

**WRITTEN
PUBLIC
COMMENT**

**CITY COUNCIL
MEETING**

NOVEMBER 7, 2023

From: Kathleen <kathleen.mirabal@gmail.com>
Sent: Monday, November 6, 2023 9:53 AM
To: City Clerk Mail
Subject: Written Comments - Temporary Fritz Burns Parking Lot - Urgent Need for Lights for Pedestrians

Some people who received this message don't often get email from kathleen.mirabal@gmail.com. [Learn why this is important](#)

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Hi,

I am reaching out as a concerned citizen regarding the new temporary Fritz Burns Parking lot.

The crosswalks on Avenida 52/Bermudas are already extremely dangerous and I worry that having more pedestrians cross through there will lead to an increase in fatalities.

I believe the city should at least install flashing beacon lights at that corner, similar to how there is on Villa & Sinaloa, to avoid the tragedies that are waiting to happen.

I live in the cove and I see how fast and reckless drivers pass through the roundabouts, especially at night. There's a desperate need for more lights or awareness of pedestrians after dark - most notably during the winter months when it gets dark in the cove by 5.

Please take these comments into account - the cost to install a Rectangular Rapid Flashing Beacon (RRFB) is under \$50k, often only \$25k, and could save countless lives.

Sincerely,
Kathleen Mirabal
La Quinta Cove Resident

WRITTEN PUBLIC COMMENT

Business Session No. 3

STVR Program Chapter 3.25

Code Amendments

November 7, 2023

From: tbrohard0@gmail.com
Sent: Tuesday, November 7, 2023 8:40 AM
To: Monika Radeva
Cc: tbrohard0@gmail.com
Subject: La Quinta, CA: City Council Meeting 11/7/2023 - STVR - Proposed Large Lot Exemption

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Monica – Please share this email with the City Council. Thank you. Tom

Mayor, Mayor Pro Tem, and Councilmembers –

Mary and I have been full-time residents for 20 years at 81905 Mountain View Lane in the Estates at La Quinta. Our community has changed from resident-occupied homes to only 2 of the 14 homeowners being full-time residents today. I have served the community on our Board of Directors for 17 years.

We sincerely appreciate the actions of Code Compliance when STVR violations are reported. Unfortunately, we have at least three properties that are and have been continuing violators of the City's STVR laws. These properties have continued to rent these homes and the owners have been fined multiple times, totaling over \$10,000 each. As the City fines are a cost of doing business, the City should raise the fines further to deter illegal STVR. We also believe that no Large Lot Exemption should be given for any property with prior STVR violations and multiple fines.

We and many other homeowners in the Estates at La Quinta do not support the Large Lot Exemption proposed to be added to the City's STVR Ordinance. Our 14 lots represent 20 percent of the 70 large lots in the City affected by the change. The 70 lots represent a nominal number of the residential lots in La Quinta, and we do not understand why this Exemption is being considered.

Twelve of the lots in the Estates at La Quinta are 1.25 acres, about 55,000 square feet, with two lots at the Mountain View Lane cul-de-sac very slightly larger. If a large lot exemption is needed, then apply it to lots greater than those in the Estates at La Quinta. Applications from a lot should also be allowed only once every three years as with HOA's.

The proposed notice of 500 feet for an owner applying for an exemption must be carefully checked by the City for accuracy. The distance of 500 feet for the notice goes well beyond our tract boundaries and includes properties in PGA West (Montera), Griffin Ranch, and the County east of Monroe Street where a large subdivision is under construction. Will the responses to the notices be weighted to favor the views of immediately adjacent properties over others?

Annual review and monitoring of each STVR permit should be made. Noise monitoring must be included in the reviews and overseen by the City to validate its accuracy.

Thank you for the opportunity to provide these comments for consideration. We ask that the Large Lot Exemption be continued to a later date until such time as these issues and questions are resolved.

Respectfully,
Mary and Tom Brohard
81905 Mountain View Lane
Estates at La Quinta
(760) 398-8885
Tbrohard0@gmail.com

From: Mishael Patton <mishaelpatton@gmail.com>
Sent: Tuesday, November 7, 2023 11:10 AM
To: City Clerk Mail
Subject: Written Comments for 11/7 City Council Meeting

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Re: Amending Chapter 325 of the La Quinta Municipal Code Related to STVRs

Hello Monika:

Mishael Patton here of 54-290 Avenida Martinez in La Quinta.

I definitely support adding a provision requiring future revisions to Section 3.25.055 to be adopted by no less than four-fifths (4/5) majority vote by City Council.

I have kept an eye on what has been happening with STVRs in other U.S. cities. Many cities have found managing STVR problems impossible. And then there is the problem of residents being left to report problems. I know of two people who feel like they cannot report incidents for fear of retribution.

I have also noticed that, by your own statistics, most complaints are about illegal, non registered STRVs. How are these complaints followed up on? How are fines collected? How much staff time and attorney time is consumed by illegal STRVs? Are illegal STRVs being successfully eliminated?

I do not support the provision to exempt Homeshare STVR permits from the ban on the issuance of new STVR permits that requires owner(s) to occupy the dwelling during transient stays. This seems like an invitation for unmonitored STRVs in disguise. How would you enforce this new measure? This exemption seems like an invitation for more problems.

Thank you,

Mishael Patton

MishaelPatton@gmail.com

54290 Avenida Martinez, La Quinta 92253

760-902-6513

**WRITTEN
PUBLIC
COMMENT**

Public Hearing No. 1

La Quinta Village

Apartments

November 7, 2023

From: [REDACTED]
Sent: Monday, November 6, 2023 4:38 PM
To: City Clerk Mail
Subject: Meeting on 11/7/2023 - General Plan 2022-0002 Amendment

Follow Up Flag: Follow up
Flag Status: Completed

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EXTERNAL: This message originated outside of the City of La Quinta. Please use proper judgement and caution when opening attachments, clicking links or responding to requests for information.

To the Honorable Linda Evans and the LaQuinta City Council,

This message is sent as an anonymous homeowner in the Desert Breezes community to express my strongest opposition to the General Plan 2022-0002 Amendment, which proposes to relocate all of the 280 low-income and very low-income units from the development site originally called Troutdale located at Washington and Avenue 50 to Washington and Fred Waring.

My opposition to this plan is based on several factors which include the adverse impact on the properties at Desert Breezes, Southwest Church and Indian Wells Tennis Gardens.

The concentration of low and very low income housing all in one place fails to promote diversity in the community. Such a decision will increase the likelihood that the community shall have higher rates of crime when all the low and very low income housing is concentrated in one place. It would be much better for the planning commission to integrate low and very low income properties throughout the community to promote stronger communities. This would mean the plan for the site at Washington and Avenue 50 should have some low and very low income units in the plan. Currently this plan has no low and no very low income units. This also means that any plan for the development of any other sites should also have the same requirement to include some low and very low income units in the planned development.

My opposition is also based on my understanding that the current property owner of the land at Washington and Fred Waring has an alternative development plan for this parcel. The current property owner's plan should be considered before approving any changes to shift all the low and very low income units to the parcel at Washington and Fred Waring. Making a decision that results in an adverse impact to current property owner is not respectful to all the parties, but especially to the current property owner. Thus this decision should be delayed to allow ample time for reconsideration of all parcels. Please note I have no idea who owns this property, just that there is an alternative plan in the works.

Finally, it is my understanding that the developer of the Washington and Avenue 50 parcel is a party from outside the Coachella Valley area and that there are at least two members of the decision making bodies that have conflicts of interest related to this proposed plan. Parties/developers that do not live and work in the valley should not have decisions made that are favorable to them and for which there are conflicts of interest of some of the decision makers in which such decisions adversely affect the longstanding residents, religious organizations and businesses of the valley. Making this decision in favor of the outside developer and against the interest of the local residents, church organizations and tennis gardens, would lead some to conclude that these conflicts of interest are not limited to just the individuals that have recused themselves. Rather some might conclude there are more conflicts of interest than the ones disclosed. If such a decision is made, it will reflect poorly on the remaining decision makers.

There are other options available to the City of LaQuinta that should be considered and evaluated in public hearings before any decision to approve the request before the city at this time. Thus I request that either a decision to deny this request be made or the decision be delayed until more evaluation and consideration can be performed so that strategic decisions that are in the best interest of all stakeholders can be identified and adopted.

Respectfully,

Anonymous

From: [REDACTED]
Sent: Monday, November 6, 2023 12:17 PM
To: City Clerk Mail
Subject: Opposition to General Plan 2022-0002 Amendment

Follow Up Flag: Follow up
Flag Status: Flagged

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EXTERNAL: This message originated outside of the City of La Quinta. Please use proper judgement and caution when opening attachments, clicking links or responding to requests for information.

To the Honorable Linda Evans and the LaQuinta City Council,

I am writing to express my strong opposition to the General Plan 2022-0002 Amendment, which proposes to relocate the state-mandated housing element of 280 low-income and very low-income units from site 3 at the corner of Washington Avenue and 50th Avenue to site 6 at the corner of Washington Avenue and Fred Waring. Although I understand the city's need to comply with the state mandate and am sensitive to the need for affordable housing, the truth is that relocating these units at the behest of an out-of-state developer is really no different than a hedge fund buying a company's assets and not accepting any of its liabilities. It takes its profits and leaves without a second thought to those impacted by its decisions.

