

## **2.1 Introduction to Changes, Revisions, and Modifications**

Based on the comments received by the Lead Agency during the noticed comment period, as separately established by the Lead Agency and by the SCH, the City has augmented the information and analysis presented in the DEIR in response to those comments and the Lead Agency’s continuing technical analysis of the proposed project. The changes, revisions, and other modifications to the DEIR identified herein serve only to clarify and augment the information and analysis previously provided by the Lead Agency. None of the additional information presented herein constitute “substantial new information” predicated recirculation of the DEIR pursuant to Section 15088.5 of the State CEQA Guidelines. Recirculation of the DEIR is not required when the new information merely clarifies or amplifies or makes insignificant modifications to an otherwise adequate document. The additional information presented herein fails to meet the standard for recirculation as prescribed in the State CEQA Guidelines.

## **2.2 Changes, Revisions, and Other Modifications**

### **2.2.1 Draft Environmental Impact Report**

Based on written comments received on the DEIR and the Lead Agency’s responses thereto, the following changes, revisions, and other modifications to the DEIR are hereby recommended. Recommended deletions are identified through the use of ~~strikeouts~~ and recommended additions to the document’s text are indicated through the use of underlining. Unless otherwise noted, page references are with regards to the DEIR. Footnotes found in the DEIR have not been repeated herein but are nonetheless retained.

#### **Executive Summary – Project Description (p. ES-2)**

The following minor changes are made to the Executive Summary (Project Description) in the DEIR:

##### *Second Paragraph*

Based on the site’s existing “City of Diamond Bar General Plan” (General Plan) and zoning designations, the proposed project includes a General Plan amendment (GPA No. 2007-03) from “Public Facility (PF)” and “General Commercial (C)” to “Specific Plan” (SP),” with a corresponding zone change (ZC) from “Low Medium Residential (R-1 7,500),” “Low Density Residential (R-1 10,000),” and “~~Community Commercial (C-2)~~” “Neighborhood Commercial (C-1)” to “Specific Plan (SP).” Also proposed is the approval of a tentative subdivision map (Tentative Tract Map No. 70687) establishing separate residential, commercial, and open space parcels and creating an internal circulation system and establishing easements and other rights-of-way for utility and other purposes.

#### **Executive Summary – Project Alternatives (pp. ES-4 and ES-5)**

The following minor changes are made to the Executive Summary (Project Alternatives) in the DEIR:

*Sixth Paragraph*

Alternative 3 (“Community Commercial” Alternative). The City Property is designated “General Commercial (C) (max. 1.0 FAR)” in the General Plan and zoned ~~“Community Commercial (C-2)”~~ “Neighborhood Commercial (C-1)” on the City’s Official Zoning Map. For the purpose of this alternative, neighborhood-based commercial development is assumed to occur throughout the estimated developable area of the project site (20.2 acres) at a floor-area-ratio (FAR) of 0.35. Based on that FAR, a total of about 307,969 square feet of neighborhood-serving commercial use would be developed on the project site.

**Executive Summary – Areas of Controversy** (p. ES-6)

The following minor changes are made to the Executive Summary (Areas of Controversy) in the DEIR:

*Third Paragraph*

Should the City could deny or reject the proposed SDSP, because the project site is presently zoned “Low Medium Residential (R-1-7,500),” “Low Density Residential (R-1-10,000),” and ~~“Community Commercial (C-2)”~~ “Neighborhood Commercial (C-1).” it should be assumed that the property would nonetheless be developed for residential and commercial use in accordance with existing land-use policies. Absent the processing of an agency-sponsored specific plan, the City will have less input with regards to the manner in which the property is developed, the nature of the resulting land uses, and the design standards established for those uses.

**Section 2.3 – Project Description – Project Description** (p. 2-9)

The following minor changes are made to Section 2.3 (Project Description) in Section 2.0 (Project Description) in the DEIR:

*Second Paragraph*

Based on the site’s existing General Plan and zoning designations, the proposed project includes a General Plan amendment (GPA No. 2007-03) from “Public Facility (PF)” and “General Commercial (C)” to “Specific Plan” (SP),” with a corresponding zone change (ZC) from “Low Medium Residential (R-1 7,500),” “Low Density Residential (R-1 10,000),” and ~~“Community Commercial (C-2)”~~ “Neighborhood Commercial (C-1)” to “Specific Plan (SP).” Also proposed is the approval of a tentative map or vesting tentative map establishing separate residential, commercial, and open space parcels and creating an internal circulation system and establishing easements and other on-site rights-of-way for utilities and other purposes.

**Section 2.3.1 – Project Description – General Plan Amendment and Zone Change** (p. 2-10)

The following minor changes are made to Section 2.3.1 (General Plan Amendment and Zone Change) in Section 2.0 (Project Description) in the DEIR:

*First, Second, and Third Paragraphs*

As illustrated on the General Plan Land Use Map, the District Property is designated “Public Facilities (PF)” and the City Property is designed “General Commercial (C) (max. 1.0 FAR).” The western portion of the project site is zoned ~~“Community Commercial (C-2)”~~ “Neighborhood Commercial (C-1)” and the eastern portion of the project site is zoned “Low Density Residential (R-1-7,500)” and “Low Medium Density Residential (R-1-10,000)” on the City’s Official Zoning Map.

The ~~“Community Commercial (C-2)”~~ “Neighborhood Commercial (C-1)” zoning district is applied to areas appropriate for a wide range of retail shopping and service uses, primarily intended to serve the needs of City residents. The allowable floor-area-ratio for non-residential uses shall be from 0.25-1.00. The “Low Medium Residential (R-1-7,500)” zoning district is intended primarily for parcels developed with existing detached single-family dwellings. The maximum allowed density for new residential subdivisions is 3 units/gross acre and the minimum lot size 7,500 square feet. The “Low Density Residential (R-1-10,000)” zoning district is intended primarily for existing subdivided areas developed with detached single-family dwellings. The maximum allowed density for new residential subdivisions is 5 units/gross acre and the minimum lot size 10,000 square feet.

Proposed is the adoption of a General Plan amendment (GPA 2007-03) from “Public Facility (PF)” and “General Commercial (C)” to “Specific Plan.” Also proposed is a corresponding zone change (ZC) from “Low Medium Residential (R-1-7,500),” “Low Density Residential (R-1-10,000),” and ~~“Community Commercial (C-2)”~~ “Neighborhood Commercial (C-1)” to “Specific Plan (SP).” The GPA and ZC would encompass and, if adopted, be applicable to the entire approximately 29.69-acre site.

**Section 2.5.1 – Project Description – City of Diamond Bar (p. 2-19)**

The following minor changes are made to Section 2.5.1 (City of Diamond Bar) in Section 2.0 (Project Description) in the DEIR:

*Fourth Paragraph*

Zone change. As specified in Section 22.70.050 in Chapter 22.10 (General Plan, Development Code, and Zoning Map Amendment) in Title 22 (Development Code) of the Municipal Code, the City Council shall adopt an amendment to the General Plan, the Development Code, or the zoning map only if it finds that the proposed amendment is internally consistent with the General Plan and other adopted goals and policies of the City. Concurrent with the adoption of the “Site D’ Specific Plan,” proposed is a zone change from “Low Medium Residential (R-1-7,500),” “Low Density Residential (R-1-10,000),” and ~~“Community Commercial (C-2)”~~ “Neighborhood Commercial (C-1)” to “Specific Plan (SP).”

**Section 4.1.1.1 – Land Use – Regulatory Setting – City of Diamond Bar Municipal Code (p. 4.1-4)**

The following minor changes are made to Section 4.1.1.1 (Regulatory Setting) in Section 4.1 (Land Use) in the DEIR:

*First Paragraph*

In accordance with Section 22.06.020 (Zoning Districts Established) in Chapter 22.06 (Establishment of Zoning Districts, Adoption of Zoning Map) in Title 21 (Subdivisions) of the Municipal Code, the City is divided in zoning districts which serve to implement the General Plan. Those zoning districts are shown on the Official Zoning Map (Section 22.06.030). The eastern portion of the project site is zoned “Low Density Residential (R-1-7,500)” and “Low Medium Density Residential (R-1-10,000)” on the City’s Official Zoning Map. The western portion of the site is zoned ~~“Community Commercial (C-2)”~~ “Neighborhood Commercial (C-1)” on the City’s Official Zoning Map.

**Section 4.1.3.2 – Land Use – Impact Analysis – Consistency Analysis (pp. 4.1-13 and 4.1-14)**

The following minor changes are made to Section 4.1.3.2 (Consistency Analysis) in Section 4.1 (Land Use) in the DEIR:

*Sixth and Seventh Paragraphs*

The western portion of the project site is zoned ~~“Community Commercial (C-2)”~~ “Neighborhood Commercial (C-1)” and the eastern portion of the project site is zoned “Low Density Residential (R-1-7,500)” and “Low Medium Density Residential (R-1-10,000)” on the City’s Official Zoning Map. As specified in Subsection (d)(2) in Section 22.06.040 (Zoning District Regulations) of the Development Code: “Where a lot line adjustment or tentative map application proposes the consolidation of two or more parcels, so that a single parcel would be covered by two or more zoning districts, the application for adjustment or map approval shall be accompanied by an application for rezoning the lot into a single zoning district, in compliance with Chapter 22.70 (General Plan, Development Code, and Zoning Map Amendments).” Absent a specific plan, assuming a lot-line adjustment to better equate the existing zoning with the site’s development potential, as represented in Figure 2-3 (“Site D” Specific Plan - Conceptual Land-Use Plan), approximately 10.09-acre and 10.07-acre portions of the property would be allotted to commercial and residential uses, respectively. The remaining approximately 9.53-acres of the 29.69-acre property would be used to accommodate internal circulation and would become common open space areas that, for the purpose of assessing development potential, could be assignable to either the commercial or residential acreage.

As specified in Section 22.10.020 (Purpose of Commercial/Industrial Zoning Districts) in Chapter 22.10 (Commercial/Industrial Zoning Districts) of the Development Code, the allowable FAR for non-residential development in the ~~“Community Commercial (C-2)”~~ “Neighborhood Commercial (C-1)” zoning district

## **“Site D” Specific Plan**

City of Diamond Bar, California

---

shall be from 0.25 to 1.00. In accordance therewith, a range of between 109,880 and 439,520 square feet of commercial use could be developed on the project site. The 153,985 square feet of commercial use now being proposed falls near the lower end (0.35 FAR) of the allowable FAR range and would, therefore, be consistent with the City’s land-use policies.

### **Section 4.9.1.2 – Public Services – Regional Setting – Fire Protection and Paramedic Service (p. 4.9-8)**

The following minor changes are made to Section 4.9.1.2 (Regional Setting) in Section 4.9 (Public Services) in the DEIR:

#### *First, Second, and Third Paragraphs*

~~Fire protection and paramedic services within County unincorporated areas and contract cities, including the City, are provided by the Los Angeles County Fire Department (LACFD). The Los Angeles County Fire Department (LACFD) provides fire protection and emergency medical services to the unincorporated areas of Los Angeles County and 58 District cities, including the City of Diamond Bar.~~ Other statutory responsibilities of the LACFD include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for high fire severity areas, archeological and cultural resources, and the County’s Oak Tree Ordinance (Section 22.56.2050 *et seq.*, County Code). Funding for fire protection and emergency medical services is through a portion of the ad valorem tax and special tax assessment of property owners.

~~The LACFD provides emergency and non-emergency services, either directly or through mutual aid agreements, to County unincorporated areas and to contract cities. Fire protection services in the City are provided by the LACFD under specified contract provisions.~~

Organizationally, the LACFD operates from nine divisions and twenty-two battalions. The project site is located in Division VIII (Battalions 19). Within the general project area, LACFD Division VIII facilities include: (1) Fire Station 119 (20480 E. Pathfinder Road, Walnut); (2) Fire Station 120 – Battalion Headquarters (1051 S. Grand Avenue, Diamond Bar); (3) Fire Station 121 (346 Armitos Place, Diamond Bar); (4) Fire Station 61 (20011 La Puente Road, Walnut); ~~and~~ (5) Fire Station 187 (3325 Temple Avenue, Pomona); and (6) Fire Station 146 (20604 E. Loyaltan Drive, Walnut).

### **Section 4.9.1.2 – Public Services – Local Setting – Los Angeles County Fire Department (p. 4.9-17)**

The following minor changes are made to Section 4.9.1.3 (Local Setting) in Section 4.9 (Public Services) in the DEIR:

Table 4.9-5  
**FIRE STATION 119 STATISTICAL SUMMARY (2007 2008)**

Unit	Totals	Fires	EMS	Hazard Material	Service	False	Other
Station 119	4,147 <u>1,187</u>	34 <u>17</u>	802 <u>885</u>	20 <u>37</u>	34 <u>46</u>	454 <u>119</u>	406 <u>83</u>
Engine 119	4,490 <u>1,386</u>	404 <u>83</u>	834 <u>820</u>	35 <u>55</u>	54 <u>63</u>	230 <u>168</u>	233 <u>197</u>
Squad 119	2,794 <u>2,817</u>	39 <u>32</u>	2,227 <u>2,357</u>	30 <u>47</u>	39 <u>22</u>	284 <u>204</u>	478 <u>155</u>

Source: Los Angeles County Fire Department, ~~Debra A. Aguirre~~, Chief, Planning Division, May 2008 Frank Vidales, Acting Chief, Forestry Division, September 11, 2009.

**Section 4.9.1.2 – Public Services – Regional Setting – Library Services (p. 4.9-11)**

The following minor changes are made to Section 4.9.1.2 (Regional Setting) in Section 4.9 (Public Services) in the DEIR:

*Third and Fourth Paragraphs*

Applicable only to County unincorporated areas, the library facilities mitigation fee is a uniform fee within each library planning area based on the estimated cost of providing the projected library facility needs in each library planning area. As indicated in Section 22.72.030 (Establishment of Library Facilities Mitigation Fee) in Chapter 22.72 (Library Facilities Mitigation Fee) in the County Code, for Planning Area 4 (East San Gabriel Valley), the current library facilities mitigation fee is set at ~~\$763~~ \$788 per dwelling unit. As determined by the Library, the payment of the applicable fee “will result in the mitigation of new residential development on the County’s ability to provide needed library facilities to serve population increases in the unincorporated areas of the County.” The City has neither adopted a corresponding fee program nor established or previously applied a fee assessment for a project’s incremental impacts upon County Library services.

The project site is situated within the service area of the Diamond Bar Library (1061 S. Grand Avenue, Diamond Bar). The Diamond Bar Library is 9,935 gross square feet in size and houses a collection consisting of ~~89,446~~ 82,815 books (as of March 31, 2009) and other library materials.

**Section 4.9.1.3 – Public Services – Local Setting – Library Services (p. 4.9-18)**

The following minor changes are made to Section 4.9.1.3 (Local Setting) in Section 4.9 (Public Services) in the DEIR:

*First Paragraph*

The County Library’s current service level guidelines for planning purposes ~~area~~ are a minimum of 0.50 gross square feet of library facility space per capita and 2.75 items (books and other library materials) per capita. Based on its service area population of 56,233 persons, the Diamond Bar Library, including the 14

public access computers, does not currently meet County Library guidelines in providing library services to the residents it serves.

**Section 4.9.3.2 – Public Services – Operational Impacts – Impact 9-7** (p. 4.9-27)

The following minor changes are made to Section 4.9.3.2 (Operational Impacts) in Section 4.9 (Public Services) in the DEIR:

*Last Paragraph*

The County Library's current service level guidelines for planning purposes are a minimum of 0.50 gross square foot of library facility space per capita and 2.75 items (books and other library materials) per capita. Based on an estimated service area population of 56,233 persons, as derived from Census data, the Diamond Bar Library would need a 28,115 square foot facility and 154,640 items in order to meet ~~that standard~~ the County Library's service level guidelines. In comparison, the Diamond Bar Library is only 9,935 gross square feet in size and houses a collection consisting of only ~~89,446~~ 82,815 books and other library materials. Absent any consideration of project-related impacts, based on County Library ~~standards~~ service level guidelines, the City requires an additional 18,180 square feet of library space and an additional ~~65,194~~ 71,825 items. It is, therefore, apparent that new or expanded library facilities and services are needed to adequately serve the general project area.

The County Library has a service level guideline of 4 parking spaces per 1,000 gross square feet of building size. Based on the Diamond Bar Library's facility size of 9,935 square feet, the existing 38 parking spaces do not meet this service level guideline. In addition, the Diamond Bar Library requires an additional 74 parking spaces to meet the needs of the current service area population of 56,233 (2000 Census). The County Library has a service level guideline of 1.0 public access computer per 1,000 people served. Based on the Diamond Bar Library's current service area population of 56,233 (2000 Census), the existing 14 public access computers do not meet this service level guideline.

**Section 4.10.1.2 – Utilities and Service Systems – Regional Setting** (p. 4.10-2)

The following minor changes are made to Section 4.10.1.2 (Regional Setting) in Section 4.10 (Utilities and Service Systems) in the DEIR:

*Second Paragraph*

The Districts' service area covers approximately 800 square miles and encompasses 78 cities and unincorporated territory within the County. Within the CSDLAC's service area, there are approximately 9,500 miles of sewers that are owned and operated by the cities and County that are tributary to the Districts' wastewater collection system. The Districts own, operate and maintain approximately 1,400 miles of sewers, ranging from 8-inch to 144-inch in diameter, that convey approximately 500 million gallons per day (mgd) of wastewater to eleven wastewater treatment plants with a combined capacity of ~~627.8~~ 651.8 mgd. Included in the Districts' wastewater collection system are 52

active pumping plants located throughout the County. The Districts' service area includes sewer systems located within the Joint Outfall System, the Santa Clarita Valley, and the Antelope Valley.

*Fourth Paragraph*

Municipal sewer flows generated within the City are treated at the CSDLAC's San Jose Creek Water Reclamation Plant (1965 Workman Mill Road, Industry). Wastewater that exceeds the capacity of that facility and all sludge are diverted to and treated at the CSDLAC's Joint Water Pollution Control Plant (24501 South Figueroa Street, Carson). The facility provides both primary and secondary treatment for approximately ~~320~~ 290 million gallons of wastewater per day.

*Fifth Paragraph*

The project site is located within County Sanitation District No. 21. County Sanitation District No. 21, in combination with 16 other districts, are signatories to a Joint Outfall Agreement which provides for a regional, interconnected system of facilities known as the Joint Outfall System (JOS). JOS facilities include the Joint Water Pollution Control Plant (JWPCP), five water reclamation plants (WRPs), and the interconnected network of sewers and pumping plants. The JWPCP provides ~~advanced primary treatment to all influent wastewater plus secondary treatment to approximately 60 percent of the flow~~ all wastewater received, followed by ocean disposal. The WRPs provide tertiary treatment and the reclaimed water is reused or discharged to inland waters.

