

RESOLUTION NO. 2006-69

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLAREMONT, CALIFORNIA ADOPTING A MITIGATED NEGATIVE DECLARATION (SCH #2006101134) FOR THE OLD SCHOOL HOUSE/CLAREMONT INN REVITALIZATION SPECIFIC PLAN (#06-SP01) AND CORRESPONDING ZONE CHANGE (#06-Z03). APPLICANT – CLAREMONT STAR, L.P.

WHEREAS, on February 24, 2006, Claremont Star, L.P. ("Applicant") filed an application for a Specific Plan and Zone Change for the Old School House/Claremont Inn area, which encompasses approximately 21 acres situated at the northwest corner of the intersection of Foothill Boulevard and Indian Hill Boulevard; and

WHEREAS, the Specific Plan for Old School House/Claremont Inn Revitalization ("Specific Plan") proposes to serve as the long-term development plan for the Old School House/Claremont Inn area ("Specific Plan Area"), and provides for the development of commercial uses, residential uses, public improvements, on-street parking, off-street surface parking and a parking structure; and

WHEREAS, the Specific Plan area is further described as 415-555 West Foothill Boulevard and by Assessor's Parcel Numbers 8305-016-003, 8305-017-004, 8305-017-006, and 8305-017-009; and

WHEREAS, California Government Code Section 65450 et seq., authorizes the preparation of specific plans governing the development of private property; and

WHEREAS, implementation of the Specific Plan requires adoption of the proposed Zone Change (#06-Z03), which will change the existing zoning designation of the Specific Plan Area from CM Major Commercial to a new zoning category to be known as Specific Plan 9 (SP-9); and

WHEREAS, the Specific Plan and Zone Change Proposed are considered "projects" as defined under Section 21065 of the California Environmental Quality Act (CEQA) Statutes and Section 10.43 of the City's Guidelines for implementing CEQA; and

WHEREAS, pursuant to the California Environmental Quality Act ("CEQA") (Public Res. Code §§21000 et seq.), the State CEQA Guidelines (14 CCR §§15000 et seq.), and the City of Claremont Local Guidelines for implementing CEQA ("Local Guidelines"), the City prepared an Initial Study and Draft Mitigated Negative Declaration for the proposed Specific Plan in order to analyze all potential adverse environmental impacts of Specific Plan implementation, and released it for public review on October 20, 2006; and

WHEREAS, the Mitigated Negative Declaration concludes that the Proposed Use will not have a significant effect on the environment with mitigation measures in the areas of biological resources, cultural resources, geology and soils, hazards and hazardous materials, and transportation/traffic; and

WHEREAS, on November 7, 2006, the Planning Commission held a duly noticed public hearing to consider the Mitigated Negative Declaration, Specific Plan and Zone Change, at which time all persons wishing to testify in connection with the Specific Plan were heard; and

WHEREAS, the Planning Commission fully studied the proposed Specific Plan and considered all public comments on the Specific Plan, Zone Change and Mitigated Negative Declaration; and

WHEREAS, based on the entire administrative record before the Planning Commission on the Specific Plan, including all written and oral evidence presented to the Planning Commission, the Planning Commission recommended on a 6-0 vote that the City Council take the following actions: (i) adopt the Mitigated Negative Declaration as proposed by staff, and direct staff to file a Notice of Determination; and (ii) approve Specific Plan #06-SP01 and Zone Change #06-Z03; and

WHEREAS, on December 12, 2006, the City Council held a duly noticed public hearing to consider the Mitigated Negative Declaration, Specific Plan and Zone Change, at which time all persons wishing to testify in connection with the Mitigated Negative Declaration were heard.

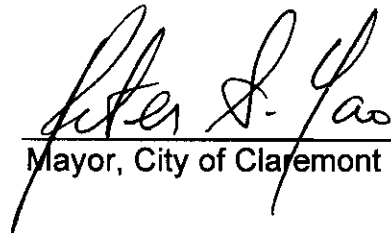
NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CLAREMONT HEREBY DOES RESOLVE AS FOLLOWS:

Section A. The City Council finds in light of the whole record that:

1. Specific Plan #06-SP-01 and Zone Change #06-Z03 will not have a significant effect on the environment with mitigation measures in the areas of biological resources, cultural resources, geology and soils, hazards and hazardous materials, and transportation/traffic, the Mitigated Negative Declaration reflects the independent judgment of the City Council, that the Mitigated Negative Declaration as proposed by staff be adopted with all mitigation measures and monitoring timeframes set forth in Exhibit 1, and for the area shown in Exhibit 2, and directs staff to file a Notice of Determination.

