

## **COMPENDIUM OF HOMEOWNER COMMENTS RE LIMELIGHT PROJECT**

### **From May 7 Annual Homeowners Association Meeting:**

09:16:43 From Cammon Wilders to Everyone:

View from higher floors

09:16:57 From Cammon Wilders to Everyone:

air conditioning units on top of roof, noise level?

09:17:26 From Cammon Wilders to Everyone:

crane easement possible encroachment

09:18:26 From Cammon Wilders to Everyone:

setback distance and retaining wall height

09:25:24 From BHA to Everyone:

although the visual is important, I would be more concerned with the noise level

09:33:23 From Arturo Fis to Everyone:

Very much a concern about noise and flat roof views, and best addressed now (as mentioned) before buildout for answers and solutions.

09:36:22 From Sean Xie to Everyone:

This is their project webpage i the public hearing notice, although information is limited:  
<https://www.townofmammothlakes.ca.gov/1095>

09:38:32 From Arturo Fis to Everyone:

Aside, flat roofs are generally avoided in snow climates as they do not shed or drain well, which leads me to believe that this design may have been chosen not only for cost but for overall height restrictions. But still worth asking how they intend to shed snow as this may raise other issues.

09:42:35 From Arturo Fis to Everyone:

Worth enlisting response from other neighboring developments and, if in agreement, getting them to jump on this effort as well.

09:43:22 From Sean Xie to Everyone:

I would like to participate. Is there a group email that we can join?

09:48:42 From Cammon Wilders to Everyone:

we haven't created one as of yet, but you can email Steve at [stevebernard@cox.net](mailto:stevebernard@cox.net) if you are interested. the group can then exchange information

09:50:03 From Arturo Fis to Everyone:

May be helpful to email the units that face the Limelight directly with a screen shot of the footprint of the Limelight in relation to the Westin to get them riled up.

### **Notes from Steve Bernhard:**

Other issues we might bring up include:

- 55 individual unit owners are affected (24% of the individual units).
- noise
- blocked or obstructed views
- drainage from the Monache retaining wall during a significant rain event.
- Soil test results to assure earthquake rated footings and support for retaining walls.
- General comments on the appearance
- Snow Management plan and/of flat roof

### **Steve Bernhard's Remarks for 5-11-22 Hearing:**

Good afternoon,

My name is Steve Bernhard and I am the current president of the Monache Homeowners Association. While commonly referred to as the Westin or Westin Monache, the Homeowners Association represents 230 Monache condominium unit owners regardless of whether they participate in the Westin rental program or not.

Today, I'm here specifically to represent the 55 owners of the Monache condominium units that are on the East side facing the Village and White Mountains. These units will be significantly impacted by the proposed Limelight property. While original owners were made aware of the neighboring property, it was then a Ritz Carlton property, and as one can see from the renderings also submitted, had an elegant roof line and luxurious appearance.

Based on some of the emails we've received, which are also submitted as part of this record, more recent purchasers have been blindsided by renderings that show a building approximately 75 feet from their windows. On the lower floors, windows that now provide a view of the village, including the gondola building and shops composed of shops with mountain architecture, and, further out to the White Mountains. Units on progressively higher floors will also have their downhill views blocked and all 55 units are likely to be affected by noise from the rooftop mechanical equipment, an issue also submitted as part of this record.

As a side note, the drawings that I have seen show a height line entitled "Westin 5ft Variance." While it may have been proposed to a prior HOA board, no such variance was ever approved by a board. Perhaps it is on the drawings because it was assumed that it would be approved or to just show neighborly goodwill for an additional Monache floor.

Loss of view and the addition of mechanical noise will both contribute to a decrease in value of the 55 units. Since the Westin operates mostly as a hotel, hotel guests who once requested east facing units will now request units not facing east. A Marriott Bonvoy Titanium guest will look out over a rooftop of air handling equipment and call down for a different room. Future buyers will be equally discriminating and select other units or other vacation rentals. Both of these will contribute to decreased values.

