

**From:** [Jana Bennehoof Koroczynsky](#)  
**To:** [CouncilMeeting Comments](#)  
**Cc:** [CityClerk](#)  
**Subject:** COUNCIL MEETING THURSDAY, AUGUST 22  
**Date:** Tuesday, August 20, 2024 12:45:40 PM  
**Attachments:** [We sent you safe versions of your files.msg](#)  
[3. VIEW LOTS and VIEW FENCE PG 6.pdf](#)  
[4. VIEW FENCE ON VIEW LOTS PG 9.pdf](#)

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Comments to Council

August 22, 2024

My name is Jana Koroczynsky. I live on Woodward Drive directly south of Pulte's Refuge Explore development. I represent 70 households in the two existing communities to the south and east.



□□□ [Image of original elevation behind our house \(now Pulte's Refuge Explore\).](#)

Roman aqueducts typically had a very slight gradient to ensure a continuous flow of water without causing erosion or stagnation. The gradient was usually **one unit of vertical drop for every 3,000 units of horizontal distance.**



□□□ [Taken from the same spot - Image of mountain of sand behind our house \(Pulte's Explore\)](#)

Using Pulte's figures, they needed less than a 3-foot drop in elevation for drainage of their development. Also using Pulte's figures, they already had a 13-foot drop. Google Earth and USGS topography maps both show a 27-foot drop (before they built the **mountain of sand.**)

□□□ [See attached image of Pulte's Refuge Explore plan rendering page 6 showing "View lot" and "View fence"](#)

Rainfall on the newly built, four-football-fields-long, eleven-foot-high-elevation slope built behind our existing neighborhood wall will collect in the drainage ditch directly behind that wall. The elevation and ditch were built for no good reason except to give the developer **360 degree "view homes."**

4. [See attached image of Pulte Explore plans page 9 showing "View fencing" on "View lots"](#)

Pulte's drainage plans are based on a one-hundred-year storm that will dump 4 inches of rain in a 24-hour period and 6.4 inches in a 500-year storm. (Palm Desert has no records going back that far and 500 years ago there was no carbon being pumped into the atmosphere.)

## Big Flood Leaves Marks—



□□□ [Image of Palm Desert flooding after Tropical Storm Kathleen in 1976](#)

*In September of 1976, Hurricane Kathleen poured 18 inches of steady and often torrential rain in the valley. In 1979 Tropical Storm Delores dumped 15 inches in some locations and last year Hurricane Hilary wrecked havoc here.*

In their plan Pulte talks about percolation rates, retention basins, etc. ... *But we are talking about their man-made escarpment channeling water into their man-made ditch behind the Kaufman Broad wall with water **rushing with force** toward the Shepard Lane wall, expected to make a magical, 90-degree turn at the corner.*

For twenty-seven years we have had no flooding in our neighborhoods, even with Hurricane Hilary. We do not *want* to experience flooding, let alone **issues of safety, privacy, and loss of home values**, because a **developer wants to make more money** selling or “renting” homes with views we once had.

We are battling for our natural rights against a predatory and exploitative development consortium. Public policy on social and environmental matters is appropriately the **responsibility of elected officials**. When errors are made, they should be corrected.

**From:** [Jana Koroczynsky](#)  
**To:** [CouncilMeeting Comments](#); [CityClerk](#)  
**Subject:** Comments to Council - Agenda item #14 Final Tract Map #38434-1  
**Date:** Wednesday, August 21, 2024 4:35:28 PM

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August 22, 2024

Comments to Council

I speak for the communities of Kaufman Broad and Shepherd Lane to the south and east of Refuge Palm Desert.

We have shown that Pulte Refuge Explore plans create a flooding hazard for two existing Palm Desert neighborhoods by raising the elevation by eleven feet. Along with that come loss of safety, privacy, home values and views.

We have shown that “View Homes” on “View Lots” with “View Fencing” was Pulte’s motivation for raising the unnecessary elevation.

How did these plans get approved by the city? We have also shown that approval process was flawed ... planning commissioners not told we had concerns about flooding; confusing letters coming from various unknown entities rather than the city and being thrown away as “junk mail;” requests for information (such as percolation tests and grading plans) being ignored or delayed until too late; a specialist ignored when he tried to show there was a problem; and questions asked of city staff and the developer being ignored.

We call on you to do the right thing and have the developer eliminate this flooding hazard that PulteGroup created.

Jana Koroczynsky



Palm Desert, CA 92211



**From:** [Jana Koroczynsky](#)  
**To:** [CityClerk](#); [CouncilMeeting Comments](#)  
**Subject:** RESPONSES TO STAFF RECOMMENDATIONS FOR CITY COUNCIL TO APPROVE REFUGE FINAL TRACT MAP  
**Date:** Thursday, August 22, 2024 9:17:36 AM  
**Attachments:** [We sent you safe versions of your files.msg](#)  
[Explore Refuge Action Plan REC JUL 23 Comments and signed.pdf](#)

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This was on the city agenda for the August 22, 2024 council meeting:

**(Our comments are in blue.)**

The Final Map has been deemed technically correct by the City Engineer, and the Conditions of Approval in the resolution have been satisfied for FTM 38434-1.

**(I, Jana Koroczynsky, represent 65+ households in KB and SL neighborhoods. This is well known to city staff.)**

This item was considered at the July 11, 2024, City Council meeting and was continued to August 22, 2024, to allow for more time to review all the documents associated with the item. Leading up to the July 11, 2024 meeting, the City received multiple complaints on the project with a focus on construction activity, pad elevations, and drainage. City staff had individual meetings and conversations with homeowners **(I had no meeting, or request for meeting with city staff.)**, created a project website on the City website to centralize project history, plans, and inspections, and conducted a community meeting at City Hall on June 25, 2024 to respond to resident questions and complaints.

The following has occurred between July 11 and August 22, 2024:

The developer finalized the “Del Webb Explore Action Plan” which included:

- o Enhanced dust control measures
- o Centralized e-mail and phone number to submit resident concerns **(I asked the city, on the Action Plan, how they intended to get this information to all the residents of KB and SL. There was no response from the city staff.)**
- o Process to request property damage claims **(See above.)**
- o Information and reasoning on drainage design **(We have shown there was no reason to elevate the pad in the first place. Their drainage design could have been done differently without impacting two communities.)**

City staff and the developer have continued to log and respond to resident concerns and inquiries which have focused on location of construction equipment, physical damage to surrounding properties, pad elevations **(Neither the city staff nor the developer have answered comments made to the developer's Action Plan that resulted from the neighborhood meeting of June 25, 2024, which was sent to us July 23 and returned July 25.)**, and drainage concerns. Both City staff and the developer have created a centralized log to input and respond to concerns in a timely City of Palm Desert Resolution Approving Final Tract Map No. 38431-1 Page 3 of 3 manner. City staff receives updates from the developer on complaints received and responses **(It took three months and four phone calls from my husband to get a response from Ulrich about damage to our pool. When other damage matters were brought up, we were told to send it to city staff.)** The City website has been continuously updated with information on the “Refuge Development,” including posting the “Del Webb Explore Action Plan.” The Applicant provided updated securities estimates to include an additional bond in the amount of \$1,711,957 to account for a revised engineering estimate on the street and storm drain bond.



Del Webb Explore Palm Desert  
(Refuge Specific Plan)

New Action Plan  
7/10/2024

*Jana Lee Koroczynsky*

EXISTING GOLF COURSE

EXISTING RESIDENTIAL

MODELS - SEE SHEET S-4

MAIN ENTRY - SEE SHEET S-2

# Immediate Measures Taken to Reduce Neighborhood Impacts and Address Concerns

- Stepped Up PM10/Dust Control Measures
- New Communication Plan with Neighbors
- Plan to address Damage Complaints
- Strict Enforcement of Construction Hours
- Revised Construction Access Plan
- Revised Construction Staging Area
- Addressing of Neighbor Questions
- Details Provided Below

## Daily dust control measures per PM10 Requirements:

- Daily watering all active areas being graded and disturbed. This includes cut/fill areas and access routes.
- PM10 spray inactive areas that have been completed or remain inactive for more than 72 hours
- Maintenance of construction entrances. Clean as needed.
- Daily City inspections
- Weekly MSA Consulting inspections



# Daily PM10 Measures & Additional Measures (Water Trucks, Water Spray, Water Towers):

## Tract Map No. 38434 – Explore Palm Desert

### Site Condition Photographs

Date	06/21/2024
Times of Observation	10:00 AM
Summary	Conditions Demonstrating the Dust Control Compliance Measures Start of Soil Pre-Watering: April 17, 2024 Start of Rough Grading: May 13, 2024

**Water Application Capacity and Deployment** – Two high-capacity water towers are installed to reduce the water loading time compared to a direct construction water meter. One (1) 8,000-gallon water pull (wagon) and up to four (4) 4,000-gallon water trucks are available and deployed to treat actively disturbed soils (earthwork and unpaved routes). These are scheduled for operation within the allowable construction hours and after-hours as necessary to address changing conditions.



**Active Site Watering** – High-capacity water pulls and trucks are actively treating unpaved roads and active earthwork areas.



