

alternatives and would like to explore that issue before reaching a conclusion.

M/Herrera asked if staff had clear direction.

CM/DeStefano said that staff took copious notes and will refer to the meeting tapes and go back and digest Council comments.

CA/Jenkins offered the following alternatives to the City Council. One which does not seem likely is for the City Council to close the Public Hearing and make a decision tonight. The second alternative would be to close the Public Hearing and continue it for purposes of getting answers to Council questions and then further deliberate and render a decision at a future meeting. The implications of that option are that the Council would not take any further testimony and would simply come back as a staff with answers to questions and responses to comments that were made by the public. The Council would have a chance to deliberate on what is in front of the City Council and make its decision. The third option is to keep the hearing open and then continue the item to a future meeting. At that future meeting staff would provide responses to comments that were made by the public and would provide answers to Council questions. The City Council would then reserve the opportunity to have more testimony. With respect to this option, the Council might wish to give some consideration now to whether it would simply reopen all testimony so that everyone who spoke tonight could come back and speak again and repeat everything that they said or, take testimony only from people who have not spoken tonight, or only take testimony that is responsive to or reactive to staff's responses and answers to questions. The fourth option is raised by MPT/Tye's comments and that is if three members of the City Council have already decided that they would like this to be all residential then the City Council could remand this back to the Planning Commission for consideration of a one hundred percent residential project. If that is the direction the Council is going it will have to sooner or later remand it back to the Planning Commission so the efficient process would be to remand it back now; but only if the Council has a majority who are prepared to go in that direction. That is because under the governing statute any significant change to what is recommended to the City Council tonight that has not yet been considered fully by the Planning Commission needs to go back to that Commission. CDD/Gubman and he discussed this matter this afternoon and it is their collective feeling that a one hundred percent residential project was not fully considered by the Planning Commission.

Following discussion, M/Herrera suggested that the Public Hearing be continued to July 20 wherein staff will come back with responses which will most likely be voiced prior to public input and then the public can comment on staff's responses including those who have spoken this evening. She asked for Council concurrence and Council unanimously concurred.

M/Herrera moved, C/Everett seconded to continue the Public Hearing to July 20, 2010. Without objection, the motion was so ordered.

8. **COUNCIL CONSIDERATION:** None

9. **COUNCIL SUBCOMMITTEE REPORTS/COUNCIL MEMBER COMMENTS:**

C/Everett made general comments regarding events that recently took place.

C/Tanaka reported that on May 29 he attended the American Cancer Society D.B. Relay for Life Survivor's Breakfast; the DBHS graduation; D.B. Chinese American Advocates Association 17<sup>th</sup> Annual Awards Ceremony; Eagle Scout Ceremony for Shaun McGuire, Troop 730; D.B. Chinese American Association's 20<sup>th</sup> Annual Gala and Fundraiser; Pantera Elementary School PTA Appreciation Tea; D.B. Tiny Tots Graduation; American Cancer Society's D.B. Relay for Life; Eagle Scout Ceremony for Chris Moncreif; and this evening a retirement event for Principal Denis Paul, DBHS. He asked that tonight's meeting be adjourned in his honor.

C/Chang continues to post events she has attended online. She attended Armstrong Elementary and Diamond Point Elementary open houses; the League of California Cities Legislative Day; the Pantera Elementary Volunteer Appreciation Tea; the DB Relay for Life and Principal Denis Paul's retirement.

MPT/Tye said that in consideration of the late hour he wished everyone good night and God bless.

M/Herrera wished Principal Denis Paul Good Luck and Godspeed on the event of his retirement. Principal Paul had a big impact on her son and touched many other lives.

**ADJOURNMENT:** With no further business to conduct, M/Herrera adjourned the Regular City Council meeting at 10:10 p.m. in honor of retiring DBHS Principal Denis Paul.



TOMMY CRIBBINS, CITY CLERK

The foregoing minutes are hereby approved this 6th day of July,  
2010.



CAROL HERRERA, MAYOR

Received 8/15/10 7:16 p.m.

Mary E. Rodriguez  
3419 Pasado Drive  
Diamond Bar, Calif 91765  
June 15, 2010

City Council  
City of Diamond Bar  
City Government Offices  
21825 Copley Drive  
Diamond Bar, Ca 91765

Re: City Council Meeting Tuesday June 15, 2010 Public Hearing To Consider Various Actions Pertaining to Site D

To Honorable Mayor Carol Herrera, Mayor Pro Tem Steve Tye, and Council members Ling-Ling Chang,  
Ron Everett, and Jack Tanaka

Rather than reiterating the contents of my written communications with the City regarding Site D during this round of Site D to the front burner, I am attaching copies of my letters and will reference them as needed.

I believe that all things that can be wrong with an Environmental Impact Report, and a Specific Plan exist in the EIR and Specific Plan which the City is proposing to use with the development of Site D.

If I were in favor of developing Site D, which I am not, I still would not put my trust on the documents being provided as an EIR to support this Project. The reason for this lack of confidence in these documents has been written about by myself and every person who has submitted written and oral protest with regard to this project.

It is not coincidental that not much has been said about the good aspects of the proposed project for Site D. There are nil to none good things to say about this Plan. Adding insult to injury, the responses from Staff and Experts, to our comments, questions, and concerns only adds to confirm that these reports are bogus, inaccurate, out dated, and out of touch with Site D and the surrounding area.

Example- I asked about the ground water flowing under the houses that sit on Cold Springs Lane. I asked how that water was going to be handled so as not to disturb the houses above. Please see last attachment of letter to Planning Commission May 7, 2010.

The answer was "Mr. Lewandowsk stated that as indicated in the EIR, the geotechnical analysis was at a programmatic level in the absence of a formal design plan.

But the subsurface investigations were conducted and the groundwater was encountered at a depth of 37 feet.

Grading activities are not anticipated to encounter ground water as part of its operations...

The subsurface ground water is not anticipated at the stage to result in significant impacts to the project moving forward".

This response is a big leap. General assumptions are being used to reach conclusions. It appears that in order to reach any reasonable conclusions regarding groundwater disturbance impact on the houses on Cold Springs Lane a formal design plan needs to be specifically analyzed.

What the people of Diamond Bar wanted for Site D, what I wanted for Site D in 1991, is what we still want today. That has not changed. Isn't that telling of something pretty deep going on here? Yes, it is telling. It is telling very loud and clear and it has been telling the same story for years. People come and people go. People that have lived in Diamond Bar for 30+ years and newcomers alike all agree that this is not a good project plan.

It is true that the City of Diamond Bar needs more park space. This is particularly true of south end Diamond Bar. I believe that the City Officials will, in time, provide the needed park space. But the time for saving Site D is now.

It is important for the City to preserve its history. The history of Diamond Bar is not the verge of extinction.

City officials have an obligation, and I would think a privilege, to preserve Site D as the City's historical and cultural site.

To build what the City and the WVUSD are proposing to build on this rare and significant property is unconscionable.

Site D has, for purposes of this discussion, has a dual history. Once, home to Native Americans, the Gabrieleno Band of Mission Indians, and later the site of the original Diamond Bar Ranch (this is what is left of it). This is where the City got its name. The Diamond over the Bar was registered by Frederick E. Lewis in 1918 with the California Department of Agriculture.

I see Site D remaining for the most part in its natural state. With as little intrusion as possible but establishing a calming, quiet place, with walking paths, and sitting areas for reading or meditating. A memorial to our history as a city and as people of a city with a past. I'd like to see the "WINDMILL" that is now in a shipping center brought back to where it belongs, on Site D. I'm sure those two old friends won't recognize each other. I'd like to see a Memorial Tribute honoring the Indian Tribes that lived on Site D, and in the area. We have them to thank for taking care of this land so that we can now enjoy it and appreciate it. It is now our responsibility to do the same, we must preserve and protect this small, significant piece of history for future generations to enjoy, and for them to learn what is here and why it is important to take care of the land.

I also see another area, down the path, there's the Windmill, a bench or two for sitting and contemplating life on the ranch. The Windmill that brought the water to the largest working cattle ranch in the Western United States. This is what I envision for Site D. In my mind it is this or something very close to this that is deserved by the land that is Site D. It requires and is worthy of that respect from us. No to the project plan. Site D is a wealth of historical and cultural resource.

Sincerely,

  
Mary E. Rodriguez

May 7, 2010

Mary E. Rodriguez  
3419 Pasado Drive  
Diamond Bar, Ca 91765

City of Diamond Bar Planning Commission  
c/o Ms. Grace Lee  
City of Diamond Bar  
21825 Copley Drive  
Diamond Bar, Ca 91765

Re: Site D Specific Plan and EIR

My letter plus 6 attachments to Be Included w/ Recorded Report

Dear Chairman and Planning Commissioners,

There are a couple of items I would like you to consider carefully, if you will. What is being done here is a very permanent thing. Once begun, there is no putting the hillside back. What you do today to Site D, will be your legacy to the City. It should be something you will be proud to show your children. Nobody is going to care one way or the other who it was that was responsible for building that crap on Site "D". What they will remember, and give thanks for, is who it was that had the foresight, and the courage, to stand up and do the right thing. How can City Officials, be officers of a city and not have pride in their City? Site "D" holds the heart of the City of Diamond Bar. From 1918 to 1946 the Diamond Bar Ranch Headquarters Compound was located on much of what is now Site "D". Other portions of the Diamond Bar Ranch Headquarters Compound was located where the Church is on Diamond Bar Blvd., east of Brea Canyon Road. This area too, should have been preserved for historical value. How can elected officials sell the heart of their City? How do you run a City without a heart? Our City officials need to see the benefit and the obligation to preserve the City's rich history. The Walnut Valley Unified School District also has the responsibility to make certain that Site "D" does not get into the hands of anyone who will not protect and preserve Site "D" for its Historical value according to CEQA. Site "D" is all that remains of the original ranch which was approximately 4,340 acres. Site "D" is where it started, it is truly a Landmark. It is the responsibility of all of our City Officials to protect and preserve these precious few acres, which is Site "D", for now and for always. The "diamond over the bar", that is how the City got its name, started at Site "D". The Planning Commission should begin taking immediate action to preserve Site D. It should do everything it's power to make certain that Preservation of Site "D" is the only option.

Here is what the DEIR says about the value of Site “D” to our City:

Appendix K  
Cultural Resource Assessment

Results and Mitigation  
Cultural Resources

Page ES-1 through page ES-2 of the DEIR states the following:

Results of the historic aerial photograph and topographic map review revealed that a structure (HS-1) was once located within the boundaries of the study area that was associated with the historic Diamond Bar Ranch Headquarters Compound (Compound). The Compound included the residence of Frederick E. Lewis, who owned and operated the Diamond Bar Ranch (Ranch) which was located 0.75 miles northeast of the study area. It is unclear if HS-1 was the residence of Mr. Lewis or another individual. Mr. Lewis operated the Ranch from 1918 until 1946 when he sold it to the Bartholome family. At the time, the Ranch was one of the largest working cattle ranches in the western U.S. Mr. Lewis is considered a significant person in the history of the City of Diamond Bar because he registered the “diamond over a bar” branding iron with the California Department of Agriculture in 1918. This later became the symbol for which the City of Diamond Bar was named.

No prehistoric archaeological resources have been previously recorded within one mile of the study area and no prehistoric resources were identified in the study area during the pedestrian survey. Prehistoric sites identified in the study vicinity consist of relatively small collections of surface artifacts; the distribution of subsurface prehistoric deposits in the vicinity is unknown. Given the lack of prehistoric materials identified on the surface of the study area and surrounding radius, in light of multiple previous surrounding studies, the potential for subsurface prehistoric deposits in the study area appears to be low.

Results of the pedestrian survey revealed the identification of a historical archaeological site that will temporarily be designated as SD-Cultural-1 (see Figure 7, Results Map, on page 24). The site components include a landscape component consisting of more than 15 non-native eucalyptus trees as well as a concrete debris concentration and the former location of HS-1. These site components are associated with the former historic Compound.

The significance of SD-Cultural-1 with respect to CEQA is considered to be undetermined. The site has strong associations with Frederick E. Lewis and the early ranching history of southern California, which entail consideration under criteria b and a of the California Register, respectively. The integrity of the surface components of the site, however, is low. The stand of eucalyptus trees appears to be an intact landscape component, but the built component is now represented by only by a few piles of rubble and retains little historical character. Given these conditions, the site does not appear to qualify under criteria c. Given the length of time the Compound was occupied; it is anticipated that there is at least moderate potential for the site to

retain buried domestic or ranch maintenance components such as trash pits, privy holes, and similar features, which in turn may be encountered during ground disturbing activities during development of the proposed project. As the site, SD-Cultural-1, is associated with a known historical figure and a known timeframe, intact subsurface deposits may qualify as significant archaeological resources under criteria d.

Development of the proposed project will entail grading over extensive portions of the study area. The grading will result in extensive disturbance within the boundaries of SD-Cultural-1.

It appears that the City of Diamond Bar is a bit too quick to dismiss what could be a significant historical resource and potential tourist attraction.

The Los Angeles Conservancy 2008 Los Angeles County Preservation Report Card The City of Diamond Bar was accorded a grade of "F" as a "Preservation Truant." The grading is based upon the following criteria:

CLG? No

Has ordinance that allows designation of historic landmarks? No

How many landmarks designated? 0

Mills Act? No

Has ordinance that allows designation of historic districts? No

Number designated? 0

Has survey of historic architectural resources? No

Has other list of identified resources? No

Historic Preservation Officer? No

Historic Preservation Commission? No

If the Diamond Bar Planning Commission approves this project and chooses to bulldoze the historic site which gave the city its name, then Diamond Bar deserves its "F" grade. (Please see attached Figure 8, Site D, Monitoring Extent)

Another very important fact which I believe requires serious attention is the issue of Native American Consultation.

Page ES-5 Native American Consultation

A Native American Consultation is supposed to happen in the early planning stages of a project and if a tribe requests it to be private (without the developer present), the city must comply.

Per the DEIR, the appropriate Native American groups identified by the Native American Heritage Commission [NAHC] were contacted via certified mail but none of them has responded.

Draft Environmental Impact Report  
Section 4.11: cultural Resources  
Draft Environmental Impact Report  
Section 4.11: cultural Resources

Page 4.11-4 and 4.11-5

**On February 1, 2008**, the Department submitted to the California Native American Heritage Commission (NAHC) a "local government tribal consultation list request," requesting a list of California Native American tribes with whom the City needed to provide notice. Although the NAHC did not formally provide the City with a written contact list of those tribes groups with traditional lands or cultural places<sup>13</sup> within or potentially within the City's jurisdiction, a number of tribal organizations, including the Gabrieleno/Tongva Tribal Council, the Gabrielino/Tongva Council/Gabrielino Tongva Nation, and the Gabrielino Band of Mission Indians of California, were provided copies of the NOP and Initial Study and notice of the pre-circulation scoping meeting. No response to those notices was received by the City from the NAHC or by any of those tribal groups.

Page 4.11-12 and 4.11-13

Sacred Lands File Search and Native American Consultation. **On October 8, 2007**, a Sacred Lands File (SLF) records search of the study area was commissioned through the NAHC and follow-up consultation with Native American groups and/or individuals identified by the NAHC as having affiliation with the study area vicinity was conducted. Each Native American group and/or individual listed was sent a project notification letter and map and was asked to convey any Native American issues or concerns with the proposed project. The letter included information such as study area location and a brief description of the proposed development. Results of the search and follow-up consultation provide information as to whether there are any locations in the vicinity of the project site that are culturally sensitive to Native Americans.

The NAHC SLF records search results did not indicate any known Native American cultural resources within the study area. Follow-up letters were sent, via certified mail, on **November 21, 2007** to the eight individuals and organizations identified by the NAHC as being affiliated with the vicinity of the study area to request any additional information or concerns they may have about Native American cultural resources that may be affected by the proposed project. **As of February 22, 2008**, no responses had been received from any of the Native American individuals or organizations.

This is the California Public Resource Code for Native American Consultation:

65352.3- 65352.4: Consultation with Native Americans on General Plan Proposals

65352.3. (a) (1) Prior to the adoption or any amendment of a city or county's general plan, proposed on or after March 1, 2005, the city or county shall conduct consultations with California Native American tribes that are on the contact list maintained by the Native American Heritage Commission for the purpose of preserving or mitigating impacts to places, features, and objects described in Sections 5097.9 and 5097.993 of the Public Resources Code that are located within the city or county's jurisdiction.

**(2) From the date on which a California Native American tribe is contacted by a city or**

**county pursuant to this subdivision, the tribe has 90 days in which to request a consultation, unless a shorter timeframe has been agreed to by that tribe.**

(b) Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Section 65040.2, the city or county shall protect the confidentiality of information concerning the specific identity, location, character, and use of those places, features, and objects.

65352.4. For purposes of Section 65351, 65352.3, and 65562.5, "consultation" means the meaningful and timely process of seeking, discussing, and considering carefully the views of others, in a manner that is cognizant of all parties' cultural values and, where feasible, seeking agreement. Consultation between government agencies and Native American tribes shall be conducted in a way that is mutually respectful of each party's sovereignty. Consultation shall also recognize the tribes' potential needs for confidentiality with respect to places that have traditional tribal cultural significance.

The Tribes would have had 90 days to respond to a request for a consultation with the City of Diamond Bar on this matter so it seems strange that the EIR treats this as if it is still an open matter. Also, when the code says "Consultation between government agencies and Native American tribes shall be conducted in a way that is mutually respectful of each party's *sovereignty*," this means that the City should treat the Tribal leader or representative as they would a head of state, in other words, the person who should meet with them would ideally be the Mayor, a council member, City Administrator or some other top city leader.

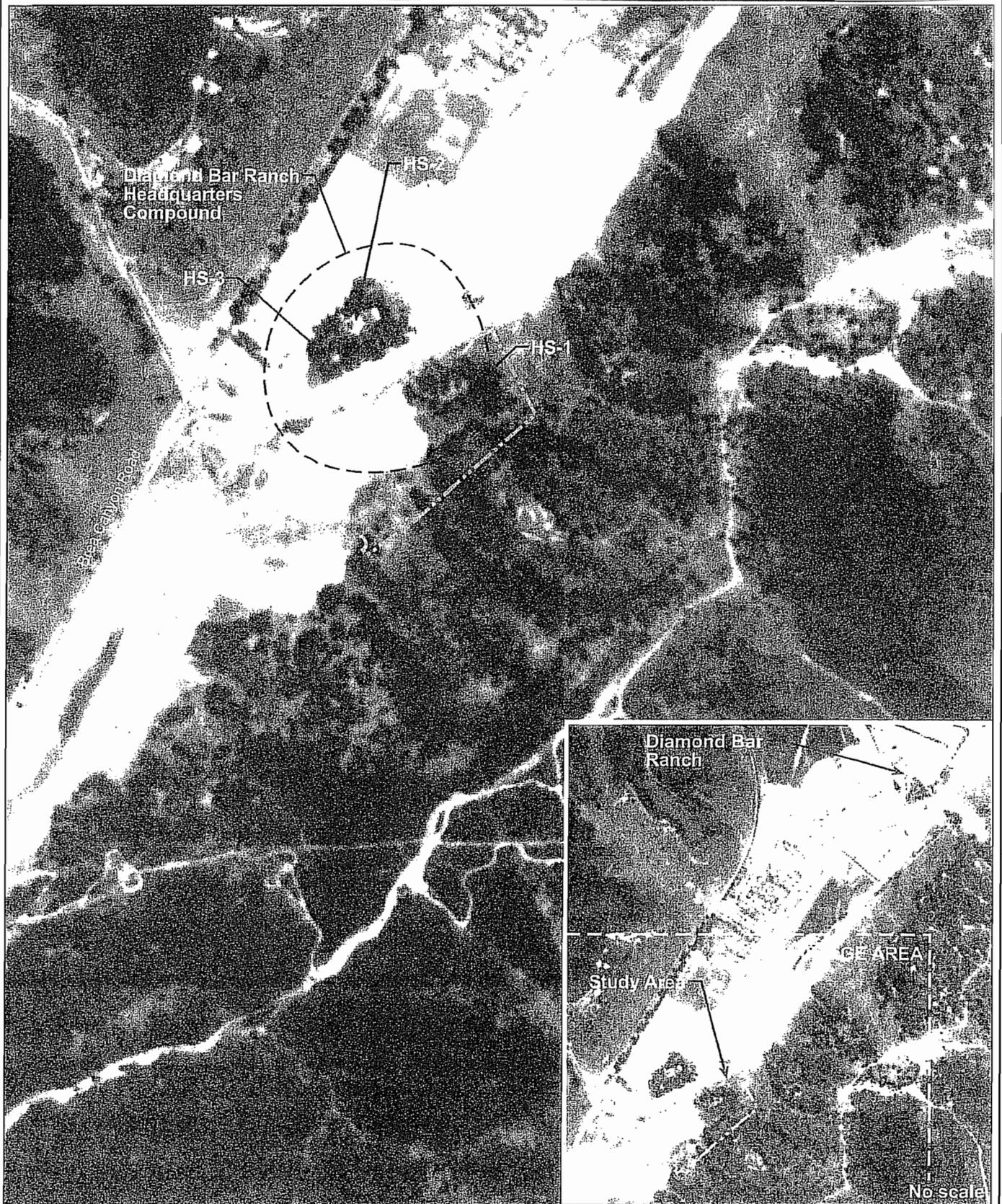
The Tribes are considered to be "authorities" when it comes to determining if a place holds any significance for Native Americans even if the City is unaware of such significance. That's why the consultation is held. If I remember correctly, the EIR states that pottery shards and other items were found on site and there is a chance that more artifacts may be present that would indicate the site had been used by Native Americans. Who knows? There might even be a burial site there.

There seems to be some odd discrepancies about when this allegedly happened. The Planning Commission must be diligent that TRG Land, Inc. and PCR Services Corporation are not being dismissive of these very critical issues which affect the outcome of the Commissions decisions. The question remains open. Did the Tribes respond? And if so, where are their letters or documents stating their findings at Site D? If the Tribes did not respond, why wasn't there a follow up attempt to get a Tribal Consultation? This is a must! Please do not allow bulldozing without having the Tribal Consultation.

Sincerely,

Mary E. Rodriguez

Attachment to LETTER TO PLANNING Commission DATED MAY 7, 2010  
FROM MARY E. RODRIGUEZ

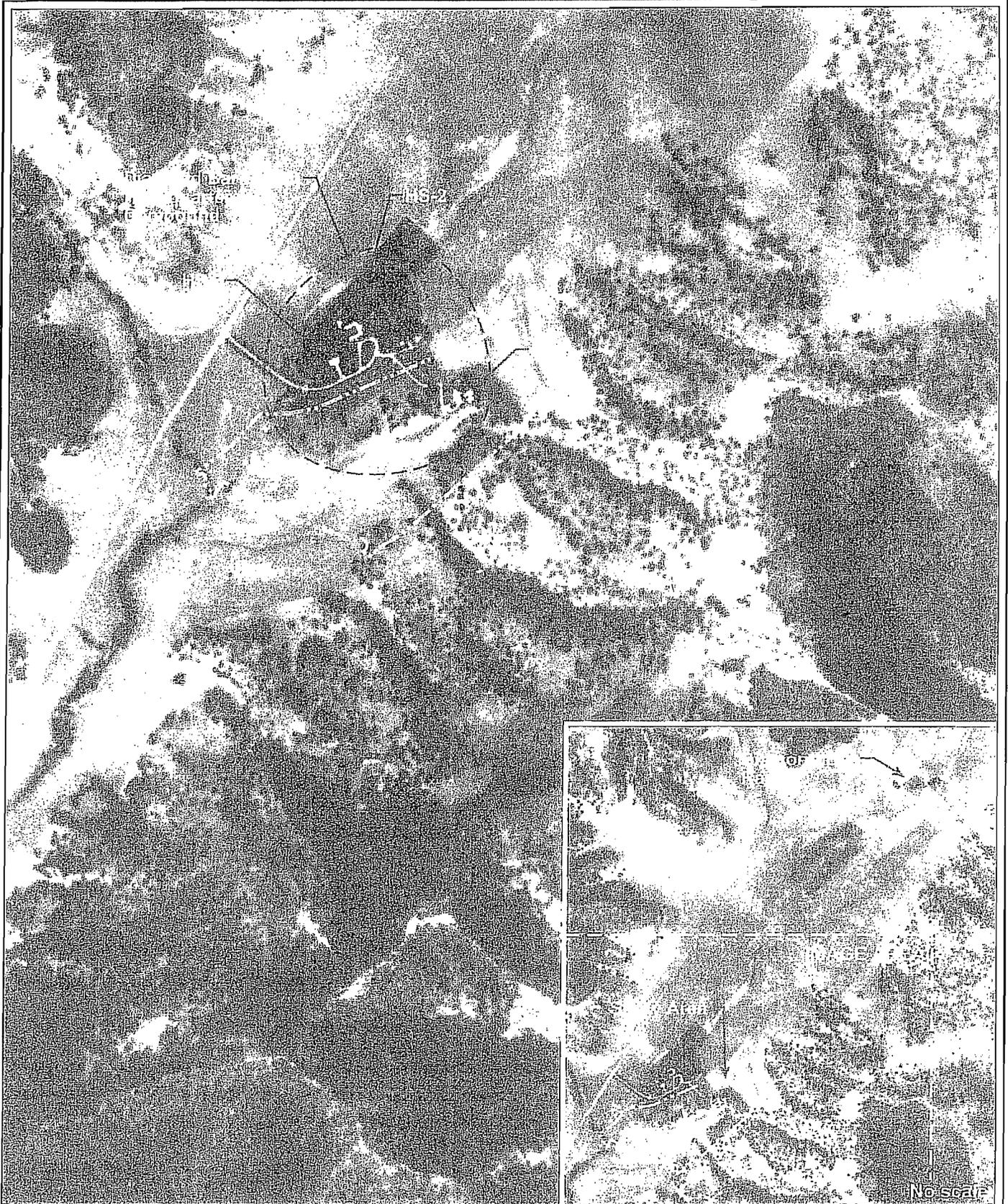


0 400 800 1600 Feet

Source: Fairchild Aerial Photography Collection.

Figure 5  
Site D  
Historic Aerial Photograph - 1963

Attachment to Letter to PLANNING COMMISSION DATED MAY 7, 2010  
FROM MARY E. RODRIGUEZ



0 400 800 1600 Feet

Source: Fairchild Aerial Photography Collection.

Figure 4  
Site D  
Historic Aerial Photograph - 1928

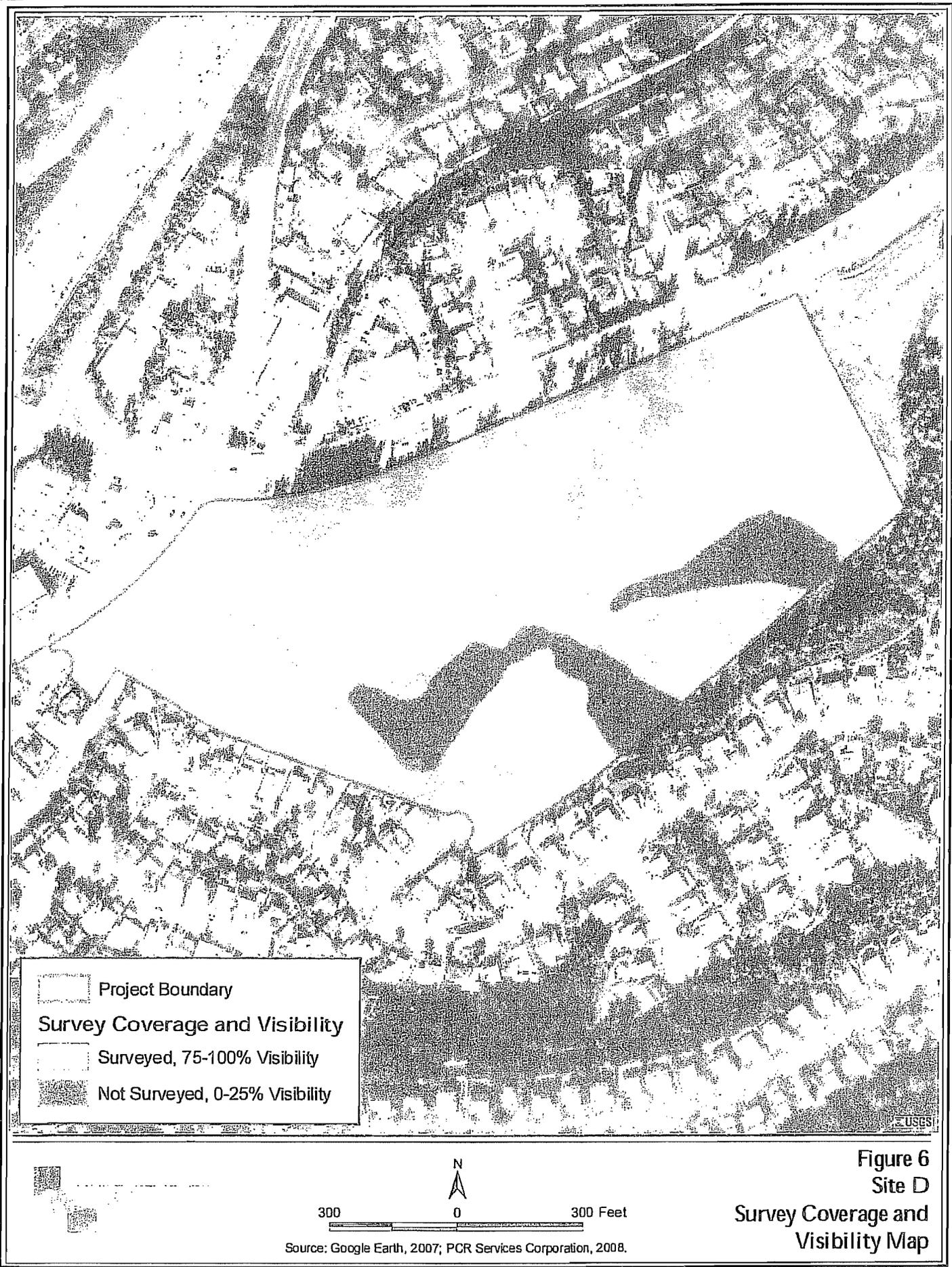
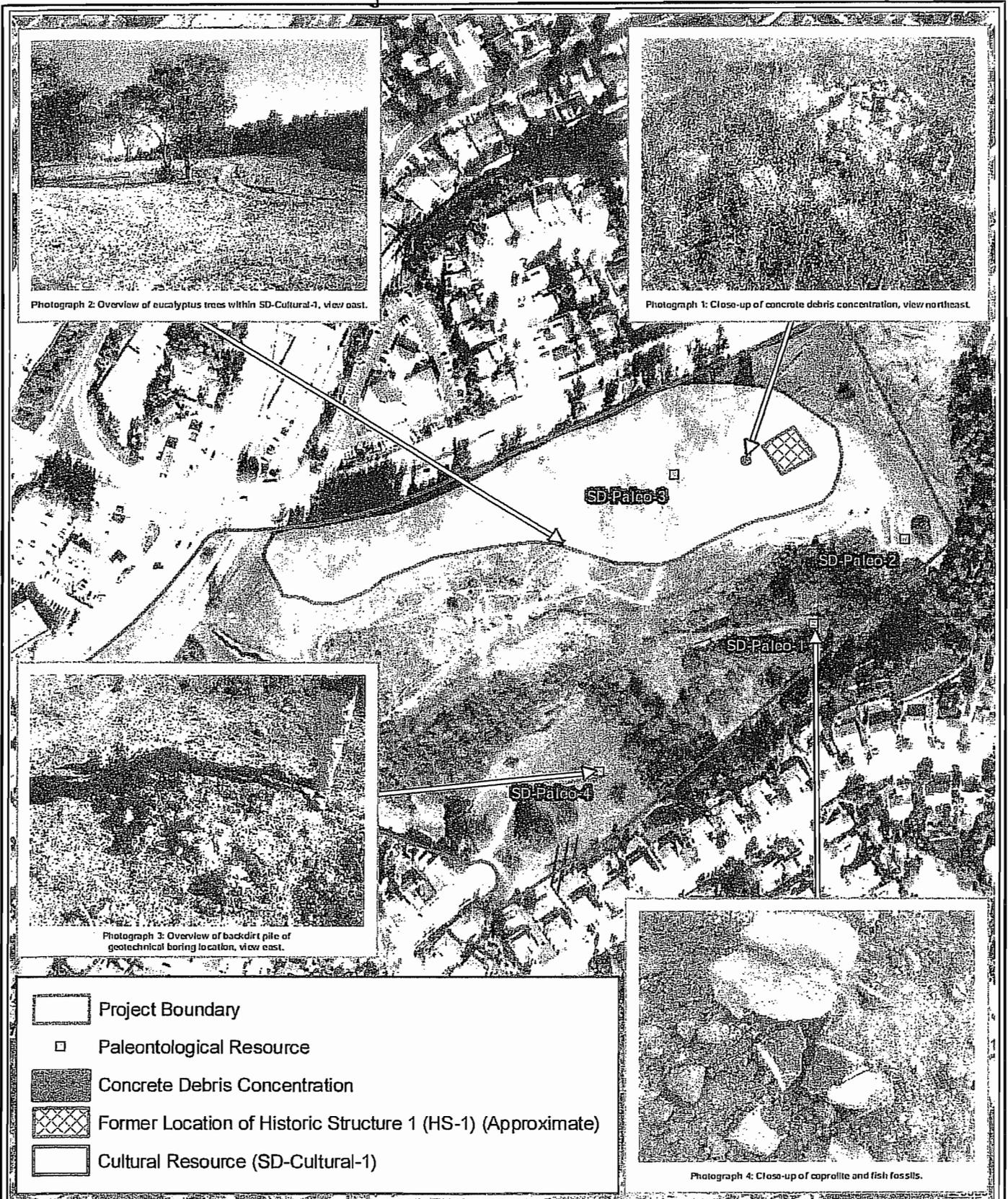


Figure 6  
Site D  
Survey Coverage and  
Visibility Map

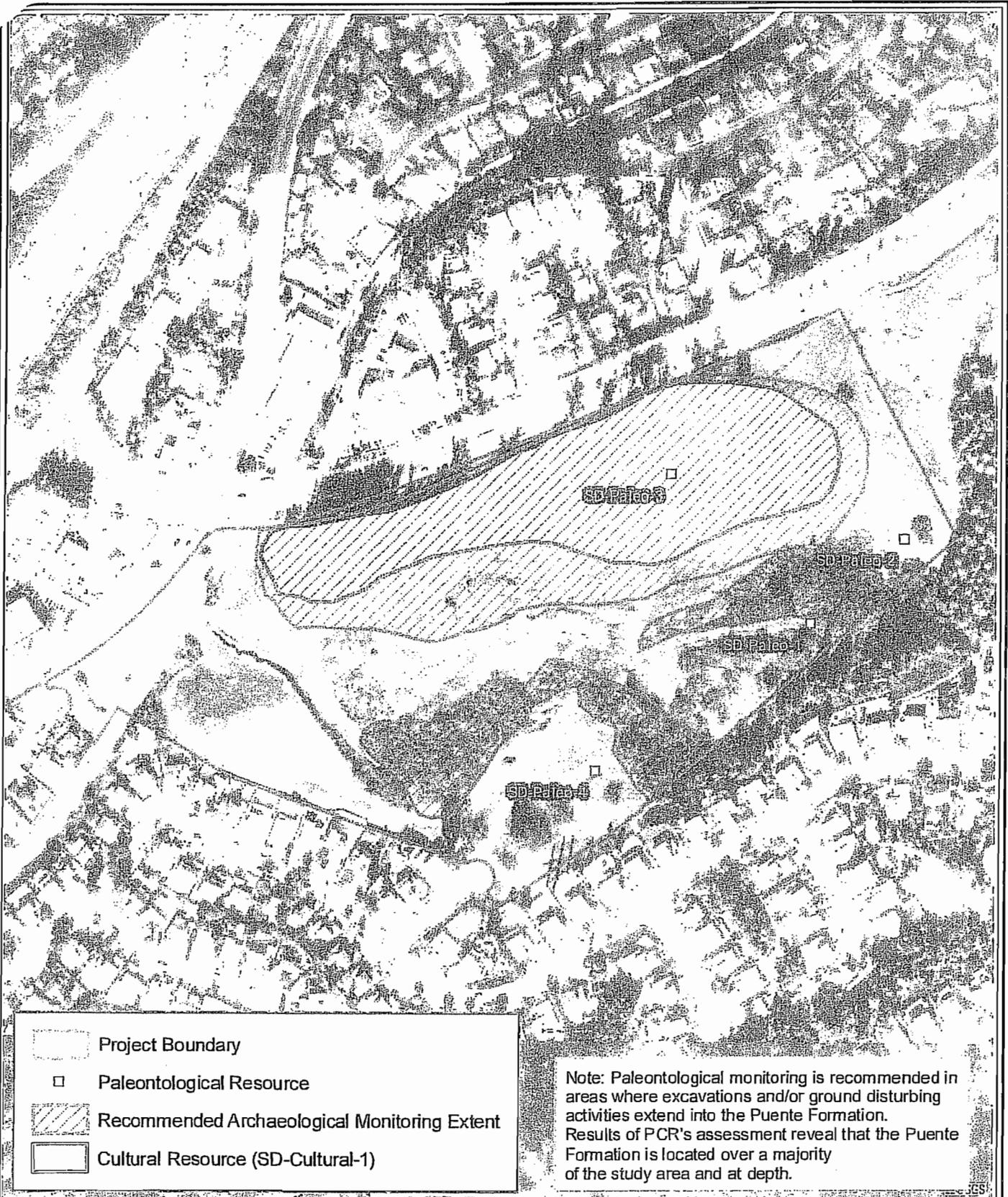
FROM MARY RODRIGUEZ  
TO PLANNING COMMISSION

MAY 7, 2010



Source: Google Earth, 2007; PCR Services Corporation, 2008.

