

Mammoth Lakes Town Council
Attn: Ms. Jen Daugherty, Senior Planner
P.O. Box 1609
Mammoth Lakes, CA 93546

June 3, 2015

RE: Mountainside Development Appeal, June 3rd Meeting of the Town Council

Dear Town Council,

We are writing to express our strong concerns and objections over the proposed design and variances for the Mountainside development at 413 Rainbow Lane. Specifically, we urge the Town Council to require that the garbage dumpsters be moved to the west side of the development away from Courchevel, deny the height variance request and consider the impact of snow shed and inadequate storage on Courchevel and the surrounding area.

All of these points were raised in the many letters that the Courchevel HOA, Courchevel homeowners (including ourselves) and homeowners in other neighboring communities wrote to the Planning Commission prior to the April 29 meeting. However, we feel that many of our collective concerns were either inadequately considered, weakly addressed or completely ignored in the decisions made on April 29. In addition, the mere five minutes allotted to us at the April 29 meeting were grossly insufficient to address and rebut the issues raised at the meeting.

To be clear, we are not opposed to the lot at 413 Rainbow Lane being developed. But we are opposed to the development as proposed because it harms existing homeowners and communities in the area. We think we can and should work together to ensure that the Mountainside development does not negatively impact its neighbors and is the best it can be.

Garbage dumpsters. Please require that the Mountainside Development move the garbage dumpsters from the current proposed location along the Courchevel property line to the west side of the development. While we are grateful that the Senior Planner has recommended that moving the garbage dumpsters be looked into, we would like to ensure that the developer actually be required to move the location from the east end of the complex to the west end. The developer said he was willing to move the dumpsters; however, a member of the Planning Commission was not convinced and suggested further study was necessary.

Their argument that skiers leaving Canyon Lodge to go to their cars will dump their garbage in Mountainside dumpsters is weak an insufficient reason to burden Courchevel. Between Canyon Lodge and the dumpster, there will be a road, parking, a pile of snow, a strip of US forest service land, existing natural landscape, their 10 foot setback with landscaping, and the wall to go around the garbage bin. Someone would have to be awfully ambitious to work their way through all of that to toss something into their dumpster. It would be easier for them to toss their garbage in Canyon Lodge's, Snowbird's, or Courchevel's bins. Additional landscaping can be added and the wall around it can be raised to over four feet to make the dumpster harder to see and harder to access if this truly is a concern.

The Planning Commission, but not the developer, also expressed concern that moving the dumpsters from the east side to the west side, might make it harder for the waste company to access them. However, a review of the proposed Mountainside plan shows that it will be just as easy for the waste company to drive into the Mountainside complex and turn right to get to the dumpsters as it will be to

turn left to get to the dumpsters.

Finally, if the neighbors want it moved and the developer is willing to move it, why not just require that it be done? We urge the Town Council to ensure once and for all that the dumpsters are moved to the west end of the proposed development away from Courchevel.

Building height. Please deny the height variance request. At a minimum, BEFORE ANY FINAL DECISIONS ARE MADE BY THE TOWN COUNCIL OR THE PLANNING COMMISSION, the developers should be required to show (either with a pole plan or at least with accurate, measured photo renderings) where the grading of their lot on the east end will be relative to Courchevel, and where the tops of their buildings will be relative to Courchevel. None of the renderings show the heights of the Mountainside project relative to neighboring communities. And we think this is an issue not just for units 15 and 16 along Rainbow Lane but for the units 8 and 9 in the back row as well since the front and back both impact the Courchevel community equally.

Until we can see how the lot is going to be graded RELATIVE TO COURCHEVEL and how high the buildings will ultimately be RELATIVE TO COURCHEVEL, we don't see how the Planning Commission or the Town Council can make an adequate or fair ruling on this issue. It seems absurd that the garbage dumpster issue requires further study, when the height issue does not.