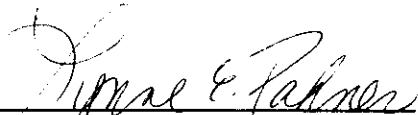
Section B. The Mayor shall sign this Resolution and the City Clerk shall attest and certify to the passage and adoption thereof.

PASSED, APPROVED, AND ADOPTED THIS 12th day of December, 2006.



Mayor, City of Claremont

ATTEST:



City Clerk, City of Claremont

APPROVED AS TO FORM:

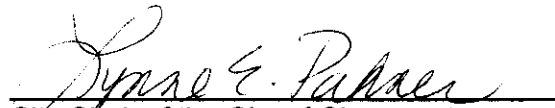


City Attorney, City of Claremont

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)ss.
CITY OF CLAREMONT)

I, Lynne Pahner, City Clerk of the City of Claremont, County of Los Angeles, State of California, hereby certify that the foregoing Resolution No. 2006-69 was regularly adopted by the City Council of said City of Claremont at a regular meeting of said council held on the 12th day of December, 2006, by the following vote:

AYES: Council Members: Calaycay, Taylor, McHenry, Baldonado, Mayor Yao
NOES: Council Members: None
ABSTENSIONS: Council Members: None
ABSENT: Council Members: None



City Clerk of the City of Claremont

EXHIBIT 1

The following table is a compilation of the mitigation measures applicable to this project. If the proposed project is approved, these mitigation measures will be included as future conditions of approval.

The table provides the mitigation measure, the responsible party and timeframe for implementation, and the monitoring agency.

SUMMARY OF MITIGATION MEASURES			
SPECIFIC PLAN FOR OLD SCHOOL HOUSE/CLAREMONT INN REVITALIZATION (FILE #06-SP01) AND REZONING OF THE SUBJECT PROPERTY FROM CM TO SP-9 (FILE #06-Z03)			
<i>Mitigation Measure</i>	<i>Responsible Party</i>	<i>Timeframe</i>	<i>Monitoring Party</i>
BIOLOGICAL RESOURCES			
<p><u>Mitigation Measure A</u></p> <p>Any street or median tree damaged or removed to facilitate on- or off-site improvements shall be replaced with an approved species, sized at 24-inch box or larger, at a 1:1 replacement ratio. The Applicant shall post a landscaping bond with the Engineering Division at the time of grading or other on/off-site improvement permit issuance to ensure that affected trees are replaced and are warranted to survive for no less than one year after installation. Landscaping bonds shall not be released during the warranty period.</p>	<p>Applicant</p>	<p>Prior to the release of landscaping bonds</p>	<p>City Planner & City Engineer</p>
CULTURAL RESOURCES			
<p><u>Mitigation Measure B</u></p> <p>Prior to the issuance of any demolition permits for any interior or exterior portion of the Old School House, prior to the issuance of grading permits to alter the grades abutting the site, and prior to the demolition of any interior features of the Old School House, the applicant shall, under the direction of Claremont Heritage, submit a professionally prepared written and photographic record of the exterior and interior of affected portions of the building, for review and approval by staff. Conformance to HABS/HAER criteria is not required. The written record shall document approximate dates of construction for the features to be demolished. Once the written and photographic record is approved, three copies of the final document shall be submitted for permanent archiving at the City, Claremont Heritage, and Honnold Library Special Collection.</p>	<p>Applicant</p>	<p>Prior to issuance of demolition permits for any interior or exterior portion of the Old School House, prior to the issuance of grading permits to alter the grades abutting the site, and prior to the demolition of any interior features of the Old School House.</p>	<p>City Planner City Engineer & Building Official</p>

Mitigation Measure	Responsible Party	Timeframe	Monitoring Party
CULTURAL RESOURCES (continued)			
<p><u>Mitigation Measure C</u></p> <p>An archaeologist shall be kept on retainer during grading and excavation activities associated with the implementation of the Specific Plan. If any artifacts are encountered, all work shall cease immediately, and the City and other appropriate agencies shall be notified of the conditions encountered on the site. The field archaeologist shall submit a written report, including findings and specific mitigation measures, and time frames necessary to offset the impacts. Work shall not be stopped for more than one month unless extended by the Director of Community Development in order to ensure that any identified artifacts are properly retrieved and catalogued. No work shall resume unless clearance has been obtained from the Community Development Department.</p>	Applicant	Ongoing during all grading and excavation activities associated with implementation of the Specific Plan	City Planner & City Engineer
GEOLOGY AND SOILS			
<p><u>Mitigation Measure D</u></p> <p>Prior to City approval of any tentative subdivision maps or architectural plans for the Colby Neighborhood component of the Specific Plan, the Applicant shall submit to the City of Claremont a <i>Preliminary Geotechnical Investigation</i>, prepared by an engineer licensed to perform such analyses, based upon the proposed location of new facilities. The <i>Preliminary Geotechnical Investigation</i> shall include a delineation of the Indian Hill Fault relative to the subject property, identify setback zones, as applicable, where human occupancy structures are prohibited, and foundation enhancement zones, as applicable, where the foundations for such structures must be reinforced.</p>	Applicant	Prior to City approval of tentative subdivision maps or architectural plans for the Colby Neighborhood component of the Specific Plan, whichever occurs first.	City Engineer, Building Official and City Planner

