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March 26, 2026

This notice is being sent via US Mail, Electronic Mail or Public Posting

Notice of Public Comment Period for Potential CEQA Exemption
Village South Townhome Project

To Whom it May Concern,

You are receiving this notice because you made a written request for notices regarding the development of Village South. The City received a preliminary application under Section 65941.1 of the California Government Code for a 140-unit townhome project located on 7.11 acres of land located at 204 & 232 Bucknell Avenue, 191, 203, 205, 233 & 241 S. Indian Hill Boulevard, and 451 West Arrow Highway in the City of Claremont (the "Village South Townhome Project"). The City has not yet received a complete application for this Project.

On March 23, 2026, the applicant's attorney, Cox, Castle & Nicholson LLP, served the City with a notice pursuant to Section 65589.5.1 of the California Government Code contending that the Village South Townhome Project is exempt from review under the California Environmental Quality Act ("CEQA"). A copy of the applicant's notice is attached.

The applicant, Village Partners and Meridian Investment Group, are proposing to revise Blocks C, D, E, and F of the previously-approved Village South Development to eliminate ground floor retail, remove structured parking, eliminate apartments, and eliminate flat-style condominiums in favor of a project consisting entirely of for-sale, three story, row-style, townhomes organized by a series of private alleys mostly fronted with garage doors. The townhome floor plans range from 1,369 to 2,151 square feet in floor area with an average floor area of 1,777 square feet.

Members of the public have until May 22, 2026 to provide written comments on the potential CEQA exemption. Comments can be submitted to:

Christopher Veirs, City Planner
City of Claremont
207 Harvard Avenue
P.O. Box 880
Claremont, CA 91711

Email: CVeirs@ClaremontCA.gov

Attachment: Cox Castle Letter to City Contending CEQA Exempt Status



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Christopher Burt
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March 23, 2026

VIA E-MAIL

Chris Veirs
Principal Planner
City of Claremont
207 Harvard Avenue
Claremont, CA 91711

Re: Village South Project - Government Code Section 65589.5.1 Notice

Dear Chris:

As you know, this firm represents VPV South Village Corvette, LLC (“VPV”), applicant for the proposed redevelopment of an approximately 6.9-acre portion of the Village South Specific Plan (“VSSP”) area with 140 attached townhomes, associated amenities and infrastructure (the “Project”). 5% of the Project’s units (or seven (7) units) would be deed-restricted for lower income households, and 10% of the Project’s units (or 14 units) would be deed-restricted as affordable to moderate-income households.

This letter provides written notice, pursuant to Government Code Section 65589.5.1, the Project is exempt from the California Environmental Quality Act (“CEQA”) pursuant to two statutory exemptions: (a) Government Code Section 65457, which exempts projects undertaken pursuant to a specific plan for which an environmental impact report (“EIR”) was certified, and (b) CEQA Guidelines Section 15183, which exempts project that are consistent with the development density established by existing zoning or general plan for which an EIR was certified, and which do not have any impacts peculiar to the project or the parcel.

I should note that, although appropriate written notice is provided, VPV does not believe such notice is currently required under the law. However, your February 19, 2026 letter to VPV states as follows: “...we understand that your legal counsel contends that the project is exempt from CEQA, the City does not agree at this time for the reasons including those discussed later in this letter.” VPV does not believe that statement is a “determination” sufficient to trigger the 35-day noticing requirement under the Government Code for a variety of reasons. First, the statement is not definitive. It provides that the City “does not agree *at this time*....” The law requires agency notice concluding a project is not exempt to be definitive regarding “the local agency’s determination....” A tentative “determination” is not sufficient. That is particularly relevant where, as here, the agency’s stated reasons for concluding a project is not CEQA exempt are not supported by law. Here, your letter states that “A specific plan amendment and associated General Plan Housing Element Amendment will likely require significant

environmental review under” CEQA. Those legislative approvals are not – and cannot legally be – required for the Project. The City’s rationale for an SPA and GPA are without merit, as explained in my January 21, 2026 letter (which is included as Attachment A). For that reason, there is no evidence supporting the statement that the Project, which is consistent with the VSSP’s and General Plan’s density and use requirements, is not exempt from CEQA. Finally, the City states that “some type of CEQA review will be necessary” but it is “not able to specify what that review will include of what types of information or studies will be required.” Again, that tentative conclusion is not a “determination” that the project is not CEQA exempt. A number of CEQA exemptions, including the ones identified above, are a “type of CEQA review....”

The City is also reminded that an agency abuses its discretion and violates CEQA when it requires an applicant to conduct more CEQA analysis without evidentiary support. (*Hilltop Group, Inc. v. County of San Diego* (2024) 99 Cal.App.5th 890, 918 [board of supervisors findings lacked supporting evidence and were “contradicted by its own staff’s report and the technical environmental studies” prepared for the project].)

I. Government Code Section 65589.5.1 Eligibility

The Project meets the threshold requirements for eligibility under Government Code Section 65589.5.1. Attachment B provides supportive documentation, as referenced below.

a. Site Constraints

- i. The project site is not located in the Coastal Zone. It is located in the City of Claremont, which is at the eastern boundary of Los Angeles County, more than 40 miles from the Pacific Ocean. (Govt. Code §§ 65589.5.1(a)(1)(A), 65913.4(a)(6)(A).) See Exhibit A.
- ii. The site is not prime farmland or farmland of statewide importance.¹ The site is also not zoned or designated for agricultural production or preservation by a local ballot measure approved by the voters. (Govt. Code §§ 65589.5.1(a)(1)(A), 65913.4(a)(6)(B).) See Exhibit B.
- iii. The site does not have wetlands as defined by the U.S. Fish and Wildlife Service. (Govt. Code §§ 65589.5.1(a)(1)(A), 65913.4(a)(6)(C).) The site is developed with urban uses. See Exhibit C.
- iv. The site is not located within a mapped Very High Fire Hazard Severity Zone, either a Local Responsibility Area or a State Responsibility Area,

¹ See California Department of Conservation California Important Farmland Finder, which identifies the site as *Urban and Built-Up Land*.