Figure 7  
Site D  
Results Map



-  Project Boundary
-  Paleontological Resource
-  Recommended Archaeological Monitoring Extent
-  Cultural Resource (SD-Cultural-1)

Note: Paleontological monitoring is recommended in areas where excavations and/or ground disturbing activities extend into the Puente Formation. Results of PCR's assessment reveal that the Puente Formation is located over a majority of the study area and at depth.



Source: Google Earth, 2007; PCR Services Corporation, 2008.

Figure 8  
Site D  
Monitoring Extent

Attachment to Letter to Planning Commission Dated MAY 7, 2010  
from Mary E. Rodriguez



Figure 7  
Site D  
Jurisdictional Features

April 23, 2010

MARY E. RODRIGUEZ  
3419 Pasado Drive  
Diamond Bar, CA. 91765

City of Diamond Bar  
Planning Commission  
c/o Grace Lee  
21825 Copley Drive  
Diamond Bar, CA. 91765

Re: Site D Specific Plan and Environmental Impact Report

To Planning Commission and Planning Commission Members

Pursuant to Planning Commission Chairman Torng's statement at the April 13, 2010 meeting, I am allowed to submit additional written comments, questions, and concerns regarding Site "D" Specific Plan and Environmental Impact Report (EIR). Per Chairman Torng's statement, these comments will be allowed after the close of the Public Hearing meeting on April 13, 2010, and the City will acknowledge and allow those comments to be included in the Record and will be addressed as part of the Public Comments.

There are many problems with Site "D" Specific Plan and with the EIR regarding Site "D" that it overwhelms me. Both of these documents are not a true representation of what they are supposed to be accomplishing. The Reports are vague about issues which require exact addressing. The Reports are inconsistent, conflicting and cursory at most.

*Regarding Appendix G Traffic Impact Analysis*

The Traffic Impact Analysis is supposed to document traffic findings as they currently exist. It should be documenting a Traffic Impact Analysis as it currently exists in 2010. Instead, the Analysis is providing documentation for traffic as it was in 2007, and using that data to project future traffic impacts of the present 2010. The Traffic Impact Analysis Report states that "The Scope of Work for this Project was confirmed with City staff and satisfies the City of Diamond Bar requirements as outlined in the Guidelines for the Preparation of Traffic Impact Analysis Report (2005). So, I am to believe that findings of a traffic report that is using 3 year old data to project to present, using Guidelines that are 5 years old, are going to be useful?

At the end of, or following "Appendix G-Traffic Impact Analysis" there is Appendix A-EXISTING TRAFFIC COUNT DATA. (I write this in a smaller font because it is written that way in the Report. It's like a whisper.)

I suspect that APPENDIX-A-is the first Appendix of "Appendix" -G." The contents of APPENDIX -A-EXISTING TRAFFIC COUNT DATA is 193 pages of "Intersection Capacity Utilization" charts of key intersections for study start date 10/17/2007.

This is the type of outdated documentation that is being expected to provide solid, reliable information on which to base important decisions. The information provided in the Traffic Impact Report is useless, it is irrelevant. It is futile to proceed with a project of this magnitude utilizing

Assuming that these 3 years old charts were good, which they are not. They are neither current nor correct. Let's examine a specific area. The residents that live in the homes that surround Site "D" on the East side of Diamond Bar Boulevard and East of Brea Canyon Road, between Silver Bullet and Diamond Bar Blvd. have three options for entering and exiting that area. They are Cold Springs Lane at Diamond Bar Blvd., Silver Bullet, and Copper Canyon both at Brea Canyon Road.

However, the Traffic Impact Report does not include Copper Canyon. Copper Canyon is not shown or mentioned in any Traffic Impact Report. Copper Canyon should be included in the study. It is a key intersection with regards to this Project and significant to this Report. It is as important as it Silver Bullet Road. Although, there is no signal light at Copper Canyon, while there is a signal light at Silver Bullet. Although, there is no signal light at Copper Canyon, while there is a signal light at Silver Bullet Drive, it is used more than Silver Bullet Road.

However, all the traffic studies, and the old studies being used as new studies, fail to show that Copper Canyon even exists. Most people use Copper Canyon to exit and enter that area. The omission of Copper Canyon in the Traffic Study is critical. This omission has skewed the results of an already very ill prepared study of the traffic for the area. Why wasn't that traffic of Copper Canyon included in the Report?

The "Plan" states that Site "D" is relatively flat. This is not true. This is an easy thing to prove. Go there, look at it and see for yourself. Site "D" is hilly, it goes up from the street level of Diamond Bar Blvd. and then it goes down a bit to where there is a small area which has been identified as "wetland". On the slopes on the back, up above Pasado Drive, on the East end there are two groundwater flows that unite as one about half way down the slope and flow out to the drain.

The groundwater is flowing underneath the houses that sit on top of those slopes at Cold Springs Lane. That issue needs to be addressed in the Environmental Impact Report. What exactly is going to be done to divert that flow of water without disturbing the housing above?

Mitigation of jurisdictional waters and wetlands at a ratio no less than 2:1. How exactly do you do that" Where will that be and who is going to make certain that it gets done? "2:1 ratio, no less". What would that be?

It is no wonder that at the August 13, 2009 meeting Mr. Rogers stated regarding this study "City staff and the LA County Flood Control staff commiserate (sympathize) on this document." I agree with the City staff and the LA County Flood Control Control Staff, the study is a pathetic document.

The "Specific Plan for Site "D" and the "Environmental Impact Report" for this Project give off a feeling of shrugging the shoulders attitude regarding all the damage it will cause to the natural setting, vegetation, and wild life that have existed in the area for hundreds of years. The mitigation efforts prescribed in the EIR Study for destroying 100 year old protected and endangered trees is unacceptable. One example is the Southern California black walnut tree. The Study states that "a total of 75 individual Southern California black walnut trees meeting the size requirements of the tree ordinance were mapped during the tree survey. However, additional individuals (trees) that did not meet the tree ordinance size criteria also occur within the study area."

Who is doing the counting? What is the size requirement for an endangered tree to be considered save worthy? How many are there, and what is the actual size of the "additional individuals that did not meet the tree ordinance size criteria"? By the way, it's the City of Diamond Bar the recipient of the Tree City USA award for the 9<sup>th</sup> year? An honor conferred upon municipalities that demonstrate a commitment to the environment through the protection and care of public trees. I guess the City just says, "It's not us that doing it, it's the WWUSD that is doing it."

The mitigation plan for destroying these trees is vague. It states that a mitigation plan "shall be prepared that will describe.... " what they are going to do. However, this is not acceptable. Tell us exactly what is going to be done. Where are you going to replant 100 years old trees? Who is going to make certain that they survive? Who will be held accountable when the trees do not survive transplanting?

City Officials and the Walnut Unified School District should take a very close look at what they are being asked to sign off on. It is not to be taken lightly. Think about how long the issue of SITE "D" has been going on. We, have been objecting to this project since 1991. We have studied long and hard at what is being proposed for Site "D". It is time consuming and it is exasperating. Dealing with City Hall is not a walk in the park. For most of us it is a great sacrifice. We do it because the Project that is being proposed for Site "D" is offensive. We should expect that our City Officials would mind an eye sore at the gateway to our City. Instead, year after year, we continue to say the same things about the outrageous plan, and still City Hall does not listen to us.

The answer to this project plan for Site "D" is now and has always been "no" . To say that there are no problems with the plan as it exists is an untruth. To agree with the Plan's great over statement of "less to no significant impact" on the many specific areas covered would be a great neglect of a fiduciary duty.

Concerned Citizen of Diamond Bar

Mary E. Rodriguez

Page 1 of 3

To: City of Diamond Bar  
 Planning Commission  
 C/O Grace Lee  
 21825 Copley Drive  
 Diamond Bar, Ca 91765

August 23, 2010

Re: Site D Specific Plan and Environmental Impact Report

To Planning Commission Chairman and Planning Commission Members:

Pursuant to Planning Commission Chairman Tong's statement at the April 13, 2010 meeting, I am allowed to submit additional written comments, questions, and concerns regarding Site "D" Specific Plan and Environmental Impact Report (EIR). Per Chairman Tong's Statement, these comments will be allowed after the close of the Public Hearing, and the City will acknowledge and allow these comments to be included in the Record and will be addressed as part of the Public Comments.

There are so many problems with the Site "D" Specific Plan and with the Environmental Impact Report regarding Site "D" that it overwhelms me. Both of these documents are not a true representation of what they are supposed to be accomplishing. The Reports are vague about issues which require exact addressing. The Reports are inconsistent, conflicting, and cursory at most.

The traffic situation is a big factor of concern. The traffic analysis in the EIR the "Specific Plan" is a misnomer. It is, at most, a "non-specific plan". The Plan is not specific about anything. There is nothing that is stated in the Plan that definite. It is totally ambiguous. rough it, whether there will be driving traffic and /or walking traffic accessibility through the traffic is going does not vague about

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 good 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.

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. 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 turned on potentially adding chlorofluorocarbon to the mix. It's CFC-12 often known 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? 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 calculation? How old is the Traffic Study that the City keeps providing us? I request that a new traffic study be conducted.

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 at 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 proposes to "mitigate" that noise. 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. 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 a 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.

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 Procedure”, 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.

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. There is also the matter of the trees and vegetation that are located outside of the project boundaries, but still touching the boundaries. These trees will be damaged from all the earth moving going on around them. How does the City propose to protect these trees and vegetation?

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.

Sincerely,

---

Signature

Page 1 of 3  
8-13-09

8-10-2009  
to  
Greg Gubman

To: Mr. Greg Gubman  
City of Diamond Bar  
Community Development Director  
21825 Copley Drive  
Diamond Bar, Ca 91765

August 10, 2009

Re: Environmental Impact Report 2007-02, Draft Environmental Impact Report "Site D" Specific Plan, SCH No. 2008021014, General Plan Amendment No. 2007-03, Specific Plan No. 2007-01, Tentative Map No. 70687

Dear Mr. Gubman,

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 good 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.

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Sincerely,

---

Signature

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Print your name

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Address

---

City and State

---

Zip

1991

# E.N.T. SPECIALISTS

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Dr. Lonnie Smith & Dr. Terry Scott  
Diplomate American Board of Otolaryngology

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750 North Diamond Bar Blvd., Suite 111  
(Diamond Bar Professional Center)  
(714) 860-7712

## RESOLUTION OF DBIA

Whereas, A 28 acre parcel of land, located in south Diamond Bar at Diamond Bar Boulevard and Brea Canyon Road, and owned by the Walnut School District, is presently proposed for development; and

Whereas, public discussion has focused upon several alternative development options; e.g. a residential subdivision, community parks, undeveloped pristine status; and

Whereas, Citizens of Diamond Bar would benefit from development of the parcel into a major recreational center, featuring ball fields for Little League Softball and soccer; multi-purpose courts for volleyball, basketball, tennis and racquetball; children's play area; paths; passive recreation area; as well as a Community Center Building; would mutually enhance the social and recreational amenities of the Diamond Bar area; and

**Therefore Be It Resolved,** That the Board of Directors of the Diamond Bar Improvement Association unanimously expresses it's strong support for the concept and proposal above; that the 28 acre parcel above described be purchased and developed by the City of Diamond Bar as a total community wide recreational facility. Additionally; should this park be established, then let the perimeter be retained and designated as a wilderness area (Diamond Bar's original heritage) with trails for hiking and botanical studies for our local schools and students. And be it further resolved that this resolution unanimously adopted by the Diamond Bar Improvement Association Board of Directors be transmitted to appropriate City authorities. □

## COTTONTAIL CLASSIC A HIT

The 3rd Annual Cottontail Classic was held on Saturday and Sunday, March 16th and 17th. Eight Diamond Bar teams competed with (5) of the teams making it into the finals. These teams included Girls Division 2, Boys Division 2, Boys Division 3, Girls Division 4 (Devesation) and Boys Division 4.

There were 88 teams participating from throughout the Southern California area. The tournament was a smashing success due to the participation of Spring Team parents, coaches, referees, and the following local merchants:

- |                      |                    |
|----------------------|--------------------|
| Roma Sports          | Dr. Wong, DDS      |
| McDonald's           | Schmidt Cannon     |
| Soccer Junction      | Albertson's        |
| Alta Sports          | Del Taco           |
| New York Seltzer     | TriWest Associates |
| Pepsi Cola           | KIIS FM            |
| Denny's              | Domino's Pizza     |
| Wendy's              | Hudson's Grill     |
| Burger King          | Miller Meats       |
| Webster's Waste Mgt. | Butler Paper       |
| Soccer Mania         | KMart              |
| Carl's Jr.           | Whole Enchilada    |
| Thrifty's            |                    |

Our thanks for supporting the Diamond Bar A.Y.S.O. Program. Teams from Diamond Bar will now be competing in the local team play and tournaments throughout California.

# WALNUT VALLEY UNIFIED SCHOOL DISTRICT

## REFERENCE INFORMATION

**AGENDA ITEM:** General Business B-9

**TITLE:** Property Advisory Committee's (7-11 Committee)  
Report

### BACKGROUND INFORMATION

This committee was appointed by the Board of Trustees to conduct public hearings regarding Site "D". They met several times prior to the public hearings that were held on March 4, 1991 and March 11, 1991. Subsequently, the committee met on March 26, and April 2, to write the report.

### RATIONALE FOR REQUEST

Education Code requires that prior to the disposal of school property, a committee must be formed, public hearings must be held and a report must be submitted to the Board of Trustees.

### ADMINISTRATIVE RECOMMENDATION

The Administration recommends that the Board of Trustees accept the report from the Property Advisory Committee (7-11 Committee).

### FINANCIAL IMPLICATION

There are no financial implications to the District for accepting this report.

**WALNUT VALLEY UNIFIED SCHOOL DISTRICT**

**SITE "D" PUBLIC HEARING REPORT  
(MARCH 4, 1991 AND MARCH 11, 1991)**

**PREPARED BY:**

**PROPERTY ADVISORY COMMITTEE  
(7-11 COMMITTEE)**

**PRESENTED TO BOARD OF TRUSTEES ON  
June 26, 1991**

The Board of Trustees appointed this committee to review the projected school enrollment and other data as provided by the District to determine the amount of surplus space and real property.

Since it was established, by the committee, that Site "D" is surplus property, based on enrollment figures and projections, a decision was made to hold public hearings in order to find out what the tolerance level of the community would be in the development of this property.

Notices of these Site "D" Public Hearings were published in the Diamond Bar/Walnut Highlander, the San Gabriel Valley Tribune; the Castle Rock Elementary School newsletter, and the Walnut Valley Unified "Board Briefs." Notices were also posted at the Diamond Bar City Hall, the Diamond Bar Library, the Walnut City Hall, and the Walnut Library, as well as on the bulletin boards in the District Office. Copies of these posted notices were also sent to the people on the Site "D" mailing list and to all of the school principals. It was decided to have these meetings on the Monday evenings of March 4 and March 11, 1991, at 7:00 p.m., at Castle Rock Elementary School.

It was found, based on the statements of 40 community members, that the community preference was for having a park developed. There were also indications that leaving Site "D" in its natural state would be tolerated. Extremely minimal tolerance was shown for housing. This information is supported by the letters received after the hearings as well as the minutes from each of the hearings.

\* The following statistics are representative of the opinions expressed at the public hearings and of the testimonies received in the mail.

<u>Park - Active</u>	62.5%	}	85%
<u>Park - Combination Recreation/Wilderness</u>	5.0%		
<u>Wilderness -</u>	17.5%		
No Preference* -	12.5%	}	2.5%
<u>Housing -</u>	2.5%		

Based on the public hearings the committee recommends that Site "D" be used for a public use or retained in its natural state.

\* Expressed concern about proposed housing development, but made no stated preference.

# San Gabriel Valley Tribune

## Diamond Bar land parcel awaits fate

*School district may move to declare 28 acres surplus*

By Rodney Tanaka  
Staff Writer

Saturday, November 30, 2002 -

DIAMOND BAR The Walnut Valley Unified School District has 28 acres near Diamond Bar Boulevard and Brea Canyon Road in south Diamond Bar that it may declare surplus.

The district's Advisory Committee on Surplus Property will hold meetings Tuesday and Dec. 10 to hear what the community wants the district to do with the property.

The district bought the land, called Site D, in the mid-1960s in two parcels for \$311,587, Walnut Valley Unified Assistant Superintendent Diane Hockersmith said.

The property had been considered for a middle school site, but the district instead decided to build the more centrally located South Pointe Middle School.

Under state law, the district must convene a citizen's advisory committee in order to consider a property surplus, Hockersmith said.

The district cannot do anything with the property until the citizens advisory process is completed, Hockersmith said.

The land is in its natural state, with rolling hills filled with vegetation.

The district does not have an offer for the land, but may sell or lease the property to fund an education center that would serve several schools, board President Anyork Lee said.

The district has vacant land near South Point Middle School, Lee said, and the center could be built there.

One interested party may be the city of Diamond Bar. But the city is waiting to see what the district decides to do with the property, said Diamond Bar Councilwoman Carol Herrera, who served on the school board prior to serving on the council.

"We haven't formally discussed acquiring it or what it might be used for," Herrera said.

"The city has hired consultants to do an economic development strategic plan and these advisers pointed to that property as a potentially good commercial site, which could bring revenue to the city."

-- Rodney Tanaka can be reached at (626) 962-8811, Ext. 2230, or by e-mail at [rodney.tanaka@sgvn.com](mailto:rodney.tanaka@sgvn.com).

CITIZENS ADVISORY PROCESS WAS DONE IN 1991!

1998

SAY NO TO SITED "SPECIFIC PLAN"

RECEIVED 1/10/10 7:52 PM

SAVE DIAMOND RIDGE HILLS LAST OPEN SPACE IN DIAMOND BAR

SIGNATURE	PRINT NAME	ADDRESS	PHONE	EMAIL
<i>Mary Shelley</i>	Mary J. Dilley	21225 DAVAN	(909) 595-3175	
<i>Paul Burnmeister</i>	PAUL BURNMEISTER	21226 DAVAN	(909) 595-3261	
<i>John Burnmeister</i>	JOHN BURNMEISTER	21226 F. DAVAN ST.	(909) 595-3261	
<i>Oliver Lamb</i>	O. Lamb	21232 Davan St	909 595-5032	
<i>Leonard Lamb</i>	Leonard Lamb	21232 DAVAN ST	909 595-5032	
<i>Thomas Nation Trygelle</i>	Thomas Nation Trygelle	3537 Castle Rock Rd.	760-964-8541	
<i>Chris Jensen</i>	CHRIS JENSON	3603 CROOKED CREEK	(909) 595-7046	
<i>Wesley</i>	Wesley	20965 KUNNING BRANCH	909 895 7032	

**PETITION: "NO" TO SITE D SPECIFIC PLAN AND EIR**

SIGNATURE:	PRINT NAME:	ADDRESS: + EMAIL
	Grace Zhu	WF9clong@yahoo.com
	Ken Howard	22898 Hinton Head Dr #177
	Joseph Olivier	20623 Larkstone Dr. Joliver@msn.com
	BERTHA LUNA	2055F Mission & St Walnut, CA 91749
	J. CARLO SFE	536 NIMMO SPRINGS RD DB.
	PETER PRUE	24215 BRACKWOOD DR. D 91765
	EMILY JONES	23669 CHANDLER PL 91765
	MARY L. DIAZ	1400 Arroyo Ave 91765
	CHARLEA LUCRE	23601 Collier Spg 91765
	CLERIA VALENZUELA	1227 CARIBBEAN DR 91765
	CAROL JONES	23669 Chandler Pl. 91765
	TERE MENDOZA	859 Crystalwater Ln. 91769
	ERIC MORALES	23612 Jubilee Lane, Diamond Bar 91765
	VICTOR DIAZ	2168 POWESS ST Pomona Ca. 91766
	JUAN C. WATSON	23449 E GUIL SUMMIT Dr DB 91765
	SUSAN J. SEE	1346 Alcan Boulevard DB 91765
	CHARLENE WOODS	22520 E CELLAR DR 91765
	LISA WOODS	23600 Alcan Blvd Bar 91765







**PETITION**  
**"NO" TO SITE D SPECIFIC PLAN & EIR**  
**and "NO" REZONING WITHOUT COMMUNITY INPUT**

SIGNATURE:	PRINT NAME:	ADDRESS:	PHONE NUMBER:	E-MAIL ADDRESS:
<i>William Paul</i>	MELISSA PARKE	1528 Elderfree Drive D.B.	909-861-6285	melkafid@northmail.com
<i>John</i>	Marrison John	1524 Eldortree Drive D.B.	949-228-2449	lurrsonjohn7@gmail.com
<i>Bob</i>	BOB JACKSON	3040 LA PAX LANE UNIT C DB	909-964-9493	tsacksnw@boardrunner.com
<i>Beata</i>	BETTY ESPINOSA	3040 La Paz Lane C DB	909-964-9493	
<i>Nancy</i>	Nancy J. Kozlarski-Clark	1647 S. Diamond Bar Blvd, D	909-342-4936	clarkkoz@gmail.com
<i>Patricia</i>	Patricia Stonaker	720 Golden Springs PkC	957-907-7849	Patricia@stonaker.com
<i>Deborah</i>	Deborah L. Nasor	1053 Canyon Springs Lane DB	909-861-4340	
<i>Charmaine</i>	Charmaine DeSipiano	1423 Pecan Grove Dr.	909-861-4950	
<i>Nancy</i>	Nancy Blum	855 Silver Fields DB.	909-595-7905	
<i>Carol</i>	Carol Hoan	9550 OCEANVIEW STREWS RD	(909) 860-1070	CDHOAN@CAL.NY
<i>Susie</i>	Susie Diaz	23404 Sand Ridge Rd.	909-860-5350	spdz@csupomona.edu
<i>Nilda</i>	Nilda Kerv	25600 Harmony Hill Dr. Diamond Bar 91705	909-780-7441	
<i>Henry</i>	HENRY A COTA	326 BAILENA VIE	909-861-7110	
<i>Akin</i>	AKIN SAWYER	1850 S. MINNOMON BAY BLVD #1216	909-680-2590	akinse@sawyer-john.com
<i>Daniel</i>	Daniel Rusackas	1604 Range Ct	909-576-9011	DRUSACKAS@gmail.com

**PETITION**  
**"NO" TO SITE D SPECIFIC PLAN - EIR**  
**and REZONING WITHOUT COMMUNITY INPUT**

SIGNATURE:	PRINT NAME:	ADDRESS:	PHONE NUMBER:	E-MAIL ADDRESS:
<i>[Signature]</i>	HARSHEEL SHAH	2665 WAGON TRAIN LN.		HJSHAH@AOL.COM
<i>[Signature]</i>	RESHMA SHAH	2665 WAGON TRAIN LN.		HJSHAH@AOL.COM
<i>[Signature]</i>	Daniel K. Sweet	12603 Canyon Blvd	(714) 334-4668 (cell)	land83350@yahoo.com
<i>[Signature]</i>	Melissa Lindis	22939 Estoril Dr #1		mellissa.lindis@yahoo.com
<i>[Signature]</i>	Luis Jimenez	1080 S. Grand Ave.	(714) 898-9444	luchit008@gmail.com
<i>[Signature]</i>	Kisha Ramsey	22602 Red Fir Lane	909 6154662	Kisha.ramsey@yahoo.com
<i>[Signature]</i>	Jordan Solis	22422 Mountain Laurel Way	909 859 5784	trushobnmarley@aol.com
<i>[Signature]</i>	MICHAEL KATZ	911 N. DEL SOL LANE	909 861-3045	MAKATZ@WEST-ENT.COM
<i>[Signature]</i>	Mahe Wong	2304 Shady Hills	909 818 8168	
<i>[Signature]</i>	MICHAEL SALMO	1338 S. DIAMOND BAR BLV	951-847-5490	
<i>[Signature]</i>	Lynne Caste	1930 Silver Laid	909 861-0360	willcastle@aol.com
<i>[Signature]</i>	Steve Rosson	23449 Wagon Trail Road	952-994-1428	strosson@home-care-providers.org
<i>[Signature]</i>	SOPHON LUECHA	1102 HEDGEWOOD PL.	(909) 525-0493	
<i>[Signature]</i>	MICHAEL KIGHT	25204 ANTCER DR.	909-762-8821	RETOCART@FORMARC.COM
<i>[Signature]</i>	BEVERLY LOYA	1147 CHISHULN TRAIL DR.	909-860-3265	Dev.Stock@yehuu.com
<i>[Signature]</i>	Laurie VALDE	1360 S. DIAMOND BLVD	909-262-7790	<del>lvaldes@live.com</del> LIVADES@LIVE.COM
<i>[Signature]</i>	LUIS VALDES	11 UNIT A DB	714-930-5207	MIXALOVIL@hotmail.com
<i>[Signature]</i>	Martha WOO	1140 Hedgewood Place D.B.	909-861-6815	
<i>[Signature]</i>	GUY NAPIER	23617 TELLATAFENTR.	213 304-0667	





**PETITION**  
**"NO" TO SITE D SPECIFIC PLAN - EIR**

**and REZONING WITHOUT COMMUNITY INPUT**

SIGNATURE:	PRINT NAME:	ADDRESS:	PHONE NUMBER:	E-MAIL ADDRESS:
	NANCY VATAR	3015 Stoopurchase Ln.	909 9102947	
	AUSTIN M. WILLIAMS	21817 NARATO PLACE	909 861-6133	
	NORMA L. WILLIAMS	21817 NARATO PLACE	909-861-6133	
	Dan Halverson	22710 Innbank DB	(212) 305-0013	
	M. CHAKRABARTI	1984 white star Dr.	909.860.9392	
	Alicia Gschel	1960 Vento Verao Dr	909/241-2180	*
	Ted Eastman	21719 Santagin Dr.	909 861-7121	
	Janet Eastman	21719 Santagin Dr	909 861-7121	
	MARINNE STANCOVE	23638 Progress valley Dr.	909 861631P	
	Ray Kim	2425 Forest St	909 240-2783	
	MARK PACILLAS	2305 Diamond bar '07	905-861-6079	
	SONJA BLACK	2616 SUNSLIGHT DR D.B.	909-595-3557	
	STEVE KAWAKAMI	1503 Highbluff Dr	(909) 861-7609	
	LUPE ESPINOSA	21302 Hideout Dr.	909 595-3348	
	[unclear]	25. W. Boat No. 5 f 15	212 502-6415	
	FAJEZ ENADE	1524 DERRINGER LN.	909-598-6670	
	HENRY ESCOBAR	22040 SANTAGIN DR.	909-862-3656	lobull 020@ad1.com
	William Fraser	21800 HEATKEYANE CT	909-861-0919	

**PETITION**  
**"NO" TO SITE D SPECIFIC PLAN - EIR**  
**and REZONING WITHOUT COMMUNITY INPUT**

SIGNATURE:	PRINT NAME:	ADDRESS:	PHONE NUMBER:	E-MAIL ADDRESS:
	LISA M. SHADE	1831 S. Fern Hollow Dr.	N/A	shadex3@verizon.net
	Cathy Johnson	21331 Villas	N/A	
	Julia A Gomez	23630 Chandelero Place	N/A	beaglelover@verizon.net
	ZOE BUSHOT	22066 Chandelero	N/A	
	BELLE HE	2411 Kissing Star Drive	(909) 594-0406	bellehe@gnail.com
	Jeong Lee	3107 Ridge Point Dr.	N/A	
	Betty Ramirez	408 Redford Dr	N/A	
	David Aguilar	329 S Rock Hill Rd	N/A	
	ROSALINDA HOWARD	22848 Hilton Head Dr. DB, 91765		
	Luis Corrales	427 Grunsmore Dr	N/A	GLOE CORRALES@VERIZON.NET
	Andrew Diaz	23404 Sandridge Road		
	MIKE APAI	21265 CHERRYBARK SPAN	909 8961088	MIKEAPA@GMAIL.COM
	MARY L. SCHAEFFER	23027 Clujen Knoll		
	Maria Velasquez	414 W. McKinley Ave.	N/A	mvsqut@yahoo.com
	Leticia Paris	13541 Cable Creel Ct	N/A	twat1025
	LINDA L. HOFFMAN	1735 AUTUMNVALE DR. D91705	N/A	Linda.Hoffman@yahoo.com
	JOSHUA HEISER	590 Pinto Mesa Dr 91765	N/A	tzigarndt@yahoo.com
	Nicole Cross	22765 Lakewood Dr # CA 91761		NICKIE2626@yahoo.com
	Linda Villanueva	3411 Chrysdale Dr 91765		lvillas@roadrunner.com

PETITION

"NO" TO SITE D SPECIFIC PLAN - ENVIRONMENTAL IMPACT REPORT  
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SIGNATURE:	PRINT NAME:	ADDRESS:	PHONE NUMBER:	E-MAIL ADDRESS:
	Alice DeLaTark	1320 Seawest Dr.	619 423-6685	
	URSULA SUMMONS	24030 SUTTON LN	909-568-7961	
	Gregory Rivas	29 North Spike	909 625-1525	
	CONNIE CRAWFORD	1118 S. Cleghorn Dr # Diamond	909 860-5518	
	Bob Crawford	1118 S Cleghorn Dr #A, D B	909 8605518	
	ERLINDA BONILLA	1735 S. Diamond Bar Blvd #B	909 996 2458	
	JAN CHUKLA	1735 S. Diamond Bar Blvd #B	909 996-2458	
	DAVID THEDERS	2950 CASTLE ROCK ROAD	909 514-0775	
	Ann Shaugnessy	3736 S Colonial Ave	909-9235235	
	PAT SU	23080 S. Longview	(818) 377-3297	
	Shanie Culver	6236 La Mirada Ave Hall	323 448 9110	
	John Bustamante	1729 S. Diamond Bar Cr.	909 587-8704	
	Yves San Juan	24222 Brookwood Dr. #	909-860-5590	yves.sanjuan@aol.com
	Anne Kary	5207 Green Valley Hill Dr Hill	909 2143221	
	HENRY CH	2505 Paseo De Terrada	909-860-4393	
	Ashlynn Whitman	24370 Vista Buena Dr.	561 309-3416	
	Lois Miller	16015 Diamond Bar Blvd Diamond Bar	909-861-7048	
	Marlon Mejia	23612 Maple Springs Dr. Diamond Bar	323-229-5999	
	Isabel Espinosa	23612 Maple Springs Dr. Diamond Bar	323-229-5999	

PETITION

"NO" TO SITE D SPECIFIC PLAN - ENVIRONMENTAL IMPACT REPORT  
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PRINT NAME:	ADDRESS:	PHONE NUMBER:	E-MAIL ADDRESS:
Vicki Hazare	22962 Estora Dr Diamond Bar	909-861-2900	
EL O MARI CHASSAN	22675 LAKEWAY DR	909 346 5088	
Janet Neufeld	1540 Spruce Tree Dr. Diamond Bar	909 861-7502	
JOHN M. ANDERSON	2517 SUNBRIGHT DR. DIAMOND BAR	(909) 594-8874	
Mary Alba	1867 Fern Hollow Dr. DBAR	909-900 5912	
Shirley Davis	23234 E ANTLEK DR	909-861-7944	
Ananna Luna	23845 Falconsview Dr.	(909) 861-5331	
Amber Menjar	23001 FALCONS VIEW DR.	(909) 573-5356	
YOHAN LALWAN	2000 CHESTNUT CREEK RD	(909) 861-6741	
DAMIAN LONNELLY	1854 Trinita Dr. Diamond Bar	(626) 419-2488	
Steve Lee	242340 Rimland Pl DIAMOND BAR	(909) 612-0570	
Hildegard Sun	1665 Aracacia Hill Rd	909 612-5683	
DIANE E. WEEB	23033 PASADENA TERRACE #1	(909) 861-5589	
Dennis Nish	426 CASPINE LN	(909) 612-0278	
THOMAS S. MULLER	22828 ESTERLY DR #1	(909) 396-475	
PATRICK BRASHEAR	23497 COYOTE SPRINGS DR	(909) 861-8733	
Olysses Quesada	1860 Silver Hawk Dr	(909) 535-3468	
Daniel Jordan	3737 Castle Rock Rd	909-733-9101	
ALICIA LOPEZ	802 SILVER FIR RD	909 595-7608	

**PETITION  
"NO" TO SITE D SPECIFIC PLAN - EIR  
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SIGNATURE:	PRINT NAME:	ADDRESS:	PHONE NUMBER:	E-MAIL ADDRESS:
	Jong Sun Ho	1553 Beck Crossing Dr D.B	909-861-1693	
	Karamelis Maysin		909-706-1858	
	Sunil Gora	22112 RIM FIRE LN	909-568-8696	
	Mackenzie Pineda	213 PARKER DRIVE	909 900 2457	
	Albert Saway	1211 Greycresc Pl. D.B	909 455-5674	
	Sarah Kim	1755 Deepplum Dr. Diamond Bar CA 91765	909 861 6122	<del>#####</del>
	KEVIN MACH	24319 Delta Dr	(909) 9739-0123	
	EUTIQUEIA MARCELLE	1318-H Diamond Bar Blvd.	909-860-1974	
	Clarice Van Klaren	13220 Dreyfus Willow Ln	(709) 861-7802	
	Francine Nguyen	24328 Seagrass Dr 1765	(909) 860-5665	
	Katrina He	2911 Rising Star Dr	(909) 594-0406	
	Altha Wang	1541 Diamond Dr 41765	909 595 1656	
	Joseph Collins	12216 1/2 Lakewood Dr	909 868 2075	
	Belle He	2111 Kuning Hwy W	(909) 594-0406	
	Jai Wang	1850 S Diamond Bar Blvd. Unit 313	915-608-6670	hiwang82@gmail.com
	Mike Paik	1850 S Diamond Bar Blvd. Unit 313	213-598-0013	
	Lardis Evangelista	2956 CROOKED TREE DR.	(909) 230-9178	lardisevangelista7@yahoo.com
	CHERIE BISHOP	21217 WASHINGTON, NEWTON, CA 90891	909 594 0033	

PETITION

"NO" TO SITE D SPECIFIC PLAN - EIR  
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SIGNATURE:	PRINT NAME:	ADDRESS:	PHONE NUMBER:	E-MAIL ADDRESS:
<i>Sally Bailey</i>	Sally Bailey	1302 S. Diamond Bar Bl		
<i>TERRY MEYER</i>	TERRY MEYER	21549 AMRUSHER ST		
<i>CHRIS K</i>		22705 IRONSTEAK A		
<i>William A. Keenan</i>	WILLIAM S. BROWN JR	P.O. BOX 5701, DIAMOND BAR BL.		
<i>Andre Ormond</i>	ANDRE ORMOND	327 N. DEL SOL DB		
<i>Grace Zhu</i>	GRACE ZHU	7400 WILLOW S WOOD CANYON		
<i>Mrs. Marjorie Green</i>	MARIONA GARDNER	2643 CROOKED CREEK DR.		
<i>Dolores Carrillo</i>	Dolores Carrillo	1656 ASPENGLANE DB	909-961-8172	
<i>Ernestine Healy</i>	ERNESTINE HEALY	1852 ANAHEIM DR D	951-733-7204	*
<i>Barbara Kessler</i>	BARBARA KESSER	1632 ANAHEIM HILL RD.		
<i>Stanley Blaxham</i>	STANLEY BLAXHAM	2375 C PROVEDA DR	909-609-4550	None
<i>Patricia Kim</i>	PATRICIA KIM	20446 CAMP RIDGE RD		
<i>Eugene Kim</i>	EUGENE KIM	21936 LAURELIM DR.	909 913 8824	
<i>Jessica Ortoy</i>	JESSICA ORTOY	484 COVERED WAGON DR.	88-426-0199	
<i>Megan He</i>	MEGAN HE	2911 RISING STAR BLVD DB		
<i>David Dees</i>	DAVID DEES	1520 MAPLE HILL RD D		
<i>Patricia Lynn Sanchez</i>	PATRICIA LYNN SANCHEZ	20621 CRESTLINE DR A 91765	909 595 4654	*
<i>Richard Sanchez</i>	RICHARD SANCHEZ	20621 CRESTLINE DR A 91765	409 595 8654	
<i>Shirlean Hyltonset</i>	SHIRLEAN HYLTONSET	2380 S. PLAMOND BAR BLVD	909 470 2	