**Section 4.10.1.2 – Utilities and Service Systems – Regional Setting** (p. 4.10-3)

The following minor changes are made to Section 4.10.1.2 (Regional Setting) in Section 4.10 (Utilities and Service Systems) in the DEIR:

The proposed project is tributary to the SCJWRP. The SCJWRP has a design capacity of 100 mgd and currently processes an average flow of ~~83.4~~ 78.5 mgd. Wastewater flows that exceed the capacity of the SJCWRP and all biosolids are diverted and treated at the JWPCP. Approximately one-half of the reclaimed water produced at the SJCWRP is reused, mostly for groundwater recharge. The remainder is put into the San Gabriel River and flows to the Pacific Ocean.

**Section 4.10.1.3 – Utilities and Service Systems – Local Setting** (p. 4.10-3)

The following minor changes are made to Section 4.10.1.3 (Local Setting) in Section 4.10 (Utilities and Service Systems) in the DEIR:

Local sewer lines in the general project area, which are not maintained by the CSDLAC, conveys wastewater to an 18-inch diameter trunk sewer line (~~Districts No. 21 Outfall~~ Diamond Bar Trunk Sewer) is located in Brea Canyon Road at Via Sorella. This trunk sewer has a design capacity of 12.3 mgd and conveyed a peak flow of 4.9 mgd when last measured in 2005.

### **Section 4.10.3.2 – Utilities and Service Systems – Operational Impacts (p. 4.10-5)**

The following minor changes are made to Section 4.10.3.2 (Operational Impacts) in Section 4.10 (Utilities and Service Systems) in the DEIR:

The project generally gravity flows sewage toward the west portion of the property. The wastewater flow originating from the proposed project will discharge to a local sewer line, which is not maintained by the CSDLAC, for conveyance to the ~~Districts No. 21 Outfall~~ Diamond Bar Trunk Sewer, located in Brea Canyon Road at Via Sorella. This 18-inch diameter trunk sewer has a design capacity of 12.3 mgd and conveyed a peak flow of 4.9 mgd when last measured in 2005. Assuming that peak flow rates have not changed substantially since 2005, even with the proposed project’s projected contribution (0.25 mgd), sufficient capacity exists in the ~~Outfall~~ Diamond Bar Truck Sewer to readily accommodate the proposed development.

### **Section 4.13.1.3 – Growth Inducement – Local Setting (p. 4.13.6)**

The following minor changes are made to Section 4.131.3 (Local Setting) in Section 4.13 (Growth Inducement) in the DEIR:

#### *Third Paragraph*

With regards to zoning, the eastern portion of the project site is zoned “Low Density Residential (R-1-7,500)” and “Low Medium Density Residential (R-1-10,000)” on the City’s Official Zoning Map. The western portion of the site is zoned “~~Community Commercial (C-2)~~” “Neighborhood Commercial (C-1)” on the City’s Official Zoning Map. Development of the project site in accordance with the site’s existing zoning designations would allow for the introduction of new residential and commercial uses.

### **Section 6.4 – Alternatives Analysis – Alternatives under Consideration (p. 6-8)**

The following minor changes are made to Section 6.4 (Alternatives under Consideration) in Section 6.0 (Alternatives Analysis) in the DEIR:

#### *Third and Fourth Paragraphs*

Alternative 3 - “Community Commercial” Alternative. The City Property is designated “General Commercial (C) (max. 1.0 FAR)” in the General Plan and zoned “~~Community Commercial (C-2)~~” “Neighborhood Commercial (C-1)” on the City’s Official Zoning Map.

As specified in Subsection (d)(2) in Section 22.06.040 (Zoning District Regulations) of the Development Code: “Where a lot line adjustment or tentative map application proposes the consolidation of two or more parcels, so that a single parcel would be covered by two or more zoning districts, the application for adjustment or map approval shall be accompanied by an application for rezoning the lot into a single zoning district, in compliance with Chapter 22.70 (General Plan, Development Code, and Zoning Map Amendments).” This alternative is

predicated upon the geographic expansion of the ~~“Community Commercial (C-2)”~~ “Neighborhood Commercial (C-1),” referenced herein as the “Community Commercial” Alternative. land-use designation within the estimated developable area of the project site (20.2 net acres) in accordance with those Development Code standards applicable to that zone.

### **Section 6.4.3 – Alternatives Analysis – Alternative 3 – “Community Commercial” Alternative** (p. 6-14)

The following minor changes are made to Section 6.4 (Alternative 3 “Community Commercial” Alternative) in Section 6.0 (Alternatives Analysis) in the DEIR:

#### *First Paragraph*

Alternative Project Description. Under this alternative, the project site would be developed for commercial use in accordance with the ~~“Community Commercial (C-2)”~~ “Neighborhood Commercial (C-1)” standards outlined in Chapter 22.10 (Commercial/Industrial Zoning Districts) of the Municipal Code. As specified in Section 22.10.020 (Purpose of Commercial/Industrial Zoning Districts) therein, the ~~C-2~~ C-1 zoning district is applied to areas appropriate for a wide range of retail shopping and service uses, primarily intended to serve the needs of City residents. The allowable floor-area-ratio (FAR) for non-residential development shall be from 0.25 to 1.00 (Section 21.10.040).

### **Section 8.0 – References** (pp. 8-1 through 8-8)

The following additional documents are hereby included among the list of documents cited in Section 8.0 (References) in the DEIR:

- California Energy Commission, 2007 Integrated Energy Policy Report, CEC-100-2007-008-CMF, 2007.
- California Environmental Protection Agency, California Air Resources Board, The Land Use – Air Quality Linkage: How Land Use and Transportation Affect Air Quality, 1997 Edition
- United States Environmental Protection Agency, 2006 Inventory of U.S. Greenhouse Gas Emissions and Sinks ([http://www.epa.gov/climatechange/emissions/downloads06/06\\_Complete\\_Report.pdf](http://www.epa.gov/climatechange/emissions/downloads06/06_Complete_Report.pdf)).
- United Nations Framework on Climate Change, Sum of Annex I and Annex II Countries without Counting Land-Use, Land-Use Change, and Forestry ([http://unfccc.int/ghg\\_emissions\\_data/predefined\\_queries/items/3814.php](http://unfccc.int/ghg_emissions_data/predefined_queries/items/3814.php)).

## **2.2.2 Draft “Site D” Specific Plan**

A number of minor inconsistencies between the main body and the technical appendices of the draft SDSP, dated June 2009, were identified following the document’s release. Although the main body of the draft SDSP correctly reflected the project under consideration, a number of exhibits presented in the appendices of that document had not been concurrently updated to reflect the project described in the main text. Those exhibits, as presented herein, include: (1) Table 3-2 (Commercial Development Standards Summary); (2) Exhibit 7 (Irreducibles Diagram); and (3) Exhibit 19 (Tentative Tract Map).”

<b>TABLE 3-2 COMMERCIAL DEVELOPMENT STANDARDS SUMMARY</b>	
DEVELOPMENT STANDARD	COMMERCIAL/RETAIL
Maximum Floor Area	153,985
Permitted Uses	Diamond Bar Development Code Section 22.10.030
Minimum Lot Size	30,000 sq. ft.
Minimum Landscape Zone from Property Line:	
Diamond Bar Boulevard Property Line	35 feet
Brea Canyon Road Property Line	35 feet
Southerly Residential Property Line	30 feet
Easterly Residential Edge	30 feet
Minimum Building Setbacks from top or toe of slope:	
Diamond Bar Boulevard Property Line	15 feet
Brea Canyon Road Property Line	15 feet
Southerly Residential Property Line	85 feet
Easterly Residential Edge	30 feet
Maximum Floor Area Ratio (FAR)	0.35
Maximum Building Height	40 feet
Maximum Building Height with Architectural Projection	50 feet
Maximum Wall and Fence Height	6 feet
Maximum Retaining Wall Height	40 feet
Landscaping Requirements	12%
Off-Street Parking Requirements	5 per 1,000 F.A.R.
Signage Requirements	

Revised Table 3-2  
**“SITE D’ SPECIFIC PLAN”**  
**COMMERCIAL DEVELOPMENT STANDARDS SUMMARY**  
 Source: TRG Land

**This page intentionally left blank.**

**“Site D” Specific Plan**  
 City of Diamond Bar, California





### **3.1 Introduction to Response to Comments**

The Lead Agency’s written responses to those written and oral comments received by the Lead Agency during and immediately following the noticed comment period, as established by the NOC and NOA, and at the August 3, 2009 noticed scoping meeting are presented herein. Preceding the City’s written response to each written and oral comment is the corresponding text for which the response is provided, as extracted from: (1) the written comment letters and emails received by the Lead Agency during and subsequent to the noticed comment period; (2) the written comment cards received by the Lead Agency either during or subsequent to the Lead Agency’s August 3, 2009 “Neighborhood Forum of Site ‘D’ Specific Plan Draft Environmental Impact Report”; and (3) the oral comments and testimony extracted from the City-prepared minutes of that noticed scoping meeting.

It should be noted that a response to all comments is neither required under CEQA nor, at times, appropriate based on the specific nature of the stated comment or expressed concern. Responses have been provided by the Lead Agency to only those comments that are raised with regards to environmental issues associated with the proposed project, including any cumulative impacts that may be associated therewith. Comments that do not specifically address an environmental issue do not require a technical response by the Lead Agency under CEQA or the State CEQA Guidelines.

Those comments that do not raise an environmental issue and/or which present the personal opinion of the author have been “acknowledged” by the Lead Agency but no further reply is presented herein. The Lead Agency’s “acknowledgement” should not be construed as either confirmation or acceptance of the position(s) offered or the point(s) raised. Those opinions, positions, and points will, however, be considered by the advisory and decision-making bodies of the Lead Agency as part of their deliberations concerning the proposed project.

All of the referenced comments received by the Lead Agency, inclusive of emails, comment cards, and oral testimony submitted at the “Neighborhood Forum of Site ‘D’ Specific Plan Draft Environmental Impact Report,” both during and following the close of the noticed comment period on August 10, 2009, have been included herein. Each letter, email, comment card, and oral testimony has been notated to assist the reviewer in identifying the referenced comment and to facilitate a comparison between the stated comment and the Lead Agency’s written response.

As illustrated in [Appendix III-B](#) (Comment Letters, Emails, and Comment Cards) and in [Appendix III-C](#) (Minutes of the City of Diamond Bar Neighborhood Forum of Site “D” Specific Plan Draft Environmental Impact Report (Heritage Park Community Center, 2900 S. Brea Canyon Road, Diamond Bar, August 3, 2009)), each of the written and oral comments received by the City has been separately numbered. Each statement, comment, or question addressing an environmental aspect of the proposed project has been numbered to provide a cross-reference between the comment and the Lead Agency’s response.

### **3.2 Response to Comments**

Separately itemized below are written comments received by the Lead Agency from governmental entities and from non-governmental entities in response to the Lead Agency’s NOC and NOA and Neighborhood Forum of Site ‘D’ Specific Plan Draft Environmental Impact Report.” This categorization is neither intended to suggest any prioritization or ranking nor to suggest that one group of comments is given greater value or importance than another group of

comments. The distinction herein is intended to facilitate the Lead Agency’s compliance with the provisions of Section 21092.5(a) of CEQA. As specified therein: “At least 10 days prior to certifying an environmental impact report, the lead agency shall provide a written proposed response to a public agency on comments made by that agency which conform with the requirements of this division.”

### **3.2.1 Written Comments from Governmental Entities**

#### Letter No. I-1

Elmer Alvarez, IGR/CEQA Program Manager  
California Department of Transportation, District 7  
Regional Planning, IGR/CEQA Branch  
100 South Main Street  
Los Angeles, California 90012

Comment I-1-1      Thank you for including the California Department of Transportation (Caltrans) in the review process for the Site “D” Specific Plan consisting of 202 dwelling units and 153,985 SF of commercial use. We have reviewed the traffic analysis provided in subject DEIR and concur [sic: concur] the project’s significant traffic impacts at the following intersections. (1) SR-57 SB Ramps at Brea Canyon Cutoff Road. (2) SR-57 NB Ramps at Brea Canyon Cutoff/Diamond Bar Boulevard. We also acknowledge the willingness of the project’s proponent to participate in fair share contribution toward recommended improvements to mitigate and reduce the level of the impact to insignificant at both intersections described in detail on Page 4.6-45 to 4.6-53 of the report.

Response I-1-1      This comment is acknowledged.

Comment I-1-2      We remind you that any improvements to State highway facilities would need to meet all Caltrans mandatory design standards and go through the encroachment permit process. We request the City coordinate all proposed improvements with Caltrans as soon as possible.

Response I-1-2      The Lead Agency recognizes and understands that any City-initiated improvements to State highway facilities would need to meet all applicable Caltrans mandatory design standards and would need to go through Caltrans’ encroachment permit process.

Comment I-1-3      If you have any questions regarding this response, please call the Project Engineer/Coordinator Mr. Yerjanian at (213) 897-6536 and refer to IGR/CEQA #090637/NY.

Response I-1-3      This comment is acknowledged.

#### Letter No. I-2

Ruth I. Frazen, Customer Service Specialist  
County Sanitation Districts of Los Angeles County  
Facilities Planning Department  
1955 Workman Mill Road  
Whittier, California 90601-1400

## **“Site D” Specific Plan**

City of Diamond Bar, California

---

---

- Comment I-2-1      The County Sanitation Districts of Los Angeles County (Districts) received a Draft Environmental Impact Report for the subject project on June 29, 2009. The proposed development is located within the jurisdictional boundaries of District No. 21.
- Response I-2-1      This comment is acknowledged.
- Comment I-2-2      Page 4.10-2, 4.10.1.2 Regional Setting, 2<sup>nd</sup> paragraph. The Districts’ eleven wastewater treatment plants have a combined capacity of 651.8 million gallons per day (mgd). 4<sup>th</sup> paragraph: The Joint Water Pollution Control Plant (JWPCP) currently processes approximately 290 mgd. 5<sup>th</sup> paragraph: The JWPCP provides secondary treatment to all wastewater received.
- Response I-2-2      Based on the above comment, as indicated in Section 2.2 (Changes, Revisions, and Other Modifications) herein, the DEIR has been updated to reflect the most recent data from the Districts.
- Comment I-2-3      Page 4.10-3, 4.10.1.2 Regional Setting, 2<sup>nd</sup> paragraph. The San Jose Creek Water Reclamation Plant currently processes an average flow of 78.5 mgd.
- Response I-2-3      Based on the above comment, as indicated in Section 2.2 (Changes, Revisions, and Other Modifications) herein, the DEIR has been updated to reflect the most recent data from the Districts.
- Comment I-2-4      Page 4.10-2, 4.10.1.3 Local Setting and Page 4.10-5, 4<sup>nd</sup> paragraph, 2 places. Local sewer lines in the project area convey wastewater to the Districts’ 18-inch diameter Diamond Bar Truck Sewer, not the District No. 21 Outfall Trunk Sewer.
- Response I-2-4      Based on the above comment, as indicated in Section 2.2 (Changes, Revisions, and Other Modifications) herein, the DEIR has been updated to reflect the most recent data from the Districts.
- Comment I-2-5      All other information concerning Districts’ facilities and sewerage service contained in the document is current.
- Response I-2-5      This comment is acknowledged.

### Letter No. I-3

Sheryl L. Shaw, P.E.  
Walnut Valley Water District  
271 South Brea Canyon Road  
Walnut, California 91789-3002

- Comment I-3-1      Thank you for the opportunity to review and provide comments to be considered for the subject Draft Environmental Impact Report. The Walnut Valley Water District (District) is a California Water District and the agency that will be supplying water to the development. The District

purchases imported water from Three Valleys Municipal Water District, a member agency of the Metropolitan Water District of Southern California (MWD).

Response I-3-1      This comment is acknowledged.

Comment I-3-2      Water service for the proposed development within the District’s boundary shall be subject to the availability of water from MWD. The District is completely dependant on imported water from MWD as its sole supplier of water for domestic purposes and does not guarantee specific pressures or flows. Also, the proposed Specific Plan consists of fewer than 500 dwelling units (202 units) and the commercial use has less than 250,000 square feet (154,000 square feet) of floor space; therefore, the requirements for reliable water supply stipulated under Senate Bill SB 221 and SB 610 do not apply. The District believes there to be sufficient supply for the proposed development; however, Project Alternative No. 3 reaches beyond the limits mentioned above and would warrant that a Water Supply Assessment be performed.

Response I-3-2      This comment is acknowledged.

Comment I-3-3      In light of the current water supply conditions, and the District’s dependence on imported water, the District requires that all new developments assist the District in ensuring that sources of water are available to meet its future needs. Based on recent District Board of Director’s action, the developer is required to fully mitigate the impacts of increased water demands. This may be accomplished through the implementation of projects or programs that will offset or reduce existing potable water demands, such as conservation or recycled water system expansion. The District will require the developer to directly fund its fair share of such projects or programs.

Response I-3-3      This comment is acknowledged.

Letter No. I-4  
Terri Maguire, Chief Deputy County Librarian  
County of Los Angeles Public Library  
7400 East Imperial Highway  
Downey, California 90242

Comment I-4-1      This is to provide you with written comments on the Draft Environmental Impact Report (DEIR) for the Proposed “Site D” Specific Plan in the City of Diamond Bar.

Response I-4-1      This comment is acknowledged.

Comment I-4-2      Mitigation Measure for Library Services. The DEIR did not include a measure to mitigate the impact of the proposed project on library services. Without a mitigation measure, the 662 new residents resulting from the proposed project would adversely affect the service capacity of

## “Site D” Specific Plan

City of Diamond Bar, California

---

---

the Diamond Bar Library to adequately serve the existing residents of its service area. We continue to recommend that there be discussions in the future between City representatives and the County Public Library regarding acceptable measures, including the payment of fees or a fair share contribution for the improvement of library facilities, to offset the potential impact of this proposed project on the Diamond Bar Library services.

Response I-4-2 Because the City has not adopted a fee program benefitting the County of Los Angeles Public Library, the provisions of the County’s “Library Facilities Mitigation Fee Program,” as codified in Section 22.72.030 (Establishment of Library Facilities Mitigation Fee) of the County Code, have not been applied to the proposed project. Although the DEIR acknowledges that the project will incrementally increase demands on County library services, the document concluded that impacts on library services and facilities would be less than significant. No mitigation was, therefore, deemed required.

Comment I-4-3 Update and Corrections to Library Information in the DEIR. [1] Budgeted expenditures are \$33.91 per capita for Fiscal Year 2007-08. (Page 4.9-11). [2] The current mitigation fee for Planning Area 4, East San Gabriel, is \$788 per dwelling unit. (Page 4.9-11). [3] The Diamond Bar Library currently has a collection of 82,815 books and other library material as of March 31, 2009 (latest data available). Based on this updated figure, the Diamond Bar Library requires an additional 71,825 items to meet the County Library’s service level guidelines for the service area population of 56,233 (2000 Census) (Pages 4.9-11 and Page 4.9-27). [4] The County Library’s current service level guidelines for planning purposes area are a minimum of 0.50 gross square feet foot of library space per capita. (Page 4.9-18). [5] Absent any consideration of project-related impacts, based on County Library standards service level guidelines, the City Library requires an additional 18,180 square feet of library space. (Page 4.9-27).