Parking: The plans show a 'split level' parking structure so pedestrians can peer into the parking lot, not landscaping. The Monache building has 2 completely underground levels, out of sight of passersby, and lowering the overall height of the building.

Geothermal: There is an interesting tourist attraction just off Minaret Road entitled "Earthquake Fault." Since we are living in this caldera, I have two concerns: one is that not only must the retaining wall between the Limelight and the Monache buildings be sufficiently reinforced to both support the weight of the Monache but also to survive an earthquake. No engineering reports have been shown. Secondly, while I think geothermal energy is a great idea, I hesitate to approve of it near residential populations and under buildings where people sleep. I believe the risk is too high. Please put the geothermal further from population centers.

Lake Mary Rd & Canyon Blvd:

The SE corner of Lake Mary and Canyon is currently an eyesore, and one hopes some renovation is in the works. However, the retaining wall proposed in these plans for the west side of the corner will be a harsh monument to "using every inch of the land." It will be out place in the forested areas where the trees are being removed.

In closing "using every inch of the land and every foot of allowed airspace" creates lots of hotel rooms and works well in cities, but it just doesn't feel right in the Town of Mammoth Lakes where the forest is why we're here for.

**Email from Belen Andrade:**

Gents,

From personal experience, having briefly lived next to a flat roof with all the mechanicals on top, the noise pollution was unbearable. The circumstances are almost identical in that the 4th story building, a hotel, was built next to our building and we were on the 7th floor. Even with closed windows, you could hear and even sense the humming! It is a real issue! Trying to be "good" neighbors, different efforts were made by the hotel to minimize the noise level to no avail. No one in the surrounding area though this would be a problem. Once the hotel was up and running, it was just unbelievable!

The noise pollution will impact the top floors of the Westin and will also affect property values and rental income from the units on the side of the Limelight. This is a real concern. Unfortunately, due to travel, we are unable to attend the public hearing; however, we will send an email stating our concerns.

Perhaps circulating a template letter to the owners and asking them to sign and send separately directly to the development commission might also highlight all of our concerns.

I hope this helps,

Belen Andrade

Unit 529

**Narrative on Limelight Development from Damon (Dusty) Summers:**

- There will be a hotel on the site and Phase 2 is pre-ordained at this point
- The Town of Mammoth Lakes collaborated with the developer prior to plan submittal to remove historical actions that would have limited the density and required additional parking. This is not out of the ordinary, but I think as neighbors we need to make sure the Town and the developers know that we see what has happened and just because they are The Aspen Company we will not just let the Town concede at every ask.
- The Town had substantial redesign requirements after initial review. I would say at that point the developers were swinging for the fences in what they were trying to do. The town making change to the primary access to parking off the main entrance on Lake Mary was smart for the town, and painful for the developers hopes.
- As an owner of property in the Monache, I would say the fights we should go after are:

- ◆ The elevation of the building on the condominium side (towards Lake Mary). Seems they desire to exceed max elevation.
  - ◆ The developer's desires for a Skybridge from their property to the Gondola. (The Town has indicated on paper they do not desire such a thing, but it still shows up in all design consultant's drawings even in the 2<sup>nd</sup> submission)
  - ◆ We should express significant concerns about noise, lighting, idling cars/busses exhaust at the entrance to the Hotel and the courtyard.
  - ◆ The stacked stone retaining wall upslope from the development, downslope from Monache needs more engineering documentation once DD is over. While aesthetically it seems correct, structurally with the steepness of the slope we should have concerns.
  - ◆ We need to hold the Town/developer and 3<sup>rd</sup> party consultant to a very high standard here when it comes to tree removals that they indicate on their drawings.
  - ◆ More tree and foliage replanting around the motor court and hillside above for sound attenuation
  - ◆ Clarification on the Snowmelt plan at area that approaches the Monache Stairs. There seems to be an indication of a plan that crosses the property line.
  - ◆ It is very expensive to build right now. Inflation, supply chain, labor market, interest rates etc. The hotel is a near term loss leader for them, and they will be able to write down costs for the next decade easily. The moneymaker for them is Phase 2.
- ❖ Concessions/Decisions Town has already made
- Restored density (rooms/units) that were previously traded away to other developments. Standard practice when municipalities seek to increase tax revenues in times of financial hardship, or the general plan has changed over the years.
  - 50 parking spaces were allocated to 50/50 from the previous iteration of the Hillside development. I assume 50/50 has a CUP for deficient parking tying those spaces to their Certificates of Occupancy.
  - The Town is choosing to recognize that private agreement but not enforce it on the developers of Limelight (they should need to provide 50 additional parking spaces above the requirements of what they are building currently)
  - Additional question for the Town, what has happened to the 50/50 (assume it a CUP) parking requirements?
  - I think as members of the Village community we should let the Town know we are not ok with shell games that involve parking, especially in and around the Village in this or future developments.