PETITION

"NO" TO SITE D SPECIFIC PLAN - ENVIRONMENTAL IMPACT REPORT  
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SIGNATURE:	PRINT NAME:	ADDRESS:	PHONE NUMBER:	E-MAIL ADDRESS:
<i>Anita Temple</i>	ANITA TEMPLE	36 Cowston Pt. Rd	909.455.8588	ANITA.TEMPLE@att.net
<i>Juanita Kennegar</i>	JUANITA KENNEGAR	1334 S. D Blvd D	909-239-1466	J.kennegar@csd9697.com
<i>R. Beshear</i>	R. Beshear	22869 E Hillfield Dr	909-973-2000	
<i>Lynette Hanna</i>	Lynette Hanna	22773 Lakeway Dr	909-860-8647	
<i>MARC PAGUAY</i>	MARC PAGUAY	2310 S. Diamond Blvd	909-860-6079	
<i>Esther</i>	ESTHER CONTRAS	1014 Capen Ave	909 869-9173	
<i>Ana Maria Leon</i>	Ana Maria Leon	909 Spencer Pl	909 396-4859	Ana.maria.leon@roadrunner.com
<i>Roxie Lee</i>	Roxie Lee	21257 Dawn St	909-594-7645	
<i>U. Patel</i>	U. Patel	116 Chisolm Hill Dr	909-576-3129	UNP197@excite.com
<i>MARILYN BUES</i>	MARILYN BUES	21825 Saint Basil Ln Rd	909-880-5176	
<i>Allen Rewitt</i>	Allen Rewitt	1850 Diamond Blvd	941 807 0855	
<i>S.S. WANDKAR</i>	S.S. WANDKAR	21504 West River Dr Diamond Blvd Ct	909 444-1350	
<i>Susan R. Arnold</i>	Susan R. Arnold	17940 Jamestown Ct	909-591-6207	
<i>Alix Kim</i>	Alix Kim	1432 Aspen Grove Lane, Diamond Blvd, CA	909-229-0227	
<i>Stephane Conman</i>	Stephane Conman	P.O. Box 118, Redwood Pl, CA	626 824-4925	
<i>NORIMUKHAT</i>	NORIMUKHAT	2647 E. CORTEZ ST. WC	626-430-7130	
<i>Bob Anthony</i>	Bob Anthony	1467 Rebeck St	909-548-3736	
<i>Patrick Olivieri</i>	Patrick Olivieri	20623 Larkstone Dr	909-868-0485	
<i>Alex Reimon</i>	Alex Reimon	1027 Puente St San Dimas	909 599-6476	

PETITION

"NO" TO SITE D SPECIFIC PLAN - ENVIRONMENTAL IMPACT REPORT  
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SIGNATURE:	PRINT NAME:	ADDRESS:	PHONE NUMBER:	E-MAIL ADDRESS:
<i>Sean P. Shih</i>	Sean Shih	600 Golden Springs #D	909-860-8030	
<i>Jessie Marr</i>	Jessie Marr	1153 Sunnyside	909-622-2277	
<i>Betha Castaneda</i>	BETHA CASTANEDA	1701 Acacia Hill Rd Dr	(909) 573-7889	
<i>Melie Sun</i>	Kirohan Sun	23010 Riverside Terrace	909-860-9202	
<i>Terry Liu</i>	TERRY LIU	3728 Missouri St. West Covina	909-996-6818	mathisreallyfun@gmail.com
<i>Alicia Schott</i>	Alicia Schott	1762 Cliffbranch Dr	909-860-0900	
<i>Jan Hockley</i>	JAN HOCKLEY	2091 TERRA LOMA DR	909-860-1329	
<i>Claudia Braver</i>	Claudia Braver	2117E Washington St #76	909-839-1917	
<i>L. A. Garcia</i>	L. A. Garcia	1180 CHASULAN TR.	909-860-1329	NO SHIPPING CENTER
<i>Laura Reynolds</i>	Laura Reynolds	22075 CEDARCREAK DR.	909-860-5230	
<i>Gloria Lopez</i>	GLORIA LOPEZ	2115-1 DUBLIN AVE D	909-861-6275	
<i>Janet Saliz</i>	JANET SALIZ	11233 AMBURNERS	909-861-7409	
<i>Laura Kim</i>	LAURA KIM	1631 S. Diamond Bay, DR	909-860-3175	
<i>Brenda Carver</i>	Brenda Carver	1975 Evergreen Spruce Dr, DR	909-860-5658	
<i>Meera Verma</i>	MEERA VERMA	2557 Indian Creek		MONA 2557@yash.com
<i>Sam W Ho</i>	SAM W HO	138 INDIAN WALK DR	909-861-0600	
<i>Joyce Ekstrand</i>	Joyce Ekstrand	13847 River Cascade Pl D	909-860-1024	
<i>Rita Lin</i>	Rita Lin	14158 Applegate Lane	909-970-0178	
<i>Irene Davis</i>	Irene Davis	157 So Palo Cedro Dr D	(909) 861-3035	

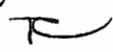
PETITION

"NO" TO SITE D SPECIFIC PLAN - ENVIRONMENTAL IMPACT REPORT  
and REZONING WITHOUT COMMUNITY INPUT

SIGNATURE:	PRINT NAME:	ADDRESS:	PHONE NUMBER:	E-MAIL ADDRESS:
<i>[Signature]</i>	W. Madrak	455 N. Prospector Rd.		
<i>[Signature]</i>	CHARLOTTE J. ALLEN	22907 Cambridge Ln., Unit #2		
<i>[Signature]</i>	STEPHEN NICOS	2621 RISING STAR DR #1005		
<i>[Signature]</i>	Linda Edwards	22939 Estrel #1 DB		
<i>[Signature]</i>	Janet Alice	2621 Rising Star Dr. #1765		
<i>[Signature]</i>	PAUL TRANQUILLI	1656 Boarsden Rd DB 91765	905-861-2039	
<i>[Signature]</i>	ALBERT RAY	23308 RIDGE LINE RD 91765		
<i>[Signature]</i>	CHRISTINE PERKINS	23308 Quail Summit Dr # 91765		
<i>[Signature]</i>	Theresa A Grant	1419 Staercrest Pl # 91765		
<i>[Signature]</i>	ERNA KEH	1641 Maple Hill Rd.		
<i>[Signature]</i>	SAM BLUEFARD	9600 N. Gales Sp. DB.		
<i>[Signature]</i>	Georgia A. Hasselquist	1362 Deepwater Dr., D. B. 91765		
<i>[Signature]</i>	Dennis Adresser	1362 Deepwater Dr. D B	909 861 7763	
<i>[Signature]</i>	ANNA STARIDLY	22507 BURNING EYE DR #		
<i>[Signature]</i>	Albina Boyer	1238 UNIT # S. Diamond Bay Blvd. Diamond Bay, CA		benaboyer@yahoo.com
<i>[Signature]</i>	Veima O'Grady	1621 Meadow Glen Rd D. B. 91765		
<i>[Signature]</i>	ENRICO SIGNATURE	546 N. PROSPECTOR RD # 200	895-7726	
<i>[Signature]</i>	ANNA SIGNATURE	546 N. PROSPECTOR RD # 200	895-7726	anna_santomedea@yahoo.com

Received 6/15/10

8:37 p.m.

From Daerel Busse 

June 15, 2010

City of Diamond Bar City Council  
City of Diamond Bar  
21825 Copley Drive  
Diamond Bar, CA 91765

**SUBJECT: SITE D SPECIFIC PLAN AND ENVIRONMENTAL IMPACT  
REPORT**

Honorable Mayor and Members of the City Council:

Please find a petition opposing Site D Specific Plan and EIR. Residents have collected over 300 signatures over a short period of time.

We the residents oppose the proposed Specific Plan and EIR based on the proposed inconsistent and incompatible land uses, inadequate community input and inadequate mitigation of adverse impacts.



## No Site D

Published by Resident on May 11, 2010

### Background (Preamble):

The City of Diamond Bar is considering the approval of a Specific Plan and EIR to change land use and zoning to enable the development of 202 to 253 high-density housing units and 154,000 square feet of retail commercial/office.

The proposed plan was drafted without any community input and poses many adverse impacts to the surrounding community.

### Petition Text:

Your signature on this petition will be used to submit a unified letter to the City of Diamond Bar City Council on behalf of the residents of the City of Diamond Bar to express our opposition to the approval of the Site D Specific Plan and EIR.

We the residents oppose the proposed Specific Plan and EIR based on the proposed inconsistent and incompatible land uses, inadequate community input, and inadequate mitigation of adverse impacts.

Total signatures 114 (Signature comments can be viewed in the Appendix of this document)

#	Title	FirstName	Surname	Email	Address	Town/City	S/C/P	Region	Zip/PC	Commen	Date
11 4	Mr	John	Dang	jkrisengr@yahoo.com	N/G	Diamond Bar	N/C	N/C	N/C	<a href="#">View</a>	Jun 12, 2010
11 3	N/G	Tyler	Castro	adriancastro99@gmail.com	N/G	Diamond Bar	N/C	N/C	N/C	N/G	Jun 12, 2010
11 2	Mr	Solaiman	Budiman	sbn21@aol.com	N/G	N/G	N/C	N/C	N/C	<a href="#">View</a>	Jun 10, 2010
11 1	N/G	Stefanie	Hung	purplexstraw@gmail.com	N/G	N/G	N/C	N/C	N/C	N/G	Jun 09, 2010
11 0	N/G	Ed	Chan	edchan148@yahoo.com	21498 Cold Spring Ln	Diamond Bar	N/C	N/C	N/C	N/G	Jun 09, 2010
10 9	N/G	Tammy	Chan	tammychan063@yahoo.com	21498 Cold Spring Ln	Diamond Bar	N/C	N/C	N/C	N/G	Jun 09, 2010
10 8	N/G	Carol	Chiang	chiang.carol@yahoo.com	N/G	N/G	N/C	N/C	N/C	N/G	Jun 08, 2010
10 7	N/G	Chih Yu	Lin	xyukikix@yahoo.com	N/G	N/G	N/C	N/C	N/C	N/G	Jun 07, 2010
10 6	Mr.	Stephen	Hsieh	arcsung@yahoo.com	N/G	N/G	N/C	N/C	N/C	<a href="#">View</a>	Jun 03, 2010
10 5	Mr	Joshua	Kim	kimjoshua@2juno.com	N/G	N/G	N/C	N/C	N/C	N/G	Jun 03, 2010
10 4	Mrs.	Susan	Jones	suewesjones@verizon.net	862 Featherwood Drive	Diamond Bar	N/C	N/C	N/C	N/G	Jun 03, 2010
10 3	N/G	PAUL	VAN DORSTEN	pvandorste@aol.com	1176 Overlook Ridge Rd	Diamond Bar, CA 91765	N/C	N/C	N/C	<a href="#">View</a>	Jun 03, 2010
10 2	Mr	Yao-Feng	Wang	yaofengwang@adelphia.net	N/G	N/G	N/C	N/C	N/C	<a href="#">View</a>	Jun 03, 2010
10 1	Ms	Jean	DeVito	jeandevito@yahoo.com	21240 Silver Cloud Drive	Diamond Bar	N/C	N/C	N/C	<a href="#">View</a>	Jun 03, 2010

#	Title	FirstName	Surname	Email	Address	Town/City	S/C/P	Region	Zip/PC	Commen	Date
100	Mr	Robert	Velazquez	rlvelazquez@verizon.net	24336 Seagreen Drive	Diamond Bar	N/C	N/C	N/C	<a href="#">View</a>	Jun 03, 2010
99	N/G	Grace	Lim-Hays	limhays@aim.com	21323 Coltonwood Lane	Diamond Bar	N/C	N/C	N/C	N/G	Jun 03, 2010
98	Mrs.	Nicole	Castro	adriancastro99@gmail.com	N/G	Diamond Bar	N/C	N/C	N/C	N/G	Jun 02, 2010
97	Mr.	Colin	Castro	adriancastro99@gmail.com	N/G	Diamond Bar	N/C	N/C	N/C	N/G	Jun 02, 2010
96	Mrs.	Coral	Castro	adriancastro99@gmail.com	N/G	Diamond Bar	N/C	N/C	N/C	N/G	Jun 02, 2010
95	Mr.	Adrian	Castro	adriancastro99@gmail.com	N/G	Diamond Bar	N/C	N/C	N/C	N/G	Jun 02, 2010
94	N/G	Phoebe	Chow	yf_yu@hotmail.com	N/G	N/G	N/C	N/C	N/C	N/G	Jun 02, 2010
93	N/G	Paul	Wahba	paulwahba@roadrunner.com	N/G	N/G	N/C	N/C	N/C	N/G	Jun 02, 2010
92	Mr	sam	wang	swang007@hotmail.com	N/G	N/G	N/C	N/C	N/C	N/G	Jun 01, 2010
91	Mrs	Stella	Sayed	s.sayed@verizon.net	20932 trigger lane	Diamond bar	N/C	N/C	N/C	<a href="#">View</a>	Jun 01, 2010
90	Mr.	Timothy	He	timmhe@yahoo.com	N/G	N/G	N/C	N/C	N/C	<a href="#">View</a>	Jun 01, 2010
89	N/G	thomas	tran	trant88@hotmail.com	N/G	N/G	N/C	N/C	N/C	N/G	Jun 01, 2010
88	N/G	Melisande	Foley	melisande.foley@experian.com	N/G	Diamond Bar	N/C	N/C	N/C	<a href="#">View</a>	Jun 01, 2010
87	N/G	shahdad	shakibai	shkib@aol.com	N/G	N/G	N/C	N/C	N/C	<a href="#">View</a>	Jun 01, 2010
86	MR	DAVID	FLORES	dfent3@msn.com	N/G	N/G	N/C	N/C	N/C	N/G	May 31, 2010
85	MRS	JAZMIN	ANCHETA	jazminancheta@yahoo.com	N/G	N/G	N/C	N/C	N/C	N/G	May 31, 2010
84	MRS	CRISTINA	AGUILA	anthonyaguila67@yahoo.com	21322 COLD SPRING LN	DIAMOND BAR	N/C	N/C	N/C	N/G	May 31, 2010
83	MR	OSCAR	AGUILA	oscar.aguila@usdoj.gov	21322 COLD SPRING LN	DIAMOND BAR	N/C	N/C	N/C	N/G	May 31, 2010
82	Mr	Steven	Hung	stevenhung@gmail.com	N/G	Diamond Bar, CA	N/C	N/C	N/C	<a href="#">View</a>	May 31, 2010
81	N/G	Jason	Yang	jason.w.s.yang@hotmail.com	N/G	N/G	N/C	N/C	N/C	N/G	May 31, 2010
80	N/G	Uni	Yang	uniyang72@yahoo.com	N/G	N/G	N/C	N/C	N/C	N/G	May 31, 2010
79	N/G	Oggie	Chinveeraphan	oggiec@gmail.com	N/G	Diamond Bar	N/C	N/C	N/C	N/G	May 31, 2010
78	N/G	Gina	Chinveeraphan	ginagigglez@gmail.com	N/G	Diamond Bar	N/C	N/C	N/C	N/G	May 31, 2010
77	N/G	Eugene	Chinveeraphan	exshin@berkeley.edu	N/G	Diamond Bar	N/C	N/C	N/C	N/G	May 31, 2010

#	Title	FirstName	Surname	Email	Address	Town/City	S/C/P	Region	Zip/PC	Commen	Date
76	N/G	Benjamin	Kim	ltsben@yahoo.com	514 Bellows Ct.	Diamond Bar	N/C	N/C	N/C	<a href="#">View</a>	May 28, 2010
75	mr	Demosthenes	Mejia	wvmejia2018@yahoo.com	20930 Gold Run Dr.	Diamond Bar, Ca.	N/C	N/C	N/C	<a href="#">View</a>	May 25, 2010
74	Mr	Dante	Batimana	d_batimana@yahoo.com	21232 Trigger Lane	Diamond Bar, Ca 91765	N/C	N/C	N/C	<a href="#">View</a>	May 25, 2010
73	N/G	Danny	Lee	lee.dann@yahoo.com	N/G	N/G	N/C	N/C	N/C	<a href="#">View</a>	May 25, 2010
72	Ms	Fay	Slay	fay.slay@hotmail.com	Cold Spring Lane	Diamond Bar	N/C	N/C	N/C	<a href="#">View</a>	May 24, 2010
71	Mr	Walton	Lee	walt2810@hotmail.com	N/G	N/G	N/C	N/C	N/C	<a href="#">View</a>	May 23, 2010
70	N/G	Pat	Kintzer	peejae777@yahoo.com	N/G	N/G	N/C	N/C	N/C	<a href="#">View</a>	May 23, 2010
69	Mr.	Girish	Roy	groy@adelphia.net	N/G	Diamond Bar	N/C	N/C	N/C	N/G	May 23, 2010
68	N/G	nick	prokop	nicknbrprokop@aol.com	20909 gold run dr.	diamond bar	N/C	N/C	N/C	<a href="#">View</a>	May 23, 2010
67	Mrs	Patricia	Ackman	www.truska06@yahoo.com	21548 Running Branch Rd.	Diamond Bar	N/C	N/C	N/C	<a href="#">View</a>	May 22, 2010
66	mr	saurabh	mehta	smehta05@gmail.com	N/G	N/G	N/C	N/C	N/C	<a href="#">View</a>	May 22, 2010
65	mrs	jyoti	mehta	jarsme@gmail.com	N/G	N/G	N/C	N/C	N/C	<a href="#">View</a>	May 22, 2010
64	N/G	Felicia	Petrie	dfapetrie@hotmail.com	N/G	Diamond Bar	N/C	N/C	N/C	N/G	May 22, 2010
63	N/G	Terry	Bryant	fodfrd@gmail.com	21471 Cold Spring Ln	Diamond Bar	N/C	N/C	N/C	<a href="#">View</a>	May 22, 2010
62	Mr	Shabbir	Basrai	indoviets@gmail.com	21340 E. Running Branch Road	N/G	N/C	N/C	N/C	<a href="#">View</a>	May 21, 2010
61	Mr	Ben	Chen	qqbchen@yahoo.com	3425 Pasado Dr.	Diamond Bar	N/C	N/C	N/C	<a href="#">View</a>	May 21, 2010
60	Mr.	Greg	Parquette	gparquette@aol.com	21232 Bronco Lane	Diamond Bar	N/C	N/C	N/C	<a href="#">View</a>	May 20, 2010
59	Mrs	Penny	McElrea	dccp4jc@aol.com	21568 Ambushers St	Diamond Bar	N/C	N/C	N/C	N/G	May 20, 2010
58	N/G	Sarabjit	Kaur	family.singh@ymail.com	2811 castle rock	Diamond BAR	N/C	N/C	N/C	N/G	May 20, 2010
57	mr	rashmi	mehta	rashmimehta@yahoo.com	N/G	N/G	N/C	N/C	N/C	<a href="#">View</a>	May 19, 2010
56	Mr	Dinesh	Pradhan	dineshnjay@roadrunner.com	N/G	Diamond Bar	N/C	N/C	N/C	N/G	May 19, 2010
55	Mrs	Jayashree	Pradhan	dineshnjay@roadrunner.com	N/G	Diamond Bar	N/C	N/C	N/C	N/G	May 19, 2010
54	Ms.	Cathy	Layton	catlink1@aol.com	N/G	N/G	N/C	N/C	N/C	<a href="#">View</a>	May 19, 2010

#	Title	FirstName	Surname	Email	Address	Town/City	S/C/P	Region	Zip/PC	Comment	Date
53	Mr	Thomas	Chavez	thoschv@msn.com	20960 Running Branch Rd	Diamond Bar	N/C	N/C	N/C	<a href="#">View</a>	May 19, 2010
52	N/G	Desmond	Ma	rosalynma@yahoo.com	N/G	N/G	N/C	N/C	N/C	<a href="#">View</a>	May 18, 2010
51	N/G	Rosalyn	Ma	rosalynma@yahoo.com	N/G	N/G	N/C	N/C	N/C	<a href="#">View</a>	May 18, 2010
50	mrs	celeste	parquette	cparquette@aol.com	21232 bronco ln	diamond bar	N/C	N/C	N/C	N/G	May 18, 2010
49	N/G	Cynthia	Moeder	cmoeder4@aol.com	N/G	N/G	N/C	N/C	N/C	<a href="#">View</a>	May 18, 2010
48	Ms.	Britnay	Shaw	selenashaw@gmail.com	N/G	N/G	N/C	N/C	N/C	N/G	May 18, 2010
47	Mr.	Zhen	Xiao	selenashaw@gmail.com	N/G	N/G	N/C	N/C	N/C	N/G	May 18, 2010
46	Ms	Selena	Shaw	selenashaw@gmail.com	N/G	N/G	N/C	N/C	N/C	N/G	May 18, 2010
45	Ms	Kelli	Aufdemberg	prissy poop@yahoo.com	22809 Hilton Head Dr	Diamond Bar	N/C	N/C	N/C	N/G	May 18, 2010
44	ms	Sabrina	Tao	sabrina-tao@hotmail.com	N/G	N/G	N/C	N/C	N/C	<a href="#">View</a>	May 17, 2010
43	N/G	Ranjith	Dassanayake	ranjithusa@yahoo.com	N/G	N/G	N/C	N/C	N/C	N/G	May 17, 2010
42	N/G	Priyantha	Jayasundara	devela1@yahoo.com	N/G	N/G	N/C	N/C	N/C	N/G	May 17, 2010
41	N/G	Priyangani	Dassanayake	priyakajay@yahoo.com	N/G	N/G	N/C	N/C	N/C	N/G	May 17, 2010
40	Mrs.	Geri	Quan	turtlegq@aol.com	21496 Cold Spring Ln.	Diamond Bar	N/C	N/C	N/C	<a href="#">View</a>	May 17, 2010
39	Mr	Mirza	Baig	hhhsf@yahoo.com	21013 cool springs dr	diamond bar ca 91765	N/C	N/C	N/C	<a href="#">View</a>	May 17, 2010
38	N/G	Deborah	Venegas	maranddeb@yahoo.com	20932 Ambushers Street	Diamond Bar	N/C	N/C	N/C	N/G	May 17, 2010
37	Mrs	Iftakhar	Begum	hhhsf@yahoo.com	N/G	N/G	N/C	N/C	N/C	<a href="#">View</a>	May 17, 2010
36	Mr	Raza	Baig	hhhsf@yahoo.com	N/G	N/G	N/C	N/C	N/C	<a href="#">View</a>	May 17, 2010
35	Mr	Mirza	Baig	hhhsf@yahoo.com	N/G	N/G	N/C	N/C	N/C	<a href="#">View</a>	May 17, 2010
34	Mrs	Mirzs	Baig	hhhsf@yahoo.com	N/G	N/G	N/C	N/C	N/C	<a href="#">View</a>	May 17, 2010
33	Mrs	Fatima	Baig	baig606@gmail.com	N/G	N/G	N/C	N/C	N/C	<a href="#">View</a>	May 17, 2010
32	Mr	Charles	Wang	chukkler@hotmail.com	3558 Cotter Rim Lane	Diamond Bar	N/C	N/C	N/C	<a href="#">View</a>	May 17, 2010
31	N/G	Lorraine	Wang	lorraine@skywell.net	N/G	N/G	N/C	N/C	N/C	N/G	May 17, 2010
30	Mrs	Catherine	Singh	cats@essitservices.com	N/G	N/G	N/C	N/C	N/C	N/G	May 17, 2010
29	Ms	Rebecca	Lam	benpuk38@hotmail.com	N/G	N/G	N/C	N/C	N/C	<a href="#">View</a>	May 16, 2010

#	Title	FirstName	Surname	Email	Address	Town/City	S/C/P	Region	Zip/PC	Commen	Date
28	MR	ANTHONY P	AGUILA	anthonyaguila67@yahoo.com	21322 COLD SPRING LN	DIAMOND BAR	N/C	N/C	N/C	N/G	May 16, 2010
27	Mr	Ben	Puk	benpuk38@hotmail.com	N/G	N/G	N/C	N/C	N/C	<a href="#">View</a>	May 16, 2010
26	N/G	i	y	iwong1962@gmail.com	N/G	N/G	N/C	N/C	N/C	N/G	May 16, 2010
25	Ms	Lisa	Lam	jaylam1618@yahoo.com	N/G	N/G	N/C	N/C	N/C	N/G	May 15, 2010
24	N/G	Melecio	Dollentas	mdollent@yahoo.com	N/G	N/G	N/C	N/C	N/C	N/G	May 15, 2010
23	Ms	Goretti	Leung	gor_kitwan@yahoo.com	N/G	N/G	N/C	N/C	N/C	N/G	May 15, 2010
22	Ms	Patricia	Yung	patlau99@hotmail.com	N/G	N/G	N/C	N/C	N/C	N/G	May 15, 2010
21	N/G	Simon	Siu	cilsskw@hotmail.com	N/G	Diamond Bar	N/C	N/C	N/C	N/G	May 15, 2010
20	Ms.	Martha	S.	mafa@ymail.com	N/G	N/G	N/C	N/C	N/C	N/G	May 15, 2010
19	N/G	Bandula	gamage	bandulag@hotmail.com	N/G	Diamond Bar	N/C	N/C	N/C	<a href="#">View</a>	May 14, 2010
18	N/G	Amarawansa	lal	amarawal@lavc.edu	N/G	Diamond Bar	N/C	N/C	N/C	<a href="#">View</a>	May 14, 2010
17	N/G	Sunil	Bandara	daya@tamu.edu	N/G	Diamond Bar	N/C	N/C	N/C	<a href="#">View</a>	May 14, 2010
16	N/G	Gamini	Kumara	thilakdiamond@yahoo.com	N/G	Diamond Bar	N/C	N/C	N/C	<a href="#">View</a>	May 14, 2010
15	N/G	Thilak	Bandara	thilakdiamond@yahoo.com	N/G	N/G	N/C	N/C	N/C	<a href="#">View</a>	May 14, 2010
14	N/G	Ranjith	Kumara	ranjithusa@yahoo.com	N/G	N/G	N/C	N/C	N/C	<a href="#">View</a>	May 14, 2010
13	N/G	Kenneth	Siu	ksjl@yahoo.com	N/G	Diamond Bar	N/C	N/C	N/C	N/G	May 14, 2010
12	Ms.	Denny	Lo	piglet831@gmail.com	N/G	N/G	N/C	N/C	N/C	N/G	May 14, 2010
11	N/G	Arleen	Dollentas	adollent@yahoo.com	N/G	N/G	N/C	N/C	N/C	N/G	May 14, 2010
10	Mrs.	Janet	Clark	jlcmom@gmail.com	Ambushers	Diamond Bar	N/C	N/C	N/C	N/G	May 14, 2010
9	Ms.	Vivian	Jiang	dynamiterush@gmail.com	3430 Honeybrook Ln	Diamond bar	N/C	N/C	N/C	N/G	May 13, 2010
8	Mrs	Qingjiao	Yi	qyi1971@yahoo.com	N/G	Diamond Bar	N/C	N/C	N/C	N/G	May 13, 2010
7	N/G	Mary	Rodriguez	rodrigme@msn.com	3419 Pasado Drive	Diamond Bar	N/C	N/C	N/C	<a href="#">View</a>	May 13, 2010
6	N/G	Anni	Chung	ayc714@roadrunner.com	Cold Spring Lane	Diamond Bar	N/C	N/C	N/C	N/G	May 13, 2010
5	N/G	Christopher	Chung	cchung1263@roadrunner.com	21470 Cold Spring Lane	Diamond Bar	N/C	N/C	N/C	N/G	May 12, 2010

#	Title	FirstName	Surname	Email	Address	Town/City	S/C/P	Region	Zip/PC	Commen	Date
4	Mr	James	Eng	engi@metro.net	N/G	Diamond Bar	N/C	N/C	N/C	<a href="#">View</a>	May 12, 2010
3	Mrs.	Crystal	Bernal	crystalbernal@g mail.com	N/G	Diamond Bar	N/C	N/C	N/C	N/G	May 12, 2010
2	N/G	Alex	Tang	alextang22@hot mail.com	N/G	N/G	N/C	N/C	N/C	N/G	May 12, 2010
1	Ms	Judy	Leung	sljleung	21175 Running Branch Road	Diamond Bar	N/C	N/C	N/C	<a href="#">View</a>	May 12, 2010

\* N/C - field not collected by the author

\* N/G - not given by the signer

\* S/C/P - State, County or Province

\* PC - Post Code

\* View - view comment

## Appendix: All signatures comments

**114 John Dang**

[Back to signature list](#)

This really needs to go back to the drawing board. Full open community participation is the best and right way to go about something like this.

**112 Solaiman Budiman**

[Back to signature list](#)

It is obvious that the Site D Specific Plan & EIR/Traffic study are unscrupulous and intended to exclude community input by ignoring what is good for the community and the city as well. High density housing is definitely not of any viable solution.

City council need to reconsider and take a long hard look on this Site D Specific plan.

**106 Stephen Hsieh**

[Back to signature list](#)

Please keep our lovely community safe and quiet, No Site D.

**103 PAUL VAN DORSTEN**

[Back to signature list](#)

I am AGAINST any development, residential as well as industrial in our city!

**102 Yao-Feng Wang**

[Back to signature list](#)

I prefer the land to be a recreation park that can improve the Diamond Bar value. We do need more green environment but not packed apartments.

**101 Jean DeVito**

[Back to signature list](#)

I absolutely oppose the approval of the Site D Plan and EIR. Putting anymore stress on our roads, our schools, our police and fire and just the general congestion and pollution that would be created is, in my opinion, obscene.

**100 Robert Velazquez**

[Back to signature list](#)

I am strongly opposed to this proposed development. We need to push for a less intrusive such as a park only project. Development is not the solution.

**91 Stella Sayed**

[Back to signature list](#)

We do not need any more house. I love seeing the wild life in my backyard.

**90 Timothy He**

[Back to signature list](#)

City of DB needs to listen to its citizens. We don't need increased traffic congestion, decreased property values and increased noise, crime and pollution.

**88 Melisande Foley**

[Back to signature list](#)

Please do not approve Site D. I am oppose to the proposed Specific Plan and EIR. I am very concerned with the many adverse impacts to our residents and community as a whole.

**87 shahdad shakibai**

[Back to signature list](#)

This area is already congested with heavy traffic in the morning and afternoon. Adding more units if this area will more traffic and pollution to the area.

Environmental impact has to be done thoroughly with input from neighboring residents.

**82 Steven Hung**

[Back to signature list](#)

i oppose this propose of the treatment of this land.

**76 Benjamin Kim**

[Back to signature list](#)

Commute traffic at the intersection of Diamond Bar Blvd. and Brea Canyon Rd. is bad enough already. The proposal will further impact the intersection and adversely affect the greater Diamond Bar residents. Consideration should be given to all Diamond Bar residents and not just the surrounding area that received information from the City.

**75 Demosthenes Mejia**

[Back to signature list](#)

I've been in the diamond bar area since 1981 and i have no intention of moving outside diamond bar cause of this remarkable integrity and great neighborhood but if the council members allow the construction of this high impact apartment and commercial building which i am positive to be the major causes of lost of property value and increased in crime rates, and for this i will sale my property prior to start of construction to avoid lost of equity income., so please say no to construction

**74 Dante Batimana**

[Back to signature list](#)

No to SiteD Specific Plan

**73 Danny Lee**

[Back to signature list](#)

I live 100 feet away from the project. I oppose this project.

**72 Fay Slay**

[Back to signature list](#)

The city council has rarely considered citizen opposition to such plans and I doubt if they will in this case. I recall the opposition to opening Grand Avenue that has absolutely resulted in more traffic on Diamond Bar Blvd. The city council is not receptive to citizen concerns or opposition unfortunately. It's sad.

**71 Walton Lee**

[Back to signature list](#)

Hell no for this great idea.

**70 Pat Kintzer**

[Back to signature list](#)

Stop trying to destroy our property values even more than they have been destroyed! While you're at it, get rid of the plan for the stadium. Why are you trying to destroy our city? Are you all a bunch of progressives like the ones in Washington trying so hard to destroy our country?

**68 nick prokop**

[Back to signature list](#)

I oppose this ridiculous and wasteful project. What, after spending 9 m on AN UNEEDED CITY HALL, 2 M ON REMODELING AND 2.4% INCREASE IN CITY EMPLOYEES SALARY, YOU NEED MORE MONEY. MAYBE YOU COULD GET SOME MONEY BACK FROM GIVING THE PROPERTY TO THE MUSLIM SCHOOL

I HAVE HAD IT WITH YOUR LACK OF REPRESENTING THE WISHES OF THE PEOPLE OF DIAMOND BAR.

I WANT TO SEE YOU VOTES, OUT IN THE OPEN AND FOR EVERYONE TO SEE WHAT YOU ALL STAND FOR AS PUBLIC SERVANTS.

**67 Patricia Ackman**

[Back to signature list](#)

Why do you hate Diamond Bar and it's residents?

That you are so corrupt, you would risk our safety and our quality of life to enrich yourselves. What do you plan to do with the money you sold us out for?

**66 saurabh mehta**

[Back to signature list](#)

We don't want more traffic, noise, congestion and crime

**65 jyoti mehta**

[Back to signature list](#)

We don't want more traffic, noise, congestion and crime

**63 Terry Bryant**

[Back to signature list](#)

This would allow way too much traffic in the area. It should be kept as open space.

**62 Shabbir Basrai**

[Back to signature list](#)

The City Council sold out to the special interests related to the Stadium development and are bent upon the selling the City out again. These major decisions should be made at the put on ballot and not in the hands of corruptible council members. Can we get a petition going?

**61 Ben Chen**

[Back to signature list](#)

Please keep enough space and nature, do not create too much traffic and noise. We need to take care of our children! This expresses our opposition to Site D Specific Plan!

**60 Greg Parquette**

[Back to signature list](#)

We as residents do NOT want this! We voted these fools in and now maybe its time to start trying to vote them out. They are not in it for us....

**57 rashmi mehta**

[Back to signature list](#)

WE MOVED TO DIAMOND BAR FOR COUNTRY ENVIRONMENT AND GREEN ZONEAND NOT TO INHALE CAR SMOKE CREATED BY ADDITIONAL CARS AND NOISE ANDTRAFFIC

**54 Cathy Layton**

[Back to signature list](#)

If this property is to be developed, it needs to be done with taste and with the same tone as the surrounding area.

High-density, low-income housing is far from suitable.

The fact that little consideration has been given to any adverse impacts of this development, and marginal efforts at community approval, casts a shadow over the Walnut Vally School District and the City of Diamond Bar.

By moving forward with the current plan, the quality of life in southern Diamond Bar will change forever.

**53 Thomas Chavez**

[Back to signature list](#)

I am not against development on the site. However I prefer the site remain as currently shown on the cities master plan, low density.

**52 Desmond Ma**

[Back to signature list](#)

The City should save some living spaces to the residents. No more cutting of trees. Save the environment!

**51 Rosalyn Ma**

[Back to signature list](#)

The City should save some living spaces to the residents. No more cutting of trees. Save the environment!

**49 Cynthia Moeder**

[Back to signature list](#)

I have lived 37 years in D.Bar...when they used to call it 'country living'...but no more country! At one time we were promised that these 28 acres would NEVER be used for housing/commercial, but the city is lying to us now. Mayor Carol Herrera used to live on Ambushers - would YOU like this behind YOUR house? I highly doubt it. To our City Council "Progress" means selling out D.Bar residents. If they keep forcing this on us, they're gone next election.