The staff's suggestion that this is the ideal location for meeting the housing element requirements is short-sighted. It seems that the city is placing all of the required housing element units for low and very low-income units on the far north side of the city away from the majority of its homes, especially expensive ones. Couching it in terms of a "high resource" area does not take away from the fact this is really segregated housing.

This amendment adversely affects the city of Palm Desert as property owners on the west side of Washington Avenue, in the well-established development of Desert Breezes, will have dramatically declined property values and thus Palm Desert's property tax base will be reduced. Additionally, this is not neighborly. The nearest Palm Desert properties are zoned as Golf and Resort neighborhoods; the very people who support many LaQuinta businesses.

I firmly believe there are better alternatives that can achieve the city's goals without compromising the integrity and harmony of our neighborhoods. I encourage the city to explore other options and work with the city of Palm Desert and its property owners to find a more amicable solution.

1. Consider Distributed Low-Income Housing: Rather than concentrating all low-income housing in the north end of LaQuinta.

Rationale: This approach promotes socio-economic integration. It prevents the creation of isolated communities and potentially fostering segregation. Instead, it promotes inclusivity.

2. Explore Public-Private Partnerships: It is an effective way to meet the housing needs of the community while reducing the burden on taxpayers.

Rationale: Utilizing private-sector expertise and resources can be more cost-effective and result in well-designed, quality housing developments that **blend seamlessly with existing neighborhoods**. It often leads to innovative solutions and sustainable developments while relieving the burden on city resources. This could include lot consolidation of small lots in the Village Commercial area to make way for multi-family projects with incentives from the City. This helps meet a city goal.

3. Revise Zoning and Land Use Regulations: identify areas that could be repurposed or rezoned to accommodate affordable housing without disrupting the character of the neighborhood. Current zoning

code Section 9.60.260 permits troubling options that could further negatively impact Palm Desert properties like Desert Breezes.

Rationale: This can identify opportunities for affordable housing in areas that don't disrupt existing commercial or resort-oriented zones. It preserves the character of neighboring cities.

In conclusion, I urge you to reconsider the proposed amendment and explore alternative innovative solutions to meet your city's housing needs. Thank you for your attention to this critical matter. I appreciate your dedication and commitment to making well-informed decisions.

Sincerely,
Anonymous

From: Nkaya Brandon <nkayabrandon@yahoo.com>
Sent: Monday, November 6, 2023 5:36 PM
To: City Clerk Mail
Subject: VOTE NO on LQ Village Apartments 50th/Washington

[Some people who received this message don't often get email from nkayabrandon@yahoo.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

** EXTERNAL: This message originated outside of the City of La Quinta. Please use proper judgement and caution when opening attachments, clicking links or responding to requests for information. **

Dear City Council,
PLEASE VOTE NO on the current plan development of LQ Village Apartments for the corner of 50th and Washington Ave LQ.

We have been to ALL the Planning Commission and City Council meetings about this project with our neighbors as we all live nearby off 50th and Orchard Lane.
The proposed project may be a good one for elsewhere in LQ for the City to get more housing, but on area on that corner, for that much density it will have a truly horrible consequences to the people who live there and drive it everyday.

We won't go into ALL the traffic issues and safety and and and and ... that have been gone over in depth at the prior meetings because of VALID VERY good concerns by the Commission and Council.

We do want to bring up however that:

The developer admitted at the last Planning Commission meeting that the original plan they created for traffic for this project to work for 215 apartment residences and all the service vehicles and guests was for the residents heading South from 111 to go off Washington at Eisenhower, and drive Eisenhower (past the LQ Resort) to 50th Ave.

For them to turn left at the light on 50th (which is now a SINGLE LANE in both directions) back to Washington and turn Left at the light into the development.

Or they could take 111 East to Jefferson to 50th and travel back a few miles to enter after crossing the wash past the school field.

For ANYONE living in La Quinta, neither of these "miles out of the way" routes would be ones that residents would actually take instead of traveling about a mile up the road where they'd have to take a U-Turn.

The City recently changed 50th Ave between Eisenhower and Washington to single lanes with bike lanes to take care of the true traffic needs of all the golf communities that livd on and use that stretch of the road. Adding the huge amount of residents from this complex on that single lane road, all trying to make a left hand turn at the light at Washington would back up traffic and would be disastrous.

We IMPLORE the City to consider projects like this for the many open lots anywhere NORTH of 48th Ave to the 10 Fwy.

From 48th Ave SOUTH on Washington, we IMPLORE the City to keep "The Gem of the Desert" - retaining our view corridors and single story housing for both the special character that our town has and the property values of the similar type of residents that surround the proposed development.

The current design of our great town is single story homes and developments for miles and miles around the area, keeping the feel at this end of La Quinta as a residential area.

Once you allow this 2 story VERY high density for the lot size project there, not only will it GREATLY impact the area residents, it will set the precedent for more crowded, taller apartment housing developments to be built in the Southern La Quinta and Cove areas.

This corner is a Vitally important one in our City.

It is a threshold property, a gateway to Old Town and the Cove and will set the tone for what is to come.

If developed as proposed there, the density will turn us into another 'same as anywhere else' City - where we will lose our charm.

Can you imagine a development like what is proposed in the residential areas of Carmel California - a City known for its character and charm?

I bring this example up because we too are lucky enough to live in a character and charmed City here in La Quinta.

PLEASE be VERY, VERY CAREFUL with the GIFT of this town that we have and where you develop.

s I suggest, there is still plenty of land North of 48th to the 10 fwy where this project would be the right size fo the land and be much closer to amenities and to work places for residents. There is MUCH more public transit at that end of the City, compared with the VERY seldom running buses at 50th and Washington.

The traffic will be significantly impacted as anyone who actually lives here can tell - which doesn't seem to jive with the developers traffic studies they propose.

There is another VITAL LOSS that is about to happen for La Quinta IF you vote for this project:

Please consider the families of La Quinta.

All the ones who go to the school on 50th and Boys and Girls Club and the Sports Field.

They will forever more be parking (as they do now) on 50th Ave from the wash for miles all the way to our street at Orchard Lane whenever they attend any school function or game for their children.

While we're seniors and don't have children in the school, we see cars lined up and parked along those miles on who have to haul all the sports equipment, chairs, and tend to the safety of their children next to a 50 mph roadway in daylight and in dark.

By adding this development, you take away any hope of there ever being any facility, parking, park, anything that might benefit them, the school, and the clubs in the area.

By adding this development, you will be adding greatly to the population density at that corner, which will horribly impact the already severely difficult situation of many families keeping themselves and their children safe at family events in our city at this location.

Is there really no better way to show we care about La Quinta families and school life?

We think there is for sure.

PLEASE leave a legacy of your time on City Council with something that made the City proud and retains its charm and specialness.

PLEASE vote NO for this project on that property.

We can Do SO Much better for that land and the families that live in our community.

Imagine that WIN!

Thank you.

Best wishes,

Carolyn Brandon & Charles Ciup

50240 Woodmere LQ 92253

From: karijeanc@aol.com
Sent: Monday, November 6, 2023 12:25 PM
To: City Clerk Mail
Subject: Undeveloped area on corner of Washington St. and Fred Waring

Follow Up Flag: Follow up
Flag Status: Flagged

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Dear Council & Planning Commission,

I have been a homeowner in the Palm Royale Country Club development since 2004. I purchased with the understanding that the above corner would be developed with medical offices, pharmacy, restaurants and other essential services.

I am not against low income housing, however, I do not want it to be on this parcel of land. I am concerned about crime in our development as a result.

We were not informed of your intent and I feel that public hearings need to ensue before moving forward.

Sincerely,

Carolyn Crowson
78-353 Terra Court
La Quinta

From: Kay Curtis <kaycurtisrealtor.com@gmail.com>
Sent: Tuesday, November 7, 2023 6:29 PM
To: City Clerk Mail
Subject: Low Income Housing

Follow Up Flag: Flag for follow up
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Dear City Council Members,

I was recently made aware that the parcel at Fred Waring and Washington on the Northeast corner is being considered for a low income housing project.

And, I was told that this location is being considered rather than the original site at Washington and Ave. 50.

I would like to know the following:

- 1) Why was the site changed.
- 2) What are the demographics, as to what type of low income is being discussed.
- 3) Does the Council have a artist rendering of what the housing project looks like?
- 4) Have there been any studies conducted regarding traffic and community needs and activities in this area.

I am a retired real estate agent and live accross the street. We have experienced a lot of negative impact to our neighborhood in the past couple of years due to increased traffic, excessive speeding on the streets and some vandalism on our campus. I am concerned about a potential adverse effect this type of housing would have on our community.

As a retired agent I have seen the negative impact that Section 8 can cause in a neighborhood.

I would ask the council to consider a better use of this property that would enhance the adjoining neighborhoods.

Thank you for your time and consideration with this request.

