

HAND OUTS

**CITY COUNCIL
MEETING**

OCTOBER 19, 2021

EXHIBIT "A"

A VACATION OF RIGHT OF WAY OVER A PORTION OF AVENIDA MADERO, BEING A PORTION OF THE WEST HALF OF SECTION 14, TOWNSHIP 6 SOUTH, RANGE 6 EAST, SAN BERNARDINO BASE AND MERDIAN, COUNTY OF RIVERSIDE, LOCATED IN THE CITY OF LA QUINTA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 21 BLOCK 274 OF UNIT NO. 25 SANTA CARMELITA AT VALE LA QUINTA, RECORDED IN BOOK 19, PAGES 50 THROUGH 51 OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

THENCE, SOUTH 89°59'00" EAST, 6.84 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 83.00 FEET TO WHICH A RADIAL BEARS SOUTH 66°35'21" WEST

THENCE, SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 37°47'21", A DISTANCE OF 54.74 FEET TO AN ANGLE POINT;

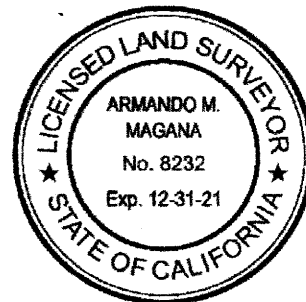
THENCE, SOUTH 28°48'00" WEST, 8.28 FEET TO A POINT ON A LINE THAT IS PARALLEL WITH AND OFFSET 3 FEET NORTHERLY OF THE SOUTHERLY RIGHT OF WAY OF AVENIDA MADERO AS SHOWN ON SAID TRACT MAP;

THENCE, NORTH 89°59'00" WEST, ALONG SAID PARALLEL LINE A DISTANCE OF 39.04 FEET TO A POINT ON THE EASTERLY LINE OF SAID LOT 21, ALSO BEING THE WESTERLY RIGHT OF WAY OF AVENIDA MADERO, AS SHOWN ON SAID TRACT MAP;

THENCE, NORTH 00°00'45" EAST, ALONG SAID EASTERLY LINE, A DISTANCE OF 47.00 FEET TO THE POINT OF BEGINNING;

SAID AREA CONTAINS 1,128 SQUARE FEET, MORE OR LESS.

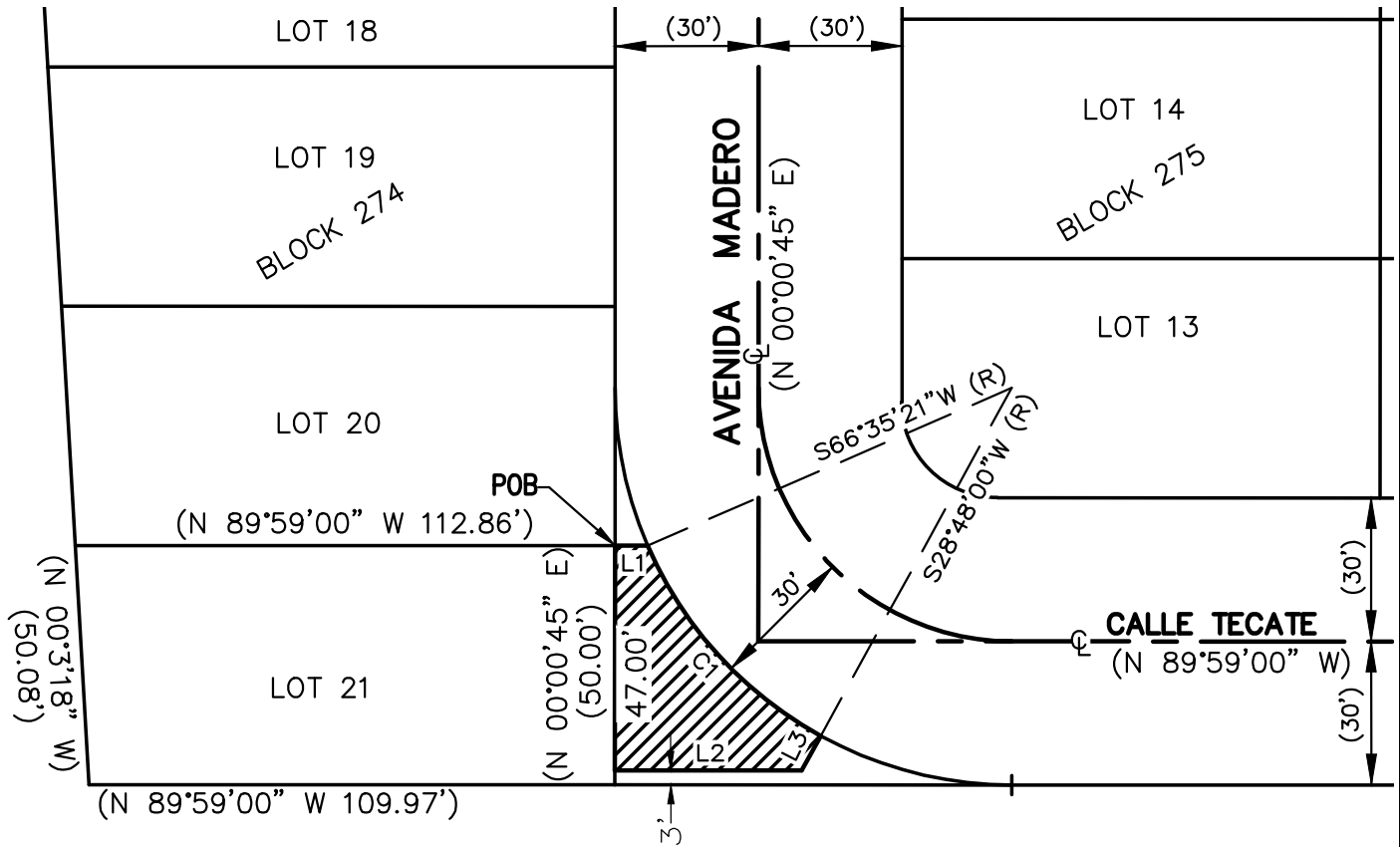
THIS DOCUMENT WAS PREPARED BY
ME OR UNDER MY DIRECTION,
BASED ON RECORD INFORMATION.