Response I-4-3 Based on the above comment, as indicated in Section 2.2 (Changes, Revisions, and Other Modifications) herein, the DEIR has been updated to reflect the most recent data from the County Public Library.

Comment I-4-4 Additional Library Service Level Guidelines Not Addressed in the DEIR. [1] The County Library has a service level guideline of 4 parking spaces per 1,000 gross square feet of building size. Based on the Diamond Bar Library’s facility size of 9,935 square feet, the existing 38 parking spaces do not meet this service level guideline. In addition, the Diamond Bar Library requires an additional 74 parking spaces to meet the needs of the current service area population of 56,233 (2000 Census). [2] The County Library has a service level guideline of 1.0 public access computer per 1,000 people served. Based on the Diamond Bar Library’s current service area population of 56,233 (2000 Census), the existing 14 public access computers do not meet this service level guideline. It is important to address this guideline in the DEIR because changes in technology

have greatly affected the libraries in terms of service delivery, demand for services, and the way libraries are designed.

Response I-4-4      Based on the above comment, as indicated in Section 2.2 (Changes, Revisions, and Other Modifications) herein, the DEIR has been updated to reflect the most recent data from the County Public Library.

Comment I-4-5      If you have any questions or need additional information, please feel free to contact Malou Rubio at 562-940-8450 or [mrubio@library.lacounty.gov](mailto:mrubio@library.lacounty.gov).

Response I-4-5      This comment is acknowledged.

Letter No. I-5

Frank Vidalties, Acting Chief  
County of Los Angeles Fire Department  
Forestry Division, Prevention Services Bureau  
1320 North Eastern Avenue  
Los Angeles, California 90063-3294

Comment I-5-1      The above shown project has been reviewed by the Planning Division, Land Development, Forestry Division, and Health Hazardous Materials Division of the County of Los Angeles Fire Department. The following are their comments.

Response I-5-1      This comment is acknowledged.

Comment I-5-2      [Section] 4.9.1.2 Regional Setting. Fire Protection and Paramedic Services. Paragraph 1 – The first sentence states that fire protection and paramedic services within the County unincorporated areas and “contract cities.” Out of the fifty-eight cities served by LACFD only eleven cities actually contract for services, the City of Diamond Bar not being one of them. Most of the cities served by the LACFD were unincorporated areas already served by LACFD when the areas incorporated and, since they remained in the LACFD upon incorporation, no agreement was necessary. Consequently, these cities do not technically “contract” with the Department. This sentence would be more accurate if it was stated as follows: “The Los Angeles County Fire Department (LACFD) provides fire protection and emergency medical services to the unincorporated areas of Los Angeles County and 58 District cities, including the City of Diamond Bar.”

Paragraph 2 – As we previously explained, the City of Diamond Bar does not contract with the LACFD. This paragraph is not germane to Fire Department services provided to the City of Diamond Bar and should be deleted.

Paragraph 3 – Effective August 1, 2009, the LACFD operates 22 Battalions. The first sentence should be updated to reflect this change. Also, there are six Fire Stations in Battalion 19. Fire Station 146 (20604 E. Loylton Drive, Walnut) should be added as the 6<sup>th</sup> station.

Response I-5-2 Based on the above comment, as indicated in Section 2.2 (Changes, Revisions, and Other Modifications) herein, the DEIR has been revised to include the LACFD’s recommended text change.

Comment I-5-3 Table 4.9-5 Fire Station 119 Statistical Summary (2007). The Table has been updated for 2008 as follows:

Unit	Totals	Fires	EMS	Hazard Material	Service	False	Other
Station 119	1187	17	885	37	46	119	83
Engine 119	1386	83	820	55	63	168	197
Squad 119	2817	32	2357	47	22	204	155

Response I-5-3 Based on the above comment, as indicated in Section 2.2 (Changes, Revisions, and Other Modifications) herein, the DEIR has been revised to include the LACFD’s recommended changes.

Comment I-5-4 The development of this project must comply with all applicable code and ordinance requirements for construction, access, water mains, fire flows and fire hydrants. Conditions will be addresses once official plans have been submitted for review. All proposed construction will be evaluated on a case-by-case basis.

Response I-5-4 This comment is acknowledged.

Comment I-5-5 The statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Very High Fire Hazard Severity Zones or Fire Zone 4, archaeological and cultural resources, and County Oak Tree Ordinance.

Response I-5-5 Those statutory responsibilities are already acknowledged in the DEIR (page 4.9-8).

Comment I-5-6 The areas germane to the statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division have been addressed.

Response I-5-6 This comment is acknowledged.

Comment I-5-7 The Health Hazardous Materials Division has no objection with the proposed land use change designation.

Response I-5-7 This comment is acknowledged.

### **3.2.2 Written Comments from Non-Governmental Entities**

Letter No. II-1  
Siu’s Family  
No street address provided  
(sljleung@hotmail.com)

- Comment II-1-1      I am writing to express my strong opposition to "Site D" Specific Plan.
- Response II-1-1      This comment is acknowledged.
- Comment II-1-2      I am a resident living right at the southeast corner of Brea Canyon Road and Diamond Bar Blvd. This is already a very very busy corner with a lot of traffic especially during the "busy" hours. . .many people are driving on Brea Canyon Road commuting to and from Orange County. Air quality and noise level that coming from FWY 57 (that wraps around that corner) are already very bad. . .and not even mention about how bad the traffic already is in this area. Approving Site D Specific Plan will definitely make the already existing problems worst. To tell you how bad it is. . .we can't open our windows during the night as the noise level is very irritable. During the day time, the noise makes it very unpleasant to stay and spend time in our back yard.
- Response II-1-2      Ambient noise and air quality conditions within the general project area are primarily the result of traffic traveling along Orange (SR-57) Freeway. The proposed project will incrementally contribute to mobile source noise and air pollutants associated with traffic along that freeway and along those arterial highways within the general project area. As indicated in the DEIR, project-related traffic and noise impacts can be effectively mitigated to a less-than-significant level.
- The DEIR acknowledges that project-related air quality impacts, including construction, operational, and cumulative air quality effects, constitute a significant, unavoidable, adverse impact. Reasonable mitigation measures have been brought forward for the City's consideration and, if implemented, will reduce those impacts to the extent feasible.
- Comment II-1-3      I am also very concern that the property value in our neighborhood will be greatly affected. The "low density" residential set up in this community is the major reason that we (and many of my neighbors) moved to this area. Altering the original zoning and planning for this community will adversely affect and permanently damage the harmony in the neighborhood. It is totally irresponsible to put the residents' wealth in jeopardy.
- Response II-1-3      The Lead Agency has neither identified nor been presented with any evidence that the proposed action will adversely impact real property values within the general project area nor that the project's implementation would produce secondary effects that would result in the destabilization of any proximal neighborhoods. Additionally, the DEIR examined the aesthetic impacts of the proposed project and, based on the analysis presented, did not conclude that the project's implementation would be disharmonious with the existing environmental setting.
- A number of alternatives to the proposed action are presented in the DEIR, including a "no project" alternative and separate "public facilities," "community commercial," "low-density residential," and "high-density residential" alternatives. As an alternative to approving, conditionally

approving, or denying the proposed project, the City Council has the ability to adopt any of the alternatives described in the DEIR or to direct the Department to examine one or more additional alternatives besides those now presented and to bring those alternatives back to the City Council for further consideration. Public participation in the decision-making process is encouraged.

Letter No. II-2

Christopher Chung  
21470 Cold Spring Lane  
(cchung1263@roadrunner.com)

Comment II-2-1 I am in support of the development of the subject site. I have concerns of impacts to the adjacent residential areas during construction. I am therefore requesting the City to place additional conditions within the EIR and conditions of approval to protect the adjacent residents.

Response II-2-1 This comment is acknowledged.

Comment II-2-2 My first concerns is that of initial grubbing and grading. The initial grubbing (clearing of vegetation) of the site could potentially drive insects and rodents towards the residential properties up towards the East and North. Relating to this concern is my concern of leaving a remnant of natural vegetation along Diamond Bar Boulevard at the bottom of our residential lots (from 2901 Diamond Ridge, 21438 Cold Spring Lane to 21482 Cold Spring Lane). I would recommend that the City require the initial future developer/grader to commence grubbing (remove vegetation) at the bottom of the residential area first and grub towards the site, thus driving the insects and rodents away from the residential homes towards the LA County Flood Control Channel. Also as a suggestion, the Developer should be required to install and maintain the landscaping and/or a meandering walkway along Diamond Bar Boulevard north to Cold Spring Lane (2901 Diamond Ridge). To leave this insignificant vegetation would only create problems in the future in my opinion. It would not be fair to remove a majority of natural habitat in the area and force the adjacent residents to accept the responsibilities of displaced wildlife and future declaration of the need to protect habitat. I already feel like I am in the movie Caddy Shack trying to get rid of the gophers.

Response II-2-2 As indicated in Section 4.5.3.1 (Construction Impacts) in Section 4.5 (Biological Resources) in the DEIR: “The primary impacts of the proposed project on wildlife resources are the removal and disruption of habitat and the loss and displacement of wildlife, resulting in a less diverse and less abundant local faunal population. Adverse impacts to wildlife are generally associated with the degree of habitat loss and fragmentation from the standpoint of physical character, quality, diversity, and abundance of vegetation. Implementation of the proposed project would result in the loss of primarily disturbed land. The proposed impacts would cause the direct mortality of some common wildlife species and the displacement of more mobile species to suitable habitat areas nearby.”

As such, the Lead Agency acknowledges that certain mobile wildlife species may be displaced off the project site during grubbing and grading activities. Since displaced species would seek protective cover and/or replacement habitat, it is not anticipated that wildlife would take up residency in proximal non-native ornamental landscaping to any more extent that adaptive species presently do and then not at levels in excess of the habitat capacity of those areas.

Because grading activities will be undertaken to balance on-site cut and fill operations and minimize export of surplus and deleterious materials, it may not be possible to undertake landform altering activities in the manner requested. As such, the Lead Agency has not formulated a similar mitigation measure or condition of approval.

In order to present a worst-case analysis, for the purpose of CEQA compliance, the DEIR assumed that all on-site vegetation would be removed. In the absence of a formal development plan, this assumption both assures that all environmental impacts have been considered and, as appropriate, mitigated and provides the ultimate site developer flexibility with regards to the formulation of a precise development plan.

Should the City approve or conditionally approve the proposed project, mitigation obligations with regards to landscape maintenance and biological resource management will fall upon the developer and not upon abutting property owners. It must be noted, however, that in response to the suggestion that the future developer be required to install and maintain landscaping and/or a meandering walkway on the slope area along Diamond Bar Boulevard at the bottom of the parcels between 2901 Diamond Ridge and 21482 Cold Spring Lane, that slope area is contained within those parcel boundaries. As set forth under Section 22.34.040(e)(1)(a) of the Municipal Code, the individual property owners are responsible for the maintenance of their rear slopes. The City cannot require a developer to construct improvements on off-site private property unless the City is also prepared to invoke eminent domain to acquire the property on the developer's behalf.

Comment II-2-3

The second concern is the hours of operation of grading and construction activities. It is my understanding that grading and construction activities can occur as early as 7 a.m. six days a week. I have a concern that 7 a.m. is too early being so near to residential areas and I would therefore recommend that such activities not occur before 8 a.m. With Castlerock Elementary nearby and the proximity to residential areas, I also request full and special protection of air quality. Please ensure that all dust and erosion controls measures are fully in place to protect our children and residents and that if it is later found not to be satisfactory, that the developer would be also required to mitigate with whatever means are available.

Response II-2-3

Unless further conditioned, all on-site grading and construction activities would conform to the City's noise ordinance. Compliance with those

standards fairly governs all noise-generating activities conducted within the City.

In addition, the following recommended mitigation measure (Mitigation Measure 8-1) is presented in the DEIR: “In accordance with the Development Code, construction shall be restricted to between the hours of 7:00 AM and 8:00 PM on weekdays and Saturdays. No construction shall occur at any time on Sundays or on federal holidays. These days and hours shall also apply any servicing of equipment and to the delivery of materials to or from the site.”

Comment II-2-4 My last comment is drainage. As we live on top of a hill, this site accepts all drainage from the residential areas (slopes) above. I noticed that the drainage study was based on a 50-year discharge. I am curious, as the reason that a 100-year discharge was not analyzed as many projects use the 100-year storm discharge as the standard worse case scenario. 50-year storm discharge is not standard as being the worse case scenario. As such, failure to consider worse case scenario could place the City at significant risk and liability if flooding and slope failures should occur.

Response II-2-4 The required storm drain improvements must be constructed in conformance with the requirements of the Los Angeles County Department of Public Works (LACDPW). The LACDPW’s “Hydrology Manual” requires facilities and structures to meet the “capital flood” level of protection. The capital flood is the runoff produced by a 50-year storm event. All drainage facilities in developed areas not covered under the capital flood protection conditions must meet the “urban flood” level of protection (25-year storm event). The street right-of-way is designed to handle a 100-year storm event. Any run-off resulting in exceeding the right-of-way triggers a storm drain system designed to carry 50, 25, or 10-year storm level requirements. The storm drain system intercepts the amount that exceeds the 100-year storm event to draw down the run-off below the right-of-way. All building pads will be required to be designed at least one-foot above the right-of-way for flood protection.

Comment II-2-5 Again, I am not against any development. I am respectfully requesting the City to protect against and minimize all impacts to the adjacent residents with not just the issues raised above, but with all potential issues.

Response II-2-5 This comment is acknowledged.

Letter No. II-3  
Rung Larn Duh  
2752 Wagon Train Lane  
Diamond Bar, California  
(lorraine@skywellnet.com)

Comment II-3-1      Being a resident of City of Diamond Bar, we do concern this plan will bring the issue of traffic congestion/air pollution/noise around the neighborhood. Also there is already a commercial lot near by (H mart), some stores are vacant there.

Response II-3-1      This comment is acknowledged.

Letter No. II-4

Judy Leung

No street address provided

(Scoping Meeting Comment Card)

Comment II-4-1      Not all D.B. residents got the notice (esp. for non-speaking Asian residents – the city should send out notice in other languages).

Response II-4-1      All outreach and noticing efforts were conducted in accordance with City policies and procedures. The City does not routinely provide notices in languages other than English.

Comment II-4-2      City should purchase the land & build a park, new library, teen center that will benefit the residents.

Response II-4-2      This comment is acknowledged.

Comment II-4-3      Don't need another commercial lot that is 2 min. from H Mart.

Response II-4-3      This comment is acknowledged.

Comment II-4-4      What are the actual mitigation plans on traffic, air quality & noise.

Response II-4-4      An extensive list of mitigation measures and other conditions of approval have been identified by the Lead Agency with regards to traffic, air quality, and noise. The commentor is directed to Section 4.6.4 (Project Conditions and Mitigation Measures) in Section 4.6 (Transportation and Circulation), Section 4.7.4 (Project Conditions and Mitigation Measures) in Section 4.7 (Air Quality), and Section 4.8.4 (Project Conditions and Mitigation Measures) in Section 4.8 (Noise) in the DEIR. A listing of recommended mitigation measures and other conditions of approval can also be found in Table ES-2 (Draft Mitigation Reporting and Monitoring Program) and Table ES-3 (Recommended Conditions of Project Approval) therein.

Comment II-4-5      It will cause a nightmare in traffic & noise for the neighborhood.

Response II-4-5      The Department recognizes that traffic congestion is a major concern for many City residents. The DEIR acknowledges that introduction of new land uses will result in a corresponding increase in use-specific traffic. Based on the threshold of significance criteria presented in the DEIR, the traffic analysis concluded that all traffic-related and associated project-

## **“Site D” Specific Plan**

City of Diamond Bar, California

---

---

specific noise impacts either did not raise to a level of significance or could be effectively mitigated to a less-than-significant level.

Comment II-4-6 No!! Objection!!

Response II-4-6 This comment is acknowledged.

Comment II-4-7 Pls. save D.B. from over urbanization!!

Response II-4-7 This comment is acknowledged.

### Letter No. II-5

Lee and Melony Paulson  
21919 Santaquin Drive  
Diamond Bar, California

Comment II-5-1 I attended the site ‘D’ meeting the other evening and was sad to see that the city and the school district are still pushing the same tired plan they were at the original meeting a year ago. The premise of that plan is to get the basic EIR, zoning and approval process far enough along so that a chosen developer will only need to submit building plans in order to develop the site. The problem with this plan is several fold. One, retail space around us is already over built. Huge new retail developments have just opened in Chino Hills, San Dimas, Industry and Azusa. Two, most of the major retail chains have chosen to site their stores all around us. Others will also. They, like the Honda people, will wish to be located in an existing shopping areas. With the downturn in the economy, it will be some time before the area will need another shopping area as envisioned by the planners of this project. Indeed, the Azusa developer just announced they were defaulting on their loans. Three, there is already a sizable shopping center right across the street from the proposed site. That center struggled for years and, to my knowledge, still hasn’t been fully leased. At least the building which used to house the movie theater is still empty. Four, the thirty acres under discussion is the last remaining natural area in Diamond Bar that is in a suitable location for development. It makes absolutely no sense to bulldoze it into a flat, ugly, grotesque eyesore in the vain hope of attracting sales tax and property tax revenue. Diamond Bar prides itself on its quality of life and its “country living” atmosphere. We were proud of our award as being one of the ten best places to live in this country. Why, then are we in such a hurry to destroy the very atmosphere that defines us as a city.

Response II-5-1 This comment is acknowledged.

Comment II-5-2 Instead, I urge both the planners of this project and the city counsel to reconsider this plan. In order to truly shine as an different, outstanding place to live and raise our families, we will need to think differently about this site. We must manifest the courage to create a unique development that sets us apart from the type of slash, burn, bulldoze and pave type of development that currently litter Diamond Bar and the cities around us.