Respectfully,
Kathryn Curtis
78163 Indigo Dr.
La Quinta ca 92253
530 908-7872

From: Board <jenbdbboard@gmail.com>
Sent: Monday, November 6, 2023 1:15 PM
To: Cheri Flores <cflores@laquintaca.gov>
Cc: Tania Flores <tflores@laquintaca.gov>; Danny Castro <dcastro@laquintaca.gov>; Tera Willis <tera@vintagegroupre.com>; Sierra Carr <scarr@drmineternet.com>
Subject: Re: Washington and 50th La Quinta Apartments Project

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Good afternoon Cheri,

Thank you very much for your call last Thursday.

Attached is the letter from the Desert Breezes community opposing the amendment of the commercial parcel at Washington and Fred Waring in place of La Quinta Village Apartments' low-income housing parcel, as suggested by the developer.

Yes please read this at the meeting.

Thank you so much,
Jennifer Blair
Desert Breezes

On Nov 2, 2023, at 9:27 AM, Cheri Flores <cflores@laquintaca.gov> wrote:

Hi Jennifer,
Thanks for chatting with me this morning. Here is my email. You may send in a letter and if you would like to have it read out at the meeting please let me know and I will let the City Clerk know to do that. Have a nice day!



Cheri L. Flores | *Planning Manager*
City of La Quinta
78495 Calle Tampico La Quinta, CA 92253
Ph. 760-777-7067
www.laquintaca.gov

Desert Breezes

City Council & Planning Commission
City of La Quinta c/o City Clerk
78495 Calle Tampico
La Quinta, CA 92253

Dear Council & Planning Commission,

We have been alerted by a neighboring community that the La Quinta Village Apartments development has added an amendment swapping the parcel at Avenue 50 and Washington with the parcel at Washington and Fred Waring. We oppose the approval of this amendment to the La Quinta Village Apartments development. As we understand it, this swap has the potential for the state to force the owners of this land to develop low-income housing instead of developing commercial services.

The addition of low-income housing at this location, in lieu of commercial services, is unfortunate. Many of our homeowners purchased their homes knowing the parcel at Washington and Fred Waring was zoned commercial, ensuring retail services close by.

While we support the need for low-income housing, a large development of its kind across the street from our community presents a greater need for law enforcement already overwhelmed by the current issues happening in our area.

This parcel is also along a bustling corridor, across the street from one of the largest tennis tournaments on the West Coast. Traffic explodes during the season making it difficult for our homeowners to enter and exit their own community. The addition of a much larger community of low-income housing across the street would create an enormous traffic jam and increase the opportunity for accidents.

We ask you to consider other parcels instead of one at Washington and Fred Waring.

We ask that you remove this amendment from the condition of approval for the La Quinta Village Apartments.

We ask that the City of La Quinta keep us informed on the state of the parcel on Washington and Fred Waring.

On behalf of Desert Breezes,

Jennifer Blair, Casas President
Hugh Cousins, Masters President, Villas President
Dottie Fazio, Timeshares President

From: Janet Gettings <janet.gettings@gmail.com>
Sent: Tuesday, November 7, 2023 11:58 AM
To: City Clerk Mail
Subject: Low income housing proposal Washington/Fred Waring

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78351 Terra Cotta Court
La Quinta 92253
11-07-23

City Of La Quinta Town Council

To Whom It May Concern:

We have recently been made aware of a proposed change to land usage in our immediate community, with a possible rezoning from commercial to residential property allowance. There has been no official notice from Council in this regard to adjacent property owners such as ourselves. We live in the Palm Royale complex which is situated on the corner of Washington and Fred Waring, right across the street, from the lot which is designated for Commercial use. When we purchased our condo 11 years ago, we knew that property was slated to be developed for commercial use, such as grocery stores, cafes, and medical/dental offices to serve the immediate community. The proposition for rezoning to allow for low income housing, instead of commercial services, is a drastic change which needs community consultation and clear communication as to the rationale for such a change. No such communication has come from the City of La Quinta to its residents.

In addition, the Fred Waring/Washington intersection is extremely congested and dangerous already. As a volunteer for the Tennis Tournament at the Indian Wells Tennis centre, I can attest to the fact how frightening it is to walk along Fred Waring toward the light to cross. People have been killed crossing Fred Waring, and I am sure the La Quinta Police have records of just how fast cars are driving down that street and the number of accidents which are already occurring. With 200 more homes, there will be possibly hundreds more cars using an already overstressed thoroughfare. There are no amenities, such as grocery stores or other services, within easy walking distance. It is not a safe area to be walking due to the speeding traffic and congestion. Recently there was a serious accident, right at our gate, which involved a car leaving the street entirely to avoid hitting someone who swerved from the left turning lane, and then striking another vehicle exiting from our complex, but was still on our property.

We look forward to hearing from the City Of Quinta regarding the process for making such a drastic decision which not only directly impacts current residents but changes what has been slated for commercial completion for many years.

Janet and Daniel Gettings
janet.gettings@gmail.com

From: Jen Hasiuk <jenhasiuk@gmail.com>
Sent: Saturday, November 4, 2023 8:28 PM
To: City Clerk Mail
Subject: Washington/Waring development

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EXTERNAL: This message originated outside of the City of La Quinta. Please use proper judgement and caution when opening attachments, clicking links or responding to requests for information.

To whom it may concern,

As a resident and homeowner in La Quinta, I was very troubled to learn of a potential low-income housing project on the corner of Washington St. and Fred Waring. If this project is approved, I will do everything I can to make sure the elected officials responsible will be voted out next election.

Regards,
Jennifer Hasiuk

From: Janice Hurlburt <janicehurlburt3@gmail.com>
Sent: Tuesday, November 7, 2023 10:51 AM
To: City Clerk Mail
Subject: City Council Meeting and Agenda for Nov. 7th - remaining unmet RHNA for the La Quinta Village Apartments.
Attachments: traffic study for Washington street-Fred Waring.png; traffic turning movement.PNG

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My name is Janice Hurlburt at 77-565 Calle Las Brisas, Palm Desert

I would not support a General Plan Amendment as stated below in published documents (cut and pasted here from page 97 of 604 pages).

We live across the street in the community of Desert Breezes in the City of Palm Desert. I have lived in this community since 2006 and have seen increased traffic at this intersection.

I understand the purpose of looking for sufficient sites to accommodate the remaining unmet RHNA for each income category but for this location to be considered is not realistic. (• Adopt a resolution to approve General Plan Amendment 2022-0002, Specific Plan 2022-0001 (SP 2004-071, Amendment 2) and Site Development Permit 2022-0001 for the La Quinta Village Apartments, consisting of 252 units located at the northeast corner of Washington Street and Avenue 50.)

I have attached a 2014 traffic study showing you the volume of traffic for this intersection. Imagine what the traffic study would look like today!

See the area highlighted in Yellow. This is not a suitable site to recommend to meet the remaining unmet RHNA for the La Quinta Village Apartments.

Therefore I would oppose this recommendation.

Thank you,
Janice Hurlburt

General Plan Amendment The project site is identified on the City's inventory of sites in its Housing Element to accommodate 280 residential units in the very low- and low-income categories. Pursuant to Government Code Section 65863 (commonly referred to as the state "No Net Loss Law"), a jurisdiction must maintain



adequate sites to accommodate its remaining unmet regional housing need allocation (RHNA) by each income category. If a jurisdiction approves a development of a parcel identified in its Housing Element sites inventory with fewer units, per income category, than shown in the Housing Element, it must either **make findings that the Housing Element's remaining sites have sufficient capacity to accommodate the remaining unmet RHNA by income level or identify and make available sufficient sites to accommodate the remaining unmet RHNA for each income category.** The City is responsible for compliance with the No Net Loss Law, unless a project applicant(s) request in their initial application, as submitted, a density that would result in the remaining sites in the Housing Element not being adequate to accommodate the jurisdiction's share of the regional housing. While the project includes 74 moderate-income units and 178 market-rate units, the project does not include units in the very low-and low-income categories. Therefore, the Applicant must identify additional site(s) that could accommodate 280 very low-and low-income units. **This requires a GPA to add another site to the inventory of sites in the Housing Element. The Applicant has identified an additional site, a 12.74-acre property identified as Site 6 on the draft Housing Element amendment (Attachment 2). Site 6 is located at the northeast corner of Washington Street and Fred Waring Drive and is in a Community Commercial zone that also has the Affordable Housing Overlay and Mixed Use Overlay, which allows for mixed use development – both multi-family residential and commercial development** (Attachment 4). The Affordable Housing Overlay allows for a density of up to 30 units per acre and the Mixed Use Overlay allows for mixed use projects up to 24 units per acre. At 280 units, Site 6 would have a density of 22 units per acre, which is consistent with other affordable housing developments in the region. This site is within a "High Resource" area, in that it is immediately adjacent to schools, is in close proximity to businesses on Highway 111 and on Washington Street, and close to job areas which provides for economic opportunities. There is no planned development on Site 6 at this time. The site has been identified only as having the capacity to support 280 units of low- and very low-income affordable housing. If the GPA is approved, including the project as proposed, the City would then re-submit its Housing Element to the California Department of Housing and Community Development (HCD). This project is conditioned to not move forward with the "subordinate" entitlements and permits, such as the Specific Plan Amendment, Site Development Permit, and the ensuing construction until and unless HCD has approved the amendment to the Housing Element.




