

# **Attachment 5**

**Public Comments  
Received After to the  
Commission Packet was  
Published**

**From:** [Gina Varieschi](#)  
**To:** [Michael Peterka](#)  
**Subject:** Application Request: Villas III Subdivision  
**Date:** Friday, February 4, 2022 7:04:55 PM

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You don't often get email from ginavarieschi@verizon.net. [Learn why this is important](#)

**[EXTERNAL EMAIL]**

Dear Planning Commission,

Re: Application Request: Villas III Subdivision Tentative Tract Map (TTM)221-001, Use Permit (UPA)221-001, Design Review (DR)21-001, and Adjustment (ADJ)21-006.

My name is Gina Varieschi and I am a homeowner and resident at 65 Callahan Way, San Joaquin Villas, Unit D6 and I am writing to request that you reconsider and not move forward with the three single family residences and 15 duplex structures to be subdivided as a 33 unit Planned Unit Development (PUD) to be sold as wholly owned townhome units. The 4.07 – acre site is located at 100 Callahan Way.

Application is requested to allow transient occupancies. In addition, proposed plans indicate hot tubs on every second -floor rear deck of every duplex unit.

The proposed project would have a negative effect on the environment and on the quality of life of SJV residents and surrounding community. Hundreds of trees will have to be removed in order make way for the project. Trees produce oxygen, store green- house gases, provide shade and help keep temperatures cool and prevent erosion. The proposed plan does nothing to address the urgency of global warming. Furthermore, this is the last piece of forest within the town of Mammoth Lakes and a necessary corridor for wildlife. Deer, bears, coyotes, squirrels and birds make their home in these woods. Noise from traffic, lawn mowers, leaf blowers and visitors partying in their hot tubs late at night would further negatively impact the quality of life for all SJV residents and surrounding neighbors. In addition, water required to fill hot tubs, irrigate lawns and man- made landscaping further ignores the constant threat of drought and the need to conserve water.

I respectfully request that the Planning Commission seriously consider how the project will have a long-term negative impact on SJV residents and the surrounding community and not move forward with the project. Thank you.

Gina Varieschi

February 6, 2022

To Whom it May Concern,

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

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

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

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

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

Regarding the Environmental Impact Reports, please forgive me if my understanding of these documents is incorrect. Volume 1 is 290 pages. Volume 2 is 227 pages, and Volume 3 is 369 pages. Additionally, the scanned maps are nearly impossible to read from a layperson's perspective. The documents are overwhelming.

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

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

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

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

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

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

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

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

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You don't often get email from [lindsay.barksdale@gmail.com](mailto:lindsay.barksdale@gmail.com). [Learn why this is important](#)

**[EXTERNAL EMAIL]**

Dear Planning Commission,

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

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

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

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

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

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

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

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

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

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

Thank you for your consideration of my concerns.

Sincerely,  
Lindsay Barksdale, Homeowner at San Joaquin Villas

**TO: The Mammoth Lakes Planning & Economic Development Commission**

**FOR: Public Hearing for Villas III Subdivision**

**RE: OPPOSITION PETITION**

Dear Planning & Economic Development Commission:

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

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

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

**These Plans will DEVASTATE our lives and destroy the community.**

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

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

*"Not again! The Town is using the taxes I pay to screw me while I'm not looking!"*

*"This process is so rushed. They ask for public comment then immediately dismiss it."*

*"Why???... HOT TUBS on decks with nightly rentals so close [to us]!!!"*

*"No thought about workforce people." "I can't believe the Town Planning Commission agreed to the WANTS of the developer."*

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

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

Sincerely & respectfully,

**The People of SAN JOAQUIN VILLAS**

We the People of

# San Joaquin Villas

## Oppose the Villas III Subdivision Plan

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

	Signature	Printed Name	Address
D2		Marcy Castro	61 Callahan Way
G3		Math Zebate	61 Callahan Way
G2		Pablo Toledo	"
F6		Patrick de Chastonay	"
F5		Wade & Christina Heinoch	"
F4		Santa Fera Arevalo	"
D1		Jenica Law	"
		Ruben Sandoval	184 Joaquin
		Ellen McDonald	193 Joaquin Rd 93546
		David Ben Ami	193A Joaquin Rd 93546
		Stu Gore	122 Joaquin
		Warren Retz	94 Joaquin
		Cathy Ocampo	61 Callahan Way G1
		Isidro Ocampo	61 Callahan way G1
		NANCY ROAN	226 St. Anton Circle
		LISA ANDERSON	103 Meadow Lane #34 ML ML