## Additional Dust Mitigation Steps Added Above and Beyond Standard Requirements

- More frequent spray and respray with 6 month green colored polymer Envirotec.
- Added two 4,000 gallon water trucks that are working after hours and weekends. Monday – Friday 5:30am-8pm and Saturday & Sunday 6am-8pm.
- Temporary fencing with wind screen installed on south and southeasterly pads to help trap PM10 debris.
- Street sweep as needed on Julie Drive and Gerald Ford Drive
- Pulte will commence all permanent perimeter walls upon approval of plans and certification of pads.

# Daily PM10 Measures & Additional Measures – Continued (Polymer Spray, Street Cleaning, & Additional Fencing):

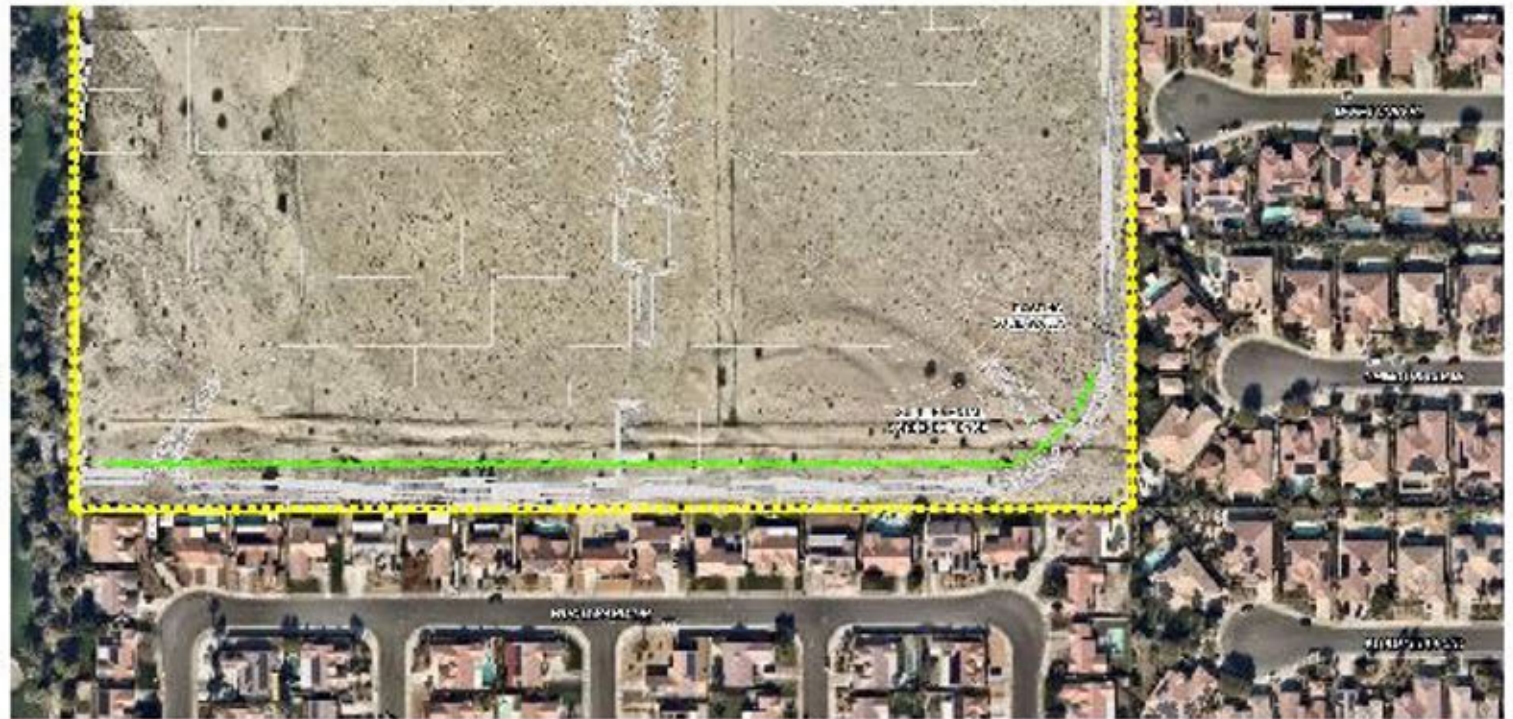
**Chemical Dust Suppressant (CDS) Application:** Soil binder is routinely applied to inactive or high sensitivity areas to control dust emissions. See attached records.



**Street Sweeping Equipment:** Street sweeping equipment is available for deployment along Gerald Ford and Julie Drive as necessary.



**Supplemental Fencing:** In addition to the perimeter walls, a temporary screened fence has been installed at the top of slope at the south edge of the project site to provide supplemental protection.



# New Communication Plan with Neighbors

Pulte will established two forms of communication for neighboring residents:

- For non-emergency concerns, residents may send an email to [DWEXPLORELAND@pultegroup.com](mailto:DWEXPLORELAND@pultegroup.com) for any inquiries or concerns. A resident's inquiry via email should expect a response within 2 business days
- For emergency or urgent matters, Pulte has provided residents with a 24-hour call center at 1-877-724-6593. The call center will accept calls 24 hours a day allowing resident to share their concern as well as establish record of an issue or incident. The call center will make immediate contact with Pulte personnel who will then respond to each call as quickly as possible. Emergency calls will be prioritized and addressed immediately. Non-emergency calls should expect a return call by end of the next business day.

New Plan to Help with any Damage to Neighbors' Properties (pools, walls, drainage, etc.)?

Upon receiving call from a neighboring resident, Pulte will investigate claims of property damage directly with the resident and address any necessary reparations resulting from Pulte's construction operations.

For example, Pulte has already met with Monique Bond and retained a pool cleaning company to complete cleanup at Pulte's cost. Pulte will coordinate with each call on a case by case basis. This effort is intended to address damage resulting from Pulte's operations and not typical Coachella Valley conditions.

# Steps to Better Enforce Construction Hours

City of Palm Desert approved hours are posted as such:

October 1 through April 30<sup>th</sup> – Monday through Friday 7:00am to 5:30pm

May 1 through September 30<sup>th</sup> – Monday through Friday 5:30am to 7:00pm & Saturday 8am-5pm

Pulte Homes has communicated the City's permitted work hours schedule to all subcontractors and is insisting on strict compliance. Pulte will continue to monitor to insure all workers comply with the City's approved work schedules.

Please report any violations to 1-877-724-6593

## Revised Construction Access Plan

All routine construction traffic in and out of the project will ingress/egress off Gerald Ford. Due to both efficiencies and safety concerns, we would like to keep the export trucking to access the site via Julie Lane and exit onto Gerald Ford as originally agreed upon with the City via the approved addendum to the PM10 plan (see attached PM 10 plan). The remaining export operation (trucking) is currently scheduled to resume on July 8 and anticipated to be complete by July 19. Once the trucking operation for export is complete, this access would be closed to construction traffic and opened upon completion of the design improvements. To insure no early arrival, we commit to have a monitor staged at Julie Lane and Portola in early morning hours to prohibit trucks to enter Julie Lane until city approved work hours.

# Revised Construction Staging Area

Construction staging for equipment, water tanks, material and parking will be established to try and keep a reasonable separation from neighboring homes. As construction progresses, staging location will vary but in the near term (by 7/5/24), Construction staging will be located in the general vicinity shown on image below.



As construction progresses and staging requires relocation Pulte will coordinate with City inspector to establish an acceptable location



## Perimeter Wall Heights and Stability

Pulte is currently evaluating the condition of the existing perimeter wall along the southern and eastern boundaries and will repair any damage caused by project operations. At the request of a few residents, Pulte will consider supplemental measures to stabilize and potentially increase the height of certain wall segments in coordination with the adjacent homeowners if circumstances warrant.

## Grading Benches for Walls:

1. The primary reasons to grade a bench for a wall is to cover the concrete footing and provide stability for the wall.
2. A secondary reason to provide a bench at the base of a wall is for maintenance reasons. In situations where you have 2-to-1 slopes (steep slopes), a bench (or a flat surface) at the top can be beneficial depending on the type of ground surface or planting

# Del Webb Explore – Project Timeline

Currently, Del Webb Explore is in rough grading phase of development which is anticipated to reach completion the end of July 2024.

Based upon timing of remaining approvals & construction cycle times Pulte forecasts Land Development operations to be substantially complete in spring of 2025.

And, with real estate market predictions, Pulte forecasts sales and construction of Explore's 332 homes to start as early as December 2024 and continue into spring of 2027.

Task Name	Duration	Start	Finish
Del Web Explore	760 days	Mon 5/6/24	Fri 4/2/27
ROUGH GRADING	60 days	Mon 5/6/24	Fri 7/26/24
▷ TRACT 1 LAND DEV IMPROVEMENTS	115 days	Mon 8/19/24	Fri 1/24/25
▷ TRACT 2 LAND DEV IMPROVEMENTS	115 days	Mon 11/18/24	Fri 4/25/25
HOME BUILDING OPERATIONS (332 homes)	600 days	Mon 12/16/24	Fri 4/2/27

# Drainage and Flood Control Improvements

- As explained by the City's engineering consultant Tim Jonasson, approximately 2/3 of the project site drained to the south and east in the natural, pre-development condition (see Slide 18).
- Mr. Jonasson also explained that the approved grading and hydrology plans require storm water and drainage from all developed lots and streets drain to the north to the retention basin adjacent to Gerald Ford Drive.
- The only water that will reach the open space buffer along the southern and eastern boundaries is rainfall landing directly on that limited area, which is a small fraction of pre-development flows.