Bring back our "Country Living"

**44 Sabrina Tao**

[Back to signature list](#)

I just moved to here not long ago. I like the open space as it is. I am very disappointed by this plan. If I know this plan before I buy the house, I may re-consider my choice.

**40 Geri Quan**

[Back to signature list](#)

We have enough traffic congestion with everyone using our city as an alternate route during peak traffic hours without adding more. If apartments were to be built here, it would be dangerous for children. Also, my family and I have lived here for over 30 years and feel it's a very safe place and wouldn't want anything done to jeopardize that. Instead, this land should be used as a park with walking trails, etc. that would allow this city to stick to its roots as a place for "country living."

**39 Mirza Baig**

[Back to signature list](#)

no

**37 Iftakhar Begum**

[Back to signature list](#)

We the residents oppose the proposed Specific Plan and EIR based on the proposed inconsistent and incompatible land uses, inadequate community input, and inadequate mitigation of adverse impacts.

**36 Raza Baig**

[Back to signature list](#)

We the residents oppose the proposed Specific Plan and EIR based on the proposed inconsistent and incompatible land uses, inadequate community input, and inadequate mitigation of adverse impacts.

**35 Mirza Baig**

[Back to signature list](#)

We the residents oppose the proposed Specific Plan and EIR based on the proposed inconsistent and incompatible land uses, inadequate community input, and inadequate mitigation of adverse impacts.

**34 Mirzs Baig**

[Back to signature list](#)

We the residents oppose the proposed Specific Plan and EIR based on the proposed inconsistent and incompatible land uses, inadequate community input, and inadequate mitigation of adverse impacts.

**33 Fatima Baig**

[Back to signature list](#)

We the residents oppose the proposed Specific Plan and EIR based on the proposed inconsistent and incompatible land uses, inadequate community input, and inadequate mitigation of adverse impacts.

**32 Charles Wang**

[Back to signature list](#)

I live in the area and I STRONGLY OPPOSE the proposed development plan. The high density residential development & commercial development would bring about many undesirable elements. Congestion, traffic, noise & overcrowded schools would forever alter the character of the area that we cherished.

**29 Rebecca Lam**

[Back to signature list](#)

No Site D

**27 Ben Puk**

[Back to signature list](#)

No site D

**19 Bandula gamage**

[Back to signature list](#)

No Site D

**18 Amarawansa lal**

[Back to signature list](#)

No Site D

**17 Sunil Bandara**

[Back to signature list](#)

No Site D

**16 Gamini Kumara**

[Back to signature list](#)

No Site D

**15 Thilak Bandara**

[Back to signature list](#)

pl dont built this

**14 Ranjith Kumara**

[Back to signature list](#)

pl dont built this

**7 Mary Rodriguez**

[Back to signature list](#)

It is time for the City Council and the Walnut Valley Unified School District to go back to the drawing board. The Specific Plan and EIR for Site D is not in the best interest of the community.

**4 James Eng**

[Back to signature list](#)

I whole heartedly support you guys campaign to stop the development of Site D. Keep up the good work. thank you.

**1 Judy Leung**

[Back to signature list](#)

Please don't ignore the residents' comments and preferences. Make the right decision for the residents -- we don't need another commerical and high density residential buildings on Site D.

# PETITION: 'NO' TO SITE D SPECIFIC PLAN AND EIR

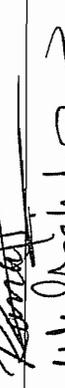
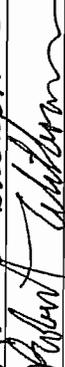
SIGNATURE:	PRINT NAME:	ADDRESS: + EMAIL
	Seonhee Joo	Sunniejoo@hotmail.com 2903 Rising Star Diamond Bar, CA 91765
	Jinwon Kim	James.Jeen@hotmail.com Same as above
	Jie Liang	YiLiShengWU@hotmail.com Same as above
	Jude Lopez	22535 Cello Daley D.B J Ucle. Lopez 9118 Yoh
	Ava Lee	2335 Canyon Park Dr., Diamond Bar, CA 91767. adl-fortune@yahoo.com
	Xin lei Tu	cinoh x tu@yahoo.com
	TUL ET BETHO	21336 PINE HILL IN Diamond Bar, CA 91765
	Lunu Chu	2923 Rising Star Dr.
	GOLIMAN BUDIMAN	2953 RISING STAR DR. Diamond Bar, CA 91765
	Hung-yu chen	8bn21@aol.com; 2928 Crooked creek dr. Yahoo.com.tw #9096187985@
	JANE YOHUSON	2929 Crooked Creek Dr. Ph SWS 2135 @AOL.COM
	MUSA YEFER	2989 Crooked Creek Dr. #33, #40168
	JEFFREY DOEN	3003 CROOKED CREEK DR. DB JOEN17@gmail.com
	Jeanette Doen	3003 Crooked Creek Dr. jlmtd@gmail.com
	Paul Knapp	3020 Crooked Creek Dr. pknapp@esmer.com
	FRANK SANCHEZ	2970 RISING STAR DR. OK 7-3 91765
	TONY BU	2960 RISING STAR DR. / DB 91765 TONY.T.BU@HOTMAIL.COM
	DOMINA LU	Same as above <del>barbarita@rednet.com</del> @ym
	John Teff	2954 Rising Star Dr, Diamond Bar
	Julia Danner	2920 Rising Star Dr Diamond Bar 91765
	SUBHASH KOTIARI	2914 Rising Star Dr, Diamond Bar CA 91765





CHIRPING SPARROW

**PETITION: "NO" TO SITE D SPECIFIC PLAN AND EIR**

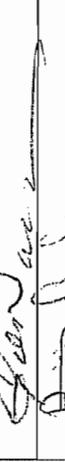
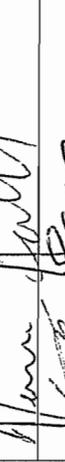
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	SIDESH PATEL	21515, CHIRPING SPARROW RD
	RAXA PATEL	21515, CHIRPING SPARROW RD
	BILL STELLMACHER	21471 CHIRPING SPARROW RD
	MARIE STELLMACHER	21471 CHIRPING SPARROW RD
	Raymond Madley	21435 CHIRPING SPARROW RD
	REBECCA MILBY	21435 CHIRPING SPARROW RD
	JACK SELMAN	21425 CHIRPING SPARROW RD
	Amy Kim	21355 Chirping Sparrow Rd
	VICKIE CHAN	21347 CHIRPING SPARROW RD
	MICHAEL ARAI	21265 CHIRPING SPARROW DB
	ROSE ARAI	21265 CHIRPING SPARROW DB
	James Kozono	21253 Chirping Sparrow DB
	URMALA KARWAL	21010 CHIRPING SPARROW RD
	BEGAN KWON	21070 Chirping Sparrow Ad
	RANA SHANNAK	3620 Calumbrook Ln Diamond bar
	KUNAL THAKKAR	3610 Calumbrook Ln Diamond bar
	KHYATI THAKKAR	3610 Calumbrook Ln Diamond bar
	ROSE B. RUEHLMAN	21244 chirping sparrow rd DB, CA
	ROBERT C WILBURN	21253 chirping sparrow rd DB Ca
	GINA KOZONO	21253 chirping sparrow rd Diamond bar Ca.







# PETITION: "NO" TO SITE D SPECIFIC PLAN AND EIR

SIGNATURE:	PRINT NAME:	ADDRESS:
	Bridgette Esparza	20770 Gold Run Dr. Diamond Bar CA
	SHARBIE BASRAI	21340 E. RUNNING BRANCH RD.
	Tom Whitfield	21326 RUNNING BRANCH RD
	REBECCA WHITFIELD	21326 RUNNING BRANCH RD DIAMOND BAR CA 91765
	ANGELA WANG	21521 Running Branch Rd DB, CA 91765
	TAYLOR LYNCH	20955 GOLD RUN DR.
	DAVID GUH	20917 GOLD RUN DR. DB, CA 91765
	BETTY ERICKSON	20909 GOLD RUN DR. 91765
	SARAH MUECK-KIM	21365 Running Branch Rd Diamond Bar
	MICHAEL DEONG	21377 Running Branch Rd, Diamond Bar 91765
	Roselle Gonzalez	21435 Running Branch Rd. Diamond Bar 9176
	JASON GONZALEZ	21435 RUNNING BRANCH RD.
	RICK QUESADA	21435 Running Branch Rd Diamond Bar
	LEO GONZALEZ	21435 Running Branch Rd. Diamond Bar.
	Rose Y. Balanop	
	JINNA HALL	21455 Running Branch Rd, Diamond Bar
	CYRA CHONG	21475 Running Branch Rd, Diamond Bar
	John-Liam, John	21485 Running Branch Rd Diamond Bar
	PAUL ALVIN	21485 Running Branch Rd, Diamond Bar
	ERIC ACKMAN	21548 Running Branch Road Diamond Bar, CA
	Tiffany Lee	21514 Running Branch Rd Diamond Bar CA

**PETITION: "NO" TO SITE D SPECIFIC PLAN AND EIR**

SIGNATURE:	PRINT NAME:	ADDRESS:
	Shui Li	3555 Cotton Run Lane, Diamond Bar, CA 91765
	Shiao-Mei Mah	3323 Hawkwood Rd., D.B. CA 91765
	Sophia Tam	
	Vicki Chai	
	Juliana Cheng	
	Amy Wang	
	Bei Li	

# PETITION: "NO" TO SITE D SPECIFIC PLAN AND EIR

SIGNATURE:	PRINT NAME:	ADDRESS:
	ARNELA KARWAL	21010 CHIPPING SPARROW RD DB
	TJ KARWAL	21010 CHIPPING SPARROW RD DB
	RACHEL PAVA	3522 COTTER RIM LN. DB.
	JOYCE CHIM	3580 Cotter Rim Ln, DB
	JEFF TSAI	"
	NICKY CHIM	21717 Birch Hill Dr.
	ACCAD LEE	21215 RUNNING BRANCH RD
	STEVEN ZHANG	21215 Running Branch Rd
	Bahije Jabadi	21271 Running Branch Rd. 907-973-0731
	Leila Jabadi	21271 Running Branch Rd. 909-973-0731
	GLORIA S. CHANG	21244 RUNNING BRANCH RD. 909-967-2809
	GARY CARNEY	21222 RUNNING BRANCH RD DB 909-861-0808
	Gayle Carney	21222 Running Branch Rd DB
	ZHI YUN XU	21218 Running Branch Rd DB
	LANA Y. HUEL	3550 COTTER RIM LN Diamond Bar
	PAULA MARIE	3566 Cotter Rim Ln Diamond Bar
	LINDSAY MAINE	3566 COTTER RIM LN DIAMOND BAR 909-861-4903
	Araceli Castib	23031 Dry Creek Rd DB CA. 213-219-6657
	YUNGMI KANG	11570 Longview Dr. Diamond Bar 909-861-3487
	GEORGE WONG	20880 Gold Run Dr. 626 3785531
	Carlos Brindiste Espinoza	20870 Gold Run Dr.

# PETITION: "NO" TO SITED SPECIFIC PLAN AND EIR

SIGNATURE:	PRINT NAME:	ADDRESS:
	Rolf Hess	21115 Running Branch Rd, Diamond Bar
	Linda Thira	21110 Running Branch Rd - D
	SANDRA TSAI	3456 Woodhill circle, Diamond Bar, CA 91765
	Michelle Sun	1079 Langview Dr. DB CA 91765
	Rudy Ruzmito	21240 RUNNING BRANCH DB 91765
	Vicki Ann Ruzmito	" " "
	Michael Tweed	21155 Running Branch, Diamond Bar, 91765
	Joyce Tweed	" " "
	SONIA M. PARRA	21135 RUNNING BRANCH RD, DIAMOND BAR 91765
	Andrea Parra	21135 Running branch rd. Diamond Bar CA 91765
	David Parra	21135 Running Branch Rd. Diamond Bar 91765
	HELENA YOUNG	21060 Running BR. Rd. Diamond Bar CA 91765
	ROBERT COMBS	21203 RUNNING BRANCH RD CA 91765
	NASIR SOOFI	21040 RUNNING BRANCH RD, DIAMOND BAR 91765
	OMAR KHAN	" " "
	John S. Ham. Uov	20975 Running Branch Rd Diamond Bar 91765
	Yan Kun Tang	20965 Running Branch Rd. DB
	WFI CHUI	20915 Running Branch Rd DB
	Peter Hansen	20905 Running Branch Rd DB CA 91765

# PETITION: "NO" TO SITE D SPECIFIC PLAN AND EIR

SIGNATURE:	PRINT NAME:	ADDRESS:
	RAYMOND CHANG	3420 Honeybrook Ln. Diamond Bar CA 91765
	YEH FEN CHANG	3420 Honeybrook Ln. Diamond Bar CA 91765
	Ching Yi Chang	3420 Honeybrook Ln. Diamond Bar CA 91765
	ERIC CHANG	3420 Honeybrook Ln. Diamond Bar, CA. 91765

# PETITION: "NO" TO SITE D SPECIFIC PLAN AND EIR

SIGNATURE:	PRINT NAME:	ADDRESS:
	Peter Jiang	3430 Honeybrook Ln Diamond Bar CA 91765
	VIVIAN JIANG	3430 Honeybrook Ln Diamond Bar CA 91765
	M. L. DILGER	3425 HONEYBROOK LN. DIAMOND BAR CA.
	MARILYN DILGER	3425 HONEYBROOK LN DIAMOND BAR CA.
	Michael Chiang	3420 Honeybrook Ln. Diamond Bar CA 91765
	BARBARA J. ARMSTRONG	3435 Honeybrook Ln Diamond Bar 91765
	SAMUEL ARMSTRONG	3435 Honeybrook Ln. Diamond Bar 91765
	Natalie W. Martinez	3455 Honeybrook Lane D 91765
	Roger Kirk	3450 Honeybrook Lane A 91765
	ZHENYI WANG	3410 HONEYBROOK LN DIAMONDBAR 91765
	DAVID MIYAHARA	3420 WOODHILL CIR. DIAMONDBAR 91765
	Eleanore House	3435 Woodhill Cir Diamond Bar CA 91765
	LORI RAMOS	3443 Woodhill Cir. D.B. CA. 91765
	ONEN CHANEY	21203 AMBUSHERS ST. DB CA 91765
	MELVICK HO	21203 AMBUSHERS ST. DB CA 91765
	JACKIE HO	21203 AMBUSHERS ST.
	CHAO-CHIH SUN	21203 AMBUSHERS ST.



# PETITION: "NO" TO SITED SPECIFIC PLAN AND EIR

SIGNATURE:	PRINT NAME:	ADDRESS:
	Connie Wee	21462 Cold Spring Ln Diamond Bar.
	KAMLESH ITALIA	21446 COLD SPRING LN DIAMOND BAR 91765
	KOMAL ITALIA	21446 COLD SPRING LN DIAMOND BAR
	Eric Tan	21472 carb spruce Ln Diamond Bar
	Lingyan hu	21476 Cold Spring Ln. Diamond Bar
	Jaine Perez	21480 Cold Spring Ln Diamond Bar
	Tina Kha	21490 cold Spring Ln Diamond Bar
	GREG LEONOWSKI	21492 COLD SPRING LN DIAMOND BAR
	Paul Tai	21494 cold spring, Ln. Diamond Bar
	George Lai	21504 COLD SPRING LN
	May Lai	21493 cold Spring Lane
	Xuejinh Zhuang	21485 Cold Spring Ln. DB.
	Yinghong Liu	21485 cold spring Ln, DB.
	CALVIN CHAI	3219 Falcon Ridge Rd. DB
	Bill Potter	2902 Diamond Ridge Rd. DB.
	Alex Kuo	21467 Cold Spring Ln. DB.
	Ivy Kuo	21467 Cold Spring Ln D.B.
	Derek Kuo	21467 Cold Spring Ln D.B.
	Soon Ju Lee	21533 Ambushers st DB
	Luembeck Malme	21541 Ambushers ST DB

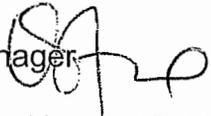




CITY COUNCIL

AGENDA REPORT

**TO:** Honorable Mayor and Members of the City Council

**VIA:** James DeStefano, City Manager 

**TITLE:** General Plan Amendment No. 2007-03, Zone Change No. 2007-04, Specific Plan No. 2007-01 ("Site D Specific Plan"), Tentative Tract Map No. 70687, and Environmental Impact Report 2007-02 (SCH No. 2008021014).

**PROJECT**

**APPLICANT:** Walnut Valley Unified School District and City of Diamond Bar

**LEAD AGENCY:** City of Diamond Bar, Community Development Department

**PROJECT LOCATION:** Site D is comprised of approximately 30.36 acres located at the southeast corner of Brea Canyon Road and Diamond Bar Boulevard (Los Angeles County Assessor's Parcel Numbers 8714-002-900, 8714-002-901, 8714-002-902, 8714-002-903 and 8714-015-001).

**SUMMARY:**

The City Council continued this item from the June 15, 2010 meeting after receiving testimony from 12 speakers who raised concerns over air quality, traffic, conservation of open space, removal of existing trees, visual impacts, lack of alternatives and public involvement, commercial viability, among other things. The July 20, 2010 meeting has been scheduled for staff to respond to the public and Council's questions and comments from the previous meeting, and to explore further alternatives.

**ANALYSIS:**

**Response to Questions and Comments from the June 15, 2010 Council Meeting**

The information below is provided in response to questions and comments raised during the last meeting that pertain to technical, environmental or procedural issues associated with the proposed Specific Plan and EIR.

1. *The Site D Specific Plan will result in development of 253 low-income apartments.*

Under State law, should a developer choose to incorporate a certain percentage of affordable units into a residential development, they would be eligible for a density bonus of up to 35% over the "otherwise maximum allowable residential density under the applicable zoning ordinance and land use element of the general plan" [Cal. Govt. Code §65915(g)(1)]. The presumption made by the commenters appears to be that the future residential developer of Site D will elect to pursue a 25% density bonus above the 202 maximum allowable units specified in the Specific Plan, and then develop the entire project as "low income apartments."

In order to achieve a 25% density bonus, a developer would have to incorporate one of the following categories of affordable housing into the project:

- 13% of the units designated for "low income" households (51-80% of area median income, or "AMI");
- 7% of the units designated for "very low income" households (31-50% of AMI); or
- 30% of the units designated for "moderate income" households (81-120% of AMI).

Staff regards any assumption concerning the provision of a density bonus to be speculative, and therefore, beyond the scope of CEQA. Because of the high land values, development costs and other factors in this region, developers do not typically regard the incentives to develop affordable housing viable unless they receive public subsidies or are mandated by the jurisdiction to incorporate affordable housing pursuant to an "inclusionary housing" ordinance, neither of which is applicable in Diamond Bar.

With respect to the concerns that apartments would be developed on Site D, there has not been an apartment complex developed in Diamond Bar since the City's incorporation, and staff believes it to be unlikely that an apartment complex would be proposed on Site D. Nevertheless, to address concerns that apartments would be developed on the site, staff suggests that language be added to the Specific Plan development standards to require that the future residences be limited to for-sale units and that they must be owner-occupied for a minimum of 2 years after initial purchase or resale.

2. *How many Oak trees are being removed? What is the protected tree inventory?*

There are 75 California black walnuts, six willows, and two coast live oaks that will be impacted by the proposed project, all of which are indigenous, and are classified as "protected tree" species in the City's Tree Preservation and Protection Ordinance.

These trees will be required to be replaced with indigenous species at a 3:1 ratio (249 total). The recommended conditions of approval for the Specific Plan also include a requirement for the re-establishment of California walnut woodland on manufactured slopes within the future development.

3. *The City did not contact Native American groups regarding the project. The property has cultural significance to Native Americans.*

In accordance with the State's "Tribal Consultation Guidelines" (April 15, 2005), the City has fully complied with all applicable noticing requirements with regards to outreach efforts, including sending a "Local Government Tribal Consultation List Request" to the Native American Heritage Commission (NAHC) on February 1, 2008 and sending copies of the Notice of Preparation to the NAHC, the Gabrieleno/Tongva Tribal Council, the Gabrielino Tongva Nation, and the Gabrielino Band of Mission Indians. The mailing list was obtained from the NAHC website (accessed in late January 2008) which lists the names/contact information for tribal organizations throughout the state.

In addition, a Phase I cultural and paleontological resource assessment was prepared as a technical appendix to the EIR. The assessment included direct consultation with the NAHC. The NAHC performed a Sacred Lands File (SLF) record search, which failed to indicate the presence of Native American cultural resources in the immediate project area. Moreover, the NAHC provided the consulting archaeologists with Native American contact list, and letters were sent to each of the eight contacts via Certified Mail with return receipts requested, and no responses were received. Seven of the eight contacts were affiliated with the Gabrielino/Tongva Nation in some manner, including the San Gabriel-based Gabrielino/Tongva Tribal Council. Still, as indicated in the Draft EIR, Mitigation Measure 11-1 requires that a qualified archaeologist shall monitor initial vegetation removal activities in the event that cultural resources, Native American or otherwise, are encountered. A letter and corresponding documents from the City's environmental consultant, Environmental Impact Sciences, is included as Attachment 15 to the June 15, 2010 City Council Staff Report.

The Covina-based Gabrieleno Band of Mission Indians, representatives of which were present at the June 15, 2010 City Council meeting, was not among the list of contacts provided by the NAHC.

4. *Has the City conducted a historic archaeological study? The site is home to the Native Americans and Ranch to Frederick E. Lewis.*

A Cultural and Paleontological Resource Assessment was completed, dated January 24, 2008 which determined the potential impacts to cultural resources associated with the proposed project. The assessment included a review of historic aerial photographs and topographic maps, a review of relevant online historical

literature, a cultural resources records search through the California Historical Resources Information System – South Central Coastal Information Center, a Sacred Lands File Search through the California Native American Heritage Commission and follow-up Nation American consultation, a paleontological records search through the Natural History Museum of L.A. County, and a pedestrian survey of the study area for cultural and paleontological resources.

There is no historical record of the site being home of the Diamond Bar Ranch that Lewis formed in 1918. A structure was present within the eastern portion of the project site from at least 1928. Two other structures were located adjacent to the northern boundary of the project site, which is the current site of the Diamond Bar Evangelical Free Church located at 3255 S. Diamond Bar Blvd. It is unclear as to which of the structures identified in this area is that of Lewis' or his superintendent's residence or any other structure.

5. *The Memorandum of Understanding (MOU) states that the City is to be reimbursed for the preparation of the Specific Plan and EIR if processed by a certain date. Is this a gift of public funds if the City does not recoup the costs?*

Cities can and do invest in the preparation of specific plans, general plan amendments and zone changes on non city-owned public or private land which may or may not benefit the owners. This practice is not a gift of public funds.

It was also suggested during public comments that, under the MOU, should the City Council not approve the Site D Specific Plan by November of 2010, that the School District would be relieved of any obligation to reimburse the City for the cost of preparing the Specific Plan. Amendment No. 1 to the MOU (only one amendment was made to date) actually states that should the City Council not approve the Site D Specific Plan by November 2010, then either party may terminate the MOU upon providing written notice to the other party, and then the District would be released from the reimbursement obligation; there is no automatic release of obligation

It was further suggested during public comments that the potential for the School District to terminate the MOU after November places pressure on the City Council to approve the SDSP simply to recover the expense of preparing the Specific Plan and EIR. However, the Mayor Pro Tem stated at the June 15, 2010 meeting that the City Council is not compelled to approve the Site D Specific Plan and would not do so simply to recoup costs. At no other time was the matter of recovering these costs raised by staff, the Planning Commission or the City Council. The decision whether to approve or deny the Site D Specific Plan will be based solely on the merits of the plan in light of the public policy objectives it is intended to further, and that has been the focus thus far.

6. *A violation of the California Environmental Quality Act (CEQA) occurred during Planning Commission meetings. Residents were told they could not speak at the*

*April 27 and May 11, 2010 Planning Commission meetings and therefore did not allow for opportunities for alternatives.*

No violation of CEQA or any public hearing procedural process occurred during the Planning Commission meetings. The Planning Commission opened public hearing on April 13, 2010 and closed the public hearing at the same meeting after all members of the public had the opportunity to speak. Once public hearing is closed, residents are not able to speak unless the Commission reopens the public hearing. The majority of the Commission chose not to reopen the public hearing and began deliberations at the April 27, 2010 meeting.

7. *The City's General Plan is outdated.*

The General Plan was adopted on July 25, 1995. Since then, there have been amendments to its Elements as necessary to reflect changing needs and priorities. The housing element is the only element that State Law expressly mandates cities and counties to periodically update, and Diamond Bar has complied with this requirement.

In response to claims that the Resource Management Element is outdated or inadequate because it identifies a deficiency in improved open space, this Element includes implementation measures to complete and periodically update a recreational needs analysis (Strategy 1.3.1), and adopt a Master Plan of Parks which includes as an ultimate goal "to provide neighborhood and community park facilities, such that a rate of 5.0 acres per 1000 residents is ultimately achieved" (Strategies 1.3.2 & 1.3.3). The first Comprehensive Parks and Recreation Master Plan was completed in 1998, and the City has been very successful in adding to the community's recreational land and amenities inventory since that time. An updated Needs Assessment was completed in 2008 and is the basis for the current Draft Parks & Recreation Master Plan, which will be presented to the City Council in the near future.

The Community Services Director's recommendations for a park facility at Site D are included in Attachment 6.

8. *The City's Housing Element is outdated.*

The City has been working diligently with the California Department of Housing and Community Development (HDC) on its Housing Element Update. The third Administrative Draft is currently being reviewed by HCD staff, and comments are due at the end of July. The issues remaining from the previous round of comments were clarifications to the City's proposed strategy for providing sufficient acreage to accommodate its obligation to meet the region's affordable housing needs. Site D is *not* among the inventory of potential affordable housing sites being considered.

9. *The EIR consultant should have no relationship with the City.*

Cities choose EIR consultants based on expertise in environmental law, similar experience in types of projects, familiarity and knowledge of the City, estimated work schedule and cost, among other things. Environmental Impact Sciences was chosen for the reasons stated above in addition to a positive experience processing other environmental documents for other projects in the City.

10. *The EIR traffic study is outdated.*

The traffic study was updated in 2008 and again in 2009. The updates included some refinements to the study (including trip generation numbers and fair share costs) as well as a reassessment of the cumulative impact of the proposed NFL stadium.

Regarding traffic counts, these were conducted in Late 2007 (October and December), so the data is roughly 2 ½ years old.

Based on the industry and consultation with our traffic engineers, the 2007 existing data is still relevant for use in this project. In fact, given what our traffic engineers have observed, any data collected for present day would likely show a drop in peak hour traffic due to current economic conditions.

Most importantly, the critical measure in determining the relevance of traffic data is the forecast of traffic into the year 2010 and 2030 – because this is what the mitigations and fair share costs are based upon.

11. *The traffic study did not analyze worst case scenario and the intersection of Brea Canyon Road and Copper Canyon Drive.*

The traffic analysis study area is generally comprised of a subregion which has the greatest potential to experience significant traffic impacts due to the proposed project. In the traffic engineering practice, the study area generally includes those intersections that are:

- Immediately adjacent or in close proximity to the project site;
- In the vicinity of the project site that are documented to have current or projected future adverse operational issues; and
- 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 EIR 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."

The intersections selected for analysis are consistent with the criteria described above. Although not every intersection has been selected for analysis along every roadway, 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 EIR meeting the "50-trip" threshold criteria. With regards to the Brea Canyon Road at Copper Canyon Drive, 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.

Congestion at Copper Canyon Drive is an existing condition which will not be significantly affected by the development of Site D. The situation at this intersection should be studied as a separate neighborhood traffic management issue. The appropriate venue to address this matter is through the Traffic and Transportation Commission.

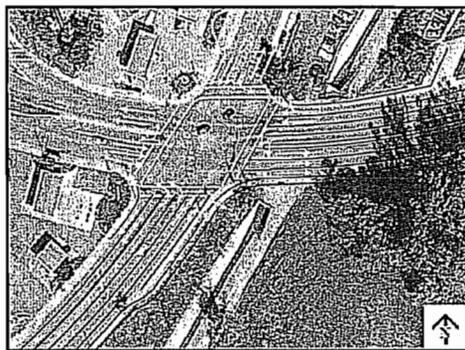
*12. The addition of 51 density bonus units was not analyzed in the EIR.*

The EIR did not analyze the possibility of the inclusion of density bonus units. Any assumptions concerning the provision of a density bonus with regards to the site's development would appear speculative, and therefore, beyond the scope of this environmental review. If a subsequent site developer were to propose an increase in the number of dwelling units in excess of those presented in the Site D Specific Plan and addressed in the Draft Environmental Impact Report, those actions and the revised project would be subject to further environmental review and analysis.

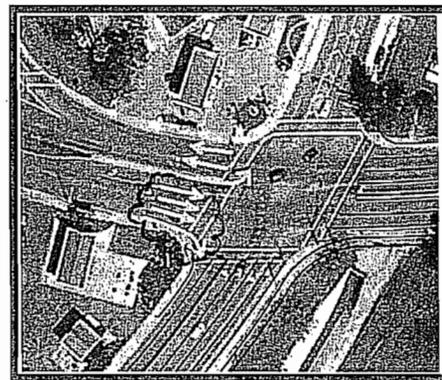
Regardless of the speculative nature of a density bonus scenario, staff calculated the trip generation impact of a 25% density bonus, and found that a de minimis increase in peak hour trips would result. Increasing the residential unit count from

202 units to 253 units would result in about 23 additional a.m. and 27 additional peak hour trips. The probability of effecting a change to a lower level of service is very unlikely, as once the added trips are distributed throughout the area, only the intersections closest to the Level of Service threshold (which would only be Brea Canyon Road and Diamond Bar Blvd.) would potentially be at risk. However, once the trips are distributed to this intersection, the probability of this occurring is very unlikely.

Still, to further pursue this question, a supplemental traffic analysis was submitted to the City on July 7, 2010. The results are similar to that of the proposed project evaluated in the April 2009 traffic study/June 2009 DEIR. However, the added trips generated by the 25% density bonus would require additional mitigation beyond those identified in the April 2009 traffic study for the intersection of Brea Canyon Road at Diamond Bar Boulevard. The additional mitigation consists of the addition of a dedicated right turn lane at eastbound Brea Canyon Road and an increase in project fair share traffic mitigation fees. The addition of the right-turn lane is illustrated below:



Intersection 16 - Brea Canyon Road and Diamond Bar Boulevard  
Mixed use with 202 dwellings



Mixed use with 253 dwellings

Based on this analysis, should a density bonus project be proposed that results in more than the 202 units currently proposed in the SDSP, then additional mitigation measures would include the above improvements to the Diamond Bar/Brea Canyon intersection, as well as adjustments to the fair-share mitigation fees for the other affected study intersections.

13. *It is confusing as to whether the project will be required to complete the traffic improvements or to pay fair-share contributions. Mitigation 6.1 states that the future developer will be required to pay fair-share contributions.*

The future developer(s) will be required to make existing roadway improvements at the time of development as part of implementing the Specific Plan as well as pay fair share fees of the construction costs to implement additional improvements to mitigate the cumulative traffic impacts of existing traffic, future non-project traffic, and project-related traffic.

The following roadway improvements will be required at the time of development, when the project is completed:

- Cherrydale Drive at Diamond Bar Boulevard: Provide an option left/through lane and a separate right-turn lane on the northbound approach; restripe southbound approach to provide an option left/through/right-turn lane on Cherrydale. Widen eastbound approach to provide a separate right-turn lane. Modify median and restripe Diamond Bar Boulevard to provide dual westbound left-turn lanes. Install traffic signal. The implementation of this improvement may require some modification to existing signing and striping on Cherrydale Drive or Diamond Bar Boulevard; and
- Widen and/or restripe NB approach on Brea Canyon Road to provide a second right-turn lane. Widen and/or restripe EB approach and departure on Diamond Bar Boulevard to a third through lane. Re-stripe WB approach on Diamond Bar Boulevard to provide a second left-turn lane. The implementation of this improvement may require some modification to existing traffic signal equipment (i.e. recut/install new vehicle loop detectors, modification to traffic signal controller), as well as the termination of the existing bike lane.

The project will also provide a fair-share contribution to cumulative traffic improvements, and are included as mitigation measures.

*14. Does approval of the Specific Plan as presented limit a potential developer?*

Yes, there are maximum allowances for residential and commercial uses. It is a detailed policy document which replaces the land use designation and zoning of the underlying properties with more detailed criteria and performance standards. The Specific Plan defines the types of permitted and conditionally permitted land uses that will be appropriate for the project site and for the project setting, defines reasonable limits to the type, intensity, and density of those uses, and establishes the design and development standards for those uses.

Approval of a Specific Plan also reduces uncertainty by providing assurances to the City and future developers by prescribing, to a greater level of specificity than conventional zoning, the types and characteristics of permitted land uses and development on the site.

*15. Were there additional alternatives for this project?*

Yes, the EIR evaluated at five different alternatives: No Project, Public Facilities, Community Commercial, Low-Density Residential, and High-Density Residential. The City Council has the ability to adopt any of the alternatives described in the EIR or direct staff to examine additional alternatives besides those presented in the EIR.

Refinements to some of these alternatives, including the addition of a neighborhood park, have been formulated and are addressed later in this staff report.

16. *Is a commercial development viable on Site D?*

Commercial may not be ripe for development in the current state of the economy. However, it may be feasible two to three years from now, when the economy and real estate market recovers.

17. *How much annual sales tax revenue could reasonably be expected to be generated from a commercial development on Site D?*

With the inclusion of a neighborhood park, the commercial pad would be reduced to approximately 8.4 acres and could feasibly yield 75,000 to 90,000 square feet of commercial floor area. A likely type of commercial development that the site could support would be a neighborhood-serving shopping center with a grocery store and drug store as anchors, a drive-through restaurant pad, and supporting retail and restaurant uses. A review of sales tax revenue figures for these types of uses in Diamond Bar over the past three years indicates that such a center potentially could generate approximately \$100,000 in annual sales tax revenue. This by itself is not a significant revenue source to the City, but would enhance the City's portfolio of revenue-generating assets.

In addition to the potential for a commercial development to provide a revenue stream to the City, the City Council should also view the commercial component of the SDSP as an opportunity to provide neighborhood-serving commercial uses in the southern portion of the City which currently are not available.

18. *If the City is unable to attract commercial, can it be rezoned later to all residential?*

Yes, if a commercial developer is not on board at the outset, construction phasing can begin on the residential pads. The entire site would still need to be mass graded at one time. If a commercial developer is not on board by the time the residential phases are completed, and there is no longer a desire by the City to reserve the site for a shopping center, residential development could proceed on the commercial pad.

### **Land Use Alternatives**

The Council asked staff to explore the following development alternatives, and to include a two-acre neighborhood park into the land use plan: 1) reduced commercial; 2) 100% residential; and 3) school district headquarters and technology/research/educational campus.

A memorandum from Community Services Director Bob Rose with specific recommendations regarding the size, design and programming for a neighborhood park on Site D is provided in Attachment 6.

### Reduced Commercial

The Specific Plan provides a numerical allowance of 153,954 sq. ft. commercial with 202 residential units. These numbers were derived by calculating a commercial floor area ratio (FAR) of .35 on the 10.1-acre commercial pad and a residential density of 20 units per acre on the combined 10.1-acre residential pads, and are considered the "worst case" scenario as the basis for preparing the EIR.

When designing a project, the development standards such as uses, setback, height, and parking regulations; and site features such as topography, grading, parcel configurations, etc., usually result in a lower density and FAR than the maximum allowed. Further study of Site D as a mixed-use development, and factoring in such constraints as the shape of the property, setbacks and parking requirements, and the incorporation of a 3.2 gross acre park, the site is more likely to yield a 75,000 to 90,000 square-foot shopping center and approximately 133 attached residential units, as shown in Land Use Diagram 1A/B (Attachments 1-2). The reduced commercial alternative achieved simply by performing the density/intensity yield study illustrated in this diagram.

### 100% Residential Option under Diagram 1A/B

Approval of Land Use Diagram 1A/B, allows the Council to approve a commercial component, with a flexibility to allow the site to convert to all residential later, should it fail to attract a commercial developer at some point in time, in which case the site could accommodate approximately 266 attached residential units.

### 100% Residential (No Commercial Option)

Land Use Diagram 2 (Attachment 3) explores an all residential concept with a 3.9 gross acre (2.0 net acres) public park, and two residential pads totaling 24.1 gross acres (15.9 net acres) specifying the range of possible number of units and product types.

