

From: [CouncilMeeting Comments](#)
To: [Michelle Nance](#)
Subject: FW: The Refuge mountain
Date: Thursday, July 11, 2024 9:25:23 AM

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

From: [REDACTED] >
Sent: Thursday, July 11, 2024 7:34 AM
To: CouncilMeeting Comments <CouncilMeetingComments@palmdesert.gov>
Subject: The Refuge mountain

I just want to add this to my neighbors' well researched complaints and that is this: Would you like to look at that eyesore of a mountain every time you look out your window or drive into your community? How do you think this man made mountain will impact the resale of our homes? I hope that the city of Palm Desert will look out for all its residents.

Virginia Jefferson
Sent from my iPhone

From: [CouncilMeeting Comments](#)
To: [Michelle Nance](#)
Subject: FW: Refuge Development
Date: Thursday, July 11, 2024 9:25:23 AM

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

From: Kimberly Steinberg <[REDACTED]>
Sent: Wednesday, July 10, 2024 3:59 PM
To: CouncilMeeting Comments <CouncilMeetingComments@palmdesert.gov>
Subject: Refuge Development

Hello,

My name is Kimberly Steinberg and I live with my husband and three children on Hollister Drive in Palm Desert. We have lived here for the past 14 years and we love our neighborhood and the community of neighbors that we have. Since the development of the land for the Refuge development began several weeks ago I have become very concerned by what I have seen. At first I thought we would only have to suffer through the initial grading of the land but then I began to see the height at which they were grading and the amount of sand that was being moved to the back of our neighborhood along Woodward Drive. I immediately thought of the flooding that recently took place at the Spanish Walk Community just a mile down the road from us. My mother in law lives in that community and we received a phone call in the early morning hours as she was panicking over the water coming under her front and garage doors. I was on scene before emergency personnel and had to wade through knee high water trying to reach her. I saw firsthand the catastrophic failure of the many drains adjacent to and in her neighborhood. My husband and I have held her hand as she mourned the destruction of her home. Recently I listened to a city council meeting where our Mayor said how proud she was of her community and city over all the new housing that was being built in Palm Desert as she herself was affected by housing instability. I wonder if she has considered that she is risking this very thing for my family. A flooding potential like the one being allowed to continue with the elevation and grading of the Refuge development would be a catastrophic loss for me and my family. We can not even obtain insurance to protect us from the flooding potential. I am at a loss as to why the city would allow this to take place. I have been to the community and city council meetings, I have heard the reasons that have been listed, and the engineers say there is no potential of flooding, however I am not convinced. The grading is too high, the elevation change is too steep and there is a potential for flooding.

My other concern is the walking path that is open to the public that goes around the community. With the continued influx of homeless people entering our community I am certain they will soon discover this path. It is unable to be monitored in a timely matter by law enforcement and will be an easy spot to hide away and sleep or just be. This walking path will be incredibly expensive to build and maintain and the isolation makes it dangerous to use.

I would like to close by saying that I am not against the development of this land for homes. I think you will find that the majority of neighbors surrounding this development are not against it. We are against the way the city and the builders are ignoring our concerns and continue to build with no regard.

Thank you.

From: [CouncilMeeting Comments](#)
To: [Michelle Nance](#)
Subject: FW: Del Webb Explore
Date: Thursday, July 11, 2024 10:24:49 AM
Attachments: [Real Section Drawing at Lot 33 vs Lot 86 7-10-2024.pdf](#)

From: Maria Torres <[REDACTED]>
Sent: Thursday, July 11, 2024 9:59 AM
To: CouncilMeeting Comments <CouncilMeetingComments@palmdesert.gov>
Subject: Del Webb Explore

Your attachments have been security checked by Mimecast Attachment Protection. Files where no threat or malware was detected are attached.

Hello, my name is Maria Torres

I'm sorry to say that we are very disappointed with the actions of our city towards US, the current citizens, that pay your salaries and put you there.

We have pointed out many violations created by the Del Webb Explore development. Many people of these two communities have written and spoken multiple times. We've even given you the benefit of the doubt, but mistakes have obviously been made. The plans may have been reviewed and accepted, but that does not make them right!