- Response II-5-2      This comment is acknowledged.
- Comment II-5-3      Specifically, instead of seeing Site D’s natural setting and irregularly contoured terrain as undesirable qualities that need to be “tamed,” why not look to those characteristics as an advantage? Instead of trying to attract large chain retail operations, which have already sited their operations elsewhere, why not create a specialty shop destination center?
- Response II-5-3      The precise configuration and tenancy of any commercial component developed on the project site remains subject to the intentions of a later project developer and market demand.
- Comment II-5-4      We are a remnant of the old west. Diamond Bar used to be a ranch. Why not celebrate that? Why not leave the 100 year old trees in place? Build the development around them with an old west theme. Build a parking structure. Make it pedestrian friendly. Consider wood siding and/or brick buildings housing specialty shops. Place your condos above or around or outside them. Do it in a way that would create a center of interest for Diamond Bar. A focal point that would help to define the city.
- Response II-5-4      The environmental analysis was based on the assumption that site grading would result in the elimination of existing on-site vegetation. Since no site plan is currently being processed, actual impacts upon on-site vegetation may be less than assumed in the DEIR.
- Comment II-5-5      It is certainly true that Diamond Bar needs sales tax revenue. But why attempt to create that revenue by making our quality of life worse and lowering our property values? Think about it. What is was it that attracted many of residents to Diamond Bar? Nearly to a person who spoke at the meeting last week, as well as ourselves and most of the people we know, it was the natural setting. With each passing year, more of our scenic hills and natural setting are being bulldozed, fattened by ugly developments. Right now, and even more so with each passing year, a shopping environment placed on a natural setting will be a stand out exception. The natural setting itself will draw people to it. This may seem counter intuitive to the consultants hired by the city. However, other small towns like us have found that the natural setting, like our Site ‘D,’ are worth far more to individually and collectively if they are developed in ways that celebrate the spirit of the place instead of destroy it. Other cities have done this. In Oregon, the little town of Troutdale successfully did this. They have a huge outlet center just north of town, from which they derive no revenue. They refurbished their main street into period designed buildings with specialty shops and the city is flourishing. It can be done. There is no question that it will take some serious creative thinking and may be a bit more expensive to in the short run, but if we don’t at least pause and consider this option now, we will have forever lost an opportunity to become something other than just another ugly suburb of Los Angeles.

## **“Site D” Specific Plan**

City of Diamond Bar, California

---

---

Response II-5-5 This comment is acknowledged.

Comment II-5-6 The advantages of such the plan I propose are many. Any traffic increase would be mostly at off peak hours. Part of the site could be a park. It might not be as large as some of us might like, but it would better than acres of hot, desolate pavement that is now being envisioned for the site. Diamond Bar would have a family friendly focal point, something it now lacks. Our property values would be increased by such a development. Done right, the sales tax revenue would be equal or greater to that of a tacky strip mall. And instead of being diminished, the special qualities that make Diamond Bar special will be enhanced.

Response II-5-6 This comment is acknowledged.

Comment II-5-7 What we currently face is a crisis of vision. The towns around us, City of Industry, San Dimas, Chino Hills, even Brea, have already won the battle of the big box stores. If we wish to be successful in our retailing experience with Site ‘D,’ we will need to stake out an area, or an idea they have not. Work with the site instead of against it. Instead of destroying the natural setting, use it to our advantage. Use it to lure potential customers in. It can done. It will take bold thinking and vision to bring a plan as I am suggesting into being. However, isn’t that what we are all about as a city? Aren’t we special? Then let’s act special and heed the pleas of nearly every speaker at the last two Site ‘D’ meetings. Lets step up to the plate and create a plan that celebrates the unique natural setting of Site ‘D’ instead of destroying it.

Response II-5-7 This comment is acknowledged.

Comment II-5-8 I urge all of you to take just a minute and run this idea past the knowing part of your stomach. Consider the existing plan, as set forth by the consultants last week. Think about how it would feel to have that paved over development at the south end of Diamond Bar. Then think about the plan I have suggested above. Think about an urban city center, a living, shopping, park space set into the natural setting of Site ‘D.’ Which one feels better? In our household, and the other Diamond Bar residents we have spoken with, the choice is clear. Send the existing plan back to the drawing boards. We can do better. We deserve better. Thank you.

Response II-5-8 This comment is acknowledged.

### Letter No. II-6

Kathy White

No street address provided

(Scoping Meeting Comment Card)

Comment II-6-1 What is city using funds for?

Response II-6-1 Any funds received by the City as a result of the sale of the City’s portion of the project site will be placed into the general fund.

- Comment II-6-2      What is school district using funds for?
- Response II-6-2      Pursuant to the provisions of Section 17462 of the California Education Code, the proceeds from the sale of surplus school district property must be used for capital outlays or for costs of maintenance of school district property that the governing board determines will not recur within a five-year period. Proceeds from a lease of school district property, with an option to purchase, may be deposited into a restricted fund for the routine repair of district facilities for up to a five-year period. Proceeds may be deposited into the district’s general fund for any general fund purchase if the school district and the State Allocation Board have determined that the district has no anticipated need for additional sites or building construction for the five-year period following the sale or lease of the property and that the district has no major deferred maintenance requirements.
- Comment II-6-3      Pleased with 50% used for housing (condos).
- Response II-6-3      This comment is acknowledged.
- Comment II-6-4      Do now want commercial strip malls etc. will cause much traffic, smog and problems!
- Response II-6-4      This comment is acknowledged.
- Comment II-6-5      Please consider park for children & to beautify the area when entering D.B.
- Response II-6-5      This comment is acknowledged.
- Letter No. II-7  
Dr. Payam Beheshti  
No street address provided  
(lorangeglu@gmail.com)
- Comment II-7-1      I am writing to express my opposition to the proposed project on the southeast corner of Brea Canyon Road and Diamond Bar Boulevard. As a homeowner in the immediately impacted area and voter and taxpayer in the city of Diamond Bar, I believe that the addition of 202 new dwelling units will significantly impact my property value in a negative way. Not only will the addition of so many new housing units make already existing houses less desirable to potential buyers, the increase in the amount of noise, traffic and air pollution generated by 200 to 400 extra vehicles will lower the quality of life for my family as well as every other resident in this area. I respectfully ask you to reject and abandon the proposed development plans.
- Response II-7-1      This comment is acknowledged.

## **“Site D” Specific Plan**

City of Diamond Bar, California

---

---

### Letter No. II-8

Dr. Alireza Azizi

No street address provided

(alirezaari@gmail.com)

Comment II-8-1 I am writing to express my objection to the proposed project on the southern corner of Brea Canyon Road and Diamond Bar Blvd. As a homeowner in the immediately impacted area and voter and taxpayer in the city of Diamond Bar, I believe that the addition of 2002 new dwelling units will significantly impact my property in a negative way. The new housing will increase in the amount of noise, traffic and air pollution generated by 200 to 400 extra vehicles and will lower the quality of life for my family and residents in this area. I respectfully ask you to reject and abandon the proposed development plans.

Response II-8-1 This comment is acknowledged.

### Letter No. II-9

Jeff Layton

No street address provided

(ridetheevents@yahoo.com)

Comment II-9-1 I was in attendance at the “Site D” Neighborhood Forum. I have read the Executive Summary to EIR that was handed out at thee meeting. I live in southern Diamond Bar Approx 2 blocks from Site D. I am a 23 year resident of Diamond Bar. As I presented Monday night, I have 3 major concerns with the proposed land use as described as “Alternative 5” at Site D as “show-cased” at the Meeting.

Response II-9-1 This comment is acknowledged.

Comment II-9-2 Increase in traffic generated by the proposed high density housing and commercial use Plan. (1) In essence, Diamond Bar is a single traffic thoroughfare city. Because of our geography we will always be in this condition, with Diamond Bar Blvd. our only North / South corridor. (2) The added congestion that will be generated on the south end of town will dominate our southern gateway to the city. Not only by the proposed added high density housing (202 plus Units) adding 800-900 additional cars on the road per day. But 400 plus cars at rush hour. In addition, this will be the same time in many cases where the commercial area on site D may see the most traffic (people stopping on the way home from work). As it stand now, it is close to impossible to make a safe left turn from Brea Canyon (during rush Hour) into the residential area via Copper Canyon or Silver Bullet. (3) Correction of our traffic management problem has been at the center of every Election Race in Diamond Bar for the last 20 Plus years. Are we now headed in the opposite direction to make a buck at the cost of the residents on the south end of Town?

Response II-9-2 The Department recognizes that traffic congestion is a major concern for many City residents. The DEIR acknowledges that introduction of new

land uses will result in a corresponding increase in use-specific traffic. Based on the threshold of significance criteria presented in the DEIR, the traffic analysis concluded that all traffic-related impacts either did not raise to a level of significance or could be effectively mitigated to a less-than-significant level.

Comment II-9-3      Increased air pollution. As pointed out on Page ES-11, Air Quality Impact will be significant. Statements like: “Violation of air Quality Standards” and “considerable increase in criteria pollutants” Are bone chilling and should be enough to stop the project Alternate 5 project plan now. How can the same city that hosts the AQMD facility consciously support a plan that increases bad air in a portion of the City that already is severely affected by a parallel Freeway a block away from the proposed site? Again, it can only be assumed that the intent is to maximize sale price.

Response II-9-3      Virtually all development projects generate criteria pollutants during construction (e.g., fugitive dust during grading) and operation (e.g., mobile source emissions associated with use-specific activities). Methodologies have been established to allow agencies to quantify those emissions and compare them against a relatively low threshold standard recommended by the South Coast Air Quality Management District (SCAQMD). When those standards are exceeded, public agencies are encouraged to develop mitigation measures to reduce those short-term and long-term emissions to the extent feasible.

An environmental impact report (EIR) is intended to serve as an informational document designed to promote informed decisionmaking. Equipped with the information presented in the EIR, the City’s advisory and decision-making bodies can act upon the proposed project, including the alternatives thereto, with knowledge of the project’s potential environmental consequences.

Comment II-9-4      Aesthetics. The view going North on Diamond Bar Blvd will change dramatically from the Country Living atmosphere presented today. The Alternate 5 plan for Site D calls for some abrupt changes to the southern Gateway to our City. In order to accommodate the large commercial Area on the south tip of the site, the hills must be reduced to street level. In order to achieve this and still maintain the Maximum area above the strip mall for housing, the plan must call a huge retaining wall behind the commercial buildings similar to the Midtown Target Location. Although the Target wall is somewhat camouflaged and set back from the street. It is still unsightly and an eyesore. The wall that will need to be planned at Site D will be much less pleasing and more of a focal point than the Target Wall. The Site of it will be the first thing seen as people enter our city from the south. In addition, the plan calls for the removal of our 75+ year old trees that border Site D’s northern flank. In all it would be a horrific site and a new lasting impression of how we as a city chooses to represent ourselves to our residents and visitors and will be remembered as such.

## **“Site D” Specific Plan**

City of Diamond Bar, California

---

---

Response II-9-4 This comment is acknowledged.

Comment II-9-5 In Summary, we all understand the need for progress. But we must remember that the city’s progress must take into account the needs and the preferences of the residents who live here, pay the taxes and elect the officials who are supposed to represent them. A short sided plan to maximize revenue generation at the expense of the residents (as voiced by every speaker at last Mondays meeting) is an indication of the disdain felt by the residents that will most be affected by the proposed project.

Response II-9-5 This comment is acknowledged.

Comment II-9-6 As voiced by the majority of participants last Monday A modified plan would be more acceptable, with the prospect of lower density housing with the incorporation of a park so greatly needed on the southern end of our city. As we can see by South end commercial areas, vacancies are many and are slow (years) to fill. The last thing we need is an abandoned strip mall or another blighted center that may end up looking like the Kmart center on the North end of Town.

Response II-9-6 This comment is acknowledged.

### Letter No. II-10

Shahdad Shakibai  
3301 Falcon Ridge Road  
Diamond Bar, California  
(ahkib@aol.com)

Comment II-10-1 I heard this troubling news that there is proposal to build few hundred condos at the corner of Brea canyon rd and Diamond bar Blvd. I'm extremely opposed to this proposal. This will add tremendous congestion to the traffic on 57 fwy and surrounding streets and add to the air pollution. I live few of blocks from the proposed site and struggle with traffic in the morning and afternoon as is.

Response II-10-1 This comment is acknowledged.

### Letter No. II-11

Cynthia Moeder  
20937 Ambushers Street  
Diamond Bar, California 91765  
(Cmoeder4@aol.com)

Comment II-11-1 I attended the Site D “Neighborhood Forum” last Monday night, August 3<sup>rd</sup>, at Heritage Park. I had a chance to voice my opinion but would like to put it in writing as you requested we do. On March 4, 1991, there was a meeting held to discuss these 28 acres and the statistics from that meeting and mail received was that 85% wanted the property left as either wilderness or a park. Only 2.5% wanted housing. What happened to that meeting decision? When I purchased my home 36 years ago, I

was told it was Walnut School District property and would remain that way.

Response II-11-1 This comment is acknowledged.

Comment II-11-2 I have lived on Ambushers Street for 36 years. Site D property comes right up to my backyard fence. I have had many different animals in my back yard that either live on Site D, or use it frequently. They are: rabbits, squirrels, raccoons, skunks, possums, and bobcats. I have also seen coyotes, egrets, and bobcats sitting on the field embankment (behind my fence). Being an animal lover, I would hate to see 'their natural habitat' taken from them.

Response II-11-2 This comment is acknowledged.

Comment II-11-3 Following are my other concerns: Country Living - What is happening to Diamond Bar's 'Country Living' slogan? Is it really that impossible to leave a section of our city untouched? The entire City Council should be ashamed for selling out the people they represent.

Response II-11-3 This comment is acknowledged.

Comment II-11-4 Alternatives - I raised four kids in Diamond Bar and had to drive them to Brea for soccer because it was closer than going to the North end for the fields. Why not make it a soccer field or something children and families can enjoy? I also drove my kids to Brea Library because D. Bar's library was a waste of time since it was so small. Why not a library?

Response II-11-4 Although the DEIR did not directly address a “public park” option, a “public facilities” alternative was examined and is presented as an alternative to the proposed project.

Comment II-11-5 Traffic - Traffic is my biggest concern. The City Council is constantly talking about making the traffic in D. Bar better. That is a joke! If they build 200 homes on Site D you can count on 400-600 cars coming in and out of that area. I pity those that live at the north end and have to get through that every day. And what will our traffic be like if the Stadium is built?

Response II-11-5 The Department recognizes that traffic congestion is a major concern for many City residents. The DEIR acknowledges that introduction of new land uses will result in a corresponding increase in use-specific traffic. Based on the threshold of significance criteria presented in the DEIR, the traffic analysis concluded that all traffic-related impacts either did not raise to a level of significance or could be effectively mitigated to a less-than-significant level.

Comment II-11-6 Grocery/Drug Store? Someone on your board that night mentioned there was a need for a grocery store and drug store. Obviously, he doesn't live in D. Bar. There is a big center with a grocery store and Rite Aid just 1/2

## “Site D” Specific Plan

City of Diamond Bar, California

---

---

mile from the site. Why would we need more stores to sit empty? In this current economy? There are already empty stores in that center.

Response II-11-6 No specific retail commercial land uses are mandated under the proposed specific plan. Although the City seeks to encourage the development of neighborhood-serving uses, based on the range of permitted and conditionally permitted land uses authorized under the adopted specific plan, the project developer will determine the type of non-residential uses to be constructed on the project site.

Comment II-11-7 I was told that there would be a wall 85 feet back from my existing fence, and it would be 6 feet tall. I'm sorry, but 6 feet is not tall enough to prevent the noise of trucks and cars or people from throwing trash over it. Who will maintain the property between my fence and the wall? Sometimes I have to sleep during the day. There needs to be a sound wall along there, not just a 6 foot fence.

Response II-11-7 In order to mitigate the short-term noise impacts attributable to construction operations, the DEIR included the following recommended mitigation measures: (1) In accordance with the Development Code, construction shall be restricted to between the hours of 7:00 AM and 8:00 PM on weekdays and Saturdays. No construction shall occur at any time on Sundays or on federal holidays. These days and hours shall also apply any servicing of equipment and to the delivery of materials to or from the site (Mitigation Measure 8-1); (2) All construction equipment shall be properly maintained and tuned to minimize noise emissions (Mitigation Measure 8-2); (3) All equipment shall be fitted with properly operating mufflers, air intake silencers, and engine shrouds no less effective than originally equipped (Mitigation Measure 8-3); (4) The construction contractor shall place temporary noise barriers along the site perimeter when doing any work within 100 feet of any residential units. Such barriers shall attempt to block the line of sight between the residents and construction equipment (Mitigation Measure 8-4); (5) The construction contractor shall specify the use of electric stationary equipment (e.g., compressors) that can operate off the power grid where feasible. Where infeasible, stationary noise sources (e.g., generators and compressors) shall be located as far from residential receptor locations as is feasible (Mitigation Measure 8-5); and (6) Construction shall be subject to any and all provisions set forth by the City of Diamond Bar Planning Department (Mitigation Measure 8-6). In order to reduce construction-term noise levels to below a level of significance, the independent acoustical analysis presented in the DEIR did not identify the need for additional construction-term mitigation measures.

Following the completion of construction activities, the project's primary contribution to the area's ambient noise levels would be the result of the addition of vehicles upon local roadways. The traffic study indicates that the project would add 9,276 average daily trips (ADT) to the roadway network. Computer modeling indicates that the noise increase along all access roads would not exceed 0.7 dBA CNEL. The project's

contribution to ambient noise levels would be less than significant and no additional mitigation is, therefore, required or recommended.

On-site commercial uses would be anticipated to receive goods delivered to the project site by heavy and medium truck for subsequent on-site sale. Most deliveries would be expected to take place through the front and side doors from trucks parked just outside the door. Larger commercial uses could, however, include loading docks. These trucks, during idling and unloading, will produce noise associated with those activities.

Both residential and commercial uses often include rooftop-mounted mechanical equipment. Rooftop equipment noise ratings have not been specified. For calculation purposes, air conditioning units are assumed to be rated at 8.0 Bels with a 6 dBA increase for installation. This is equivalent to 68 dBA at ten feet from the unit.

At the specific plan level, detailed design information is not yet available. Operational noise impacts attributable to mechanical equipment and loading activities would typically be examined during site plan review. Since all project-generated noise levels shall be required to comply with those standards presented in Section 22.28.080(b) of the Municipal Code, operational noise impacts would be less than significant and no additional mitigation is required or recommended.

Comment II-11-8 I know that if yourself, the representatives of the buyers, and our City Counsel members lived where I do, they wouldn't want that behind them either. This only seems to be about money and not what is best for Diamond Bar surroundings and residents.

Response II-11-8 This comment is acknowledged.

Letter No. II-12  
Adrian Castro  
21357 Ambushers Street  
Diamond Bar, California 91765

Comment II-12-1 Thank you for hosting the neighborhood meeting on August 3<sup>rd</sup> regarding the DEIR and the Draft Site “D” Specific Plan. Meetings such as these can be challenging at times however it’s great to see our city government host and participate in open forums. I heard several common themes in the meeting and wanted to highlight them.

Response II-12-1 This comment is acknowledged.

Comment II-12-2 First, I believe the challenge most of the citizens have with the Draft Site “D” Plan is the lack of a compelling vision. The plan is essentially “more of the same” and lacks originality or creativity. The only individual who seemed to have any passion about this plan was Mr. Rogers who is not a resident of Diamond Bar and seems to be out of touch with the needs of

## “Site D” Specific Plan

City of Diamond Bar, California

---

---

the community. Who is the audience for this plan? What questions does it answer? Whose needs are being addressed?

