

RESOLUTION NO. 2014-

**RESOLUTION OF THE TOWN COUNCIL
OF THE TOWN OF MAMMOTH LAKES, STATE OF CALIFORNIA,
MAKING CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS,
CERTIFYING THE INN AT THE VILLAGE FINAL SUBSEQUENT
ENVIRONMENTAL IMPACT REPORT, AND ADOPTING THE MITIGATION
MONITORING AND REPORTING PROGRAM**

WHEREAS, Severy Realty Group and SFI Mammoth Owner, LP have requested approval of the Inn at the Village project (“Project”) and certification of the Final Subsequent Environmental Impact Report (SEIR) for the Project, including the Draft SEIR, Final SEIR, and associated technical appendices (collectively, the “Final Subsequent Environmental Impact Report” or “Final SEIR”), which was prepared to address the environmental effects, mitigation measures, and project alternatives associated with the Project and actions related thereto; and

WHEREAS, the Draft SEIR for the Project (State Clearinghouse # 2014032081) was prepared pursuant to the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq, and State Guidelines for the Implementation of CEQA, California Code of Regulations, Title 14, Division 6, Chapter 3, Section 15000 et seq. (the “State CEQA Guidelines”) and was transmitted to the State Clearinghouse and circulated from public review during a public comment period from July 8, 2014 to August 22, 2014; and

WHEREAS, the Final SEIR for the Project was prepared pursuant to the California Environmental Quality Act (CEQA) and State CEQA Guidelines; and

WHEREAS, the Planning and Economic Development Commission conducted a duly noticed public hearing on the application request on October 8, 2014, at which times all those desiring to be heard were heard; and

WHEREAS, following the receipt of all oral and written testimony, the Planning and Economic Development Commission closed the public hearing on October 8, 2014 and adopted Resolution No. PEDC 2014-10 recommending certification of the Final SEIR and approval of the Project to the Town Council, with conditions; and

WHEREAS, the Planning and Economic Development Commission considered, without limitation, the staff report to the Planning and Economic Development Commission with all attachments and exhibits, the 2007 General Plan, the North Village Specific Plan, the North Village Neighborhood District Planning Study, oral and written evidence submitted at the hearing, the Final SEIR, and all other items listed in Planning and Economic Development Commission Resolution 2014-10; and

WHEREAS, the Town Council conducted a noticed public hearing on the application request on November 19, 2014, at which time all those desiring to be heard were heard; and

WHEREAS, following the receipt of all oral and written testimony, the Town Council closed the public hearing on the application on November 19, 2014; and

WHEREAS, the Town Council considered, without limitation, the staff report dated November 19, 2014 with all attachments and exhibits to the Town Council, including the Draft SEIR, Final SEIR, and associated technical appendices for the Inn at the Village Project (“Final SEIR”) attached hereto as Exhibits 1 and 2, and all oral and written testimony; and

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Mammoth Lakes, California, as follows:

1. That the Town Council finds the above recitations are true and correct.
2. The Town Council incorporates by reference all exhibits and attachments cited in this Resolution.
3. Pursuant to the requirements of the California Environmental Quality Act (CEQA), the Town Council has reviewed and hereby adopts the findings contained in Exhibits 3 and 4 to this Resolution, including but not limited to, the findings that the Final SEIR was prepared in compliance with CEQA and the State CEQA Guidelines.
4. Based on the findings contained in Exhibits 3, 4, and 5 to this Resolution, along with all other evidence in the record of proceedings in this matter, and for purposes of taking action on the Project, the Town Council hereby certifies the Final SEIR pursuant to CEQA and the State CEQA Guidelines.
5. Based on the findings contained in Exhibits 3, 4, and 5 to this Resolution, along with all other evidence in the record of the proceedings in this matter, the Town Council hereby adopts the Mitigation Monitoring and Reporting Program, Section 4.0 of the Final SEIR, and hereby adopts each of the mitigation measures set forth therein and incorporates those measures into the Project.
6. The documents and other materials that constitute the record of proceedings upon which the Town Council’s decision is based are located in the Town Offices of the Town of Mammoth Lakes, at 437 Old Mammoth Road, Suite R, Mammoth Lakes, California 93546 and Jamie Gray, Town Clerk, is hereby designated as the custodian of these records.

APPROVED AND ADOPTED this 19th day of November 2014.