- Most of the time people don't pay attention to CUP or Variance hearings. The minutiae of Town governance tends to be boring and is rarely combed through.
  - Probably the big takeaway here is that we say, Town we see what you have done to enable this project to date, now we are paying close attention and have concerns with details around the project.
  - The Town has indicated they are not interested in a Skybridge across Canyon Blvd. We should hold them to this (Unless Monache Owners see benefit in joining forces on this and coordinating such a thing with Limelight to benefit us)
- Sections of the Buildings
    - ◆ The limelight Developers have been quite careful to live to the letter of the code on the Monache side of their proposed Hotel.
    - ◆ On the Lake Mary side of the building (condominium side) it appears they are asking to exceed maximum allowable heights by grade to top of structure AND overall elevation from Sea Level.
- Exterior Renders
    - ◆ You can see the oppressive nature at the corner of the building at Lake Mary and Canyon. I believe they will be going for a height variance here that affects at least one story of the building.
    - ◆ I think the changes required by the town for the entrance to the LL off Canyon be only for service were excellent decisions for the Town.
    - ◆ That change makes the guests of the proposed Hotel not feel so in the Village. I believe this is why the developers very much desire the Skybridge.
    - ◆ On the entrance to the Hotel render you can start to get a sense of how close it is to the back of the Monache. (#246, #346, 446 (my unit) are very closeto a bustling area of the property)
- 3-D Perspectives
    - ◆ Some rotated views of the building that give a sense of volume and relationship to the back corner of the Monache.
    - ◆ Some perspective on the heigh at the Lake Mary corner of the building.
- Upslope stacked stone retaining walls
    - ◆ Firstly, these are DD drawings for the most part and aren't flushed out with Math or real site conditions.

- ◆ For full disclosure, the Structural Engineering firm also work on projects I am involved in in Los Angeles. They are a large firm and no one I can tell involved here do I know.
- ◆ The main retaining wall as proposed upslope from the project and downslope from Monache is of a stacked stone construction.
- ◆ While aesthetically that is the most natural and least oppressive option, I think as upslope owners we should be more concerned about the math and engineering.
- ◆ Another thing to watch here is the relationship between this wall and the removal and replanting of trees. The bigger the footings (which are important to us, the more root destruction and need to remove trees upslope)
- ◆ There is a representation of a Soil Nail retaining wall above the stacked stone wall (On the sections page) Is structurally the kind of wall that is appropriate for the steepness below our property.
- ◆ Need to see more Civil and Structural drawings to understand better
- Skybridge
  - ◆ The drawings I got most of the images and info from are the 2<sup>nd</sup> submittal to the town. Previously the Town has indicated they are not interested in the Skybridge across Canyon Blvd to the Gondola from the Limelight development.
  - ◆ The fact that some representation of the Skybridge is still in the backgrounds for the drawings and still appear in each consultant's layers would indicate to me that the developers will want to continue to push for this.
  - ◆ If they considered it a dead issue it would be dumb for them to leave it in the drawings heading into a public hearing where it certainly will be attacked unless they have a plan.
- Snowmelt and Drywells
  - ◆ There is a representation on the drawings that some snowmelt remediation area crosses the property line near the Monache stairs. I am unclear as to what this actually represents, and we should want clarity.
  - ◆ As owners of upslope property drainage is an issue we should be concerned about. Of course these are DD drawings for the most part, but the drainage and the drywell planning on the NNE side of the motor courtyard at the retaining wall and against the building seems light.
- Restaurant/Commercial