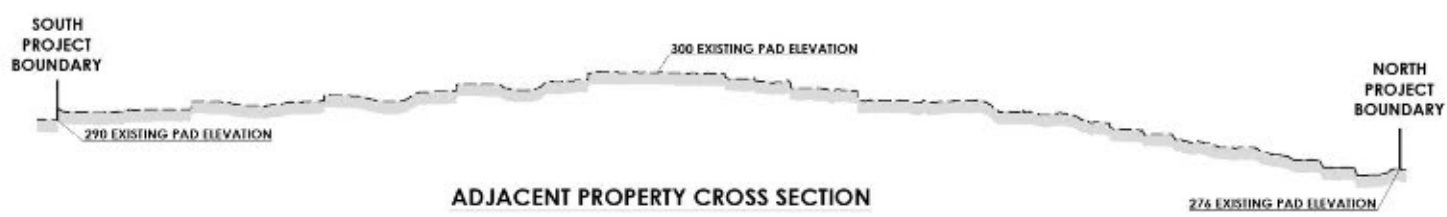
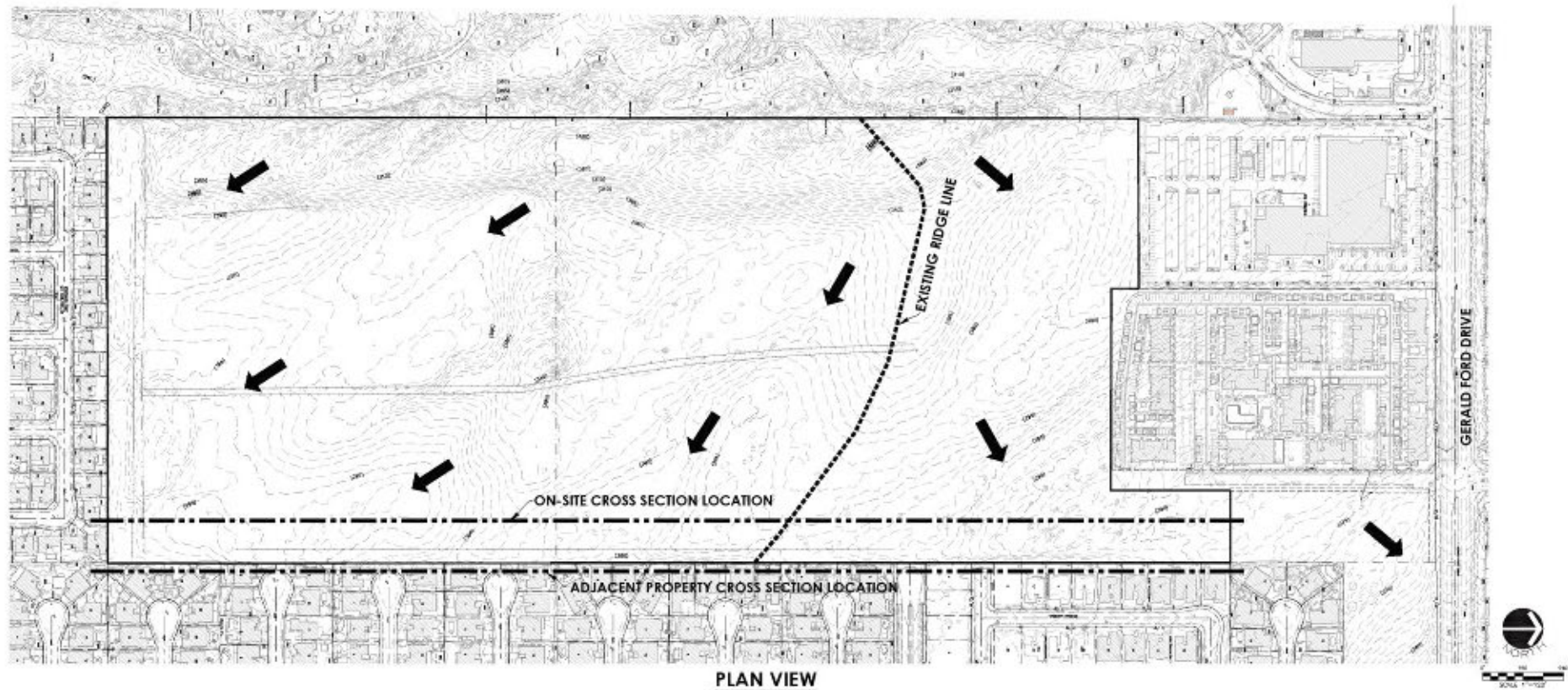
# Drainage and Flood Control Improvements Continued:

- In the existing condition (pre-development), approximately 38.9 acres drain to the southeast corner.
- Per the City Drainage Ordinance, the Engineer is to review the impacts of the 100-year, 24-hour storm. When reviewing those impacts, it's clear that Retention Basin A and Retention Basin B generate little to no ponding depth (red boxed and highlighted on the attached). However, as a conservative measure, MSA reviews all storms, i.e., the 1-, 3-, 6-, and 24-hour storms. In the proposed condition (post-development), approximately 2.4 acres drain to the south and southeast retention basins. These 2.4 acres represent approximately 0.14 acre-feet of runoff in the 100-year storm, 1-hour storm. Additionally, these retention basins don't receive any runoff from residential lots or streets. As discussed in the neighborhood meeting, this project sits on the top of the blow sand ridgeline. There are several hundred feet of blow sand below the surface and percolation tests performed, prior to development, recorded percolation rates around 50 inches per hour. A 100-year storm will drop 4 inches of rain in a 24-hour period. The existing soil has the capacity to infiltrate storms much larger than the 100-year storm. When reviewing the maximum capacity of these retention basins (maximum capacity defined as, 'depth equal to the lowest adjacent pad elevation'), we find both Basin A and B have the equivalent capacity to hold a 500 year storm. A 500-year storm is roughly 1.6 times the rainfall in a 100-year storm.

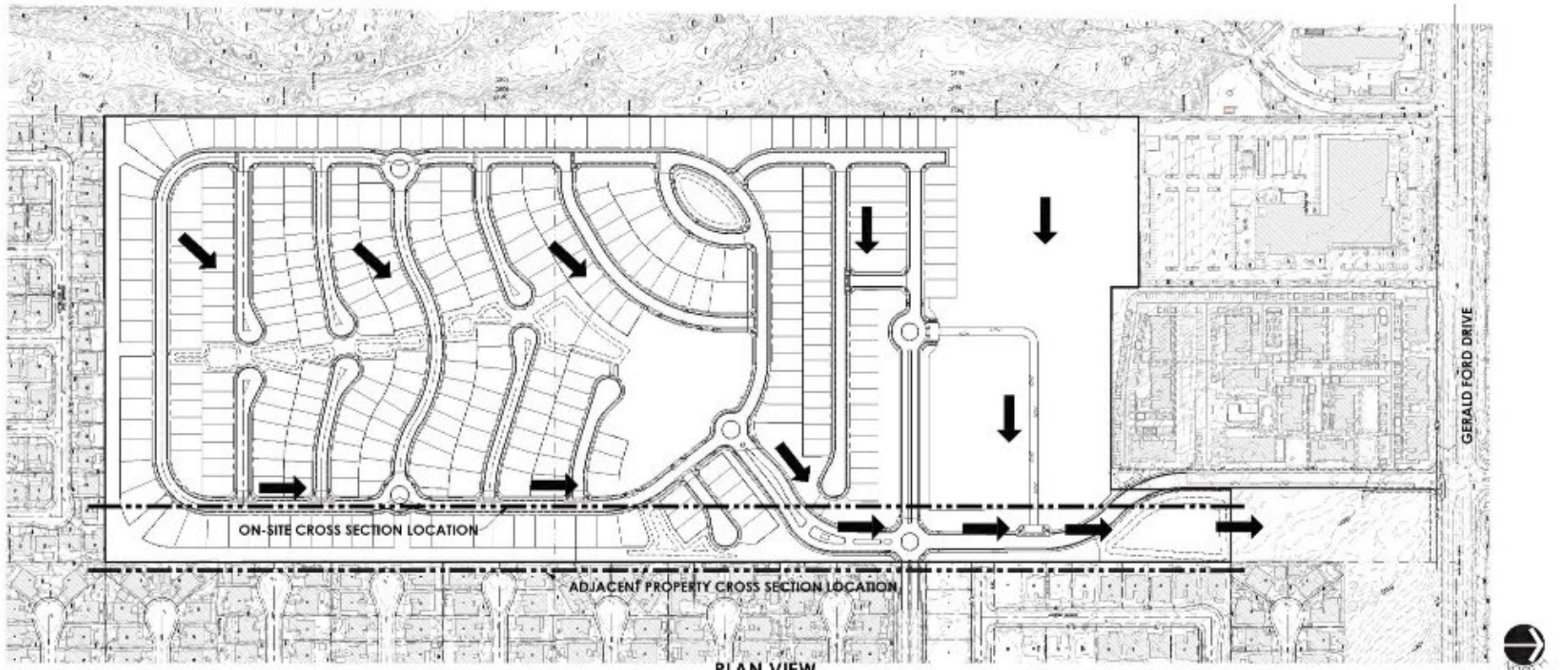
# Drainage and Flood Control Improvements Continued:

- Using a straight comparison, the proposed drainage condition reduces the tributary area to the south and southeast corner by 36.5 acres or 94 percent. These calculations are not typically required by the City and are not included in the hydrology report, but are provided to further clarify our drainage approach.
- The method used to grade and drain the project protects the existing and proposed residents, and reduces the flood risk of existing residences along the south and east sides by redirecting the runoff to north.