Armando Magana


ARMANDO M. MAGANA, P.L.S.
DATE 10/14/21

EXHIBIT "B"



SURVEYOR NOTES:

() INDICATES RECORD DATA PER MB 19/50-51

 AREA TO BE VACATED

LINE TABLE		
LINE	BEARING	LENGTH
L1	(S89°59'00"E)	6.84'
L2	(N89°59'00"W)	39.04'
L3	S28°48'00"W	8.28'

CURVE TABLE			
CURVE	RADIUS	DELTA	LENGTH
C1	83.00'	37°47'21"	54.74'

NOTE:

THERE MAY BE EASEMENTS AND DEDICATIONS OF ROAD EASEMENTS OF RECORD THAT ARE NOT SHOWN ON THIS DOCUMENT.

THIS DOCUMENT WAS PREPARED BY ME OR UNDER MY DIRECTION, BASED ON RECORD INFORMATION.



Armando Magana

10/14/21

ARMANDO M. MAGANA
L.S. NO. 8232, EXPIRES 12/31/21



SCALE: 1"=40'

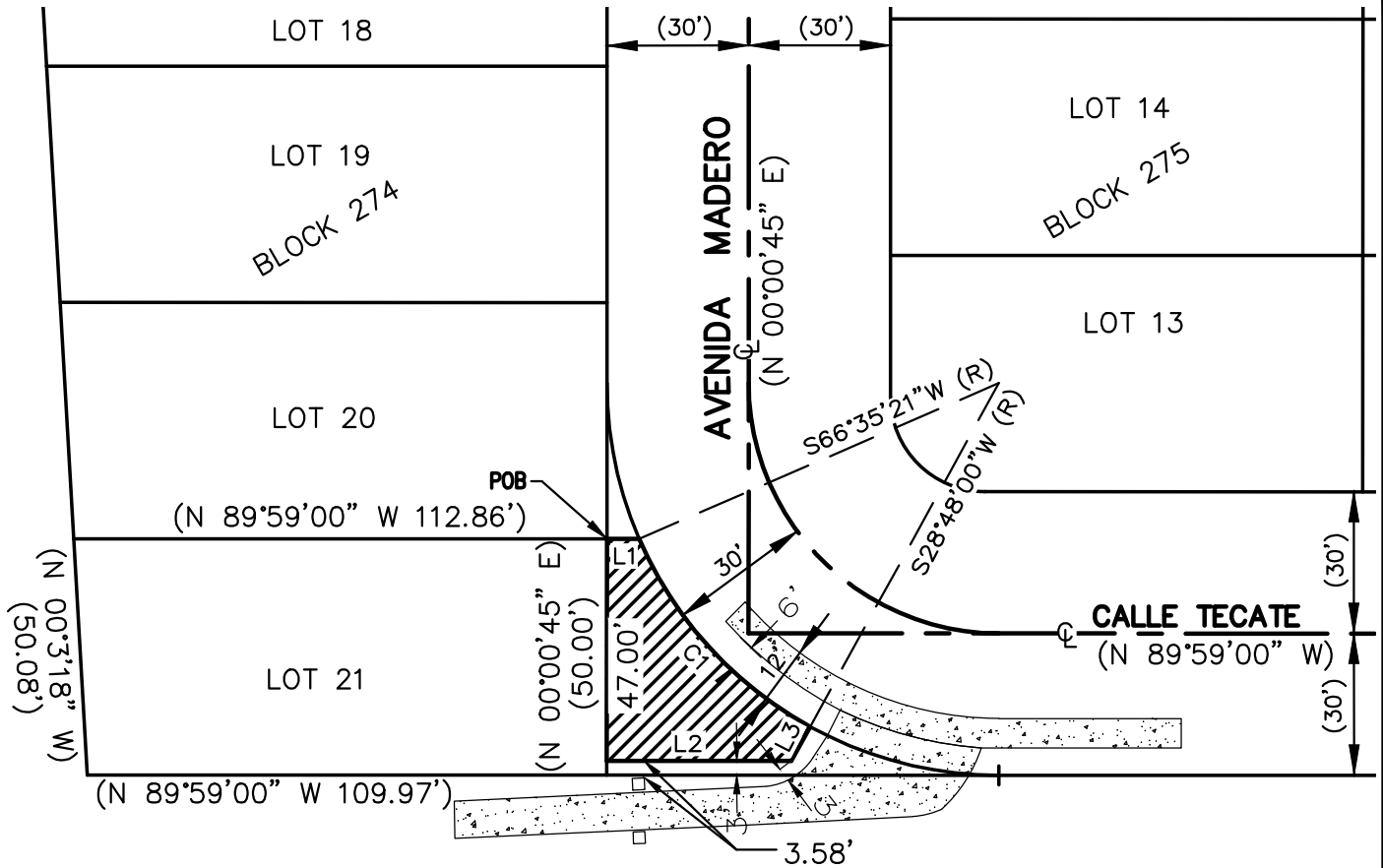
MAESTRO ENGINEERING
17-380 JUNE ROAD
DESERT HOT SPRINGS, CA 92241
PHONE/FAX: 760-329-6935

IN THE CITY OF LA QUINTA, CA

VACATION OF RIGHT OF WAY
OVER PORTIONS OF
AVENIDA MADERO AND CALLE TECATE

EXHIBIT "C"

(NOT FOR RECORDATION)



SURVEYOR NOTES:

() INDICATES RECORD DATA PER MB 19/50-51

 AREA TO BE VACATED

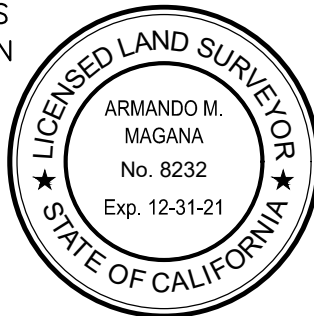
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10/14/21

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SCALE: 1"=40'

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IN THE CITY OF LA QUINTA, CA
VACATION OF RIGHT OF WAY
OVER PORTIONS OF
AVENIDA MADERO AND CALLE TECATE

From: gilda brasch [REDACTED]
Subject: Print this one instead please
Date: Oct 19, 2021 at 5:57:21 PM
To: David Damian Figueroa
[REDACTED]

Third hearing Oct. 19, 2021.

We are still showing up still opposed to this vacation of the parcel adjacent to Mr. Welsh's lot.

And through this continuing process, I think all concerned are more familiar with the parcel at hand.

My Mom is in hospital. Yet it's important for me to be here, because my dad was a civil and environmental engineer, Who did work for the federal government and the public.

To the City Council and mayor - we believe vacating the parcel is not at all in the public interest and will result in environmental impacts and traffic issues that have not been studied and mitigated. To be clear - we agree Welsh needs a driveway as we all have. And we welcome him and his family as neighbors. His driveway can be installed without transferring ownership of now public land.

That said - Welsh can do any nice lush landscaping of his choosing inside his wall.

Regarding construction of his property wall - we want assurance that it would be in line with the adjoining properties on the street.

It is crucial that the public land on the north side of the Bear Creek

Trail sidewalk should remain as desert landscaping. It should be aesthetically and environmentally match the south side. That way you do your duty with a capital D to protect and preserve the view corridor facing south as a n authentic Desert scenic view to the Santa Rosa National Wilderness Preserve.

First a question please, the new site survey plot plan does not state who drew it? Was this the city engineer or surveyor? And at who's expense?