The park is located adjacent to Posada Drive, to provide easier access to the existing neighborhood. An all residential concept results in much less grading costs than a commercial and residential mixed-use concept because the residential pad would not be lowered close to street level grade as a commercial pad would require, but would reduce the usable pad area compared to Land Use Diagram 1A/B, and thus reduce the number of potential dwelling units. Another consideration that the Council may want to keep in mind is that the existing L.A. County Flood Control Channel may be uncovered and will remain in its existing condition. The cost of covering the Flood Control Channel increases the construction cost. The covering of this Channel may add value to the

commercial concept as it adds usable land for parking and access, but does not add value to an all residential concept. Therefore, the likelihood of the City-owned property on Diamond Bar Blvd. and Brea Canyon Road being undeveloped will be greater, and the use of this land will have to be considered.

Under this alternative, the site would allow for approximately maximum of 238 attached residential units, which, due to the reduced pad sizes, yields approximately 28 fewer units than Land Use Diagram 1A/B

#### School District Headquarters/R&D Campus

The Walnut Valley Unified School District is not interested in exploring this alternative as it conflicts with its objective of disposing of the property and raising revenue for the District.

#### Planning Commission Discussion of Public Park vs. Privately Owned Public Space/Plaza

During Planning Commission deliberations, the Commission asked staff to present an analysis of incorporating a neighborhood park feature into the Specific Plan. There were two options the Commission considered with respect to the incorporation of a park/public space component, summarized as follows:

**Option #1: Traditional Public Park Space:** A public park, dedicated to the City with a minimum specified acreage and amenities such as a tot lot, picnic tables, and shade structures.

#### Advantages of a Public Park Space

- Increases park space serving the neighborhood;
- Provides public amenities that residents can enjoy; and
- Affords the City full control over the maintenance, programming, and long-range planning after the park is constructed.

#### Disadvantages of a Public Park Space

- Requires ongoing City maintenance costs such as expense and liability for providing such a facility; and
- Depending on the size, may impact the type and size of a commercial development. The opportunity to incorporate significant, pedestrian-oriented amenities into the commercial development may be constrained.

**Option #2: Interactive Public Open Space:** The incorporation of one or more interactive public open spaces such as social gathering spaces with a park-like feel comprised of a minimum specified aggregate acreage that incorporates amenities such as a tot lot, picnic tables, shade structures and public art integrated into the future commercial development.

#### Advantages of an Interactive Public Open Space

- Allows for a more viable, feasible commercial development. Further reducing the commercial pad to incorporate a traditional public park may result in a neighborhood strip center;
- Takes into account the Memorandum of Understanding between the City and the Walnut Valley School District that stipulated a minimum of fifty percent of the designated area for residential development and fifty percent designated for commercial use, exclusive of necessary infrastructure;
- Allows a potential developer to creatively design the site with a quasi-public space by having the public open space area incorporated and designed when the types of uses are known; and
- Creates a focal point in the commercial component with a complementary public space to support the commercial development. Adding the interactive public open space area can enhance the commercial component as well as enhance the experience to visitors and residents of the area.

#### Disadvantages of an Interactive Public Open Space

- Certain amenities found in a traditional neighborhood park, such as barbeque and picnic facilities, and small sports courts, may not be feasible in this type of a setting; and
- The City would not own the property or facilities comprising the spaces, and would not have the opportunity to program or revise the features after initial development is completed.

If the Council would like to retain the commercial component of the land use plan, consideration of integrating an interactive open space into the commercial development may be something to consider, allowing for a more viable commercial development.

### **ENVIRONMENTAL REVIEW**

Modifying the SDSP in accordance with the alternatives discussed in this staff report may require some revisions to the EIR, but would not require recirculation. The project

would remain substantially the same as the project description and alternatives, but the overall density and intensity would be reduced. In addition, the City should not engage in an analysis of speculative density bonus impacts, which is not presently a part of the proposed Specific Plan. Absent a formal development proposal, it is speculative to assume what, if any, further California Environmental Quality Act (CEQA) documentation would be required and the nature of any findings presented therein.

**NOTICE OF PUBLIC HEARING:**

The project was continued from the June 15, 2010 City Council meeting, and therefore no further noticing was required.

The June 15, 2010 City Council staff report, attachments to the report, draft Specific Plan and Environmental Impact Report were also posted on the City's website, and hard copies are available for review at City Hall and the Diamond Bar Branch of the Los Angeles County Library.

As of this writing, staff received six e-mail correspondences in opposition to the proposed Specific Plan, which are included as Attachments 7 thru 12.

**RECOMMENDATION FOR THE JULY 20, 2010 MEETING:**

Continue public testimony and provide staff with direction on next steps.

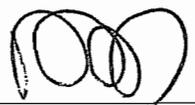
Prepared by:

  
\_\_\_\_\_  
Grace S. Lee  
Senior Planner

Reviewed by:

  
\_\_\_\_\_  
Greg Gubman, AICP  
Community Development Director

Reviewed by:

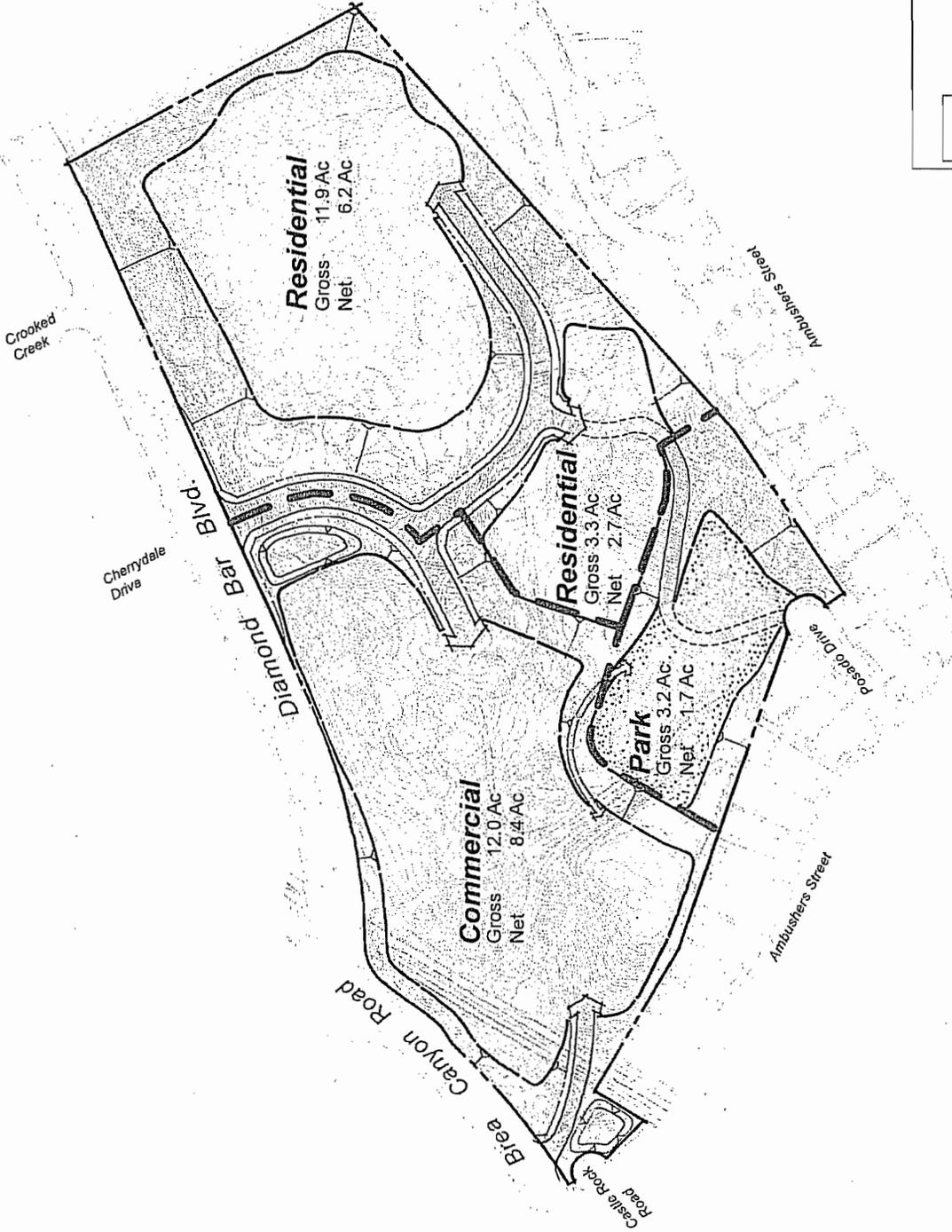
  
\_\_\_\_\_  
David Doyle  
Assistant City Manager

**Attachments:**

1. Alternative Land Use Diagrams #1A
2. Alternative Land Use Diagrams #1B
3. Alternative Land Use Diagrams #2
4. CC Staff Report dated June 15, 2010
5. CC Minutes of June 15, 2010

6. Memorandum from Bob Rose, Community Services Director
7. E-Mail from Shabbir Basrai dated June 29, 2010
8. E-Mail from Jean Jou dated June 30, 2010
9. E-Mail from Peter Au-Yeung dated July 6, 2010
10. E-Mail from Helena Young dated July 10, 2010
11. E-Mail from Helena Young dated July 10, 2010
12. E-Mail from Helena Young dated July 10, 2010

# Attachment 1



	Gross	Net
Residential	15.2 Ac	8.9 Ac
Commercial	12.0 Ac	8.4 Ac
Park	3.2 Ac	1.7 Ac

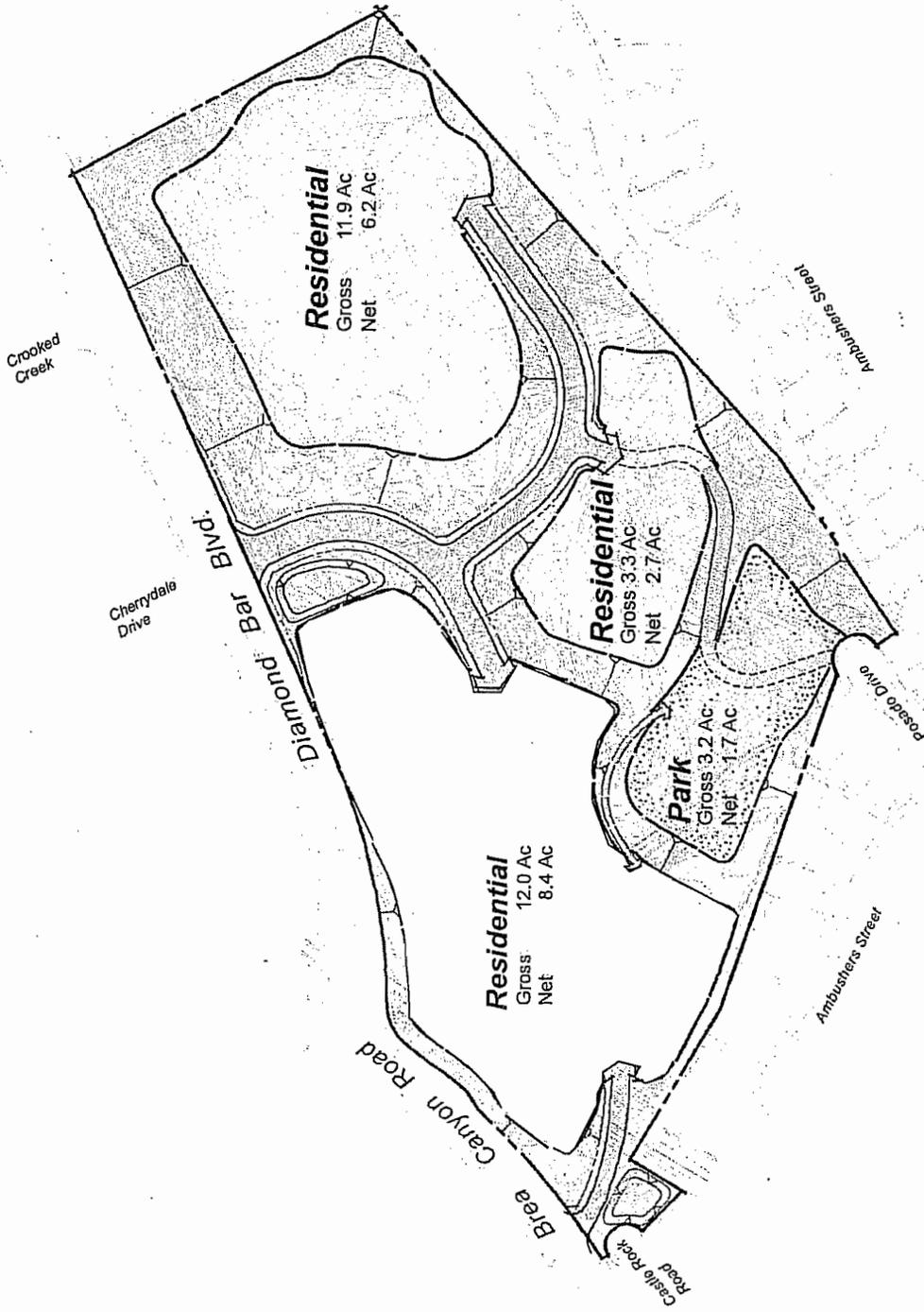
## ALTERNATIVE 1A

### SITE "D"

JULY 9, 2010



# Attachment 2



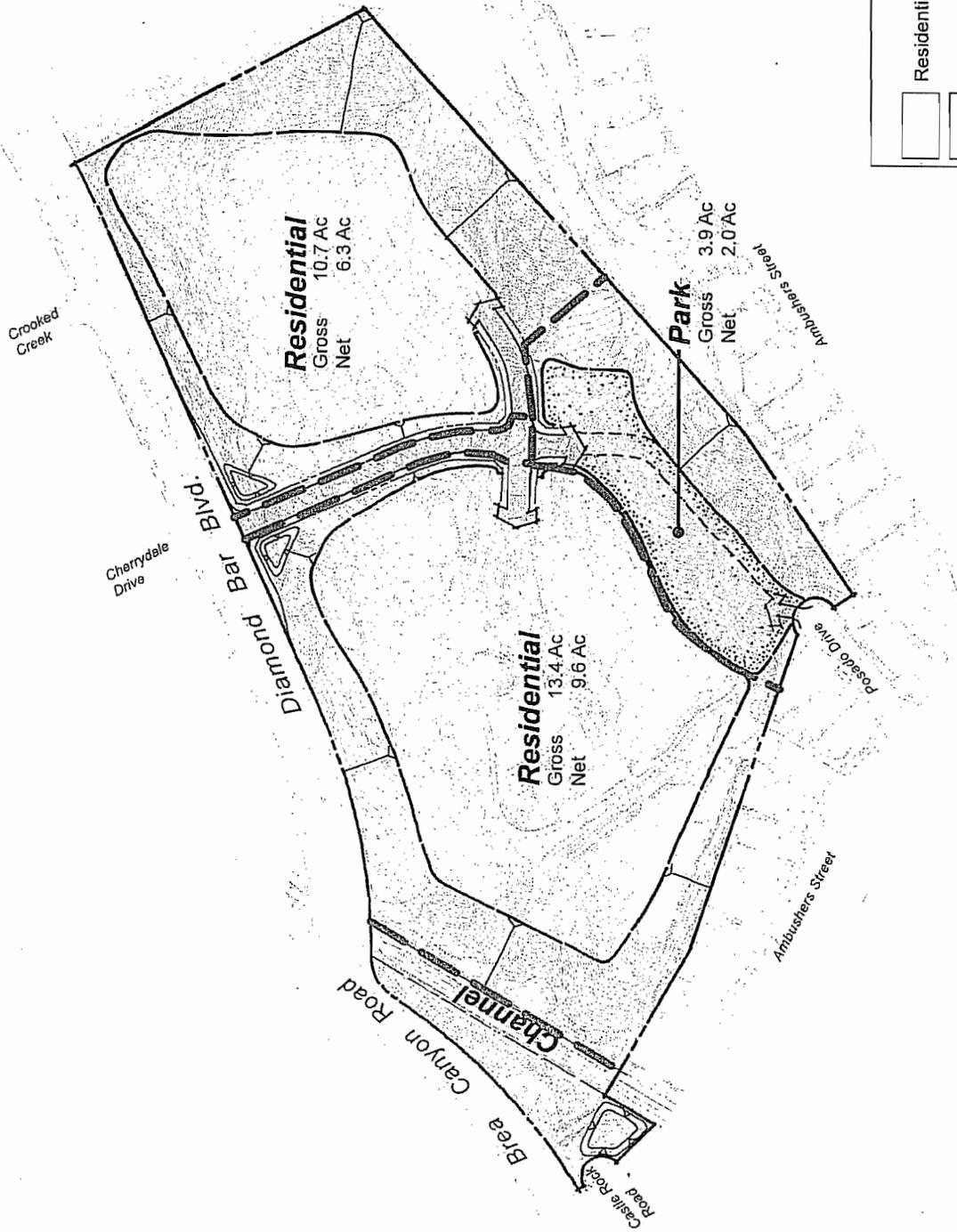
	Gross	Net
Residential	27.2 Ac	17.3 Ac
Park	3.2 Ac	1.7 Ac

## ALTERNATIVE 1B SITE "D"

JULY 9, 2010

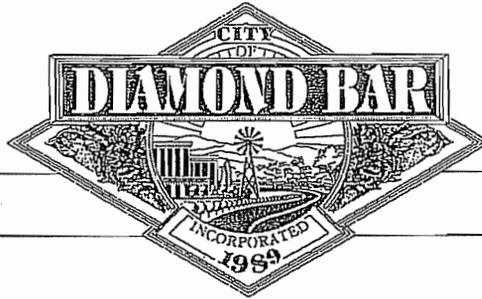


# Attachment 3



	Gross	Net
Residential	24.1 Ac	15.9 Ac
Park	3.9 Ac	2.0 Ac
Road	8.0 Ac	

## ALTERNATIVE 2 SITE "D"



CITY COUNCIL

AGENDA REPORT

**TO:** Honorable Mayor and Members of the City Council

**VIA:** James DeStefano, City Manager

**TITLE:** General Plan Amendment No. 2007-03, Zone Change No. 2007-04, Specific Plan No. 2007-01 ("Site D Specific Plan"), Tentative Tract Map No. 70687, and Environmental Impact Report 2007-02 (SCH No. 2008021014).

**PROJECT**

**APPLICANT:** Walnut Valley Unified School District and City of Diamond Bar

**LEAD AGENCY:** City of Diamond Bar, Community Development Department

**PROJECT LOCATION:** Site D is comprised of approximately 30.36 acres located at the southeast corner of Brea Canyon Road and Diamond Bar Boulevard (Los Angeles County Assessor's Parcel Numbers 8714-002-900, 8714-002-901, 8714-002-902, 8714-002-903 and 8714-015-001).

**SUMMARY:**

The Site D Specific Plan (SDSP) was prepared to facilitate the processing and approval of future development proposals and associated discretionary and administrative approvals on a 30.36-acre property referred to as Site D. The City and the Walnut Valley Unified School District agreed to collaborate in the planning efforts for the property so that each may advance its respective objectives for the disposition of the property. Key objectives of the Specific Plan are as follows:

- Allow for a maximum of 202 residential dwelling units;
- Allow for a maximum of 153,985 gross square feet of commercial use;
- Provide approximately 10 acres of open space areas, easements and rights-of-way;
- Establish an "A-Level" development framework that provides details for the backbone vehicular circulation system, the creation of master development pads to organize land uses on site, and the infrastructure plan;

- Establish architectural guidelines to promote unifying design elements;
- Prescribe the architectural, landscape and streetscape design criteria to create a visual continuity throughout Site D property; and
- Deliver a “green” and sustainable community through the use of energy efficiency, healthy indoor air quality, waste reduction, water efficiency, pedestrian and bicycle links to reduce vehicle trips, use of renewable and recyclable materials for building construction, water-efficient landscaping featuring indigenous, non-invasive and climate appropriate plant types, etc. The required energy standards for the project exceed those currently mandated by State Title 24.

The Specific Plan is a detailed policy document, which replaces the land use designation and zoning of the underlying properties with more detailed criteria and performance standards. It is not a development plan to construct the residential and commercial buildings. Future developers will be required to submit project-specific development plans in accordance with the criteria set forth in the Specific Plan, which will be subject to review and approval by the City.

#### **RECOMMENDATION:**

1. Certify **Environmental Impact Report 2007-02**;
2. Adopt **Findings of Fact and Statement of Overriding Considerations** for the Site D Specific Plan based on findings that the Specific Plan would result in identified economic and social benefits that will accrue to the City, the School District, and the region, and important public policy objectives will result from the implementation of the proposed Specific Plan, which override the significant environmental impacts that cannot be mitigated to less-than-significant levels;
3. Adopt **General Plan Amendment No. 2007-03** to change the land use designations from Public Facility (PF) and General Commercial (C) to Specific Plan (SP);
4. Adopt **Zone Change No. 2007-04** to change the zoning districts from Low Density Residential (RL), Low/Medium Density Residential (RLM), and Neighborhood Commercial (C-1) to Specific Plan;
5. Adopt **Specific Plan No. 2007-01** for Site D Specific Plan, establishing the land use and development standards to facilitate the construction of up to 202 residential dwelling units; up to 153,985 gross sq. ft. of commercial floor area; and a minimum of 10.16 acres of open space areas, easements and rights-of-way; and
6. Approve **Tentative Tract Map No. 70687** to establish separate residential, commercial, and open space parcels; create an internal circulation system and common open space areas; and establish easements and other rights-of-way for utility and other purposes.

## **BACKGROUND:**

The Site D Specific Plan project area consists of 30.36 acres, comprised of the following properties:

- The Walnut Valley Unified School District owns 28.71 acres. As early as the 1970s, the District has found the property unnecessary for future school use and declared it surplus property;
- A 0.98-acre strip of land along Brea Canyon Road owned by the City; and
- A 0.67-acre segment of a flood control channel, owned and maintained by the Los Angeles County Flood Control District, separates the City and School District properties. Under the proposed Specific Plan, the channel will be covered and used for parking, non-habitable structures, and landscape and circulation elements, which would be allowed under a lease agreement with the Flood Control District.

### Prior Development Proposals

In 1990, the School District prepared a tentative tract map to subdivide Site D into 87 lots for the purpose of developing single-family detached residences. This effort prompted the City to study the feasibility of purchasing the land from the District for the purpose of developing a community park, which was supported by a School Board appointed advisory committee (the "7-11 Committee"). In 1991, the City pursued park development grants for Site D and the Pantera Park site, but received grant monies for Pantera Park only. In the years following this endeavor, the City completed upgrades to nearby Heritage Park, and the School District upgraded the recreational facilities at Castlerock Elementary School (the City and School District have joint-use agreements for the recreational facilities at all of the schools located in Diamond Bar).

The City and School have since agreed to work cooperatively in the planning efforts for Site D so that each may advance its respective objectives for the disposition of the property.

## **ANALYSIS:**

The Planning Commission staff reports in Attachment 6 provide a detailed analysis of the project objectives, surrounding land uses, site characteristics, key elements of the Specific Plan, development standards, circulation and traffic improvements, and the EIR process. Graphic exhibits are included in Attachment 16.

## **Framework of Site D Specific Plan/Project Objectives:**

The Walnut Valley Unified School District desires the disposition of the property to yield the maximum return to the District for the benefit of its constituents and its educational mission.

The City believes that it is in the community's best interest to establish a comprehensive, enforceable planning strategy for Site D, and to do so prior to putting the property on the market. To further this goal, staff determined that a Specific Plan would be the most appropriate planning tool to better ensure a predictable outcome for the eventual build-out of Site D.

On July 1, 2007, the City and the Walnut Valley Unified School District executed a Memorandum of Understanding (MOU) whereby the parties agreed to collaborate in the planning of the future land use for the project site—through the creation of a Specific Plan—so that both parties may each advance their respective objectives for the disposition of the property. The MOU further stipulates that “(o)f the usable acreage, on Site D, a minimum of fifty percent (50%) will be designated for residential development, and fifty percent (50%) will be designated for commercial use, exclusive of necessary infrastructure.” A copy of the MOU is provided as Attachment 4.

The land use parameters set forth in the MOU establish the following additional project objectives:

- Pursue the establishment of site-specific land use policies that allow, in reasonable comparable acreage, the development of both commercial and residential uses of the property, accommodating the provision of additional housing opportunities and the introduction of revenue-generating uses; and
- Establish a specific plan as the guiding land-use policy mechanism to define the nature and intensity of future development, and to establish design and development parameters for the project site, so as to allow conveyance of the subject property to one or more developers and/or master builders, and provide to the purchasers reasonable assurance as to the uses that would be authorized on the project site and the nature of those exactions required for those uses.

The District and the City are currently not partnered with or in formal discussions with any developers. The focus at this time is solely to adopt a prescriptive land use plan while the public entities, as the property owners, are in a position to exert maximum control/influence over the outcome of subsequent development.

## **Fulfillment of Goals and Objectives in City's General Plan**

California Government Code states that a Specific Plan shall include a statement of the relationship of the Specific Plan to the General Plan, and further, that it may not be adopted or amended unless found to be consistent with the General Plan.

Consistency with the General Plan is achieved when the various land uses within the Specific Plan are compatible with the objectives, policies, general pattern of land uses and programs contained in the General Plan. While there is tension among several General Plan policies – such as meeting regional housing needs, preserving open space, promoting economic development, and reducing traffic congestion – the role of the City's decision makers is to determine which goals and policies should be furthered, given the objectives, context, and opportunities associated with each decision under consideration, and thus balance that tension given all the factors in play. The Site D Specific Plan implements the vision of the City's General Plan as follows:

- Contributes to the diversity of the City's housing stock in order to provide attractive housing which accommodates people of all ages, cultures, occupations and levels of financial status;
- Promotes viable commercial activity. While Diamond Bar has established local control by incorporating into a City, attendant to that is the responsibility for planning for the economic well being of the City through opportunities for generation of sales tax revenue. Moreover, the proposed commercial component of the Specific Plan provides the opportunity to better serve the southern part of the City by enhancing the range of conveniently-located neighborhood retail uses; and
- Creates a community environment which nurtures social and recreational opportunities for its residents. As recommended by the Planning Commission, a neighborhood public park space of 1.3 net acres is to be incorporated into the commercial development.

The Specific Plan further meets the goals and objectives as listed in the Draft Specific Plan and Finding of Fact attached to the Draft Resolution in Attachment 1.

### **Specific Plan/Project Benefits**

The proposed Specific Plan would result in a number of identifiable community benefits, some of which include:

- Defines the types of permitted and conditionally permitted land uses that will be appropriate for the project site and for the project setting, defines reasonable limits to the type, intensity, and density of those uses, and establishes the design and development standards for those uses;
- Serves as a valuable regulatory tool for the systematic implementation of the City's General Plan;
- Imposes reasonable development controls and standards designed to ensure the integrated development of the project site;

- Facilitates the School District's efforts to sell the surplus property by providing a subsequent purchaser reasonable certainty as to the type, intensity, and general configuration of allowable on-site land uses;
- Optimizes the benefits of the School District sale of surplus property of the benefit of its constituents and its educational mission;
- Results in the production of 202 new housing units within the City, thus helping the City to respond to the identified housing demand outlined in the current Regional Housing Needs Assessment (RHNA). This project would represent about 18.5 percent of the projected housing needs for the period between 2005-2014;
- Increases the diversity of housing types in the City;
- Presents homebuyers with additional purchase options and price variations allowing homebuyers to better match housing choices with household needs and demands through construction and sale of attached residential condominium units;
- Creates a mixed-use development that will promote the attainment or regional jobs-to-housing ratio objectives established by regional governmental entities and produce corresponding environmental benefits, consistent with Southern California Association of Governments Policies;
- Implements Senate Bill 375 which drives land use development to reduce greenhouse gas emissions by:
  - Promoting a mixed-use development by providing both residential and commercial uses on the same site which serve to reduce vehicle miles traveled (VMT) and corresponding air quality benefits;
  - Promoting alternative modes of transportation by providing bike and pedestrian trails and bus stops located adjacent to Site D and facilitate alternative modes of transportation. Transit is expected to be provided by the Metropolitan Transit Authority (MTA), Foothill Transit, and the City's fixed-route transportation system; and
  - Integrating green building strategies into its design through energy efficiency; water-efficient land use and development using drought-tolerant landscaping and use of low-flow toilets, showerheads, and other fixtures; use of renewable and recyclable materials for building construction, solar panels, and low energy lighting, etc.
- Allows for the productive use of an underutilized property in the City's General Plan, converting a tax-exempt property to a private use, and introduces a land use that will generate sales and other taxes for the benefit of the City and its constituents;

- Provides traffic improvements to the Diamond Bar Boulevard/Brea Canyon Road intersection which will improve traffic flow in and through that intersection; and
- Facilitates the ability of the City and other agencies to undertake improvements to specific public facilities through payment of school impact, park, and traffic impact fees and other exactions.

### **Environmental Impact Report**

In accordance with the California Environmental Quality Act (CEQA), an Environmental Impact Report (EIR) was prepared for the Site D Specific Plan. The EIR provides a detailed analysis of potential environmental impacts associated with the development of the Specific Plan area, identifies mitigation measures to lessen those impacts, and analyzes a range of project alternatives.

Outreach efforts to solicit citizen and public agency input throughout the EIR process included the following actions:

Notice of Preparation: The City circulated a Notice of Preparation (NOP) to public agencies, special districts, and members of the public requesting such notice for a 30-day period commencing February 1, 2008 and ending March 5, 2008.

Scoping Meeting: During the NOP period, the City advertised a public scoping meeting on February 21, 2008 held at the South Coast Air Quality Management District/Government Center, Room CC-6. The meeting was intended to facilitate public input. Approximately 20 residents attended the meeting with the majority from the Ambushers Street neighborhood. Several issues raised at this meeting include impacts of view from Cherrydale, noise, traffic, buffer from commercial development, need for green space at entryway, preference to see residential development with less commercial, and to consider senior housing development.

Notice of Completion/Availability: The Draft EIR was prepared by the City's environmental consultant, Environmental Impact Sciences on June 2009. A Notice of Completion and Availability was filed with the Office of Planning and Research on June 22, 2009. The 45-day public review period was from June 25, 2009 through August 10, 2009.

Neighborhood Meeting: On August 3, 2009, a neighborhood forum was held at the Heritage Park Community Center to provide the public with an additional opportunity to ask questions and comment on the Draft EIR, prior to the close of the 45-day public review period. All written and verbal public testimony was taken, and written responses to the comments and issues raised are provided in the Response to Comments on the Draft EIR. The Response to Comments includes all comments received during the 45-day public review period. CEQA requires that the City evaluate comments on environmental issues received from persons or agencies who prepared a written response.

## Findings of Fact and Statement of Overriding Considerations

Prior to approving the proposed Specific Plan, the City Council must first certify that the Final EIR has been completed in accordance with CEQA; that the Final EIR was presented, reviewed and considered by the City Council; and that the Final EIR reflects the City's independent judgment and analysis. The Council is required to adopt findings in accordance with CEQA Guidelines Section 15091 when significant effects have been identified in the Draft EIR which cannot feasibly be mitigated to less-than-significant levels.

As documented in the Draft EIR, all potential impacts associated with the proposed Specific Plan can be mitigated to less-than-significant levels, except air quality impacts. Specifically, it was determined that construction and operational air quality impacts would exceed daily emissions thresholds established by the Air Quality Management District (AQMD). No alternatives (excluding the "No Project" alternative) or mitigation measures were identified which could reduce air quality impacts below a level of significance; this is largely attributable to the fact that the South Coast Air Basin is already subject to unhealthful air quality levels.

Even though a review of environmental impacts shows that an environmentally superior alternative exists, the City can still approve the proposed project. According to Section 15093 of the CEQA Guidelines, CEQA requires that the City balance the benefits of a proposed project against its unavoidable environmental risks in determining whether to approve the project. If the benefits of the proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable." In order to do this, the public agency must adopt a "Statement of Overriding Considerations" – a document that states the reasons for why the project should be approved even though there are environmental impacts that cannot be mitigated.

The Findings of Fact and Statement of Overriding Considerations are attached as Exhibit A to the draft resolution certifying the EIR and adopting the mitigation reporting and monitoring program (Attachment 1). The Findings of Fact identify economic and social benefits that will accrue to the City, to the School District, and to the region, as well as important public policy objectives that will result from the implementation of the proposed project. Therefore, the City Council may find that the proposed project's identified benefits override the project's air quality impacts.

### **Comment Letters Received**

Correspondence received to date is included in the Draft EIR, Response to Comments on the Draft EIR and Planning Commission Staff Reports. Correspondences not published in these documents are included in Attachments 10 through 14.

On May 23, 2010, a letter from Andy Salas, Chairman of the Gabrieleño Band of Mission Indians is included as Attachment 14. The letter contends that the City failed to

perform adequate outreach to the Native American tribes that may have a cultural connection to the area. In accordance with the State's "Tribal Consultation Guidelines" (April 15, 2005), the City has fully complied with all applicable noticing requirements with regards to outreach efforts, including sending a "Local Government Tribal Consultation List Request" to the Native American Heritage Commission (NAHC) on February 1, 2008 and sending copies of the Notice of Preparation to the NAHC, the Gabrieleno/Tongva Tribal Council, the Gabrielino Tongva Nation, and the Gabrielino Band of Mission Indians. The mailing list was obtained from the NAHC website (accessed in late January 2008) which lists the names/contact information for tribal organizations throughout the state. In addition, a Phase I cultural and paleontological resource assessment was prepared as a technical appendix to the EIR. The assessment included direct consultation with the NAHC. The NAHC performed a Sacred Lands File (SLF) record search, which failed to indicate the presence of Native American cultural resources in the immediate project area. Moreover, the NAHC provided the consulting archaeologists with Native American contact list, and letters were sent to each of the contacts via certified mail, and no responses were received. Still, as indicated in the Draft EIR, Mitigation Measure 11-1 requires that a qualified archaeologist shall monitor initial vegetation removal activities in the event that cultural resources, Native American or otherwise, are encountered. A letter from the City's environmental consultant, Environmental Impact Sciences, is included as Attachment 15.

#### Specific Plan Amendments

Among the public comments received, it was noted that Section 6.5 of the Specific Plan may grant the Community Development Director overly broad authority to approve revisions to the Specific Plan. To address this concern, staff drafted modified language to more clearly define the limits to the Director's authority. The proposed revised Section 6.5 is provided as Attachment 9, and will be incorporated into the document if the Specific Plan is approved.

#### **PLANNING COMMISSION ACTION:**

On April 11, 2010, the Commission opened the public hearing to take public testimony from the public regarding the Draft Environmental Impact Report and all land use entitlements, closed the public hearing, and continued the matter to the April 27, 2010 meeting. Eleven members of the public spoke, and voiced opposition to some or all aspects of the proposed Specific Plan. Concerns revolved largely around the following issues:

- Traffic impacts;
- Visual and aesthetic impacts;
- Opposition to commercial development;

- Conservation of existing open space and preservation of existing trees on-site; and
- Air quality and construction impacts.

A detailed summary of the public testimony is provided in the minutes, which are included in Attachment 7 of this report.

At the conclusion of deliberations during the April 27 meeting, three of the four Commissioners expressed intent to recommend certification of the Environmental Impact Report, and adoption of the General Plan Amendment and Zone Change. The same three Commissioners also expressed support for the Specific Plan with the addition of a recommendation to incorporate a neighborhood park feature into the plan and directed staff to prepare a revised resolution that reflects the majority's recommendation, and continued the matter to the May 11, 2010 meeting.

At the May 11, 2010 meeting, staff presented an analysis of park alternatives to assist the Commission in determining the size and type of public space to recommend to the City Council. By a 3-1 vote, the Commission recommended certification of the EIR and Statement of Overriding Considerations, adoption of the General Plan Amendment/Zone Change, and approval of the Specific Plan with the added recommendation to incorporate a 1.3 net acre usable neighborhood public park within the area of the project site designated for commercial development, adjacent to slope areas or water quality management areas, and which shall incorporate features such as, but not limited to, a tot lot, picnic tables, seating areas and shade structures. The Commission stated that the park shall be constructed to City standards, and then dedicated to the City. The staff reports, minutes and resolutions adopted at these meetings are attached as Attachments 6-8.