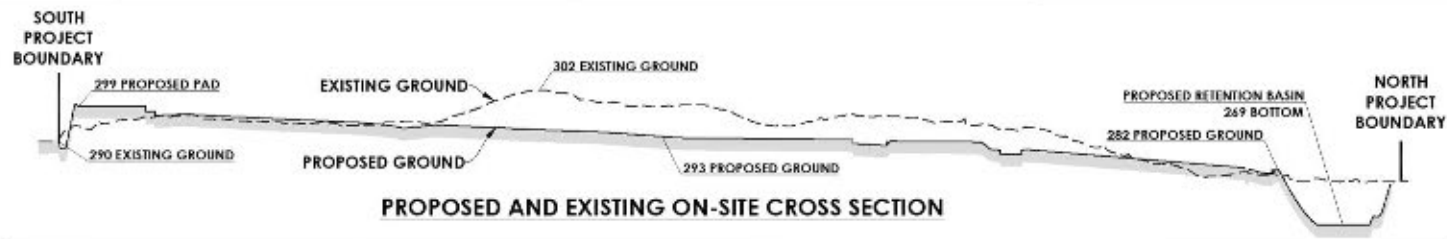




**EXISTING (UNIMPROVED) SITE TOPOGRAPHY AND DRAINAGE**

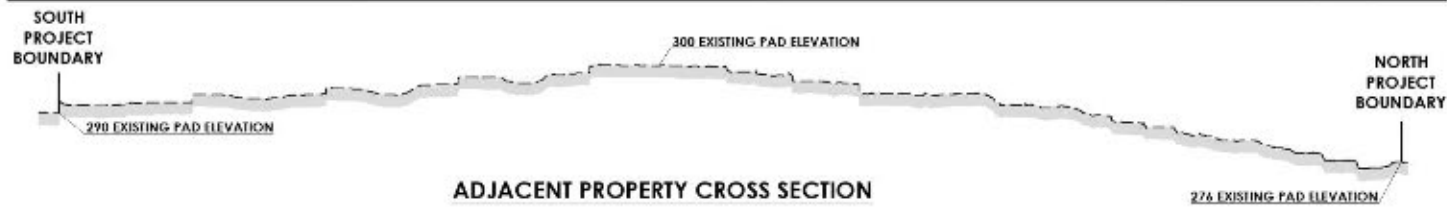


PLAN VIEW



PROPOSED AND EXISTING ON-SITE CROSS SECTION

LEGEND	
	CROSS SECTION LOCATION
	DIRECTION OF DRAINAGE






ADJACENT PROPERTY CROSS SECTION


PROPOSED SITE TOPOGRAPHY AND DRAINAGE



## Elevation of Finished Pads Along Southern and Eastern Perimeter of Project.


- The pad elevations were approved with the Specific Plan in 2022, and the lot elevations along the southern or eastern perimeter have never been raised since. 
- All final pad elevations were confirmed in the grading plans recently approved by the City in Spring 2024. 
- The lots along the southern and southeastern perimeter have been certified by the project engineer to conform to the approved pad elevations, and those pad certifications have been delivered to the City and are available for public review. 

## Elevation of Finished Pads Along Southern and Eastern Perimeter of Project - Continued:

1. The key tie-in elevation for this project is Julie Lane.
2. With the Julie Lane elevation established (approximately 288.0), MSA designed streets at minimum slope (0.5%) to keep the streets and pad elevation as low as practical. 0.5% slope is the minimum allowable street slope in the City of Palm Desert. 
3. There is approximately 2,500 linear feet from the Julie Lane intersection to the southeast corner of the project.
4. Pad elevations are set a little more than a foot above the top of curb adjacent to the lot. Pad elevations are set as low as practical while still providing flood protection and positive slope to the streets.

# Resident concern checklist:

Monique Bond

- Concern: Sand in pool. Action: Pulte met with resident on 7/1/24 and has hired a pool company to clean pool and filters. 

Linda Candler and Charles Cronenweth

- Concern: Pad Elevation and Slope. Action: Pulte Engineer (MSA) provided approved pad elevation and approved 2:1 slope. Along with line of sight exhibit. 


 Jana and Peter Koroczynsky

- Concern: Pad Elevation. Action: Pulte Engineer - MSA Consulting provided approved pad elevation information to resident. MSA is also verifying resident pad elevation. Certified pads have been provided to City to post on website for residents to verify our pads. 
- Concern: Slope. Action: Pulte Engineer provided plan information regarding approved 2:1 slope. 
- Concern: Drainage. Action: Pulte Engineer has provided approved drainage information to resident. 
- Concern: Pulte not allowing private surveyors to check pads. Action: Pulte has granted access for private surveyors to access for pad verification.





Eglert Gutierrez and Maria Torres

- Concern: Line of Sight. Action: Pulte and Engineer currently discussing response. We will respond by 7/4. 

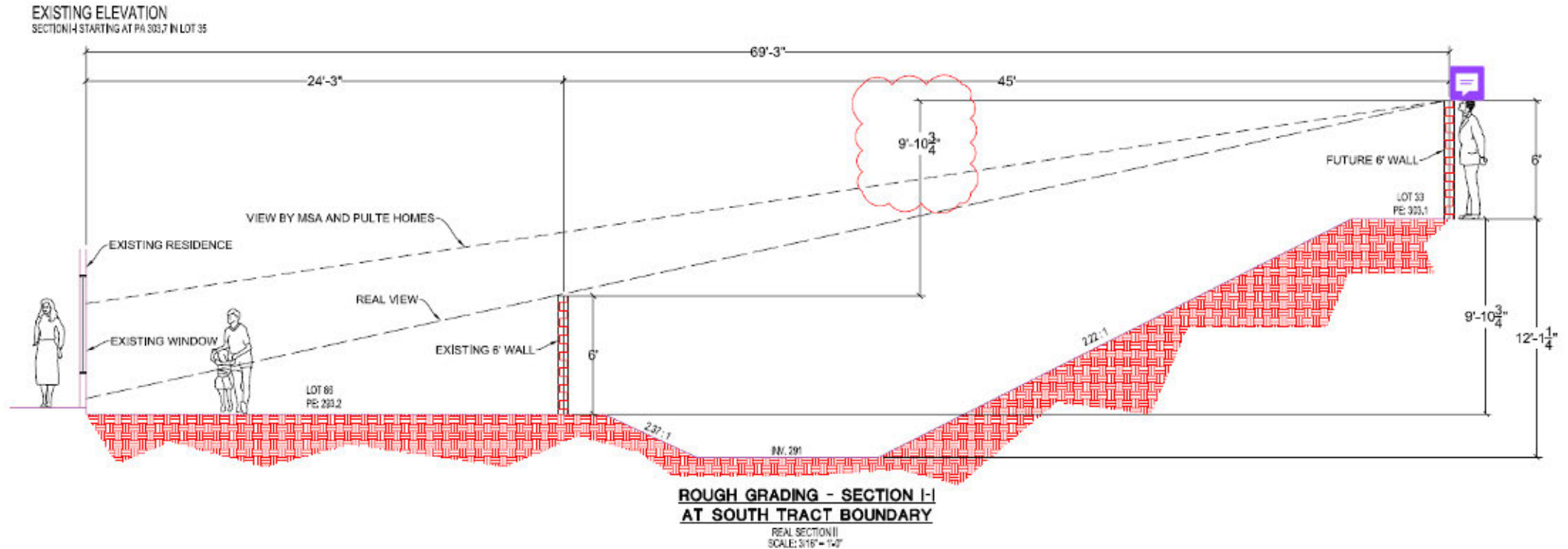
Liz Bower

- Concern: Pad Elevation. Action: Pulte Engineer providing approved pad elevation information. Offered to confirm their pad elevation. 

## Questions Regarding Sight-line and Privacy:

1. MSA Provided a Site Line Analysis along the southern boundary where pads are roughly 10' above neighbor lots. 
2. Study indicates that a 6' individual cannot view the rear yard of neighbors 
3. Neighbor provided image indicating 6' individual could see over and down to neighbors yard.
4. Pulte refutes the assertion. The average eye-line is 4"-5" below the top of head. An individual 6' or shorter would be looking directly into the wall. 
5. Pulte asserts that, in general, individuals 6'4" and shorter would be restricted from viewing Neighbor's lots. 
6. See Section on the following slide



# Questions Regarding Sight-line and Privacy:



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






# Additional Steps to Address Neighbor Concerns

- Certain homeowners have requested confirmation of their pad elevations and the adjacent project pad elevations. Pulte's surveyors and engineers at MSA are conducting the requested verifications and communicating directly with the homeowners. 
- Pulte will allow homeowners to hire their own surveyor/engineer to confirm this information, who will be given permission to access the project site and verify pad elevations (subject to appropriate safety and insurance arrangements). 