Janice Hurlburt Online Management

Digital Marketing Agency



 760-898-4060, leave a msg.  <https://www.janicehurlburt.com/online-visibility/>  janicehurlburt3@gmail.com



 **Book a Call with Janice**

AM Peak Hour	07:45	11:45	11:15	PM Peak Hour	14:15	15:30	15:45
AM Pk Volume	1177	1413	2434	PM Pk Volume	1361	1554	2786
Pk Hr Factor	0.806	0.847	0.925	Pk Hr Factor	0.948	0.832	0.878
7 - 9 Volume	2266	1467	3873	4 - 6 Volume	2199	2852	5051
7 - 9 Peak Hour	07:45	07:30	07:45	4 - 6 Peak Hour	16:00	16:15	16:00
7 - 9 Pk Volume	1177	926	2088	4 - 6 Pk Volume	1253	1441	2472
Pk Hr Factor	0.806	0.867	0.826	Pk Hr Factor	0.961	0.771	0.842

Prepared by NDS/ATO

VOLUME

Washington St N/O Fred Waring Dr

Day: Thursday
Date: 12/18/2014

City: Palm Desert
Project #: CA14_6217_020

DAILY TOTALS												NB	SB	EB	WB	Total
												20,469	19,662	0	0	40,131
AM Period	NB	SB	EB	WB	TOTAL	PM Period	NB	SB	EB	WB	TOTAL					
00:00	31	41			72	12:00	284	355			639					
00:15	22	28			50	12:15	353	358			711					
00:30	20	21			41	12:30	357	310			667					
00:45	14	87	24	114	38	12:45	401	1395	327	1350	728	2745				
01:00	16	18			34	13:00	402	372			774					
01:15	13	12			25	13:15	467	398			865					
01:30	19	15			34	13:30	351	368			719					
01:45	15	63	19	64	34	13:45	315	1535	498	1636	813	3171				
02:00	14	10			24	14:00	450	341			791					
02:15	9	6			15	14:15	521	315			836					
02:30	7	14			21	14:30	577	348			925					
02:45	14	44	11	41	25	14:45	439	1987	439	1443	878	3430				
03:00	15	10			25	15:00	460	408			868					
03:15	9	8			17	15:15	449	438			887					
03:30	16	8			24	15:30	496	372			868					
03:45	18	58	20	46	38	15:45	461	1866	374	1592	835	3458				
04:00	27	9			36	16:00	324	425			749					
04:15	28	24			52	16:15	361	366			727					
04:30	34	14			48	16:30	351	368			719					
04:45	34	123	26	73	60	16:45	329	1365	398	1557	727	2922				
05:00	41	36			77	17:00	363	379			742					
05:15	64	41			105	17:15	389	439			828					
05:30	70	55			125	17:30	296	399			695					
05:45	101	276	66	198	167	17:45	302	1350	355	1572	657	2922				
06:00	98	73			171	18:00	248	270			518					
06:15	138	78			216	18:15	269	248			517					
06:30	193	144			337	18:30	271	275			546					
06:45	208	537	208	503	416	18:45	226	1014	185	978	411	1992				
07:00	304	235			539	19:00	177	217			394					
07:15	410	299			709	19:15	160	178			338					
07:30	406	305			711	19:30	161	179			340					
07:45	359	1479	318	1157	677	19:45	172	670	145	719	317	1389				
08:00	289	378			667	20:00	172	160			332					
08:15	309	317			626	20:15	148	137			305					
08:30	331	352			683	20:30	142	127			269					
08:45	326	1255	308	1355	634	20:45	109	591	134	558	243	1149				
09:00	285	277			562	21:00	181	123			304					
09:15	267	273			540	21:15	156	119			275					
09:30	278	281			559	21:30	114	108			222					
09:45	286	1116	290	1121	576	21:45	93	544	100	450	193	994				
10:00	278	318			596	22:00	89	82			171					
10:15	314	298			612	22:15	82	100			182					
10:30	289	330			619	22:30	90	57			147					
10:45	304	1185	333	1279	637	22:45	58	319	58	297	316	616				
11:00	333	344			677	23:00	39	61			100					
11:15	348	339			687	23:15	44	40			84					
11:30	326	352			678	23:30	36	39			75					
11:45	365	1372	338	1373	703	23:45	19	138	46	186	65	324				
TOTALS					7695	7324	TOTALS	12774	12338			25112				
SPLIT %					51.2%	48.8%	SPLIT %	50.9%	49.1%			62.6%				

DAILY TOTALS												NB	SB	EB	WB	Total
												18,974	17,443	0	0	36,817
AM Peak Hour	07:00	11:30	07:15	PM Peak Hour	14:15	14:45	14:30									
AM Pk Volume	1479	1463	2764	PM Pk Volume	1897	1857	3554									
Pk Hr Factor	0.902	0.980	0.972	Pk Hr Factor	0.865	0.946	0.963									
7 - 9 Volume	2734	2532	5246	4 - 6 Volume	2715	3129	5844									
7 - 9 Peak Hour	07:00	07:45	07:15	4 - 6 Peak Hour	16:30	16:45	16:30									
7 - 9 Pk Volume	1479	1365	2764	4 - 6 Pk Volume	1432	1615	3016									
Pk Hr Factor	0.902	0.903	0.972	Pk Hr Factor	0.920	0.920	0.911									

Prepared by NDS/ATO

VOLUME

Washington St N/O Hovley Ln

Day: Thursday
Date: 12/18/2014

City: Palm Desert
Project #: CA14_6217_021

DAILY TOTALS												NB	SB	EB	WB	Total
												18,974	17,443	0	0	36,817
AM Period	NB	SB	EB	WB	TOTAL	PM Period	NB	SB	EB	WB	TOTAL					
00:00	32	52			84	12:00	305	312			617					
00:15	19	35			54	12:15	325	300			624					
00:30	15	29			44	12:30	327	293			620					
00:45	18	84	37	143	44	12:45	337	1264	310	1100	643	2483				



Intersection Turning Movement

Prepared by:

National Data & Surveying Services

Project ID: 14-6212-122

Day: Thursday

City: Palm Desert

Date: 12/11/2014

AM

NS/EW Streets:	Washington St		Washington St			Fred Waring Dr			Fred Waring Dr			TOTAL	
	NORTHBOUND			SOUTHBOUND			EASTBOUND			WESTBOUND			
LANES:	NL 2	NT 3	NR 1	SL 2	ST 3	SR 1	EL 2	ET 3	ER 1	WL 2	WT 3	WR 1	
7:00 AM	58	218	17	26	177	49	14	46	20	17	130	59	831
7:15 AM	100	261	15	23	167	86	32	67	38	30	259	113	1191
7:30 AM	123	305	2	35	224	69	36	82	56	24	297	85	1338
7:45 AM	97	256	3	32	231	73	47	134	66	15	242	70	1266
8:00 AM	82	186	0	44	257	82	30	96	62	22	162	56	1079
8:15 AM	64	185	5	27	222	65	48	98	60	29	204	55	1062
8:30 AM	83	247	5	34	270	67	33	74	49	18	146	46	1072
8:45 AM	76	215	8	30	197	74	45	91	61	19	174	49	1039
TOTAL VOLUMES :	NL 683	NT 1873	NR 55	SL 251	ST 1745	SR 565	EL 285	ET 688	ER 412	WL 174	WT 1614	WR 533	TOTAL 8878
APPROACH %'s :	26.16%	71.73%	2.11%	9.80%	68.14%	22.06%	20.58%	49.68%	29.75%	7.50%	69.54%	22.96%	
PEAK HR START TIME :	7:15 AM												
PEAK HR VOL :	402	1008	20	134	879	310	145	379	222	91	960	324	4874
PEAK HR FACTOR :	0.831			0.864			0.755			0.847			0.911

UTURNS			
NB	SB	EB	WB
0	1	0	0
1	0	0	0
0	0	0	0
1	1	0	0
0	1	0	0
0	2	0	0
0	1	0	0
1	0	0	0
NB 3	SB 6	EB 0	WB 0

CONTROL : Signalized

From: James Vaughn <JV Vaughn@szrlaw.com>
Sent: Monday, November 6, 2023 8:58 AM
To: Council; City Clerk Mail
Cc: Ihrke, Bill; Jon McMillen; Cheri Flores; RJ Mayer; Tom Weigel; Erika Crempa
Subject: November 7, 2023 City Council Meeting - Public Hearing Agenda Item No. 1 - Objection to Proposed GPA No. 2022-0002 for La Quinta Village Apartments
Attachments: Letter to La Quinta City Council re GPA 2022-0002 (11-6-23).pdf

EXTERNAL: This message originated outside of the City of La Quinta. Please use proper judgement and caution when opening attachments, clicking links or responding to requests for information.

Dear Mayor Evans and Honorable City Councilmembers:

Please see the attached correspondence objecting to the above-referenced General Plan Amendment proposal to revise the recently approved Housing Element and move a 280-unit affordable housing designation for very low- and low-income categories from the La Quinta Village Apartments site to the 25-acre commercial property owned by the Mayer Corporation at the northeast corner of Washington Street and Fred Waring Drive.

Please include this letter in the record of proceedings for this matter.

Best regards,

James D. Vaughn, Esq.



