so we can move units 22-25 farther away from building E & D? Would love to

have 100’ border and more or even no duplexes at all in between San Joaquin Villas.

I’ve lived in Mammoth for over 25 years and will never understand why the town is changing the rules for places to be built so close together and on top of one another now. He birdhouses on Main Street is a perfect example of bad planning.

Is there no thinking about snow load, snow removal and snow damage when making these decisions as to cramming the building so close together?

No one want to live in a snow cave in the winter time.

And living in a snow cave is exactly what is going to happen to residents at San Joaquin Villas if the plans are not changed to move the duplexes farther away from us. I’ve lived in San Joaquin Villa since they have been built in 2007.

On the following email I will attach some pictures to give you a VERY CLEAR UNDERSTANDING as to what ONE STORM can do to our building, roofs, decks and area around our units.

The snow load and snow shed will be exactly like this also on the duplexes and that will double the amount of snow being loaded on our decks and onto our property essentially burying our 1st floor and second floor with snow leaving us buried, if there is no changes made to move the duplexes farther away.

I please beg to ask the planning commission to reconsider and make changes as to how close the duplexes are to building D and E in San Joaquin Villas and move them farther away or not even build them.

Thank you for your time,

Sincerely,

Donna Mercer

From: Donna
To: Michael Peterka
Subject: More photos of snow of San Joaquin Villas.
Date: Tuesday, February 1, 2022 10:46:42 AM

The snow shoveled from the roof is also the same height at the back of our units. Remember this is just 1 storm, you add in weeks and multiple storms and duplexes behind us it's a recipe for a disaster burying our units.
Please reconsider the 4 duplexes units 22-25 being built behind us.

Below is a picture of my deck. This was after I dug it out after 3 different storms previously I do this just to get sun into my unit. Otherwise I'd be living in a dark snow cave. The snow can go above and as high as my. 2nd floor.

Sent from my iPad

From: Donna
To: Michael Peterka
Subject: No bike path fence
Date: Tuesday, February 1, 2022 11:35:19 AM

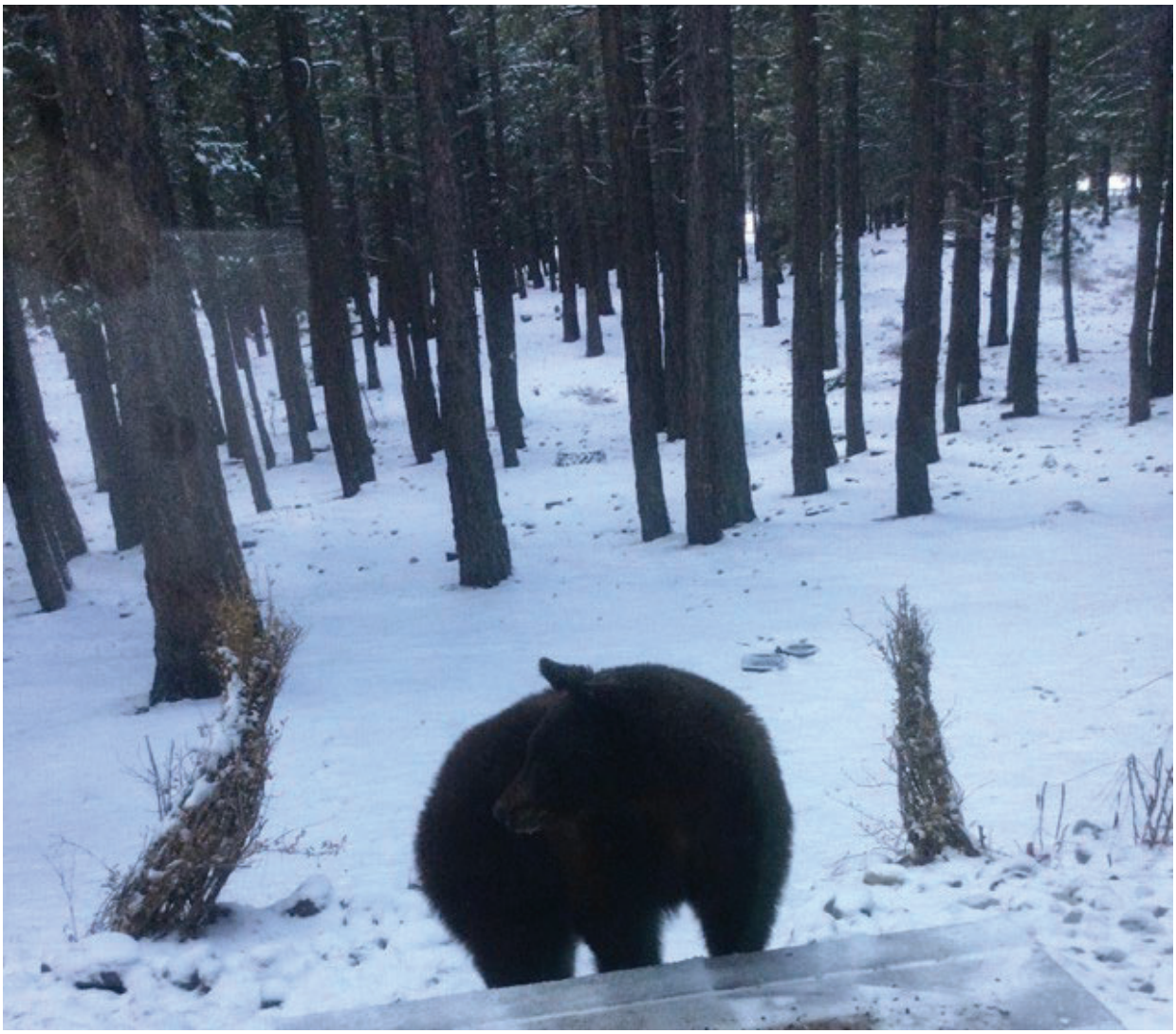
[You don't often get email from mtns2bchsmmth@gmail.com. Learn why this is important at http://aka.ms/LearnAboutSenderIdentification.]