# Why can't Pulte and City explore lowering those elevations?

Pulte did explore lowering the pad elevations with our Civil Engineer and the existing graded condition would not allow this to happen without significant impacts to the existing residents and the Pulte project.

These impacts include:

- Directing potential storm flows toward the neighboring properties; and  
- Substantial extension of the timeline to complete the grading and land development improvements. 

## Addition Landscaping Along Open Space Buffer

Pulte will work with the City and the project landscape architect to provide additional landscaping in the buffer areas to soften views toward the new homes.

Pulte will also provide a community meeting with the residents along the southern and eastern boundaries to review the enhanced buffer landscape plan.



**From:** [Peter Koroczynsky](#)  
**To:** [commentstocouncil@palmdesert.gov](mailto:commentstocouncil@palmdesert.gov)  
**Cc:** [CityClerk](#)  
**Subject:** COUNCIL MEETING THURSDAY, AUGUST 22  
**Date:** Tuesday, August 20, 2024 11:33:28 AM

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Regarding: Refuge Pulte Explore

It's a fact. Water will flow downhill.

Presently 17 homeowners along Woodward Dr. are now having to deal with an 11-foot-high escarpment, the length of four football fields. The flood channel between them and it, is cleverly called "a meandering trail" by the developers ... open for all to enjoy!

Their claim was that they needed this 11-foot mound to keep "them" from flooding. Now remember that water will flow downhill. The elevation drop from their "view lots" to the northern end of their development is 13 feet (by their figures) and 24 feet if you add the escarpment. Again ... water will flow downhill.

What kind of twisted logic was used to make our city staff and council believe that they needed to create this mound to keep "them" from flooding?

For our safety, our loss of privacy, our loss of home value and loss of view ... I ask you to please make them take the grading back to the original elevation!

Peter Koroczynsky



Slava Ukraini !

**From:** [Linda Candler](#)  
**To:** [CityClerk](#)  
**Subject:** Written Comments for Refuge Project  
**Date:** Wednesday, August 21, 2024 4:16:08 PM  
**Attachments:** [We sent you safe versions of your files.msg](#)  
[REFUGE PROJECT COMMENTS Aug 22.docx](#)  
[Refuge hearing exhibits.pdf](#)

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Please find attached my written comments for the City Council Hearing tomorrow on the request for approval of the Refuge Final Tract Map. Also attached is a pdf file of the exhibits that are referenced in my comments.

Please make these available to Council Members in advance of tomorrow's hearing. I also intend to participate in tomorrow's hearing and speak via Zoom.

Sincerely,

Linda Candler

REFUGE PROJECT COMMENTS. August 22, 2024

I oppose approval of the Final Tract Map 38434-1 for the Refuge Project as it reduces the 50' buffer zone to 45'. A reduction of the 50' landscape buffer moves the slope closer to our homes and creates a steeper slope and impacts the height of the slope. **ANY CHANGE IN HEIGHT REQUIRES A NEW HEARING; IT CANNOT BE CHANGED ADMINISTRATIVELY.**

I also request a reopening of the March 5, 2024 Rough Grading hearing because The Rough Grading plan made **significant, material and detrimental changes to the grading** of the slope and the drainage of water from the site.

Homeowners were not advised of the reduction of the landscape buffer zone or changes to the grading of the slope. The Desert Sun Notice, attached as Exhibit 1, stated the hearing was only to address a pad height elevation change. Representatives of the Refuge project also told us the only change to the Rough Grading Plan from the Preliminary Grading Plan was a 6" pad height elevation change. That is misleading and inaccurate. There was a complete lack of transparency when the Rough Grading Plan was approved, and we were not given notice and an opportunity to voice our concerns.

On three previous occasions I have challenged the attempted reduction of the 50' Landscape Buffer. The Preliminary Grading Plan approved November 2023 shows a 50' buffer zone. (Exhibit 2). 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 including a 50'-0" wide passive, landscaped walking trail along the southern and eastern perimeters" In fact, the City Website for the Refuge Project currently states there is a 50' landscape buffer. (Exhibit 3). There were also numerous other references to the 50' landscape buffer in the Specific Plan and accompanying exhibits. There is only one reference to a 45-50' buffer in the Specific Plan and it was assumed this related to the north and west boundaries since the Plan was very specific as to the south and east perimeters being 50'.

The 50' setback is what was promised to compensate for the proposed pad elevation gains.  
**We want this enforced.**

Of even greater concern is the fact that **the Rough Grading Plan changes the drainage and directs water from the steep slopes of the buffer zone to a large retention basin** behind our home in the southeast corner of the project. The Preliminary Grading Plan showed an underground retention basin. The Rough Grading Plan changed this to a large, open retention basin that is at least 3' deep. This also changed the height and slope of the grading behind our house and added 3' in height of the slope.

The Action Plan says water from the project drains to the north towards Gerald Ford. That is not what is shown on the Rough Grading Plan. Pulte has confirmed that water from the steep slopes of the buffer zone behind homes on the south and east drains towards our homes and

into a large retention basin. (Lot I, Exhibit 4). **This is a significant change from the Preliminary Grading Plan and the Specific Plan; it was not disclosed prior to the hearing and approval of the Rough Grading Plan and we feel it creates a serious flood risk in the event of a flash flood.**

The change in the drainage and the creation of the large retention basin has resulted in a much steeper slope and the slope has been moved closer to our home. The slope now starts 22' from our back wall. (Exhibit 5) The Specific Plan and the Preliminary Grading Plan showed a 7' pad height gain. At a 2:1 slope with a 50' setback the slope should be a 14' depth and start at 36' from our back wall, not 22'. The slope approved with the Specific Plan and the Preliminary Plan shows a slope starting level from our back wall and would be no greater than 14' in depth with a 7' pad height gain. (Exhibit 6). 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.

There has never been any flooding from the undeveloped site and Pulte says they have reduced the tributary area by 94%. Pulte says in their Action Plan that all street and developed lots drain to a retention to the north by Gerald Ford. If this is true, there should be no need for the retention basins to hold runoff from the buffer zone as the soil analysis shows good absorption. It is only because of the steep slopes to create "view lots" that any need for a retention basin exists. Now we have an increased risk because water from the steep slopes drains to a retention basin right behind our home. The landscape plan also shows a walkway and picnic area which will create an impervious surface where water from the street could drain down the slope. This creates an additional flooding hazard as well as a security risk with people congregating right behind our back wall. (Exhibit 7)

For these reasons, I oppose the approval of the Final Tract Map submitted today. At a minimum, the landscape buffer should be kept at 50' and the retention basin placed underground so there is no need for a 3' deep retention basin which changed the height of the slope. The attached photograph shows the massive wall behind us. As you can see the outline through the fence, the view of Mt. San Jacinto is completely obliterated.

Linda Candler  


Attachments: Exhibits 1-7



# CITY OF PALM DESERT

73-510 FRED WARING DRIVE  
PALM DESERT, CALIFORNIA 92260-2578  
TEL: 760-776-6483  
PLANNING@PALMDESERT.GOV

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## CITY OF PALM DESERT PUBLIC HEARING NOTICE CASE NO. TTM23-0002 (TTM 38434)

NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD BEFORE THE PLANNING COMMISSION OF THE CITY OF PALM DESERT, CALIFORNIA, TO CONSIDER A REQUEST BY PULTE HOME COMPANY TO REVISE THE APPROVED PAD ELEVATIONS FOR TENTATIVE TRACT MAP 38434 TO ACCOMMODATE A 332 SINGLE-FAMILY HOME RESIDENTIAL DEVELOPMENT ON A 93.56 ACRE PROJECT SITE SOUTH OF GERALD FORD DRIVE AND WEST OF PORTOLA ROAD WITHIN THE EXISTING REFUGE SPECIFIC PLAN AREA

The City of Palm Desert (City), in its capacity as the Lead Agency for this project and pursuant to the California Environmental Quality Act (CEQA), finds that the proposed project is consistent with the previously adopted Mitigated Negative Declaration adopted for the Refuge Specific Plan (SP/EA22-0001) via City Council Resolution No. 2022-93; therefore, no further environmental review is necessary.

### PROJECT LOCATION/DESCRIPTION:

PROJECT LOCATION: A 93.56-acre project site south of Gerald Ford Drive and west of Portola Road (APNs 694-310-009 & 694-31-011).

PROJECT DESCRIPTION: The applicant proposes revising the approved pad elevations for the 332 single-family home residential development on a 93.56-acre project site approved as Tentative Tract Map 38434.

**PUBLIC HEARING:** NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Palm Desert, California, will hold a Public Hearing at its meeting on March 5, 2024. The Planning Commission meeting begins at 6:00 p.m. in the Council Chamber at 73510 Fred Waring Drive, Palm Desert, California. Pursuant to Assembly Bill 2449, this meeting may be conducted as a hybrid meeting allowing public access via teleconference or in person. Options for remote participation will be listed on the Posted Agenda for the meeting at <https://www.palmdesert.gov/our-city/committees-and-commissions/commission-information>.