#### **Neighborhood Park Recommendation:**

In addition to making the above recommendations, the Planning Commission recommended incorporating a 1.3 net acre usable neighborhood public park within the commercial component, adjacent to the slope areas or water quality management areas. The recommendation to include a neighborhood park is solely that of the Planning Commission. Should the City Council support the concept, it may also wish to consider the area adjacent to the terminus of Posado Drive as an alternative site. Although not within the commercial subarea of the land use plan, it does have a more direct linkage and access point to the existing neighborhood adjacent to Site D.

#### **ALTERNATIVES TO STAFF RECOMMENDATIONS**

In addition to the staff's recommendation on Page 2, the following alternative actions available to the Council have been identified:

### **Alternative Environmental Actions:**

1. Certify the Final Environmental Impact Report, but determine that the Findings of Fact do not warrant the adoption of the Statement of Overriding Considerations, continue the matter and direct staff to prepare the necessary resolution; OR
2. Identify the reasons why the Final EIR should not be certified, specifying the deficiencies in the environmental analysis and/or conclusions, and recommend that the City Council direct staff to revise the environmental analysis accordingly, continue the matter and direct staff to prepare the necessary resolution; OR
3. Continue the item for additional information or revisions to the environmental documents.

### **Alternative Project Actions:**

1. Approve the proposed project as recommended by the Planning Commission (which includes a public park amendment) and adopt the resolutions and ordinances included as Attachments 1 through 5 with or without amendments; OR
2. Approve the proposed project and adopt the resolutions and ordinances with additional modifications and amendments as determined by the City Council; OR
3. Deny the proposed project and direct staff to prepare the necessary resolutions OR
4. Remand the proposed project to the Planning Commission with specific direction from the City Council.

### **NOTICE OF PUBLIC HEARING:**

Public hearing notices were mailed to property owners within a 1,000-foot radius of the project site on June 4, 2010, and the notice was published in the Inland Valley Daily Tribune and San Gabriel Valley Tribune newspapers. The project site was posted with a notice display board, and a copy of the public notice was posted at the City's three designated community posting sites. The draft Specific Plan and Environmental Impact Report were also posted on the City's website, and hard copies are available for review at City Hall and the Diamond Bar Branch of the Los Angeles County Library.

### **RECOMMENDATION FOR THE JUNE 15, 2010 MEETING:**

Open the public hearing to take public testimony from the public regarding the Draft Environmental Impact Report and all land use entitlements, and continue the matter to a date specified by the City Council.

Prepared by:



Grace S. Lee  
Senior Planner

Reviewed by:



Greg Gubman, AICP  
Community Development Director

Reviewed by:

---

David Doyle  
Assistant City Manager

**Attachments:**

1. Draft Resolution No. 2010-XX (Certification of the FEIR and Adoption of the Mitigation Reporting and Monitoring Program and Statement of Overriding Considerations)
2. Draft Resolution No. 2010-XX (Approval of GPA)
3. Draft Resolution No. 2010-XX (Approval of TTM)
4. Draft Ordinance No. XX (2010) (Approval of ZC)
5. Draft Ordinance No. XX (2010) (Approval of SP)
6. PC Staff Reports dated April 13 & 27, May 11, 2010
7. PC Minutes of April 13 & 27, May 11, 2010
8. PC Resolution Nos. 2010-12,13,14
9. Revised Section 6.5 of the Specific Plan RE Amendments
10. E-mail from David R. Busse dated May 10, 2010
11. Letter from Mary E. Rodriguez dated May 7, 2010
12. Letter from James Eng dated May 13, 2010
13. Letter from Lindsay Maine dated May 16, 2010
14. Letter from Andy Salas, Chairman of the Gabrieleño Band of Mission Indians dated May 23, 2010
15. Letter from Environmental Impact Sciences Regarding Tribal Consultation dated June 9, 2010
16. Aerial Photo, Land Use Plan, Landscape Concept Plan, Site Sections and Tentative Tract Map

## Attachment 15 to Attachment 4



### Environmental Impact Sciences

26051 Via Concha  
Mission Viejo, California 92691.5614  
949.837.1195 949.837.3935 Fax

June 9, 2010

Greg Gubman, Director  
**City of Diamond Bar**  
Community Development Department  
21825 Copley Drive  
Diamond Bar, California 91765-4178

**Subject: "Site D" Specific Plan – Tribal Consultation**

Dear Greg:

During the Planning Commission's recent deliberations concerning the proposed "Site D' Specific Plan" (SDSP) and its accompanying "Draft Environmental Impact Report for the 'Site D' Specific Plan" (DEIR), the City of Diamond Bar (City or Lead Agency) received correspondence, dated May 23, 2010, from Andy Salas, Chairman of the Gabrieleño Band of Mission Indians (Tribe). The Tribe alleged the project's environmental impact report (EIR) "was handled erroneously by not giving sufficient notification to all the local Native American tribes." This letter is submitted in response to the Tribe's letter.

#### **Background**

Senate Bill (SB) 18 (Chapter 905, Statutes of 2004), signed into law by Governor Arnold Schwarzenegger in September 2004, requires cities and counties to notify and consult with California Native American Tribes about proposed local land-use planning decisions for the purpose of protecting Traditional Tribal Cultural Places. Starting on March 1, 2005, cities and counties must send their general plan proposals to those California Native American Tribes that are on the Native American Heritage Commission's (NAHC) contact list and have traditional lands located within the city or county's jurisdiction. After March 1, 2005, if requested, cities and counties must also conduct consultations with those tribes prior to adopting or amending their general plans. To help local officials meet these obligations, SB 18 required the Governor's Office of Planning and Research (OPR) to amend its "General Plan Guidelines" to include advice to local governments on how to consult with California Native American Tribes.

On March 1, 2005, OPR issued interim guidelines and on April 15, 2005 issued "Tribal Consultation Guidelines." On November 14, 2005, OPR issued "Tribal Consultation Guidelines Supplement to General Plan Guidelines" (2005 Supplement). In accordance with the statutory requirements of SB 18, the 2005 Supplement (also known as Tribal Consultation Guidelines) provides advisory guidance to cities and counties on the process for consulting with Native American Indian tribes during the adoption or amendment of local general plans or specific plans.

For purposes of consultation with tribes, as required by Sections 65352.3 and 65562.5 of the California Government Code (CGC), the NAHC maintains a list of California Native American Tribes with whom local governments must consult. The "California Tribal Consultation List" is developed and maintained by the NAHC under authority granted under Sections 65092, 65352, and 65352.3 of the CGC. Section 65352.3 requires local governments to consult with tribes prior to the adoption or amendment of a general plan or specific plan proposed on or after March 1, 2005. As specified therein, only if a tribe is identified by the NAHC and that tribe requests consultation after being contacted by a local government must a local government consult with the tribe on the plan proposal.

### **Notification and Outreach Efforts**

In accordance with the "Tribal Consultation Guidelines," the City has fully complied with all applicable noticing requirements with regards to tribal outreach efforts, including: (1) on February 1, 2008, sending a "Local Government Tribal Consultation List Request" to the NAHC; (2) on February 1, 2008, sending copies of the "Notice of Preparation" (NOP) to the NAHC and to the following tribal organizations: (a) the Gabrieleño/Tongva Tribal Council, (b) the Gabrieleño-Tongva Nation, and (c) the Gabrieliño Band of Mission Indians; and (3) on June 19, 2009, sending copies of the "Notice of Completion" (NOC) to the NAHC and to the following tribal organizations: (a) the Gabrieleño/Tongva Tribal Council, (b) the Gabrieleño Tongva Nation, and (c) the Gabrieliño Band of Mission Indians. It is noted that the NAHC never responded to the City's initial outreach efforts. In the absence of a response from the NAHC to the City's "Local Government Tribal Consultation List Request," the tribal contact information and mailing list was obtained from the NAHC website. No responses to any of the above referenced notices were received from the NAHC and/or from any tribal organization.

Copies of the Lead Agency's "Local Government Tribal Consultation List Request" and NOP are included in the DEIR. A copy of the NOC is included in the "Response to Comments on the Draft Environmental Impact Report for the 'Site D' Specific Plan" (RTC).

In addition, as indicated in the DEIR, PCR Services Corporation (PCR) separately undertook consultation with the NAHC and with "Native American groups and individuals identified by the NAHC" (Appendix K, p. 15). In the preparation of this letter, EIS asked PCR to provide clarification of its actions. PCR provided the following response:

As part of our cultural resources assessment of the Site D project, PCR commissioned a Sacred Lands File (SLF) records search of the study area through the California Native American Heritage Commission (NAHC) on October 8, 2007. The NAHC SLF records search results did not indicate any known Native American cultural resources within the study area or surrounding vicinity (see attached letter from NAHC). As per NAHC suggested procedure, follow-up letters were sent via certified mail on November 21, 2007 to the eight individuals and organizations identified by the NAHC as being affiliated with the vicinity of the study area to request any additional information or concerns they may have about Native American cultural resources that may be affected by the proposed Site D development (see attached list and letters). Each Native American group and/or individual listed was sent a project notification letter and map and was asked to convey any Native American issues or concerns with the proposed project. The letter included information such as study area location and a brief description of the proposed development. As of today (in our report it

states 'as of February 22, 2008'), PCR has not received a response from any of the Native American individuals or organizations.

A copy of the NAHC's response letter to PCR's SLF records search, dated October 10, 2007, is included in Exhibit 1 (Native American Heritage Commission Letter [October 10, 2007]) and copies of correspondence from PCR, dated November 21, 2007, to each of the tribal organizations identified by the NAHC are included in Exhibit 2 (Solicitations for Tribal Participation [November 21, 2007]) herein. As evidenced by the extent of Lead Agency efforts, the City fully complied with all outreach and consultation obligations concerning the NAHC and California Native American Tribes. Any allegations to the contrary are, therefore, unfounded.

#### **Request for a Native American Monitor**

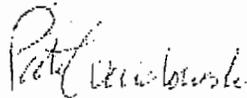
In correspondence dated May 23, 2010, the Tribe stated that "we as a tribe find it imperative to have a NA [Native American] monitor on the site during all excavation/ground disturbances. No exceptions as [sic] accepted." EIS believes that no basis exists to support that request.

Based on the findings of a records search and field reconnaissance survey, the DEIR concluded: "No prehistoric archaeological resources have been previously recorded within one mile of the project site and no prehistoric resources were identified on the subject property during the pedestrian survey. Prehistoric sites identified in the general project vicinity consist of relatively small collections of surface artifacts. The distribution of subsurface prehistoric deposits in the vicinity is unknown. Given the lack of prehistoric materials identified on the surface of the project site and surrounding radius, in light of multiple previous surrounding studies, the potential for subsurface prehistoric deposits in the study area appears to be low" (p. 4.11-15). Although the potential for prehistoric deposits was deemed to be low, based on the site's associations with Frederick E. Lewis (owner and operator the Diamond Bar Ranch from 1918 until 1946) and the early ranching history of southern California, the potential exists for unearthing historic artifacts during initial site grading and grubbing operations.

The DEIR included a mitigation measure (Mitigation Measure 11-1) requiring that a "qualified archaeologist" be present to monitor initial vegetation removal activities. The on-site presence of a qualified archaeologist will ensure that, should any prehistoric and/or historic features be identified, appropriate actions are taken to protect those features in accordance with applicable statutory and regulatory obligations.

EIS believes that no further actions are necessary with regards to the Tribe's letter.

Sincerely,



Peter Lewandowski, Principal

Exhibits: (1) Native American Heritage Commission Letter (October 10, 2007)  
(2) Solicitations for Tribal Participation (November 21, 2007)

STATE OF CALIFORNIA

Arnold Schwarzenegger, Governor

**NATIVE AMERICAN HERITAGE COMMISSION**

915 CAPITOL MALL, ROOM 354  
SACRAMENTO, CA 95814  
(916) 653-6251  
Fax (916) 657-5390  
Web Site [www.nahc.ca.gov](http://www.nahc.ca.gov)  
e-mail: [ds\\_nahc@pacbell.net](mailto:ds_nahc@pacbell.net)



October 10, 2007

Mr. Kyle Garcia, Associate Archaeologist  
**PCR SERVICES CORPORATION**  
One Venture, Suite 150  
Irvine, CA 92618

Sent by FAX to: 949-753-7002  
Number of pages: 2

Re: Cultural Resource Identification Study/Sacred Lands File Search for Site D Project: City of Diamond Bar, Los Angeles County, California

Dear Mr. Garcia:

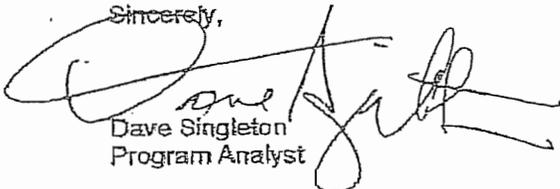
The Native American Heritage Commission was able to perform a record search of its Sacred Lands File (SLF) for the affected project area. The SLF failed to indicate the presence of Native American cultural resources in the immediate project area. The absence of specific site information in the Sacred Lands File does not guarantee the absence of cultural resources in any 'area of potential effect (APE).'

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries once a project is underway. Enclosed are the nearest tribes that may have knowledge of cultural resources in the project area. A List of Native American contacts are attached to assist you. The Commission makes no recommendation of a single individual or group over another. It is advisable to contact the person listed; if they cannot supply you with specific information about the impact on cultural resources, they may be able to refer you to another tribe or person knowledgeable of the cultural resources in or near the affected project area (APE).

Lack of surface evidence of archeological resources does not preclude the existence of archeological resources. Lead agencies should consider avoidance, as defined in Section 15370 of the California Environmental Quality Act (CEQA) when significant cultural resources could be affected by a project. Also, Public Resources Code Section 5097.98 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be followed in the event of an accidental discovery of any human remains in a project location other than a 'dedicated cemetery. Discussion of these should be included in your environmental documents, as appropriate.

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,

  
Dave Singleton  
Program Analyst

Attachment: Native American Contact List

**Native American Contacts  
Los Angeles County  
October 10, 2007**

LA City/County Native American Indian Comm  
Ron Andrade, Director  
3175 West 6th Street, Rm. 403  
Los Angeles , CA 90020  
(213) 351-5324  
(213) 386-3995 FAX

Gabrielino/Tongva Council / Gabrielino Tongva Nation  
Sam Dunlap, Tribal Secretary  
761 Terminal Street, Bldg 1, 2nd floor Gabrielino Tongva  
Los Angeles , CA 90021  
office @tongvatribes.net  
(213) 489-5001 - Officer  
(909) 262-9351 - cell  
(213) 489-5002 Fax

Ti'At Society  
Cindi Alvitre  
6602 Zetzah Avenue  
Reseda , CA 91335  
calvitre@yahoo.com  
(714) 504-2468 Cell

Gabrielino Band of Mission Indians of CA  
Ms. Susan Frank  
PO Box 3021  
Beaumont , CA 92223  
(951) 897-2536 Phone/Fax

Tongva Ancestral Territorial Tribal Nation  
John Tommy Rosas, Tribal Administrator  
4712 Admiralty Way, Suite 172  
Marina Del Rey , CA 90292  
310-570-6567

Gabrielino Tongva Indians of California Tribal Council  
Robert Dorame, Tribal Chair/Cultural Resources  
5450 Slauson, Ave, Suite 151 PMB  
Culver City , CA 90230  
gtongva@verizon.net  
562-761-6417 - voice  
562-920-9449 - fax

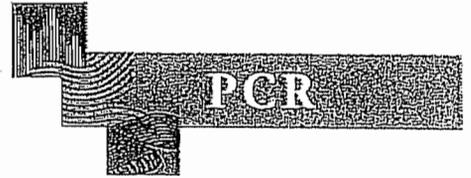
Gabrielino/Tongva Tribal Council  
Anthony Morales, Chairperson  
PO Box 693  
San Gabriel , CA 91778  
ChiefRBWife@aol.com  
(626) 286-1632  
(626) 286-1758 - Home  
(626) 286-1262 Fax

Gabrielino Tongva Indians of California Tribal Council  
Mercedes Dorame, Tribal Administrator  
PO Box 590809  
San Francisco , CA 94159  
Pluto05@hotmail.com

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5037.54 of the Public Resources Code and Section 5037.93 of the Public Resources Code.

This list is only applicable for contacting local Native American with regard to cultural resources for the proposed Diamond Bar Site D Project, located in southeastern Los Angeles County, California for which a Sacred Lands File search and Native American Contact list was requested.



November 21, 2007

Ron Andrade, Director  
**LA CITY/COUNTY NATIVE AMERICAN INDIAN COMM.**  
3175 West 6<sup>th</sup> Street, Rm. 403  
Los Angeles, CA 90020

**Re: PROPOSED DIAMOND BAR-SITE D PROJECT, LOS ANGELES COUNTY,  
CALIFORNIA**

Dear Mr. Andrade:

PCR Services Corporation (PCR) is conducting a cultural resources investigation for the proposed Diamond Bar-Site D project in the City of Diamond, County of Los Angeles, California. The proposed development of the approximately 30-acre area includes the installation of residential and commercial buildings dividing the project site in half. Both the residential and commercial buildings will take up approximately 10.1 acres of the project site leaving the remaining acreage for the development of streets, off-streets, parkway separated walks and on-street bike trails. As part of this effort, and in compliance with federal, state and local environmental regulations, we are writing to invite your comments and concerns with respect to the cultural research process.

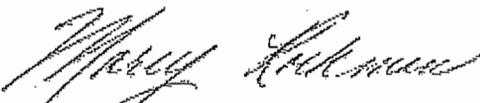
In order to ensure that any areas containing cultural resources or sacred lands are considered, PCR requests any information you are willing to share regarding Native American resources (including properties, places, or archaeological sites) in the vicinity of the project site that may be affected by the proposed project. The project site is located in:

Township 2 South, Range 9 West, Section 29, of the Yorba Linda, CA 1964 (photo-revised 1981) 7.5' USGS Quadrangle.

The project site is also illustrated on the enclosed map.

Thank you for your cooperation and assistance with our efforts to address Native American concerns that may be raised by the proposed project. If you have any questions or would like additional information, please contact me at (310) 451-4488 or via email at [m.rockman@pcrnet.com](mailto:m.rockman@pcrnet.com).

Sincerely,  
**PCR SERVICES CORPORATION**

  
Marcy Rockman, Ph.D.  
Acting Director/Principal Archaeologist



November 21, 2007

Cindi Alvitre  
**TI'AT SOCIETY**  
6602 Zekzah Avenue  
Reseda, CA 91335

**Re: PROPOSED DIAMOND BAR-SITE D PROJECT, LOS ANGELES COUNTY,  
CALIFORNIA**

Dear Ms. Alvitre:

**PCR Services Corporation (PCR)** is conducting a cultural resources investigation for the proposed Diamond Bar-Site D project in the City of Diamond, County of Los Angeles, California. The proposed development of the approximately 30-acre area includes the installation of residential and commercial buildings dividing the project site in half. Both the residential and commercial buildings will take up approximately 10.1 acres of the project site leaving the remaining acreage for the development of streets, off-streets, parkway separated walks and on-street bike trails. As part of this effort, and in compliance with federal, state and local environmental regulations, we are writing to invite your comments and concerns with respect to the cultural research process.

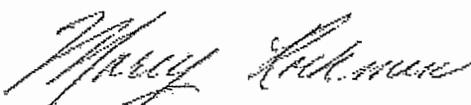
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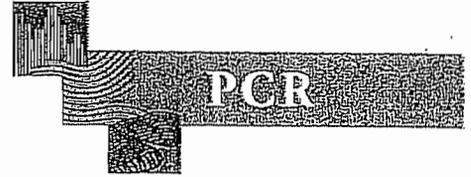
Township 2 South, Range 9 West, Section 29, of the Yorba Linda, CA 1964 (photo-revised 1981) 7.5' USGS Quadrangle.

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Sincerely,  
**PCR SERVICES CORPORATION**

  
Marcy Rockman, Ph.D.  
Acting Director/Principal Archaeologist



November 21, 2007

John Tommy Rosas, Tribal Administrator  
**TONGVA ANCESTRAL TERRITORIAL TRIBAL NATION**  
4712 Admiralty Way, Suite 172  
Marina del Rey, CA 90292

**Re: PROPOSED DIAMOND BAR-SITE D PROJECT, LOS ANGELES COUNTY,  
CALIFORNIA**

Dear Mr. Rosas:

PCR Services Corporation (PCR) is conducting a cultural resources investigation for the proposed Diamond Bar-Site D project in the City of Diamond, County of Los Angeles, California. The proposed development of the approximately 30-acre area includes the installation of residential and commercial buildings dividing the project site in half. Both the residential and commercial buildings will take up approximately 10.1 acres of the project site leaving the remaining acreage for the development of streets, off-streets, parkway separated walks and on-street bike trails. As part of this effort, and in compliance with federal, state and local environmental regulations, we are writing to invite your comments and concerns with respect to the cultural research process.

In order to ensure that any areas containing cultural resources or sacred lands are considered, PCR requests any information you are willing to share regarding Native American resources (including properties, places, or archaeological sites) in the vicinity of the project site that may be affected by the proposed project. The project site is located in:

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Thank you for your cooperation and assistance with our efforts to address Native American concerns that may be raised by the proposed project. If you have any questions or would like additional information, please contact me at (310) 451-4488 or via email at [m.rockman@pcrnet.com](mailto:m.rockman@pcrnet.com).

Sincerely,

**PCR SERVICES CORPORATION**

A handwritten signature in cursive script, appearing to read "Marcy Rockman".

Marcy Rockman, Ph.D.  
Acting Director/Principal Archaeologist



November 21, 2007

Anthony Morales, Chairperson  
**GABRIELENO/TONGVA TRIBAL COUNCIL**  
P.O. Box 693  
San Gabriel, CA 91778

**Re: PROPOSED DIAMOND BAR-SITE D PROJECT, LOS ANGELES COUNTY,  
CALIFORNIA**

Dear Mr. Morales:

**PCR Services Corporation (PCR)** is conducting a cultural resources investigation for the proposed Diamond Bar-Site D project in the City of Diamond, County of Los Angeles, California. The proposed development of the approximately 30-acre area includes the installation of residential and commercial buildings dividing the project site in half. Both the residential and commercial buildings will take up approximately 10.1 acres of the project site leaving the remaining acreage for the development of streets, off-streets, parkway separated walks and on-street bike trails. As part of this effort, and in compliance with federal, state and local environmental regulations, we are writing to invite your comments and concerns with respect to the cultural research process.

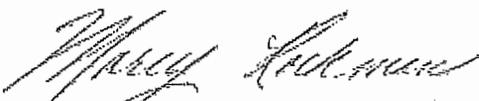
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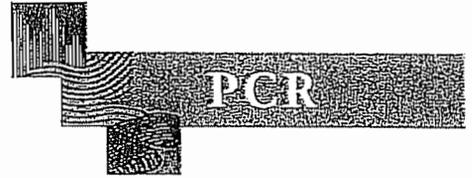
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The project site is also illustrated on the enclosed map.

Thank you for your cooperation and assistance with our efforts to address Native American concerns that may be raised by the proposed project. If you have any questions or would like additional information, please contact me at (310) 451-4488 or via email at [m.rockman@pcrnet.com](mailto:m.rockman@pcrnet.com).

Sincerely,  
**PCR SERVICES CORPORATION**

  
Marcy Rockman, Ph.D.  
Acting Director/Principal Archaeologist



November 21, 2007

Sam Dunlap, Tribal Secretary  
**GABRIELINO/TONGVA COUNCIL/  
GABRIELINO TONGVA NATION**  
761 Terminal Street, Building 1, 2<sup>nd</sup> Floor  
Los Angeles, CA 90021

**Re: PROPOSED DIAMOND BAR-SITE D PROJECT, LOS ANGELES COUNTY,  
CALIFORNIA**

Dear Mr. Dunlap:

**PCR Services Corporation (PCR)** is conducting a cultural resources investigation for the proposed Diamond Bar-Site D project in the City of Diamond, County of Los Angeles, California. The proposed development of the approximately 30-acre area includes the installation of residential and commercial buildings dividing the project site in half. Both the residential and commercial buildings will take up approximately 10.1 acres of the project site leaving the remaining acreage for the development of streets, off-streets, parkway separated walks and on-street bike trails. As part of this effort, and in compliance with federal, state and local environmental regulations, we are writing to invite your comments and concerns with respect to the cultural research process.

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Thank you for your cooperation and assistance with our efforts to address Native American concerns that may be raised by the proposed project. If you have any questions or would like additional information, please contact me at (310) 451-4488 or via email at [m.rockman@pcrnet.com](mailto:m.rockman@pcrnet.com).

Sincerely,  
**PCR SERVICES CORPORATION**

A handwritten signature in cursive script, appearing to read "Marcy Rockman".

Marcy Rockman, Ph.D.  
Acting Director/Principal Archaeologist



November 21, 2007

Ms. Susan Frank  
**GABRIELINO BAND OF MISSION INDIANS OF CA**  
P.O. Box 3021  
Beaumont, CA 92223

**Re: PROPOSED DIAMOND BAR-SITE D PROJECT, LOS ANGELES COUNTY,  
CALIFORNIA**

Dear Ms. Frank:

**PCR Services Corporation (PCR)** is conducting a cultural resources investigation for the proposed Diamond Bar-Site D project in the City of Diamond, County of Los Angeles, California. The proposed development of the approximately 30-acre area includes the installation of residential and commercial buildings dividing the project site in half. Both the residential and commercial buildings will take up approximately 10.1 acres of the project site leaving the remaining acreage for the development of streets, off-streets, parkway separated walks and on-street bike trails. As part of this effort, and in compliance with federal, state and local environmental regulations, we are writing to invite your comments and concerns with respect to the cultural research process.

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Sincerely,  
**PCR SERVICES CORPORATION**

A handwritten signature in cursive script, appearing to read 'Marcy Rockman'.

Marcy Rockman, Ph.D.  
Acting Director/Principal Archaeologist



November 21, 2007

Robert Dorame, Tribal Chair/Cultural Resources  
**GABRIELINO TONGVA INDIANS OF  
CALIFORNIA TRIBAL COUNCIL**  
5450 Slauson Ave., Suite 151 PMB  
Culver City, CA 90230

**Re: PROPOSED DIAMOND BAR-SITE D PROJECT, LOS ANGELES COUNTY,  
CALIFORNIA**

Dear Mr. Dorame:

PCR Services Corporation (PCR) is conducting a cultural resources investigation for the proposed Diamond Bar-Site D project in the City of Diamond, County of Los Angeles, California. The proposed development of the approximately 30-acre area includes the installation of residential and commercial buildings dividing the project site in half. Both the residential and commercial buildings will take up approximately 10.1 acres of the project site leaving the remaining acreage for the development of streets, off-streets, parkway separated walks and on-street bike trails. As part of this effort, and in compliance with federal, state and local environmental regulations, we are writing to invite your comments and concerns with respect to the cultural research process.

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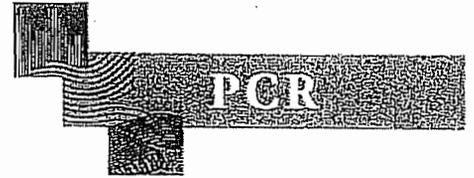
The project site is also illustrated on the enclosed map.

Thank you for your cooperation and assistance with our efforts to address Native American concerns that may be raised by the proposed project. If you have any questions or would like additional information, please contact me at (310) 451-4488 or via email at [m.rockman@pcrnet.com](mailto:m.rockman@pcrnet.com).

Sincerely,  
PCR SERVICES CORPORATION

A handwritten signature in cursive script, appearing to read 'Marcy Rockman', written in dark ink.

Marcy Rockman, Ph.D.  
Acting Director/Principal Archaeologist



November 21, 2007

Mercedes Dorame, Tribal Administrator  
**GABRIELINO TONGVA INDIANS OF  
CALIFORNIA TRIBAL COUNCIL**  
P.O. Box 590809  
San Francisco, CA 94159

**Re: PROPOSED DIAMOND BAR-SITE D PROJECT, LOS ANGELES COUNTY,  
CALIFORNIA**

Dear Ms. Dorame:

PCR Services Corporation (PCR) is conducting a cultural resources investigation for the proposed Diamond Bar-Site D project in the City of Diamond, County of Los Angeles, California. The proposed development of the approximately 30-acre area includes the installation of residential and commercial buildings dividing the project site in half. Both the residential and commercial buildings will take up approximately 10.1 acres of the project site leaving the remaining acreage for the development of streets, off-streets, parkway separated walks and on-street bike trails. As part of this effort, and in compliance with federal, state and local environmental regulations, we are writing to invite your comments and concerns with respect to the cultural research process.

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Sincerely,  
**PCR SERVICES CORPORATION**

A handwritten signature in cursive script, appearing to read "Marcy Rockman".

Marcy Rockman, Ph.D.  
Acting Director/Principal Archaeologist

# Attachment 5

## MINUTES OF THE CITY COUNCIL REGULAR MEETING OF THE CITY OF DIAMOND BAR JUNE 15, 2010

**CALL TO ORDER:** Mayor Herrera called the Regular City Council meeting to order at 6:30 p.m. in The Government Center/SCAQMD Auditorium, 21865 Copley Dr., Diamond Bar, CA.

**PLEDGE OF ALLEGIANCE:** Mayor Herrera led the Pledge of Allegiance.

**INVOCATION:** Pastor Mark Hopper, Evangelical Free Church, gave the invocation.

**ROLL CALL:** Council Members Ling-Ling Chang, Ron Everett, Jack Tanaka, Mayor Pro Tem Steve Tye and Mayor Carol Herrera.

**Staff Present:** James DeStefano, City Manager; David Doyle, Asst. City Manager; Michael Jenkins, City Attorney; Ken Desforges, IS Director; David Liu, Public Works Director; Bob Rose, Community Services Director; Linda Magnuson, Finance Director; Ryan McLean, Assistant to the City Manager; Greg Gubman, Community Development Director; Natalie Tobon, Planning Technician; Christian Malpica-Perez, Associate Engineer (Traffic); Kimberly Molina, Associate Engineer; Patrick Gallegos, Management Analyst; Anthony Santos, Management Analyst; Cecilia Arellano, Public Information Coordinator, and Tommye Cribbins, City Clerk.

**Also Present:** Mark Rogers, TRG Land and Peter Lewandowski, Environmental Impact Sciences (consultants for Site D)

**APPROVAL OF AGENDA:** As Presented.

### 1. SPECIAL PRESENTATIONS, CERTIFICATES, PROCLAMATIONS

- 1.1 Steve Remige, President of Association for Los Angeles Deputy Sheriffs, (ALADS), presented a plaque to the City Council as a thank you to the City for its ongoing support for quality public safety services. Lt. Maxey joined the Council for the photo opportunity.

### NEW BUSINESS OF THE MONTH:

- 1.2 MPT/Tye presented City Tiles to Charlie Cobb, Manager and Bob Chu, owner of Burger King located at 2711 S. Diamond Bar Blvd. and 527 S. Grand Ave., as Business of the Month.

2. **CITY MANAGER REPORTS AND RECOMMENDATIONS:** None Offered.

### 3. PUBLIC COMMENTS:

Allen Wilson asked the Council to amend its City Charter to forbid City Council Members from participating in CalPers, collecting medical

retirement and other "perks".

Jessee Lantz, Librarian, spoke about the Diamond Bar Library's summer reading programs.

**4. RESPONSE TO PUBLIC COMMENTS:**

CM/DeStefano responding to Mr. Wilson, stated that the incidents that have occurred in other San Gabriel Valley cities involving Council Members is certainly not reflective of the City of D.B. The five members that currently serve and the 14 members prior to these five have served with honor and dignity for the City and its residents extraordinarily well over the past 21 years. The speaker referred to the need to develop an ordinance or to draft a Charter amendment with respect to the potential for City Council Members seeking unemployment benefits after they have concluded their service. D.B. is not a Charter City. D.B. is a General Law City and therefore must follow State Law. There are agencies outside of the City of D.B. that determine whether unemployment benefits are appropriate for former City Council Members. At this point there is no need for any follow up. To reiterate, this type of behavior is not reflective of the history of D.B.

**5. SCHEDULE OF FUTURE EVENTS:**

- 5.1 Planning Commission Meeting – June 22, 2010 – 7:00 p.m., AQMD/Government Center Auditorium, 21865 Copley Dr.
- 5.2 Parks and Recreation Commission Meeting – June 24, 2010 – 7:00 p.m., AQMD/Government Center Hearing Board Room, 21865 Copley Dr.
- 5.3 4<sup>th</sup> of July Blast – July 4, 2010 – 5:00 p.m., Diamond Bar High School, 21400 Pathfinder Rd. Music and Entertainment begin at 5:30 p.m. - Fireworks begin at 9:00 p.m. Free parking and shuttle service is available from the Cal Trans Park and Ride on Pathfinder Rd.
- 5.4 4<sup>th</sup> of July Holiday – Monday, July 5, 2010 – City Offices closed in observance of 4<sup>th</sup> of July. Offices reopen Tuesday, July 6, 2010 at 7:30 a.m.
- 5.5 City Council Meeting – July 6, 2010 – 6:30 p.m., AQMD/Government Center Auditorium, 21865 Copley Dr.
- 5.6 Concerts in the Park – July 7, 2010 – 6:30 to 8:00 pm, "The Answer" (Classic Rock) – Sycamore Canyon Park, 22930 Golden Springs Dr.

5.7 Movies Under the Stars – July 7, 2010 – Planet 51 – Immediately following Concerts in the Park, Sycamore Canyon Park, 22930 Golden Springs Dr.

6. **CONSENT CALENDAR:** C/Tanaka moved, C/Everett seconded, to approve the Consent Calendar as presented. Motion carried by the following Roll Call:

AYES: COUNCIL MEMBERS: Chang, Everett, Tanaka, MPT/Tye  
M/Herrera  
NOES: COUNCIL MEMBERS: None  
ABSENT: COUNCIL MEMBERS: None

6.1 APPROVED CITY COUNCIL MINUTES

6.1.1 Study Session of May 18, 2010 – as submitted.

6.1.2 Regular Meeting of May 18, 2010 – as submitted.

6.2 RECEIVED AND FILED PLANNING COMMISSION MINUTES – Regular Meeting of May 11, 2010.

6.3 RECEIVED AND FILED PARKS AND RECREATION COMMISSION MINUTES – Regular Meeting of April 22, 2010.

6.4 RECEIVED AND FILED TRAFFIC AND TRANSPORTATION COMMISSION MINUTES – Regular Meeting of March 11, 2010.

6.5 RATIFIED CHECK REGISTER – Dated May 14, 2010 through June 8, 2010 totaling \$1,312,182.17.

6.6 APPROVED TREASURER'S STATEMENT – Month of April 2010.

6.7 CITY MANAGER'S DEPARTMENT:

a) ADOPTED RESOLUTION NO. 2010-18: DECLARING THE CITY'S SUPPORT FOR AN ENERGY PARTNERSHIP BETWEEN SOUTHERN CALIFORNIA EDISON AND THE CITY OF D.B.

b) ADOPTED RESOLUTION NO. 2010-19: CONSENTING TO INCLUSION OF PROPERTIES WITHIN THE INCORPORATED AREA OF THE CITY IN THE LOS ANGELES COUNTY ENERGY PROGRAM TO FINANCE DISTRIBUTED GENERATION RENEWABLE ENERGY SOURCES AND ENERGY AND WATER EFFICIENCY IMPROVEMENTS, APPROVING THE REPORT SETTING FORTH THE PARAMETERS OF THE REFERENCED PROGRAM AND CERTAIN MATTERS IN CONNECTION THEREWITH.

c) APPROVED CONTRACT AMENDMENT WITH FIELDMAN/ROLAPP & ASSOCIATES.

d) APPROVED THE CITY'S PARTICIPATION IN THE 2010 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM.

e) APPROVED COST OF LIVING INCREASE TO THE HOURLY RATES FOR THE CITY ATTORNEY JENKINS & HOGIN.

6.8 COMMUNITY DEVELOPMENT DEPARTMENT'S REQUESTS:

a) APPROVED AMENDMENT NO. 4 TO THE CONSULTING SERVICES AGREEMENT WITH DIANA CHO AND ASSOCIATES FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) LABOR AND CONTRACT COMPLIANCE SERVICES IN THE AMOUNT OF \$3,000 FOR FY 2009-10.

b) APPROVED CONTRACT WITH DIANA CHO AND ASSOCIATES FOR CDBG CONTRACT ADMINISTRATIVE SERVICES FOR A NOT-TO-EXCEED AMOUNT OF \$25,000 FOR FY 2010-11.

c) APPROVED AMENDMENT NO. 1 TO THE CITY'S AGREEMENT FOR LEGAL SERVICES IN CONJUNCTION WITH CODE ENFORCEMENT WITH DAPEER, ROSENBLIT & LITVAK, LLP.