JO BACON, Mayor

ATTEST:

JAMIE GRAY, Town Clerk

EXHIBIT 1

**FINAL SUBSEQUENT ENVIRONMENTAL IMPACT REPORT (SEIR) FOR
THE INN AT THE VILLAGE, INCLUDING THE MITIGATION MONITORING
AND REPORTING PROGRAM (SECTION 4.0 OF THE FINAL SEIR)**

(SCH No. 2014032081)

[BLANK PAGE; INSERT FINAL SEIR]

http://www.townofmammothlakes.ca.gov/documents/10/45/50/380/Inn%20Final%20SEIR_09.22.14_201409231250311538.pdf

EXHIBIT 2

**DRAFT SUBSEQUENT ENVIRONMENTAL IMPACT REPORT FOR
THE INN AT THE VILLAGE**

(SCH No. 2014032081)

[BLANK PAGE; INSERT DRAFT SEIR]

<http://www.townofmammothlakes.ca.gov/index.aspx?nid=542>

EXHIBIT 3

FINDINGS AND FACTS IN SUPPORT OF FINDINGS FOR THE FINAL SEIR

(SCH No. 2014032081)

[BLANK PAGE; INSERT FINDINGS AND FACTS]

http://www.ci.mammoth-lakes.ca.us/documents/10/45/50/380/Inn%20TC%20Reso%20SEIR%20-%20Findings%20and%20Facts_clean_201411101234051695.pdf

EXHIBIT 4

Final SEIR Findings Pursuant to CEQA Guidelines §15091

1. Introduction

Findings for the Final Subsequent Environmental Impact Report, State Clearinghouse # 2014032081, are being made pursuant to State CEQA Guidelines §15091.

2. Statutory Requirements for Findings

- a. The Final Subsequent Environmental Impact Report (State Clearinghouse No. 2014032081) (SEIR), attached hereto as Exhibits 1 and 2, has been completed in compliance with CEQA because all applicable requirements set forth in Public Resources Code, Section 21000 et seq. and CEQA Guidelines, California Code of Regulations, Title 14, Section 15000 et seq., including the required contents of a Final SEIR, have been adhered to.
- b. The Final SEIR was presented to the Town Council, the decision-making body of the Town, and the Town Council reviewed and considered the information contained in the Final SEIR prior to approving the Project.
- c. The Final SEIR reflects the Town's independent judgment and analysis.
- d. The Final SEIR identifies all potentially significant adverse environmental effects of the Project. Changes or alterations have been required in, or incorporated into, the Project, which lessen all potential environmental impacts to less than significant. The Final SEIR identifies mitigation measures, which will reduce or eliminate potentially significant effects, and concludes that after the incorporation of mitigation measures, the Project would not result in any significant and unavoidable impact.
- e. Mitigation measures are identified in the Mitigation Monitoring and Reporting Program contained in the Final SEIR, and the mitigation measures are included as conditions of Project approval. The Final SEIR and other source documents referenced therein are incorporated herein by reference.
- f. The custodian and location of the documents and other material which constitute the record of proceedings upon which this decision is based is the Town Clerk at the Town of Mammoth Lakes Offices, 437 Old Mammoth Road, Suite R, Mammoth Lakes, California 93546.

In making these findings and those findings in Exhibit 3, not all of the rationales and data contained in the Final SEIR have been repeated. The Final SEIR and other source documents referenced therein are incorporated herein by reference. Except to the extent they conflict with the findings and determination set forth in this document, the analysis and conclusions of the Final SEIR, including responses to comments, are hereby adopted as findings by the Town Council of the Town of Mammoth Lakes.

EXHIBIT 5

Certification of the Inn at the Village Final Subsequent EIR

A. Preparation of an Environmental Impact Report.

A Final SEIR (FSEIR) has been prepared to address the environmental impacts, mitigation measures, project alternatives, comments and responses to comments associated with the consideration of the Project and related District Zoning Amendment, Vesting Tentative Tract Map, Use Permit, and Design Review permit application, pursuant to and in compliance with the requirements of the CEQA; and,

B. Review and Consideration by the Planning and Economic Development Commission and Town Council of the Town of Mammoth Lakes.

Prior to certification of the FSEIR, the Planning and Economic Development Commission and Town Council of the Town of Mammoth Lakes have reviewed and considered the above-mentioned FSEIR. The Town Council hereby certifies that the FSEIR for the Project is complete and adequate in that the FSEIR addresses all environmental impacts of the proposed Project, fully complies with the requirements of CEQA and the State CEQA Guidelines, and reflects the Town's independent judgment and analysis. For the purposes of CEQA, the record of the proceedings for the certification is comprised of the following:

1. The Draft SEIR and Technical Appendices for the Inn at the Village Project;
2. The Final SEIR for the Inn at the Village Project;
3. The proceedings before the Town of Mammoth Lakes Planning and Economic Development Commission and Town Council relating to the subject Project consideration and related actions, including testimony and documentary evidence introduced at the meetings; and,
4. All attachments, documents incorporated and references made in the documents specified in items (1) through (3) above, including the Mitigation Monitoring and Reporting Program for the Inn at the Village Project.