Response II-12-2 That portion of the project site owned by the Walnut Valley Unified School District (WVUSD) has been declared to be “surplus.” In accordance with the school district’s governing rules and regulations, the WVUSD seeks to sell the property to generate revenues for authorized school district uses. The proposed specific plan is intended to provide a subsequent buyer with reasonable assurances as to the type and intensity of uses that could be developed on the project site. Because the site developer has not yet been identified, the specific plan presents broad land-use parameters for that development rather than specifying a precise plan of development.

See also [Response II-6-2](#) herein.

Comment II-12-3 Let’s start with the key stakeholders: The City Government, Walnut Valley School District & the Citizens of Diamond Bar. Are there any others? What are their long-term needs? I assume the City and School District are looking for new revenue streams to balance future budgets. The citizens are looking for something that fits a perceived need and addresses existing concerns.

Response II-12-3 The planning and environmental review processes provides a forum for all stakeholders. The draft “Site D’ Specific Plan” presents an outline for a possible use of the project site. Similarly, the DEIR evaluated the potential environmental impacts attributable to that specific plan and identifies a reasonable range of other alternatives thereto. The City’s advisory and decision-making bodies will consider both the draft specific plan and its accompanying CEQA documentation, in combination with the comments submitted by participating stakeholders, and either take action (approving, conditionally approving, or denying the proposed project) or elect to defer action with regards to the proposed entitlements pending receipt of additional information and/or analysis of additional alternatives.

Comment II-12-4 Concern #1: Traffic – A solution needs to be found before any other major projects are undertaken. Diamond Bar Blvd and Grand Ave are used as a bypass for the 57/60 interchange during the morning & afternoon commutes. The citizens will have a difficult time swallowing any project that involves a growth in traffic without answers to the current problem. Can the City lobby the State to build new toll road bypasses? Can the City lobby for funding for research to develop solutions? What are all the options? Can the City get Federal Funding to build its own Toll Road?

Response II-12-4 The proposed project will provide a fair-share contribution to cumulative traffic improvements. Consideration of a “new toll road bypass” or funding of broad-based solutions to regional traffic issues is beyond the scope of the proposed project.

Comment II-12-5 Concern #2: Commercial Space – The city has a history of empty commercial space. A Master Plan needs to address this underutilized

space and create a long-term solution. An example might be a major single shopping area (Kmart area & surrounding structures) where a large shopping area such as Brea’s Birch Street is built where you have an inviting environment. This stands a greater chance of drawing major retailer’s. A recent campaign to lure Trader Joe’s was unsuccessful due to demographics. Has the City evaluated the concerns of Trader Joe’s and initiated steps to address those concerns? I would assume most other major retailer’s would have similar concerns. In addition, the point was made that most of our community neighbor’s have already attracted major retailers. Would retailers even consider Diamond Bar at this point? Is anyone researching this? A different direction; perhaps the City could give the owners of the existing commercial areas incentives to modernize and provide attractive lease rates. Bottom line: Diamond Hills Plaza is a great example of half conceived strategies. The City needs to learn from this lesson and find ways to complete the vision.

Response II-12-5      No specific retail commercial land uses are mandated under the proposed specific plan. Although the City seeks to encourage the development of neighborhood-serving uses, based on the range of permitted and conditionally permitted land uses authorized under the adopted specific plan, the project developer will determine the type of non-residential uses to be constructed on the project site.

Comment II-12-6      Concern #3: Condos / Townhouses – This goes against several initiatives already in place. The citizens are currently asked to reduce their water & energy consumption. We’ve already discussed the additional traffic this project draws. How does building more units support these initiatives? Does the City really need more housing? In today’s economic climate the City is experiencing a large percentage of empty housing and/or houses that are in foreclosure. Building additional units is counterproductive. When the economy turns around the City still has the same challenges with traffic and serving the existing residents. Building additional residences only increases the problems of an underserved community.

Response II-12-6      As discussed in the DEIR, although current national, State, and County economic conditions have likely lessen the need for additional areawide housing below regional projections formulated by the Southern California Association of Governments, a localized and regional need for new housing opportunities continues to exist.

Comment II-12-7      Concern #4: Community Recreation Area – Why is the City not supporting this direction? I heard several citizens express going to other cities due to the lack of a park / recreation area / Dog Park / walking trails / biking trails in the South side of Diamond Bar (myself included). How can a City Government of an affluent community view this as acceptable? Site “D” is one of the last major open expanses of land in Diamond Bar and would be a perfect location for a park. From a political standpoint it will win major points with the citizens. It addresses the concerns of Traffic, Noise, Resources and Beautification. It is a long-term solution and not a short term response. Does this need to be designed as a money maker for both

## **“Site D” Specific Plan**

City of Diamond Bar, California

---

---

the City and the School District? If so, let’s think creatively. Could an entrance fee be charged to non-residents? If a dog park was created could the city require dog permits for non-residents? Could the land be put in a trust and/or leased out to the city for a long period of time (99 years) so the School District could draw ongoing revenue?

Response II-12-7      Recreational use for all or a portion of the project site represents a possible alternative use.

Comment II-12-8      When the needs of the community are met then a project like the Draft Site “D” Specific Plan can be presented. Do not ignore the 85% of Citizens who support a park / wilderness area. The current Draft Site “D” Specific Plan is a no win scenario for the City Government, the School District and the Citizens. We must not accept a repeat of history.

Response II-12-1      This comment is acknowledged.

### Letter No. II-13

Gregory Shockley  
3711 Crooked Creek Drive  
Diamond Bar, California 91765  
(fortshockley@earthlink.net)

Comment II-13-1      Site D was acquired by Walnut Valley Unified School District, and as such can be developed as a school site, I find it hard to believe that transfer of the title to a commercial developer would entitle said developer to create anything other than a school. The school board and city council is being short sighted with this proposed development, as the land will continue to increase in value, whether developed or not. A development that would provide a continual stream of revenue to the school district would provide better neighbors, and help meet the long term needs of our local schools. And could be designed to lessen the impact on the local residents on all issues of concern. Personally I would prefer to see Site D left in its current state as it has no positive or negative impact on the area, that is what we have grown accustom to and the reason many residents live in Diamond Bar, it is also one of the last vestiges of our rural past.

Response II-13-1      This comment is acknowledged.

Comment II-13-2      At a time when Diamond Bar residents have just received notice of a mandatory 10% reduction in water consumption, it is incredibly inconsistent and insensitive to consider adding any additional residences to our community. And when air conditioners are shut off by SCE during peak hours due to lack of available power, two hundred two additional residences is not going to help solve the power supply, in fact it will have quite the opposite effect.

Response II-13-2      This comment is acknowledged.

Comment II-13-3      At a time when air quality in the Diamond Bar area seems to be making strides in a positive direction, compared to that of the nineteen seventies, and the Draft EIR indicates that degradation to the local air quality will be significant, even after mitigation this proposed development doesn't seem like a very logical approach to solving the problems of air quality in Diamond Bar.

Response II-13-3      This comment is acknowledged.

Comment II-13-4      When it takes in excess of a half an hour to get from one end of Diamond Bar to the other due to traffic, adding additional residences is not going to serve any Diamond Bar residents well, existing or new, definitely a negative impact on our lifestyle. When it can take 5-10 minutes to turn onto Copper Canyon from Brea Canyon or the same time to turn from Copper Canyon on to North bound Brea Canyon, the addition of more vehicles in this area certainly is not going to alleviate these problems, in fact it will have deleterious effects on the quality of life in the south Diamond Bar. This is a problem identified in the draft EIR and predicts poor traffic conditions in the future. The City Council now has the opportunity assist in maintaining and improving our environment, by choosing no improvement, or will they choose to change our lives just for a little bit of money.

Response II-13-4      This comment is acknowledged.

Comment II-13-5      When the principle of the firm hired to perform the environmental assessment says in a public forum that this project is problematic and will have substantial negative impacts that cannot be mitigated, either the city didn't hire the right firm, or the principle is being honest, as he should. The end result is the same; it is a poorly thought out scenario.

Response II-13-5      The term utilized at the scoping meeting was “programmatic.” As defined in the State CEQA Guidelines, a “programmatic” EIR “is one which may be prepared on a series of actions that can be characterized as one large project and are related either: (1) Geographically, (2) As logical parts in the chain of contemplated actions, (3) In connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program, or (4) As individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways” (14 CCR 15168).

Because no site developer has been identified and since the actions contemplated in the DEIR include, but may not be limited to, adoption of a specific plan, revisions to the City General Plan, and approval of a tentative subdivision map, the environmental document constitutes a “program EIR” (as distinguished from a “project EIR”). When later discretionary actions are being considered, the City will need to examine the “program EIR” and ascertain whether it suffices as the environmental

## **“Site D” Specific Plan**

City of Diamond Bar, California

---

---

- basis for those later actions or whether further environmental review would be necessary.
- Comment II-13-6      Reduction in air quality, increased traffic, additional burdens on water and electrical resources will continue long after the construction of such a project is completed.
- Response II-13-6      This comment is acknowledged.
- Comment II-13-7      Even Councilmen Jack Tanaka conceded in public forum at the August 3 meeting that increased traffic was not acceptable.
- Response II-13-7      In the context presented, the statement attributed to Councilman Tanaka may not be an accurate characterization of his statement at that meeting.
- Comment II-13-8      It is very disturbing that the elected representatives of the residents of Diamond Bar would choose to spend our precious city resources on a venture that the residents have been so obviously opposed to whenever brought up. It is equally disturbing that our elected representatives spend hard-earned tax money to hire individuals to perform tasks so obviously in opposition to the wishes of the residents of Diamond Bar.
- Response II-13-8      This comment is acknowledged.
- Comment II-13-9      Technically if Walnut Valley School District was serious about changing the designated use of Site D they should have done it when the new master plan was being developed and adopted recently. It is not like WVSD is new to Diamond Bar and Diamond Bar politics and policies. The School District was formed long before Diamond Bar ever thought of becoming a city, and at one time had a very healthy working relationship with the residents it served. If this is the best we can do, it is quite disappointing, I think we need to take a step back, and reassess our values and definition of progress. This change will have long-term negative effects on our community.
- Response II-13-9      This comment is acknowledged.

### Letter No. II-14

Toshiko Ishijima  
20806 Rocky Point Lane  
Diamond Bar, California 91789  
(Scoping meeting comment card)

- Comment II-14-1      This area is quiet area. Although 2 gas stations and retail stores on the corner of Diamond Bar Bld. & Brea Canyon. Also, there is a big H Mart shopping center near by. No more traffic, please.
- Response II-14-1      This comment is acknowledged.

Letter No. II-15

Masumi Izawa  
21004 Ambushers Street  
Diamond Bar, California  
(Scoping meeting comment card)

Comment II-15-1      At the current state of the economy, environment, and community, the proposed Specific Plan is not a viable option. The area surrounding Site D has been struggling with foreclosed homes and houses that remain on the market for an extended period. Creating more dwelling space and commercial buildings is asinine when nearby houses and businesses remain vacant. The proposed Specific Plan would only increase traffic, thus furthering the environmental effects. Who would want to live in a community with empty houses and buildings? The schools are crowded enough and plenty of dwelling space is already available and bountiful. Project Alternative 2 and 3 are smarter investments. Both alternatives, such as the creation of a park and library, would not only reduce the project’s environmental effects and lessen the discretionary actions required for the project, but WVUSD would be able to meet the site’s original purpose of education. WVUSD provides academic excellence in a pleasant community – stick with the mission.

Response II-15-1      This comment is acknowledged.

Letter No. II-16

John Martin  
1249 S. Diamond Bar Boulevard, Suite 438  
Diamond Bar, California 91765

Comment II-16-1      My name is John Martin. I have been a Diamond Bar resident since 1973. At the February 2008 Scoping Meeting, we listened to the plans for Site D and were told that nothing was cast in stone. We raised objections that Site D is the entrance to our city, - that the hillside with eucalyptus trees fronting Diamond Bar Blvd. should be maintained – and that asphalt should not come down to the corner of Diamond Bar Blvd. and Brea Canyon. We were told that our concerns would be addressed. The plan presented at the August 3, 2009 EIR meeting is the same as it was originally presented – with no changes (except to comply with State regulations) – no consideration to the wishes of Diamond Bar residents – and specifically no consideration to those residents who live next door to the project. I don’t live next door to Site D, but if I did I would be PO’ed at what is being planned. The only consideration is to get the maximum value for the property for the Walnut Valley School District.

Response II-16-1      This comment is acknowledged.

Comment II-16-2      What you want to do at the entrance to our city is to tear out the hillside with hundred year-old trees that front along Diamond Bar Blvd and replace them with an asphalt parking lot, at street level, and have a strip center of retail shops. So when we get off the 57 freeway at the Diamond

Bar exit, round the corner, we will see a strip center and asphalt, instead of calm, beautiful landscaping. The answer is simple – keep the existing hillside with 100 year old trees – make the setbacks 130 feet instead of 35 feet – leave the creek uncovered – and build high density homes up and above the hillside, out of sight from the street. High Density Guidance in the EIR recommends up to 20 homes per acre but the number can be less. So build nice condos similar to Montefino. Use it as guide. Make the development great.

Response II-16-2 This comment is acknowledged.

Comment II-16-3 In the EIR, you proposed 5 alternatives – from doing nothing (which is not economically feasible) to your solution of a shopping center and homes. You state on page 5 of the Draft EIR “each of the alternatives considered is environmentally superior to the proposed project.” This means you chose the worst alternative available. Where did the 50% retail, 50% homes standard come? It came from an advisor that was hired to determine the “highest and best use” of the property so it could be sold to a developer. But this worst alternative has been the only alternative presented. Were are the other alternatives?

Response II-16-3 In addition to the proposed project, an analysis of a reasonable range of alternatives is presented in Section 6.0 (Alternatives Analysis) in the DEIR.

Comment II-16-4 The H Mart Center is now successful after 10 years of being a wasteland. Yet, there are still spaces for rent in the H Mart Center, eight to be exact. If you want to develop a commercial center, then develop the K Mart center. This has been dead for 30 years. With H Mart (and its 8 vacancies), we don’t need another retail center in Diamond Bar.

Response II-16-4 This comment is acknowledged.

Comment II-16-5 Yes, develop the property. But the answer is to keep the hillside and the 100 year old trees, eliminate the retail center, move the street entrance to Crooked Creek and develop above with 200-300 high density homes – a nice project, not crammed together like Brookfield. Do not cover the creek. Do like Riverwalk in Riverside and make a water interest on the corner. Not covering the creek would save jillions of dollars and would keep the flavor of Diamond Bar as what it should be.

Response II-16-5 This comment is acknowledged.

Comment II-16-6 The Walnut School District can win and Diamond Bar residents can win. I ask the City Council to consider the alternatives that have not yet been presented properly to the environmentally bad alternative that was presented to us on August 3.

Response II-16-6 This comment is acknowledged.

Letter No. II-17

Mary Rodriguez  
3419 Pasado Drive  
Diamond Bar, California 91765

**Comment II-17-1** I am very concerned about the significant adverse effects this project will have on the environment. I'm concerned, not just for the residents of Diamond Bar who live within the 1000ft notification radius but for all residents of Diamond Bar and the environment in general. You have already found and noted "that the proposed project may have a significant effect on the environment and an environmental impact report is required" and you have determined that the environmental factors for this project are aesthetics, air quality, biological resources, geology, hazardous materials, water quality, land use, noise, public services, utilities and traffic. However, the City's hired "reputable" survey Firm has come up with findings that are not realistic. I have lived in Diamond Bar since 1965. I have seen it progress, I should say digress, from best to bad. Now the City Council is determined to take the City of Diamond Bar to "worse" than bad. I, and most of the Council's constituents, are determined to help the City Council realize that what they are proposing to do at Site "D" is not a good thing for anybody. It is not going to bring in the revenue that they want. It will be an eye sore for eternity. Nothing to be proud about.

**Response II-17-1** This comment is acknowledged.

**Comment II-17-2** I am concerned about the increased traffic from the proposed 202 dwelling units and the increased traffic associated with the 153,985 square feet of commercial use. This alone will have a tremendous adverse effect on the environment. As it is we are experiencing major traffic congestion at Diamond Bar Blvd and Brea Canyon Road. Commuters that are just driving through Diamond Bar because they must, to get home or to get to work in the morning, cut through our residential neighborhoods to avoid that intersection. They drive through my neighborhood. This creates a very dangerous situation.

**Response II-17-2** This comment is acknowledged.

**Comment II-17-3** Most of the drivers stay on the main streets, Brea Canyon Road and Diamond Bar Blvd. they get to sit and wait a couple of turns before getting through the intersection. While the drivers sit in their automobiles waiting for their traffic light to change, the engines are running, idling, and the carbon emissions are at killer levels. The combustion of fuels results in the release of carbon Dioxide, a common greenhouse gas that contributes to global warming. If it's a hot day, the automobile air-conditioners are tuned on potentially adding chlorofluorocarbon to the mix. It's CFC-12 often know as Freon and known to deplete the ozone. How does the City Council propose to mitigate the additional toxins that we are going to be breathing into our lungs?

## “Site D” Specific Plan

City of Diamond Bar, California

---

---

Response II-17-3 The six most globally important greenhouse gases (GHGs) include carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), sulfur hexafluoride (SF<sub>6</sub>), hydrofluorocarbons (HFCs), and perfluorocarbons (PFCs).<sup>1</sup> Some GHGs occur naturally in the atmosphere, while others result from human activities. Naturally occurring GHGs include water vapor, carbon dioxide, methane, nitrous oxides, and ozone. Certain human activities add to the levels of most of these naturally occurring gases. CO<sub>2</sub> is released to the atmosphere when solid waste, fossil fuels, wood, and wood products are burned. CH<sub>4</sub> is emitted during the production and transport of coal, natural gas, and oil and results from the decomposition of organic wastes and the raising of livestock. N<sub>2</sub>O is emitted during agricultural and industrial activities, as well as during combustion of solid waste and fossil fuel. Other GHGs are not naturally occurring, including HFCs, PFCs, and SF<sub>6</sub> which are generated in a variety of industrial processes.

Carbon dioxide is the most abundant GHG. As such, GHG emissions typically are measured in metric tonnes of “carbon dioxide equivalent” (CO<sub>2</sub>e) units. Worldwide emissions of GHGs in 2004 were 26.8 billion tonnes of CO<sub>2</sub>e per year.<sup>2</sup> In 2004, the United States emitted about 7 billion tonnes of CO<sub>2</sub>e.<sup>3</sup> Over 80 percent of the GHG emissions in the United States are comprised of CO<sub>2</sub> emissions from energy-related fossil fuel combustion. In 2004, California emitted 0.480 billion tonnes of CO<sub>2</sub>e or about 7 percent of the United States emissions. The proposed project’s GHG contribution would be expected to be de minimis.

