Attachment 7

Public Comments
Received after
posting for the
March 2, 2022
Public Hearing

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)

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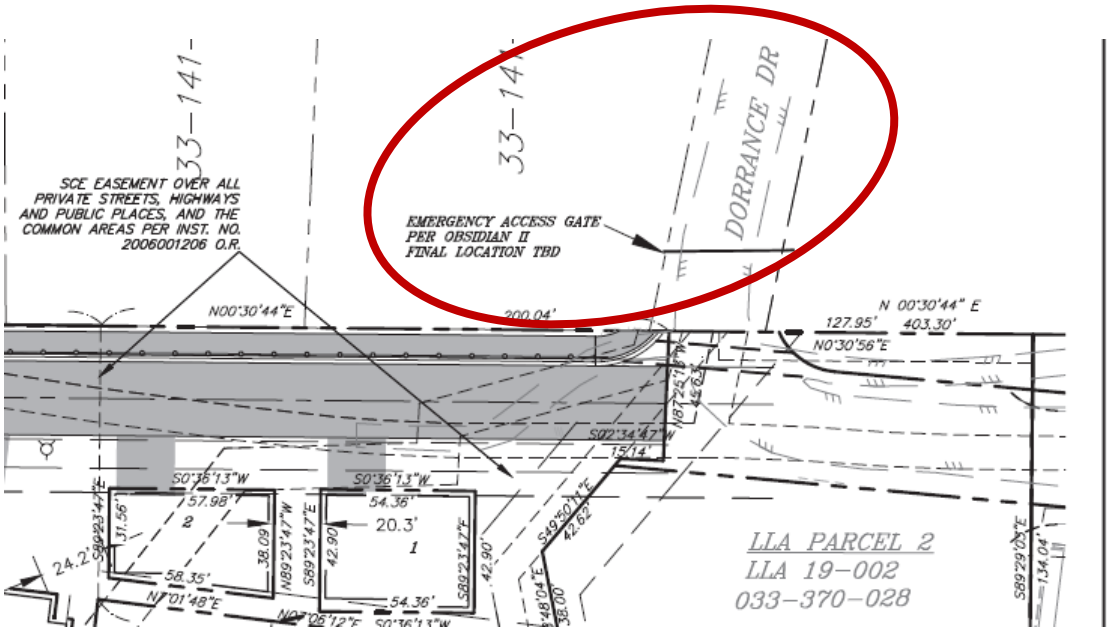


1.2 Access directly from Dorrance Dr. and not Meridian Blvd

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

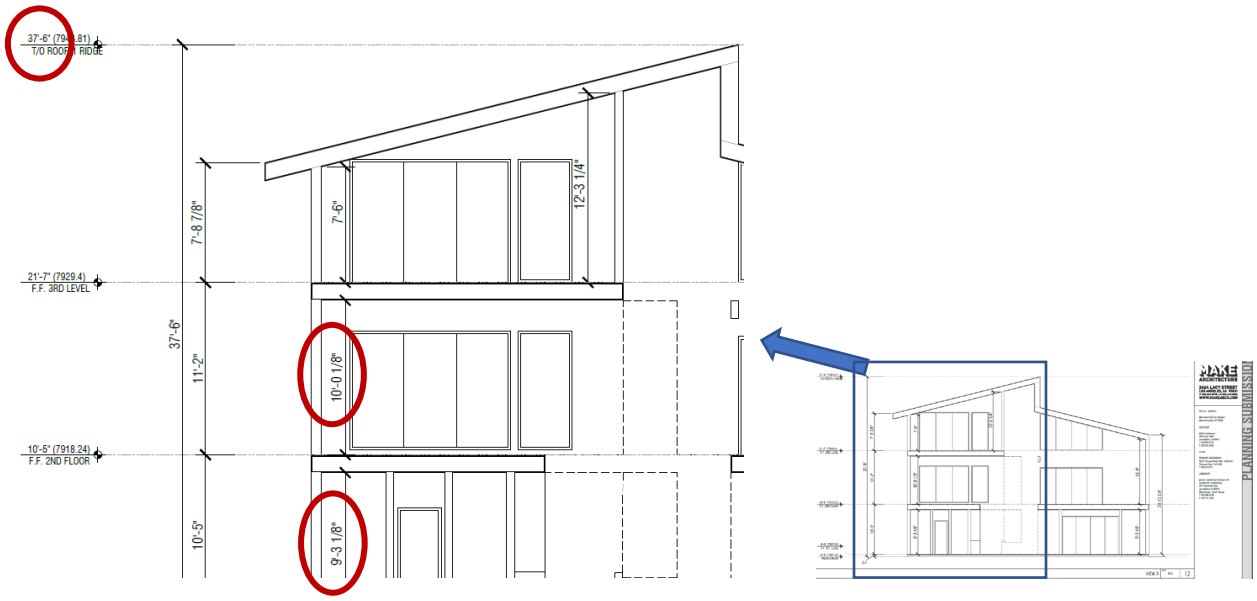
Source: Lodestar Master Plan (pg. 5 of 56)