Stowell, Zeilenga, Ruth, Vaughn & Treiger LLP

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STEPHANIE SMITH

DAVID C. RUTH
1956-2018

November 6, 2023

Via Email Only

(council@laquintaca.gov and cityclerkmail@laquintaca.gov)

Mayor Evans and City Councilmembers
c/o City of La Quinta City Clerk
78-495 Calle Tampico
La Quinta, CA 92253

Re: **Objection to Proposed General Plan Amendment 2022-0002**
(La Quinta Village Apartments)

Dear Mayor Evans and Honorable Councilmembers:

We represent the Mayer Corporation ("Mayer"), owner of the undeveloped real property located at the northeast corner of Washington Street and Fred Waring Drive (the "Mayer Property"). This letter shall serve as Mayer's formal, written objection to the application of Irwin Partners ("Applicant") for the above-referenced General Plan Amendment (the "GPA Request") to revise the City's recently adopted and HCD-approved Housing Element for the planning period 2022-2029 (the "Housing Element"). As explained in more detail below, Mayer objects to the GPA Request on both public policy and legal grounds. Most significantly, the Mayer Property has been long-designated in the City's General Plan for commercial development that will generate significant tax revenue for the City's General Fund. Approving the Applicant's GPA Request would encumber the Mayer Property with the requirement to accommodate 280 affordable housing units, consuming more than half of the Mayer Property and preventing effective master planning of the full site for its highest and best use. In addition, the GPA Request would violate the applicable housing element laws because the designated 12.74-acre portion of the Mayer Property fails to satisfy the statutory requirements for the Housing Element's site inventory of "suitable and available" land for affordable housing.

The La Quinta Village Apartments Project.

Applicant is seeking City Council approval of a 252-unit apartment project (the “Proposed Project”) on approximately 14.03 acres of residentially zoned property located at the northeast corner of Washington Street and Avenue 50 that is designated to accommodate 280 affordable housing units in the very low- and low-income categories (“Applicant’s Property”). Applicant’s Property is identified in the Housing Element site inventory as Site No. 1, projecting a density of 20 units per acre for a total of 280 affordable units. *See* General Plan Housing Element Table II-50, at pp. 142-143. We understand that Applicant purchased the property in or about 2019 with full knowledge of this affordable housing designation, which has been identified in the Housing Element as an affordable housing site for multiple housing cycles.

Nevertheless, Applicant is proposing a project that proposes no very low- or low-income units. As a result, the Proposed Project would require the City to dramatically revise its recently approved Housing Element and add one or more additional undeveloped properties to the site inventory to accommodate these 280 affordable units (which constitutes more than 30% of the total number of very low- and low-income units). Because this major change to the Housing Element’s site inventory is being requested by the Applicant, the City has required the Applicant to identify alternative property to add to the City’s Housing Element site inventory to accommodate the 280 affordable units and comply with the *Government Code* §65863 requirement that the Housing Element identify sufficient affordable housing sites at all times during the housing cycle.

Rather than identify other residentially zoned properties, Applicant is requesting that the City move the 280-unit affordable housing designation from Applicant’s property to the Mayer Property, despite the fact that the Mayer Property has been planned for commercial development for many years and is designated as such in the City’s General Plan. Surprisingly, Applicant proposed the Mayer Property for the affordable housing designation without even contacting Mayer or inquiring as to Mayer’s development plans for its property.

The Mayer Property Is Ideally Situated For Commercial Uses That Will Generate Substantial Tax Revenue for the City.

The Mayer Property has been zoned and designated in the City’s General Plan for Community Commercial/General Commercial development for decades and was acquired by Mayer approximately 17 years ago for that purpose. The Mayer Property is located at the busiest intersection in the City outside of Highway 111 and is across Washington Street from the Indian Wells Tennis Garden complex. This location makes the Mayer Property an ideal site for restaurant, hospitality and other commercial uses that will provide substantial tax revenues to help ensure the long-term financial health of the City.

In 2008, the City approved the necessary entitlements to develop the Mayer Property with a neighborhood commercial center anchored with a supermarket and drug store, and accompanied by other retail uses and medical office buildings. This development followed the design of another successful Mayer commercial project in Palm Desert. Unfortunately, when the “great recession” hit, the anchor tenants backed out of the project and the development could not be successfully built. For approximately 10 years, the City granted extensions for the 2008 entitlements and during that time, Mayer spent substantial funds completing traffic improvements to the property to benefit the City and maintain the Mayer Property as an attractive commercial development site. Although the 2008 entitlements have now expired, Mayer continues to pursue potential anchor tenants and financial partners to develop a master planned commercial development on the 25-acre Mayer Property. Current development concepts include a hotel on a portion of the site, along with a complimentary mix of restaurants, retail and other sales tax generating uses.

Accommodating Applicant’s request to move the long-standing affordable housing designation from its residentially zoned property to the commercial Mayer Property will make it much more difficult to attract the necessary anchors to successfully develop the Mayer Property. The 280-unit designation would consume approximately half of the Mayer Property and require development of the housing at a density of 22 units/acre, leaving only about 12 acres for tax revenue generating uses. This affordable housing designation would severely constrain the Mayer Property and interfere with Mayer’s ability to master plan the entire site. Given the challenges in attracting financing and tenants for hospitality and other retail projects under current market conditions, granting Applicant’s GPA Request will create a major obstacle to successfully developing the Mayer Property. Sacrificing the immense transient occupancy and sales tax generating potential of the Mayer Property to accommodate Applicant’s Proposed Project is simply not in the City’s best interests. For that reason, we urge you to reject Applicant’s request to amend the City’s recently approved Housing Element.

The Mayer Property Fails to Satisfy the Statutory Requirements for a Replacement Site for Affordable Housing.

In addition to the clear policy grounds for rejecting the requested Housing Element amendment, the Proposed Project would also violate the applicable Housing Element statutes. Under *Government Code* Sections 65863 and 65863.2, the Housing Element must contain a site inventory that identifies sufficient “suitable and available” sites to accommodate residential development satisfying the City’s Regional Housing Needs Allocations (RHNA) for all income levels. Under Section 65583.2, the City must find that the properties on the site inventory can successfully be developed with the allocated affordable housing units within the current planning period (2022-2029), taking into account a number of requirements, including property size and adequacy of available utilities. Here, the City cannot properly make these required findings because the Mayer Property fails to satisfy multiple statutory requirements.

Section 65583.2(b)(5) provides that “Parcels included in the inventory must have sufficient water, sewer, and dry utilities supply available and accessible to support housing development or be included in an existing general plan program or other mandatory program or plan . . . to secure sufficient water, sewer, and dry utilities supply to support housing development.” The City cannot properly find that the Mayer Property satisfies this statutory requirement because IID has publicly indicated that it lacks sufficient infrastructure to supply electricity to undeveloped properties in the Mayer Property area, and neither IID nor the City have an adopted plan or program to supply the needed electricity within the current planning period. While this same constraint may apply to most or all undeveloped property within the City, HCD has approved the current Housing Element. That does not mean that the City can lawfully amend the Housing Element, or successfully obtain HCD approval, where it cannot make this finding required under Section 65583.2(b)(5) and (c).

Under Section 65583.2(c)(2)(B), the City cannot find a proposed site to be “suitable and available” if it exceeds 10 acres, unless the City “can demonstrate that sites of equivalent size were successfully developed during the prior planning period for an equivalent number of lower income housing units . . . unless the locality provides other evidence to the department that the site can be developed as lower income housing.” We do not believe that any very low- or low-income housing projects on more than 10 acres were successfully developed within the City during the prior planning period. Likewise, we do not believe the City can provide sufficient evidence to HCD that the Mayer Property can be developed successfully with 280 units of very low- or low-income units in the current planning period, particularly given the IID infrastructure challenges described above and the lack of available and sufficient public funding for such a large affordable housing project.

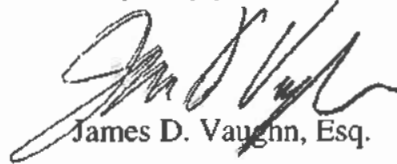
Finally, and most-importantly, Mayer does not intend to develop the Mayer Property as an affordable housing project. Mayer representatives previously notified you of this fact and will be present at the hearing on the Proposed Project to reiterate this fact. While it is certainly conceivable that some housing units could be successfully incorporated into a master planned commercial or mixed-use project on the Mayer Site, particularly hospitality-focused units that allow short term vacation rentals, it is simply false to state that 12.74 acres of the Mayer Property is “suitable and available” for development of 280 affordable housing units during the current housing cycle. Mayer has no intention to develop its property with 280 affordable housing units and it would have made that clear to Applicant if asked.

Conclusion.

The bottom line is that the Mayer Property is not the right choice to include on the City’s Housing Element site inventory for 280 very low- and low-income units. Mayer has no objection to the other entitlement applications for the Proposed Project, but it objects to the GPA Request for all of the policy and legal reasons set forth above. Accordingly, we urge you to either require the Applicant to identify one or more other

properties to include on the site inventory, rather than the Mayer Property, or reject the Proposed Project as inconsistent with the City's General Plan.

Very truly yours,



James D. Vaughn, Esq.

