

APPENDIX M

CITY OF SAN DIMAS RESPONSE LETTER TO NOP

San Dimas

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July 12, 1999

Kerwin Chih, Acting Section Head
Impact Analysis Section
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

RE: Notice of Preparation
Project No. 99-028 (TT 47449)

Dear Mr. Chih:

The City of San Dimas has reviewed the above-referenced Notice of Preparation ("NOP") and transmits the enclosed comments on that document.

The City of San Dimas requests notification of all meetings and/or hearings where this project is discussed or considered including Planning Commission, Board of Supervisors and Staff level technical committee meetings (i.e. subdivision committee) so that that we have the opportunity to participate and identify concerns affecting the City and its surrounding residents. It should be noted that the subject property, although unincorporated, is surrounded entirely by the City of San Dimas and that all access to this property is via City streets.

The enclosed comments have been organized in sequential order according to the sections set forth in the NOP.

Project Description

The "Project Location" on Page 1 contains the following inaccurate information:

- Frank Bonelli Regional Park and Puddingstone Reservoir, while owned and operated by the County, are not located in an unincorporated area but are located within the corporate boundaries of the City of San Dimas.

- The residential property located south of the project is not the "Mountain Meadows residential tract" but does consist of single family residential houses located within the City of San Dimas.
- It may not be accurate to refer to the property adjacent and north of the project site as the "Pacific Coast Baptist Bible College" although that was the prior use. The current tenant on that property is the Los Angeles International Church of Christ.
- It would be more accurate to describe the "roadway" extending from the terminus of Valley Center Avenue (not "Drive") as a driveway. You should also be aware that there is currently a dispute between the property owners and/or tenants concerning the ability of the project site to access this driveway.

The document states here (and in other locations) that the project site consists of 58.5 acres. While that is consistent with the tentative tract map and current land ownership of Dentec, it should be pointed out that portions of the project extend beyond these limits. These extensions include grading in at least three sizable locations and the only direct access to a public street (San Dimas Avenue). County Assessor records indicate that the Dentec parcel is 57.12 acres in size.

Exhibit 1 on page 2 does not correctly show the location of the existing City boundary immediately contiguous to the project site.

Exhibit 2 on page 3 is misleading as it shows roads up to and through the project site when, in fact, these are driveways. At minimum any access which is depicted beyond the terminus of Valley Center should not be shown using the "lines" as surrounding public streets.

There are two headings entitled "Background of Project." Presumably one is misstated.

In the second "Background of Project" section (starting on page 5) the following inaccuracies or clarifications should be made:

- The 1990 project approved by the County was not approved for 119 lots but rather 114. In addition, it would be more accurate to state that that proposal encompassed the entire 150 acres and not the 58.5 acres contained within the project site.

- Paragraph two inaccurately states that "... no formal application for this earlier development was completed by the City of San Dimas." In fact, no application in any form was ever submitted to the City pursuant to the referenced settlement agreement.
- The discussion of the Kaufman and Broad proposal is incomplete. Why is one issue referenced and not others? What is the relevance of the footnote?
- The last sentence of paragraph four implies that the City "reviewed" the design. While the City certainly discussed the design and sought various revisions to it, it did not formally review the design and no support for the current design should be implied or otherwise inferred.

The first paragraph of "Circulation" on page 8 should clearly indicate that the single point of unrestricted access at San Dimas Avenue is located within the City of San Dimas and that the emergency access connection to Calle Bandera is also located within the City of San Dimas. The second paragraph states that the project will be gated at San Dimas Avenue but this is not shown on the Tentative Tract map and it does not appear that there is sufficient room to accommodate a gate and any related appurtenances without significant changes to the design.