[EXTERNAL EMAIL]

Sent from my iPad

From: Donna
To: Michael Peterka
Subject: No fence on bike path
Date: Tuesday, February 1, 2022 11:25:02 AM

Best part of living in Mammoth is that wildlife can walk freely. No fences, most properties don't have fences here, let's keep it open to everyone including wildlife so everyone can enjoy living here and not feel like it's LA.



Sent from my iPad

From: Donna
To: Michael Peterka
Subject: Photos of San Joaquin Villas snow
Date: Tuesday, February 1, 2022 10:38:06 AM

[You don't often get email from mtns2bchsmmth@gmail.com. Learn why this is important at http://aka.ms/LearnAboutSenderIdentification.]

[EXTERNAL EMAIL]

Michael,
Please keep in mind this is just a COUPLE OF DAYS OF STORMS. Not multiple storms. All this snow shown is also at the BACK of our units. We will be buried if the duplexes from Mammoth Springs Resort do not move farther away from our units. Many, many years are JUST like this. Please don't allow the duplexes to be built behind us.

Sent from my iPad

From: Eric Taylor
To: Michael Peterka
Cc: Donna; Kim Taylor
Subject: Quick Questions - Villas III Subdivision
Date: Tuesday, February 1, 2022 7:22:06 AM

You don't often get email from etaylor@oc-n.com. Learn why this is important <http://aka.ms/LearnAboutSenderIdentification>

[EXTERNAL EMAIL]

Good morning Michael,

A couple of quick questions. Do you include letters from the public in your staff report? If so, what is the deadline to have them included in your published report?

I've heard there is a policy that written comments of 150 words or less are read out loud by staff at public hearings. Can you please provide additional details?

Thank you in advance.

Eric

Eric Taylor

-----Original Message-----
From: "Eric Taylor" <etaylor@oc-n.com>
Sent: Monday, January 31, 2022 4:59pm
To: "Michael Peterka" <mpeterka@townofmammothlakes.ca.gov>
Cc: "Eric Taylor - OC-N" <etaylor@oc-n.com>
Subject: Info Request - Villas III Subdivision

Hello Michael,

We received the mailed Notice of Public Hearing, and are preparing a response. Many of us homeowners in San Joaquin Villas (SJV) are very concerned, and I've reviewed the Villas III plans (TTM 21-001).