JDV/ec

cc: Bill Ihrke, Esq.
Jon McMillen
Cheri Flores
RJ Mayer
Tom Weigel

From: KATHY MEAD <rpmkam1@verizon.net>
Sent: Tuesday, November 7, 2023 11:11 AM
To: City Clerk Mail
Subject: General plan amendment for property on N.E. Corner of Washington & Fred Waring

Some people who received this message don't often get email from rpmkam1@verizon.net. [Learn why this is important](#)

EXTERNAL: This message originated outside of the City of La Quinta. Please use proper judgement and caution when opening attachments, clicking links or responding to requests for information.

My name is Patrick Mead, I live at 78331 Terra Cotta Ct, La Quinta, CA

I would not support a General Plan Amendment as stated below in published documents (cut and pasted here from page 97 of 604 pages).

We live across the street in the community of Palm Royal, in La Quinta. I have lived in this community since 2022.

I understand the purpose of looking for sufficient sites to accommodate the remaining unmet RHNA for each income category but for this location to be considered is not realistic. (• Adopt a resolution to approve General Plan Amendment 2022-0002, Specific Plan 2022-0001 (SP 2004-071, Amendment 2) and Site Development Permit 2022-0001 for the La Quinta Village Apartments, consisting of 252 units located at the northeast corner of Washington Street and Avenue 50.)

I have attached a 2014 traffic study showing you the volume of traffic for this intersection. Imagine what the traffic study would look like today!

See the area highlighted in Yellow. This is not a suitable site to recommend to meet the remaining unmet RHNA for the La Quinta Village Apartments.

Therefore I would oppose this recommendation.

Thank you,
Patrick Mead

General Plan Amendment The project site is identified on the City's inventory of sites in its Housing Element to accommodate 280 residential units in the very low- and low-income categories. Pursuant to Government Code Section 65863 (commonly referred to as the state "No Net Loss Law"), a jurisdiction must maintain adequate sites to accommodate its remaining unmet regional housing need allocation (RHNA) by each income category. If a jurisdiction approves a development of a parcel identified in its Housing Element sites inventory with fewer units, per income category, than shown in the Housing Element, it must either make findings that the Housing Element's remaining sites have sufficient capacity to accommodate the remaining unmet RHNA by income level or identify and make available

sufficient sites to accommodate the remaining unmet RHNA for each income category. The City is responsible for compliance with the No Net Loss Law, unless a project applicant(s) request in their initial application, as submitted, a density that would result in the remaining sites in the Housing Element not being adequate to accommodate the jurisdiction's share of the regional housing. While the project includes 74 moderate-income units and 178 market-rate units, the project does not include units in the very low-and low-income categories. Therefore, the Applicant must identify additional site(s) that could accommodate 280 very low-and low-income units. This requires a GPA to add another site to the inventory of sites in the Housing Element. The Applicant has identified an additional site, a 12.74-acre property identified as Site 6 on the draft Housing Element amendment (Attachment 2). Site 6 is located at the northeast corner of Washington Street and Fred Waring Drive and is in a Community Commercial zone that also has the Affordable Housing Overlay and Mixed Use Overlay, which allows for mixed use development – both multi-family residential and commercial development (Attachment 4). The Affordable Housing Overlay allows for a density of up to 30 units per acre and the Mixed Use Overlay allows for mixed use projects up to 24 units per acre. At 280 units, Site 6 would have a density of 22 units per acre, which is consistent with other affordable housing developments in the region. This site is within a "High Resource" area, in that it is immediately adjacent to schools, is in close proximity to businesses on Highway 111 and on Washington Street, and close to job areas which provides for economic opportunities. There is no planned development on Site 6 at this time. The site has been identified only as having the capacity to support 280 units of low- and very low-income affordable housing. If the GPA is approved, including the project as proposed, the City would then re-submit its Housing Element to the California Department of Housing and Community Development (HCD). This project is conditioned to not move forward with the "subordinate" entitlements and permits, such as the Specific Plan Amendment, Site Development Permit, and the ensuing construction until and unless HCD has approved the amendment to the Housing Element.

[Sent from the all new AOL app for iOS](#)

From: Faith Raines <faithinpr@gmail.com>

Sent: Monday, November 6, 2023 3:50 PM

To: Linda Evans <Levens@laquintaca.gov>; Steve Sanchez <ssanchez@laquintaca.gov>; Jon McMillen <jmcmillen@laquintaca.gov>; Kathleen Fitzpatrick <kfitzpatrick@laquintaca.gov>; Deborah McGarrey <dmcgarrey@laquintaca.org>; John Pena <jpena@laquintaca.gov>; wihrke@laquintaca.gov; Cheri Flores <clflores@laquintaca.gov>

Subject: La Quinta Village & down-zoning Fred Waring property

Some people who received this message don't often get email from faithinpr@gmail.com. [Learn why this is important](#)

EXTERNAL: This message originated outside of the City of La Quinta. Please use proper judgement and caution when opening attachments, clicking links or responding to requests for information.

Good afternoon, all.

I am a resident of Palm Royale Country Club and have recently found out that the La Quinta Village project developers have identified the property located on the northeast corner of Fred Waring and Washington as an alternative location for "low/very low income" zoning.

The La Quinta Village Apartments project, previously Troutdale Village and also La Paloma a few years prior, was already identified as "affordable housing" for 2013-2021 and then as 280 low/very low income for 2022-29 by the city. The current developer knows this but, in the mayor's own words, wants to "kick-the-can" to the next property owner.

This is absolutely absurd and has caused an uproar in the north La Quinta community.

Absurd because of the three low-income housing areas currently in La Quinta, **TWO** are within 1.5 miles of our community. Although the La Quinta Village project seems to think this property is more accessible and convenient, I disagree. The Fred Waring property is a mile away from the nearest grocery store and on such an extreme-traffic corner, more turn lanes were needed. During the Tennis season it's even worse.

Per the Mayor's own statement, state law requires "walkability" to schools, work, public transportation, grocery stores for people with limited resources. The current La Quinta Village project is more suited for this as:

- The Grocery Outlet and various food outlets are only 1/2 mile away.
- The La Quinta Library is less than a mile and offers a wide variety of resources from ESL to career assistance.
- The Boys & Girls Club is barely over 1/2 mile away and most kids who participate in the Boys and Girls Club are considered at risk for different issues, and many are from low-income families.
- The YMCA is also barely over 1/2 mile away and provides financial assistance and income-based memberships.

During the August 1st meeting, Cheri Flores said she was advised by the city attorney that they did not need permission to pass down the zoning to the Fred Waring property owners. Bill Ihrke, the City Attorney agreed with this and stated "the state law requirement, which is "pretty much" governed under the planning and zoning law on how any zoning amendment may occur and does **NOT** require the consent of the property owners for a particular rezoning." Let's call this what it is...down-zoning.

This is when the real "**kicking-the-can**" starts. The City of La Quinta has allowed these developers to rezone their projects and pass the low-income zoning to any unsuspecting property owner they identify, and the City Attorney thinks it's ok not notifying them of down-zoning their property. How is this ok? Is this how the City of La Quinta operates?

The city council has made two recent land purchases. Being that these were purchased by the city's housing authority, for use as "affordable housing" then I think this would be a valid argument against down-zoning the Fred Waring/Washington Property.

The first is a 6.24-acre parcel northeast of Highway 111 and Dune Palms Road in Jan 2023 (Costco area). The second parcel the city owns is a block just west (Best Buy) consisting of 15.14 acres that was purchased Feb 2022. **BOTH** slated for "affordable housing" with 5.1 acres of the recently purchased parcel slated only for housing, according to Gil Villalpando, the city's housing development director. Villalpando said in an interview, "Someone can work at Home Depot, walk to work and be able to go up and down (the area) ... That was the same thought when we got the property next to Best Buy."

This is the same thought used by the developers for the La Quinta Village project by proposing Fred Waring property since it was "walkable" to stores, which I have contradicted above. However, the city owned properties are the clear choice for "affordable housing" due to their proximity to employment, shopping, schools, and transportation.

Lastly, the economic impact of the regulatory change may be so severe as to constitute a regulatory taking. The Fred Waring property was purchased as a long-term investment and the property is zoned for commercial use and can reasonably be sold for commercial development.

Under the doctrine of regulatory takings, a regulation that goes "too far" in burdening property rights can be recognized as a Fifth Amendment taking. Down-zoning (changing the zoning designation for property from a more intensive use to a more restrictive use) can possibly rise to the level of a regulatory taking.

I hope you'll take all of my views under consideration regarding down-zoning the Fred Waring/Washington property.