The section on "Discretionary Actions" is not complete. The City of San Dimas contends that additional discretionary actions are required. Various portions of the NOP suggest that the existing County zoning of the project site is RPD-10, 000-3U and A-1-1. In 1991 the County approved Zone Change Case No. 89-422-(1)/(5) changing the zoning from A-1-1 and R-A-10, 000 to RPD-10, 000-3U and O-S. However, this decision was invalidated by the settlement agreement entered into by the City, County and Century American/Delma. As a result the existing zoning should still be A-1-1 and R-A-10, 000 and not RPD. The City is not aware of any subsequent zone change and lacks sufficient information to determine whether or not the proposal complies with the A-1-1 and R-A-10, 000 regulations.

In addition, the approval actions taken by the County in 1991 included action on Conditional Use Permit No. 89-422-(1) pursuant to hillside management design standards and criteria and to implement requirements of the RPD Zone. While it is conceivable that the County's requirements related to hillside management have changed, the City of San Dimas would request an explanation regarding the need or lack of need for a CUP on this issue.

Land Use/Vicinity/Radius Map

The map indicates a 500-foot radius is being used. The City of San Dimas requests that the notification to surrounding property owners be expanded as follows:

1. A minimum radius of 1000 feet;
2. Radius to be drawn around the entire 150 acre (Note: All previous development proposals considered on this site included the entire 150 acre site. Even though Dentec secured, and the County approved, an inappropriate Lot Line Adjustment to facilitate creation of the project site, that should not be the basis for a diminished notice to the public affected by this proposal.);
3. Notice to all surrounding homeowners associations;
4. Notice to the City of San Dimas.

Initial Study Questionnaire

Item A.1a - This references a park expansion. Presumably this intends to add property to Loma Vista Park located in the City of San Dimas. There have been no discussions with the project proponent about providing land for the expansion of Loma Vista Park.

Item A.3a.- For reasons stated earlier the present zoning is not correct.

Item A.4a.- The present use of the site is not correct. It is our understanding that Dentec may have leased some or all of its buildings for use as a school.

Item A.6- This item is incomplete as certain permits/approvals may be required from the City of San Dimas including road plans and related encroachment permits at San Dimas Avenue and possibly sewer permits depending on the intended method and location of connection to community sewer.

Item A.8- This item is inaccurate in that portions of the project extend beyond the applicant's current ownership and are outside the project boundaries shown on the tentative tract map.

Item A.10- Please explain where public sewer is available. The City of San Dimas has the closest sewer facilities but may not permit projects located outside the corporate limits to connect to said lines.

Item B.1a.- See previous comment concerning unoccupied.

Item B.1b - "Some hilly terrain" is a profound understatement as it applies to this property.

Item B.1c & d. - The reference to two previous EIR's is misleading. The first EIR was prepared in 1990. The City of San Dimas successfully challenged the EIR as inadequate and environmental regulations relative to biological resources have changed substantially since that time. The second EIR was prepared and circulated in draft form but was never considered in a public hearing nor was it certified; it was also prepared for a substantially different project.

Item B.1e - It is misleading to state that there are no watercourses on the site. Walnut Creek is immediately proximate to the site both at its connection to San Dimas Avenue and near its northwest corner.

Item B.1f & g - The reference to two previous EIR's is misleading. The first EIR was prepared in 1990. The EIR was successfully challenged by the City of San Dimas as inadequate and environmental regulations relative to cultural resources, traffic, and other issue areas have changed substantially since that time. The second EIR was prepared and circulated in draft form but was never considered in a public hearing nor was it certified; it was prepared for a substantially different project. These documents may be useful resources for information but substantial analysis pertinent to the proposed project, not past projects, remains necessary.

Item B.4 - Presumably the "yes" box should have been checked. It is misleading to state that there are no natural watercourses on the property.

Item B.8 - The subject property is near to the 210 Freeway on its east side and may be in the flight path of Brackett Field. Both are substantial sources of potential noise impact.

Certification - The Initial Study questionnaire is neither signed nor dated.

Initial Study

The list of major projects in the area is very incomplete and only refers to two County "approvals" which were invalidated by a subsequent settlement agreement. Reference should be made to the recently certified EIR prepared by the County Department of Parks and Recreation for the Bonelli Park Master Plan. Several major projects have recently been

approved and/or constructed in the immediate area within the City of San Dimas. The City of San Dimas is also considering several applications within the immediate vicinity of the project site. You should contact us directly to obtain this information.