Can you please provide additional information that we didn't find in the plans?

Regarding the Townhomes (especially units #22-23, 24-25, 20-21):

1. What is the proposed height, and how many stories?

2. Will they be built on the ground or are they proposing to raise the foundation?

3. What is the duplex's design?

A. Of particular interest is the backside windows, balconies, and doors that will face SJV.

B. Color and material of the buildings

C. Roof direction to understand where snow will slide off; and slope (snow on the roof will further block winter sun on SJV's Building E).

4. What is the proposed design for the Callahan road gate ?

5. Can you provide the width of the existing town paved trail on the Eastern edge of the Villas III property? The proposed plan keeps it at equal width along the property, correct?

6. Can you please send me the plans for the San Joaquin Villas property. I'm told it is TR 36-222.

Thank you in advance.

Eric Taylor

SJV #E-6

Eric Taylor

714.679.2550

From:	kimberly@lundbergtaylor.com
To:	Michael Peterka
Cc:	Eric Taylor; Donna Mercer; Judith Goddard; Jaime Pollack
Subject:	RE: Comments for Staff Report - Villas III Subdivision
Date:	Thursday, February 3, 2022 1:02:13 PM

[EXTERNAL EMAIL]

Attn: Michael Peterka, Associate Planner, Town of Mammoth Lakes, CA
RE: Opposition to Villas-III Development Request

The purpose of this email is to document notice of **opposition** to the developer request submitted by Mammoth Spring Resorts, LLC for the **Villas-III Subdivision**, proposed for the site located at 100 Callahan Way, tentative tract map (TTM) 21-001, Use Permit (UPA) 21-001, Design Review (DR) 21-001, and Adjustment (ADJ) 21-006.
As a resident of San Joaquin Villas (SJV), I am opposed to the development plans as communicated in the Notice of Public Hearing received via standard mail scheduled for public hearing on February 9, 2022. **I request the Planning Board to REJECT the proposed subdivision proposal and require redesign changes described below.**

The Villas-III development as proposed will negatively affect San Joaquin Villas (SJV) is a majority full-time resident community and was established as a local workforce community. The proposed development plans directly affect 22 SJV units in Buildings D, E, F and G, of these 16 are fulltime occupied by local workforce residents and their families. The proposed plan would be a direct negative impact on quality of life for those units, approximately 40 people.

I oppose the proposed design and request the following changes:

1. **REQUIRE** increased setback from property line of at least 100 feet for units backing to SJV. The proximity of the proposed development structures to SJV will decrease the amount of sunlight to the back sides of SJV units which will result in increased snow load, increased snow removal requirements and expense to SJV. With the significant snow levels we regularly experience in TOML, proximity of the proposed solid structures 30 feet away from SJV units will block the sun and prevent the ability for snow removal and will prevent snow melting all season due to the sunlight blockage.
2. In the event that Villas-III are allowed to build as proposed, **REQUIRE** a contingency fund be established by Villas-III developer to pay for San Joaquin Villas (SJV) added snow removal / snow damage costs resulting from the building changes and sun blockage.
3. **Reject / Do not approve** unnecessary removal of so many trees from the proposed build site. The current development proposal shows clearcutting of all trees between proposed development and the existing SJV community. This gross removal is unnecessary and eliminates any privacy between the Villas-III and SJV community, again negatively affecting the quality of life for SJV residents. **REQUIRE** new trees to be planted as mitigation on a 1:1 basis for any trees removed.
4. **Reject / Do not approve** fencing around proposed Villas-III site. The proposed build site is a wildlife corridor with bear, deer and other wildlife regularly use this wooded area. Fencing will eliminate wildlife passage and negatively affect both wildlife and local resident enjoyment. **REQUIRE** that "no solid fencing that should be a barrier to wildlife shall be permitted along property frontages or land adjacent to property." REQUIRE land between proposed build site and SJV is maintained in natural state.
5. **REQUIRE** Villas-III subdivision to include sufficient and adequate on-site snow storage.
6. **Reject / Do not approve** the reduced width of the public common-use trail.
7. **Reject / Do not approve** the "proposed" entry gate at Callahan, and instead require main entrance to subdivision entry point at Dorrance and eliminate entry/exit gate at Callahan. An entry gate at Callahan will negatively impact the SJV community. There is insufficient design information regarding proposed gate design.
8. **REQUIRE** building design review to ensure it is in keeping with the natural environment.
9. **Reject / Do not approve nightly/VRBO rental policies.** In the event that Villas-III are allowed to build as proposed, structures with nightly rentals will be 30 feet from SJV units / local residents with local fulltime jobs in TOML and who will be negatively impacted by nightly rental disturbances. Nightly rentals are prohibited at SJV since SJV community was developed as local workforce community.