*We the People* of

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Signature	Printed Name	Address
	Hector Ocampo	61 Callahan way G1
	<del>Carlos Castro</del>	61 Callahan Way D2
	Jacob Castro	61 Callahan Way D2
	JARED LANGEL	61 Callahan way A2
	Michelle Chiang	61 Callahan way A2
	MARIO G	61 CALLAHANWAY C1
	Manu Vinagre	61 Callahan way C1
	Susan R. Farley	61 Callahan Way C2
	Nate Seewers	61 Callahan F6
	Yanet Lopez	3711 Main St. Crowley LA 70354
	Julio Chavarria	(Corner of main & Callahan way)
	Chelsea Glende	104 Joaquin RD Apt #1 194 Joaquin St.
	Ronald Glende	4007 Crowley lake Dr.
	Ednamary Glende	4007 Crowley lake Dr.
	Chales Miller	109 Hidden Valley Rd
	Michelle Quinsfeld	138 Wagon Wheel Rd

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Signature

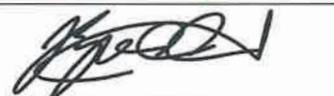
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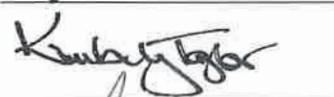
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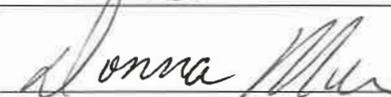
 TRACEE NOTTALL B5

 MAXINE PINN SJV B-1

 ERIC H. TAYLOR SJV #E6

 JUDITH GODDARD SJV #B4

 KIMBERLY TAYLOR SJV #E6

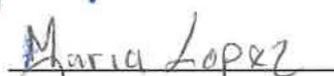
 DONNA MERCER SJV E4 M.L.

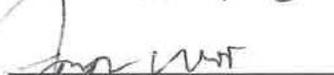
 ROBERT FRUCHTEL SJV E2

 ANDREA FRUCHTEL SJV E2

 FRANKIE ALVARADO 3199 CHOTEM RD

 MARIA LOPEZ 44 MANZANITA RD MAMMOTH LA

 JEANNE WOO 64 HILL ST

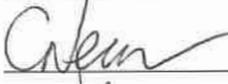
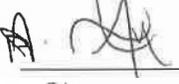
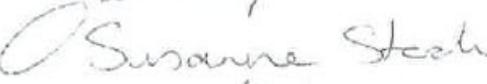
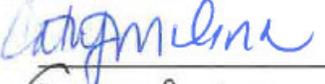
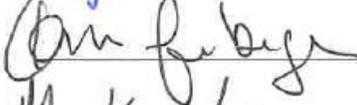
 GINA ANDERSON 117 LAKE MANOR PL

*We the People* of

# San Joaquin Villas

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Signature	Printed Name	Address
	Christian Newman	San Joaquin Villas #D3
	Amy Loucks	San Joaquin #D3
	Jaime Kellack	SJV #E5
	Susanne Stark	SJV - E5
	Bonnie Kellack	SJV - E5
	Justin Kellack	SJV - E5
	Janette Miller	190 Foothill Rd SW. Ca
	Amanda Taylor	2290 Sierra Nevada Rd #98 ML
	Cathy Molina	374 Mt Ran
	Karen Fiebigler	4995 Forrest trail
	Mike Fiebigler	1995 Forrest trail

We the People of

# San Joaquin Villas

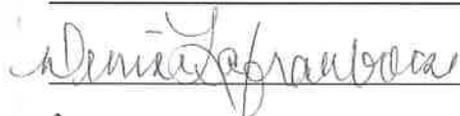
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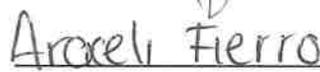
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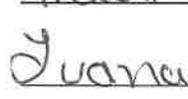
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Printed Name

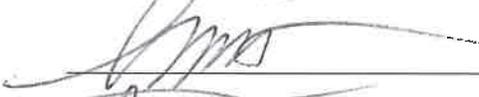
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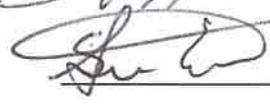
 Denise Lafrancoise 41 ST. Anton Circle, M.L.