Land-use strategies that encourage people to walk, bicycle, and/or use public transit rather than rely upon their automobiles for mobility tend to be “better for air quality.”<sup>4</sup> Strategies that provide access to and support multi-modal transportation systems can help to reduce automobile use and its associated emissions. At the neighborhood-level, site-specific strategies can be applied to existing and new development projects that promote reductions in driving rates and associated vehicle emissions. Those strategies include mixed-use development, interconnected street networks, traditional neighborhood design, and transit-oriented development.

As indicated by the California Energy Commission (CEC): “A balance of jobs and housing may reduce daily work vehicle miles traveled, which is important in managing congestion, but work trips account for a small and shrinking percentage of total travel. According to the National Household Travel Survey 2001 Highlights Report, 45 percent of daily trips were made for family and personal reasons, such as shopping and running

---

<sup>1/</sup> Section 38505(g), Health and Safety Code.

<sup>2/</sup> United Nations Framework on Climate Change, Sum of Annex I and Annex II Countries without Counting Land-Use, Land-Use Change, and Forestry ([http://unfccc.int/ghg\\_emissions\\_data/predefined\\_queries/items/3814.php](http://unfccc.int/ghg_emissions_data/predefined_queries/items/3814.php)).

<sup>3/</sup> United States Environmental Protection Agency, 2006 Inventory of U.S. Greenhouse Gas Emissions and Sinks ([http://www.epa.gov/climatechange/emissions/downloads/06/06\\_Complete\\_Report.pdf](http://www.epa.gov/climatechange/emissions/downloads/06/06_Complete_Report.pdf)).

<sup>4/</sup> California Environmental Protection Agency, California Air Resources Board, The Land Use – Air Quality Linkage: How Land Use and Transportation Affect Air Quality, 1997 Edition, p. 4.

errands; 27 percent were made for social and recreational purposes; and 15 percent were made for commuting to work. ‘Nonwork is the major reason for travel even in peak travel periods.’ . Non-work vehicle miles traveled is a large portion of travel, which may not respond to traditional methods of reducing vehicle miles traveled in the same way. Transit-oriented developments, for example, may be more successful if they are designed to facilitate non-auto errand trips as well as transit commutes.”<sup>5</sup>

Mixed-use development allows compatible land uses (e.g., shopping, jobs, and housing) to locate closer together, thus decreasing the travel distances between them and encouraging “non-auto errand trips.” Development activities combining both residential and non-residential uses can reduce vehicle miles traveled (VMT) and total vehicle trips and increase transit ridership, especially during off-peak periods.

Comment II-17-4      As I mentioned at the Public Forum meeting on August 3, 2009, the drawing on page 4.6-12 on “Existing PM Peak-Hour Traffic Volumes” does not show all of the existing streets. What happened to Copper Canyon Road? The roadway conditions and intersection controls do not show the one-way stop at Copper Canyon Road. Was this road considered in the traffic study? Was this road part of the calculations? How old is the Traffic Study that the City keeps providing us? I request that a new traffic study be conducted.

Response II-17-4      The scope of the traffic analysis in the DEIR was developed in coordination with the City (Lead Agency) and was determined to be fully adequate to satisfy CEQA. The traffic analysis study area is generally comprised of those locations which have the greatest potential to experience significant traffic impacts due to the proposed project as determined by the Lead Agency. In the traffic engineering practice, the study area generally includes those intersections that are: (1) immediately adjacent or in close proximity to the project site; (2) in the vicinity of the project site that are documented to have current or projected future adverse operational issues; and (3) in the vicinity of the project site that are forecast to experience a relatively greater percentage of project-related vehicular turning movements (e.g., at freeway ramp intersections). In addition, the list of study intersections that were assessed in the DEIR traffic study were identified by applying the criteria outlined in the “Congestion Management Program (CMP) for Los Angeles County” for analyzing intersections (i.e., any intersection where the project adds 50 or more peak hour trips should be analyzed) and in consideration of the City’s “Guidelines for the Preparation of Traffic Impact Analysis Report” (2005).

In review of the traffic analysis study area shown on Figure 4.6-1 (Vicinity Map and Key Study Intersections) of the DEIR, the intersections selected for analysis are consistent with the criteria noted above. Although not every intersection has been selected for analysis along every roadway,

---

<sup>5/</sup> California Energy Commission, 2007 Integrated Energy Policy Report, CEC-100-2007-008-CMF, 2007, p. 210.

the traffic analysis study area included several intersections immediately adjacent to the project site, key intersections in the project vicinity that may have existing or future operational issues and a relatively higher percentage of project-related turning movements, as well as intersections located at important freeway ramp intersections (e.g., SR-57), with the majority of the intersections assessed in the DEIR meeting the “50-trip” threshold criteria. With regards to the Brea Canyon Road at Copper Canyon Road, this intersection was not previously identified for inclusion in the traffic impact because the “50-trip” threshold criterion was not met. However, based on the trip distribution patterns identified in the traffic study, the traffic impacts on Brea Canyon Road can be addressed by mitigations proposed at the signalized intersection of Brea Canyon Road and Silver Bullet Drive. At this intersection, the project developer is required to provide a fair-share contribution toward mitigation efforts (consisting of additional lane restriping and traffic signal modifications) in a manner proportionate to the net traffic impact resulting from the project.

- Comment II-17-5      The Study states that “the noise within the project area is primarily created by local traffic”. This is not true. To get a good read on the noise from “local traffic” in the project area you must go to the site on Saturday and/or Sunday, when most traffic in the area is “local”. The intersection of Brea Canyon Road and Diamond Bar Blvd. is also intersected by Brea Canyon Cut-Off Road and the 57 Freeway. All of these roads bring in a tremendous volume of traffic through the Project site area, hence a tremendous volume of noise. The City has not stated how it proposed to “mitigate” that noise.
- Response II-17-5      With regards to the mitigation of noise impacts, a list of recommended mitigation measures and other conditions of approval are presented in Section 4.8.4 (Project Conditions and Mitigation Measures) in Section 4.8 (Noise) of the DEIR.
- Comment II-17-6      The Study also states that “it was not feasible to count freeway traffic during the field study”. So the noise study is incomplete. I request that a new and complete noise study be conducted.
- Response II-17-6      The DEIR states: “While it was not feasible to count freeway traffic during the field study, it is possible to approximate existing on-site CNEL levels based on the field data” (p. 4.8-15). The Department believes that the acoustical analysis presented in the DEIR is an accurate and reasonable assessment of the project’s potential noise impacts and that further acoustical analysis is not warranted at this time.
- Comment II-17-7      There is also the matter of the noise and pollution that will be present during the construction of the project. The Report is stating, in so many words, that it is going to be very bad situation for the surrounding residents. The earth moving equipment will cause large dust clouds, a lot of earth shaking will be going on. House foundations will shift, windows and walls will crack, perhaps even break. What does the City propose to do to protect the property of the residents in the adjacent and surrounding

areas of the project site? We need answers to these and many other questions that the Council has not addressed. We need specifics to the answers that the Council has provided. The noise level is high; this project will make it worse.

Response II-17-7 Numerous mitigation measures have been formulated and are presented in the DEIR. As indicated in the DEIR, all noise and geotechnical impacts can be effectively mitigated through the imposition of identified mitigation measures. The DEIR, however, acknowledges that certain air quality impacts cannot be feasibly mitigated to a less-than-significant level. Significant unavoidable adverse air quality impacts include: (1) Construction of the proposed project has the potential to violate or add to a violation of air quality standards (Air Quality Impact 7-2); (2) Operation of the proposed project has the potential to violate or add to a violation of air quality standards (Air Quality Impact 7-3); and (3) The proposed project, in combination with other related projects, has the potential to result in a cumulatively considerable increase in criteria pollutants (Air Quality Impact 7-6).

Comment II-17-8 The geological data used to support the project is based on information gathered for the Lewis Company in 2004. At that time the City Council was making a deal with Lewis. I guess that “deal” fell through. Now the City is using the information gathered for Lewis. The sampling that was done for Lewis Company in 2004 is cursory at most. Under “Soil Sampling Methodology and Procedures”, it reads “the field sampling equipment consisted of a clean hand trowel and clean glass jars”, also “a total of three soil samples were obtained from a depth of 6 to 12 inches deep by transferring soil from the trowel into a clean glass jar”. A project of this magnitude certainly requires a more “in depth” sampling and study. Also, under the heading “NON-SCOPE CONSIDERATIONS” it lists issues that were NOT addressed. They are, radon, lead in drinking water, lead-based paint, wetlands, cultural and historical resources, industrial hygiene, health and safety, ecological resources, indoor air quality, mold and mildew and asbestos” I request a new geological and soil study be conducted.

Response II-17-8 The geotechnical analysis was based, in part, on the following site-specific investigations: (1) KFM GeoScience, Preliminary Geotechnical Report: Site D – Mass Grading, Walnut Valley Unified School District, Diamond Bar, California, April 24, 2009; and (2) KFM GeoScience, Response to Third Party Geotechnical Review, April 23, 2009. As indicated therein, the subsurface field investigation was performed in two phases: (1) an initial investigation consisting of backhoe excavating, logging, and sampling of seven test pits to depths of up to approximately 15 feet below the existing grade, along with cleaning up several existing roads for drill rig access; and (2) a bucket auger drilling program consisting of advancing four borings. KFM GeoScience collected soil samples from the borings for transport to a geotechnical laboratory for further visual classification and testing. Based on the City’s due-diligence review of the project’s geotechnical investigation, the Department has

## **“Site D” Specific Plan**

City of Diamond Bar, California

---

---

concluded that the level of geotechnical review is sufficient and appropriate to address the proposed entitlements and that no further geotechnical investigation is warranted at this time.

Comment II-17-9 The City’s proposed project for Site “D” will have cause substantial adverse changes in the physical condition of the area. The existing site is hilly, with some trails, during certain times of the year the slopes of the area of Site “D” are covered with a blanket of yellow and purple flowers. During the summer the wild grass is dry, but it is a beautiful canvas for the dark green trees that grow there. Some of those trees are over 100 years old. There is California walnut woodland, there are Eucalyptus trees that are 90 feet tall, and there also exists other types of vegetation on this site which I cannot identify.

Response II-17-9 This comment is acknowledged.

Comment II-17-10 I request that the City Officials take the required measures to have a very careful analytical look at what it is that grows on Site “D”. There has been no mention of saving the trees. The plan calls for razing 28.3 acres that is Site “D” to street level (Diamond Bar Blvd. level). The City’s elected officials, their representatives at the August 3, 2009 meeting, have made no mention of saving those trees. I am asking that Site “D” remain in its natural state, and that the City honor the Walnut Valley Unified School District’s Public Hearing Report regarding Site D (March 4, 1991 and March 11, 1991). The Report was prepared by the Property Advisory Committee. The Board of Trustees appointed this committee and it was found that the community’s preference was for having a park developed. The Report also indicated that leaving Site “D” in its natural state would be tolerated, and that extreme minimal tolerance was shown for housing.

Response II-17-10 For information purposes only, a copy of the WVUSD’s “Site ‘D’ Public Hearing Report (March 4, 1991 and March 11, 1991),” as prepared by the Property Advisory Committee and presented to the WVUSD’s Board of Trustees on June 26, 1991 and a copy of an undated resolution of the Diamond Bar Improvement Association, as provided to the Lead Agency by the commentor, are included in Appendix III-D (Site “D” Public Hearing Report and Resolution of the Diamond Bar Improvement Association) herein.

### Letter No. II-18

Greg J Ogonowski  
21492 Cold Springs Lane  
Diamond Bar, California 91765-3813

Comment II-18-1 I have been a Diamond Bar homeowner and resident since 1986. I moved here to be close to Los Angeles without actually living in it. For years, my family has been able to enjoy a beautiful view from the back of our residence. The Diamond Bar Site D Specific Plan threatens this for us and many other Diamond Bar residents. Although we are not opposed to progress, development needs to happen very carefully, especially in

these tough economic times. The State of California’s financial problems are adversely affecting the state’s school districts; The Walnut Valley Unified School District is no exception. Various school districts are panicking to recover funds from undeveloped properties. It is unfair that the inability of the Walnut Valley School District to handle its financial affairs has become a problem for the residents of Diamond Bar, but is obviously has. If implemented, the proposal to develop Diamond Bar Site D will degrade our city’s residents’ quality of live in many ways.

- Response II-18-1      This comment is acknowledged.
- Comment II-18-2      Traffic Congestion: Traffic on Diamond Bar Blvd. is already a major problem during peak traffic times, especially when the 57 Fwy is backed up. Site D will simply add to this problem. What traffic studies have been done to analyze the impact of this development?
- Response II-18-2      The traffic analysis presented in the DEIR was based, in part on the following project-specific traffic study: Linscott, Law & Greenspan Engineers, Traffic Impact Analysis Report, WVUSD Site D Mixed-Use Development, Diamond Bar, California, April 23, 2009.
- Comment II-18-3      Commercial Space Occupancy: The County Hills Shopping Center, which was recently rebuilt after having a vacant grocery store and other vacant units for years, still has unoccupied space. This center is right up the street from the proposed Diamond Bar Site D location. What commercial market study has been done to ensure that this new proposed center will obtain tenants?
- Response II-18-3      No “commercial market study” has been prepared by or presented to the Lead Agency. Typically, the City would not request from an applicant any form of market absorption analysis as part of an application process.
- Comment II-18-4      Trespassing and Vandalism: The development of the commercial space close to current residences will encourage trespassing and vandalism, especially if these buildings remain vacant.
- Response II-18-4      The proposed project’s commercial component will not “encourage” trespassing and vandalism to any more extent that other similar non-residential projects in the City. Proposed grading and clearance plans will increase visibility, particularly from Diamond Bar Boulevard, and create opportunities for visual surveillance which are presently absent from the site.
- Comment II-18-5      Wildlife: Diamond Bar Site D is the home to many different forms of natural wildlife. They need a home too. Rabbits, raccoons, coyotes, bobcats, and many other wild animals reside here. Where will they move? Into our backyards? Where will the rodents move? Into our homes?
- Response II-18-5      See [Response II-2-2](#) above.

## “Site D” Specific Plan

City of Diamond Bar, California

---

---

Comment II-18-6      Noise and Pollution: The Diamond Bar Site D location is fairly close to the 57 Fwy. This already creates an abundance of noise and pollution, especially for those residing on the edge of the development. The Diamond Bar Site D development will contribute to this problem, both during construction and operation.

Response II-18-6      This comment is acknowledged.

Comment II-18-7      View: The Diamond Bar Site D proposed plan specifies destroying several aspects of the natural beauty of the immediate area. The Eucalyptus trees, which are over 100 years old, are scheduled to be removed. The site is scheduled to be graded flat in favor of yet another parking lot. The residents above will look into the HVAC units on the new buildings. This is hardly what we moved to Diamond Bar, and pay property taxes for.

Response II-18-7      This comment is acknowledged.

With regards to “HVAC units,” the specific plan’s proposed design guidelines for commercial architecture state: “All utility equipment, mechanical equipment, tanks, ducts, transformers, downspouts, and other similar equipment should be screened from view from all pedestrian, vehicular (where appropriate), and open space vantage points and should be graffiti- and vandal-resistant” (Section 4.1.1.e).

Comment II-18-8      We understand that leaving the property unchanged is not an option in these tough economic times but there must be alternative plans to consider for the development of this property. This is the last undeveloped parcel in the City of Diamond Bar and its use should be chosen very carefully. It is clearly not in the best interest of the residents of Diamond Bar to approve the current proposed Diamond Bar Site D Specific Plan.

Response II-18-8      In addition to the proposed project, an analysis of a reasonable range of alternatives is presented in Section 6.0 (Alternatives Analysis) in the DEIR.

Comment II-18-9      Diamond Bar needs more recreational and park space for its residents. These are uses that would get the support of the residents of Diamond Bar. A potential solution is a mode that can be found on the San Francisco Peninsula. The Peninsula Open Space Trust [POST] is a non-profit that solicits charitable contributions with the intent of buying undeveloped land and farmland in the area so that it can be protected from future development. POST has already preserved tens of thousands of acres. I believe that it would be worthwhile to organize a similar nonprofit with the goal of raising enough money to purchase Site D and preserve it for the enjoyment of our city’s residents. Alternatively, a local bond measure could be placed before the city’s voters this November to buy the land for the benefit of all of our city’s residents.

Response II-18-9      This comment is acknowledged.

Letter No. II-19

Horst Franz Abt  
3414 Castle Rock Road  
Diamond Bar, California 91765  
(Scoping meeting comment card)

Comment II-19-1      I live right next to the vacant lot at the north cul-de-sac of Castle Rock Rd. – my concerns are construction activity (noise, dirt + dust, construction equipment limiting my parking and/or access to my property, damage to my house foundation and my block wall, et. al.)

Response II-19-1      This comment is acknowledged.

Comment II-19-2      No commercial space is needed – look at the vacancies in the mall across the street.

Response II-19-2      This comment is acknowledged.

Comment II-19-3      Keep it green – trees on Diamond Bar Blvd.

Response II-19-3      This comment is acknowledged.

Letter No. II-20

Su Fann  
21484 Cold Springs Lane  
Diamond Bar, California 91765  
(Scoping meeting comment card)

Comment II-20-1      More cheap home buildsup, more stores buildsup. Then more people will be moving in, and will bring in more burglaries. I had filed a “burglary” report on 07-22-08. The sheriff could not find any thief. How to protect our property? How to prevent our house value going down? Kill more trees, then will decrease fresh & clean air, & more smogs will give us more opportunities to get lung cancer or unknown disease. I enjoy the nature of beauty which bring me a peace of mind & in good health. What’s going to happen to my house if under huge construction? The stucco not just ruins my swimming pool, but also makes my house falling apart. Who will pay me for the total damage of my house & my family’s health? Please do not destroy us. There is no benefit to us at all but a lots of harm. Whoever agree this project, because they don’t live here. Please, do not force us to sell our beautiful homeland.

Response II-20-1      This comment is acknowledged.

