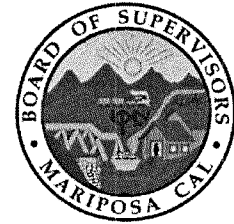




MARIPOSA COUNTY

Planning • 209-966-5151



RESOLUTION - ACTION REQUESTED 2015-300

MEETING: June 23, 2015

TO: The Board of Supervisors

FROM: Sarah Williams, Planning Director

RE: Agreement & Contract for Tenaya Explorer Cabins Project EIR

RECOMMENDATION AND JUSTIFICATION:

Approve Agreement to Pay for Services with Delaware North; Approve Contract for Services with Ascent Environmental, Inc. for Preparation of an Environmental Impact Report for the Tenaya Explorer Cabins Project; Authorize the Board Chair to Sign the Agreement and Contract; and Approve the Budget Action Increasing Revenue and Appropriations in the Explorer Cabins Fund to Account for This Project, Transferring Funding to the Planning Budget and Increasing General Contingency (\$44,780).

Mariposa Planning requests the Board:

1. Approve an Agreement to Pay for Services with Delaware North (DN), formerly Delaware North Parks and Resorts Tenaya and authorize the Board of Supervisors' Chair to sign the Agreement. Agreement is necessary to ensure adequate funds are available from the developer to pay contract costs for Environmental Impact Report (EIR) preparation and project processing costs;
2. Approve a Contract for Services with Ascent Environmental, Inc. and authorize the Board of Supervisors' Chair to sign the contract for the preparation of an Environmental Impact Report (EIR) for the proposed project "Tenaya Explorer Cabins", Specific Plan Zoning Amendment (SPZA) 2014-163, Conditional Use Permit (CUP) 2014-164, and Land Division Application (LDA) 2014-165. A consultant is needed to prepare the EIR for the project; and
3. Approve the budget action for the project. The budget action is necessary to provide allocations for revenue (\$44,780), professional services (\$43,780) and transfers funding (\$1,000) to the Planning Budget for the billing for planning staff time. The General Contingency needs to be increased to offset the additional revenue that the Planning Budget will receive. The budget action is requested to be approved because work is planning on being done on this project prior the end of the Fiscal Year -- June 30, 2015. As the project progresses, additional funding and appropriations will be requested in the Fiscal Year 2015-2016 budget process.

The Planning Department received an application on December 23, 2014, from DN (formerly DNC) for the "Explorer Cabins at Tenaya", described as an "upscale

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campground". The proposed project site is a 26.89 acre parcel (APN 010-350-008) located at 1152 Highway 41, Fish Camp CA. The site is governed by the Fish Camp Specific Plan. The proposed project requires a Specific Plan Land Use and Zoning Amendment, Conditional Use Permit and Land Division.

The original proposal was for 34 cabin units, a multi-function clubhouse, outdoor entertainment and seating areas, parking to serve the project and a land division for a separate one-half acre residential parcel. The applicant amended the proposed project on June 9, 2015, to increase the number of units from 34 units to 54 units and provide additional parking to support the increase in units. The project site parcel is located adjacent to the existing Tenaya Lodge. Tenaya Lodge Resort offers guest accommodations within a 249-room destination hotel and 53 rooms in 17 separate cottage buildings (Tenaya Cottages). The proposed project is designed to provide an alternative lodging opportunity within a more natural setting.

The application was circulated for preliminary comments on January 5, 2015. The application was deemed incomplete on January 23, 2015, due to some outstanding issues and comments received. On February 2, 2015, a decision to prepare an Environmental Impact Report (EIR) for the project was made per mutual agreement by the applicant and the Planning Department staff pursuant to California Environmental Quality Act (CEQA) Guidelines §15060 (d). Consultant assistance is needed to prepare the EIR. The Notice of Preparation (NOP) of the EIR and a Request for Proposals (RFP) for the preparation of the EIR was sent out on February 9 and 10, 2015. The RFP deadline was extended to April 15, 2015. The EIR RFP process concluded with the selection of Ascent Environmental, Inc. on May 13, 2015. A new NOP to reflect the project description changes will be generated and is included in the EIR scope of work.

A budget action is required because this project was not included in the approved FY 2014-2015 Budget. A separate budget unit has been created for the Explorer Cabins in order to track revenue and expenditures for this project separately. The requested budget action is needed in order to receive the first project payment from DN on June 23, 2015, to enable the EIR Consultant to work and bill for work prior to July 1, 2015, and to enable planning staff to bill for their time on this project prior to July 1, 2015.

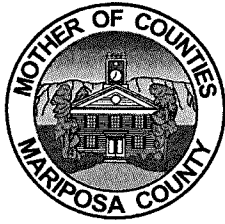
The FY 2015-2016 Budget will include this project as processing will continue through the end of the FY 2015-2016 budget year.

The Agreement to Pay for Services is needed to ensure that adequate finances will be available to the County to pay the consultant and staff costs necessary for the processing of this project.

Please see the attached Memorandum for additional information.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

No previous Board actions regarding this project have occurred.



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ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

No alternatives are identified. The County must process submitted applications.

Negative action would result in project processing delays and inability of County to timely process the application in accordance with CEQA and the State Permit Streamlining law.

FINANCIAL IMPACT:

Revenue and appropriations are increased in the Explorer Cabins Fund (\$44,780); Appropriations are budgeted to be Transferred Out to the Planning Budget to reimburse for county staff time spent on the project (\$1,000); the General Contingency is increased to account for the additional revenue in the Planning Budget and keep the General Fund in balance (\$1,000).

ATTACHMENTS:

- Memo Delaware North Tenaya Explorer Cabins EIR Contract (DOC)
- Attachment A- Project Description Delaware North Tenaya Explorer Cabins (PDF)
- Attachment B- RFP EIR DN Tenaya Explorer Cabins (PDF)
- Attachment C- EIR Contract Ascent Tenaya Explorer Cabins (PDF)
- Attachment D- Payment Agreement Delaware North Tenaya Explorer Cabins (PDF)
- Attachment E- Budget Action Tenaya Explorer Cabins (PDF)

CAO RECOMMENDATION

Requested Action Recommended

Mary Hodson

Mary Hodson, CAO

6/18/2015

RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]

MOVER: Marshall Long, District III Supervisor

SECONDER: Rosemarie Smallcombe, District I Supervisor

AYES: Smallcombe, Jones, Long, Cann, Carrier