- ◆ The language used in the drawings and addendums to other submitted documents at times references Restaurant(s) and sometimes food Hall. Also, small kitchen at condo side where conference rooms are located main floor.
  - ◆ I believe we should drill down with questions trying to get clarity on what and how many restaurants will be on the property.
  - ◆ I am sure it seems odd what I am saying, but when I personally do not want to trigger part of building codes, I name rooms on plans in a way that will not trigger ancillary regulation or questions at certain points in the process.
- Tree removal/ Tree planting
    - ◆ Once a tree is gone, it will not be back in scale in most of our lifetimes. This is the degree of seriousness that we must demand of the Town, developer, and 3<sup>rd</sup> party Forestry consultant that is on the project.
    - ◆ Considering the type of retaining wall that is currently in the plans on the upslope side of the project I feel their already identified trees for removal is too aggressive. I feel that we must require at building of retaining wall that tree removal in that tightly affected area be tree for tree approved by the consultant.
    - ◆ The replanting plans at present seem light on the hillside closest to the Monache. I feel that planting is going to be one of the best sound attenuation measures available to us, particularly the back corner of the building.

**Email from Andrea Merten:**

Hi Steve and Bruce -

I own unit 637 south facing to mammoth mountain.

I have 3 primary concerns.

1. The well. Wells can cause the surrounding ground to cave in.
2. The views. I am concerned that my views to the southeast/east will be blocked.
3. Village, gondola, and canyon lodge capacity. Lines for the gondola, especially at end of day, are often terrible, and restaurant reservations are already difficult to get. This would really impact the value of being in the village.

Please let me know if you have any questions.

Thanks,

Andrea Merten

**Emails from Jeff Marchioro:**

Steve,

No. Jeremy's reading is inconsistent. Please see Construction Easement Agreement Doc #2004006019 recorded 6/30/2004, paragraph 6 copied below for convenience which implies that soil pins and crane footing easements have not expired. The crane airspace easements appear expired but not the crane footing or soil pins easements.

"6. TERMINATION. All easements herein, except for the Mammoth Soil Pins Easement, the Intrawest Soil Pins Easement, the Mammoth Crane Footing Easement and the Intrawest Crane Footing Easement, shall automatically terminate on April 1, 2022."

Here is text copied from paragraph 2.5. Crane Footing Easements.

"(b) Intrawest Crane Footing Easement. Mammoth, as grantor, hereby grants to Intrawest, for the benefit of the Intrawest Property, and for the use by Intrawest and its Permittees, a perpetual, nonexclusive easement for installation and use of crane footings in connection with the Intrawest Construction (the "Intrawest Crane Footing Easement"). The Intrawest Crane Footing Easement applies to a maximum area of thirty (30) feet in length and twenty (20) feet in width and shall be located on the northern portion of the Tomajko North Area and/or Ponderosa, as shown on the Site Plan (the "Intrawest Crane Footing Easement Area"). The exact location of the crane footings within said area shall be determined at a later date by Mammoth and Intrawest (in good faith consultation) based on field conditions and specific construction needs. During Intrawest Construction, the crane footings may exist above and below the surrounding natural grade. Within sixty (60) days after completion of intrawest Construction, Intrawest shall cause the crane footings to be buried below the natural grade existing prior to the installation of such footings, and the impacted area of the Mammoth Property shall be re-vegetated and re-landscaped to the reasonable satisfaction of Mammoth. Any crane footings constructed in the Intrawest Crane Footing Easement Area shall be designed and built to no less than construction industry standards existing at the time of the construction of such footings. Intrawest shall exercise best efforts to avoid material injury to trees located on the Mammoth Property with respect to the construction and use of such footings."