Additionally, the Public Hearing should be scheduled at a time/date either earlier or later in the day to allow the public, particularly those local residents most affected by this proposed development including residents

of San Joaquin Villas (SJV), to attend the hearing either in-person or via ZOOM and express concerns/opposition. The current hearing date/time scheduled in the middle of workday when most local residents are at work and are unable to attend.

Respectfully,
Kimberly Taylor

-----Original Message-----
From: "Eric Taylor" <etaylor@oc-n.com>
Sent: Thursday, February 3, 2022 11:08am
To: "Michael Peterka" <mpeterka@townofmammothlakes.ca.gov>
Cc: "Donna Mercer" <mtns2bchsmmth@gmail.com>, "Kim Taylor" <kimberly@lundbergtaylor.com>, "Judith Goddard" <judegoddard@aol.com>, "Jaime Pollack" <pollacknv@gmail.com>
Subject: Comments for Staff Report - Villas III Subdivision

Hello Michael,
Thanks for the call. As discussed, please include my attached comments in your Staff Report on the Villas III.

Thank you in advance.
Please confirm receipt.
Eric

Eric Taylor
714.679.2550

-----Original Message-----
From: "Eric Taylor" <etaylor@oc-n.com>
Sent: Wednesday, February 2, 2022 11:44am
To: "Michael Peterka" <mpeterka@townofmammothlakes.ca.gov>
Cc: "Donna Mercer" <mtns2bchsmmth@gmail.com>, "Kim Taylor" <kimberly@lundbergtaylor.com>, "Judith Goddard" <JudeGoddard@aol.com>
Subject: FW: Info Request - Villas III Subdivision

Hi Michael,
I'm checking back to see if you received my email from Monday (below)?
Thank you,
Eric Taylor

-----Original Message-----
From: "Eric Taylor" <etaylor@oc-n.com>
Sent: Monday, January 31, 2022 4:59pm
To: "Michael Peterka" <mpeterka@townofmammothlakes.ca.gov>
Cc: "Eric Taylor - OC-N" <etaylor@oc-n.com>
Subject: Info Request - Villas III Subdivision

Hello Michael,

We received the mailed Notice of Public Hearing, and are preparing a response. Many of us homeowners in San Joaquin Villas (SJV) are very concerned, and I've reviewed the Villas III plans (TTM 21-001).

Can you please provide additional information that we didn't find in the plans?

Regarding the Townhomes (especially units #22-23, 24-25, 20-21):

1. What is the proposed height, and how many stories?
2. Will they be built on the ground or are they proposing to raise the foundation?
3. What is the duplex's design?
   A. Of particular interest is the backside windows, balconies, and doors that will face SJV.
   B. Color and material of the buildings
   C. Roof direction to understand where snow will slide off; and slope (snow on the roof will further block winter sun on SJV's Building E).

4. What is the proposed design for the Callahan road gate ?

5. Can you provide the width of the existing town paved trail on the Eastern edge of the Villas III property? The proposed plan keeps it at equal width along the property, correct?

6. Can you please send me the plans for the San Joaquin Villas property. I'm told it is TR 36-222.

Thank you in advance.