**PUBLIC REVIEW:** The plans and related documents are available for public review Monday through Friday from 8:00 a.m. to 5:00 p.m. by contacting the project planner, Carlos Flores. Please submit written comments to the Planning Division. If any group challenges the action in court, issues raised may be limited to only those issues raised at the public hearing described in this notice or in written correspondence at or prior to the Planning Commission hearing. All comments and any questions should be directed to:

Carlos Flores, Principal Planner  
City of Palm Desert  
73-510 Fred Waring Drive  
Palm Desert, CA 92260  
(760) 346-0611, Extension 478  
cflores@palmdesert.gov

PUBLISH: THE DESERT SUN  
FEBRUARY 23, 2024

RICHARD D. CANNONE, AICP, SECRETARY  
PALM DESERT PLANNING COMMISSION

*Exhibit 1*

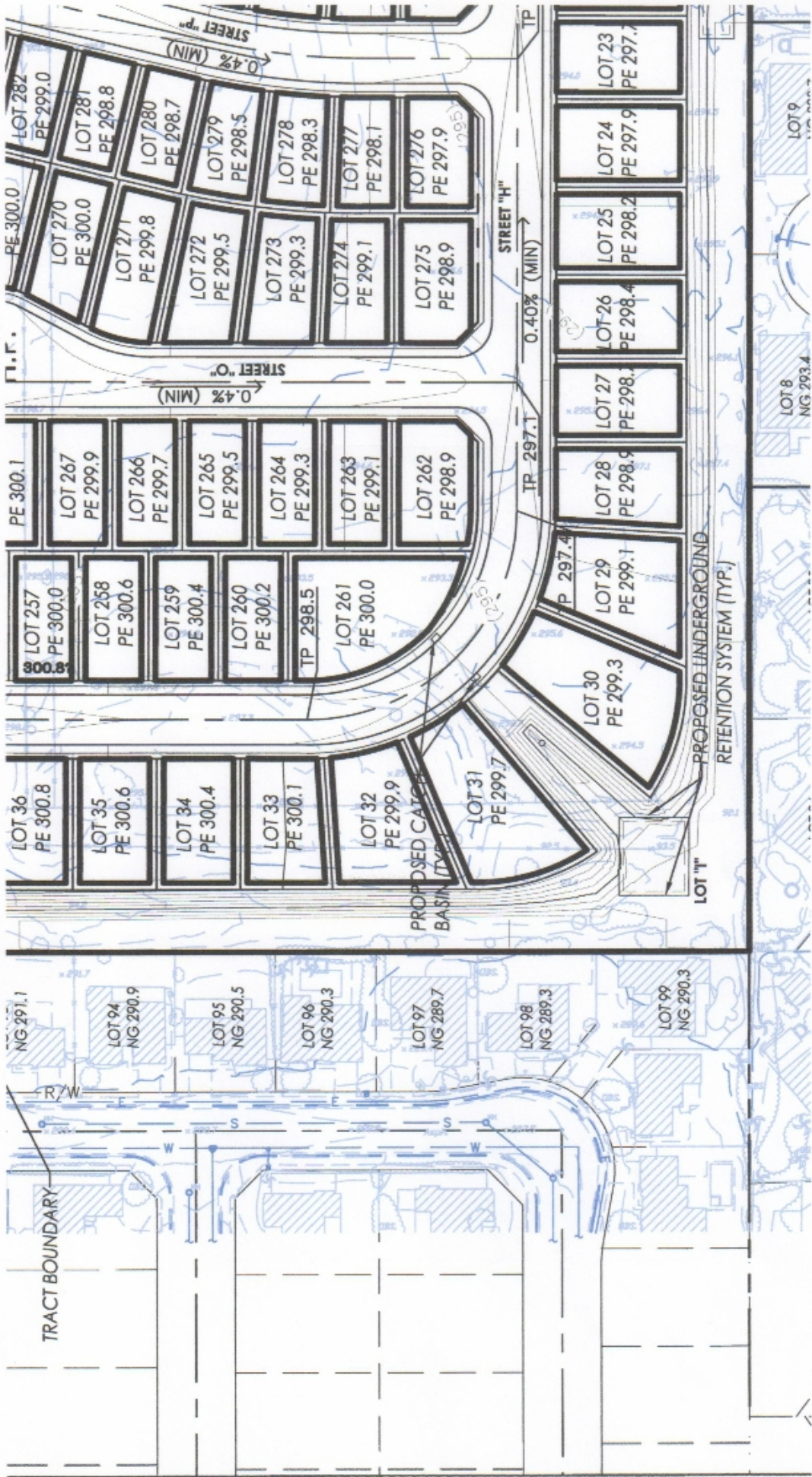


Exhibit 2

Refuge Palm Desert is a proposed development on a 106.4-acre parcel located south of Gerald Ford Drive, directly east of the Riverside County Sheriff Station. The Project includes a Specific Plan (SP), Change of Zone (CZ), and Tentative Tract Map (TTM) to facilitate the development of up to 969 residential dwelling units on the project site.

The Specific Plan document will establish site-specific development standards, design guidelines, and land use regulations to guide future development of the project site.

The project will facilitate the coordinated development of a residential community of up to 969-residential dwelling units with a variety of single- and multifamily housing types, densities, private recreational amenities, open spaces, pedestrian connectors, and a design program.

Additionally, this document will plan for the expansion of infrastructure necessary to accommodate these future residences (i.e., plan for roadway capacity, intersection improvements, private open space, bikeways, stormwater retention and water capacity, etc.).

The Specific Plan proposes to establish five Planning Areas (PA) summarized on the table below. PA 5 will provide a 50'-0" open space trail along the south and east portions of the project site.

The Change of Zone will change the current zoning designation of the project site, Planned Residential 20 (PR-2) to accommodate the proposed Planning Areas density range and define the Specific Plan Planning Area boundaries.

The Tentative Tract Map will subdivide a 94.5-acre portion of the project site to create parcels for 339 single-family dwellings, open space, and streets.

The project is currently under review by City Staff. A draft Initial Study (IS) / Mitigated Negative Declaration (MND) was prepared for the project in accordance