We are still curious as to why a traffic study has not been ordered, considering the following:

- The parcel is bordering the Bear Creek Trail, a public walking trail, with high pedestrian and recreation traffic. Wouldn't this change of use - this resignation - warrant a traffic study for pedestrian safety?
- The parcel is on a 90 degree curve, at the apex of an uncontrolled intersection. The curve is " hard to see" at night per the city engineer statement in the Sept meeting.
- There are presently two 4'x6' big yellow arrows on the parcel to be vacated so cars don't run off the road at night. Wouldn't this change alone warrant a traffic study for motorist safety?

California EQA Section 15301

The city states this petition is "categorically exempt" from 15301.

The city claims the vacation to be a "negligible expansion of former or existing use." We believe that the vacation of this parcel and transfer from public to private ownership is a re-designation of "former use," and therefore not exempt. We feel there is an environmental impact, including the potential obstruction of sight lines of the Santa Rosa and San Jacinto National Monument and Wilderness Preserve.

In addition, whether intentionally or not, the whole process seems to exhibit favoritism towards the petitioner

The 10 supporters of the petitioner were all mailed notices about the hearing tonight. Yet the immediate area residents have not been mailed a notice of hearing since August.

Re the petition supporters and the state Highway Code 8321 ...***At least two of the petitioners shall be residents of the road district in which some part of the street or highway proposed to be vacated is situated.***

We are not aware of any of these 10 names actually being residents in this immediate area or "road district" of the parcel.

As far as public notification, yes, there are the three signs, however We do have issue with the dates of the Desert Sun posting, which

according to state highway code needs to be for two weeks, and you published on the first and the eighth of October. The 8th was 11 days ago which is not inside the time span required for such public notice to be each week for two weeks before.

Code 8322:

- *(a) Except as provided in subdivisions (b) and (c), notice of the hearing on the proposed vacation shall be published for **at least two successive weeks prior to the hearing in a daily, semiweekly, or weekly newspaper published and circulated in the local agency conducting the proceeding and which is selected by the legislative body for that purpose or by the clerk or other officer responsible for the publication where the legislative body has not selected any newspaper for that purpose.***

In addition the second page for a parcel vacation application per the city of La Quinta has in big bold underlined capital letters the following items that **MUST BE INCLUDED** by the petitioner.

One of the application's mandatory attachments is a plot plan that must show any walls, driveways, landscaping etc. That is not on the former or the present plot plan.

This is a major omission on the application. Again, we hope you consider where the driveway is placed of utmost importance, as this

is an uncontrolled intersection with huge 4' x 60 yellow arrow signs, two of them, alerting drivers of the curve. Why is the city not even concerned to see this as stated on the city application? And again, we request a traffic study of this intersection to determine the safest placement for the new driveway.

Next, the environmental form requested by the city of La Quinta has a question eight for the petitioner to comment on any historical, cultural or scenic significance of the parcel in question. The petitioner, or should I say the architect that wrote this petition for the petitioner, has purposefully left that key question blank, and there seems to be no issue with that from the city. Again, this is next to the Bear Creek Trail and is the gateway to of the Santa Rosa Mountain National Wilderness. There is also the indigenous sculpture close to the lot with bear and fish.

And finally, all of the 10 form letters signed by the supporters of the petitioner, all of them have an incorrect address. Ironically, the address of the parcel requested on the 10 letters is Avenida Madero and Avenida Protero, Mr. Herrera's intersectio.

So in summary, this petitioner seems to have the support of the city bending over backwards, paying for new plot plans, and granting favoritism for a sloppy and incomplete petitioner application that should have been rejected from the start.

We as the residents that actually live on the street, and not the 10

supporters of the petitioner that have vested interest in this parcel as paid architects, engineers, and builders hired by owners of the lot, we urge you to take more time to study this. (Which by the way, it's interesting to note, that in the Sept. hearing, Welsh pointed the finger at Mr. Herrera stating that he is only against the petition because Welsh hired another contractor. Now we have more clarification as to why Mr. Welsh would point the finger at Mr. Herrera in such a way, as he expects anyone in his employment to support him.)

In addition we question the several letters of support that have the last name of Welsh. You have redacted the addresses, but curious to know what they are stating as their address of residence? Is it the unbuilt lot? That would not be a residence. And, can a relative of the petitioner also sign on as one of the 10 supporters?

In addition, note that both on the petition application and the La Quinta environmental form, the petitioner did not even bother to sign his own forms and had these paid consultants m/supporters sign and process all paperwork for him.

Ms. Mayor we respectfully ask reconsideration to preserve the cultural scenic and historic aspects of this lot directly adjacent to the public Bear Creek Trail. And as we again suggest, just grant the petitioner access for driveway like the rest of his neighbors have.

Gilda Brasch



La Quinta