 Araceli Fierro 200 Azimuth #71 M.L.

 Juana Solorio -- Juana Solorio #4 # Manzanita M.L.

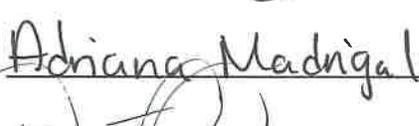
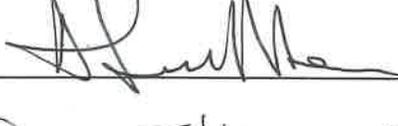
 Antonia Lizman Antonia Lizman Berner St 29 M.L.

 Hiroki Okamoto 359 Sierra Springs Dr. C.L.

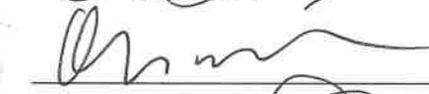
 Silvia Escobar 200 Azimuth Dr, M.L.

 Sean Burdett SEAN BURDETT 98 TYROL LANE M.L.

 Gloria Solario ~~66~~ 66 Dorrance Dr. M.L.

 Adriana Madrigal  3072 Chateau Rd #106  
97 Valley View Rd

 Dana Ellis  609 Sycamore Ave  
Bishop CA 93319

 Annia Rinaldi 28 Snowcrest  
ML

 Sandra Villalpando 45 Mountain Blvd  
ML CA 93526

We the People of

# San Joaquin Villas

## Oppose the Villas III Subdivision Plan

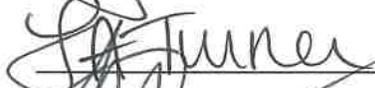
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Printed Name

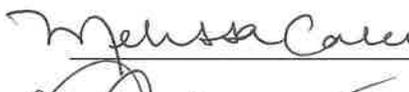
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 Raul Rodriguez 495 Lupin st. #6

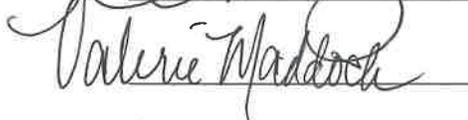
 Leigh Ann Turner 104 Lupin st.

 Shira Mad 2290 Fern Nevada Rd

 HEATHER HUND 151 Ridgecrest Dr.

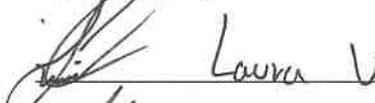
 Melissa Carey 525 Manzanita Rd.

 Allsa Moegling 3251 Chateau Rd.

 Valerie Maddock 396 Willow Brook Rd.

 Alex Solorio PO Box 9354 M-L

 Maria C Godinez 61 Callahan way G4 M-L

 Laura Villalpando 1700 old Mammoth rd #H-105

 Madeline 63 Holiday way M-L

 Lisa Oliver 99 Alexander lane M.L.