Here is text copied from paragraph 2.6. Soil Pins Easements.

"(b) Intrawest Soil Pins Easement. Mammoth, as grantor, hereby grants to Intra west, for the benefit of the Intrawest Property, and for the use by Intrawest and its Permittees, a perpetual, nonexclusive easement below the grade of a portion of the Mammoth Property, for the construction, placement, repair and maintenance of engineering soil pins for the purpose of permanently securing any excavated area and/or improvements on the Intrawest Property (the "Intrawest Soil Pins Easement"). The area subject to the Intrawest Soil Pins Easement shall consist of a fifteen (15) foot wide corridor located along the northern and westerly property lines of the Mammoth Property, as shown on the Site Plan. Any soil pins constructed in said

area shall be designed and built to no less than construction industry standards existing at the time of the construction of such soil pins, and such soil pins shall not interfere with any improvements or construction activity on the Mammoth Property."

Construction Easement Agreement Doc #2004006019 recorded 6/30/2004 includes the attached maps showing the location of Intrawest Crane Footing and Intrawest Soil Pins easements.

Limelight proposed retaining wall(s) appear to overlap onto Intrawest Crane Footing and Intrawest Soil Pins easements.

Thank you,

Jeff

Steve and Bruce,

I read through the email that Bruce's email to Kim dated 5/5/2022. I suggest that we also inquire about Mammoth Town and Mono County retaining wall height and retaining wall setbacks requirements. Limelight is proposing two (2) retaining walls. One of Limelight's proposed retaining walls is shown within 15' of the property corner shared with Monache. During our meeting last Friday, another Monache owner asked if Limelight's proposed wall affects slope stability for Monache's building.

By the way, Limelight's grading included in their February plans appear to show a "cobble swale" (i.e. drainage ditch) connecting to the property corner shared with Monache. This appears to correspond to the red dashed light mentioned during our meeting on Friday.

Thanks,

Jeff

Does anyone have construction plans for Westin/Monache? In particular I am interested in studying crane footings to gain a better understanding of whether existing buried/abandoned crane footings span across property line. If so, the existing buried/abandoned crane footings may require demolition if Limelight proceeds with proposed retaining wall(s) and/or drainage ditch overlapping onto the crane footing and soil pin easements. On the other hand, it's possible that the crane footings were demolished after Westin/Monache construction.

Thank you,

Jeff

The easement document text copy/pasted in my email below suggests that intent was to bury constructed crane footings below the natural grade. I searched through the construction civil drawings provided by Cammon and could not find evidence of buried/abandoned crane footings that may span across the property line. The crane footings were likely designed by the contractor such that the crane footing design would have been provided as a "construction submittal" for architect and engineer review. If so, it would take a lot of effort to search through construction submittals if available and its likely not worth the time. However, I am still hopeful that we preserve (not permit Limelight to build structures in conflict with) existing crane footing and soil pins easements located on Limelight's parcel if possible. It is my interpretation that existing crane footings and soil pins easements are "perpetual".

Thank you,

Jeff

**Email from Heidi Vu:**

Re: Westin Owner #342: Heidi Vu

Hello Bruce and Steve,

Thanks for your time and expertise on this matter.

I was in the Westin last weekend trying to understand how the Limelight project will affect my enjoyment and the renting vacation business.

My condo at 3rd level It faces the Canyon Road, lots of beautiful trees, and the Village. In the morning, my guests and I love to see the sun rises from the balcony, hear the birds sing, and enjoy the pure & energy from the sun. This condo is very quiet, serene, and private that is why I bought the unit in 2021.

My 2 concerns are as following:

First, whether if and how (to which extend) the Limelight project will affect the current view, noise, and sunlight access: How far and how high the proposed Limelight building in related to my condo.

Second, when the project will start and end as it will affect negatively to my renting vacation business due to the construction.