Thank you,

Faith Raines
Palm Royale Country Club

cc:

Linda Evans, Mayor
Steve Sanchez, Mayor Pro Tem
Jon McMillen, City Manager
Kathleen Fitzpatrick, Council Member
Deborah McGarrey, Council Member
John Peña, Council Member
William Ihrke, City Attorney
CheriFlores, Planning Manager

From: Blaine Palmquist <judyandblaine@gmail.com>
Sent: Sunday, November 5, 2023 7:57 PM
To: City Clerk Mail
Subject: Fwd: proposed property development at corner of Fred Waring and Washinton

Some people who received this message don't often get email from judyandblaine@gmail.com. [Learn why this is important](#)

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----- Forwarded message -----

From: Blaine Palmquist <judyandblaine@gmail.com>
Date: Sun, Nov 5, 2023 at 4:28 PM
Subject: proposed property development at corner of Fred Waring and Washinton
To: <cityclerk@laquinta.gov>

As property owners at Palm Royale C.C., It has come to our attention that the property across Fred Waring from us might become a housing development rather than what we always understood to be zoned for a commercial development. This proposal appears to be lacking in consideration of many processes, given the following facts:

1. The traffic near this intersection (7 lanes) cannot safely accommodate the additional traffic that a high density development such as this would produce. There are already 3 housing developments plus a school immediately south of this proposed development.
2. We were led to believe this area was zoned for commercial development, which would obviously be very attractive not only to the several hundred Palm Royale residents, but also to the previously mentioned neighborhoods.
3. In the last two years, our gated area has experienced a major increase in thefts, vandalism, and other crime from those who climb/sneak in, etc. It's safe to assume that a high-density development such as this would only exacerbate this growing problem to the present neighborhoods. It has become a concern for our own safety, and also a major expense for repairs, replacements, added security etc.

We appreciate this opportunity to voice our concerns, and ask for your prudent consideration and wise, logical decision making; taking into consideration the residents who have already invested time, money, taxes, and care in where we already live.

Yours truly,

Judy and Blaine Palmquist.

CITY OF LA QUINTA REQUEST TO SPEAK FORM

MEETING DATE: 11/7/23

Please give this completed form to the City Clerk along with any materials you wish Councilmembers to receive.

*This form is to assure accuracy in preparing the minutes as to spelling of names and addresses, as well as to allow staff to follow-up on requests made by members of the public. Completion of this form is voluntary. Once submitted to the **City Clerk**, this form becomes a public record.*

Matters **LISTED** on the Agenda

Agenda Item No.: PH # 1

Subject: LA Village

Support

Oppose

Matters **NOT** Listed on the Agenda

Subject: _____

The Council welcomes your comments, but is prohibited by State law from discussing matters not listed on the published agenda; your input will be taken under consideration and referred to staff for possible future action.

**MEETING PROTOCOL: PLEASE LIMIT YOUR COMMENTS TO 3 MINUTES
THE MAYOR WILL CALL YOU TO THE PODIUM AT THE APPROPRIATE TIME DURING THE
MEETING; PLEASE DIRECT YOUR COMMENTS TO THE MAYOR ONLY
(not Councilmembers or staff or audience)**

I do not wish to speak but leave these comments for the Council to consider:

As I and hundreds of fellow LQ Residents have been saying, even with the changes, this is still the wrong project for this corner, especially with another 200+ units proposed for the opposite corner. I live in Montero Estates & am terrified to see all the increased traffic, and the illegal & legal UTurns will make my life hell. 520 units means probably 700 people - I know the traffic study says we

Speaker Identification: can handle that but it's already dangerous & so close to the school & Boys & Girls Club.

Name Please do NOT approve this.

Address RUTH WAYTZ Thank you

Organization/Business I ALSO YELLED TIME TO SOMEONE

Phone _____ e-mail opposed

YES, I wish to subscribe to the City's "Quail Mail" service to receive emails about meetings & events. Visit the City's website for more information: www.LaQuintaCA.gov

WRITTEN PUBLIC COMMENT

Public Hearing No. 2

**Zoning Ordinance
Amendment 2023-1000**

November 7, 2023

From: Matthew Antoun <m.ryan.antoun@gmail.com>
Sent: Tuesday, November 7, 2023 9:39 PM
To: City Clerk Mail
Subject: Flagpole Issue - against zoning change

Some people who received this message don't often get email from m.ryan.antoun@gmail.com. [Learn why this is important](#)

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Dear City Counsel,

Thank you very much for your time in reviewing this email. I am against the flagpole zoning change. I have been watching tonight and saw Mike speak - we tried to call in but were not able to connect with the Zoom.

Mike has misrepresented the facts (I am the neighbor he spoke of); I have complained to our HOA multiple times about his flagpole as it blocks our view. I feel it is an unnecessary placement, was put in without considering the zoning law, and he has plenty of room to comply with the flagpole regulations of the city.

I appreciate you considering this issue and I am against changing the zoning. I am also for Steve's idea of making the flagpoles closer to the homes. I also feel like the planning commission got this right.

Thank you so much for your time

Best,

Matt



From: Ramon Baez <rfaez7@gmail.com>
Sent: Sunday, November 5, 2023 1:18 PM
To: City Clerk Mail
Cc: Kelly Baez
Subject: Flag Poles
Attachments: Letter to La Quinta re Flag Poles.pdf

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Dear City Clerk,

Please find the attached letter for the November 7th City Council meeting.

Thank you,

--

Ramón and Kelly Baez

81245 Andalusia, La Quinta, CA 92253

rfaez7@gmail.com

Ramon and Kelly Baez

81245 Andalusia
La Quinta, CA 92253
(760) 565-3505
rfaez7@gmail.com

5 November 2023

La Quinta City Council

78495 Calle Tampico
La Quinta, CA 92253

Dear City Council,

It was brought to our attention that the City Council is reviewing the local regulation for **Flag Poles** in neighboring communities. Our understanding this will be discussed at the meeting scheduled for November 7, 2023. We believe that Homeowner Associations (HOAs) have well thought out regulations developed to fit the preferences of the majority of the residents of that community. Where no HOA exists, it is important that the city establish regulations that best suit the majority of those homeowners. If an HOA has a regulation, especially regarding esthetic issues, it should be respected as appropriate for those particular homeowners and not “overridden” by a city ordinance. The proposed change to the city’s flagpole regulation is at least a modest step in that direction. Thank you for your consideration in allowing the HOAs to manage this process in the city of La Quinta.

Sincerely,

Ramon & Kelly Baez

From: Sam and Sharon Dickinson <1samdickinson@gmail.com>
Sent: Tuesday, November 7, 2023 7:48 AM
To: City Clerk Mail
Subject: written comments

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flag poles
Sam Dickinson
La Quinta, Ca.

So why is this matter even before the City Council? It all started when our neighbor didn't like our HOA approved flag pole. After not getting satisfaction with the HOA, he did a great job in researching and found out there was a city regulation that our HOA didn't know about. He went to the city and had them issue violations to all three home owners in Andalusia. After talking to your code compliance officer Cole it turns out these are the only violations for flag poles he has ever issued. Our flag pole was removed 5 days after our HOA asked us to remove it.

Maybe there is a need for the city to have a flag pole regulations, but surely not one telling us where we can fly the U.S. flag on our property. Why is the location so important? It can't be because of obstructing a neighbors view. If that were the case we would have regulations on large palm trees that are planted within one foot of our property line and hang 3

ft over into our property and block ten times the amount of view. It can't be the lighting, because you up light a flag pole just like palm trees.

Most, if not all, single family developments in La Quinta have a HOA. They already have flag pole regulations. In our HOA, flag poles can only be a max of 15 feet and you can ONLY fly the U.S. Flag. Most HOA's I talked to didn't even know the city had a regulation. Why not let the HOA's decide on something as simple as where to locate a flag pole?

My wife and I loved sitting in our backyard and looking at our country's flag flying. It reminds us how blessed we are to be American citizens and live in the United States of America. Sorry but palm trees don't give us that same feeling.

Some people have said, "I have nothing against the U.S. Flag, but I don't like looking at the pole". I'm sorry the U.S. Flag comes with a pole. During my 21 years in the Air Force I traveled the world to many places that didn't like seeing the U.S. flag. But I never thought that my U.S. flag would be a trigger point for another U.S. citizen.

Thank you for your time,

Sam Dickinson

From: Sharon Dickinson <1sharondickinson@gmail.com>
Sent: Tuesday, November 7, 2023 10:25 AM
To: City Clerk Mail
Subject: written comments

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Flag poles
Sharon Dickinson
La Quinta Ca.

There is an old saying that I feel fits today, Beauty is in the eye of the beholder.

I think that there isn't anything that can be placed or planted in a backyard that is prettier than the flag of the United States of America. There are some who disagree with that statement. That's fine. That's their opinion but why should their opinion bare more weight than mine and effect where an American flag and it's pole can be placed in my yard. To me it's no different than a palm tree or a water feature.

There are many communities here in La Quinta that are governed by the rules and regulations of their HOA's. The HOA at Andalusia has rules in place as to the height restriction which a flag pole can be and you can only fly the United States of America flag. The position of the flag and its pole has to be approved by the HOA before it can be put up. That seems to be a simple solution. I would like to see the individual HOAs oversee their flag pole regulations as no two communities are alike and the cookie cutter approach that the City has doesn't fit some of the yard layouts.

I hope the the City Council will recognize the importance of backing the rights of those who cherish the flag of the United States of America and their desire to fly it in their backyards. The symbol it represents for those who served this country, like my husband who served 21 years in the Air Force, is extremely powerful. To all those brave men and women who

served and to me I go back to my earlier saying, Beauty is in the eye of the beholder.

Please let HOAs handle the flag and its pole regulations as they see fit.

Thank you,

Sharon Dickinson

From: Marty Ellen <martyellen53@gmail.com>
Sent: Saturday, November 4, 2023 1:46 PM
To: City Clerk Mail
Subject: Written Comments from Martin Ellen, residence in LaQuinta re: US flagpoles

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As a resident in LaQuinta, I'm in favor of the proposal to reduce to 5 feet from 10 feet the rear positioning of the flagpole. That said, I propose the city allow all communities managed by HOA's allow the HOA to regulate flagpoles.