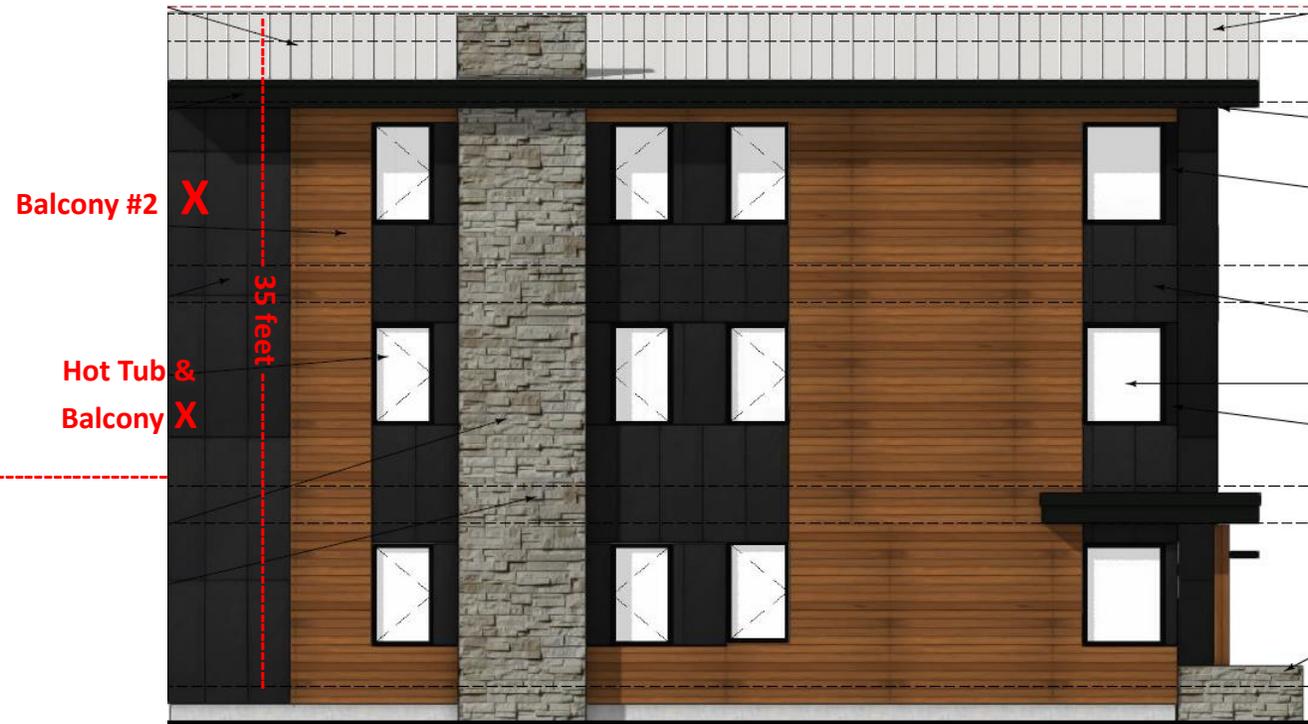
# Representative Scale of Building Separation & Height