I would like to join & listen to the Zoom meeting on May 11 at 2pm from the city

Best Regards,

Heidi

**Excerpt of email from Bruce Favish:**

This email addresses the rooftop design of the proposed Limelight Hotel, which appears will be visible from at least floors 4-7 of the southeast side of the Westin. The proposed design is for a large flat roof, which is generally discouraged in Mammoth Lakes, with exposed rooftop mechanical units (HVAC, etc.). Mammoth generally encourages pitched/architecturally interesting roofs (see various materials quoted below). By way of contrast, I have attached a proposed design for a Ritz Carlton Hotel on the same site (circa 2007). Following are some references to relevant written materials.

The Design Guidelines for Mammoth Lakes state in relevant part:

**3.7. Utilities**

Utilities that serve properties may include telephone and electrical lines, ventilation systems, gas meters, propane tanks, air conditioners, fire protection, telecommunication and alarm systems.

- All mechanical equipment shall be shown on drawings submitted for approval. Refer Section 9.0-3 Submission Requirements.
- **Structures housing utilities shall be consistent with main building.**
- Utility lines should be located underground.
- **Visual impact of utilities and service equipment shall be minimized.**
- **Rooftops should be free of mechanical equipment clutter. Rooftop mechanical equipment is not prohibited, but it must be screened and its design screening and color must be incorporated into the overall architectural design of the project.**
- **Locate above-grade equipment in areas of low visibility, away from major public walks, streets, building entrances and screened with landscaping or enclosures using the same materials and style of associated architecture.**
- Avoid placing underground vaults and boxes adjacent to building entrances, landings for public stairs, and ramps.
- Avoid collecting multiple vaults/ boxes in single locations within major pedestrian areas or gathering places.
- **All utility devices and pieces of service equipment should have a matte or nonreflective finish and be integrated with the building colors.**
- Solar devices should not block views or significantly detract from the setting. **Exposed hardware, frames and piping should have a non-reflective finish, and be consistent with the color scheme of the primary structure.**

- **Satellite dishes shall be screened to reduce their visibility and not mounted on the front facades of buildings.**

I did not see detail in the plans for how the rooftop mechanical equipment will be screened from the perspective of Westin owners and occupants.

## **4.2. Building Design**

### **4.2.1. Form, Mass and Scale**

- In large buildings, ease the effect of a single large mass.
- **Building forms, roofs & facades shall be composed to provide variation, visual interest, appropriate scale and proportions.**
- Building heights should be stepped from high centers to lower ends.
- Buildings shall allow sunlight into pedestrian places.
- The ground floor of buildings shall be at a scale that creates comfort and interest for the pedestrian environment.
- **Buildings shall respect the character of the neighborhood.**
- All buildings on a site shall have a common or complementary vocabulary of architectural design elements, materials & colors.
- Elements of building used to give scale and proportion should be integral with the building form and construction.
- **Provide aesthetic appeal to all sides of a building where visible from adjacent properties or public spaces.**
- Buildings should be designed to maximize southern exposure and use of natural light.

The rooftop of the Limelight is visible from the upper floors of the Westin. There should be consideration of aesthetic appeal from the perspective of those Westin owners and occupants who will look down at the expansive flat roof of the Limelight with un-enclosed mechanical equipment.

### **4.2.2 Roofs**

- **Roofs shall have a dominant form with interesting design features such as changes of height, taller accents, towers, roof dormers or special architectural features.**
- Long uninterrupted ridgelines and roof forms are not permitted.
- Vary the eave line in some portions of the buildings - incorporating upper level floors into the mass using a variety of forms.
- Deep eaves and overhangs are strongly encouraged.
- Priority should be given to the detailing of eaves and fascia.
- Expose rafters to view but cover with roof to protect rafter tails from snow and rain.
- Chimneys should be compatible with the building form and materials.
- **Vent pipes and other roof-top fixtures shall be collected into orderly clusters or incorporated into chimney structures.**
- **All roof forms should hide roof-top mechanical equipment.**
- **FLAT ROOFS ARE GENERALLY NOT A FORM PERMITTED IN MAMMOTH, but will be**

**considered when there is a 0' setback and no room to shed snow.**

- Roof supports such as heavy timber knee-braces and architectural treatments under pitched areas are encouraged.
- For materials, refer to Materials Section.