*Exhibit 3*

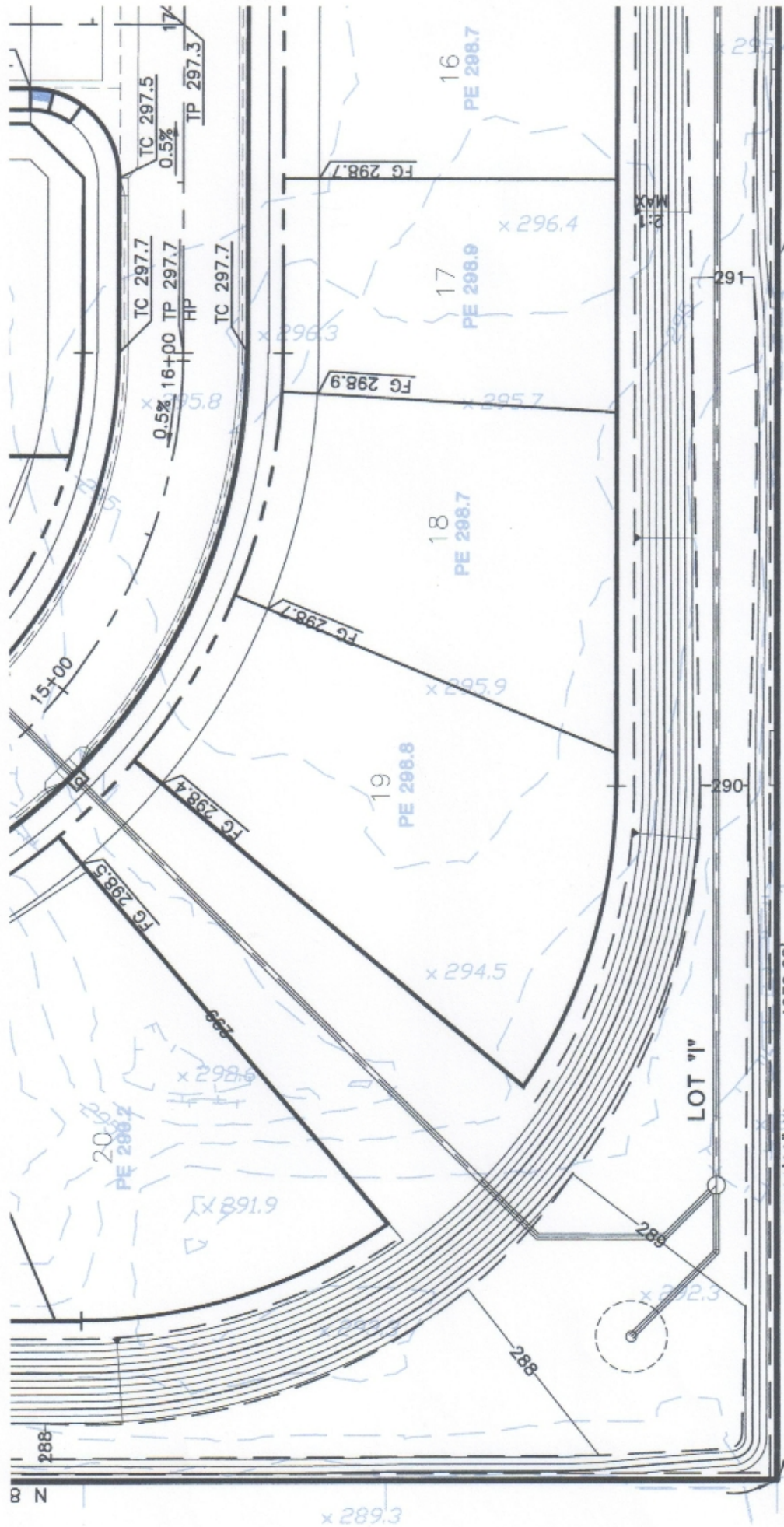
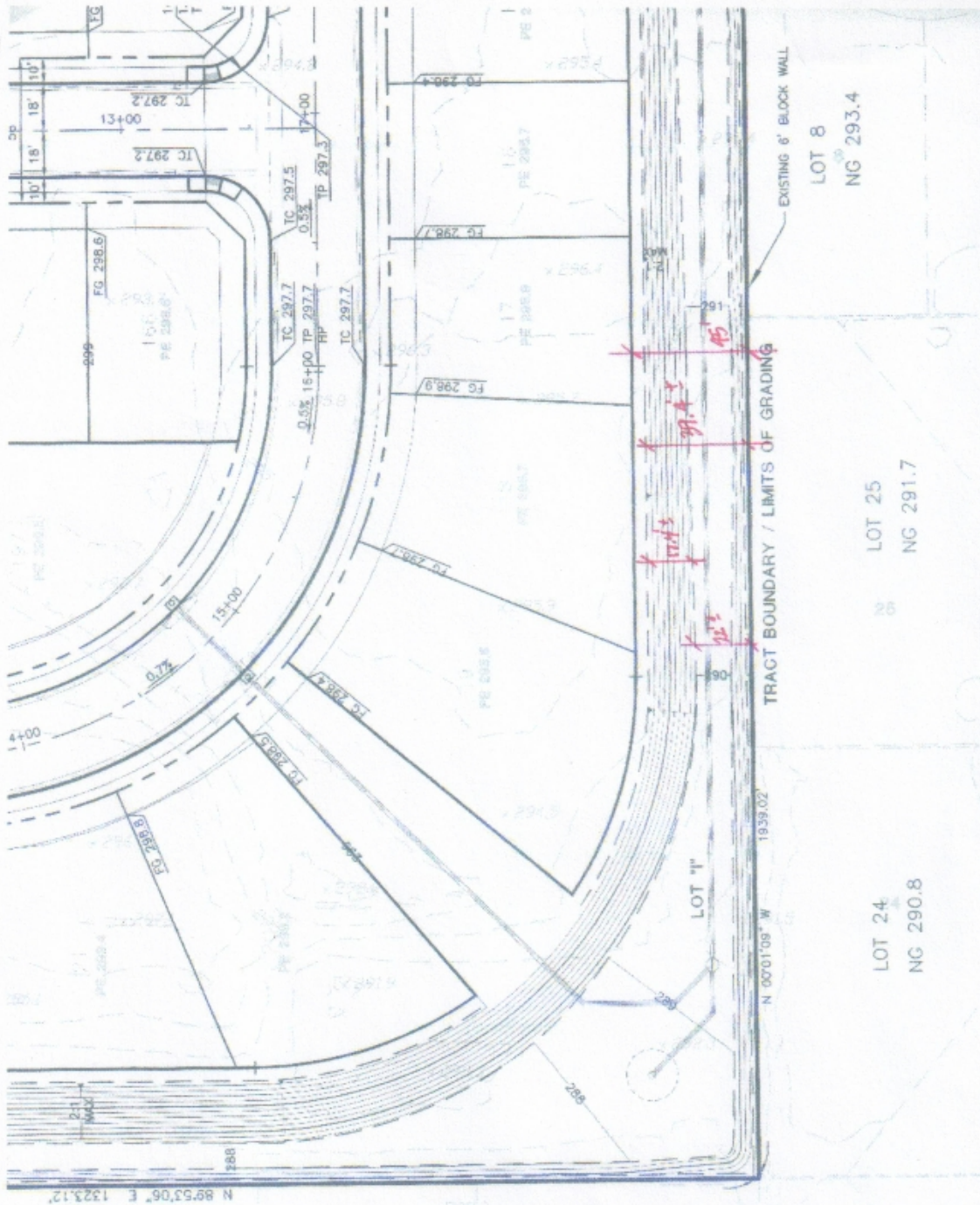


Exhibit H





LOT 97  
NG 289.7

LOT 98  
NG 289.3

LOT 99  
NG 290.3

LOT 91  
NG 288.7

LOT 24  
NG 290.8

LOT 25  
NG 291.7

LOT 8  
NG 293.4

**DIG ALERT**  
 1-800-227-2800  
 AT LEAST 14 DAYS BEFORE YOU DIG  
 UNDERGROUND SERVICE ALERT

BENCHMARK PD-101  
ELEVATION 231.83'

**DATUM** NGVD88  
**LOCATION** 2" CITY OF PALM DESERT BRONZE DISK IN SOUTHWEST CORNER OF PORTOLA AVENUE AT GERALD FORD DRIVE, NORTHWEST CORNER OF CATCH BASIN, SOUTHERLY PCR, FLUSH.  
**BASIS OF BEARINGS**  
 BEARINGS FOR THIS SURVEY ARE BASED ON GERALD FORD DRIVE, PER PARCEL MAP NO. 31730, AS SHOWN BY A MAP ON FILE IN BOOK 211, PAGES 63 AND 70, OF PARCELS, MAPS, RECORDS OF RIVERSIDE COUNTY, STATE OF CALIFORNIA, BEING: NORTH 89°56'07" EAST

ENGINEER	MARK	BY	DATE

REVISIONS	CITY	DATE

DESIGNED BY	RJB
DRAWN BY	RJB
CHECKED BY	MR



Exhibit 5



# Chinook Circle

*PE = 299*  
*on road*

*on road*

15'  
REAR YARD  
SETBACK



FUTURE RESIDENCE

PE = 299

①



②

EXISTING RESIDENCE

PE = 292

## Cross-Section E-E

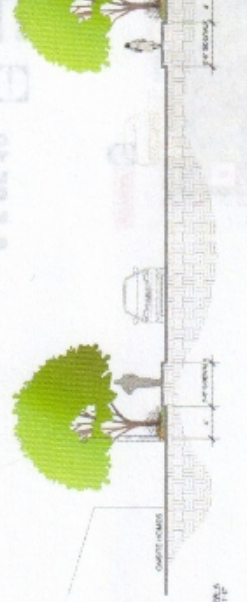
- ① Property Wall
- ② Proposed 5' Meandering Trail

*Exhibit 6*

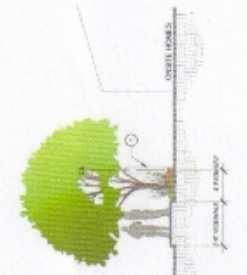
\*PAD ELEVATIONS (PE) ARE ROUNDED TO NEAREST 1 FT.

LEGEND

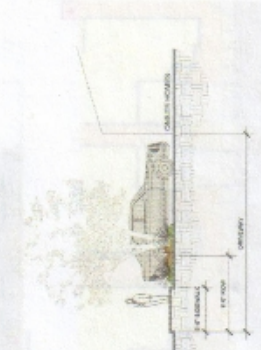
- 1. PROPERTY WALL
- 2. PERIMETER WALL
- 3. EXISTING PROPERTY WALL
- 4. EXISTING PROPERTY WALL