Eric Taylor
SJV #E-6

Eric Taylor
714.679.2550

From:	Judith Goddard
To:	Michael Peterka
Cc:	mtns2bchsmmth@gmail.com; etaylor@oc-n.com; pollacknv@gmail.com
Subject:	Re: Villas III public hearing / hot tubs
Date:	Thursday, February 3, 2022 12:05:51 PM

[EXTERNAL EMAIL]

Dear Planning Commission,

Additionally, please DO NOT approve hot tubs on 2nd level decks in Units 18 through 25.
Specifically for units 22 through 25 the PROPOSED plans put hot tubs 40 feet from workforce housing bedroom windows.
Think how you would feel? Nightly rentals with hot tubs directly across from your or your child's bedroom?
Approval of this part of the plans will absolutely ruin the quality of life of full time residents.

Thank you,
Judith Goddard
SJV B4

-----Original Message-----
From: Judith Goddard <judegoddard@aol.com>
To: mpeterka@townofmammothlakes.ca.gov <mpeterka@townofmammothlakes.ca.gov>
Sent: Thu, Feb 3, 2022 10:56 am
Subject: Villas III public hearing

Dear planning commission,

I am writing to oppose various aspects of the Villas III plan, please confirm receipt.

Specifically:
Do not approve a gate on Callahan Way due to the negative impact on immediately adjacent workforce housing at SJV.
Require Dorrance to be the Villas III main entrance.
Do not approve the 6 foot fence along the trail due to extreme negative impact on a major wildlife corridor.
Do not approve unnecessary removal of trees (especially northwest corner of property).
Do not approve reduced public trail width of trail (11.5 ft vs 12 ft).
Require increased set back from SJV property line behind E building to at least 40 feet
Do not approve the unnecessary removal of so many trees.
Require trees planted as mitigation, specifically behind SJV E and D buildings.
Require additional and realistic snow storage space.

Additionally do not allow construction traffic to enter via Callahan Way at any time.

I implore the commission to take the quality of life of workforce residents into consideration and require modifications to the plan. SJV community is majority fulltime residents who deserve to be represented and not treated as second class citizens.

Thank you,
Judith Goddard
SJV B4 (full time resident)

From: Judith Goddard
To: Michael Peterka
Cc: etaylor@oc-n.com
Subject: Request for information re VILLAS III Subdivision plan
Date: Thursday, February 3, 2022 9:34:14 AM

[EXTERNAL EMAIL]

Dear Michael,

In preparation for the 2/9 hearing, please provide Design Review DR 21-001 and the addendum to the EIR that has been prepared in support of the application.

Additionally please provide a copy of the San Joaquin Villas Tract Map, as the applicant's tract map appears to inaccurately represent some features of SJV.

Thank you for your prompt attention to this request.

Judith Goddard
cell: 909 489 8330

From: Judith Goddard
To: Michael Peterka
Subject: Villas III public hearing
Date: Thursday, February 3, 2022 10:56:29 AM

[EXTERNAL EMAIL]

Dear planning commission,

I am writing to oppose various aspects of the Villas III plan, please confirm receipt.

Specifically:
Do not approve a gate on Callahan Way due to the negative impact on immediately adjacent workforce housing at SJV.
Require Dorrance to be the Villas III main entrance.
Do not approve the 6 foot fence along the trail due to extreme negative impact on a major wildlife corridor.
Do not approve unnecessary removal of trees (especially northwest corner of property).
Do not approve reduced public trail width of trail (11.5 ft vs 12 ft).
Require increased set back from SJV property line behind E building to at least 40 feet
Do not approve the unnecessary removal of so many trees.
Require trees planted as mitigation, specifically behind SJV E and D buildings.
Require additional and realistic snow storage space.

Additionally do not allow construction traffic to enter via Callahan Way at any time.

I implore the commission to take the quality of life of workforce residents into consideration and require modifications to the plan. SJV community is majority fulltime residents who deserve to be represented and not treated as second class citizens.

Thank you,
Judith Goddard
SJV B4 (full time resident)