It does not appear that the proposed roof of the Limelight hides roof-top mechanical equipment. It also appears to be a flat roof (perhaps with a mild slant).

The Design Guidelines for the Village at Mammoth provide in part:

**Image and Character (p. 7)**

**The roofs that are not shallow in pitch should be designed to manage snow, which can be achieved through proper roof design. Modulation in roofline will be a desired element of building design.**

**Form and Mass (p. 21)**

**PITCHED ROOFS, WHICH VARY IN HEIGHT WITH OCCASIONAL VERTICAL ACCENTS ARE ENCOURAGED.**

**VARY ROOF FORMS WITH CHANGES OF HEIGHT, WITH SOME TALLER ACCENTS, TOWNERS, OR SPECIAL VERTICAL ARCHITECTURAL FEATURES OR PROJECTIONS, OR MULTIPLE STORY CHANGES.**

**Lower the eave line in some portions of the buildings, incorporating upper level floors into the mass using a variety of dormer form is encouraged.**

**DO NOT PERMIT BUILDING SURFACES WHICH ARE MONOTONOUS OR WHICH BY DESIGN, MAKE THE VILLAGE BUILDINGS APPEAR MASSIVE OR UNSCALED.**

**Roof Form (p. 23)**

**The organization of slopes and features will create visual interest, yet with variation in height and direction. The ridgeline should not have the appearance FROM PUBLIC VANTAGE POINTS of being continuous, but should be varied in height, or broken with chimneys, cupolas, towers or other features.**

**Dominant roof pitches are to approximate 3:12-6:12. Flatter slopes will be permitted for specific design effect or snow management purposes.**

**MECHANICAL EQUIPMENT AND ELEMENTS SUCH AS VIDEO RECEIVERS MUST BE CONCEALED FROM VIEW TO THE EXTENT FEASIBLE.**

**All roof top accoutrements must be painted a dark color and be non-reflective.**

**WHEN FLAT ROOF SECTIONS ARE USED THEY MUST HAVE A DISTINCTIVE CORNICE OR ARCHITECTURAL FEATURE TO SCREEN THE FLAT PORTION.**

It appears the roof from the vantage of the Westin will be a large flat continuous roof, without variation in height or broken with chimneys, cupolas, towers or other features.

#### **Utility Enclosures (p. 39)**

**Objectives: To minimize the visual impacts of aboveground utility structures and equipment including transformers, vents, condensers, fans, etc.**

#### **Guidelines:**

**-Locate equipment in areas of low visibility, away from major walks and streets and building entrances to the extent practical.**

**-Where possible locate utility structures in landscape areas where they can be screened by shrub planting.**

**-Painting of utility enclosures is encouraged when permitted by utility companies.**

**-WHERE SIZE OF STRUCTURE AND LOCATION WARRANT, ENCLOSE STRUCTURE BEHIND WALLS OR SCREENS; ENCLOSURE MATERIAL SHOULD BE CONSISTENT WITH ADJACENT BUILDINGS IN MATERIALS, DETAILING, AND COLOR.**

The Parcel Master Plan prepared by the Limelight developers (Attachment C to the Staff Report) provides in part:

**C.1.B.iii. Variety in Height or Roof Forms. TO THE EXTENT FEASIBLE, BUILDING HEIGHT IS VARIED SO THAT A PORTION OF THE BUILDING HAS A NOTICEABLE CHANGE IN HEIGHT; OR ROOF FORMS ARE VARIED OVER DIFFERENT PORTIONS OF THE BUILDING THROUGH CHANGES IN PITCH, PLANE, AND ORIENTATION.**

#### **4. Screening of Equipment.**

**All exterior mechanical and electrical equipment shall be screened or incorporated into the design of buildings so as not to be visible from the street. Equipment to be screened includes, but is not limited to, all roof mounted equipment, air conditioners, heaters, utility meters, cable equipment, telephone entry boxes, backflow preventions, irrigation control valves, electrical transformers, pull boxes, and all ducting for air conditioning, heating, and blower systems.** Screening materials shall be consistent with the exterior colors and materials of the building.