South →

San Joaquin Villas (SJV) Bldg E



Villas III Units #22-25



# Representative Sunlight & Shadow

South →

Villas III Units #22-25

**SHADE ZONE**

San Joaquin Villas (SJV) Bldg E



Balcony #2 X

Hot Tub & Balcony X

35 feet

X

35 feet

X

X



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

# Representative Sunlight & Shadow with Roof Snow



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



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



San Joaquin Villas (SJV) Bldg E



Balcony #2 X

Hot Tub & Balcony X

35 feet



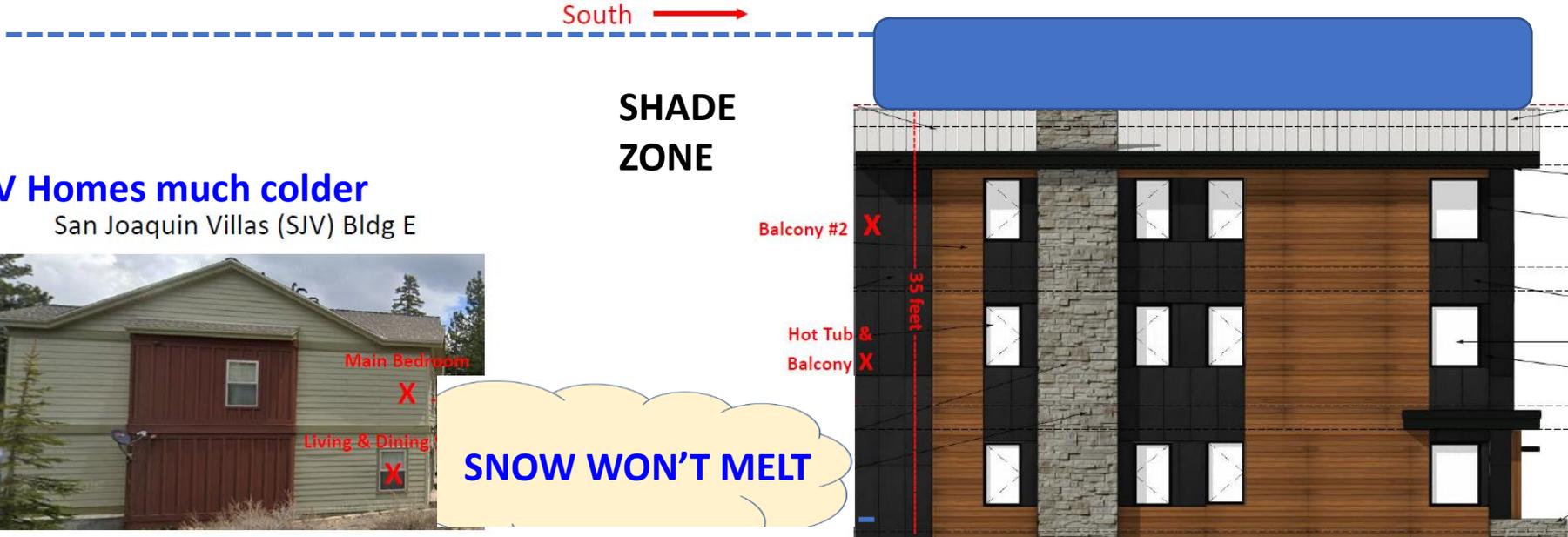
# Representative Sunlight & Shadow SNOW CAVE