This list of reviewing agencies is incomplete. The US Fish and Wildlife Service may have jurisdiction over certain biological resources that may occur on the site. The City of San Dimas may be a responsible agency pursuant to CEQA depending in the connections and improvements related to San Dimas Avenue and the community sewer.

The Impact Matrix Analysis should be modified to reflect the ensuing comments. The City does agree with the determination that an Environmental Impact Report is required.

Geotechnical Hazards

The City of San Dimas agrees with the conclusion that there exists a potentially significant impact relative to geotechnical factors and recommends consideration of additional "other considerations/mitigations", including lot size, project design and approval of geotechnical report by DPW. Our concerns relate primarily to the feasibility of the specific grading proposed for the tentative tract map. Consideration must be given to grading design contingencies in areas of uncertain local geology so that any potential remedial measures are identified and evaluated. We believe this to be particularly critical at the canyon crossing of "A" Street just east of Phase 1.

Our primary concerns related to geotechnical hazards relate to:

- Fault rupture
- Seismic ground shaking
- Erosion, changes in topography or unstable soils conditions from excavation, grading or fill
- Unique geological or physical features

Seismic Hazard Zone maps recently released by the State Division of Mines and Geology identify the potential for both liquefaction and earthquake-induced landslides on the subject property.

Flood Hazards

The City of San Dimas agrees with the conclusion that there exists a potentially significant impact relative to flood hazard and recommends

consideration of appropriate standard and other mitigation measures even though none are checked in the Initial Study.

Our primary concerns related to flood hazards relate to:

- Changes in absorption rates, drainage patterns or the rate and amount of surface run-off;
- Discharge into surface waters or other alteration of surface water quality;
- Changes in the amount of surface water in any water body;
- Changes in currents, or the course or direction of water movements;
- Altered direction or rate of flow of groundwater;
- Impacts to groundwater quality.

The responses to Items a and e should be changed from "no" to "yes" due to the proximity of and impacts to Walnut Creek and Puddingstone Reservoir.

The scope of analysis should also consider the cumulative effects associated with other projects approved or planned for the area affecting the Walnut Creek drainage area.

Fire Hazards

The City of San Dimas does not agree with the conclusion that there exists a less than significant impact relative to fire hazard and recommends consideration of additional "other considerations/mitigations" including project design.

The responses to Items b and c should be changed from "no" to "yes" because the project design does not comply with County standards requiring two equal means of access for projects greater than 75 dwelling units. There is only one unrestricted public access to the site. Furthermore, the site design is essentially one long cul-de-sac from San Dimas Avenue. The access to the property from nearby fire stations is at best circuitous.

In addition, there are potential cumulative effects associated with the use of the 90-acre college/church portion of the original Bible College property. These effects are directly related to the same constraints affecting the subject property.

Noise Hazards

The City of San Dimas agrees with the conclusion that there exists a potentially significant impact relative to noise hazard and recommends consideration of appropriate standard and other mitigation measures even though none are checked in the Initial Study.

The response to Item a should be changed from "no" to "yes" due to the proximity of the 210 Freeway and Brackett Field. Brackett Field is much less than five miles from the subject property as incorrectly stated in the comments appended to the checklist. The scope of analysis should be modified to evaluate the noise impacts associated with the County airfield.

Reference made in the "other factors" section indicates that a college is adjacent to the site. The current use has changed to a church and may also include other activities which have different noise characteristics than a college.

Water Quality Resources

The City of San Dimas agrees with the conclusion that there exists a potentially significant impact relative to water quality impacts and recommends consideration of additional "other considerations/mitigations" measures.

Air Quality Resources

No comments provided at this time.

Biota Resources

The City of San Dimas agrees with the conclusion that there exists a potentially significant impact relative to biological resource impacts and recommends consideration of additional "other considerations/mitigations" measures.