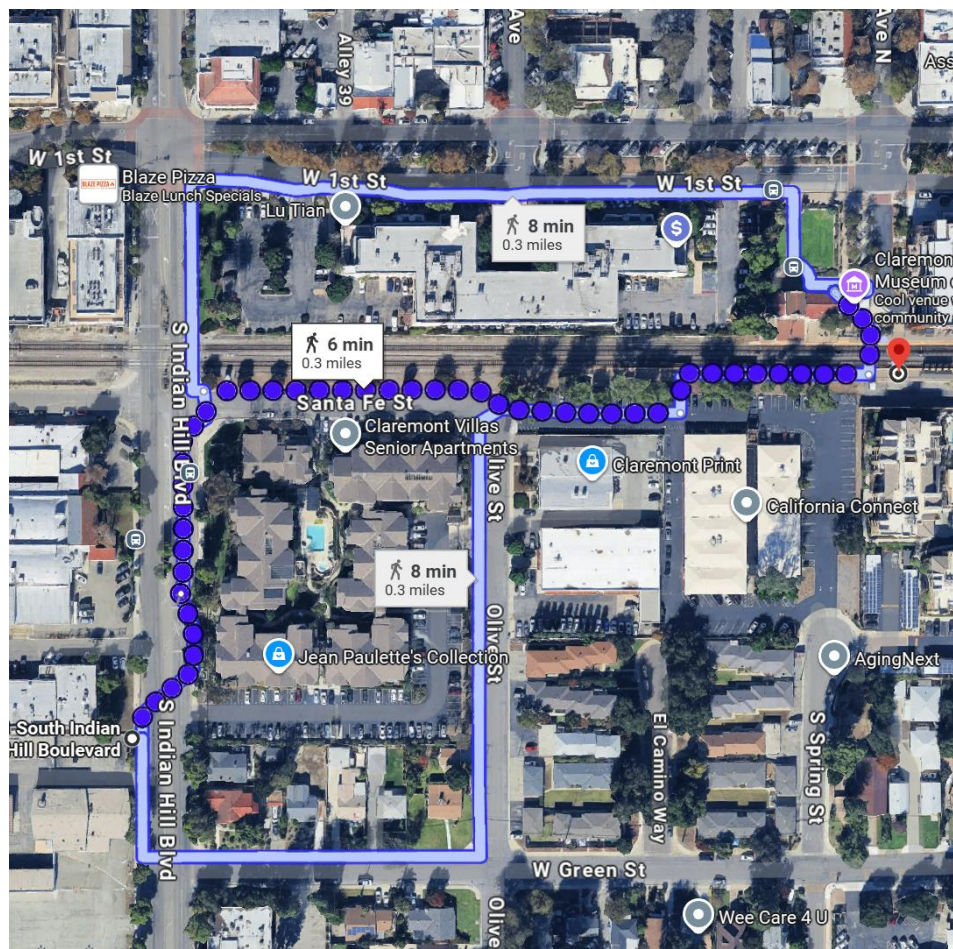
per the maps prepared by Department of Forest and Fire Protection. See Exhibit D. (Govt. Code § 65589.5.1(a)(1)(B).)

- v. The site is not on the Cortese List or otherwise identified by DTSC as a hazardous waste site. DTSC explains that sites listed pursuant to Section 25356 are included on the Cortese List. The Project's Phase 1 ESA confirms the site is not on the Cortese List. (Govt. Code §§ 65589.5.1(a)(1)(A), 65913.4(a)(6)(E).)
- vi. The Fault Activity Map of California shows that the site is not in a delineated fault zone. See Exhibit E. (Govt. Code §§ 65589.5.1(a)(1)(A), 65913.4(a)(6)(F).) Nevertheless, the project would comply with all applicable California Building Code requirements related to seismic protection, along with any local building standards.
- vii. According to FEMA's National Flood Hazard Layer Viewer, the site is not mapped special flood hazard area subject to inundation by the one percent annual chance of flood. See Exhibit F. (Govt. Code §§ 65589.5.1(a)(1)(A), 65913.4(a)(6)(G).)
- viii. The site is not in a mapped regulatory floodway. See Exhibit F. (Govt. Code §§ 65589.5.1(a)(1)(A), 65913.4(a)(6)(H).)
- ix. The site does not contain lands identified for conservation in an adopted natural community conservation plan, habitat conservation plan, or other adopted natural resource protection plan because there are no such plans that cover the site. (Govt. Code §§ 65589.5.1(a)(1)(A), 65913.4(a)(6)(I).)
- x. The site is not under a conservation easement. See Exhibit G. (Govt. Code §§ 65589.5.1(a)(1)(A), 65913.4(a)(6)(K).)
- xi. The site is developed with urban uses, including a former car dealership. There is no habitat for species identified as candidate, sensitive, or species of special status, which was confirmed by the Village South Specific Plan EIR. (Govt. Code §§ 65589.5.1(a)(1)(A), 65913.4(a)(6)(J).) The VSSP EIR states as follows: "The Project Site does not contain any critical habitat, riparian, wetland or other sensitive natural community nor is it known to provide habitat specifically for species identified as a candidate, sensitive, or special status species...." (VSSP EIR at p. 6-16 [concluding that biological resources were "effects not found to be significant"].) See Exhibit H.

b. Location Requirement

The Project complies with the locational requirements of the Government Code. To qualify, a site must be located on a legal parcel or parcels and, among other possible criteria, within “one-half mile walking distance to either a high-quality transit corridor or major transit stop.” (Govt. Code § 65589.5.1(a)(2)(A).) Here, the project site is within one-half mile walking distance of the Claremont Train Station (Metrolink), as shown below. The station is a “major transit stop” pursuant to Public Resources Code Section 21064.3.

Independently, at least 75% of the perimeter of the site or at least three sides of a four-sided project site are developed with urban uses. (Govt. Code § 65589.5.1(a)(2)(D).) The HAA does not define “urban uses” as a term. However, “urban uses” reflect those uses commonly found in urban areas. For reference, Government Code Section 65912.101 defines “urban uses” as any current or former residential, commercial, public institutional, or public park that is surrounded by other urban uses, parking lot or structure, transit or transportation facility, or retail use. The site adjoins such uses and it qualifies on that basis too.



c. Density

The Project exceeds the minimum density required to invoke Section 65589.5.1, which is 15 dwelling units/acre. (Govt. Code § 65589.5.1(a)(3).) The Project proposes a density of approximately 20 units/gross acre (140 dwelling units on 6.9 gross acres).

d. Eligibility for CEQA Exemptions

There is substantial evidence in the record that the project is exempt from CEQA pursuant to (1) Government Code Section 65457 and (b) CEQA Guidelines Section 15183 (Govt. Code § 65589.5.1(a)(4).)

II. **Government Code Section 65589.5.1 Notice**

This Notice provides all of the information required by Government Code Section 65589.5.1 to serve as the VPV's written notice pursuant to that section.

a. Identifying Information Required for a Notice of Exemption (Govt. Code § 65589.5.1(a)(5)(A).)

Brief Description of Project: The Project proposes construction of 140 townhome dwelling units on a 6.9-acre portion of the VSSP area, with associated amenities, landscaping, and infrastructure. 5% of the Project's units (or seven (7) units) would be deed-restricted for lower income households, and 10% of the Project's units (or 14 units) would be deed-restricted as affordable to moderate-income households. The Project proposes 316 total parking spaces. The project would create multiple points of access, including new Green Street to connect Bucknell Avenue and S. Indian Hill Boulevard.

A complete site plan was submitted to the City on January 21, 2026.

b. Location of the Project: The 6.9-acre site is generally bounded by Bucknell Avenue, S. Indian Hill Boulevard, and Arrow Highway in the City of Claremont. The image below shows the Project Site's location.



c. Applicant's Name.

The applicant is VPV South Village Corvette, LLC. The applicant's address is 4350 Von Karman Avenue, Suite 200, Newport Beach, CA 92660.

d. Identity of Person Undertaking the Project, If Different From Applicant.

The applicant is undertaking the project.

e. Citation to Title 14 of the California Code of Regulations or the Statute Under Which the Applicant Asserts the Project is Exempt. (Govt. Code § 65589.5.1(a)(5)(A)(ii).)

The Project is exempt from further CEQA review pursuant to Government Code Section 65457 and CEQA Guidelines Section 15183.

f. Brief Statement of Reasons Supporting Exemption(s). (Govt. Code § 65589.5.1(a)(5)(A)(iii))

i. *Exemption: Government Code Section 65457*

Government Code Section 65457 (“Section 65457”) provides that “[a]ny residential development project, including any subdivision ... that is undertaken to implement and is consistent with a specific plan for which an environmental impact report has been certified after January 1, 1980, is exempt from” CEQA unless an event specified in Public Resources Code Section 21166 occurs. (Govt. Code § 65457(a).) The events specified in Public Resources Code Section 21166 are: (a) substantial changes are proposed in the project that will require major revisions to the certified EIR, (b) substantial changes occur with respect to the circumstances under which the project will be undertaken, which require revisions to the certified EIR, or (c) new information, which was not known and could not have been known when the EIR was certified, becomes available. (Pub. Res. Code § 21166.)

A project change is not, itself, grounds for supplemental analysis as a “substantial change” to the project or circumstances. The relevant question under (a)-(c) is whether project changes (or an implementing project in the case of a specific plan EIR) “will require major revisions to the original environmental document because of the involvement of new, previously unconsidered significant environmental effects.” (*Friends of the College of San Mateo Gardens v. San Mateo Community College District* (2016) 1 Cal.5th 937, 952.) That statutory limitation reflects the CEQA’s subsequent/supplemental requirements, which is to “explore environmental impacts not considered in the original environmental document ... The event of a change in a project is not an occasion to revisit environmental concerns laid to rest in the original analysis.” (*Citizens’ Committee to Complete the Refuge v. City of Newark* (2021) 74 Cal.App.5th 460, 469.)

1. The Project is Exempt Pursuant to Section 65457

The Project is exempt pursuant to Section 65457. First, the Project implements and is consistent with the VSSP, as explained in multiple correspondence to the City. The phrase “to implement and is consistent with” a specific plan is not defined. However, other relevant definitions show that the phrase means that a project is consistent with the density range of a specific plan. CEQA Guidelines Section 15183, for example, defines the term “consistent” to mean “the density of the proposed project is the same or less than the standard expressed for the involved parcel ... and that the project complies with the density-related standards contained in” the applicable plan. (CEQA Guidelines § 16183(i)(2).) That definition comports with the above-recited purpose of Section 65457, which is to eliminate further CEQA review for projects within the scope of a specific plan and its associated EIR. Also, a project is not rendered inconsistent with a planning document based upon requested Density Bonus Law incentives/concessions or waivers that deviate from specific development standards. (*Wollmer v. City of Berkeley* (2011) 193 Cal.App.4th 1329, 1349.) The VSSP does not establish a minimum density for the Project Site, and townhouses are a permitted use in the VSSP. Please see my October 15, 2025 letter for a more detailed discussion of the VSSP’s density/use standards, and the Project’s consistency therewith (included at Attachment A).

Second, the Project is clearly within the scope of the VSSP EIR and does not trigger additional analysis pursuant to Public Resources Code Section 21166. The VSSP EIR holistically evaluated potential buildout of the *entire* VSSP area with the following density/intensity assumptions: 1,000 residential units, 100,000 square feet of retail space, 45,000 square feet of office space, and a 50-room hotel. (VSSP EIR at p. ES-2.) That development, as reflected in the table below, was considered to “represent the most intense, yet feasible buildout, [and] is considered the maximum development capacity for analysis purposes....” (VSSP EIR at p. 2.0-6.)

Table 2-1
Assumed Project Buildout

Land Use	Quantity
Residential	1,000 units
Retail	100,000 square feet
Office	45,000 square feet
Hotel	50 keys/40,000 square feet

The VSSP EIR also made specific assumptions regarding development of different areas of the VSSP:

In order to evaluate this potential development, the following assumptions have been made:

- Parcels north of the new Santa Fe Street could accommodate 212 new residential units, a 50-room hotel, 30,000 square feet of office space and 45,000 square feet of retail uses.
- Parcels south of the new Santa Fe Street and north of the extension of Green Street could accommodate 372 new residential units, 15,000 square feet of office space and 40,000 square feet of retail uses.
- South of the extension of Green Street could accommodate 389 new residential units and 10,000 square feet of retail uses.
- Parcels on the east side of Indian Hill Boulevard could accommodate 27 new residential units and 5,000 square feet of retail uses

Because the VSSP EIR assumed complete buildout of the VSSP area, the Project is within the physical area of development assumed by the VSSP EIR. The Project Site generally comprises those areas south of “new Santa Fe street” (per the VSSP’s illustrative plan), which were assumed to be developed with a conceptual intensity of: 761 dwelling units, 15,000 square feet of office space, and 50,000 square feet of retail uses. The Project proposes significantly less than that intensity – 140 townhomes. ***Thus, the VSSP EIR analyzed significantly more development than proposed for the VSSP by the Project.*** (*Citizens’ Committee to Complete the Refuge, supra*, 74 Cal.App.5th at 466 [recognizing that a less-intense implementing specific plan project was exempt under Section 65457 because it was within the scope of the impacts analyzed in the associated specific plan EIR, which analyzed impacts “based on the potential environmental impacts of the maximum development permitted by the Specific Plan”].) Even

accounting for the development approved for the North Parcel (VTTM No. 83463), the Project's proposed development is significantly less than assumed for the Project Site by the VSSP EIR.

The VSSP EIR was described as programmatic, but also noted that the "EIR evaluates the broad environmental effects with the expectation that the analysis will be adequate for much of the future development that occurs within the Specific Plan Area..." (VSSP EIR at p. 2.0-7.) In fact, it contemplates implementing projects being exempt from CEQA, stating: "Furthermore, pursuant to CEQA Guidelines 15182, projects that are consistent with this specific plan would be exempt from further CEQA review." CEQA Guidelines Section 15182(b) exempts from CEQA review projects that are "undertaken pursuant to and in conformity" with a specific plan (and implements Government Code Section 65457). Any contention that further environmental review is required for a project that is (a) well within the scope of the development assumed in the VSSP EIR and (b) consistent with the VSSP's applicable density standards, is simply without merit and violates CEQA.

The VSSP EIR's analysis of air quality, noise, and cultural resources impacts are illustrative, showing that none of the conditions warranting additional analysis are present. The Project is (a) within the footprint of development analyzed in the VSSP EIR and (b) significantly less intense than the development assumed.

a. Air Quality

With respect to potential air quality impacts from construction, for instance, the VSSP EIR states that "[d]aily regional emissions during construction are forecasted **by assuming a conservative estimate of construction activities** (i.e., assuming all construction occurs at the earliest feasible date) and applying the mobile sources and fugitive dust emissions factors." (VSSP EIR at 4.2-17 [emphasis added].) It also explained that the "input values used in this analysis are based on conservative assumptions in CalEEMod, with appropriate, Project-specific adjustments based on equipment types and expected construction activities." (*Id.*) The VSSP EIR assumed the construction equipment inventory below to generate expected construction emissions:

**Table 4.2-6
 Project Construction Diesel Equipment Inventory**

Phase	Off-Road Equipment Type	Amount	Daily Hours	Horsepower [HP] (Load Factor)
Demolition	Concrete/Industrial Saws	1	8	81 (0.73)
	Excavators	3	8	158 (0.38)
	Rubber Tired Dozers	2	8	247 (0.40)
Site Preparation	Rubber Tired Dozers	3	8	247 (0.40)
	Tractors/Loaders/Backhoes	4	8	97 (0.37)
Grading	Excavators	2	8	158 (0.38)

17 South Coast Air Quality Management District, *CEQA Air Quality Handbook*, p. 12-3, 1993.

4.2 Air Quality

Phase	Off-Road Equipment Type	Amount	Daily Hours	Horsepower [HP] (Load Factor)
	Graders	1	8	187 (0.41)
	Rubber Tired Dozers	1	8	247 (0.40)
	Scrapers	2	8	367 (0.48)
	Tractors/Loaders/Backhoes	2	8	97 (0.37)
Building Construction	Cranes	1	7	231 (0.29)
	Forklifts	3	8	89 (0.20)
	Generator Sets	1	8	84 (0.74)
	Tractors/Loaders/Backhoes	3	7	97 (0.37)
	Welders	1	8	46 (0.45)
Architectural Coating	Air compressors	1	6	78 (0.48)
Paving	Pavers	2	8	130 (0.42)
	Paving Equipment	2	8	132 (0.36)
	Rollers	1	7	80 (0.38)

Refer to **Appendix B**, Section 3.0: Construction Detail, for equipment inventory information.

The VSSP EIR concluded that the VSSP project’s construction impacts would not exceed regional thresholds. The Project’s construction mix would be similar in terms of equipment used and, therefore, is consistent with the analysis of the VSSP EIR (which actually assumed more intensive development than the proposed Project).

Operationally, the Project is also within the scope of the VSSP EIR. To estimate operational emissions, the VSSP EIR noted that on-road vehicle trips, electricity use, natural gas use, water, landscape equipment, solid waste, and wastewater would generate the majority of on-site emissions. (VSSP EIR at p. 4.2-20.) The VSSP project’s operational emissions are provided in the table below, and were found to be less than applicable thresholds:

**Table 4.2-8
 Unmitigated Regional Maximum Operational Emissions**

Source	VOC	NOx	CO	SOx	PM ₁₀	PM _{2.5}
	pounds/day					
Area	28	1	82	<1	<1	<1
Energy	1	7	4	<1	1	1
Mobile	9	45	108	<1	45	12
Total	38	53	195	1	46	12
SCAQMD Threshold	55	55	550	150	150	55
Threshold Exceeded?	No	No	No	No	No	No
<i>Existing</i>	3	6	17	<1	5	1
Net Total	35	47	178	1	41	12
SCAQMD Threshold	55	55	550	150	150	55
Threshold Exceeded?	No	No	No	No	No	No

Source: CalEEMod. Refer to Air Quality Output Sheets in **Appendix B**.

Abbreviations: CO = carbon monoxide; NOx = nitrogen oxide; PM₁₀ = particulate matter less than 10 microns; PM_{2.5} = particulate matter less than 2.5 microns; VOC = volatile organic compound; SCAQMD = South Coast Air Quality Management District; SOx = sulfur oxide.

As discussed above, those calculated operational emissions are based upon significantly more development than proposed by the Project (e.g., significantly more vehicular trips and greater point-source emissions). The Project would not result in a new or greater significant impact.

The VSSP project’s construction and operational emissions were also found to be below applicable Localized Significance Thresholds. The Project’s emissions would similarly be below applicable thresholds.

b. Noise

The VSSP EIR evaluated construction noise using the assumed construction mix which, as discussed above, is “conservative” and not inconsistent with the proposed Project. The VSSP EIR concluded that construction associated with the maximum buildout project – more intensive than the Project – would be less than significant with mitigation incorporated. (VSSP EIR at p. 4.10-20.) That mitigation requires applicants to develop a Construction Noise Reduction Plan to minimize noise construction by implementing specific reduction methods. The Project, which again would have a construction mix similar to the VSSP’s assumptions, would implement the mitigation measure. The Project’s construction noise is well within the scope of the VSSP EIR’s analysis and there is no need for subsequent or supplemental analysis.

For operations, the VSSP EIR analyzed the potential for the maximum buildout project to result in noise impacts from increased traffic generation. The VSSP was estimated to generate approximately 7,509 daily trips. (VSSP EIR Appendix I at p. 45.) Blocks 3-6, which reflect the Project Site, were assumed to generate 4,609 trips. (VSSP EIR Appendix I at pp. 43-44.) Even

assuming a worst-case trip generation scenario for the Project (ITE Manual Code 220 – Multifamily Housing (Low-Rise) Not Close to Rail Transit), it would not generate anything near the level of trips assumed in the VSSP EIR. Multifamily Housing (Low-Rise) is projected to generate 6.21 daily trips/unit. The Project’s 140 townhome units, therefore, would generate 869.4 daily trips. Those trips, when compared to the projected trips analyzed in the VSSP EIR, would produce less traffic noise than previously assumed in the VSSP EIR.

c. Cultural Resources

The VSSP EIR acknowledges that there are historic resources on the VSSP site and that demolition would result in a significant impact. Therefore, mitigation was included. The single historic resource on the Project Site – 233 S. Indian Hill – was identified in the VSSP EIR for demolition. Thus, the Project’s proposed demolition would not result in an impact that was not previously analyzed by the VSSP EIR.

The VSSP EIR also analyzed the potential for construction *across the entirety of the VSSP area* to result in archaeological resources impacts. The potential for inadvertent discovery of unique resources was acknowledged, and mitigation imposed. The Project does not propose development outside of the footprint assumed in the VSSP EIR or propose construction different than the assumptions in the VSSP EIR. As such, the Project would not result in any cultural resources impacts that were not previously analyzed/identified in the VSSP EIR.

The VSSP EIR’s cultural resources analysis is indicative of other VSSP EIR analyses that considered the potential for site disturbance and grading to result in impacts (e.g., geology and soils, hydrology, and hazardous materials). The Project does not propose development outside of the VSSP area, consistent with the VSSP EIR. Moreover, the Project does not propose construction or development in a manner fundamentally different than the VSSP EIR project and, therefore, is within the scope of the VSSP EIR’s analysis. The Project would comply with all applicable regulations and mitigation measures related to such impact areas.

d. Vehicle Miles Traveled

The VSSP EIR relied on guidance from the Governor’s Office of Planning and Research (“OPR”) to analyze the VSSP’s potential vehicle miles traveled (“VMT”) impacts. It concluded that the “VSSP project screens out” because the project is within a Transit Priority Area (“TPA”). (VSSP EIR at pp. 4.13-3, 4.13-7.) “As such, the [VSSP] Project is consistent with CEQA Guidelines section 15064.3(b).” (VSSP EIR at p. 4.13-7.)

The Project is located within the VSSP and, therefore, is also within a TPA. It screens out as well, and would not result in a new significant impact or increase the severity of a previously identified significant impact. The San Gabriel Valley Council of Government’s *Regional VMT Analysis Tool*, prepared by Fehr & Peers and used by the City, confirms the Project Site is within a TPA and screens out from a VMT analysis (is presumed to result in less than significant VMT impact).

SGVCOG Regional VMT Analysis Tool Output

SGVCOG VMT Evaluation Tool Report

Project Details

Timestamp of Analysis March 16, 2026, 09:35:12 AM

Project Name Village Partners

Project Description 140 townhome unit.

Proximity Transit Screening

Inside a transit priority area? Yes

Project Location Map

jurisdiction:	APN	TAZ
	8313008004	22449100
	8313008026	22449100
	8313008025	22449100
	8313008024	22449100
Claremont	8313008032	22449100
	8313008006	22449100
	8313008007	22449100
	8313008027	22449100
	8313008016	22449100
	8313008017	22449100

Analysis Details

Data Version SCAG Regional Travel Demand Model 2024

Analysis Methodology TAZ

Target Baseline Year 2025

ii. *Exemption: CEQA Guidelines Section 15183*

The Project is independently exempt pursuant to CEQA Guidelines Section 15183 (“Section 15183”), which exempts projects that are consistent with the development density established by existing zoning, general plan, or community plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or the site. (CEQA Guidelines § 15183; see also *Hilltop Group, Inc. v. County of San Diego* (2024) 99 Cal.App.5th 890, 906 [court of appeals classifying Section 15183 as an “exemption” and concluding that county board of supervisors improperly required an EIR]; see also *Lucas v. City of Pomona* (2023) 92 Cal.App.5th 508, 538 [recognizing “the exemption under” Section 15183].)

As discussed above, Section 15183 defines the term “consistent” to mean “the density of the proposed project is the same or less than the standard expressed for the involved parcel ...

and that the project complies with the density-related standards contained in” the applicable plan. (CEQA Guidelines § 16183(i)(2).) The Project is consistent with the VSSP’s density standards as well as the General Plan’s density standards. The Project Site has a General Plan land use designation of *Indian Hill/Village South Transit-Oriented Mixed Use*, which permits a maximum density of 60 dwelling units/acre.² (Resolution No. 2021-37.) It does not establish a minimum density. The Housing Element Sites Inventory (Appendix C) identifies several sites within the VSSP (but not the Project Site) and states that the realistic density range is 0-40 units/acre. The Project is within that range, and within the range of density/intensity assumed in the VSSP EIR.

The test for exemption under Section 15183 is similar to that discussion above with respect to Section 65457. For a project that is consistent with the a general plan or zoning, if an impact is not peculiar to the parcel or to the proposed project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards, as contemplated by Section 15183, subdivision (e), then an additional EIR need not be prepared for the project solely because of that impact.

The discussion above shows that the Project – 140 townhomes – is (a) consistent with the density of the General Plan and (b) within the scope of the VSSP EIR’s analysis, without any impacts that are peculiar to the site or Project. The VSSP EIR describes itself as a “program” analysis, but it includes significant detail. It was also relied upon to permit *specific* development as authorized by VTTMs and the previously approved VSSP Development Permit and Master Development Permit. Thus, the City acknowledges that the VSSP EIR’s analysis is specific and covers potential impacts associated with buildout of the VSSP area.

- g. Copy of Excerpts From the Record Constituting Substantial Evidence That Criteria of Government Code Section 65589.5.1(a)(1)-(4) Are Satisfied
(Govt. Code § 65589.5.1(a)(5)(A)(iv))

This Government Code Section 65589.5.1 Notice, inclusive of Exhibits A-H, contains the copy of the excerpts from the record constituting substantial evidence that the criteria of Government Code Section 65589.5.1(a)(1)-(4) are satisfied.

III. Conclusion

As discussed above, the City’s unsupported statement that it “does not agree” that the project is exempt from CEQA is not sufficient to trigger the 35-day notice period under Government Code Section 65589.5.1. However, the City has expressed its unwillingness to process the Project, along with its affirmation that it does not support the development, notwithstanding its consistency with applicable regulations and protections of state housing laws. Therefore, because the City Letter does state its (unsupported) belief that no exemption applies, VPV provides this Section 65589.5.1 Notice. This letter and the enclosed information hereby

² The potential impacts of the General Plan amendment creating the Indian Hill/Village South Transit-Oriented Mixed Use designation was analyzed in the VSSP EIR.

Chris Veirs
March 23, 2026
Page 15

provides the City of Claremont notice of the applicability of Section 65589.5.1 and substantial evidence supporting the Section 65457 and CEQA Guidelines Section 15183 exemptions.

VPV looks forward to a quick determination of the project's qualification for a CEQA exemption.

Sincerely,

Cox, Castle & Nicholson LLP

A handwritten signature in black ink, appearing to be the initials 'CB' with a stylized flourish extending from the bottom of the 'B'.

Christopher Burt

Attachment A

January 21, 2026

VIA E-MAIL

Chris Veirs
City Planner
City of Claremont
207 Harvard Avenue
P.O. Box 880
Claremont, CA 91711

Re: Village South Project - Application and Entitlement Processing

Dear Chris:

As you know, this firm represents VPV South Village Corvette, LLC (“VPV”), applicant for the proposed redevelopment of an approximately 6.9-acre portion of the Village South Specific Plan (“VSSP”) area with 140 attached townhomes, associated amenities and infrastructure (the “Project”). 5% of the Project’s units (or seven (7) units) would be deed-restricted for lower income households, and 10% of the Project’s units (or 14 units) would be deed-restricted as affordable to moderate-income households.

This letter is submitted together with VPV’s application for (a) a tentative tract map, (b) Village South Specific Plan (“VSSP”) Master Development Permit, and VSSP Development Permit. The Project is a permitted use and is consistent with the applicable density/intensity standards of the VSSP.¹ Therefore, although your November 14, 2025 letter states otherwise, no General Plan Amendment or Specific Plan Amendment are required. To the extent there are inconsistencies with applicable, objective development standards, the Project is entitled to waiver, reduction, or deviation pursuant to the State Density Bonus Law (“DBL”), which is discussed below.

I. The Project Does Not Require a GPA or VSSP Amendment

The City’s November 14, 2025 concludes that a GPA and VSSP Amendment are required for the Project. With respect to the GPA, the letter states that because “[the Project] substantially reduces the density of housing units on the site, the City will also need to complete a General Plan Amendment to demonstrate compliance with the no net loss requirements of California

¹ This firm’s October 15, 2025 letter explains, in detail, how the proposed development is consistent and does not require any legislative approvals.

Government Code Section 66300(h)(1)....” That statement is incorrect. First, the referenced section – Govt. Code § 66300(h)(1) – deals with local electorate actions through the initiative process. It is clearly inapplicable. Second, Government Code Section 66300 (the “NNL Law”) prohibits agencies from affirmatively enacting a “development policy, standard, or condition” that would change “the general plan land use designation, specific plan land use designation, or zoning of a parcel or parcels of property to a less intensive use or reducing the intensity of land use....” (Govt. Code § 66300(b)(1).) The Project does not request an entitlement to reduce the intensity or capacity of the General Plan or VSSP, which establish a maximum density of 60 dwelling units/acre but do not establish a *minimum* density. Thus, no GPA or VSSP Amendment is necessary to accommodate the Project. The NNL Law is not implicated, and the City’s demand that VPV seek a legislative approval violates the Housing Accountability Act (“HAA”).

The City appears, instead, to suggest that a GPA is required because the certified Housing Element (“HE”) relied upon the VSSP site, and the Project proposes less units than were assumed. The HE states that the previously approved VSSP project was assumed to result in 105 moderate-income affordable units. (HE at p. 102.) However, it is unclear if those units were assumed as “credits” for purposes of the City’s Regional Housing Needs Assessment (“RHNA”) and the HE itself. The HE separately states that it “can include new units for which building permits or certificates of occupancy were issued since June 30, 2020, credits toward the RHNA.” (HE at p. 125.) The previously approved project secured entitlements, but never obtained building permits or certificates of occupancy. Moreover, HE Table 8-31, *RHNA Credits and Remaining Need*, only identifies two (2) units as credits for the moderate-income category.

Even if (a) the HE did assume that 105 moderate-income units would be constructed for purposes of RHNA, and (b) the Project would result in a shortfall in the City’s RHNA projections, the City cannot demand VPV process a GPA or VSSP Amendment. Government Code Section 65863 provides the regulations for housing element sites inventories and required actions when an agency approves a project that results in a deficiency. Specifically, Section 65863(b)(2) states that if a city “allows development of any parcel with fewer units by income category than identified in the jurisdiction’s housing element for that parcel, the city ... shall make written findings supported by substantial evidence as to whether or not remaining sites identified in the housing element are adequate to meet the requirements of” the Housing Element Law “and to accommodate the jurisdiction’s share of the regional housing need....” Section 65863 does not operate as a prohibition on approving development with a lesser number of affordable units than assumed for a site. It also is explicit regarding an agency’s ability to deny projects that would result in a deficiency. Section 65863(c)(2) states:

(c)(1) If a reduction in residential density for any parcel would result in the remaining sites in the housing element not being adequate to meet the requirements of [Section 65583.2](#) and to accommodate the jurisdiction's share of the regional housing need pursuant to [Section 65584](#), the jurisdiction may reduce the density on that parcel if it identifies sufficient additional, adequate, and available sites with an equal or greater residential density in the jurisdiction so that there is no net loss of residential unit capacity.

(2) If the approval of a development project results in fewer units by income category than identified in the jurisdiction's housing element for that parcel and the jurisdiction does not find that the remaining sites in the housing element are adequate to accommodate the jurisdiction's share of the regional housing need by income level, the jurisdiction shall within 180 days identify and make available additional adequate sites to accommodate the jurisdiction's share of the regional housing need by income level. **Nothing in this section shall authorize a city, county, or city and county to disapprove a housing development project on the basis that approval of the housing project would require compliance with this paragraph.**

Thus, the City cannot (a) disapprove the Project or (b) demand VPV process a GPA or VSSP Amendment, even if it would result in a HE sites inventory shortfall for moderate-income units.

II. Density Bonus Law

The Project proposes to reserve 5% of its units for lower income households and 10% of its units for moderate-income households. The Project is, therefore, entitled to the benefits of the State Density Bonus Law (“DBL”). Specifically, the Project is afforded (a) one (1) incentive or concession and (b) an unlimited number of waivers of any “development standards that will have the effect of precluding the construction of the project” at the requested density. (Govt. Code § 65915(e)(1).)

The Project asserts the following incentive/concession:

1. VSSP Office Uses. The Project does not provide the minimum office square footage required by the VSSP.

The Project is also entitled to an unlimited number of waiver/reductions of development standards that would physically preclude the Project. The Project requires the following DBL waivers:

1. Retail Ready Design. The VSSP’s “Retail Ready” requirement is “incentivized” but is not an objective design requirement. The Project does not provide the Retail Ready buildings/structures, and asserts a waiver from all Retail Ready design requirements and development standards, including, but not limited to: (a) ground floor story heights must be 12 feet or more, and (b) the front setback shall be exactly 10 feet for any residential units. (VSSP § 3.7.K.4.) Also, the Project proposes residential uses, including along all frontages, and the Project’s design complies with all frontage requirements applicable to such uses. (VSSP § 3.7.)
2. Residential Ground Floor Height. The Project proposes 9-9.75 foot ground floor heights, which is less than the required 10 feet per VSSP Section 3.5 (Table 3.5.2.A). The Project requires a DBL waiver.

3. Sidewalk and Parkway Width. VSSP Section 3.12.E provides that conceptual Green Street will have six (6) foot sidewalks and six (6) foot parkways along residential frontages. The Project provides five (5) foot sidewalks and 4.5-foot parkways along Green Street.
4. Paseo Width. The Project provides multiple paseos as secondary connections, consistent with the VSSP. The Project's paseos vary in width, however, from 15-41 feet wide. That is less than the required 30 feet, per VSSP Section 3.12.F.3. Therefore, the Project requires a reduction in the paseo width standard.
5. Unit Type/Size Diversity. The VSSP's Objective Design Review Matrix, discussed below, includes a requirement that the "regulating plan" provides a diversity of housing unit types. As discussed, the Project provides a diverse range of for-sale unit types, with varying sizes and bedroom counts. Also, with the North Tract included, the VSSP would have an even greater diversity of unit types and sizes. The Project nevertheless asserts a waiver from any specific size/bedroom number requirements.
6. Streetwall Length. The Project requires a modification to the streetwall length standards in Section 3.6 (Table 3.6).

III. The Project Meets/Exceeds the Requirements of the VSSP *Objective Design Review Matrix*

The VSSP includes (as Appendix A) an "Objective Design Review Matrix" ("ODRM") that "helps developers and reviewers ensure that each project contributes to and delivers the goals and key physical outcomes for Village South envisioned by" the VSSP. (VSSP at p. A-2.) There are two "parts" to the ODRM – (a) Part 1 addresses topics relevant to VSSP Master Development Permits (and is "focused on street, block, and open space network and patters of Village South"), and (b) Part 2 addresses topics relevant to VSSP Development Permits ("focused on the physical form, character, program, and performance of new buildings in Village South"). (VSSP at p. A-2.) The Project requests both (a) a VSSP Master Development Permit and (b) a VSSP Development Permit, and is subject to both Parts 1 and 2.

The ODRM cannot be applied in a manner that would render VPV's Project infeasible. First, as discussed above, the Project is entitled to the benefits of the DBL. That includes waiver, reductions, or deviations from objective development standards. To the extent a waiver or reduction is requested pursuant to the DBL, that waiver or reduction must be reflected in the ODRM calculations for the Project. Any requested DBL waiver or reduction would accrue to the relevant ODRM cell/points, making such requirement inapplicable for purposes of determining compliance with the ODRM. VPV's submitted, complete ODRM identifies those standards that are subject to waiver and reduces the associated points commensurately.

Second, the ODRM Part 1 analysis must be modified to reflect the limited scope (development area) of the Project. The ODRM Part 1 analysis includes criteria/cells that appear to apply to the totality of the VSSP area (see reference to “Conceptual Site Plan”), contemplating an analysis for a comprehensive VSSP Master Development Permit that covers the *entire* VSSP area. Those criteria cannot be applied in a manner that penalizes the Project, which is limited to a portion of the VSSP area.

The VSSP, in fact, appears to recognize that adjustments may be required. “Because unanticipated circumstances or considerations may arise, and because each VSSP Master Development Permit application will build upon the previous approvals, ***adjustments to Part 1 of this matrix are inevitable and necessary.***” (VSSP at p. A-2 [emphasis added].) The Part 1 “attributes/benefits” shall be adjusted if they “are ***no longer relevant or have already been fulfilled by prior development.***” (*Id.* [emphasis added].) Here, there are significant “attributes/benefits” that are (a) no longer relevant and (b) have already been fulfilled by the project approved for the northern area of the VSSP. The VSSP appears to grant the Director of Community Development the “discretion” to adjust/recalibrate the “available and required points...” (*Id.*) However, that recalibration is mandatory, as failing to recalibrate available and required points would result in improper application of development standards that are inapplicable to the Project (as an inappropriate means to penalize the Project). To ensure compliance with the VSSP and state housing laws, VPV’s provided ODRM analysis recalibrates the ODRM to reflect the scope of the proposed Project.

Chris Veirs
January 21, 2026
Page 6

Also, the ODRM includes multiple “objective” requirements that are, in fact, subjective (or points are determined on a subjective basis). Those standards, which are denoted with footnotes stating that points may be awarded at the “discretion” of various persons or bodies, cannot be relied upon as the basis for an inconsistency finding. The Housing Accountability Act restricts “the ability of local governments to deny an application to build housing if the proposed project complies with general plan, zoning, and design review standards that are objective.” (*Save Lafayette v. City of Lafayette* (2022) 85 Cal.App.5th 842, 831.) A standard is subjective, as opposed to objective, if it cannot be applied without personal interpretation or subjective judgment. (*Bankers Hill 150 v. City of San Diego* (2022) 74 Cal.App.5th 755, 778.)

Sincerely,

Cox, Castle & Nicholson LLP

A handwritten signature in black ink, appearing to read 'C. Burt', with a stylized flourish at the end.

Christopher Burt
Senior Counsel

cc:

Adam Pirrie, City Manager
Alisha Patterson, City Attorney
Brad Johnson, Community Development Director

Attachment B

Exhibit A – Site Not Located in Coastal Zone [Source: Coastal Commission Boundary Map (Los Angeles County)]

Maps

Coastal Zone Boundary

- Del Norte
- Humboldt
- Mendocino
- Sonoma
- Marin
- San Francisco
- San Mateo
- Santa Cruz
- Monterey
- San Luis Obispo
- Santa Barbara
- Ventura

The image shows a web browser window displaying a map of Los Angeles County. The browser's address bar shows the file path '13CZB_LosAngelesCounty.pdf'. The map interface includes a navigation toolbar with zoom in (+) and zoom out (-) buttons, a 95% zoom level, and a page indicator '1 / 1'. On the left side, there is a vertical sidebar with a list of coastal counties: Del Norte, Humboldt, Mendocino, Sonoma, Marin, San Francisco, San Mateo, Santa Cruz, Monterey, San Luis Obispo, Santa Barbara, and Ventura. The main map area shows a topographic view of the Los Angeles region. A blue line represents the Coastal Zone Boundary, which follows the coastline from the San Gabriel Mountains in the north to San Pedro Bay in the south. Key locations labeled on the map include Ventura, Los Angeles, Santa Monica, Manhattan Beach, Hermosa Beach, Redondo Beach, Torrance, Long Beach, and Orange. The map also shows major highways, local roads, and various geographical features like Santa Monica Bay and San Pedro Bay.

Exhibit B – Site Not Designated as Important Farmland [Source: California Department of Conservation - Important Farmland Viewer]

The screenshot displays the California Important Farmland Finder web application. At the top, there is a navigation bar with the following links: CA Farmland Conservancy, Conservation Districts, Farmland Mapping, and Williamson Act. The main header reads "California Important Farmland Finder".

The search bar contains the address "121 South Indian Hill Boulevard, C...". Below the search bar, a dropdown menu shows "Search result". The map area is currently pink, indicating the site is not designated as important farmland. A yellow location pin is visible on the map.

The legend on the right side of the map lists the following categories and their corresponding colors:

- ArcGIS World Geocoding Service (Yellow dot)
- California County Boundaries (White outline)
- California Important Farmland: Most Recent
 - Most Recent
 - Polygon Type
 - Prime Farmland (Dark Green)
 - Farmland of Statewide Importance (Medium Green)
 - Unique Farmland (Light Green)
 - Grazing Land (Tan)
 - Farmland of Local Importance (Light Yellow)
 - Farmland of Local Potential (Light Orange)
 - Other Land (Light Blue)
 - Confined Animal Agriculture (Brown)
 - Nonagricultural or Natural Vegetation (Light Brown)
 - Vacant or Disturbed Land (Grey)
 - Rural Residential Land (Pink)
 - Semi-agricultural and Rural Commercial Land (Yellow)
 - Urban and Built-Up Land (Red)

Esri, NASA, NGA, USGS, FEMA | Esri Community Maps Contributors, County of Los Angeles, County of San Bernardino, California State Parks, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoT... Powered by Esri

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Exhibit C – Site is Developed with Urban Uses and Not Located on Wetlands [Source: U.S. Fish & Wildlife Service - National Wetlands Inventory]

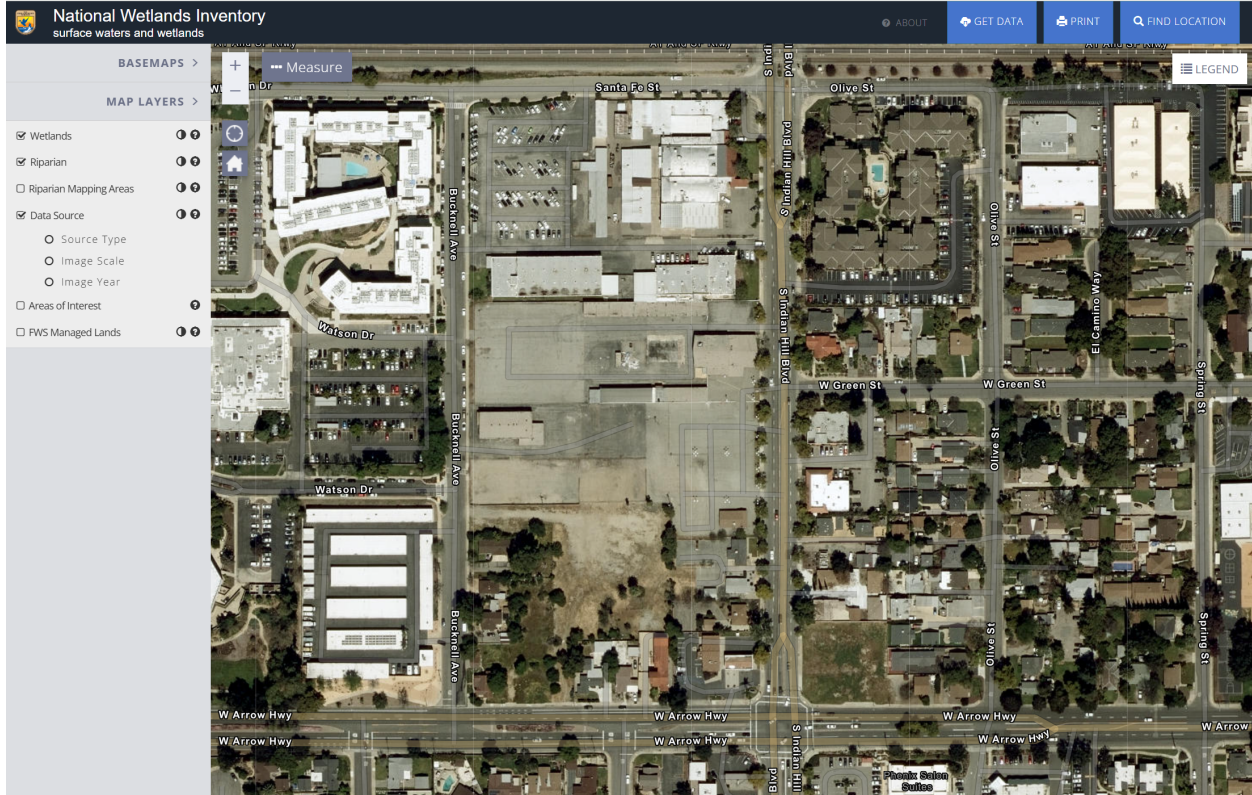


Exhibit D – Site Not Located within Very High Fire Hazard Severity Zone

[Source: CalFire – Fire Hazard Severity Zone Map]

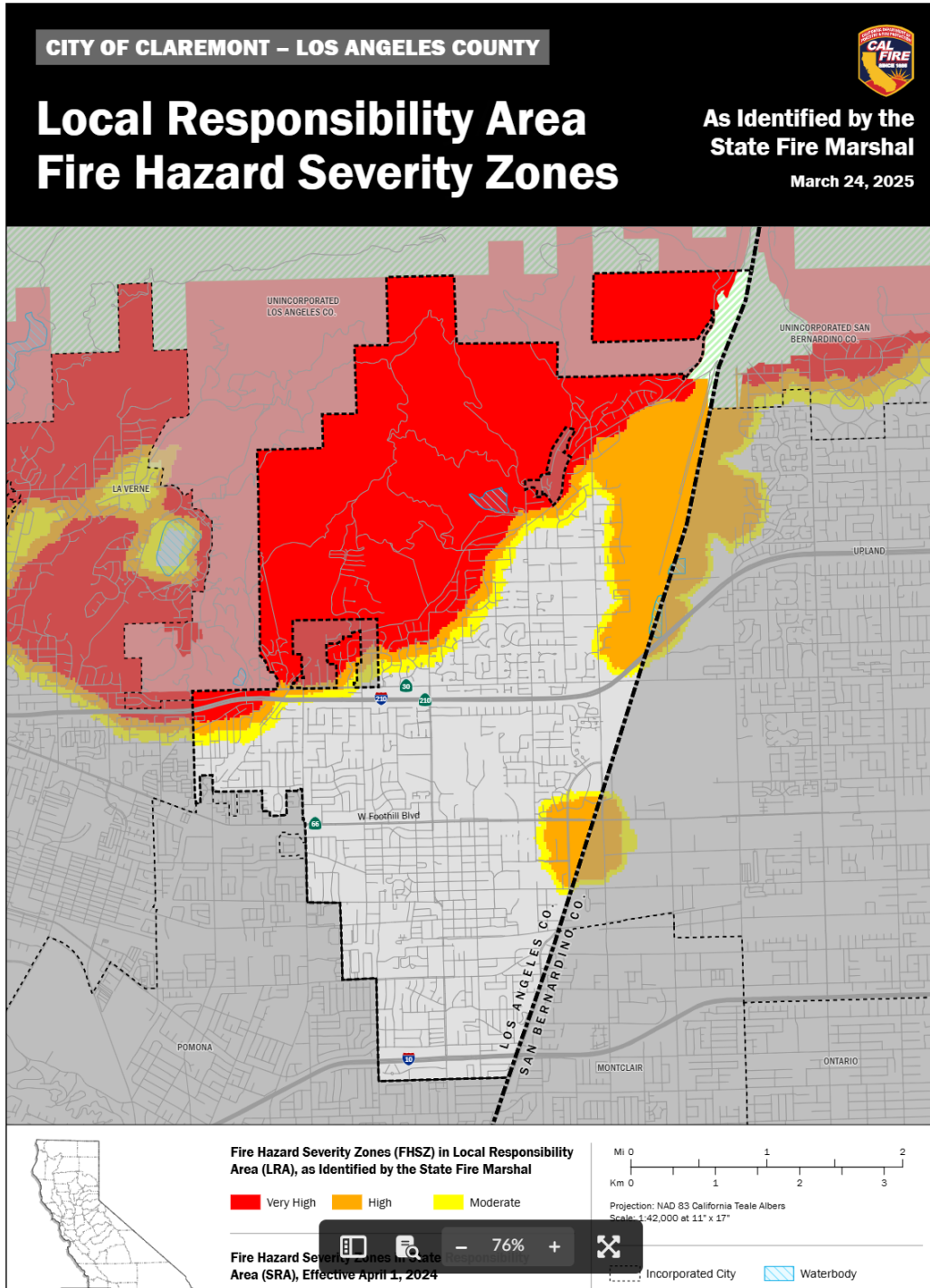


Exhibit F – Site Not Located within Special Flood Hazard Zone or Regulatory Floodway [Source: Federal Emergency Management Agency – Flood Map]

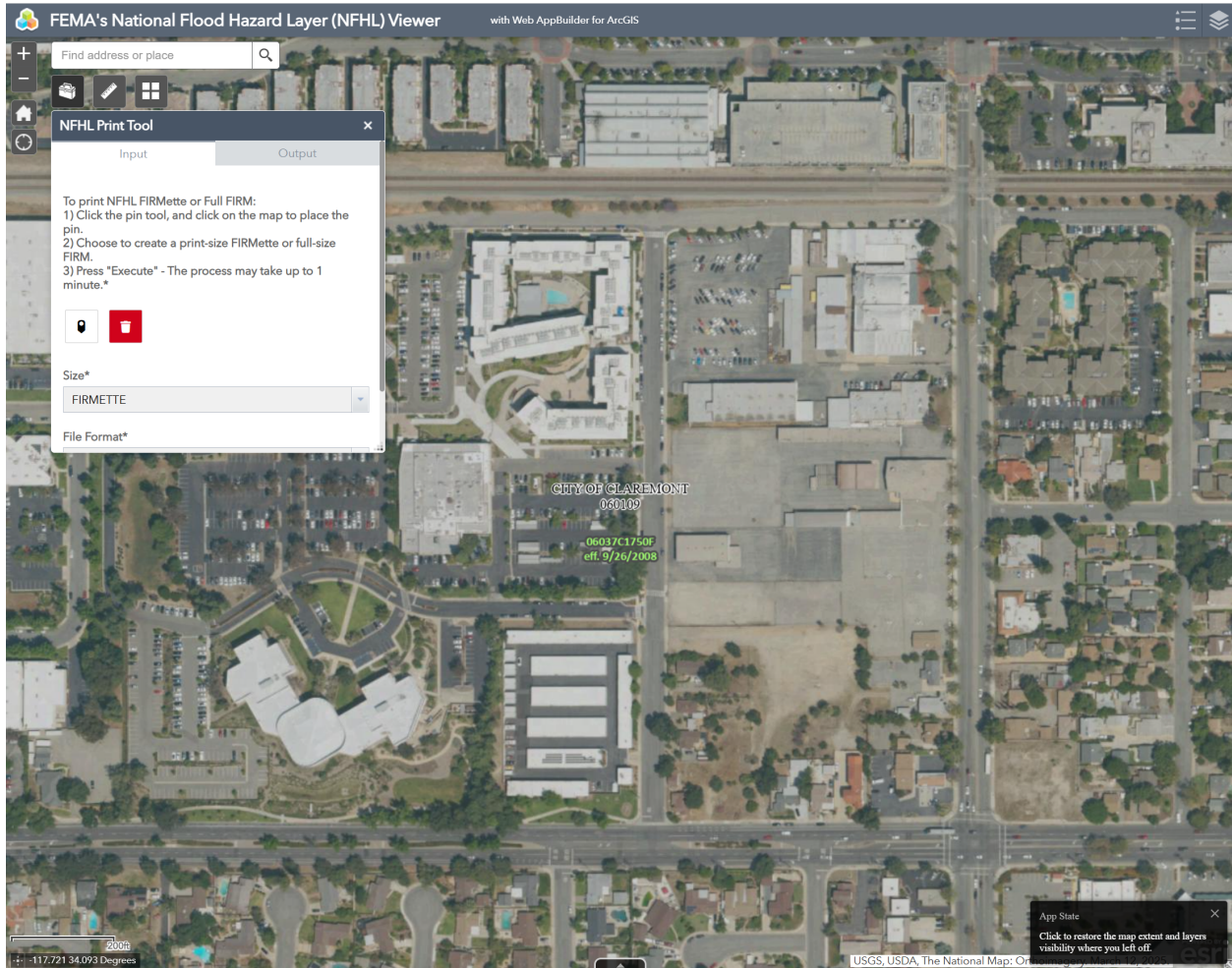


Exhibit G – Site Not Subject to Conservation Easement [Source: California Department of Conservation – Williamson Act Map]

CA .GOV California Department of Conservation

Search

CA Farmland Conservancy Conservation Districts Farmland Mapping Williamson Act

Williamson Act Enrollment Finder

Find address or place

Legend

California Williamson Act Enrollment 2024

Williamson Act Enrollment 2024

Contract Enrollment Status

- Prime Agriculture Land
- Nonprime Agriculture Land
- Nonrenewal
- Farmland Security Zone
- Mixed Enrollment Agriculture Land

Williamson Act County Participation 2024

County Status Report

- Participating
- Non-Reporting Participant
- Non-Participating

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Exhibit H – Site Previously Developed with Urban Use [Source: Google Earth, Google Maps]