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



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



## SJV Homes much colder

San Joaquin Villas (SJV) Bldg E



# Representative Scale of Building Positions

#25

#24

#23

#22



52 feet

52 feet

30 feet

35 feet

35 feet

35 feet

Sounds & Echo

Decks 30' from duplexes

SJVE

#1

#2

#3

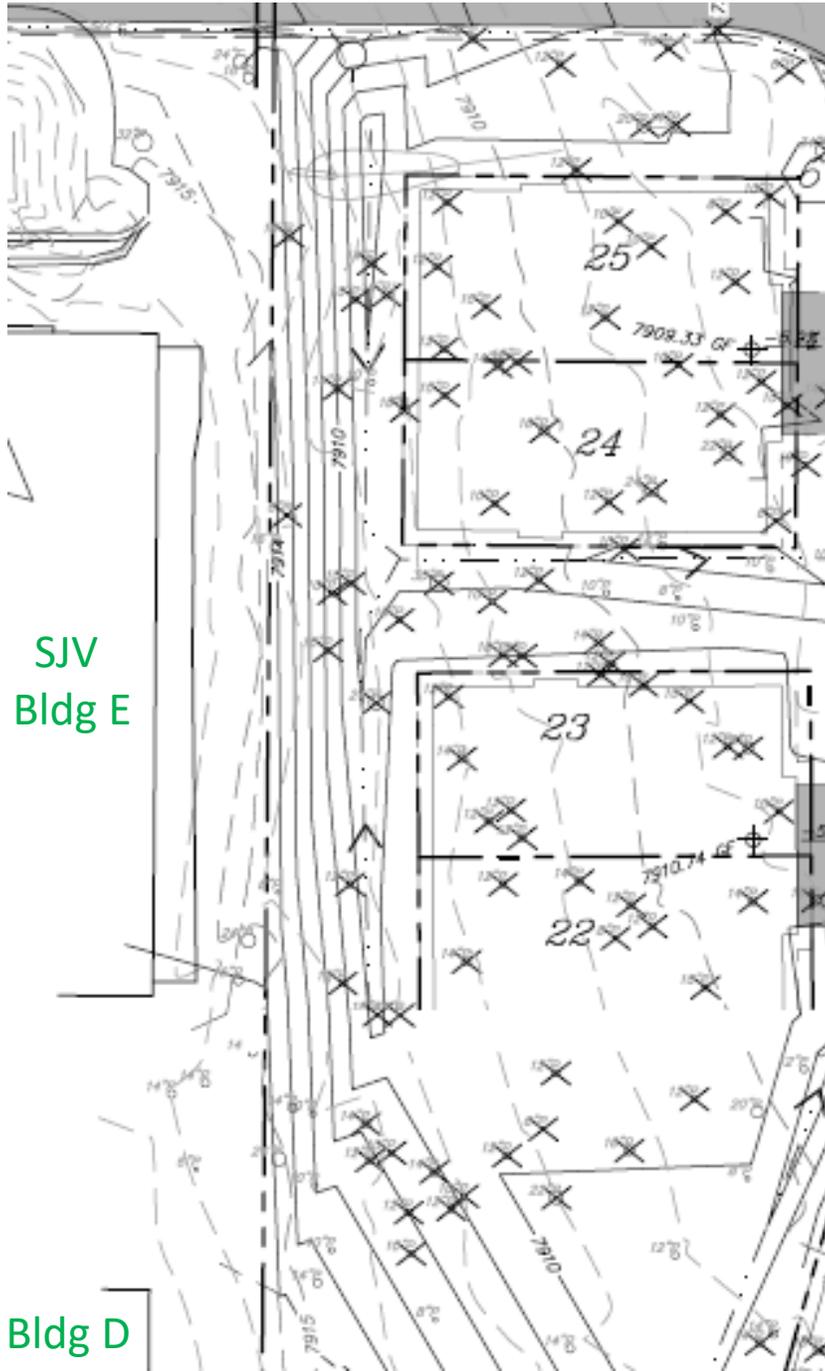
#4

#5

#6

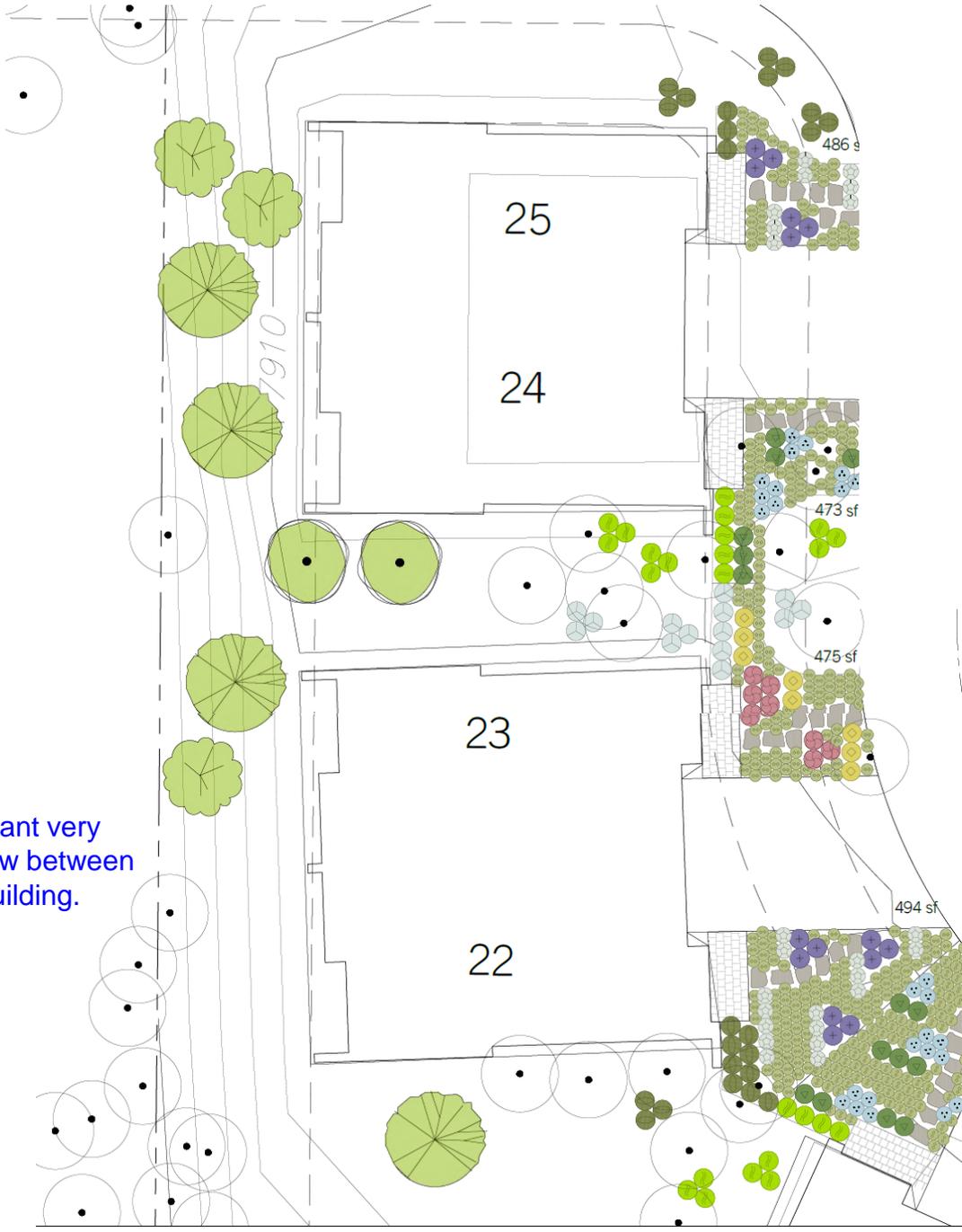
MA bedroom window & living room Glass Sliders on this wall for all SJV condos.