The parcel drains by gravity the only purpose in raising the southern portion so high was to give the seller more valuable view lots with a steel bar fence, as shown and listed on the landscaping plans – it was their intentions all along and (**NOT** a block wall with no security and privacy concerns, as they falsely demonstrated on the renderings). Also, behind our house, based on a precise laser measurement, the pad is at least a foot above what the approved plans say! There has been one deceptive demonstration after another to mislead everyone. Including staff.

But, even if they needed to create that mountain to drain, that DOES NOT nullify our RIGHTS! If they cannot develop what they want, without harming the existing citizens, then do something else! Make it a park! Leave it a natural preserve! But they CANNOT be allowed to take advantage of us!

The issues are:

- erosion and damage to existing properties
- our safety and privacy will be put in jeopardy
- our properties will be devalued, and we should not pay taxes to a city that destroys our property value
- and our sacred signature views – have been illegally given away

Why are you all permitting this discrimination?

Are you sure you cannot do anything to enforce our rights?

Are you sure that you cannot protect us?

Or, is it that you don't want to?

This is a gross injustice that even a child can understand.

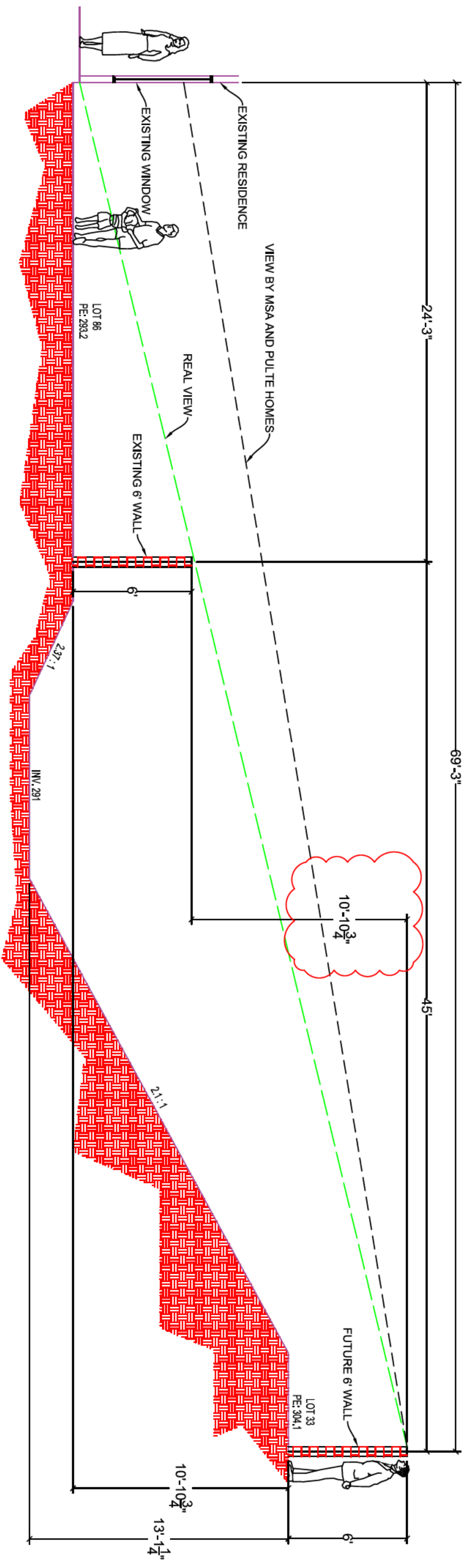
If this plan is approved with this bias against us, there will be repercussions. You will ALL suffer the consequences.

We ask that you please reconsider your position and your loyalties.

Thank you very much.