6.9 PUBLIC WORKS DEPARTMENT:

a) APPROVED CONTRACT WITH REPUBLIC ITS FOR TRAFFIC SIGNAL MAINTENANCE SERVICES FOR THREE FISCAL YEARS (FY 2010-2011, FY 2011-2012 AND FY 2012-13).

b) APPROVED PLANS AND SPECIFICATIONS AND AWARDED CONSTRUCTION CONTRACT WITH RJ NOBLE COMPANY FOR RESIDENTIAL AREA 6 (NORTH OF SR 60 FWY AND EAST OF DIAMOND BAR BOULEVARD) RESIDENTIAL ROAD MAINTENANCE PROJECT IN THE AMOUNT OF \$908,712; AND AUTHORIZED A CONTINGENCY AMOUNT OF \$91,000 FOR CONTRACT CHANGE ORDERS TO BE APPROVED BY THE CITY MANAGER, FOR A TOTAL AUTHORIZATION AMOUNT OF \$999,712.

c) APPROVED NOTICE OF COMPLETION FOR PREVENTATIVE STREET MAINTENANCE PROGRAM (ZONE 3 AND ZONE 4 ARTERIAL STREET REHABILITATION PROJECT) FEDERAL

PROJECT NO. ESPL-5455(013).

- d) APPROVED PLANS AND SPECIFICATIONS AND AWARDED CONSTRUCTION CONTRACT FOR PATHFINDER MEDIAN PROJECT BETWEEN THE NORTHBOUND STATE ROUTE 57 ON/OFF RAMP AND FERN HOLLOW DRIVE IN THE AMOUNT OF \$89,937.50 TO KASA CONSTRUCTION AND AUTHORIZED A CONTINGENCY AMOUNT OF \$18,000 FOR CHANGE ORDERS TO BE APPROVED BY THE CITY MANAGER FOR A TOTAL AUTHORIZATION AMOUNT OF \$107,937.50.
- e) APPROVED PLANS AND SPECIFICATIONS AND AWARDED CONSTRUCTION CONTRACT FOR THE DIAMOND BAR BOULEVARD RAISED MEDIAN MODIFICATION PROJECT (IN FRONT OF THE DIAMOND BAR POST OFFICE) IN THE AMOUNT OF \$54,843.50 TO ELITE COMPANIES US, INC. AND AUTHORIZED A CONTINGENCY AMOUNT OF \$5,500 FOR CONTRACT CHANGE ORDERS TO BE APPROVED BY THE CITY MANAGER, FOR A TOTAL AUTHORIZATION AMOUNT OF \$60,343.50.
- f) APPROVED NOTICE OF COMPLETION FOR TRAFFIC SIGNAL BATTERY BACKUP SYSTEM PROJECT.

6.10 COMMUNITY SERVICES DEPARTMENT'S REQUESTS:

- a) APPROVED INCREASE IN CONTRACT AMOUNT FOR MEGA WAY ENTERPRISES IN THE AMOUNT OF \$3,731 FOR CONSTRUCTION OF SYCAMORE CANYON TRAIL PROJECT – PHASE III.
- b) ADOPTED RESOLUTION NO. 2010-20: APPROVING SUBMITTAL OF A GRANT APPLICATION FOR FUNDING TO CONSTRUCT FREESTANDING OUTDOOR INTERPRETIVE EXHIBITS ALONG SYCAMORE CANYON PARK TRAIL.

6.11 IS DEPARTMENT'S REQUESTS:

- a) AUTHORIZED THE CITY MANAGER TO EXECUTE A FIVE YEAR AGREEMENT WITH COMPUCOM FOR MICROSOFT ENTERPRISE AGREEMENT IN AN AMOUNT NOT-TO-EXCEED \$105,651.65 (\$21,130.33 ANNUALLY).
- b) AUTHORIZED THE CITY MANAGER TO PURCHASE VARIOUS NETWORKING EQUIPMENT AND COMPUTER HARDWARE FROM CDWG, IN FY 2010-11 FOR AN AMOUNT NOT-TO-EXCEED \$181,000.

6.12 FINANCE DEPARTMENT'S REQUESTS:

- a) ADOPTED RESOLUTION NO. 2010-21: SETTING PROPOSITION 4 (GANN) APPROPRIATIONS LIMIT FOR FY 2010-11 IN ACCORDANCE WITH THE PROVISIONS OF DIVISION 9 OF TITLE 1 OF THE GOVERNMENT CODE.
- b) ADOPTED RESOLUTION NO. 2010-22: ADOPTING THE STATEMENT OF INVESTMENT POLICY FOR FISCAL YEAR 2010-11.

7. PUBLIC HEARINGS:

7.1 PUBLIC HEARINGS FOR LIGHTING AND LANDSCAPE DISTRICT NO'S 38, 39 AND 41:

- a) ADOPT RESOLUTION NO. 2010-23: LEVYING AN ASSESSMENT ON THE CITY OF DIAMOND BAR'S LANDSCAPING ASSESSMENT DISTRICT NO. 38 FOR FY 2010-11.
- b) ADOPT RESOLUTION NO. 2010-24: LEVYING AN ASSESSMENT ON THE CITY OF DIAMOND BAR'S LANDSCAPING ASSESSMENT DISTRICT NO. 39 FOR THE FY 2010-11.
- c) ADOPT RESOLUTION NO. 2010-25: LEVYING AN ASSESSMENT ON THE CITY OF DIAMOND BAR'S LANDSCAPING ASSESSMENT DISTRICT NO. 41 FOR THE FY 2010-11.

PWD/Liu reported that the City has an annual maintenance program for landscaping and open space improvements for District's 38, 39 and 41.

District 38 has a proposed levy rate of \$15 per parcel which will generate about \$268,000 in assessment for FY 2010-11. This assessment rate of \$15 per parcel has remained the same since the date of incorporation in 1989. As a result of the rising operational and maintenance costs of the district the City has been using its General Fund to maintain service levels. For FY 2010-11 \$14,867 from the General Fund is proposed to be used to pay for the operation and maintenance costs in District 38. Not reflected in the District 38 budget is \$36,100 from the General Fund for personnel service costs. The total annual budget for District 38 is \$282,617. Landscaping improvements maintained by District 38 include an estimated 17,850 parcels and parkways and medians

throughout the City for a total area of approximately 10.34 acres. Staff recommends that the assessment district amount of \$15 for each assessable lot within District 38 be confirmed and that the resolution levying an assessment for FY 2010-11 be adopted.

District 39 has a proposed levy rate of \$130 per parcel which will generate approximately \$164,190 in assessments. Similar to District 38, costs have outpaced the revenues and the current assessment rate is inadequate to maintain and improve District 39 without utilizing the General Fund. For FY 2010-11, \$57,042 General Fund monies are proposed to pay for the operation and maintenance costs and \$36,100 General Fund monies for personnel services costs. The District budget totals \$221,232. Landscaping improvements maintained by District 39 include the mini parks, slopes and open space area within the district consisting of a total maintenance area of almost 61 acres. The estimated number of parcels within the District is 1,263. Staff is recommending that District 39 assessment value of \$130 per parcel be confirmed and that the resolution levying an assessment for FY 2010-11 be adopted by the City Council.

District 41 has a proposed levy rate of \$220.50 which will generate approximately \$122,157 in assessments. This assessment is inadequate to maintain and improve District 41 without utilizing the General Fund. For FY 2010-11, \$20,000 of Prop A State Park funds are proposed to pay for the operation and maintenance costs and \$36,100 of General Fund for personnel services costs. The District budget totals \$183,368. Landscaping improvements to be maintained by District 41 include slopes and open space consisting of a total maintenance area of almost 16 acres. The estimated number of parcels within the District is 554. Staff recommends that the assessment amount of \$220.50 for each assessable lot within District 41 to be confirmed and that the resolution levying an assessment for FY 2010-11 be adopted.

M/Herrera opened the Public Hearing at 7:11 p.m.

With no one present who wished to speak on this item, M/Herrera closed the Public Hearing at 7:12 p.m.

MPT/Tye thanked PWD/Liu for his comprehensive report. He reiterated that the assessment rates remain the same as the rate applied at the date of D.B.'s incorporation 21 years ago.

C/Everett asked why the report refers to "estimated" parcel numbers rather than exact numbers.

PWD/Liu stated that staff confirmed the number of parcels within each assessment district with the help of the City's Assessment Engineer and the numbers presented to Council are close to the latest available information. "Estimates" are used to convey staff's report is as close to reality as possible based on information available at the time of the survey.

C/Everett moved, C/Tanaka seconded, to adopt Resolution 2010-23, 2010-24 and 2010-25 as presented by staff. Motion carried by the following Roll Call vote:

AYES:	COUNCIL MEMBERS:	Chang, Everett, Tanaka, MPT/Tye, M/Herrera
NOES:	COUNCIL MEMBERS:	None
ABSENT:	COUNCIL MEMBERS:	None

7.2 A PUBLIC HEARING TO CONSIDER VARIOUS ACTIONS PERTAINING TO SITE D (A SITE COMPRISED OF APPROXIMATELY 30.36 ACRES LOCATED AT THE SOUTHEAST CORNER OF BREA CANYON ROAD AND DIAMOND BAR BOULEVARD, DIAMOND BAR, CA (ASSESSORS PARCEL NUMBERS 8714-002-900, 8714-002-901, 8714-002-902, 8714-002-903 AND 8714-015-001) INCLUDING GENERAL PLAN AMENDMENT NO. 2007-03, ZONE CHANGE NO. 2007-04, SPECIFIC PLAN NO. 2007-01 ("SITE D SPECIFIC PLAN"), TENTATIVE TRACT MAP NO. 70687, AND CONSIDERATION OF CERTIFICATION OF ENVIRONMENTAL IMPACT REPORT 2007-02 (SCH NO. 2008021014).

a) RESOLUTION NO. 2010-XX: CERTIFYING THE ENVIRONMENTAL IMPACT REPORT (SCH NO. 2008021014) AND APPROVING THE MITIGATION REPORTING AND MONITORING PROGRAM AND ADOPTING FINDINGS OF FACT AND A STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE SITE D SPECIFIC PLAN AND TENTATIVE TRACT MAP NO. 70687 FOR A SITE COMPRISED OF APPROXIMATELY 30.36 ACRES LOCATED AT THE SOUTHEAST CORNER OF BREA CANYON ROAD AND DIAMOND BAR BOULEVARD, DIAMOND BAR, CALIFORNIA (ASSESSORS PARCEL NUMBERS 8714-002-900, 8714-002-901, 8714-002-902, 8714-002-903 AND 8714-015-001).

b) RESOLUTION NO. 2010-XX: APPROVING GENERAL PLAN AMENDMENT NO. 2007-03 AND ZONE CHANGE NO. 2007-04 FOR PROPERTY COMPRISED OF APPROXIMATELY 30.36 ACRES LOCATED AT THE SOUTHEAST CORNER OF BREA

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CANYON ROAD AND DIAMOND BAR BOULEVARD, DIAMOND BAR, CALIFORNIA (ASSESSORS PARCEL NUMBERS 8714-002-900, 8714-002-901, 8714-002-902, 8714-002-903 AND 8714-015-001).

- c) RESOLUTION NO. 2010-XX: APPROVING TENTATIVE TRACT MAP NO. 70687 FOR SUBDIVISION OF 30.36 ACRE SITE FOR RESIDENTIAL AND COMMERCIAL PURPOSES WITH 202-UNIT RESIDENTIAL UNITS AND 153,985 GROSS SQUARE FEET OF COMMERCIAL USE ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF BREA CANYON ROAD AND DIAMOND BAR BOULEVARD, DIAMOND BAR, CALIFORNIA (APN 8714-002-900, 8714-002-903 AND 8714-045-001).
- d) ORDINANCE NO. 0X (2010): APPROVING ZONE CHANGE NO. 2007-04 CHANGING THE EXISTING ZONING TO SPECIFIC PLAN FOR PROPERTY COMPRISED OF APPROXIMATELY 30.36 ACRES LOCATED AT THE SOUTHEAST CORNER OF BREA CANYON ROAD AND DIAMOND BAR BOULEVARD, DIAMOND BAR, CALIFORNIA (ASSESSORS PARCEL NUMBER 8714-002-900, 8714-002-901, 8714-002-902, 8714-002-903 AND 8714-015-001).
- e) ORDINANCE NO. 0X (2010): APPROVING SITE D SPECIFIC PLAN, SPECIFIC PLAN NO. 2007-01, FOR PROPERTY COMPRISED OF APPROXIMATELY 30.36 ACRES LOCATED AT THE SOUTHEAST CORNER OF BREA CANYON ROAD AND DIAMOND BAR BOULEVARD, DIAMOND BAR, CALIFORNIA (ASSESSORS PARCEL NUMBER 8714-002-900, 8714-002-901, 8714-002-902, 8714-002-903 AND 8714-015-001).

CDD/Gubman stated that the plan presented to the Council for consideration this evening is the result of a cooperative effort between the City of Diamond Bar and the Walnut Valley Unified School District. This effort began in June 2007 with the City Council's approval of a MOU (Memorandum of Understanding) between the School District and the City where it was agreed that the two agencies would embark on a planning process to establish a comprehensive and forceful planning strategy for Site D and to do so prior to putting the property on the market for sale. To further this goal, it was agreed that a specific plan would be the most appropriate planning tool to better ensure a predictable outcome for the eventual buildout of the site. The City and School District agreed to engage the services of Planning Firm TRG Land to prepare the Specific Plan which includes both the physical plan for the site and the regulations that would govern its buildout. TRG

specializes in hillside design so the company was well qualified to formulate a buildable and aesthetically appropriate design solution for Site D's complex topography. Staff selected Peter Lewandowski, principal of the firm Environmental Sciences to prepare the Site D Specific Plan Environmental Impact Report (EIR). Mr. Lewandowski has worked with the City to provide other EIR's and provided other environmental consulting services over the years and is an excellent analyst who consistently delivers detailed, exhaustive, transparent and defensible environmental documents for D.B.

CDD/Gubman then presented an overview of the decision making process which included an explanation of what is a Specific Plan, the purposes of an Environmental Impact Report and conclude the discussion with a project overview and explanation for the decisions the Council will be making at the end of the hearing process. A Specific Plan is a detailed blueprint to guide future development over a specific geographic area. A Specific Plan is a much more robust prescription for development than conventional zoning designations. It is not a project development plan that one would see for a shopping center or residential subdivision; however, it does specify the criteria to which such future developments must adhere. The Site D Specific Plan includes a land use diagram that is very much like a zoning map in that it shows the boundaries for development designated for residential and commercial uses but goes beyond that. This Specific Plan contains development regulations and architectural design guidelines, provides graphic and written specifications for onsite improvements and describes the public improvements that will be required as part of the plan's implementation. An adopted Specific Plan will enable the City to exert much more control over the outcome of subsequent development after the property is sold than what would be possible if the property is sold "as is".

CDD/Gubman explained the purpose of an Environmental Impact Report using a slide presentation. The Environmental Impact Report (EIR) process is prescribed under the California Environmental Quality Act (SEQA) and because of the potential environmental impacts that this project poses, an EIR is required. The framework for an EIR as called out in SEQA provides basic mandates the City must follow through the environmental process. One important function of the SEQA process is to inform governmental decision makers and the public about the potential environmental effects on proposed activities. Also, SEQA is intended to identify the ways that environmental damage can be avoided or significantly reduced. SEQA was also created to prevent significant avoidable damage to the environment by

requiring changes in projects through the use of alternatives or mitigation measures when the government agency finds the changes to be feasible. The purpose of SEQA is to disclose to the public the reasons why a government agency approved the project in a manner the agency chose if significant environmental impacts are involved. The bottom line of SEQA and those basic purposes is to provide an objective process to disclose and to minimize environmental damage.

CDD/Gubman stated that the purpose of the EIR is to inform other governmental agencies as well as the public of the environmental impact of the proposed project. There are two major milestones in the EIR process. One is the drafting of the Environmental Impact Report (EIR) which is collectively referred to as the Draft EIR; and, two the process of bringing the Draft EIR to the public and respond to any comments and make any changes if defects in the document are identified such as an eventual decision on a land use matter that the EIR was prepared to analyze. For Site D the Draft EIR process began in earnest with the publication of a Notice of Preparation. There was a 30 day notice period February 1 through March 5, 2008 wherein the City informed public agencies through the State's Clearinghouse, direct outreach to public agencies and notification to property owners within a 1000 ft. radius of Site D that an EIR was going to be prepared with the objective of having early identification to the City of what types of environmental issues are of concern that should be looked at. During the Notice of Preparation period the City also conducted a public scoping meeting on February 21, 2008, which provided a public forum to hear in a collective, efficient setting what the concerns were pertaining to environmental issues. Following the NOP process, the City drafted the Draft EIR which was completed in late Spring of 2009 after several screen check drafts were vetted through staff. When the document was ready for public review the City issued a Notice of Completion which started a 45-day public review period for public agencies and residents to review the Draft EIR and provide comments on Environmental issues that were believed to be inadequately addressed or if questions were raised as to how the EIR analyzed certain issue areas. At the conclusion of the public review period staff collected all of the written and oral comments and began the process of a final EIR.

CDD/Gubman further stated that the final EIR in terms of the document is comprised of several volumes including the Draft EIR, technical appendices which are the scientific and technical/engineering reports that provide the data, and the specialized scientific analysis of the environmental impacts that are then collected and summarized in the Environmental Impact

Report. The final EIR also includes all of the comments received during the public review period and all responses to those comments. Ultimately, the role of the EIR in the decision making process is for the public agency to review the disclosures contained in that document and not to decide to approve or carry out a project for which an EIR was prepared unless either the project, as approved, doesn't have a significant effect on the environment; or, that the agency has eliminated or substantially lessened all of the significant affects on the environment, where feasible, and determined that any remaining significant affects on the environment are found to be unavoidable are acceptable due to overriding considerations. He reiterated that every comment that raises environmental issues must receive a written response. The EIR process generates many comments that go beyond the scope of environmental issues and as the scope of the environmental review process is as defined, responses are made to those environmental issues. With respect to Site D's Specific Plan there is the Statement of Overriding Considerations. SEQA provides that the decision making agency would need to balance, as applicable, the economic, legal, social, technological or other benefits of the proposed project against its unavoidable environmental impacts when determining whether to approve the project. If specific economic, legal, social, technological or other benefits of the proposed project outweigh the unavoidable environmental impacts, then the adverse environmental impacts may be considered acceptable.

CDD/Gubman presented an overview of the site and its proposed land uses including commercial and residential components recommended by TRG Consulting and stated that the proposed project would include a measurable contribution fair-share fee to improve the functionality of two intersections.

CDD/Gubman stated that the Specific Plan, related applications and EIR were presented to the Planning Commission on February 13, 2010. The Commission conducted a Public Hearing that evening and continued discussion over the next two meetings. On May 11, 2010 the Planning Commission recommended that the City Council certify the EIR, adopt the Statement of Overriding Considerations, approve the General Plan Amendment, Zone Change, and Tentative Tract Map with the additional recommendation that a 1.3 acre park be included on the commercial site. staff believes that the proposed Specific Plan represents the direction initiated through the 2007 MOU process and provides the City with an appropriate long-term plan for Site D that achieves a number of objectives that are of benefit to the community including providing

housing at an appropriate density for the site to add to the City's housing stock to help meet the City's obligation to contribute to the region's housing needs; to provide commercial amenities in this part of the City and at an intersection that is ideally suited for that purpose; the Specific Plan ensures the City's influence on the site's future build out; and, the land sale of the site and its proceeds will help further the WVUSD's educational mission.

CDD/Gubman introduced Mark Rogers, TRG Land; Peter Lewandowski, Environmental Impact Sciences; Steve Sasaki, staff's contract traffic engineering consultant; Dr. Cynthia Simms, Superintendent, WVUSD; Carolyn Elfelt, WVUSD Trustee.

CM/DeStefano stated that the residential and commercial pads are related to Tentative Tract Map 70687, a copy of which has been provided to the City Council and reviewed by the Planning Commission. This Parcel Map is proposed to generally commence the process of reconfiguring these acres in order to accommodate the proposed land uses. The Map talks about redistributing the acreage into three parcels – one for commercial and two for residential. The Map also identifies seven lettered lots, five of which are set aside for Open Space and two for roadways within the 30 plus acre site. The staff report incorporates 16 additional major exhibits including the aforementioned items as well as, all of the letters that have been received, communications prior to the Planning Commission's Public Hearing, Planning Commission staff reports, actions that occurred at the Planning Commission meetings, minutes of the Planning Commission meetings and all communication received since the Planning Commission's conclusions including one communication received today. Staff has provided the City Council with all documentation that would allow the Council to make its decision this evening, should it choose to do so. Staff is recommending that the City Council Open the Public Hearing, receive public testimony, bring the matter back to the City Council for discussion, direct City staff as necessary and continue the matter to a date in July specified by the City Council. This project has been documented on the City's website for many months and staff has provided a City Council agenda that includes all of the supplemental material so that the public has an opportunity to view all materials received by the City Council.

M/Herrera opened the Public Hearing at 8:07 p.m. and invited Mark Rogers, TRG Land, and Dr. Cyndy Simms, WVUSD to speak on the matter.

Dr. Simms stated that the School District has suffered major budget reductions due to the State's economy and the legislature's

decision to make cuts to public schools. As a result, the School District and School Board have had to act very responsibly to balance the District's budget. WVUSD believes that the sale of Site D would provide an opportunity to assist the School District with its operations if the sale takes place within a two-year window. The WVUSD respectfully asks that the City Council approve the recommendations of staff contained in staff's report on Page 2.

Margot Eiser, Montebello, spoke in opposition to the project and in favor of leaving the property as open space.

Ernie Salas, Andy Salas and Matt Teutimez, Covina, representing the Gabrieleno Band of Mission Indians, San Gabriel, California, said they were never given notice of this project and that their Indian tribe were the inhabitants of this area and oppose the project proposed on historical grounds.

Matt Teutimez, biologist for the tribe, said that the natives look at this site as containing components that were utilized by their ancestors.

John Martin, 1249 S. Diamond Bar Blvd., asked that the following issue be entered into the Public Hearing record: The SEQA requirement that viable alternatives be presented in any EIR was circumvented by the City's agreement with WVUSD via the MOU. He hoped the Council would give up the \$300,000 reimbursement and vote against the proposal.

Carolyn Elfelt, Board of Trustees, WVUSD, apologized to the City of D.B. and the community for being so slow to explain why the District needs to sell the property at Diamond Bar Blvd. and Brea Canyon Rd. She is sorry that the rumors about the property are running rampant and causing concern among the citizens. Regardless of the rumors, the harsh reality is there is a fiscal crisis in California. Sacramento has failed to adequately fund schools to continue the programs it demands the Districts to provide. California schools are desperately trying to survive the worst years of funding shortages since the great depression of the 1930's which lasted a decade. Today's budget challenges are not going away anytime soon. In Walnut Valley we are in a perfect storm of declining enrollment, economic cycles and legislative actions that add to educational requirements but fail to provide funding to support and sustain those requirements. There is no good news out of Sacramento for school districts. Walnut Valley, like every other school district in California, is facing staggering budget deficits. Sacramento has failed to adequately fund its schools. So, Walnut Valley has to find its own funding sources to prepare its

students to survive in the highly competitive global economy of the 21<sup>st</sup> century. Walnut Valley must maximize every asset it has to save the programs students need. Funding sources of any kind are desperately needed to fill and backfill budget holes. Selling surplus property such as Site D and using the funds to backfill budget holes is a viable option. The plan before the Council tonight is a result of over 20 years of effort to create a project which will benefit the citizens of D.B. and their children's education. The process for the approval is open and public. On behalf of the Board of Trustees of Walnut Valley, thank you City Council and City staff for enabling Walnut Valley to use its surplus property for the benefit of its students.

David R. Busse, 21455 Ambushers St., took exception to the claim of an open process and cooperative effort. The people own this land and do not want this project. He presented the City Clerk with a petition opposing the Site D Specific Plan.

Mary McCormick, 21455 Ambushers St., said she believes the proposal violates SEQA guidelines because there was no proper public participation during the Planning Commission hearings. Several residents attended the Planning Commission meetings prior to their decision to approve their recommendation to the City Council. The residents who were in that meeting were told they could not speak, that in fact, they were only allowed to speak at a public hearing. So at the Planning Commission meeting residents attempted to talk about alternatives.

Chris Chung, 21470 Cold Spring Ln., asked if his letter was part of the record. He believed there had not been full disclosure of facts in this matter and mistakes of fact. Due to the lack of disclosure about the total number of units that could be built (253 units) the traffic was not analyzed properly. He pointed out other deficiencies in the General Plan as it related to the proposal. He felt if the Council approved the matter it could easily be challenged.

Hilda He, 2911 Rising Star Dr., asked if the cash from the sale of the land would be used to employ more teachers, add more programs for students, etc. She preferred that the City retain the site as open space and for recreation. She asked why the City wanted to build when there were so many apartment vacancies. She was also concerned about the pollution from the additional traffic.

Mary Rodriguez, 3419 Pasado Dr., said she was not in favor of developing Site D and did not trust the EIR. D.B. needs more park space and the time to save Site D, a historical and cultural site, is

now.

Nancy Daugherty, 3010 La Paz Ln., said she wholeheartedly supported her neighbor's comments in opposition to this project. She would support a nature walk or nature park. She supports the School Board and would like to see an alternative plan for the property. School districts need revenue but the City needs to preserve its open space and wildlife habitats.

Judy Leung, 21178 Running Branch, said she believed that most residents support public education but she is very concerned about what Jack LeBrun, Budget Manager of WVUSD said in April that this money cannot be used to pay for teacher salaries and school programs. Dr. Simms stated that there is a two year window for use of these funds and would like an explanation. She asked why the public is here to discuss only this plan and no other alternatives. She walked about 12 hours during the past couple of weeks and 90% of her neighbors object to this plan. She took exception to the 1000 ft. radius requirement and asked why bids were not offered to other firms for preparation of the EIR.

Robert Poyner, 8115 Preston Rd., Dallas, TX, Country Hills Holding, said he understood the School District and City's financial motive. Country Hills Holding Company does not believe the commercial aspect of this plan is viable in a tough competitive market. His firm believes this plan offers a short-term financial gain and a long-term negative impact to both D.B. and its residents.

Gregory Shockley, 3711 Crooked Creek, spoke in opposition to the proposed Site D Specific Plan and said he found many errors in the EIR.

M/Herrera asked if staff had responses to speaker's comments.

CM/DeStefano stated that it is staff's recommendation to bring the matter back to the dais for discussion and that Council may want to direct staff to continue the matter to July 20. On July 20 staff can respond with answers to all of the questions and issues raised during tonight's public hearing testimony. Further, staff would recommend that the City Council continue the Public Hearing to July 20 and at that time Council can decide whether to close the Public Hearing and take action or continue the matter.

M/Herrera asked for Council input.

MPT/Tye asked staff to address the following issues: Was the Gabrieleno Indian tribes notified; clarification regarding the MOU

relative to "reimbursement"; possible violation of SEQA; and staff's opinion regarding the issue of "a taking".

C/Tanaka asked staff if the Specific Plan, as presented is approved at a future date would that limit the potential developer to what could eventually be developed on the site. He also asked TRG if any alternatives were presented for Site D Specific Plan.

C/Everett asked for clarification of use of funds by the School District because he has heard two conflicting reports regarding what the proceeds from the sale of property can be used for. He did not recall seeing oak trees being killed that may be on the property or Walnut Woodlands. He knows there are lots of Eucalyptus but if there are any other protected tree inventories he would like to have that brought back. He indeed appreciates the comments he heard tonight as well as previous comments he has heard and read. He moved here 32 years ago for the school district and schools for his kids and he feels D.B. is fortunate to have a school district that is ongoing and operating effectively since 1970. He appreciates the school leadership and has an interest in parks, trails and the environment and sustainable alternatives and thinks those needs to be a key part of any project. He further believes it would be great to protect that acreage but residents have to be realistic. It is a challenge for D.B. and he wants to balance it. He is here to listen and has heard good ideas that were not previously received because of a technicality and would like it clarified. He would like the alternatives he heard referenced but has not seen them. There is a claim that there have been no alternatives and asked for clarification. He also asked what was considered in the EIR as alternatives and would like to see that clarified as well. He said he was disappointed about the notices about Site D. He understands the frustration that people did not get the mandated notice; however, in the most recent *Windmill* May/June there is an article right in the middle about the "Walnut Valley property Site D for sale. This publication goes to every home in our City and has been on the web page. He has spoken to residents throughout the City about Site D and interestingly enough, he finds most of them know about Site D and have minimal concerns. Realistically we want to protect "Country Living" but we've got to be realistic and a property owner has rights. What he wants for Site D is for the neighbors to have something that they can appreciate and respect and something that all of D.B. can view. He was delighted to see the latest charts presented by Mr. Gubman that show the land use plan. There is a red asterisk on the corner of Brea Canyon Cutoff and Diamond Bar Blvd. that is listed as "Commercial Gateway". To him that red star is the gateway to D.B. and he wants it to be attractive and effective. He thinks the City can do it but needs

ideas and support rather than everyone saying "don't do anything". All who have listened to this proposal have lots of ideas. Council doesn't have a corner on the market. He wants to hear some ideas about how this parcel can be made into an attractive place because opportunity is knocking on Site D. He wants to balance this for the best benefit of D.B. and the residents and not just the School District and not just for the resident who live there. He certainly does not want the project to create a path for traffic to shortcut through the City's side and back streets. He thanked staff for its report and thanked M/Herrera for a chance to offer comments and questions.

M/Herrera said she attended all of the Planning Commission meetings and the conversation was about a park opposite Cherryvale Dr. She would like staff to explore what a 2 acre park might look like if it were more along the edges of the homes where there could be more green space, buffer, and separation between homes on Ambushers at the very lower end of the commercial pad. At the Planning Commission meeting it was talked about at the corner/intersection of Brea Canyon Rd. and Diamond Bar Blvd. similar to a courtyard with trees and benches and shops on either side that could serve as a gathering place for people to sit and visit. It might somewhat reduce the commercial usage on that acreage. She would like staff to look at that possibility. She asked for her colleague's input.

MPT/Tye said he heard a lot tonight about "alternatives" but he did not hear any specific alternatives offered. He has had conversations with folks at the south end of town and adjacent to the property and email conversations. He believes staff is correct that the City cannot tell a property owner they cannot do anything with their property. One of the notes he made to himself that he repeats publicly every time this type of project is considered is "undeveloped private property is not open space" and it is not on any plan one can find designated as open space. But what are the alternatives. When he was elected in 2005 one of the first things he attended was the grand opening of the Sprint store at Golden Springs and Diamond Bar Blvd. which he believes did not last a year. The key is that even though it is not up to him, he believes it makes more sense to have more residential. If the School District could develop this property this conversation would not be happening. If Lewis Homes and JCC Partnership had developed it, this conversation would not be happening. Personally, he did not see commercial working and he could not envision what 150,000 sq. ft. of retail would look like there. When he served on the Planning Commission Mr. DeStefano would often tell the Commission that "this is a palate and you get to create it" this is a

blank palate and let us create what we want it to look like. So what does that alternative mean compared to what the Council is looking at today? He is not a proponent of commercial on that property. He would rather see 100% residential and would like to know what that would mean. Whether that would be an answer for tonight or a future meeting relative to the process. He would like it made very clear for the public and those who have taken time to be here this evening that they understand that the Council is not driven by an MOU. Council is driven by what is best for D.B. – all of D.B. The property owner is a property owner in D.B. Those that spoke on behalf of the WVUSD are not only representing the School District, they are residents of D.B. Four of the five trustees are residents of D.B. It is not like they can say they only want what is best for the School District. If you have kids in school you want what is best for the School District. He did not hear anyone saying let's not do this so we can see how we can hurt the school district. No one has that in mind. So, what will work? What is the best for that area? What is the best for the School District? And, what is best for the City of D.B. and all of the citizens of D.B. He appreciated everyone's efforts to talk with residents and gather signatures but how many signatures came from people living close to the bowling alley or over by the golf course? When he talks to people around town there is interest in what might happen there but there is no fervor. He understands the fervor if someone lives there and it is their neighborhood. So, how do we craft the best product possible for that location?

C/Chang said she studied this packet at length and has taken every comment under consideration. She grew up in D.B. and lives in the area. The area is very near and dear to her heart but everyone needs to step back and look at this plan in its entirety as objectively as possible. Bottom line is that D.B. needs a project that will benefit the most people and the key phrase is "public benefit". There is a school district that is in desperate need of funds and there is the City that needs sales tax revenue to support City needs such as maintenance and operation of existing parks. Within 14.9 sq. miles D.B. has nine parks and has a wildlife corridor with a trail running through it. D.B. has many amenities for its residents. As she sees the situation, these are the options. She hears a lot of folks asking that the property remain in its current condition which is not realistic since the School District owns the property and needs to sell the property. The question is what is best for the School District whether or not that is for the benefit of the residents because if the City has a strong school district it raises the City's property values and affects the quality of life. Secondly, if this property were developed into a park, unless one were to find a developer that would develop it as a park, it is not feasible, and not realistic for the

City to purchase this property and be able to generate sufficient funding to operate and maintain this property as a park. Third, one hundred percent residential would not benefit the City as a whole. Granted, the City would receive a one-time fee for homes sold but it would not make up for the additional daily traffic and the City would lose potential sales tax revenue without commercial/retail which is much needed for the maintenance and upkeep of the City. Additionally, the true value of public benefit would exist only for those homeowners at the new housing development. The Site D Plan as presented is a win-win for the School District, the City and its residents. D.B. gets new residents and a beautiful new shopping center. The beauty of this Specific Plan is that the City gets more control over what the development will look like rather than have it look similar to Kmart. What she envisions is a center that will have an interactive public plaza at its heart very much like the Grove where one can interact with their neighbors. D.B. has 60,000 residents and it is desperately lacking in the selection of goods and services. D.B. needs better shopping options in D.B. and she is making it her priority to attract potential opportunities to open here in D.B. If D.B. is truly unable to attract commercial real estate the area could be rezoned for residential. So what is there to lose by proceeding with the proposed Specific Plan? Economic Development has been a priority goal for D.B. for many years and now the City Council is presented with an opportunity to move a few steps forward toward that goal and this is an opportunity to start with a clean palate. Let us be forward thinking and not pass up this opportunity to reap the most benefit for all concerned out of all of the options. She has studied this at length and her option is to go with the option that benefits the most residents of D.B.

MPT/Tye said he was pleased that C/Chang had a goal of attracting good retailers because this Council has tried for 21 years to do just that. She brought up the matter of sales tax revenue which he overlooked and what he would like to know what would work in 150,000 sq. ft. and how much sales tax revenue a grocery store or drug store would produce. The largest producers of sales tax revenue in the City are gas stations. So what would go there? Costco, Lowes, Home Depot or some other retailer and how would someone find a retailer at that location? Many commercial and retail entities have not made it in D.B. and he thinks the last thing D.B. needs is another strip mall or neighborhood center.

C/Chang said she was not interested in another strip mall. She thought there were other retail options such as Whole Foods (55,000 sq. ft.) or Trader Joes. What does D.B. have to lose at this moment because she optimistically believes that the City can potentially attract a very nice shopping center. What does the City

have to lose because the property could still be rezoned residential so where is the harm in attempting to move this plan forward. If it doesn't work out, rezone the property for residential.

M/Herrera asked CM/DeStefano to respond to C/Chang.

CM/DeStefano spoke about marketing the property for both residential and commercial purposes as proposed. If the marketing of the commercial is unsuccessful the project could then move to an all-residential mode. Since that might not be what the City Council approved, moving it to an all residential mode would require changes to the existing approved documents which would require a process similar to that which is occurring, i.e., possible amendments to the environmental documents depending on what the residential project is, sending the project through the process to the Planning Commission and then to the City Council. The short answer is that it is possible but there would be various steps along the way that would need to be undertaken and fully exhausted before the City would get to that point.

C/Everett said he would not like to get stuck on the traditional comparisons of commercial versus residential but rather get creative. He asked anyone interested to come up with creative ideas and share them with the Council. He suggested a 21<sup>st</sup> Century model based on the technology research for parks that many corporations and many cities have developed for decades which he believed would be very functional and stimulating. He suggested a possible headquarters for WVUSD which could include a child development center, professional and educational offices and meeting places that would all fit in a park setting with open and play space. The public could use the facility on weekends. In his vision it could be the best representation of a school district anywhere. It would be visible to the City which is a family city, fundamentally built on education so there could be some synergy there. Something of that nature with the aesthetics and appeal for an entry such as water fountains, water works with water flowing to create sound, visual and emotional aesthetics would be phenomenal. If staff could come back with something along those lines certainly that would be more of a decision that would involve the WVUSD and he would ask them to be innovative and join in because that could free up some land that may be much more attractive economically.