Most homes in La Quinta are in a HOA, so let the HOA's control flag poles. HOA's are duly elected from their residents and control all other matters relating to property aesthetics/nuisances. Palm trees block views much more than Flag poles. For example, absent an HOA prohibition, you can have 5 palm trees within a foot of your neighbors property, but not one flag pole. I love looking at the U.S. Flag, it makes me feel proud, more than ever now. The City doesn't need to control this issue.

Please forward this to all council members.

Thank you,
Marty Ellen

Sent from my iPhone

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From: Steve Grocott
Sent: Tuesday, October 10, 2023 12:23 PM
To: TFlores@LaQuintaCA.gov
Cc: Jennifer Nelson <jnelson@laquintaca.gov>
Subject: city manager / Flagpole Issue /

Hi Miss Flores,

This is a past letter that had been sent to Jon McMillen some months ago concerning an ongoing flagpole issue we have here in Andalusia Country Club , La Quinta.

The City Council is looking at a revision in tonight's commission meeting in which we are opposing here by a number of residents.

Attached are some pictures of this flagpole from our living room , bedroom (video) and patio area. I also provided some past correspondence to the City Manager and an outline on my discussion tonight.

Please distribute to the City Council as needed. Please confirm that you have received this E mail.

Thank you for your help

Steve Grocott

11/6/23

City Council Meeting 11/7/23

Good evening, My name is Steve Grocott and live with my wife in la Quinta at the Andalusia country club.

I am here tonight in opposition to the loosening of any current setback limits for flagpoles from 10 X 10 feet to 10 X 5 feet that is being proposed. In fact I would like to propose a more common sense approach to these 15 foot lighted flagpoles that create a sharp contrast to the natural beauty of La Quinta and can affect many of the surrounding residents.

We have had 3 flagpoles go up in Andalusia and all 3 have come under a dispute with surrounding neighbors that have been impacted. These aluminum flagpoles are 15 feet high and are required to be lighted all night per the American flag protocol. With a 5-foot flag on the pole these flags are only 5 feet from a property line with a 10 foot setback.

In our particular case, the flag pole and Flag were located in the far west corner of our neighbors property line. Far Away from his living room but in front view of our front room and bedroom windows. 15 feet high and lit all night and looming above our patio. Until this happens to you as a neighbor you really don't feel or see the impact as it has affected our everyday life and our property values. (Pictures/videos) We have been dealing with this now for over 5 months and our HOA made major mistakes and did not even know of required permits or setbacks that the city has precedent over.

We bought into La Quinta for the natural views of the mountains, golf courses and sunsets but these flagpoles are a direct contrast to the natural beauty of the area. Don't get me wrong, I love the American Flag and very patriotic in nature but we these smaller lots you see on the golf course communities these flagpoles are too tall and too forward to the outside property lines of a golf course or open land. Neighbors on each side are impacted up and down the line and even across fairways.

My wife and I spoke in front of the planning commission weeks ago and they unanimously recommended to NOT change the current setbacks to

you the city council. We were very happy about that and In fact, with some members even questioning why these setbacks were so close to the outside property lines.

So here is our “more common sense approach” >> We would like to see the setbacks start from the house forward and not from the outside property line. It is all about the Angles. When the flagpole is upfront to the golf course property line the angle it creates is a V for neighbors to see due to it being out front to golf course. If the setbacks were from the house forward you create a flat angle ----- and as you view out you do not see the pole from your patio view and would be to your far right or left of your viewing area. So in this case , with the setbacks starting from the house , views would not be greatly impeded and the pole people could have their poles. In many HOA's flags are required to be attached to their house but I am not going that far.

So respect ale my last question is how do I get this proposal considered and in front of the planning commission and city council for their review and assessment?? I have a growing list of 30 neighbors that is getting larger each day as the season opens that agrees that something needs to be done with flagpole guidelines and enforcement.

Thank you, for your time and consideration on this issue.

6/13/23

Flagpole Issue

Morning Mr. McMillen,

My name is Steve Grocott and I was in City Hall yesterday checking with Officer Woods for an update on the ongoing flagpole issue going on in the Andalusia community. I would like to provide some history and some perspective from my side on this issue.

There have been 3 fifteen-foot lighted flagpoles put up in Andalusia and all of them have been disputed by neighbors impacted. Let me be clear, I am not against the American flag only the 15' flagpole that sits on these small lots that can be seen up and down the property lines and across fairways.

In my case which is the most egregious, my neighbor Sam Dickerson (58218 Aracena) , installed a flagpole that is 18" from my property line and stands in front of our living room and bedroom and looms over our patio. When the wind blows his 5' flag flies over our palm trees and property line. This flagpole is lighted at night and affects our everyday life every time we look out at our once pristine view. Sam positioned his pole in the far right corner of his property 120 feet away from his front room viewing area and it is now 30' from our front room sliding window. He comes out in the evening sits and takes a look at the flag and then back into his house. It is in our view 24/7. I am sure his wife did not want this flagpole in view from their living room.

We bought into La Quinta for the beautiful views of the mountains and golf course and now it is impacted greatly by a shiny metal pole that changes this view into the look of an industrial park. My wife and family are distraught over this happening and have been dealing with this over 2 ½ months now.

Our HOA made mistakes in the beginning of this process and they know it just looking at the reaction when they came over and saw the flagpole first hand from our vantage point. Everybody, including friends and neighbors, Officer Woods and our realtor all had the same reaction on how this pole location could be approved by the HOA. Per our realtor this will also affect our property value.

When I pushed back on this flagpole the HOA initially told me the city did not have any jurisdiction on these matters. The HOA rules and regulations (2004) are poorly written with no setbacks, flag sizes or specific parameters. The HOA did NO due diligence when granting this location and now they are letting the city enforce something they should have while avoiding their own liability.

I have moved forward looking at what my legal options are toward the HOA working with Dave Baron and Bruce Bauer of SBEMP on possible property value damages.

I pursued and asked your Code and Compliance department about this issue and found out they do have jurisdiction and they came out promptly to inspect and confirm what I was stating. They started the compliance process and moved forward. Your C&C department has been great but it worries me that this matter is still under some type of review. As I stated, this flagpole is impacting us 24/7 and Sam should not be granted anymore delays or any type of variance. From my understanding no permits have been taken out to this point and the flagpole is still standing in front of us. The flagpole should be taken down before any permit is granted and the city should do a thorough review of any new location. The 10 foot setbacks would put the lighted pole next to his pool and still in line with our bedroom window. I would implore the city to have him move the pole closer to his house to take it away from his pool and out of our

bedroom viewing area. (As a side note, all flags should be deemed by the HOA to be attached to the house to avoid all these flagpole issues)

Please let us know what is going on moving forward and if you have any questions from my end please feel free to call or Email me. You are also welcome to come by and see this flagpole firsthand from our living room and bedroom windows to see what we see.

Thank you for your time and enjoy your weekend

Steve Grocott

650-867-1306





From: Kirk Newby <knewby58@gmail.com>
Sent: Monday, November 6, 2023 1:55 PM
To: City Clerk Mail
Subject: Written Comments - Flagpole Regulations

Some people who received this message don't often get email from knewby58@gmail.com. [Learn why this is important](#)

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To City Counsel - Written Comments regarding Flagpole regulations

Home owner: Kirk Newby
Address: 81751 Andalusia, La Quinta, CA 92253

Esteemed Counsel Members and related authorities -

I am writing about your review of flagpole regulations. I live within a community that is governed by HOA rules that I was able to review prior to purchase of our property and may now participate in any proposed changes. My position would be that the city should defer to the HOA governing body on such aesthetic issues to preserve the rights I bought into as part of this community.

Further, with regard to flags and flagpoles. With respect to many precepts from our constitution as well as the Pledge of Allegiance often recited, though perhaps not often enough, I find the display of the American Flag thought provoking and inspirational. Surely a bold statement regarding life, liberty and justice for all by patriotic display of our flag is a needed point of emphasis for all citizens of this great nation. One such flag billows above Silver Rock in the mountains to the south. May we continue to see many more.

Sincerely,
Kirk Newby

From: Dick Ramage <dickandgail@earthlink.net>
Sent: Monday, November 6, 2023 12:43 PM
To: Monika Radeva
Subject: City Council meeting November 7th
Attachments: Letter to city council.docx

[You don't often get email from dickandgail@earthlink.net. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

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Dear City Council Members

I am writing to you in regards to your upcoming meeting on November 7th and wish to make a comment on your agenda item regarding flag poles. I personally do not currently have a flag pole but I am on the advisory board of our subdivision. I have witnessed how emotionally charged this issue can become between neighbors. I also feel very strongly that it is important for the City of La Quinta to have rules regulating this issue, especially if there is no HOA.

Most homes that are on a golf have small back yards and are more likely to also have a swimming pool and be governed by an HOA. I urge you to allow HOA by-laws to take precedent over the city ordinance. For years HOA's have regulated this issue that are appropriate for their residents in their association.

I appreciate your consideration on this important matter

Best regards

Richard Ramage