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Via Email

November 15, 2022

Leigh Anne Jones, Chair Tom Andersen, Commissioner Mario Alvarez, Commissioner Chailes Edwards, Commissioner Parker G. Emerson, Commissioner Melinda Gonzales, Commissioner Isaac <u>Rahmin</u>, Commissioner City of Claremont Planning Commission 225 Second Street Claremont, CA 91711 atienza@ci.claremont.ca.us Nhi Atienza, Planning Commission Secretary 225 Second Street Claremont, CA 91711 atienza@ci.claremont.ca.us

Chris Veirs, Principal Planner Community Development Department City of Claremont 207 Harvard Avenue Claremont, CA 91711 cveirs@ci.claremont.ca.us

Re: Village South Development Project Phases 1-3 (Vesting Tentative Tract Map Nos. 83439 & 83463; Village South Parking Reduction Request; Vacation of Southern Half of Santa Fe Street) November 15, 2022 Planning Commission Agenda Item 2

Dear Honorable Commissioners, Ms. Atienza, and Mr. Veirs:

I am writing on behalf of Supporters Alliance for Environmental Responsibility ("SAFER") regarding the project known as Village South Development Project Phases 1-3 (Project Files: Vesting Tentative Tract Map Nos. 83439 & 83463; Village South Parking Reduction Request; Vacation of Southern Half of Santa Fe Street), including all actions related or referring to the proposed development of a mixed-use project that would include 705 new dwelling units, 144,417 total square feet of commercial space, 1,293 on-site parking spaces, and other amenities, located on 12.37 acres of land regulated by the Village South Specific Plan ("VSSP") in the City of Claremont ("Project").

SAFER objects to the City's reliance on the 2021 VSSP Environmental Impact Report ("VSSP EIR") for the Project. Under Public Resources Code 21166, subsequent CEQA review is required for the Project due to new significant impacts, including, but not limited to, energy impacts and indoor air quality impacts. Additionally, the Project's remaining significant and unavoidable impacts to historical structures requires an EIR and new Statement of Overriding Considerations. (*Communities for a Better Envt. v. California Res. Agency* (2002) 103 Cal.App.4th 98, 124-25.) As such, SAFER respectfully requests that Planning Commission refrain from approving the Project at this time so that staff and the Applicant can prepare an Initial Study followed by an EIR. November 15, 2022 Village South Development Project Phases 1-3 (Vesting Tentative Tract Map Nos. 83439 & 83463; Village South Parking Reduction Request; Vacation of Southern Half of Santa Fe Street) November 15, 2022 Planning Commission Agenda Item 2 Page 2 of 2

Sincerely,

Brian BHupm

Brian B. Flynn Lozeau Drury LLP





## APPEAL OF DECISIONS

CITY OF CLAREMONT DEPARTMENT OF COMMUNITY DEVELOPMENT 207 HARVARD AVENUE, P. O. BOX 880 CLAREMONT, CA 91711-0880 (909) 399-5470 NOV 2 8 2022

CITY CLERK CITY OF CLAREMONT

## **APPELLANT INFORMATION**

Supporters Alliance for Environmental Re Name of Appellant: <u>represented by Lozeau Drury LLP</u>			
Address: 1939 Harrison Street, Suite 150, Oakland CA 94612			
Phone Number: 510-836-4200	Date: November 28, 2022		
APPEAL INFORMATION Vesting Tentative Tract Map. No 83439 & Application Number: 83463; Village South Parking Reduction Request; Vacation of Southern Half of Santa Fe St. (400 Block) Decision Date: November 15, 2022	Appeal of: Appeal of: Appea		

Please describe the specific decision being appealed and state the reasons for this appeal. Appeals shall set forth alleged inconsistency or non-conformity with procedures or criteria set forth in City codes. If additional sheets are necessary, please attach them to this form.

SAFER appeals the Planning Commission's approval of Vesting Tentative Tract Map Numbers 83439 & 83463, Village South parking reduction request/parking management plan, and vacation of the southern half of Santa Fe Street (400 Block) for the Village South Development Project Phases 1-3 ("Project"). For the reasons discussed in the attached comment, the Project approvals are in violation of the California Environmental Quality Act ("CEQA"). By not conducting CEQA review of the Project, the Commission violated its duty to "identify, consider and mitigate the environmental impacts" of the Project. (Muni. Code § 2.20.030(B)(11).) The Planning Commission should have declined to approve the Project until after proper CEQA review was completed. See Attachment.

A	Appellant's Signature	
FEES Project Proponent Fixed Fee Projects Hourly Fee Projects Other Interested Persons	1/2 of the application fee Continuation of hourly fee (appeal deposit required) \$863.20	APPEAL VIL 11-28-2022 001-00125006
Received By:	Date:	LAGE /11:
Fixed Fee:	Hourly Deposit:	21 AM 63.20