C/Tanaka felt the most important thing the Council needed to do was to listen to the residents. As long as the public hearing process is still open Council should continue to listen and consider the alternatives. He reiterated that he had not heard or seen

alternatives and would like to explore that issue before reaching a conclusion.

M/Herrera asked if staff had clear direction.

CM/DeStefano said that staff took copious notes and will refer to the meeting tapes and go back and digest Council comments.

CA/Jenkins offered the following alternatives to the City Council. One which does not seem likely is for the City Council to close the Public Hearing and make a decision tonight. The second alternative would be to close the Public Hearing and continue it for purposes of getting answers to Council questions and then further deliberate and render a decision at a future meeting. The implications of that option are that the Council would not take any further testimony and would simply come back as a staff with answers to questions and responses to comments that were made by the public. The Council would have a chance to deliberate on what is in front of the City Council and make its decision. The third option is to keep the hearing open and then continue the item to a future meeting. At that future meeting staff would provide responses to comments that were made by the public and would provide answers to Council questions. The City Council would then reserve the opportunity to have more testimony. With respect to this option, the Council might wish to give some consideration now to whether it would simply reopen all testimony so that everyone who spoke tonight could come back and speak again and repeat everything that they said or, take testimony only from people who have not spoken tonight, or only take testimony that is responsive to or reactive to staff's responses and answers to questions. The fourth option is raised by MPT/Tye's comments and that is if three members of the City Council have already decided that they would like this to be all residential then the City Council could remand this back to the Planning Commission for consideration of a one hundred percent residential project. If that is the direction the Council is going it will have to sooner or later remand it back to the Planning Commission so the efficient process would be to remand it back now; but only if the Council has a majority who are prepared to go in that direction. That is because under the governing statute any significant change to what is recommended to the City Council tonight that has not yet been considered fully by the Planning Commission needs to go back to that Commission. CDD/Gubman and he discussed this matter this afternoon and it is their collective feeling that a one hundred percent residential project was not fully considered by the Planning Commission.

Following discussion, M/Herrera suggested that the Public Hearing be continued to July 20 wherein staff will come back with responses which will most likely be voiced prior to public input and then the public can comment on staff's responses including those who have spoken this evening. She asked for Council concurrence and Council unanimously concurred.

M/Herrera moved, C/Everett seconded to continue the Public Hearing to July 20, 2010. Without objection, the motion was so ordered.

8. **COUNCIL CONSIDERATION:** None

9. **COUNCIL SUBCOMMITTEE REPORTS/COUNCIL MEMBER COMMENTS:**

C/Everett made general comments regarding events that recently took place.

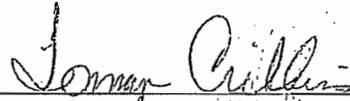
C/Tanaka reported that on May 29 he attended the American Cancer Society D.B. Relay for Life Survivor's Breakfast; the DBHS graduation; D.B. Chinese American Advocates Association 17<sup>th</sup> Annual Awards Ceremony; Eagle Scout Ceremony for Shaun McGuire, Troop 730; D.B. Chinese American Association's 20<sup>th</sup> Annual Gala and Fundraiser; Pantera Elementary School PTA Appreciation Tea; D.B. Tiny Tots Graduation; American Cancer Society's D.B. Relay for Life; Eagle Scout Ceremony for Chris Moncreif; and this evening a retirement event for Principal Denis Paul, DBHS. He asked that tonight's meeting be adjourned in his honor.

C/Chang continues to post events she has attended online. She attended Armstrong Elementary and Diamond Point Elementary open houses; the League of California Cities Legislative Day; the Pantera Elementary Volunteer Appreciation Tea; the DB Relay for Life and Principal Denis Paul's retirement.

MPT/Tye said that in consideration of the late hour he wished everyone good night and God bless.

M/Herrera wished Principal Denis Paul Good Luck and Godspeed on the event of his retirement. Principal Paul had a big impact on her son and touched many other lives.

**ADJOURNMENT:** With no further business to conduct, M/Herrera adjourned the Regular City Council meeting at 10:10 p.m. in honor of retiring DBHS Principal Denis Paul.



TOMMYE CRIBBINS, CITY CLERK

The foregoing minutes are hereby approved this 6th day of July, 2010.



CAROL HERRERA, MAYOR

# Interoffice

## MEMORANDUM

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To: Greg Gubman, Director of Community Development

From: Bob Rose, Community Services Director

*BR* 7/14/10

Date: July 14, 2010

Re: Park for Site D

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Per recommendation from the Planning Commission and comments made by Council Members during deliberations at the June 15, 2010 City Council meeting, a public park is being considered as an addition to the proposed development known as Site D.

If this park site is included in the development plan, I make the following recommendations:

1. Require the developer to construct a turn-key park that occupies at least two acres of flat land for public use.
2. Construct the primary access to the park from Pasado Drive.
3. Enter into an agreement with the developer similar to the agreement for the development of Larkstone Park that identifies the elements to be included in the park construction.
4. Conduct a neighborhood meeting to determine the amenities to include in the park.

A neighborhood park is appropriate for this location because the nearest park, Heritage Park, is over a mile away from the majority of residents in this neighborhood and is on the other side of a busy street (Diamond Bar Blvd). One of the goals of the Parks Master Plan is to have close-to-home recreation opportunities for Diamond Bar residents (1998, Pg. 59).

Two acres of usable, flat park space is the minimum size I recommend for a neighborhood park at this location. The undeveloped land is available and two acres is comparable in size to Starshine Park, which serves its neighborhood well (1998, pg.16).

If you require additional information or have any questions, please let me know.

## Attachment 7

Grace Lee

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Subject: FW: No to Site D Development

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**From:** Basrai <indoviet@gmail.com>

**Date:** Tue, 29 Jun 2010 22:26:32 -0700

**To:** <lingsquared@gmail.com>; <carol.herrera@ci.diamond-bar.ca.us>; <steve.tye@ci.diamond-bar.ca.us>; <ling.ling-chang@ci.diamond-bar.ca.us>; <ron.everett@ci.diamond-bar.ca.us>; <jack.tanaka@ci.diamond-bar.ca.us>; <nlyons@walnutvalley.k12.ca.us>; <cruiz@walnutvalley.k12.ca.us>; <celfelt@walnutvalley.k12.ca.us>; <lredinger@walnutvalley.k12.ca.us>; <hhall@walnutvalley.k12.ca.us>

**Cc:** Judy Leung<sljleung@hotmail.com>

**Subject:** No to Site D Development

*The purpose of this e-mail is to express my opposition to the current Site D development plan. This plan is ill-conceived and if implemented in its current form, will do long-term harm to the citizens of Diamond Bar and the students of the WVUSD.*

*I oppose the current Site D option for many reasons, namely:*

- *Diamond Bar has attracted families due to its strategic location, its country-living style and the reputation of its schools. To develop Site D into a commercial zone and high-density living areas as proposed is to destroy this unique feature of our city and irreversibly suppress the property values throughout the City.*
- *As it is, the traffic along Diamond Bar Blvd and Brea Canyon Cut-Off/Tonner Canyon all the way to Grand Ave. is dense at peak time. The development of Site D as proposed, will only worsen this congestion, increasing the rate of collision and the risk for pedestrians on the street (especially children walking to and fro from school).*
- *Site D is the last remaining undeveloped piece of land in the City, once slated for development into a much needed public park in South Diamond Bar.*
- *The project is based upon a shoddy, sole-sourced EIR document developed by a long term crony Consultant to the City. The EIR is based upon outdated data which does not even include traffic associated with the newly developed commercial complex anchored by H-Mart and the proposed football stadium only about four miles away.*
- *The Site D project is fraught with viability issue of its Commercial Complex element of this project. The additional 154,000 sq. ft of the proposed commercial space will further impact the already weak local commercial real estate market reeling with low occupancy rates.*
- *No other development alternatives were considered.*
- *The City residents were not adequately involved or consulted.*

*In summary, the current Site D proposed plan is incongruous with the City's ambience and infrastructure. A partially occupied Commercial complex will serve as a meeting location for unwanted social elements and will increase the crime rate in the City. The new denizens in the 252 apartments on the site will cause additional strain on WVUSD class sizes and impose grave hardship to the Current residents, particularly those living in South Diamond Bar due to the increased traffic and reduction in property values.*

*The \$10 million revenue from the sale of this property is only about 10% of WVUSD's annual operating budget and cannot significantly help it in long term. The project benefits only the developer and not the schools, nor the residents of Diamond Bar. May I remind the WVUSD that it owes its success largely to the strong emphasis of educational values by Diamond Bar residents. Diamond Bar families have always worked hard to support the local schools—passed Measures S&Y to support WVUSD.*

*I urge you not to push for the adoption of the Site D development plan in its current form. To do so is to act irresponsibly, serving the developer's interest only while ignoring the interests of Diamond Bar citizens.*

Shabbir Basrai  
21340 E. Running Branch Road

# Attachment 8

Grace Lee

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**Subject:** FW: Site D development plan

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**From:** Jean Jou <jjou288@gmail.com>  
**Date:** Wed, 30 Jun 2010 10:10:43 -0700  
**To:** <lingsquared@gmail.com>  
**Subject:** Site D development plan

The purpose of this e-mail is to express my opposition to the current Site D development plan. This plan is ill-conceived and if implemented in its current form, will do long-term harm to the citizens of Diamond Bar and the students of the WVUSD.

I oppose the current Site D option for many reasons:

- Diamond Bar has attracted families due to its strategic location, its country-living style and the reputation of its schools. To develop Site D into a commercial zone and high-density living areas as proposed is to destroy this unique feature of our city and irreversibly suppress the property values throughout the City.
- As it is, the traffic along Diamond Bar Blvd and Brea Canyon Cut-Off/Tonner Canyon all the way to Grand Ave. is dense at peak time. The development of Site D as proposed, will only worsen this congestion, increasing the rate of collision and the risk for pedestrians on the street (especially children walking to and from school).
- Site D is the last remaining undeveloped piece of land in the City, once slated for development into a much needed public park in South Diamond Bar.
- The project is based upon a shoddy, sole-sourced EIR document developed by a long term crony Consultant to the City. The EIR is based upon outdated data which does not even include traffic associated with the newly developed commercial complex anchored by H-Mart and the proposed football stadium only about four miles away.
- The Site D project is fraught with viability issue of its Commercial Complex element of this project. The additional 154,000 sq. ft of the proposed commercial space will further impact the already weak local commercial real estate market reeling with low occupancy rates.
- No other development alternatives were considered.
- The City residents were not adequately involved or consulted.

In summary, the current Site D proposed plan is incongruous with the City's ambience and infrastructure. A partially occupied Commercial complex will serve as a meeting location for unwanted social elements and will increase the crime rate in the City. The new denizens in the 252 apartments on the site will cause additional strain on WVUSD class sizes and impose grave hardship to the Current residents, particularly those living in South Diamond Bar due to the increased traffic and reduction in property values.

The \$10 million revenue from the sale of this property is only about 10% of WVUSD's annual operating budget and cannot significantly help it in long term. The project benefits only the developer and not the schools, nor the residents of Diamond Bar. May I remind the WVUSD that it owes its success largely to the strong emphasis of educational values by Diamond Bar residents. Diamond Bar families have always worked hard to support the local schools—passed Measures S&Y to support WVUSD.

I urge you not to push for the adoption of the Site D development plan in its current form. To do so is to act irresponsibly, serving the developer's interest only while ignoring the interests of Diamond Bar citizens.

Yours Truly,

Jean Jou

## Attachment 9

Grace Lee

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**Subject:** FW: (No Subject)

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**From:** payeung [mailto:payeung@aol.com]

**Sent:** Tuesday, July 06, 2010 8:27 PM

**To:** Ling-Ling Chang (Off-Site); Carol Herrera; Steve Tye; Ling-Ling Chang; Ron Everett; Jack Tanaka

**Cc:** sljeung@hotmail.com; indoviet@gmail.com; jjou288@gmail.com; julia\_newton@yahoo.com; dwithers@mail.rowland.k-12.ca.us; pat.moag@qafinc.com; pwwong@adelphia.net; uvchang@yahoo.com; vichovsepiar@yahoo.com; shu1548@hotmail.com; wzhenyi@msn.com; tjcheng123@gmail.com; nicknbprokop; vivian123@yahoo.com; rsl@fantasymediainc.com; lindaihrig@yahoo.com; michellesuntan@gmail.com; helena\_t\_young@yahoo.com; angela\_wang1968@yahoo.com; bjjabaji@yahoo.com

**Subject:** (No Subject)

Dear Mayor and City Councilmembers:

I have been a resident of South Diamond Bar since 1999 and I am writing to express my opposition of your current Specific Plan for Site D. I graduated from West Point (1984) with an Engineering degree and from Peter Drucker's School of Management (Claremont) with an MBA. I was raised in the poorer neighborhoods of Downtown L.A. and have seen how low income people vandalize their own neighborhoods and instill a high crime rate within their community. After serving the Army and living in many other states, I had chosen to return to California. I did much research before concluding that Diamond Bar was the ideal community to raise my children and educate them in its public school system. I am sure that this is one of the primary reasons that parents choose to live in Diamond Bar. It affords safety, peace, and nice amenities for families.

I urge you to not to change the demographics and the living conditions for Diamond Bar residents. By voting for your current Specific Plan of commercial and high density/low income apartments on Site D, you are in essence doing that. Since I have been here, I have seen that the existing strip mall directly north of Site D barely hanging on for survival. Numerous small businesses such as Warehouse Records, Baskin Robins, the Theatre, Quiznos, etc. have all gone out of business. There are still plenty of vacant store spaces. The fact is that this location has been proven to not be able to support any type of significant retail other than Mom and Pop stores. In this economy and the next five years, it will continue to be the same.

The low income apartments will bring degradation, vandalism, and high crime rate to this neighborhood and will impact not only South Diamond Bar, but also all of Diamond Bar. Additionally, you will be lowering the student standards and test scores for the Walnut Valley School District. The high standards have been what made this school district highly desirable for parents such as myself. Please do not be short-sighted and allow the School District to haphazardly sell this land and for developers to build whatever they want. As Peter Drucker taught me and all other managers, you must do what is best for the long term for a corporation or a community. This one time injection of funds will not help them solve their budgetary crisis.

Unlike the current Federal Government who does not listen to its constituents, I urge you, as our Local Government, to listen to your constituents and do what is best for Diamond Bar for the long term. It was clear from the last public hearing, that the residents want other alternatives proposed for Site D. I believe the following alternatives are prioritized as such:

1. Leave Site D as a preserved open and natural space to preserve Diamond Bar's cultural and historical legacies.

2. Rezone Site D as a park so that it could be one of the best parks in this area. This would allow little league baseball games and family outings to occur here. There may also be a continued revenue stream from these activities.
3. The last resort is that if this land must be sold to a developer, keep the zoning of this land for construction of single family homes (with a certain minimum square footage and high standard of architectural appearance). This would attract other high income and high net worth individuals into the Diamond Bar community. Diamond Bar would be able to maintain its reputation for safety and high property value.

In summary, I urge you to delay any sudden and haphazard decisions without really finding out from the Diamond Bar residents what they support on this site. I urge you to put this issue on a ballot and allow the residents to vote for what they deem as the most desirable alternative to Site D. I thank you, in advance, for your consideration in this matter as I know you will do the right thing for Diamond Bar.

Sincerely,

Peter Au-Yeung  
21351 Running Branch Rd.  
Diamond Bar, CA 91765

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Confidential Communications

The information contained in this e-mail message is intended only for the use of the individual or individuals named above. If the person actually receiving this message or any other reader of the message is not the named recipient or the employee or agent responsible to deliver it to the named recipient, any use, dissemination, distribution, or copying of the communication is strictly prohibited. If you have received this communication in error, please immediately destroy AND notify us by telephone at 909.839.7058.

## Attachment 10

Grace Lee

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**Subject:** FW: Site D-Specific Plan

-----Original Message-----

From: Helena Young  
To: undisclosed recipients: ;<Invalid address>,  
Subject: Site D-Specific Plan  
Sent: Jul 10, 2010 8:40 PM

Dear Council Member:

I am writing to urge a "NO" vote on the Site D Specific Plan.

This plan is the prelude to development of the last undeveloped land in this city, in an area that appears to be woefully inadequate in park space.

Approval of the Site D specific plan would bring untold traffic congestion to a city whose officials have promised but never delivered to mitigate the growing congestion on Diamond Bar Blvd. How could the addition of almost a thousand auto trips a day and untold numbers of commercial vehicles be consistent with a desire to ease traffic problems?

This Specific Plan and EIR raise so many unanswered questions that the City Council should take the prudent course -- vote "NO" and refer the whole project back to the Planning Commission for further review and expert input.

This piece of property is a unique asset to the city and residents of Diamond Bar, and the city council needs to understand that once it is gone, there is no more property like it.

Please vote "NO" for the future of South Diamond Bar.

Sincerely,

Helena Young  
Diamond Bar resident

# Attachment 11

Grace Lee

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Subject: FW: Site D-Specific Plan

-----Original Message-----

From: Helena Young  
To: undisclosed recipients: ;<Invalid address>,  
Subject: Site D-Specific Plan  
Sent: Jul 10, 2010 8:42 PM

Dear Council Member:

I am writing to urge your "NO" vote on the Site D specific plan.

I am a Diamond Bar resident who appreciates the natural beauty of Diamond Bar. Site "D" represents the last undeveloped piece of land in our city, and simply cannot be approved for sale to developers without a great deal of discussion and citizen input.

When this matter has been discussed in various public forums, the overwhelming majority of residents believe that Site D should be zoned for some kind of public use. May I remind you that a School Board committee found that 62.5 percent of residents surveyed said Site D should be saved for some kind of public use like a park. It should not be rezoned for commercial and high-density residential and all the traffic and environmental issues that such zoning entails.

Diamond Bar is a city of country living. It's also a place where smart people can have an open, intelligent conversation about the future of a very unique piece of land. Please say NO to the rushed campaign of bulldozers, developers, and traffic congestion. Vote "NO" and send this plan back to the City Planning Commission for further review and citizen input.

Sincerely,

Helena Young

## Attachment 12

**Grace Lee**

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**Subject:** FW: Site D-Specific Plan

-----Original Message-----

From: Helena Young  
To: undisclosed recipients: ;<Invalid address>,  
Subject: Site D-Specific Plan  
Sent: Jul 10, 2010 8:44 PM

Dear Council Member:

Does Diamond Bar really need another strip mall, more than 200 high-density apartments and the untold nightmare of traffic gridlock in a city where residents list traffic congestion as their #1 "pet peeve?"

South Diamond Bar still has countless "For Lease" signs in the windows of existing commercial property. Will the development of 150,000 additional square footage of commercial space really be economically viable, just because an Orange County land developer says so?

If this city is committed to easing traffic burdens on local residents, then how can a city approve a project that could add up to 1,000 daily auto trips to Diamond Bar Blvd.?

Please use your best dose of common sense and say "NO" to the Specific Plan currently proposed for the so-called Site D property at Diamond Bar Blvd. and Brea Canyon Road. By voting "NO" and sending the plan back to the city's planning commission, you will give the citizens of this city a better chance to have a meaningful conversation about the future of South Diamond Bar in general and the so-called Site D property in particular.

Sincerely

Helena Young,  
Diamond Bar Resident.

**MINUTES OF THE CITY COUNCIL  
REGULAR MEETING OF THE CITY OF DIAMOND BAR  
JULY 20, 2010**

**CALL TO ORDER:** Mayor Herrera called the Regular City Council meeting to order at 6:33 p.m. in The Government Center/SCAQMD Auditorium, 21865 Copley Dr., Diamond Bar, CA.

**PLEDGE OF ALLEGIANCE:** Mayor Herrera led the Pledge of Allegiance.

**INVOCATION:** Pastor Randy Lanthripe, Church of the Valley, gave the invocation.

**ROLL CALL:** Council Members Ling-Ling Chang, Ron Everett, Jack Tanaka, Mayor Pro Tem Steve Tye and Mayor Carol Herrera.

**Staff Present:** James DeStefano, City Manager; David Doyle, Assistant City Manager; Michael Jenkins, City Attorney; David Liu, Public Works Director; Ken Desforges, IS Director; Bob Rose, Community Services Director; Linda Magnuson, Finance Director; Greg Gubman, Community Development Director; Grace Lee, Senior Planner; Marsha Roa, Public Information Manager; Lauren Hidalgo, Public Information Specialist; Ryan McLean, Assistant to the City Manager; Rick Yee, Senior Civil Engineer; Kimberly Molina, Associate Engineer; Anthony Santos, Management Analyst; Patrick Gallegos, Management Analyst, and Tommye Cribbins, City Clerk.

**Also Present:** Site D Consultants

**APPROVAL OF AGENDA:** As Presented.

**1. SPECIAL PRESENTATIONS, CERTIFICATES, PROCLAMATIONS**

- 1.1 Walnut Valley Water Board President Ted Ebenkamp, along with Directors Allen Wu, Edwin Hilden, Barbara Carrera, Scarlett Kwong, General Manager Michael Holmes, and Jose Martinez, presented a check to the City in the amount of \$57,557.50 for its Water Conservation Program.

**NEW BUSINESS OF THE MONTH:**

- 1.2 C/Chang presented a Certificate Plaque to David Vilorio, owner, DA Kine Hawaiian Grindz Restaurant, 958 N. Diamond Bar Blvd., as New Business of the Month for July 2010.

**2. CITY MANAGER REPORTS AND RECOMMENDATIONS:**

CM/DeStefano thanked CSD/Rose for his initiative in applying for the Metropolitan Water District and Walnut Valley Water District resources to help support the development and installation of the City's centralized irrigation controller system which will save the City between 25% and 30% of the cost and use of its water over many years. This was a \$500,000 project for which the City received approximately \$222,000 in grant funds

from the two agencies. He thanked the MWD and WWWD and staff for their participation and implementation of the project.

3. **PUBLIC COMMENTS:**

Nicholas Wong and Alexander Ng representing Assemblyman Kurt Hagman's office introduced themselves and announced that if there were any residents who have questions or concerns that they could speak with them and that they will relay those questions and concerns to the Assemblyman.

4. **RESPONSE TO PUBLIC COMMENTS:** None.

5. **SCHEDULE OF FUTURE EVENTS:**

5.1 Concerts in the Park – July 21, 2010 – 6:30 to 8:00 p.m., "Doo Wah Riders" (Country) – Sycamore Canyon Park, 22930 Golden Springs Dr.

5.2 Movies Under the Stars – July 21, 2010 – "Monsters vs. Aliens" – Immediately following Concerts in the Park, Sycamore Canyon Park, 22930 Golden Springs Dr.

5.3 Parks and Recreation Commission Meeting – July 22, 2010 – 7:00 p.m., AQMD/Government Center Hearing Board Room, 21865 Copley Dr. (Dark).

5.4 Planning Commission Meeting – July 27, 2010 – 7:00 p.m., AQMD/Government Center Auditorium, 21865 Copley Dr.

5.5 Concerts in the Park – July 28, 2010 – 6:30 to 8:00 p.m., "County Line" (Contemporary Rock) – Sycamore Canyon Park, 22930 Golden Springs Dr.

5.6 Movies under the Stars "Imagine That" – July 28, 2010 – – Immediately following Concerts in the Park, Sycamore Canyon Park, 22930 Golden Springs Dr.

5.7 City Council Meeting – August 3, 2010 – 6:30 p.m., AQMD/Government Center Auditorium, 21865 Copley Dr.

6. **CONSENT CALENDAR:** C/Tanaka asked that Item 6.3 be pulled from the Consent Calendar. MPT/Tye moved, C/Everett seconded, to approve the balance of the Consent Calendar as presented. Motion carried by the following Roll Call:

AYES: COUNCIL MEMBERS: Chang, Everett, Tanaka, MPT/Tye,  
M/Herrera  
NOES: COUNCIL MEMBERS: None  
ABSENT: COUNCIL MEMBERS: None

- 6.1 APPROVED CITY COUNCIL MINUTES – Regular Meeting of July 6, 2010 – As submitted.
- 6.2 RATIFIED CHECK REGISTER – Dated July 1, 2010 through July 14, 2010 totaling \$2,002,359.46.
- 6.4 ADOPTED RESOLUTION NO. 2010-26: AUTHORIZING CITY STAFF TO APPLY FOR FEDERAL DISASTER RELIEF FUNDS.
- 6.5 ADOPTED RESOLUTION NO. 2010-27: AUTHORIZING SUBMITTAL OF A USED OIL PAYMENT PROGRAM (OPP) APPLICATION TO THE DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY (CALRECYCLE), AND AUTHORIZED THE CITY MANAGER TO EXECUTE ANY AGREEMENTS, CONTRACTS AND REQUEST FOR PAYMENT AS NECESSARY TO IMPLEMENT THE PROGRAM UNTIL RESCINDED.
- 6.6 APPROVED NOTICE OF COMPLETION FOR TRAFFIC SIGNAL INTERCONNECT LINKS – PHASE II PROJECT ALONG BREA CANYON ROAD, DIAMOND BAR BLVD. GATEWAY CORPORATE CENTER DR.AND GOLDEN SPRINGS DR.

**MATTERS WITHDRAWN FROM CONSENT CALENDAR:**

- 6.3 APPROVE THE CONTRACT WITH THE REGIONAL CHAMBER OF COMMERCE – SAN GABRIEL VALLEY, FOR BUSINESS DEVELOPMENT AND RETENTION SERVICES IN THE AMOUNT NOT-TO-EXCEED \$12,000.

C/Tanaka asked if a performance evaluation had been completed since the contract has been in place and if so, what was the outcome?

CM/DeStefano explained that this is an annual contract and that there has not been a performance evaluation provided by staff; however, staff requests that the Chamber's Executive Director provide staff with a report on implementation of the contract provisions which is provided annually and reviewed by staff. Since this is an annual contract it provides the Council with an opportunity to consider the Chamber's performance when considering whether to renew the contract.

C/Tanaka asked Chamber's Executive Director Heidi Gallegos how the Chamber was generating income in addition to the monies received from the member cities and projects.

Ms. Gallegos explained that the Chamber is a member-based organization and that approximately 75% of the Chamber's revenue is generated by membership dues.

C/Tanaka moved, C/Everett seconded, to approve the Contract with the Regional Chamber of Commerce – San Gabriel Valley, for Business Development and Retention Services in the amount not-to-exceed \$12,000. Motion carried by the following Roll Call vote:

AYES:	COUNCIL MEMBERS:	Chang, Everett, Tanaka, MPT/Tye, M/Herrera
NOES:	COUNCIL MEMBERS:	None
ABSENT:	COUNCIL MEMBERS:	None

Due to the 7:00 p.m. schedule for Public Hearings, the City Council went on to Council Subcommittee Reports/Council Member Comments at 6:50 p.m.

9. **COUNCIL SUBCOMMITTEE REPORTS/COUNCIL MEMBER COMMENTS:**

C/Tanaka reported that this past week he had attended the Concerts in the Park, a car wash sponsored by Fire Explorers IXX, the Library's Pirate Program, and Teens Night Out event.

C/Chang stated that she attended the most recent Concerts in the Park. She also stated that she is very excited about the City's launch of its Twitter and Facebook pages and the City prescription drug discount program. She stated that her door is always open and reminded residents her City pursuits could be followed on Twitter.

C/Everett asked residents to recall the legacy of Coach John Wooden and that the City of La Verne was listed in this month's *Family Circle* as one of the best towns for families. He asked everyone to enjoy the summer and enjoy the opportunities available including the Concerts in the Park series.

MPT/Tye again thanked staff for applying for and receiving grants that make it possible for the City to do over \$200,000 in improvements at no cost to the residents. He thanked the Chamber and Executive Director Heidi Gallegos for her efforts on behalf of the Regional Chamber of Commerce.

M/Herrera thanked staff for applying for and receiving grant monies to help the City conserve water. Everyone has an obligation to conserve water and the City has been spending money on redoing its sprinkler systems and replacing grass and plants with more water tolerant plants.

**7. PUBLIC HEARINGS:**

7.1 CONTINUED PUBLIC HEARING – A PUBLIC HEARING TO CONSIDER VARIOUS ACTIONS PERTAINING TO SITE D (A SITE COMPRISED OF APPROXIMATELY 30.36 ACRES LOCATED AT THE SOUTHEAST CORNER OF BREA CANYON ROAD AND DIAMOND BAR BOULEVARD, DIAMOND BAR, CA (ASSESSORS PARCEL NUMBERS 8714-002-900, 8714-002-901, 8714-002-902, 8714-002-903 AND 8714-015-001) INCLUDING GENERAL PLAN AMENDMENT NO. 2007-03, ZONE CHANGE NO. 2007-04, SPECIFIC PLAN NO. 2007-01 ("SITE D SPECIFIC PLAN"), TENTATIVE TRACT MAP NO. 70687, AND CONSIDERATION OF CERTIFICATION OF ENVIRONMENTAL IMPACT REPORT 2007-02 (SCH NO. 2008021014). (Continued from the June 15, 2010 City Council Meeting)

- a) RESOLUTION NO. 2010-XX: CERTIFYING THE ENVIRONMENTAL IMPACT REPORT (SCH NO. 2008021014) AND APPROVING THE MITIGATION REPORTING AND MONITORING PROGRAM AND ADOPTING FINDINGS OF FACT AND A STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE SITE D SPECIFIC PLAN AND TENTATIVE TRACT MAP NO. 70687 FOR A SITE COMPRISED OF APPROXIMATELY 30.36 ACRES LOCATED AT THE SOUTHEAST CORNER OF BREA CANYON ROAD AND DIAMOND BAR BOULEVARD, DIAMOND BAR, CALIFORNIA (ASSESSORS PARCEL NUMBERS 8714-002-900, 8714-002-901, 8714-002-902, 8714-002-903 AND 8714-015-001).
- b) RESOLUTION NO. 2010-XX: APPROVING GENERAL PLAN AMENDMENT NO. 2007-03 AND ZONE CHANGE NO. 2007-04 FOR PROPERTY COMPRISED OF APPROXIMATELY 30.36 ACRES LOCATED AT THE SOUTHEAST CORNER OF BREA CANYON ROAD AND DIAMOND BAR BOULEVARD, DIAMOND BAR, CALIFORNIA (ASSESSORS PARCEL NUMBERS 8714-002-900, 8714-002-901, 8714-002-902, 8714-002-903 AND 8714-015-001).
- c) RESOLUTION NO. 2010-XX: APPROVING TENTATIVE TRACT MAP NO. 70687 FOR SUBDIVISION OF 30.36 ACRE SITE FOR RESIDENTIAL AND COMMERCIAL PURPOSES

WITH 202-UNIT RESIDENTIAL UNITS AND 153,985 GROSS SQUARE FEET OF COMMERCIAL USE ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF BREA CANYON ROAD AND DIAMOND BAR BOULEVARD, DIAMOND BAR, CALIFORNIA (APN 8714-002-900, 8714-002-903 AND 8714-045-001).

- d) ORDINANCE NO. 0X (2010): APPROVING ZONE CHANGE NO. 2007-04 CHANGING THE EXISTING ZONING TO SPECIFIC PLAN FOR PROPERTY COMPRISED OF APPROXIMATELY 30.36 ACRES LOCATED AT THE SOUTHEAST CORNER OF BREA CANYON ROAD AND DIAMOND BAR BOULEVARD, DIAMOND BAR, CALIFORNIA (ASSESSORS PARCEL NUMBER 8714-002-900, 8714-002-901, 8714-002-902, 8714-002-903 AND 8714-015-001).
- e) ORDINANCE NO. 0X (2010): APPROVING SITE D SPECIFIC PLAN, SPECIFIC PLAN NO. 2007-01, FOR PROPERTY COMPRISED OF APPROXIMATELY 30.36 ACRES LOCATED AT THE SOUTHEAST CORNER OF BREA CANYON ROAD AND DIAMOND BAR BOULEVARD, DIAMOND BAR, CALIFORNIA (ASSESSORS PARCEL NUMBER 8714-002-900, 8714-002-901, 8714-002-902, 8714-002-903 AND 8714-015-001).

CM/DeStefano explained that this matter was continued from the June 15, 2010 Public Hearing regarding the 30-acre property known as Site D, located at the Southeast Corner of Diamond Bar Blvd. at Brea Canyon Rd. Applications under consideration include a General Plan Amendment, Zone Change, Specific Plan, Tentative Tract Map and Environmental Impact Report all associated with a proposed development project comprised of 202 dwelling units and a maximum of 153,985 sq. ft. of neighborhood commercial uses. As Council is aware, staff prepared a detailed report on this proposal which includes responses to questions and comments from the audience, as well as Council comments and directions raised at the June 15, 2010 meeting. Copies of the report and attachments were provided to City Council and have been available to the public at City Hall, Diamond Bar Library and posted on the City's website. Staff and the City's consultant team are prepared to provide a detailed staff report; however, it is his understanding that Walnut Valley Unified School District Board President Nancy Lyons requests the opportunity to make a presentation this evening.

Nancy Lyons, WVUSD Board of Trustees President, representing the entire Board, stated they appreciate the time the Council and City's staff has taken to prepare for tonight's hearing pertaining to the property known as Site D. As the community knows, Site D is an important school asset that serves a role of the District's capacity to fund and manage quality schools and educational programs in the future. Approval of a Specific Plan for the site is essential to this capacity. Like most public processes, concepts and ideas evolve and change. The Board has received and read comments from the community and recognizes the suggestions and opinions as a valuable part of this Specific Plan process. At the most recent D.B. Planning Commission Public Hearing, it was suggested that a 1.3 acre park be added to the project. This possibility certainly could affect the various project concepts evaluated in the Specific Plan and would also have some impacts on the neighborhood. On behalf of the Board, it would like to have the opportunity to explore a park component as part of the Specific Plan for the site and to identify and evaluate alternative layouts for a park as well as enable further consideration on the various site development alternatives. Equally important will be the chance to continue a dialogue with the community and to clarify recent misunderstandings regarding the Specific Plan that has surfaced including certain scare tactics such as, the Specific Plan will result in high density apartments which have never been the intent or the desire of the City and/or the School District. The School Board understands that there are multiple options as to the preferred mix of uses of the site with or without a park as well as, the potential impacts that a park may bring to the site and its neighbors. The Board believes it is important to get feedback and input from the community. To that end, the School District would support a continuance of tonight's hearing for approximately 60 days depending on scheduling and monitoring. She thanked the Council for its time and said she would be pleased to respond to questions.

Jack LeBrun, Asst. Superintendent of Business Services, WVUSD, conveyed that the District faces significant financial challenges as a result of the State's budget constraints, declining enrollment and increases in operating costs. As a result, Site D is a potential revenue source for the School District. As a community based organization, the School District is committed to providing excellent educational services, facilities and programs. Without additional funds these items will most certainly suffer. The Specific Plan for Site D is a process that the City and School District embarked upon to

support the District in its continuing comprehensive approach to education and most importantly to serve the students now and in the future. It is essential for the School District to complete the Specific Plan in order to generate revenue from this important asset.

CM/DeStefano asked if there was Council consensus to continue the matter as requested by the School District. He stated that assuming concurrence, the Council may wish to invite public testimony from those individuals who wish to speak this evening knowing that the Council will continue the matter to a future date. At the conclusion of public comments, Council may wish to provide additional communication to staff or the District so that formal action can then be taken to consider the request for continuance.

CA/Jenkins noted that in light of the probability that the City Council will accede to the School District's request and continue the item and notwithstanding members of the public who wish to comment tonight, when this item is rescheduled for hearing before the City Council anyone who wishes to speak at that time will be given the opportunity to speak. In light of comments by School District representatives this evening about taking a look at the precise configuration of the project it may look different than it looks now and so comments tonight on what is currently in front of the Council may be rendered moot if the District/applicant comes back to the City with a different proposal.

C/Chang asked if the School District planned to conduct study or focus groups.

President Nancy Lyons responded Yes. It is their intent to get additional input from the community and take a look at the proposed park, etc.

C/Chang asked how many such group meetings might be conducted within the next 60 days.

President Lyons responded that since this is such a new development the School Board is not prepared to commit to a specific number.

C/Everett thanked the Board, School District and staff and appreciated, respected and desired to move forward on the basis that the School District is joining in the dialogue. In his opinion, 60 days may be a bit optimistic with all that is to be