The responses to Items a and c should be changed from "no" to "yes" due to your response to item d and due to the proximity of and impacts to Walnut Creek.

The comments appended to the checklist relative to the quality of the coastal sage scrub community may be inaccurate and should be independently verified by the County as the agency responsible for the content of the environmental documents, including this Initial Study.

The City of San Dimas is very concerned with the significant loss of oak trees associated with the project as it is currently proposed. Consideration of design revisions is highly appropriate in this case.

The comments appended to the checklist appear to rely largely on the 1997 and 1998 surveys. It should be understood that these surveys are not complete and do not satisfy current protocols specified by the US Fish and Wildlife Service. The City of San Dimas verified this directly with the Service and with the biologist who prepared the surveys. The scope of analysis does not appear to make provision for additional survey work which would be needed to reach an appropriate conclusion concerning the potential impacts on wildlife.

Archaeological/ Historical/ Palaeontological Resources

The City of San Dimas agrees with the conclusion that there exists a potentially significant impact relative to archaeological, historical and palaeontological resources and recommends consideration of additional "other considerations/mitigations" measures.

The responses to Items c and d should be changed from "no" to "yes" because of the impact on historical buildings and their setting. These cultural resources are considered to be significant resources because of both individual buildings and the overall setting in which they exist. This setting should not be ignored because of the current ownership pattern resulting from a lot line adjustment.

The existing college buildings are a potentially significant environmental resource and their entire setting is appropriate to consider. Available information indicates that the property may qualify as a potential historic district. The lot line adjustment did not consider this impact when it was approved. Reliance on previous surveys of historic buildings is not adequate and there is no mention in the scope of analysis of any need to review the impacts on these clearly historic buildings.

Mineral Resources

No comments provided at this time.

Agricultural Resources

No comments provided at this time.

Visual Quality Resources

The City of San Dimas agrees with the conclusion that there exists a potentially significant impact relative to visual quality resources and recommends consideration of additional "other considerations/mitigations" measures.

The responses to Items c and d should be changed from "no" to "yes" because of the unique character and setting of the property major portions of which are undisturbed and in their natural state.

It is our understanding the Walnut Creek Trail entry at San Dimas Avenue would be altered to accommodate the project. In addition, the scope of analysis should give consideration to the visual impacts of various road grading approaches. For example, would the visual character of the area be better protected by designing the entry as a bridge rather than as a fill-supported road?

Traffic/Access Services

The City of San Dimas agrees with the conclusion that there exists a potentially significant impact relative to traffic and access and recommends consideration of additional "other considerations/mitigations" measures.

The response to Items b should be changed from "no" to "yes" because of the location of the connection to San Dimas Avenue on a high speed curve with related sight distance concerns and because of uncertainty over the impacts associated with creating a gated entry to the tract.

Discussion appended to the checklist does not accurately portray the existing traffic conditions. The closest signalized intersection to the site is Avenida Loma Vista and San Dimas Avenue and it is not mentioned. Furthermore, the Via Verde/I-210 off-ramp is currently being considered for signalization due to Raging waters and the office project approved at the southeast corner of Via Verde and San Dimas Avenue.

The scope of analysis seems to focus on LOS but the safety of the design of any intersection along that segment of San Dimas Avenue is more problematic due to the high speed, curve of the road, sight distance limitations and other nearby street openings and signals.

Sewage Disposal Services

Additional information is needed before a response on this item can be made. It is unclear to the City of San Dimas which community sewer is intended for use. The closest affordable sewer is operated by the City of San Dimas and the city may not permit a project located outside of the city to connect to its facilities. If this is the proposed point of connection, then the responses and conclusions may be different as a result of our policy.

Education Services

No comments provided at this time.

Fire/Sheriff Services

No comments provided at this time other than those previously noted under Fire Hazards.

Utilities/Other Services

No comments provided at this time.

Other General Factors

No comments provided at this time.

Other Environmental Safety Factors

No comments provided at this time.