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

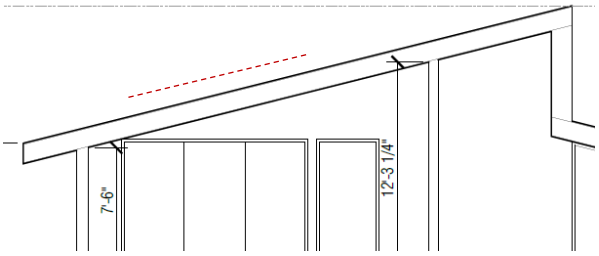
3.1 SAFER BUILDING DESIGN 3:12 ROOF PITCH

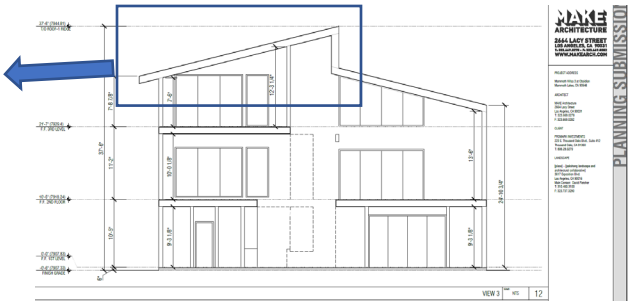
Source: RESOLUTION (pg. 6 of 178)

> 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

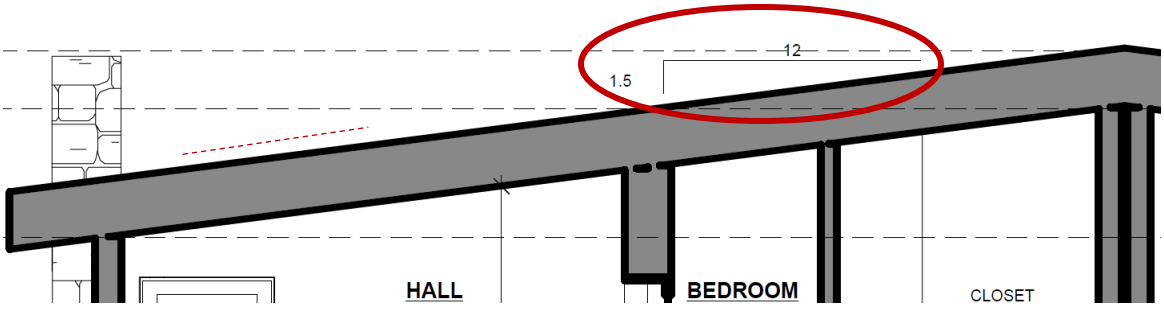
Source: PROJECT PLANS - Single-Family Design MAKE Architecture 10/29/2021 (pg. 8 of 10)
https://www.townofmammothlakes.ca.gov/DocumentCenter/View/11847/single-family-renderings