Maria Torres

EXISTING ELEVATION
 SECTION H STARTING AT PA 303.7 IN LOT 35
 DATE: 07/10/2024



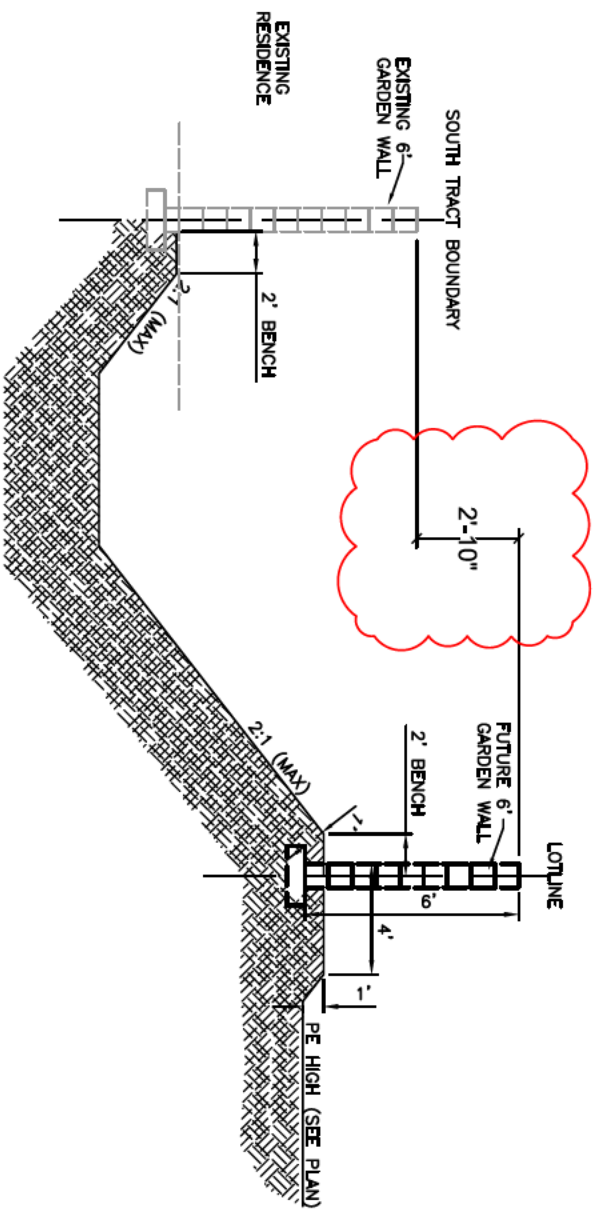
**ROUGH GRADING - SECTION H
 AT SOUTH TRACT BOUNDARY**

REAL SECTION II
 PAD 12" ABOVE APPROVAL PLAN BY THE CITY
 SCALE: 3/16" = 1'-0"

ELEVATION BY MSA PRECISE GRADING PLAN
 SECTION H STARTING AT PA 303.7 IN LOT 35

EXPLORER

CITY OF PALM DESERT
 EXPLORE PALM DESERT
 TRACT MAP NO. 38434
 PHASE 1 ROUGH GRADING
 PHASE 2 MASS GRADING



**ROUGH GRADING - SECTION H
 AT SOUTH TRACT BOUNDARY**

NTS
 SECTION BY MSA CONSULTING INC.

From: [CouncilMeeting Comments](#)
To: [Michelle Nance](#)
Subject: FW: Comments for Today's City Council Meeting
Date: Thursday, July 11, 2024 10:25:19 AM
Attachments: [REFUGE PROJECT COMMENTS.docx](#)

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

From: Linda Candler [REDACTED] >
Sent: Thursday, July 11, 2024 10:13 AM
To: CouncilMeeting Comments <CouncilMeetingComments@palmdesert.gov>
Subject: Comments for Today's City Council Meeting

Your attachments have been security checked by Mimecast Attachment Protection. Files where no threat or malware was detected are attached.

Please see attached. I also plan to attend by Zoom and speak in person but this highlights the points I wish to address.

Thank you.

Linda Candler

REFUGE PROJECT COMMENTS. July 11, 2024

I oppose approval of the Final Tract Map 38434-1, which is Agenda Item 14(e).

My challenges relate to a change to the 50' Landscape Buffer, and a change to the grading plan that moved the slope closer to existing homes. Tract Map 38434-1 shows the buffer zone is now 45'. (Sheet 6). This is not what was approved with the Specific Plan. I have asked the Planning Department when the change to 45' was approved – It is not in the Specific Plan, or the subsequent Tract Map revision of 9/5/23.