GEOLOGY AND SOILS (continued)

<p>Mitigation Measure E</p> <p>Prior to the completion of final plans and specifications for the Colby Neighborhood component of the Specific Plan, the Applicant shall submit to the City of Claremont a <i>Final Geotechnical Investigation</i>, prepared by an engineer licensed to perform such analyses, based upon the approved location of new facilities. The <i>Final Geotechnical Investigation</i> will define the foundation conditions present at each of the structure locations, and shall provide specific tests, analyses and recommendations for necessary soils engineering parameters, such as, but not limited to, allowable bearing capacities, liquefaction potential, expected settlements, and seismic parameters. The <i>Final Geotechnical Investigation</i> will provide plans and specifications for foundations. All reasonable plans shall be prepared, and precautions shall be taken, which are standard for the geotechnical industry to ensure the safety of all personnel and persons who may be involved in the investigations. Methods, techniques, and analyses shall be consistent with criteria established by the City of Claremont. This report shall be subject to review and approval by the City of Claremont.</p>	<p>Applicant</p>	<p>Prior to issuance of grading permits associated with the Colby Neighborhood</p>	<p>City Engineer, Building Official and City Planner</p>
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HAZARDS AND HAZARDOUS MATERIALS

<p>Mitigation Measure F</p> <p>Prior to the issuance of demolition permits for any buildings or portions of buildings within the Specific Plan area, the buildings shall be inspected for asbestos by a qualified professional. If asbestos is found within the structures, a report shall be prepared documenting that they were disposed of in compliance with State and Federal regulations. Compliance with Rule 1403 of the South Coast Air Quality Management District (SCAQMD) is required whether or not asbestos is found in the structures. Because the law requires AQMD permits prior to the issuance of demolition permits, separate mitigation measures are not necessary to ensure that abatement procedures are properly administered.</p>	<p>Applicant</p>	<p>Prior to the issuance of any building demolition permits</p>	<p>Building Official</p>
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Mitigation Measure	Responsible Party	Timeframe	Monitoring Party
TRANSPORTATION/TRAFFIC			
<p><u>Mitigation Measure G</u></p> <p>Prior to the issuance of a certificate of occupancy for new Pad Building N1, the renovation of Building E7, or the first residential unit, whichever occurs first, the Applicant shall re-stripe the Colby Circle southbound approach at Foothill Boulevard to provide a southbound left-turn lane. This improvement shall be shown on street improvement plans submitted to the City Engineer for review and approval prior to the commencement of work.</p>	Applicant	Prior to the issuance of a certificate of occupancy for new Pad Building N1, the renovation of Building E7, or the first residential unit, whichever occurs first.	City Engineer & City Planner
<p><u>Mitigation Measure H</u></p> <p>Prior to the issuance of a certificate of occupancy for new Pad Building N1, the renovation of Building E7, or the first residential unit, whichever occurs first, the applicant shall install signage at the Foothill Boulevard driveway facing Berkeley Drive to restrict southbound left-turn and through movements at all times.</p>	Applicant	Prior to the issuance of a certificate of occupancy for new Pad Building N1, the renovation of Building E7, or the first residential unit, whichever occurs first.	City Engineer & City Planner
<p><u>Mitigation Measure I</u></p> <p>Prior to grading permit issuance for new Pad Building N1, the renovation of Building E7, or the first residential unit, whichever occurs first The Applicant shall pay a fair-share contribution toward the future improvements to the intersection of Foothill Boulevard and Indian Hill Boulevard to improve pedestrian circulation to and from the Specific Plan area. This fair share contribution shall be 25% of the estimated improvement cost based on a preliminary intersection design submitted by the Applicant to the City Engineer, and found acceptable to the City Engineer and City Planner.</p>	Applicant	Prior to grading permit issuance for new Pad Building N1, the renovation of Building E7, or the first residential unit, whichever occurs first.	City Engineer & City Planner
<p><u>Mitigation Measure J</u></p> <p>Prior to the issuance of any certificates of occupancy for the Colby Neighborhood residences, as part of the Colby Circle street improvements associated with the development of the Colby Neighborhood residential development, the applicant shall stripe Colby Circle at Indian Hill Boulevard to provide a dedicated eastbound right-turn lane.</p>	Applicant	Prior to the issuance of any certificates of occupancy for the Colby Neighborhood residences.	City Engineer & City Planner