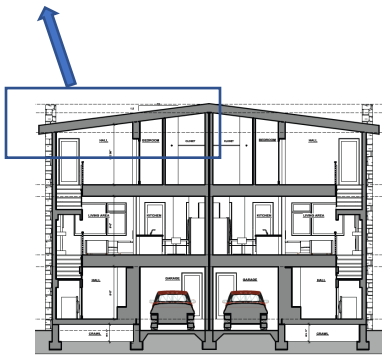




3.3 DUPLEXES = 1.5 :12 ROOF PITCH

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

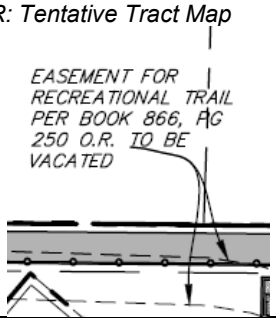




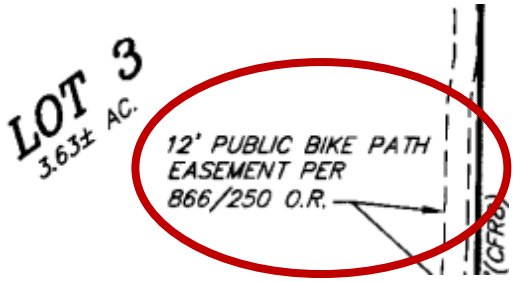
ATTACHMENT 4

4.1 Existing EASEMENT being Vacated for Villas III

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

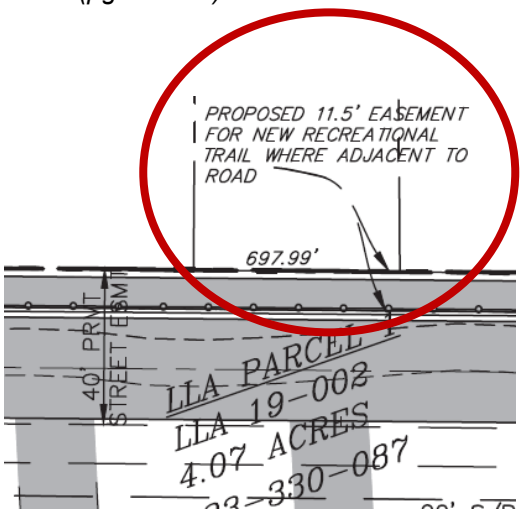


Source: From Tract no 36-222



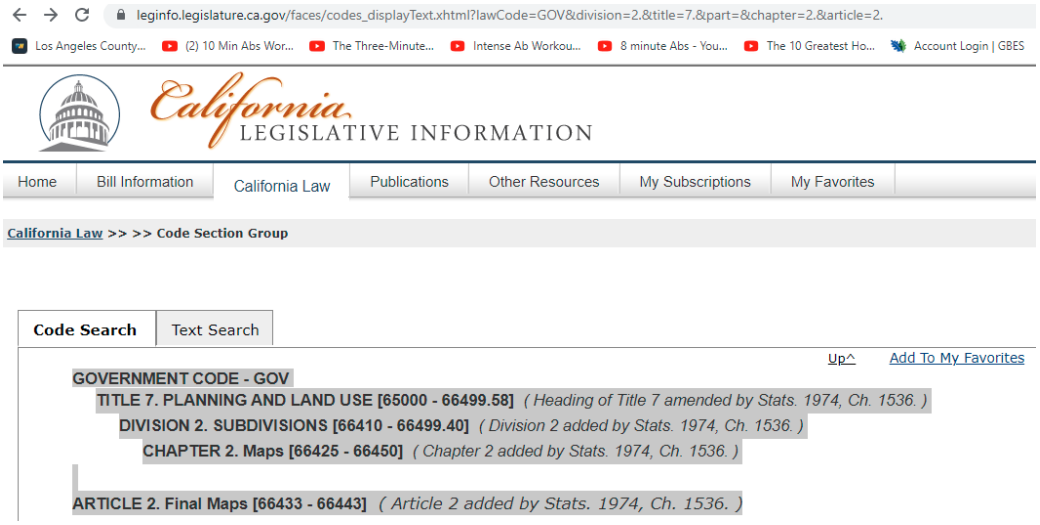
4.2 Villas III Proposed Reduction to Existing 12' Easement to 11.5'

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.

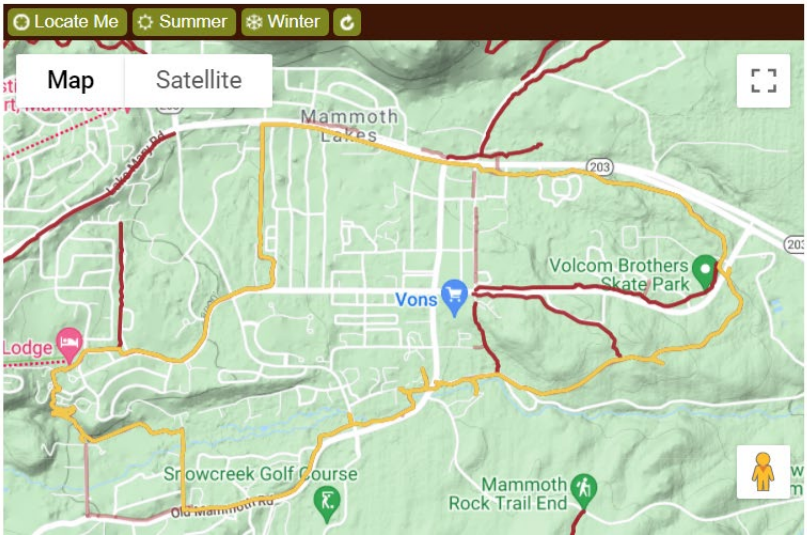
4.5 Mammoth Lakes Trail System - TOWN LOOP

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

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 lll 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.