I challenged the change in the buffer zone at the May 21, 2024 Planning Commission Hearing. My opposition relates to height increases in the pad heights behind existing lots. A reduction of the 50' landscape buffer moves the slope closer to our homes and creates a steeper slope.

The Specific Plan Paragraph 2.4 says there is 50' buffer on East and Southern borders.

The Staff Report dated November 17, 2022 prepared by Mr. Melloni states “Planning Area 5: An Open space amenity area to establish up to 7.9 acres of open space, including a 50'-0” wide passive, landscaped walking trail along the southern and eastern perimeters of the RSP and on-site stormwater retention basins.” P. 2. Page 7 of Staff Report also states that for Planning Area 5 there is a 50' landscape buffer to be maintained by the HOA.

The Environmental Impact Statement at p. 15 also says there is a 50' landscape buffer.

The Environmental Checklist at p. 2 says there is a 50' Landscape buffer.

The TTM says Planning Area 5 provides a 50' buffer between homes to the East and South (p. 114 of submittal, p. 61 of TTM). According to p. 464 of the Preliminary Site Plan we are PA5.

The 50' setback is what was promised as part of the proposed pad elevation gains. We want this enforced.

I also have concerns about the Rough Grading Plan as it does not match the Landscape Plan submitted with the Specific Plan and it does not match the Preliminary Grading Plan. I request reopening of the Rough Grading approval hearing on 3/5/24 and the Landscape Plan hearing on 5/21/24 because they are inconsistent with what was approved with the Specific Plan.

I oppose approval of any Final Tract Map at this stage because the pad height elevations have not been verified. Planning Commission Resolution 2841, par. 47 states that a licensed land surveyor shall certify the grading to confirm the grading conforms with the lines and grades shown on the approved plans. HAS THIS OCCURRED?

I made a public records request for our Lot and the Tract Map 30216 shows our Lot 25 is at 289.5, not 291.7 as stated on the Refuge Rough Grading Plan. The Exhibit EE shows the total

elevation gain is 7' so our pad height needs to be verified and confirmed that the top of the slope is not greater than 7'.

The Preliminary Grading Plan dated August 17, 2022 shows the grading starts at the back wall of the new lots. This is not how it is graded. It starts 22' from our back wall. At a 7' pad height gain, at a 2:1 slope, it should be 14' depth and start at 36' from our back wall, not 22'.

The Rough Grading Plan of 3/5/24 does not show a cross-section for the lots behind our home.

The Preliminary Grading Plan states that if no cross-section, follow the Landscape Plan.

The Landscape Plan attached to the Specific Plan of November 2022 shows cross sections for grading behind existing property walls. Exhibit EE references our Lot (PAGE 902 OF SPECIFIC PLAN PERIMETER BUFFER FOR EAST SECTION).

Exhibit EE shows the grading begins level with the base of our existing wall and that the grade ends level with the new lot property wall. Refuge confirmed to me in writing as the grading behind us commenced that the grading would start at the base of our back wall. It is instead graded down to create a retention basin. THIS CHANGES THE HEIGHT OF THE SLOPE. ANY CHANGE IN HEIGHT REQUIRES A NEW HEARING, IT CANNOT BE CHANGED ADMINISTRATIVELY.

We were told in writing by Refuge that the hearing on the Rough Grading Plan in March of 2024 was only in respect to pad elevations and that the only change for our property was that the lots behind us were lowered by 6". There was no notice the grading of the slope would be changed from the Preliminary Grading Plan or Exhibit EE.

The Public Notice in the Desert Sun also only advised that the hearing on the Rough Grading Plan was for consideration of Pad Elevations. NO REFERENCE WAS MADE TO A CHANGE IN THE GRADING PLAN TO MOVE THE SLOPE CLOSER TO OUR EXISTING HOMES OR TO CREATE A 5-10' LEVEL PAD AT THE TOP OF THE SLOPE

For these reasons, I oppose the approval of the Final Tract Map submitted today.

Linda Candler