Mitigation Measure	Responsible Party	Timeframe	Monitoring Party
TRANSPORTATION/TRAFFIC (continued)			
<p><u>Mitigation Measure K</u></p> <p>Prior to issuance of grading permits associated with the construction of the Colby Neighborhood residences, the Applicant shall post a five-year bond for the construction of a traffic signal the Colby Circle/Indian Hill Boulevard intersection. Intersection conditions will be reviewed at the halfway point of the five-year bond and conclusion of the bonding period. If the warrants are not met, the bond may be retired.</p>	Applicant	Prior to issuance of grading permits associated with the construction of the Colby Neighborhood residences.	City Engineer & City Planner
<p><u>Mitigation Measure L</u></p> <p>Prior to grading permit issuance for new Pad Building N1, the renovation of Building E7, or the first residential unit, whichever occurs first, the Applicant shall pay a fair-share contribution toward the widening of Foothill Boulevard at Towne Avenue to provide westbound right-turn lane and overlap phase. This fair share contribution shall be 1% of the improvement cost as long as the dinner theater remains a component of the Specific Plan. This contribution shall be increased to 3% of the improvement cost if the dinner theater site is redeveloped for an alternative use.</p>	Applicant	<p>Time Frame: 1% of the total improvement cost shall be paid prior to grading permit issuance for new Pad Building N1, the renovation of Building E7, or the first residential unit, whichever occurs first, plus 2% of the total improvement cost prior to the issuance of any demolition, grading or building permit to redevelop the dinner theater site for a different use.</p>	City Engineer, Building Official & City Planner
<p><u>Mitigation Measure M</u></p> <p>If the dinner theater is redeveloped for an alternative use, the Applicant shall pay a fair-share contribution toward the widening of Arrow Highway at Indian Hill Boulevard to provide a northbound right-turn lane. This fair-share contribution shall be 3% of the estimated improvement cost.</p>	Applicant	Prior to the issuance of any demolition, grading or building permit to redevelop the dinner theater site for a different use.	City Engineer, Building Official & City Planner
<p><u>Mitigation Measure N</u></p> <p>If the dinner theater is redeveloped for an alternative use, the Applicant shall pay a fair-share contribution toward the addition of a second northbound left-turn lane to the I-10 westbound onramp. This fair-share contribution shall be 1.5% of the estimated improvement cost.</p>	Applicant	Prior to the issuance of any demolition, grading or building permit to redevelop the dinner theater site for a different use.	City Engineer, Building Official & City Planner

Mitigation Measure	Responsible Party	Timeframe	Monitoring Party
TRANSPORTATION/TRAFFIC (continued)			
<p><u>Mitigation Measure P (continued)</u></p> <p>iii Study Colby Circle, Lafayette Road near Colby Circle and Oxford Drive near Colby Circle, and make recommendations for potential striping or signage changes, if warranted for safety.</p> <p>The Traffic and Transportation Commission shall consider these matters within one year following the date of City Council adoption of the Specific Plan. The Traffic and Transportation Commission shall refer to the City of Claremont Traffic Calming Policy ("Traffic Calming Policy") Basic Principles in its recommendation to the City Council.</p> <p>C. Post two sixty-thousand dollar (\$60,000.00) bonds, each to be separately earmarked for potential future traffic-calming improvements at the following locations:</p> <p>i The south leg of the Berkeley Avenue/Foothill Boulevard intersection, and potential removal of westbound left turn pocket at Berkeley/Foothill;</p> <p>ii Santa Barbara, between Mountain and Colby.</p> <p>Each bond may only be used to fund improvements at the location for which it has been earmarked, and only if the City Council, after receiving a recommendation from the Traffic and Transportation Commission, determines that such improvements are in conformance with the Traffic Calming Policy's Basic Principles; otherwise, the bonds may be retired. Any costs exceeding \$60,000 at either roadway segment shall be borne by the directly affected property owners (the determination of "directly affected property owners" shall be as set forth in the Traffic Calming Policy). Further, as stated in the Traffic Calming Policy, no traffic calming measures shall be implemented until after such measures have been approved by the City Council, and then by two-thirds of the affected property owners.</p>			

OLD SCHOOL HOUSE/CLAREMONT INN SPECIFIC PLAN
SP-9 ZONING DISTRICT BOUNDARIES

