

Jen Daugherty

From: Jo Bacon
Sent: Monday, April 27, 2015 6:12 AM
To: Dan Holler; Sandra Moberly; Jen Daugherty
Subject: FW: Letter from a Courchevel homeowner regarding Wednesday's planning commission meeting
Attachments: Mountainside Letter - Malecki - 4.20.15.docx
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Jo Bacon
Mayor
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From: Sloane K. Malecki <sloane@brasshornet.com>
Sent: Sunday, April 26, 2015 5:34 PM
To: Jo Bacon; Michael Raimondo; Colin Fernie; Shields Richardson; John Wentworth
Cc: Erik Sellfors; courchevelhomeowners@yahoo.com
Subject: Letter from a Courchevel homeowner regarding Wednesday's planning commission meeting

Dear Mayor Bacon and members of Mammoth Lakes City Council (with a cc to the Courchevel Homeowners Association president and Courchevel homeowners),

We own Courchevel Unit 54, one of the units in our community immediately adjacent to the proposed Mountainside development at 413 Rainbow Lane. We are concerned with the Mountainside development proposal and are writing to seek your help in protecting existing homeowners from being harmed economically and aesthetically by a development that does not conform to the building and planning codes of Mammoth Lakes. The planning commission will be meeting on this issue this Wednesday, April 29, and we are hoping that we can count on your support.

Our original letter to the planning commission is attached. In addition, new information has been brought to light since we submitted our letter, so I'm providing a high level summary of our concerns in the body of this email. Specifically, we are concerned with the following:

- 1) The developers are trying to claim that the lot is not a corner lot which allows them to build at just a 10 foot setback from the Courchevel property line instead of the mandated 20 feet.
- 2) They are seeking a height variance, which allows them to put a 42'-6" tall building rather than a 35' building which is the limit as per Mammoth Lakes building code.
- 3) The roof slope of the extra tall and extra close buildings aims at Courchevel so snow shed from the roof is going to be a problem. It is going to shed on Courchevel property in the zone that we need for snow storage. Plus, snow is likely to pile up

more now since the tall buildings won't let the sun through to melt the snow. So our snow storage issues will be exacerbated. Meanwhile, our roof slopes are such that our snow shed falls on our property, not an adjoining one.

4) They are proposing to place their 8' x 12' garbage dumpster right on the property line, not 10' away as required by a non-corner lot setback or 20' away as required by a corner lot setback. The dumpster will be 10-12 feet from our neighbor's bedroom window, much closer than to any of the buildings in the Mountainside Development, and in plain view of several other units' living room windows and balconies. It will be an eyesore, smell bad, and cause noise disturbances for our community.

5) They are proposing a setback variance along Rainbow Lane, asking to build 9 feet closer to the road and eliminate the extra wide shoulder that is currently being used for front in parking. So the road will appear narrower. A smaller setback combined with a taller building will create an urban feel, block all southerly winter sun from that upper part of Rainbow Lane and create a potential snow pile/ice issue, not to mention the aesthetic challenge. If we had wanted a crowded urban feel to our second home, we would have purchased in South Lake Tahoe or Whistler or Manhattan.

We were told that the variances were likely to be granted because the development meets Mammoth Lakes planning commission density guidelines. Since when does conforming to one part of a building code enable a builder to ignore other parts? Moreover, those guidelines are based on number of units per acre of land and take no consideration into the size of units per acre of land or the development's footprint. And the size of the units is quite spacious, much larger than what condo units were like when the code was written, hence the need for all the variances. In addition, we were told that the photo rendering is sufficient to provide an idea to community members of how tall the buildings will ultimately look. However, the photo rendering is misleading as it shows a ton of trees, most of which are getting removed, and doesn't show the buildings from either Snowbird's or Courchevel's or Rainbow Lane's perspectives. Moreover, how did they manage to accurately measure the heights of the buildings relative to the land and the final grading? That can't be accurately done in a photo rendering like the one the developer submitted with their variance request!

Those of us that own homes in nearby communities knew that one day that lot would be developed, but we believed that building and planning codes would protect us. But what good are those codes if they aren't followed? Why should the economics of the developers investment be enhanced at the expense of others? New developments should not harm existing homeowners.

We are asking the planning commission to deny the variance requests; call the corner lot what it is — a corner lot — so that we have 20 feet between our property line and their building; and to move the dumpster to the other side. We are also asking that the developers erect poles and strings so we can truly see how tall the structure will be because depending on how the lot is graded will impact the height measurement. And as elected officials, we hope you will help and support our request.

Thank you for your assistance in protecting existing homeowners, nearby communities and the small town look and feel of Mammoth Lakes.

Sincerely,

Sloane and Robert Malecki
Courchevel Unit 54
213-300-1215