Letter No. II-21

Mary Hasegawa  
21502 Cold Springs Lane  
Diamond Bar, California  
(Mhasegawa88@verizon.net)

## “Site D” Specific Plan

City of Diamond Bar, California

---

---

- Comment II-21-1 I strongly oppose the proposed residential and commercial tract in the vicinity of Brea Canyon and Diamond Bar Blvds.. The proposed plan would have serious negative repercussions for the entire city. Diamond Bar Blvd. is the main artery for the surrounding residents. Traffic is already congested at the intersection of Diamond Bar Bl. & Brea Canyon Bl. At rush hour. Two hundred homes and a commercial tract will add a significant increase of traffic.
- Response II-21-1 Detailed information concerning the potential traffic-related impacts of the proposed project and those mitigation measures proposed in response to those impacts is presented in Section 4.6 (Transportation and Circulation) and Appendix G (Traffic Impact Analysis) in the DEIR.
- Comment II-21-2 The neighboring city of Rowland Heights has so much traffic that Colima Blvd., the major thoroughfare, suffers from severe congestion. Our city cannot make the same mistake. The noise from the 57 freeway can be heard from our house. Construction and other forms of noise from the tract will travel up to the neighborhood.
- Response II-21-2 An acoustical analysis, addressing both construction-term and operational impacts, is presented in Section 4.8 (Noise) and Appendix J (Noise) in the DEIR. As indicated therein, based on the identified threshold of significance criteria, noise impacts either do not elevate to a level of significance or can be mitigated to a less-than-significant level based on the recommended conditions of approval and mitigation measures identified in the DEIR.
- Comment II-21-3 The hillside below will be carved up by earthmovers. What assurance do we have that will not create movement from the displacement and creation of a newly graded area?
- Response II-21-3 The Applicant has submitted and the Lead Agency has independently reviewed a site-specific study providing information concerning the site’s existing geologic, geotechnical, and seismic setting. That study, as prepared by KFM GeoScience (KFM), entitled “Preliminary Geotechnical Report: Site D – Mass Grading, Walnut Valley Unified School District, Diamond Bar, California” (April 24, 2009), as augmented by KFM’s “Response to Third Party Geotechnical Review” (April 23, 2009), is included in Appendix C (Preliminary Geotechnical Investigation) in the DEIR. In addition, additional information concerning potential geotechnical hazards is presented in Section 4.3 (Geotechnical Hazards) therein.
- Comment II-21-4 What is to become of the numerous animals and fauna that currently reside and occupy the proposed building site. Do we brush them off without any care just to satisfy developers and politicians? The area is a thriving ecosystem and will vanish. It is home to animals such as bobcats, racoons, coyotes, rabbits and most importantly numerous species of birds. I have seen red tailed hawks, sparrow hawks, owls, turkey vultures. Migratory birds such as ducks have been spotted flying

low to ground through the area. I have seen these animals while walking and living here in Diamond Bar. Recently white crane has taken residence in the area

Response II-21-4      The Applicant has submitted and the Lead Agency has independently reviewed a number of site-specific and project-specific studies that provide information concerning the site’s existing biological resources. Those studies include: (1) “Biological Resources Assessment – Site D, City of Diamond Bar, Los Angeles County, California” (PCR Services Corporation, June 24, 2008); (2) “Tree Survey Report – Site D, City of Diamond Bar, Los Angeles County, California” (PCR Services Corporation, December 18, 2007); (3) “Results of Sensitive Plant Surveys Conducted for the Site D Project Site, City of Diamond Bar, Los Angeles County, California” (PCR Services Corporation, December 18, 2007); and (4) “Investigation of Jurisdictional Wetlands and Waters of the U.S., Site D, City of Diamond Bar, Los Angeles County, California” (PCR Services Corporation, June 24, 2008). Each of those studies is included in Appendix F (Biological Resource Assessment) in the DEIR. In addition, additional information concerning potential biological resource impacts is presented in Section 4.5 (Biological Resources) therein.

Comment II-21-5      What is the general plan for the City of Diamond Bar? Will public services such as schools, police, and fire and infrastructure issues be impacted. I believe a public park with hiking trails similar to Schabarum Park would best serve the residents. Heritage park is the only park we utilize in this area.

Response II-21-5      As illustrated in Figure 4.1-1 (City of Diamond Bar General Plan and Zoning Designations) in the DEIR, the District Property is designed “Public Facilities (PF)” and the City Property is designated “General Commercial (C) (max. 1.0 FAR)” in the “City of Diamond Bar General Plan.” Public service impacts are addressed in Section 4.9 (Public Services) and utility and service system impacts are addressed in Section 4.10 (Utilities and Service Systems) in the DEIR.

A “public park” alternative was initially considered but subsequently eliminated from further CEQA analysis since no funding source for the public acquisition of the site has been identified. Since the City would be unable to proceed with the purchase of the subject property for a park use at this time and since no other potential purchasers for this land use would likely exist, a recreational alternative has not been addressed since no implementation mechanism has been identified. The ability of the Lead Agency and/or the Applicant to implement this alternative would be highly speculative.

Comment II-21-6      My father, Akira Hasegawa was a Division Chief for the Los Angeles County Regional Planning Commission. He was in charge of Community Studies enacting zonings laws and developing feasibility studies for new and unincorporated areas in the San Gabriel Valley. He said traffic was the biggest problem for emerging cities. His office pushed for painting all

## **“Site D” Specific Plan**

City of Diamond Bar, California

---

---

the curbs in the City of Industry to discourage parking. Mayor Tanaka do not let our city go down the wrong path.

Response II-21-6 This comment is acknowledged.

### Letter No. II-22

Solaiman Budiman  
2928 Crooked Creek Drive  
Diamond Bar, California 91765  
(sbn21@aol.com)

Comment II-22-1 I'm sorry that my comment is coming late. Anyway, I think the best alternative is Public Park Use since it is the only environmentally & socially feasible alternative that all residents in the vicinity can unanimously agree. The public park must apply sustainable environmental practices and focus on responsible water and energy usage as well as waste management. With vacancies rising and job growth slowing, new commercial development is not making sense. The "less than/potentially significant" are so easily used on table ES-1 to make it appears "less severe" where in-depth quantitative study should be shown to support the DEIR. The last meeting is full with unsatisfy residents because the presentation shows lack of environmental concern. So I hope next time Lead Agency will come up with a better pitch to convince Diamond Bar residents. Please inform me of future meetings and hearings for this Site 'D' planning process.

Response II-22-1 This comment is acknowledged.

### Letter No. II-23

Jennie Quan  
2962 Crooked Creek  
Diamond Bar, California 91765  
(Scoping meeting comment card)

Comment II-23-1 I'm against the development of this project. The EIR was no specific. I'm ashamed of the mayor & counsels are try to sell them to lower income project, with no regards to the neighbors, citizens of Diamond Bar. We do not need another commercial shopping center (Already have Rite-Aid Center) in our neighborhood. We want preserve our environments.

Response II-23-1 This comment is acknowledged.

### Letter No. II-24

Susan Ito  
3815 Castle Rock Road  
Diamond Bar, California  
(Scoping meeting comment card)

Comment II-24-1 This site is one of the last open spaces in Diamond Bar. Please consider development that can be used by all the residents. We need a mixed use

commercial, residential green belt complex that flows together. More of a European – East Coast plan with library/recreation facilities on bottom level, commercial above leading to high density housing & green belt/parks area/soccer fields interspersed. I would like to see inclusion of dog park area. I travel to Claremont & San Dimas for use of their facilities. Resident for 34 yr.

Response II-24-1      This comment is acknowledged.

Letter No. II-25

Derek Roh  
20931 Ambusher Street  
Diamond Bar, California 91765  
(Scoping meeting comment card)

Comment II-25-1      Can the people of Diamond Bar and Brea help pitch in ideas for the development of Site D in City of Diamond Bar? Ex. Idea A: [GRAPHIC]. Ex. Idea B: [GRAPHIC]

Response II-25-1      This comment is acknowledged.

Letter No. II-26

Derek Roh  
20931 Ambusher Street  
Diamond Bar, California 91765  
(Scoping meeting comment card)

Comment II-26-1      (1) Is there a way to keep the yukleptic trees and water way? and level up the price of housing? (2) will the contractors take into note to pay all the sewage problems that is caused to the tenants during and after the construction?

Response II-26-1      In addition to the proposed project, an analysis of a reasonable range of alternatives is presented in Section 6.0 (Alternatives Analysis) in the DEIR. Included in the range of alternatives examined therein is a “No Project Alternative” (Alternative 1) whereby the project site is retained in its current condition and no physical changes and no development activities occur thereupon.

As indicated in Section 4.10 (Utilities and Service Systems), as conditioned, no sewer impacts have been identified which would either preclude the site’s development for the proposed use or adversely affect other proximal properties.

Comment II-26-2      (1) Is the selling of Site D to a contractor really what the Walnut Valley District (school) wants? (2) What is the appraisal of the land now? (3) Why not build something the Walnut School District can get a continual income on? Such as a park with 5 soccer fields.

## **“Site D” Specific Plan**

City of Diamond Bar, California

---

---

Response II-26-2      That portion of the project site owned by the WVUSD has been declared “surplus” by the school district. In the absence of an identified need, the WVUSD seeks to sell “Site D” and utilize any funds obtained therefrom for authorized school district uses. See also Response II-6-2 and Response II-12-2 herein.

The City has not requested and the WVUSD has not provided the Lead Agency with a current appraisal of the project site.

With regards to potential park use, see Response II-21-4 above.

### Letter No. II-27

Jane Johnson  
2982 Crooked Creek Drive  
Diamond Bar, California  
(Scoping meeting comment card)

Comment II-27-1      Site D needs a park with water features for the children (fountains, little pools). No more retail. We need to fill the already empty spaces at the other shopping centers. Talk to owners to lower rent so we can filled the empty shopping squares. Put the \$\$\$ into making the town look really great. Been here since 1976 and I’m disappointed.

Response II-27-1      This comment is acknowledged.

## **3.2.3 Oral Comments from Non-Governmental Entities**

### Oral Comment No. III-1

Gale Eastman

Comment III-1-1      Gale Eastman said he was told years ago that a school could not be built on this site and wondered if something had changed so that they can build commercial and residential at this site. Mr. Rogers responded that it was not that they could not build a school, schools are located based on population, and there is not a need to locate a school at this site. When the state surpluses property under the State Education Code, they go through a mandatory process by committee and enlist the help of the public to determine future uses of the site. Site D was declared surplus property in 1988 or 1989. Mr. Eastman said he would like to see Castle Rock rebuilt at Site D, and Heritage Park expanded.

Response III-1-1      This comment is acknowledged.

### Oral Comment No. III-2

Allen Wilson

Comment III-2-1      Allen Wilson said that traffic mitigation needed to be addressed and if the school district has no need for this property why don’t they donate it for the City to enjoy. If the school district sells this property what will they use the funds for? He felt that if this project was allowed it would open

the door for the Aera project. Mr. Rogers said he was not qualified to address the Aera project in relationship to this proposed project because he was not sure they would necessarily relate. This is a much smaller project that has been in the works for 18 years. The funds that are generated by this project for the school district go into their maintenance and operations budget and would not go into the general fund. This is currently under the General Plan designation of “public facilities” which is not necessarily coincidental to the school site. The district has no need for this surplus property as a school site. He said that in today’s economy it would be in the best interest of the community for it to generate funds where appropriate and this seems, after 18 years, to be an appropriate opportunity. He cannot speak to what specific improvements would be part of the project moving forward as they would be conditioned under the subdivision map approvals for the site. There are a number of capital improvements that come with the project that are street improvements – how it is conditioned is a separate issue. Separately from that, the project pays into a fund for future improvements based on regional impacts that occur as a result of this project. One of the things he mentioned in his discussion was the split between commercial and residential gives the project off-peak uses on 50 percent of the property. The peak hour uses for residential are the work hours that are typically 8:00 am and 5:00 pm. Commercial tends to be off-peak to those hours and starts at 10:00 am and go beyond. In some respect the split use has some benefit in terms of the overall impact. CDD/Gubman said that whether or not the Aera project will move forward and what may occur is unknown. There is a section of the traffic study that looked at related projects and did a traffic generation forecast. The Aera project as described to the City by Aera Energy is included in the traffic analysis. The number of units that had been initially stated were used as the basis for the traffic generation forecast. Mr. Lewandowski said that the purpose of CEQA is to look at the environmental implications for a project to ascertain whether there are particular conditions of approval that could be adopted (mitigation measures under CEQA) or whether different land use options could be brought forward if one of those alternate land uses might lessen the impacts of those actions. In the preparation of the environmental impact report, separate traffic studies were done by a very reputable local traffic firm that analyzed both the on and off-site traffic implications of this particular project. Small projects will incrementally contribute to further increase in traffic in the area. However, the traffic study determined, based on the methodology used in traffic engineering to determine what conditions could be brought forward so as to further implement the City’s traffic goals of different levels of service standards. The traffic study that he researched for both onsite and offsite traffic implications brought forward mitigation measures for the physical improvements as well as financial contributions to regional intersections and those mitigation measures are identified in the document. To Mr. Wilson’s fundamental question, the City is being asked to consider a particular land use. CEQA identifies a variety of other land uses that which could be considered for the site. CEQA mandates that one of those alternatives be called a “no project” alternative under which the City as the lead agency takes no

## **“Site D” Specific Plan**

City of Diamond Bar, California

---

---

action on the project and the site is not developed. The EIR also looked at four other alternatives including public facilities, neighborhood serving commercial, higher density, and lower density residential. One of the things the City Council will be considering is not only the land use that is presented in the Specific Plan but all other possible land use options for this site including those that are in the EIR and others that might be brought forth in the future.

Response III-2-1 Detailed information concerning the potential traffic-related impacts of the proposed project and those mitigation measures proposed in response to those impacts is presented in Section 4.6 (Transportation and Circulation) and Appendix G (Traffic Impact Analysis) in the DEIR. Additional information concerning the WVUSD’s use of proceeds by the sale of surplus school district property is presented in Response II-6-2 above.

### Oral Comment No. III-3

Mary Rodriquez

Comment III-3-1 Mary Rodriquez, 33419 Pasado Drive, said there are a lot of problems with this project that were not included in the 400 page report. The report does not mention Copper Canyon and Silver Bullet, etc. The reputable firm that conducted the traffic study may be reputable but they have made a mistake by not including these streets in the study and the public needs assurance there will be mitigation for all of the noise. There is sound wall along the SR57 to protect residents from the noise so what can the neighbors expect from more development but more of the same. Mr. Lewandowski asked Ms. Rodriquez to send her comments to the city. If she perceives that there are inadequacies with the traffic study the City would encourage her to identify those so that the traffic engineer could consider those. Noise is an aspect of living in that part of the City and he was sure her neighbors experienced those concerns. He reiterated that the City would benefit from whatever empirical evidence she has. Mr. Lewandowski said that the traffic engineering firm did a very high-quality analysis. The firm has very skilled engineers who conducted the study and yes, much of the study is in engineering format which may not be as clear to people who do not deal with traffic engineering, therefore, it is important for individuals to bring to them whatever information they have from real life situations and clearly those will be considered in the analysis. There are two types of noise: During construction it is, by its very nature, noisy. The City has limited the hours of construction and additional mitigation may be brought forward. Noise will be primarily related to traffic onsite and entering and exiting the site during construction. During analysis, it is difficult to ascertain the City’s level of acceptance of impacts. All projects will have certain impacts and if the criteria allows for no impacts no development could proceed. So one of the environmental analyses is to try and define the City’s level of acceptability relative to particular impacts. Noise and traffic all have impacts and it is impossible to measure all of them quantitatively. Ms. Rodriquez felt there was no way to mitigate the noise. She was concerned about workers parking on the street, trucks being parked on

the street overnight and dirt and debris flowing into the streets and she wanted to know what would be done to protect the three houses on her street. She said she would have to live with the pounding and the dirt. She wanted to know why the school district was in the business of developing property. Mr. Rogers reiterated that the school district owns the lion’s share of the property and the City owns a small anchor piece along Brea Canyon Road. The goal of both the City and the school district is to get an entitlement with the property for what is compatible with the surrounding area in order to put the property up for sale. The property owner has a right to do that and they are not envisioned to be the developer of the property but simply benefit from the transaction. As he stated in his presentation, upon acquisition of this property by a developer another process would commence with regard to the actual siting of structures, densities and product types that would be proposed by the ultimate buyer of the property. Ms. Rodriguez asked what the City would do if the developer wanted to do something different. Mr. Rogers reiterated that the reason the City has gone through this process was to ensure a reasonable and thorough entitlement process that ensures a high quality project with current and contemporary zoning, design guidelines and zoning standards so that when the property is sold to the developer if he chooses not to pursue development of this property under these specific plan guidelines and zoning embodied in this entitlement, he would have to start at square one (CEQA, General Plan Amendment, Zone Change, etc.) He believed that it was the responsibility of the school district and City to create an entitlement that is compatible and consistent with the region and has benefits for the City, school district and surrounding community.

Response III-3-1      With regards to traffic impacts, see [Response II-17-4](#) above.

An acoustical analysis, addressing both construction-term and operational impacts, is presented in Section 4.8 (Noise) and Appendix J (Noise) in the DEIR. As indicated therein, based on the identified threshold of significance criteria, noise impacts either do not elevate to a level of significance or can be mitigated to a less-than-significant level based on the recommended conditions of approval and mitigation measures identified in the DEIR.

In order to reduce the presence of construction vehicles in abutting residential areas, as a recommended condition of project approval, the DEIR includes a requirement that a “construction traffic safety plan” be prepared. As specified, in part, therein, the use of local streets shall be limited only to those that provide direct access to the destination (Condition of Approval 6-3). In addition, unless previously approved by the City Engineer, no construction access shall be authorized from and no construction traffic shall be permitted along Castle Rock Road and Pasado Drive, except as may be required to construct and maintain any project-related street and other improvements within and adjacent to those rights-of-way (Condition of Approval 6-2).

Oral Comment No. III-4  
Christopher Chung

Comment III-4-1 Christopher Chung, 21470 Cold Spring Lane, asked if upon approval of this document, would any future development not seek additional CEQA approval. Mr. Rogers reiterated that there is another process following this process that is the implementation of a plan. This is an A level map which establishes the super pads for a future development. The zoning is in place to guide the placement of structures which the City has done very carefully to provide the least amount of impact to the majority of the community. Mr. Chung said he understood there would be further analysis required. He wondered if this proposal took into consideration the ultimate traffic impacts for what was being proposed. Mr. Lewandowski explained that this was looking at a General Plan Amendment and adoption of a specific plan and recordation for same. CEQA provides a provision whereby later action such as architectural review to the extent that discretionary actions are requested the City would have to ascertain – separately and independent of these actions, whether the CEQA document is adequate to address the proposed project (later action) and the City can determine that the project which is brought forth by a developer can require further environmental review or the City could determine that this document adequately addresses the higher level of detail associated with actual development. CEQA mandates that at the time a later action is proposed such as a B Level Subdivision Map such as a site plan review and such as an architectural review the City has to re-examine CEQA compliance and must separately ascertain whether this document will suffice or whether further analysis is required. Mr. Lewandowski explained the drainage and topical issues that were addressed in the hydrology hydraulics analysis. Mr. Rogers said that what is unique about this study is that City staff and the LA County Flood Control staff commiserate on this document. Mr. Chung said he understood that but was concerned about the analysis of a project. Mr. Rogers said Mr. Chung could submit his comment and Mr. Chung said he was hoping to get a response during the meeting. Mr. Chung asked if the project looked at 20 condo units per acre. Mr. Rogers said that was the threshold under which CEQA analyzed the project and this is being crafted as an entitlement for a 202 residential project and a 154,000 square-foot commercial project. It is under the purview of the Council to condition it as such. Mr. Chung said that construction should begin at 8:00 am. He was also concerned about the construction chasing rodents and insects to his property and wondered if there were plans for this type of mitigation. Mr. Chung felt that a condition of approval should be that further development would require grading to begin at the front of the property toward the flood channel. Mr. Lewandowski encouraged Mr. Chung to submit that recommendation. Mr. Chung asked what would happen to the wildlife that would be displaced by this project. He said he was not against development but that this particular area was somewhat akin to open space.