Land Use Factors

The City of San Dimas does not agree with the conclusion that there exists a less than significant impact relative to land use factors and recommends consideration of additional "other considerations/ mitigations" including project design.

The subject property is part of a 150 acre "island" surrounded by the City of San Dimas and located within its adopted Sphere of Influence. The San Dimas General Plan designates the property as Open Space and the property is rezoned as O-S. While residential development may be appropriate for some portions of the property there is considerable question, due to the access limitations, the topography and other factors concerning the most appropriate design and density.

The response to Items a, b, and c should be changed from "no" to "yes" or "maybe" because of the San Dimas General Plan and zoning designations. Based on earlier projects considered for this property we believe that the project may also be subject to the County's Hillside Management criteria.

Population/Housing/Employment/Recreation

The City of San Dimas does not agree with the conclusion that there exists a less than significant impact relative to population/housing/employment/recreation factors and recommends consideration of additional "other considerations/ mitigations" including project design.

The response to Items b and e should be changed from "no" to "yes" or "maybe" because of the potential cumulative effects associated with the adjacent 90 acre parcel currently leased by the LAICC and because of the potential local recreation demand created by the project.

Mandatory Findings of Significance

The City of San Dimas agrees with the conclusion that there exists a potentially significant impact relative to the mandatory findings of significance.

In making these comments you should be aware that the City of San Dimas is very familiar with the project, the property and the reference documents listed in the checklist. It does not appear from the Initial Study that the checklist, conclusions and comments reflect a clear understanding of the potential impacts associated with this project. It was difficult to determine what portions of what documents were relied on to support the conclusions. There is some indication that information used was erroneous or was, at best, misleading. There is also some reason to question how much independent judgment was applied to support the conclusions.

As a result, it is necessary to raise a number of very important cautionary notes relative to the use of these reference documents.

- The County of Los Angeles and the City of San Dimas entered into a settlement agreement invalidating the Azeka de Almeida EIR because of its inadequacy. Furthermore, the project analyzed therein was not the same as the proposed project.
- The David Evans EIR, while prepared as a "Final", did not proceed beyond one hearing before the San Dimas Planning Commission. It was never certified. Furthermore, the project proposed was considerably different than the current project in terms of its potential impacts.

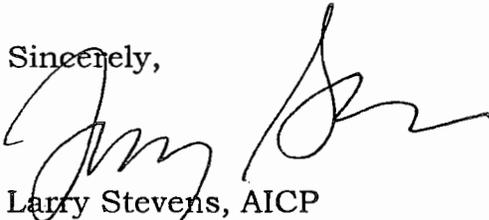
While these and the other referenced documents contain some useful information, that information will not suffice as adequate analysis for the proposed project. It is a project, which demands its own independent review and analysis. It is important to identify and consider an appropriate range of viable alternatives including some, which may not meet the stated needs of the project proponent.

The City of San Dimas has always viewed the potential development of this site as a 150-acre property. The cumulative effects associated with the adjacent 90-acre site and its future development are most appropriate to be considered at this time. This entire 150-acre is inextricably linked by its topography, its access limitations, its historical setting, its natural environment and many other factors. The mere fact that a lot line adjustment was inappropriately approved by the County is not sufficient basis to isolate these two properties and treat them as if they are not related to each. They are integrally related to each other. This piece-meal approach evidenced by the application and associated environmental documents is very unfortunate.

The City of San Dimas looks forward to working with the County in the future review of this project. We would appreciate the opportunity to meet at your earliest convenience to discuss in detail this project and its related impacts on the City of San Dimas. While it is understood that the project proponent has a right to file his applications with the County, it is our belief that urban-style development should not be permitted in unincorporated "islands which are located within an adopted Sphere of Influence.

Please do not hesitate to contact the undersigned if you have any questions concerning our comments on this matter.

Sincerely,



Larry Stevens, AICP
Planning Director

Cc: Mayor and City Council
City Manager
City Attorney
Mike Antonovich, 5th District Supervisor
Don Culbertson, Acting Administrator, Current Planning
John Hartman, Section Head, Land Divisions