Fourteen and a half feet of height in the Mountainside buildings is roof -- not livable space. That 14 1/2 feet has a significant negative impact on Courchevel, especially when combined with grading which we suspect will make the ground level of Mountainside higher than the ground level of Courchevel. It blocks our light, creates undue shade, impacts our snow melt, and is aesthetically unpleasing. The argument that a 6:12 roof slope is needed for snow shed does not hold water when you consider that there are plenty of rooflines in Mammoth that have shallower slopes and do just fine. Moreover, the photo renderings that show how much better the 6:12 roof slope looks are flawed. They left off much of the detail, the gables, etc. in the 4:12 photos and put them on the 6:12 photos. The minor aesthetic benefit of the 6:12 roof slope and added height do not come even close to offsetting all of the negative aesthetic and functional impacts to Courchevel.

Moreover, the argument that other complexes in the area are also tall is inadequate. The 1849 and Snowbird complexes were built long ago, there is nothing that can be done today about their heights today, and they are situated far away from their neighbors. The residents of Courchevel and Snowbird and anyone who uses Rainbow Lane to access Canyon Lodge, however, will be directly and negatively impacted by the extra tall Mountainside community situated so close to the property line and so close to the street.

In addition, the Planning Commission seems determined to grant the setback variance along Rainbow Lane based on an unwillingness to disturb the slope. This is further reason why the height variance should be denied. The Commission's analysis of the impact of the height did not analyze its impact in conjunction with the reduced setback, which makes the increased height much worse. This point was raised at the April 29 meeting and completely ignored.

The Planning Commission is trying to claim that the extra tall buildings extra close to the road will not create a shade, snow melt, and aesthetic issue along Rainbow Lane. The argument is that the buildings will be no more onerous than the existing trees. Seriously?! Trees are natural, beautiful, carbon dioxide removers that cannot and should not be compared to the proposed Mountainside buildings. Trees allow light through. They are not a solid wall. They are not manmade. And they are not located where the proposed buildings will be located.

Lowering the height of the Mountainside buildings will greatly reduce the development's negative impact on its neighbors.

Maybe a compromise solution IF the town is unwilling to give on the height issue is to forego 10 feet of setback along Warming Hut and give us an additional ten feet of setback along our property line. This won't improve the negative impact along Rainbow Lane, but will at least mitigate some of the negative impact for Courchevel. We proposed this on the 29th, but it was completely ignored by the Planning Commission. The Planning Commission's willingness to forego setback along Rainbow Lane seems to set a precedent for such a compromise. Additional mitigants can be achieved by having them grade the lot differently, with each unit progressively lower as the complex moves eastward toward Courchevel. Or improve the design of the development (split level, smaller footprint, less square footage, shorter garage, roof slope, etc.) so that it does not need to exceed the town's current height restrictions. It appears that the developer is trying to squeeze far too much living space into a lot that is not designed to handle that amount of space.

Snow shed/storage. This issue was raised in letters prior to the April 29 meeting and not addressed by the Planning Commission in their decision. Unfortunately, there was no time for us to raise the issue in the short five minutes allotted to us during the meeting. But we sincerely hope the Town Council considers the arguments raised on this issue as part of the appeal. Courchevel's roof is designed so that snow loads slide off the roof and shed onto our own property. The Mountainside roof on the east side of their property, however, will aim directly at Courchevel. The snow loads will shed into the space between our properties and potentially onto our property. While in the past that area would benefit from afternoon sunlight to help melt the snow, Mountainside buildings will now cast a shadow over the area. This means the snow pile will be higher and last longer and it directly impacts one of our community's snow storage areas. Moreover, inadequate snow storage on the Mountainside property will only compound this issue. A larger 20' setback from the Courchevel property line and lower building heights would help to mitigate this issue.

Finally, this has all been a lot to take in on very short notice. And we as a community are not even convinced that all of the stakeholders have had sufficient time to become informed, review all the information and updates, digest it all and respond. The Town Planners state that they notified managers of the condo complexes a month prior to the April 29 meeting. But managers are not property owners, have different interests and aren't going to be impacted in the same way that owners will be. Owners were notified only a short time prior to the April 29 meeting, had to scramble to assess the situation and respond, and were only allotted five minutes at the April 29 meeting to speak. Given the negative impacts that the Mountainside development will have on the Courchevel community and existing homeowners, it seems unfair.

Let's work together to ensure that the Mountainside development's design is the best it can be and does not negatively impact its neighbors.

Thank you for your consideration and for protecting the interests of all stakeholders and not just those of the Mountainside developer.

Kind regards,



Sloane and Robert Malecki
Courchevel Unit 54