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.

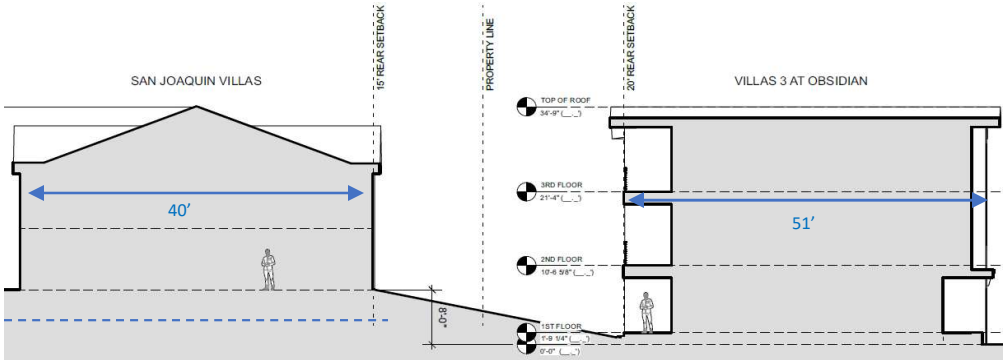
1. Erroneous, Flawed, Misleading and Biased "Solar Study":

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.

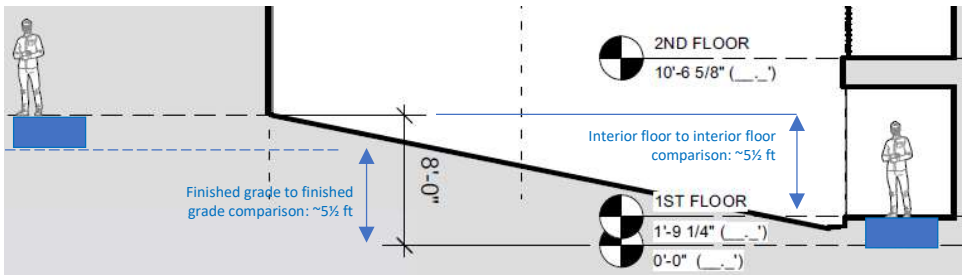
This so-called "study" does not use actual building dimensions and is a deceitful attempt to deliberately misconstrue the negative effect that the Villas III duplex units 22-25 will have on San Joaquin Villas (SJV) E-building. To start, their "study" misrepresents size of the buildings to downplay the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



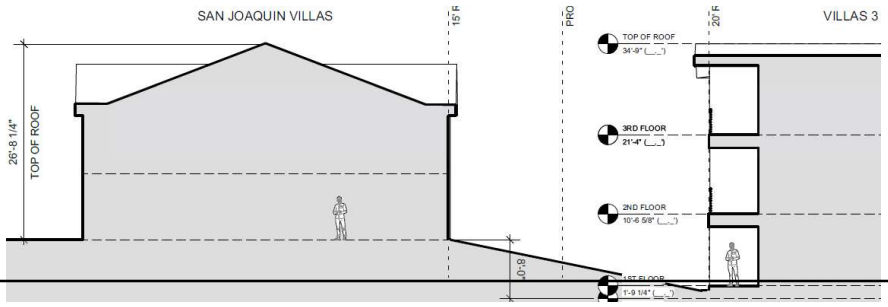
Additionally, this study **misrepresents the relative height** between the SJV E-building and Villas III duplexes by using inconsistent refence points between the two structures. Maximum building height is measured from the finished graded adjacent to the building exterior to the highest roof peak. This "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.**



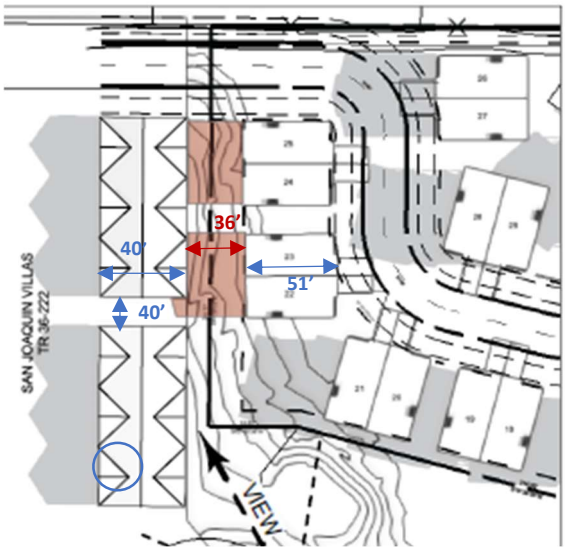
By mispresenting both the SJV image proportion and the incorrect height reference point, this "study" attempted diminish the actual impact of the Villas III duplex 35-foot height.

