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)
Town of Mammoth Lakes)
Community & Economic Development Department)
P.O. Box 1609)
Mammoth Lakes, CA 93546) _____
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RESOLUTION NO. PEDC 2022-02

**A RESOLUTION OF THE MAMMOTH LAKES PLANNING AND
ECONOMIC DEVELOPMENT COMMISSION
APPROVING TIME EXTENSION REQUEST 21-001 GRANTING A
FIVE-YEAR TIME EXTENSION FOR THE
MAMMOTH HOTEL ENTITLEMENT
(DR 19-003 & ADJ 19-002)
FOR PROPERTY LOCATED AT 452 OLD MAMMOTH ROAD
(APN: 033-043-002-000)**

WHEREAS, a request for consideration of a five-year Time Extension Request for the Mammoth Hotel project entitlement was filed by Drew Hild on behalf of 452 OM RD INVESTORS, LLC, a Delaware limited liability company, the property owner, to allow a time extension request for the Mammoth Hotel project in accordance with Chapter 17.64 (Permit Implementation, Time Limits, and Extensions) of the Town of Mammoth Lakes Municipal Code, for property located within the Old Mammoth Road (OMR) zoning district at 452 Old Mammoth Road; and

WHEREAS, the Mammoth Hotel project is a proposed mixed-use hotel project with 164 hotel rooms that was originally approved by the Planning and Economic Development Commission on November 13, 2019 via Resolution No. 2019-09; and

WHEREAS, the Planning and Economic Development Commission conducted an administrative hearing on the time extension request on January 12, 2022, at which time all those desiring to be heard were heard; and

WHEREAS, the Planning and Economic Development Commission considered, without limitation:

1. The staff report to the Planning and Economic Development Commission with attachments;
2. The General Plan, Municipal Code, Design Guidelines, and associated Land Use Maps;

3. Oral evidence submitted at the hearing;
4. Written evidence submitted at the hearing; and
5. Project plans consisting of all those approved with the original project approval; and

WHEREAS, pursuant to Government Code Section 66498.1, none of the conditions warranting denial or modification of the conditions of approval are present.

NOW THEREFORE, THE PLANNING AND ECONOMIC DEVELOPMENT COMMISSION OF THE TOWN OF MAMMOTH LAKES DOES RESOLVE, DETERMINE, FIND AND ORDER AS FOLLOWS:

SECTION 1. FINDINGS.

1. CEQA.

Pursuant to the California Environmental Quality Act (CEQA), the Planning and Economic Development Commission previously found the project exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines §15332, In-Fill Development Projects. As no changes to the approved project have occurred, this Time Extension Request is not subject to additional environmental review.

2. MUNICIPAL CODE FINDINGS.

FINDINGS FOR THE TIME EXTENSION APPROVAL

Municipal Code Section 17.64.060.B(4)

- a. The Planning and Economic Development Commission finds that the applicant has made a good faith effort to exercise the permit and comply with the conditions of approval in a timely manner and circumstances beyond the control of the applicant have prevented exercising the permit. After the Project was approved in November 2019, the COVID-19 pandemic began which created difficulties in obtaining financing for new construction projects, in particular projects in the hospitality industry. Since the project approval, the applicant has made significant progress on building and demolition permits and could pull permits as early as February/March 2022.
- b. The Planning and Economic Development Commission finds that the project is still in compliance with the General Plan and Zoning Code since there have not been changes to the original approved project, which was found to be consistent at the time the project application was deemed complete.
- c. The Planning and Economic Development Commission finds that the original conditions of approval for the project (Resolution No. PC-2019-09) are still appropriate, and conditions have not changed since the project approval that would necessitate additional conditions of approval to be imposed on the project, or that would warrant the denial of the five-year time extension request.
- d.

SECTION 2. PLANNING AND ECONOMIC DEVELOPMENT COMMISSION ACTIONS. The Planning and Economic Development Commission hereby takes the following actions:

1. Approves Time Extension Request 21-001 subject to the following conditions:
 - a. The approved Mammoth Hotel Entitlement (DR 19-003 & ADJ 19-002), approved via Resolution No. PC-2019-09 shall be adhered to and maintained for the duration of this five-year time extension approval.
 - b. All conditions of approval for the Mammoth Hotel Entitlement (DR 19-003 & ADJ 19-002), approved via Resolution No. PC-2019-09 shall be adhered to, or satisfied, prior to issuance of a Certificate of Occupancy.
 - c. The Mammoth Hotel Entitlement (DR 19-003 & ADJ 19-002) shall become null and void on November 13, 2026. One additional, one-year time extension may be granted since the maximum allowable term of eight (8) years will not have been exhausted.

PASSED AND ADOPTED this 12th day of January 2022, by the following vote,
to wit:

AYES:

NAYS:

ABSENT:

ABSTAIN:

ATTEST:

Sandra Moberly,
Community and Economic Development
Director

Michael Vanderhurst,
Chair of the Mammoth Lakes Planning
and Economic Development
Commission

NOTE: This action is subject to Chapter 17.104 of the Municipal Code, which specifies time limits for legal challenges.

APPLICANT:

I, Drew Hild, Managing Member of 452 OM Management, LLC, as Manager for 452 OM RD Investors, LLC, a Delaware limited liability company, the property owner, do hereby attest that I have read, and agree to, the conditions stipulated within this Determination of Approval.

Drew Hild
(Notary Required)

Date: _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }
County of Mono

On _____ before me, _____
personally appeared _____
who proved to me on the basis of satisfactory evidence to be the persons whose
name(s) is subscribed to the within instrument and acknowledged to me that he
executed the same in his authorized capacity (ies), and that by his signature(s) on
the instrument the person(s), or the entity upon behalf of which the person(s) acted,
executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of
California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary