



# Claremont Planning Commission

## Agenda Report

**File #:** 5324

**Item No:** 2.

**TO:** PLANNING COMMISSION

**FROM:** ADAM PIRRIE, CITY MANAGER

**DATE:** OCTOBER 15, 2024

**SUBJECT:**

**REVIEW OF PROPOSED ACQUISITION OF REAL PROPERTY FROM CLARE PROPERTIES LLC FOR CONFORMANCE WITH THE CITY OF CLAREMONT GENERAL PLAN - APPLICANT - CITY OF CLAREMONT**

**SUMMARY**

The City has an opportunity to acquire approximately 6.72 acres of vacant land located near the northwest corner of East Foothill Boulevard and Monte Vista Avenue (the "Property") directly east of and adjacent to the Armstrong Garden Center that is located at 735 East Foothill Boulevard.

The Property was formerly part of a proposed mixed-use development commonly known as the "Commons," which the City Council denied in 2021. The owner of the Property (Clare Properties, LLC) has approached the City with an offer to sell the Property to the City. Prior to acquiring real property, State law requires the Planning Commission review the proposed acquisition for conformance with the City's General Plan.

**RECOMMENDATION**

Staff recommends the Planning Commission adopt A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CLAREMONT, CALIFORNIA, DETERMINING GENERAL PLAN CONFORMITY PURSUANT TO REQUIREMENTS OF GOVERNMENT CODE SECTION 65402 FOR ACQUISITION OF REAL PROPERTY FROM CLARE PROPERTIES LLC TO THE CITY OF CLAREMONT. APPLICANT - CITY OF CLAREMONT.

**ALTERNATIVES TO RECOMMENDATION**

In addition to the staff recommendation, there are the following alternatives:

- A. Identify how the proposed acquisition is not in conformance with the General Plan and direct staff to convey the Planning Commission's General Plan nonconformance findings to the City Council.

B. Request further information.

## **FINANCIAL REVIEW**

City staff is currently exploring the feasibility of acquiring the Property. The finding of General Plan conformance is one step in the process that also includes other due diligence activities such as conducting environmental analyses and review of title reports, as well as negotiating a purchase and sale agreement to be approved by the City Council.

The estimated cost of these due diligence activities, which will be conducted prior to the acquisition of the Property, is \$10,000. This includes the time spent by the City Attorney and consultant assisting staff during the due diligence process.

The staff cost to prepare this report is estimated at \$1,500 and is included in the operating budgets of the Administrative Services and Community Development Departments.

## **ANALYSIS**

At a future City Council meeting, the City Council may consider whether to acquire from Clare Properties, LLC an unimproved real property located in the City of Claremont, near the northwest corner of East Foothill Boulevard and Monte Vista Avenue, known as Lot 2 of the proposed Parcel Map No. 84585, a copy of which is attached to the attached Resolution as Exhibit (the "Property").

The Property comprises approximately 6.72 acres of vacant land and has been vacant and undeveloped for over forty years. In recent years, it was part of an application for a mixed-use development project known as the "Commons" that the City Council denied in 2021.

Government Code section 65402 states that if a General Plan has been adopted (as is the case here), no real property shall be acquired by dedication or otherwise for street, square, park, or other public purpose if the adopted General Plan applies thereto, until the location, purpose and extent of such acquisition have been submitted to and reported upon by the planning agency (here, the Planning Commission) as to conformity with said adopted General Plan.

Acquiring the Property would provide the City the opportunity to use it for a purpose that furthers the goals and policies of the City's General Plan. For example, the potential acquisition is consistent with Goal 3.2 of the Economic Development Element of the General Plan, to "Revitalize aging and underperforming commercial and industrial areas." The Property is located at a gateway to the City, but it has been vacant and undeveloped for over forty years. The Property's close proximity to Cable Airport has presented development challenges. If the City acquires the Property, it will have an opportunity to see that it is developed and used consistent with the General Plan and in a manner that does not conflict with airport operations.

For these reasons, staff requests that the Planning Commission adopt the attached Resolution finding and determining the potential acquisition of the Property is in conformance with and consistent with the Claremont General Plan.

Over the next several weeks, staff will continue to assess the feasibility of acquiring the Property, including reviewing an updated Phase I Environmental Site Assessment and title reports, and negotiating with the property owner to bring a proposed purchase and sale agreement to the City

Council for approval.

### **CEQA REVIEW**

This item is not subject to environmental review under the California Environmental Quality Act (CEQA).

### **PUBLIC NOTICE PROCESS**

The agenda and staff report for this item have been posted on the City website and distributed to interested parties. If you desire a copy, please contact Nhi Atienza at [natienza@ci.claremont.ca.us](mailto:natienza@ci.claremont.ca.us).

Submitted by:

Adam Pirrie  
City Manager

Attachment:  
Resolution

**PLANNING COMMISSION RESOLUTION NO. 2024-\_\_****A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CLAREMONT, CALIFORNIA, DETERMINING GENERAL PLAN CONFORMITY PURSUANT TO REQUIREMENTS OF GOVERNMENT CODE SECTION 65402 FOR ACQUISITION OF REAL PROPERTY FROM CLARE PROPERTIES LLC TO THE CITY OF CLAREMONT. APPLICANT – CITY OF CLAREMONT**

**WHEREAS**, at a future City Council meeting, the City Council may consider whether to acquire from Clare Properties, LLC that certain unimproved real property located in the City of Claremont, County of Los Angeles, State of California, known as Lot 2 of the proposed Parcel Map No. 84585, a copy of which is attached hereto as an Exhibit, and incorporated herein by reference, consisting of approximately 6.72 acres of vacant land (the “Property”), located directly east of and adjacent to the Armstrong Garden Center property, located at 735 East Foothill Boulevard;

**WHEREAS**, Government Code section 65402 states that if a general plan or part thereof has been adopted, no real property shall be acquired by dedication or otherwise for street, square, park, or other public purpose if the adopted general plan or part thereof applies thereto, until the location, purpose and extent of such acquisition has been submitted to and reported upon by the planning agency as to conformity with said adopted general plan or part thereof;

**WHEREAS**, the proposed acquisition of the Property is being presented to the Planning Commission of the City of Claremont for its review and recommendation on the issue of general plan conformity;

**WHEREAS**, the City does not own the Property and currently has no plans to develop or change the Property;

**WHEREAS**, the Planning Commission’s action pursuant to State Government Code section 65402 is not considered a “project” pursuant to the requirements of the California Environmental Quality Act and even if it was considered a “project” it would be exempt;

**WHEREAS**, this matter was considered by the Planning Commission of the City of Claremont at a regular meeting on October 15, 2024;

**WHEREAS**, no action taken by the Planning Commission, including the approval of this Resolution, commits the City Council to any one course of action; and

**NOW, THEREFORE, THE CLAREMONT PLANNING COMMISSION DOES HEREBY RESOLVE:**

**SECTION 1. Recitals.** The Planning Commission finds that the above recitals are true and correct and are incorporated herein.

**SECTION 2. CEQA Determination.** The Planning Commission’s action pursuant to State Government Code section 65402 is not considered a “project” pursuant to the requirements of the California Environmental Quality Act. The City currently has no plans to develop or change the Property, and the Planning Commission’s review and determinations with respect to general plan conformance do not commit the City Council to any one course of action.

**SECTION 3. Findings & Determination.** Planning Commission hereby finds and determines the proposed acquisition of the Property is in conformance with and consistent with the Claremont General Plan. Although the City currently has no plans to develop or change the Property, acquiring the Property would provide the City the opportunity to use it for a purpose that furthers the goals and policies of the City’s General Plan. For example, the proposed acquisition is consistent with Goal 3.2 of the Economic Development Element to “Revitalize aging and underperforming commercial and industrial areas.” The Property is located at a gateway to the City, but it has been vacant and undeveloped for at least forty years. The Property’s close proximity to Cable Airport has presented development challenges. If the City acquires the Property, it will have an opportunity to see that it is developed and used consistent with the General Plan and in a manner that does not conflict with airport operations.

**SECTION 4.** The Planning Commission directs the Community Development Director (or his designee) to transmit a copy of this recommendation to the City Council in compliance with Government Code Section 65354.

**SECTION 5.** The Planning Commission Chair shall sign this Resolution and the Commission Secretary shall attest and certify to the passage and adoption thereof.

**PASSED, APPROVED, AND ADOPTED** this 15<sup>th</sup> day of October, 2024

---

Planning Commission Chair

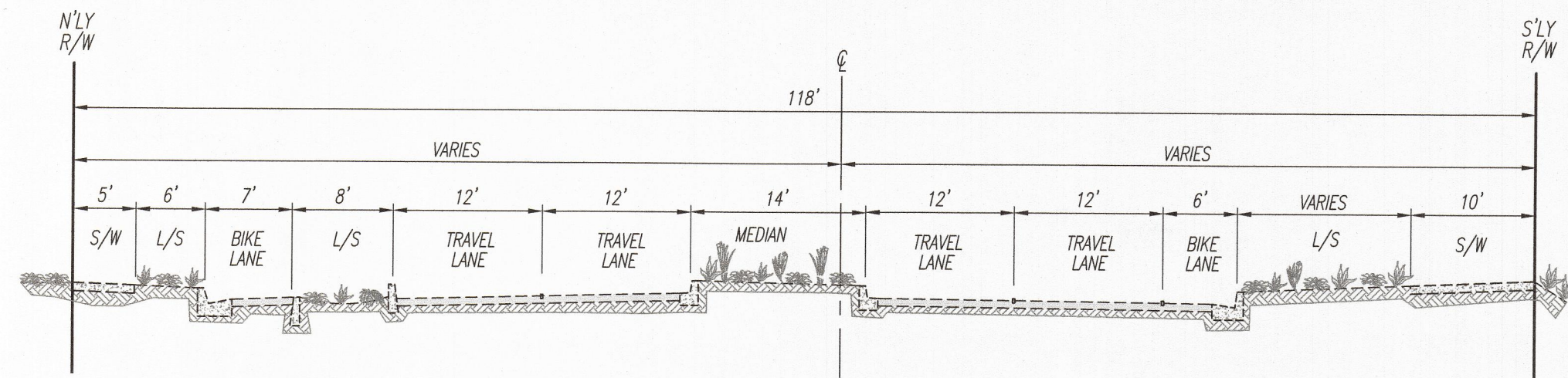
ATTEST:

---

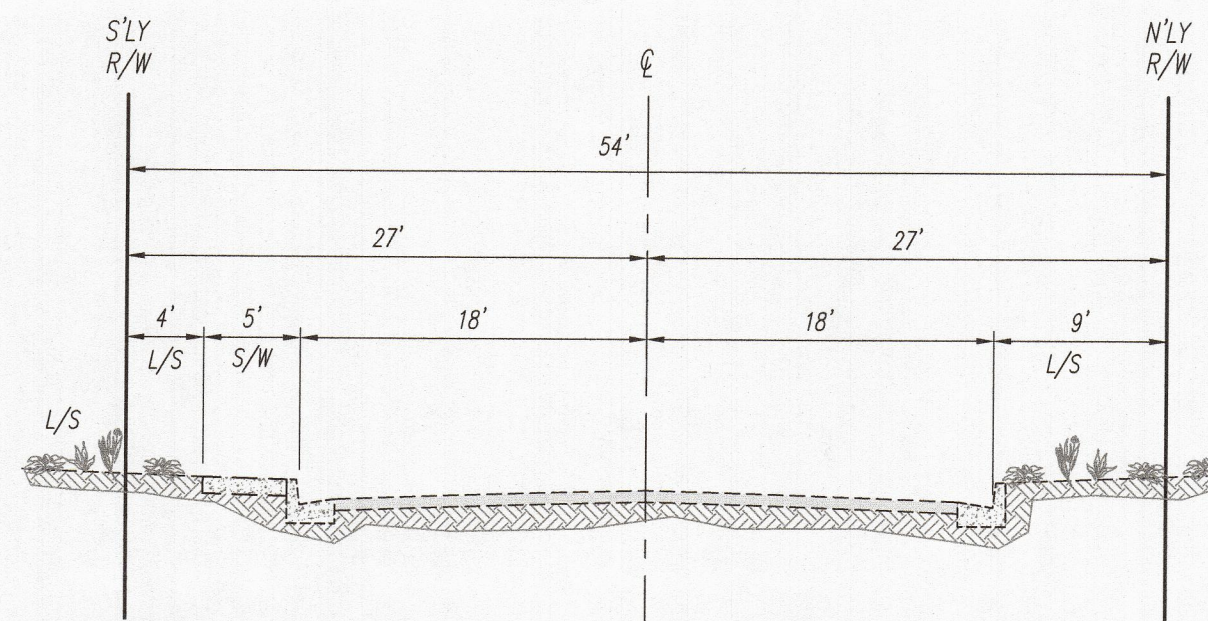
Planning Commission Secretary

# TENTATIVE PARCEL MAP NO. 84585

IN THE CITY OF CLAREMONT, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA  
BEING A PROPOSED SUBDIVISION OF PARCEL 2 OF PARCEL MAP NO. 27023-1 AS SHOWN ON MAP FILED IN BOOK 317, PAGES 98 AND 99 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.  
ANDREASEN ENGINEERING, INC. JULY 2024



**FOOTHILL BOULEVARD  
TYPICAL STREET SECTION**  
NOT TO SCALE



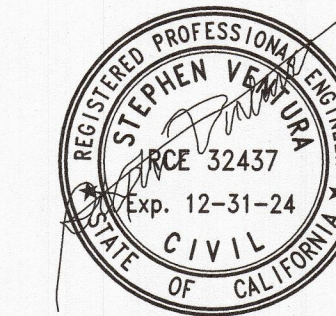
**ANDREW DRIVE  
TYPICAL STREET SECTION**  
NOT TO SCALE

**DEVELOPER & OWNER**

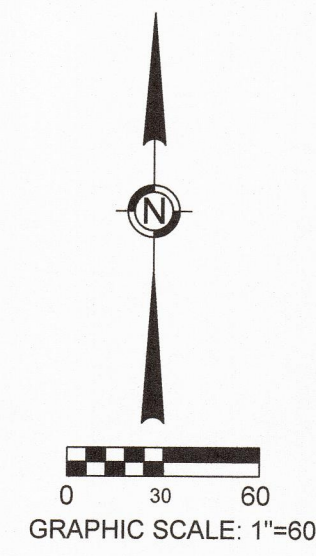
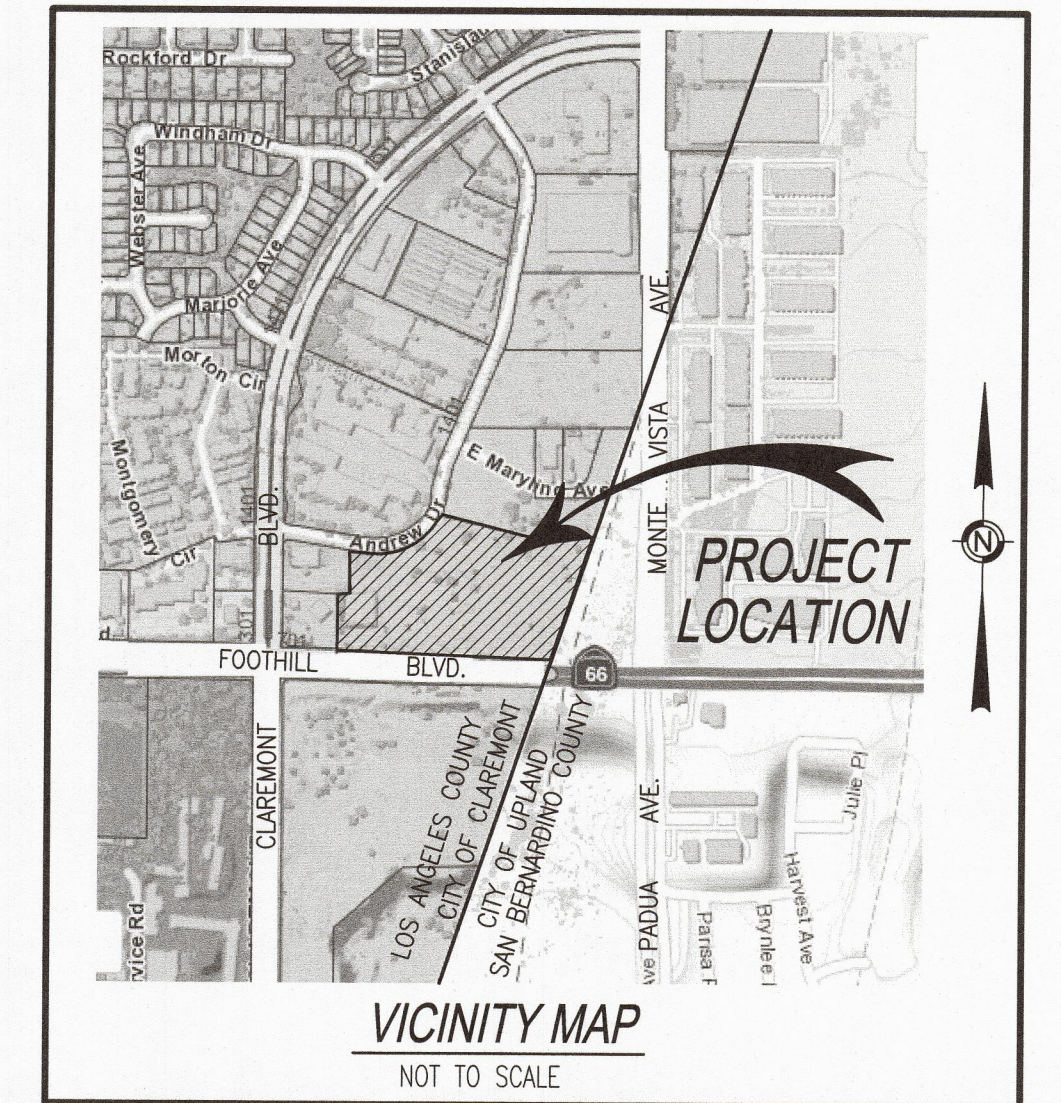
CLARE PROPERTIES, LLC  
10940 WILSHIRE BOULEVARD, SUITE 1960  
LOS ANGELES, CA 90024  
ATTN: BEN SWENSON  
DIRECTOR OF REAL ESTATE AND DEVELOPMENT  
(310) 860-5409

**ENGINEER**

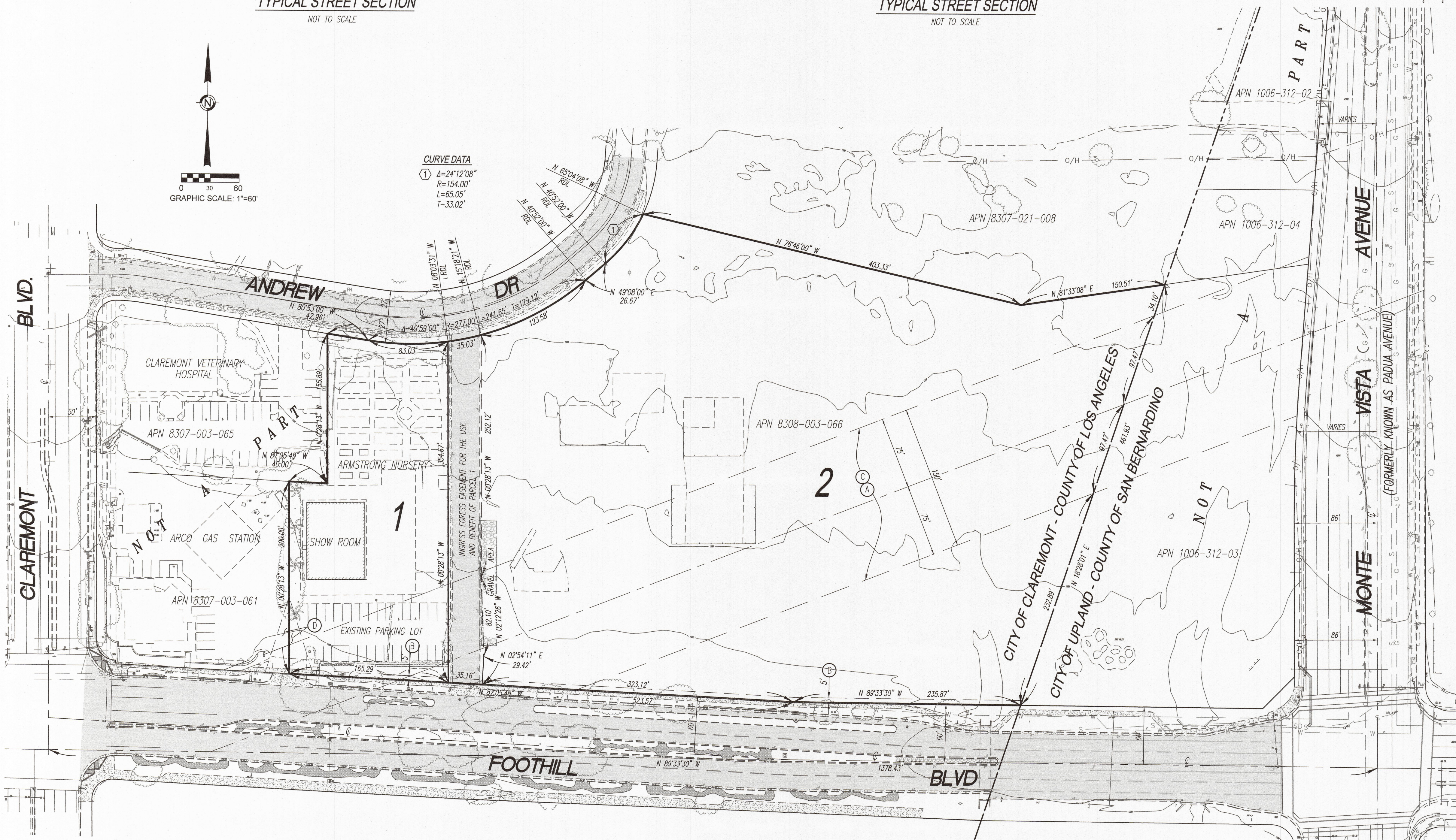
ANDREASEN ENGINEERING INC.  
195 N. EUCLID AVE. SUITE 101  
UPLAND, CA 91786  
CONTACT: STEPHEN VENTURA  
(909) 623-1595 EXT. 132