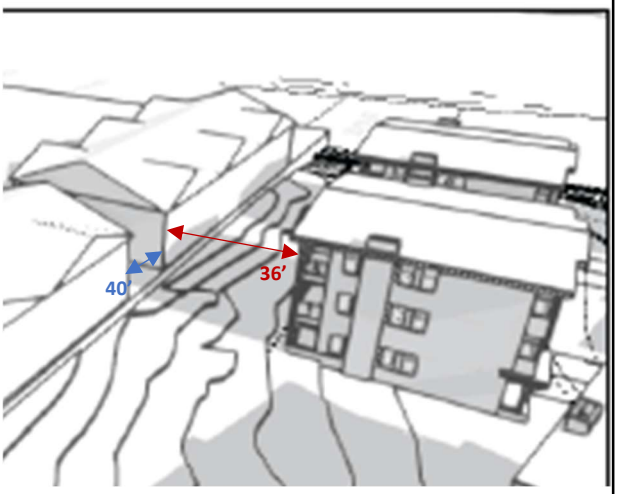
This "study" also misrepresents the relative **Heights** of the SJV E Building and the Villas III duplexes (p. 69/74). It shows the tops of the 2 buildings to be the same height. It claims SJV is 26'- 8 ¼" and Villas III is 34' - 9" tall. The actual difference in height would be 8'-3 ¾". However, the 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').

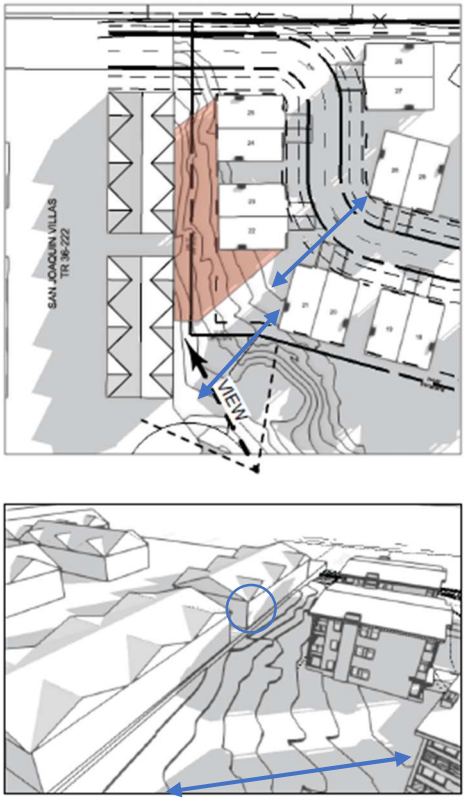




Further, these same "study" pages illustrate the significant size of the duplex shadows cast by the other duplex units and yet try to minimize that effect when the shadow strikes the SJV E-building.

WINTER SOLSTICE, DECEMBER 21ST

9AM

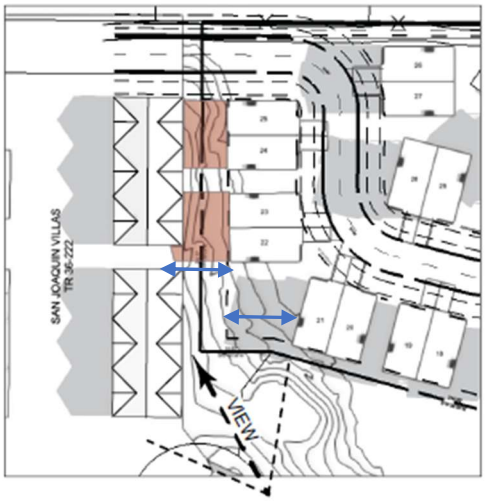


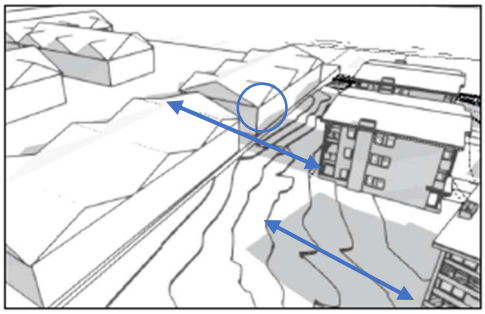
The Solar Study (Project Plans p.72/74) shows these Winter Solstice 9AM long shadows cast by Units 28 and 18-21 (blue arrows) are approximately 120 feet long. The (orange) indicates shadows cast by units 22-25 onto E-building.

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

[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

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