# Landscaping Plan



Plan is to cut down trees near SJV.

X = Removed



Plant very few between building.

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

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

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

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

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

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

### Use permit criteria

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

### Proposed gate on Callahan Way (Staff Report page 3)

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

### Construction access

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

### Procedural comment

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

### Conclusion

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

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

Thank you for your time.

**From:** [Christian Newman](#)  
**To:** [Michael Peterka](#)  
**Subject:** Villas III development  
**Date:** Monday, February 7, 2022 12:50:00 PM

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You don't often get email from christiannewman1020@gmail.com. [Learn why this is important](#)

**[EXTERNAL EMAIL]**

Dear Planning Commission,

Please DO NOT approve hot tubs on 2nd level decks in Units 18 through 25. Specifically for units 22 through 25 the PROPOSED plans put hot tubs 40 feet from workforce housing bedroom windows.

We are concerned about the noise of people partying in these hot tubs and keeping us awake. Approval of this part of the plans will absolutely ruin the quality of life of full time residents.

Thank you for your consideration

Christian Newman and Amy Louisa  
San Joaquin Villas Unit D3

Feb. 7, 2022

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

Dear Mr. Vanderhurst and Planning Commissioners,

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

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

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

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

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

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

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

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

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

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

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

I respectfully request that the project be modified as follows:

1. NO to a senseless fence along the bike path, a fence that will ultimately get broken and become unsightly under snow load and the elements. Any fence, even with two small openings, is unfriendly and dangerous to wildlife. No one wants to look at an ugly, unwelcoming fence along the bike path that has no purpose but to pretend to be a noise barrier.
2. NO to individual unit hot tub on the decks. The ambience of our neighborhood is being compromised by the development itself – the hot tubs outside our bedroom windows will eliminate all privacy and quietness and will negatively impact our quality of life.

3. NO to allowing nightly rentals in Villa III units 22-25 that are directly adjacent to SJV due to the close proximity of the buildings and the impacts of noise and disturbance.
4. that the developer be held responsible for maintaining a significant “green” and natural barrier between the development and neighboring buildings with a landscaping plan that includes trees and hedges. Snowshed from the building rooves must be managed and cleared away so our backyards do not become an icy mountain of snow.
5. that the Commission and staff do the RIGHT thing and consider the needs, concerns, and quality of life of the local community members over developer profits.

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

Thank you for your consideration.

Donna Mercer  
61 Callahan way E4  
Mammoth resident since 1999

To: Mammoth Lakes Planning and Economic Development Commission:

Feb. 9, 2022

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

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

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

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

**Design Review Criteria:**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## **CONCLUSION**

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

Thank you for your consideration.

Kimberly Taylor  
San Joaquin Villas, Unit E6

To: Mammoth Lakes Planning Commission

Copy to: Mammoth Lakes Town Council

Regarding: Villas III Development Application

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

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

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

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

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

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

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

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

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

Prohibit construction traffic on Callahan Way during development.

Thank you for your consideration.

Sincerely, /s/ Sue Farley