Response III-4-1      With regards to the hours of on-site construction, construction shall be restricted to between the hours of 7:00 AM and 8:00 PM on weekdays and Saturdays. No construction shall occur at any time on Sundays or on federal holidays. These days and hours shall also apply any servicing of equipment and to the delivery of materials to or from the site (Mitigation Measure 8-1).

With regards to the construction-related displacement of existing wildlife, see Response II-2-2 above.

Oral Comment No. III-5

John Martin

Comment III-5-1      John Martin stated that at the February 2008 scoping meeting plans were listed for Site D and residents were told nothing was cast in stone. He raised the objection that Site D is an entrance to the City and that the berm along Diamond Bar Boulevard should be maintained and the asphalt should not come down to the corner of Diamond Bar Boulevard and Brea Canyon. The residents were told their concerns would be addressed and tonight the plan is basically the same as originally presented with no consideration to the Diamond Bar residents and specifically to the residents that live next door to the actual project. If he lived next door he would not be happy. The berm has 100 year old trees that front Diamond Bar Boulevard and this project proposes to replace those trees with asphalt parking lot at street level in order to get great visibility. Vehicles will exit the SR 57 and turn the corner and instead of seeing 100 year-old Eucalyptus trees residents will see an asphalt pavement with retail shops. The answer is to keep the existing berm with the 100 year old trees and make the setback 120 feet instead of 30 feet and leave the creek uncovered. The most frustrating thing is that in the EIR five alternatives are proposed. Certainly one of the alternatives was to do nothing which would not be economically feasible. On page 5 the second to the last paragraph, second sentence reads “based on the lead agency’s analysis, the public facilities, low-density residential high-density residential alternatives are each considered to be environmentally superior to the proposed project. What that means is that the lead agency has chosen the worst alternative. Diamond Bar does not need a retail center. On page 15 the report states that new sources of artificial lighting could result in light trespass beyond the project boundaries which is terrible for the residents living next door. Diamond Bar does not want to be “highly urbanized.” People came here for “country living.” There is a very successful commercial real estate – the H-Mart center but at this time there are eight vacancies. If the City needs to develop a commercial center it should look at the Kmart center. He asked that the Council members that are present consider the high-density housing alternative. The City stated at the beginning that the goal was to have 50 percent housing and 50 percent commercial and in his opinion, the City should build 100 percent housing.

Response III-5-1      This comment is acknowledged.

## **“Site D” Specific Plan**

City of Diamond Bar, California

---

---

The above comment may be predicted, in part, based upon an inconsistency in the draft SDSP, dated June 2009, identified following its release. As noted in [Section 2.2.2](#) (Changes, Revisions, and Other Modifications – “Site D” Specific Plan), although the main body of the draft SDSP correctly reflected the project under consideration, a number of exhibits presented in the appendices of that document had not been concurrently updated to reflect the project described in the main text, resulting in minor inconsistencies within that document. Amended draft SDSP exhibits include: (1) Table 3-2 (Commercial Development Standards Summary); (2) Exhibit 7 (Irreducibles Diagram); and (3) Exhibit 19 (Tentative Tract Map). The introduction of these updated exhibits herein neither necessitates any changes to the environmental analysis nor results in the introduction of any new or increase the significant of any identified significant environmental effects.

### Oral Comment No. III-6

Mary McCormick-Busse

Comment III-6-1 Mary McCormick-Busse, 21455 Ambushers, asked what portion of Site D was designated Public Facilities in the General Plan and Mr. Rogers responded the entirety. She asked for a copy of the 7-11 committee report that was prepared in 1990 and 1991. There was talk of creating a park and of leaving Site D in its natural state and a minimum tolerance was shown for housing. At the end of the report it shows that the committee received testimony and based on public hearing testimony that Site D be used for public use or that it be retained in its natural state. She offered a copy of the report as part of her testimony. Development is not a problem for her but everyone needs to think about the history of the City and what the City is proposing to knock down with this project.

Response III-6-1 For information purposes only, a copy of the WVUSD’s “Site ‘D’ Public Hearing Report (March 4, 1991 and March 11, 1991),” as prepared by the Property Advisory Committee and presented to the WVUSD’s Board of Trustees on June 26, 1991 and a copy of an undated resolution of the Diamond Bar Improvement Association, as provided to the Lead Agency by the commentor, are included in [Appendix III-D](#) (Site “D” Public Hearing Report and Resolution of the Diamond Bar Improvement Association) herein.

### Oral Comment No. III-7

Jeff Layton

Comment III-7-1 Jeff Layton, 3703 Crooked Creek Drive, said he had real concerns about the commercial part of the project because to create a flat area would create the same scenario as was created behind Target. The Target area is the main entrance to Diamond Bar but the Site D area is the southerly gateway to Diamond Bar and to have to drive into the asphalt area with a 40-50 foot wall behind it would be tremendous upheaval and the aesthetics will be very unpleasing. In addition, the traffic that will be generated will occur at the worst time. Diamond Bar is a one-horse town

and Diamond Bar Boulevard is the only main thoroughfare. Engineers or not, counting cars has nothing to do with people who actually live in the area. In addition, the air quality is bad enough now and this project will not help. Proposing a project that will bring as much money to the City as possible on the backs of the people is really unfair.

Response III-7-1      This comment is acknowledged.

Oral Comment No. III-8  
Gregory Shockley

Comment III-8-1      Gregory Shockley, 3711 Crooked Creek Drive, said it was quite discouraging when the person who is in charge of the environmental assessment firm says that the EIR is problematic. If you cannot believe in what you are doing move on or come up with another suggestion. He asked for CDD/Gubman to comment on what Mrs. Busse had to say. He has lived in Diamond Bar for 45 years and has enjoyed driving home to Diamond Bar. In his opinion, it would be very short-term thinking for the school district to sell property. If it were his piece of property he would probably look at a project with a smaller footprint. The school district will get the money and the City will get a little money and a little tax money and the money will get frittered away. The City cannot mitigate air quality, traffic and noise and he is quite disappointed that the City Council would entertain the idea of spending money they spent to do this study because he thought it was short-term thinking.

Response III-8-1      As indicated in the DEIR, based on the threshold of significance standards presented therein, identified traffic-related and noise impacts either do not elevate to a level of significance or can be effectively mitigated to a less-than-significant level through the implementation of recommended mitigation measures. Even with the implementation of mitigation measures, the DEIR acknowledges that certain construction, operational, and cumulative air quality impacts will remain significant.

See also Response II-13-5 above.

Oral Comment No. III-9  
Natalia Porche

Comment III-9-1      Natalia Porche moved to Diamond Bar for country living. She stated that she had four comments. First, she is asthmatic, and suffers when the wind blows. The site needs to be watered whenever there is earth movement, and needs an on-site monitor. Secondly, she lives near the H-Mart project and had to spend about \$1,200 to fix her front yard because of sewer problems after the H-Mart center remodel was completed. Third, she felt this would affect the Aera project. Fourth, she likes to bicycle and would like to have clean air. She suggested that the project utilize AB 2766 funds to accommodate bicycle transportation.

## **“Site D” Specific Plan**

City of Diamond Bar, California

---

---

Response III-9-1      During construction, the project would be subject to South Coast Air Quality Management District (SCAQMD) Rule 403 (Fugitive Dust). SCAQMD Rule 403 does not require a permit for construction activities but sets forth general and specific requirements for all construction sites (as well as other fugitive dust sources) in the South Coast Air Basin. The general requirement prohibits a person from causing or allowing emissions of fugitive dust from construction (or other fugitive dust source) such that the presence of such dust remains visible in the atmosphere beyond the property line of the emissions source. In addition, Rule 403, requires that contractors implement Best Available Control Technology (BACT) for construction activities. Applicable BACTs include requirements to apply water or a stabilizing agent in sufficient quantities to prevent the generation of visible dust plumes and to provide water while loading and unloading to reduce visible dust plumes.

As indicated in Section 4.10 (Utilities and Service Systems), as conditioned, no sewer impacts have been identified which would either preclude the site’s development for the proposed use or adversely affect other proximal properties.

The “Aera project” and the “Site D’ Specific Plan” are separate projects. The approval, conditional approval, or denial of the proposed project will not affect the Lead Agency’s independent consideration of any other planned or proposed projects within the City.

The comment concerning “AB 2766 funds” is acknowledged.

### Oral Comment No. III-10

Eric Everhart

Comment III-10-1      Eric Everhart asked when the General Plan was last updated and why would it need to be changed? He felt it would be prudent to discuss this plan with a developer and it would be helpful to know if a developer felt it was feasible. He stated that there is not enough park space in the City, that the site would be a great location for a park named after Bob Zirbes, and that he believed the residents would support a bond measure to purchase the property for a park. Even if the school district makes money from the sale of this property it will probably be gone within five years and then the opportunity to maintain the natural space is gone and this is a huge matter to the City’s constituents. He stated that he has not heard any specifics about traffic mitigation, and specifically mentioned that there would be a problem with ingress/egress at Brea Canyon Road. The City should properly consider how to best develop this land. Mr. Rogers explained that the operations budget goes into the rehabilitation of aging facilities, rehabilitation of buildings, upgrading of equipment, etc., within the Walnut Valley School District. At the time this property was bid the bid price that was awarded was \$21 million. He said he would not begin to question the value of the property today except to say that values in this region have held fairly well. The Brookfield project (above Target) sold at an incredible pace in spite of the economic downturn all the way

through last year. He is not a land appraiser and will not speculate on the value. Mr. Everhart said the City should get an appraisal on the land and he would like for the City to consider the purchase of this property.

Response III-10-1     The “City of Diamond Bar General Plan” was adopted on July 25, 1995. Amendments to the Housing Element, individual policies, and the Land Use Map and policies have been made from time to time. The General Plan is intended as a dynamic document and subject to periodic change and refinement, both as a result of City initiative and in response to privately-initiated actions.

With regards to potential park use, see [Response II-21-4](#) above.

Detailed information concerning the potential traffic-related impacts of the proposed project and those mitigation measures proposed in response to those impacts is presented in Section 4.6 (Transportation and Circulation) and Appendix G (Traffic Impact Analysis) in the DEIR.

The City has not requested and the WVUSD has not provided the Lead Agency with a current appraisal of the project site.

Oral Comment No. III-11  
David Busse

Comment III-11-1     David Busse said he would be a neighbor to this project. He wrote a three page letter outlining some of his concerns about the project. He found it odd that Mr. Lewandowski’s history of this land failed to mention anything about the discussions prior to 2007. In 1991, there was a general uprising of citizens in front of the 7-11 Committee talking about the obscenity of doing anything with this land other than giving the kids of Diamond Bar more places to play soccer. This alternative was not included in the EIR and it is a glaring omission. He told Mr. Rogers he would have to come up with a better pitch about what his employer intends to do with the money from the sale of this property, and in his 35-years of working with school districts he has never heard any school board say anything other than that they need more money. He was also convinced that the project would be an eyesore. He asked the City Council to tell the school district that the property should be developed for commercial, residential and park purposes. Castle Rock looks like a trailer park and perhaps the school district should consider rebuilding it. Every day in Diamond Bar residents see the work of traffic engineers and the \$60 million that was spent on the SR57/60 Interchange that turned out to be a horrible job. The City Council should put a stop to this kind of thing because traffic is the biggest concern for residents.

Response III-11-1     For information purposes only, a copy of the WVUSD’s “Site ‘D’ Public Hearing Report (March 4, 1991 and March 11, 1991),” as prepared by the Property Advisory Committee and presented to the WVUSD’s Board of Trustees on June 26, 1991 and a copy of an undated resolution of the Diamond Bar Improvement Association, as provided to the Lead Agency

## **“Site D” Specific Plan**

City of Diamond Bar, California

---

---

by the commentor, are included in Appendix III-D (Site “D” Public Hearing Report and Resolution of the Diamond Bar Improvement Association) herein.

With regards to the school district’s intended use of the proceeds of the sale of that portion of the project site owned by the WVUSD, see also Response II-6-2 and Response II-12-2 herein.

Detailed information concerning the potential traffic-related impacts of the proposed project and those mitigation measures proposed in response to those impacts is presented in Section 4.6 (Transportation and Circulation) and Appendix G (Traffic Impact Analysis) in the DEIR.

### Oral Comment No. III-12

Mark Hopper

Comment III-12-1 Mark Hopper, 3255 S. Diamond Bar Boulevard, agreed that there needed to be a compromise. Page 5 calls for low-density three houses per acre and the EIR calls for 20 houses/units per acre. At least one acre should be set aside for a park as a compromise. Walnut created a buffer at the Staples shopping center (at the intersection of Valley Boulevard and Grand Avenue) by surrounding it with residential homes and putting the commercial development on the main boulevard so that people who had lived in the area for many years did not suffer a huge impact of the commercial development. And the new folks purchasing homes knew what they were buying into. The residents in the area need to be considered to lessen the impact of this project to them.

Response III-12-1 This comment is acknowledged.

### Oral Comment No. III-13

Nancy Koziara-Clark

Comment III-13-1 Nancy Koziara-Clark was very concerned about the failure of businesses in Diamond Bar because residents go elsewhere to shop. Diamond Bar continues to struggle with commercial business and she does not understand how another commercial center could be considered. Diamond Bar needs a library and a center for teens. The City needs more recreational facilities. If this project gets built she does not see it succeeding.

Response III-13-1 This comment is acknowledged.

### Oral Comment No. III-14

Cindy Moeder

Comment III-14-1 Cindy Moeder said she and her family moved to Diamond Bar for country living. Three of her four kids play soccer and because Diamond Bar does not have facilities, her kids went to Brea to play soccer and went to Brea for the library and she agrees with the previous speaker who said

Diamond Bar did not need another commercial center. She believes the City Council should be ashamed for considering this type of project because if they lived in the immediate area they would not want this project built. She asked Mr. Rogers if any of the proposed project concepts had changed from what was brought before the residents in 2008. Mr. Rogers said the site plan configuration is generally the same. A lot of the standards that were crafted for this entitlement are in response to that meeting. Ms. Moeder replied that nothing the residents said influenced the City. Mr. Rogers said that as a result of the input from residents an 85 foot setback was instituted along the residential portion of the property. Mr. Rogers said that everything is on the table but what the project envisioned was planted slope on the back side of the properties and a wall at top of slope. Ms. Moeder asked why the consultant said the residents need a drug store in the area. Mr. Rogers stated that when they conducted market studies earlier in the project there was an interest in having a retail center in this location to service this area. Ms. Moeder said that now that the consultant knows the area does not need a retail center why is the City pursuing a commercial project in this area.

Response III-14-1     This comment is acknowledged.

Oral Comment No. III-15

Greg Ogonowski

Comment III-15-1     Greg Ogonowski thanked his neighbors for showing up for tonight's meeting. His concerns are the same as those voiced by the other speakers. He needs to see a traffic analysis because traffic is a big problem. Even when the SR57 is not backed up Diamond Bar Boulevard is an alternative route. Once again, the commercial market option needs to be studied because residents will not be faithful. He has lived in Diamond Bar since prior to incorporation and wondered how many residents had bobcats in their backyard and all of the raccoons need a home too.

Response III-15-1     This comment is acknowledged.

Oral Comment No. III-16

Greg Margolese

Comment III-16-1     Greg Margolese, 22735 Dry Creek Road, said that before there was Calvary Chapel and Target he could see deer in the area and that is why he moved here. Half of the Diamond Bar kids are in Walnut Valley School District schools that need to be rehabilitated and he understood that. He wondered why the project planned to kill all of the trees because an entire line of trees could be saved. Mr. Rogers said that to grade the site consistent with this plan the trees have to be removed. Mr. Margolese said, why not change the plan. Mr. Rogers explained that this plan is responding to what is considered to be the highest and best use of the land. In its current configuration of grading for balance and adequate access this is the configuration that the plan arrived at.

## **“Site D” Specific Plan**

City of Diamond Bar, California

---

---

Response III-16-1 This comment is acknowledged.

### Oral Comment No. III-17

Su Fann

Comment III-17-1 Su Fann, 21484 Cold Spring said that if more homes and business are built more people will move to Diamond Bar and there will be more traffic and congestion. The City needs more trees and fresh air instead of more buildings. The City does not need more smog than it has now.

Response III-17-1 This comment is acknowledged.

### Oral Comment No. III-18

Lee Paulson

Comment III-18-1 Lee Paulson 21919 Santaguin Drive echoed other speaker's concerns. When one talks about the best use of land and that the commercial area has to be kept at street level it presupposes that there is going to be a development in the City like every other city around Diamond Bar and that battle has been lost. San Dimas, Industry and Chino Hills beat Diamond Bar to it because the major chains have chosen to circle Diamond Bar. He reminded the developer that Azusa built a center on the side of a hill with one entry and signage for all stores. That center appears to be doing fine. He suggested that instead of trying to be like every other city that has built to the lowest common denominator, perhaps if the City re-thought the matter and put in a quality of life center with retail and something that set it aside it might attract the kinds of specialty stores and shops that could thrive in this area and raise property values.

Response III-18-1 This comment is acknowledged.

### Oral Comment No. III-19

Judy Leung

Comment III-19-1 Judy Leung, 21175 Running Branch Road, moved to the City three years ago and thought the area was a gem that would not be bothered. There are many Chinese people who are shy to come here to speak their thoughts because they are not sure how to communicate. People she knows are strongly opposed to this proposal. She strongly agrees with what people have said about traffic congestion, air quality, etc. She understands about the economy but even her 10-year old son does not understand why the City would consider a project like this.

Response III-19-1 This comment is acknowledged.

### Oral Comment No. III-20

Frank Abt

Comment III-20-1 Frank Abt, 3414 Castle Rock Road, asked what was being considered for the open portion of the project and Mr. Rogers said it would likely be

considered to be a water quality feature. Mr. Rogers explained that the first step of the process is to guard the entitlement and environmental clearance. At that point in time it will be bid publicly to achieve the highest price for the school district and community. Once the property is purchased by a development entity it will go through another process for purposes of refining the plan to what is called B level maps, siting the structures, going through architectural approvals in a discretionary process once again. There is still another step for this property to realize its full development potential. This plan creates a threshold or envelope in which the property can be sold and then further refined for purposes of development. Mr. Abt asked why Diamond Bar was responsible for making it saleable. Mr. Rogers explained that the City is the lead agency and responsible for purposes of CEQA and the entitlement. The City is not responsible for the sale of the property. That will be handled in a publicly bid process under the state guidelines.

Response III-20-1      This comment is acknowledged.