7/26/24



**CURVE DATA**  
①  $\Delta=24^{\circ}12'08''$   
 $R=154.00'$   
 $L=65.05'$   
 $T=33.02'$



**EASEMENTS**

- (A) AN AVIGATION EASEMENT IN FAVOR OF THE CITY OF CLAREMONT, RECORDED JUNE 19, 1997 AS INSTRUMENT NO. 97-917067, OF OFFICIAL RECORDS.
- (B) AN EASEMENT FOR SIDEWALK AND LANDSCAPING PURPOSES, IN FAVOR OF THE CITY OF CLAREMONT, AS SHOWN ON PARCEL MAP NO. 23719, RECORDED IN PARCEL MAP BOOK 277, PAGES 28 & 29.
- (C) 150 FOOT WIDE NON-BUILDABLE STRIP OF LAND PER NOTE, AS SHOWN ON PARCEL MAP NO. 23719, RECORDED IN PARCEL MAP BOOK 277, PAGES 28 & 29.
- (D) A VARIABLE WIDTH NONEXCLUSIVE EASEMENT FOR INGRESS AND EGRESS, IN COMMON WITH OTHERS, RESERVED FOR THE USE AND BENEFIT OF PARCELS 1 & 2 AS SHOWN ON PARCEL MAP NO. 23179, RECORDED IN PARCEL MAP BOOK 277, PAGES 28 & 29 AND RECORDED JULY 7, 1992 AS INSTRUMENT NO. 97-1006306 OF OFFICIAL RECORDS.

**GENERAL NOTES**

- ASSESSOR PARCEL NUMBER..... 8308-003-066
- GROSS ACREAGE..... 7.913 ACRES
- EXISTING LAND USE..... ARMSTRONG NURSERY & VACANT
- EXISTING ZONING..... CH (COMMERCIAL HIGHWAY DISTRICT)
- TOPOGRAPHY IS FROM GROUND SURVEY PERFORMED ON MAY 4, 2018, AND AERIAL MAPPING PERFORMED MAY 16, 2018
- PURPOSE OF MAP IS TO DIVIDE THE SUBJECT PROPERTY INTO TWO (2) INDIVIDUAL LOTS
- PROPOSED LOT 1 (ARMSTRONG NURSERY)..... 1.193 ACRES
- PROPOSED LOT 2 (VACANT PROPERTY)..... 6.720 ACRES

**ABBREVIATIONS AND LEGEND**

L/S	LANDSCAPE
S/W	SIDEWALK
€	CENTER LINE
---	CITY / COUNTY LINE
---	PROPERTY BOUNDARY LINE
---	EXISTING EDGE OF ASPHALT PAVEMENT
---	EXISTING 5-FT CONTOUR
---	EXISTING ASPHALT CONCRETE PAVEMENT
---	EXISTING PORTLAND CEMENT CONCRETE

**UTILITY COMPANIES SERVING SITE**

- |   |  |
|---|--|
| <b>WATER COMPANY</b><br>GOLDEN STATE WATER COMPANY<br>401 S. SAN DIMAS CANYON RD.<br>SAN DIMAS, CALIFORNIA 91773            | <b>TELEPHONE COMPANY</b><br>PAC BELL<br>1 RIVER OAKS<br>SAN JOSE, CA<br>(800) 750-2355 |
| <b>ELECTRIC COMPANY</b><br>SOUTHERN CALIFORNIA EDISON COMPANY<br>7951 REDWOOD AVENUE<br>FONTANA, CA 92336<br>(909) 357-6223 | <b>SEWER</b><br>CITY OF CLAREMONT<br>207 HARVARD<br>CLAREMONT, CA<br>(909) 399-5479    |
| <b>GAS COMPANY</b><br>THE GAS COMPANY<br>13525 12th STREET<br>CHINO, CA 91710<br>(909) 613-1526                             |  |

JN303066