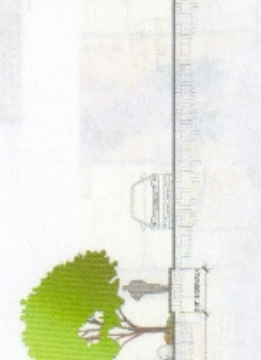
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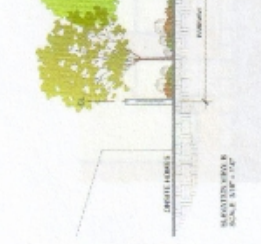
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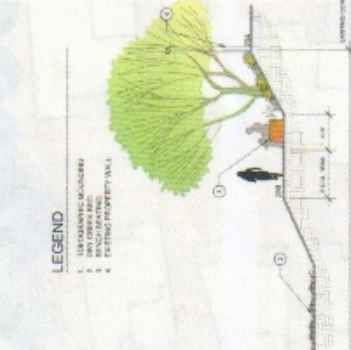
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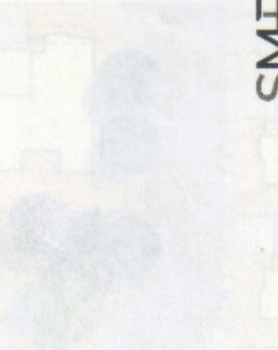
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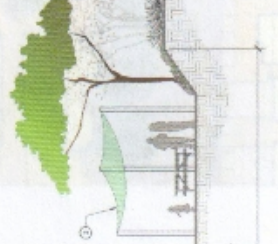
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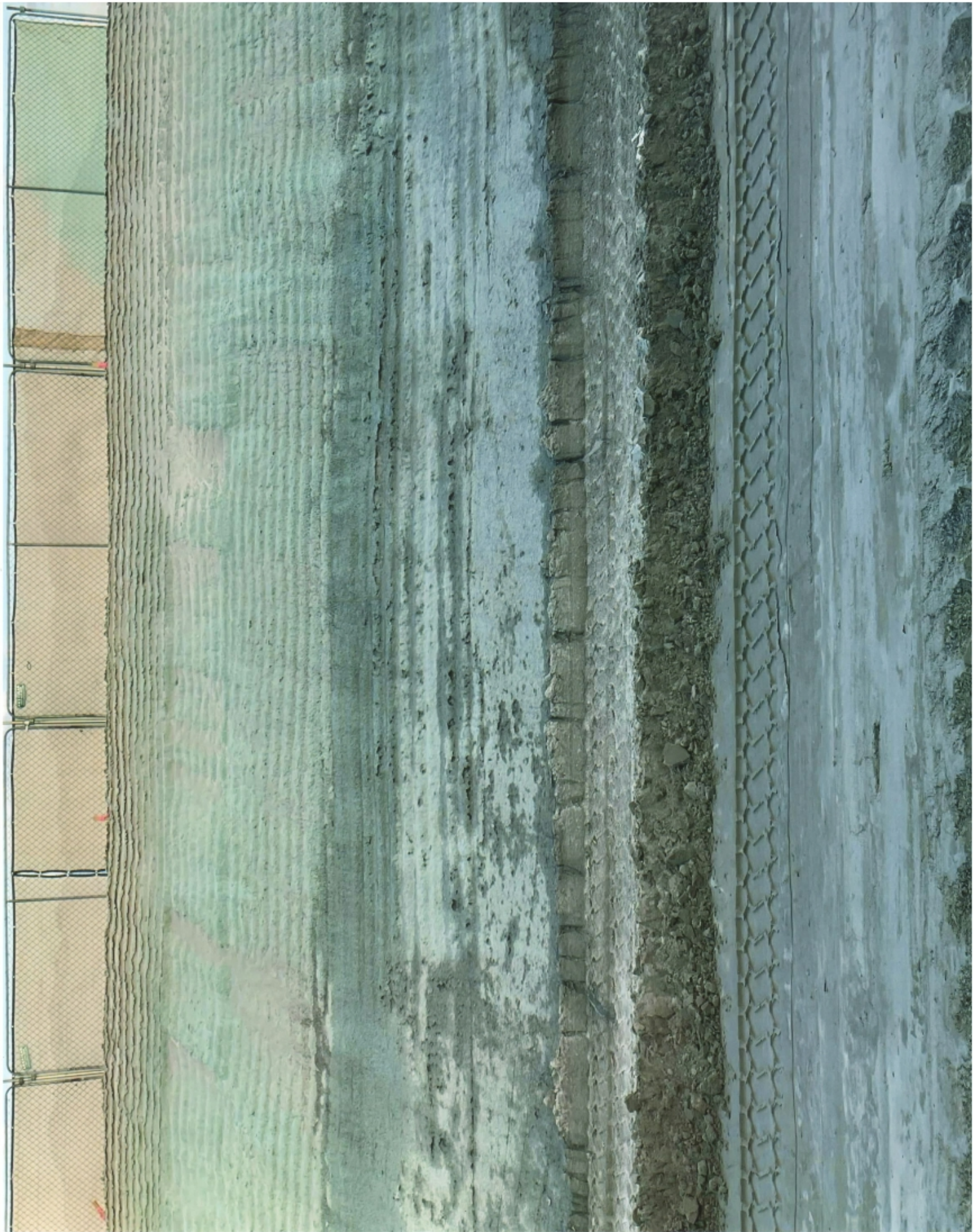


SCALE: 1/8\"/>



SCALE: 1/8\"/>

Exhibit 7



**From:** [John Hooker](#)  
**To:** [CityClerk](#); [CouncilMeeting Comments](#)  
**Cc:** [John Hooker](#)  
**Subject:** Refuge Council Meeting Thursday, Aug 22 @4 PM  
**Date:** Tuesday, August 20, 2024 6:23:00 PM

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City Clerk:

We live at [REDACTED], Palm Desert. Our home is at the South East Corner of this project. Originally, our concern was a two story home would be built behind our property that would block out our view . We were told that no two story homes would be built there and we would varley see the top of the roof. The engineer stated that there was concern of water flow at the South Eastern part of the property but had worked on several projects in the valley and the water would flow out towards Gerald Ford and felt confident that the grading would be down about 18 feet and only a slight portion of the New Home Roof would be seen.

Now comes a change of plans and Pulte scraped the original grading and elevations and raised the grading 11 feet. homesite pads. On top of this a single story home will be built raising the structure to 29 feet high while a single story home is approx 19 feet at the top of the roof gable. Even Though Pulte says there is no water impact I disagree as the water will flow off the upper level of the homesites down like a waterfall!

Now we have no view, no privacy with numerous people walking around behind our wall plus the people on top where the new homes will be. We have concerns about privacy and water flow !!!

The elevation is an atrocity and can't believe the City has approved this plan as far as it's gotten! I'm sure this will cause our property value to be impacted in a negative manner. .

I hope you look at the impact on our lives this is causing!

John and Janice Hooker

**From:** [Liz Bower](#)  
**To:** [CityClerk](#)  
**Subject:** Refuge project  
**Date:** Thursday, August 22, 2024 9:00:27 AM

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To whom it may concern:

My name is Liz Bower living at [REDACTED]. My backyard faces this new residential area called Refuge. I have messaged before regarding this awful mountain that has been built behind myself and my neighbors. I am still hoping that the city can make this company remove the mountain. Pulte's claim to creating this mountain was drainage but the reality is they wanted to build view lots. With the view lots come "view fencing", which is in their building plans. So now, as you can see by the pictures I've sent. The view will be right into my bedroom and my neighbors kitchen, and I'm sure everyone else along my street will have privacy loss with this development. I'm not against building. In fact I welcome less dust. I knew this development was coming, but not like this. Not only are our wonderful views gone, we get to stare at a dirt mountain, and now at people staring into our houses.

As a nurse it is my responsibility to care for our community when they are sick and in my care. As council members it is your responsibility to look out for and represent the people of the community. I feel betrayed by all of you allowing my privacy to be taken and safety to be questioned. Safety regarding all the meth addicts and homeless who will find a fantastic nook in the back corner behind the development and behind our yards where there is no foot or car traffic. Safety from anybody wanting to jump right over my wall into my yard from the "walkways" behind me. Loss of privacy from anybody wanting to look into my house or my neighbors from the houses above. Seriously!!! What were you all thinking allowing this to happen?

Finally Safety from potential landslide. I had a conversation with my friend who is a civil engineer in SLO. He literally laughed when he heard they were using packed sand as a fountain for houses to be built on. He says they are rocks, tiny rock and they don't hold for long. It will fall. Earth is used to hold houses, not tiny rocks. Also, what about all the flooding in Cathedral city, and the mud that landed into that neighborhood and all those houses destroyed from the rains. Over time mountains erode and structures fall. As evidenced by the cliff houses all along our coastline that are falling, and Hwy 1 and is repeatedly collapsing due to erosion. They were all well built until they weren't. We are asking to keep the land flat, the natural elevation that it which guarantees safety. Safety from loss of houses for the new homeowners, loss of our houses from landslide, and loss of city money because we will all sue for damages, and neglect of our safety in the first place, and win. It's happened before in this town in the 70s. Everything is seems fine until it's not. All you have to do is have Pulte remove the mountain, that is all we are fighting for. We want our skyline, our safety, and our privacy back. Not really sure why this is so complicated.

Please do the right thing and help the members of your community. Like you came into this position to do in the first place.

**EVERYTHING IS FINE UNTIL IT'S NOT.**

Thanks for your time,









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Cathedral City in chaos: Incredible photos show residents being ...

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**From:** [Eric Livingstone](#)  
**To:** [CityClerk](#)  
**Subject:** Pulte/Refuge Project  
**Date:** Thursday, August 22, 2024 9:55:54 AM

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Thank you council members and Mayor for taking the time to review this information regarding the refuge project. I am a resident of Palm Desert and have been for the past 38 years and have served our community at our local hospital, Eisenhower Medical Center as a registered nurse for the past 20 years. And in those 38 years, I have seen nothing like what is happening directly behind our house ever.

Palm Desert is always stood for protecting their community members and preserving the views for their constituents unobstructed. I can't fathom how this has become to be allowed to happen. It has been a laps in judgment. There has been an 11 foot wall of dirt as I'm sure all of you know erected directly behind our house any view that we've had or any of our residents have had for the past 30+ years is gone and now our understanding is that the houses directly above us will have View Through fences, so they can have an unobstructed view of the Coachella valley and our backyards and our kitchens and our bedrooms. This is an utter violation of our privacy and mental well-being. I can't even understand how anyone thinks this is OK.

I called the city council and the mayor to stop this madness and its tracks where it's at and to re-grade the Hill back to where it was level with all the other houses. They put this out as the only option to maintain water drainage when that is not the case, there's many other options that don't include pinging upon other residents of the community. This is just the cheapest not to mention their housing values that they can sell with a view.

The next issue is that there has been an 11 foot tall berm built behind our house of sand with millions of tons. Sand is not dirt. Sand is not compactible. Sand is only a small rock piled on top of other small rocks, which is very unstable and likely to Collapse in the future.

Please help us stop this madness and protect your residence that are currently here. We're not asking for the houses to go away. We're just asking for a fair compromise.

Sincerely,

Eric Livingstone