As noted above, a requirement that mechanical electrical equipment be screened so as not to be visible from the street ignores the substantial constituency of owners and occupants at the Westin who will have direct views of the Limelight rooftop from above.

#### **5. Roofs.**

- a. Incorporate eaves and overhangs to provide snow protection and visual interest**
- b. Vent pipes and other roof-top fixtures shall be collected into orderly clusters or**

**incorporated into chimney structures.**

**c. Flat roofs are permitted.**

**d. Acceptable roof materials are included within Section C.6.**

The Final Conditions of Approval for Density Bonus (UPA 20-003) and Design Review for Phase 1 (DR 20-005) (See Resolution No. 21-10) in

**27. Roof vents, exhaust, pipes, and flues shall be combined and/or collected together on slopes of roof out of public view to the greatest extent possible.**

The ADVISORY DESIGN PANEL OF THE TOWN OF MAMMOTH LAKES MINUTES of Friday, January 7, 2022 (Ex. E of the Staff Report) state in part:

**Site Design**

**Staff comment: The hotel structure is situated to minimize impacts to neighboring land uses including adherence to a private height covenant agreement with the Westin property, which results in preservation of views from the Westin property and reduced building height for portions of the structure located within the Plaza Resort (PR) zone.**

This comment does not appear to contemplate the impact on the Westin owners/occupants who will look across the large, flat roof of the Limelight with un-enclosed mechanical equipment.

**Roof forms should be varied to create visual interest.**

**Staff comment: THE ROOF DESIGN IS FLAT WITH PARAPET WALLS THAT GIVE THE APPEARANCE OF STEPS IN THE ROOF LINE WITH SLANTED FORMS. THIS DESIGN PREVENTS SNOW SHEDDING ONTO PEDESTRIAN AREAS BUT LACKS DEEP ROOF EAVES, OVERHANGS, AND DETAILED ROOF CORNICE. THE ROOF FORM IS CONSISTENT ACROSS THE LENGTH OF THE STRUCTURE, WITH VARYING STRUCTURE HEIGHTS. ADP INPUT IS REQUESTED.**

The parapet walls do not appear they will do anything to screen visibility of the flat roof and mechanical equipment as viewed from the upper floors of the Westin, and likely will be visually unappealing as Westin owners and guests on higher floors will see the backsides of parapets presumably with struts (similar to the back side of movie set).

The RESOLUTION OF THE MAMMOTH LAKES PLANNING AND ECONOMIC DEVELOPMENT COMMISSION APPROVING TENTATIVE TRACT MAP 22-002, USE PERMIT 22-001, AND DESIGN REVIEW 22-001, TO ALLOW THE LIMELIGHT HOTEL DEVELOPMENT PROJECT LOCATED IN THE NORTH VILLAGE SPECIFIC PLAN AREA AT 5, 15, 17, AND 49 CANYON BOULEVARD, 107 LAKEVIEW BOULEVARD, 106 LAKE MARY ROAD, AND AN UNADDRESSED PARCEL ON LAKE MARY

ROAD (APNs: 033-390-004-000, 033-390-005-000, 033-390-006-000, 033-390-007-000, 031-110-027-000, 033-390-002-000, and 033-390-003-000) finds in part:

**(3) the roofline of the hotel provides variation through varied wall heights and wall offsets. A parapet wall serves to screen roof-mounted equipment and incorporates a cornice detail to add depth and detail to the roof form;**

As stated above, I do not believe the parapets will shield visibility of the roof-mounted equipment from the southeast-facing upper floor units of the Westin.