



July 12, 2019

TO: Montage Board of Directors
FR: Scott Reese, Rio Del Sol Ad Hoc Committee
RE: Rio Del Sol Update

Site Clearing and Clean-up

The site clearing work (discing and leveling) that began May 23 and ended June 1 was a result of complaints and concerns brought to the City from Rio Del Sol neighbors regarding noxious weeds and the potential summer fire hazards presented by the site. It does not represent a start in construction.

City staff reported that they had received numerous complaints regarding air quality and dust issues over the Memorial Holiday weekend resulting from the ill-timed site clearing work and which removed all the stabilizing ground cover and aerified the dried soil into flying sand and micro-fine dust particles.

On June 1 The contractor completed the clear-up of the narrow perimeter area between the dust control fence and our walls and then applied the foam green non-toxic soil tackifier/binder and growth suppressor to control the dust even when strong winds blow.

Chemical stabilizers work best for long-term dust control, since the alternative of using water needs to be applied several times a day to be effective. Because of the cost this type of dust control is used on sites when development is not immediately contemplated.

The application of this type of product is relatively costly and not normally used when development is imminent. I would interpret Rilmington's action as an indication that development is not immediate.

Reporting of Dust Issues

Dust and blowing particulate matter can be unhealthy. Construction dust is the type of project impact that can be felt over much of the development. If any other dust / air quality issue arises residents should report the matter to the City Public Works Division 760-770-0390 and Rilmington Group 760.777.4040.

I have been in contact with the PWD and signage will be posted as soon as a new P10 Plan (Dust Control Management Plan) is filed by Rilmington and approved by the City PWD. This would normally be filed at the start of construction. Since no P-10 plan exists this seems to be another sign that the developer is not yet ready to begin construction. Expect plan approval and posting of signs to take three to five weeks from the date of application.

For your information the Coachella Valley Dust Control Ordinance guidelines provide that...

- A supervisor must be within 30 minutes of the project at all times.
- Builders must maintain soil moisture content at a minimum of 12 percent.

- When dust is visible, builders must water to at least 80 percent of inactive surfaces daily, or apply chemical stabilizers in sufficient quantity to keep the surface stable.
- Unpaved roads must be watered at least three times a day or stabilized with chemicals. If builders limit speeds to 15 miles an hour, they only have to water once a day.

Construction Hours

Once construction begins it will be restricted to hours established by city ordinance. According to the City's website the hours for construction are as follows:

6.08.045 Disturbances by Construction Noises

- It is a nuisance and it is unlawful, for any person to be engaged or employed, or for any person to cause any other person to be engaged or employed, in any work of construction, erection, alteration, repair, addition to, or improvement to realty, except between the hours set forth as follows, if the noise or other sound produced by the work is of such intensity or quality that it disturbs the peace and quiet of any other person of normal sensitivity. The permitted hours for such work are as follows: **October 1st through April 30th:** Monday – Friday: 7:00 A.M. to 5:30 P.M. Saturday: 8:00 A.M. to 5:00 P.M. Sunday: None Government Code Holidays: None **May 1st through September 30th:** Monday – Friday: 6:00 A.M. to 7:00 P.M. Saturday: 8:00 A.M. to 5:00 P.M. Sunday: None Government Code Holidays: None
- No person doing or causing work prohibited by Subsection A of this section, after being informed orally or in writing that the work has caused noise or sounds which disturb any other person's peace and quiet, shall fail, refuse or neglect to take whatever steps or use whatever means are necessary to assure that the work does not again disturb the other person's peace and quiet.

Updated Phasing Plan

The attached phasing plan, although primitive in appearance, represents the last plan presented by the developer demonstrating the serial nature of the development scheme. Montage is situated along the boundary on the lower right corner of the plan.

Construction Status

In communications with both the Public Works Department and Planning Department on July 8 both departments indicate no change in the status of the development and no communications with the developer. The developer needs to complete document corrections, resubmittal and review prior to the issuance of building permits for model homes.

Rilington has updated their corporate webpage to indicate project status as "*entitlements and product development under way. Grading by Quarter4 2019.*"

Meeting Status

After several email attempts in June and July to contact Rilington officials in late June we received a reply with an apology agreeing to a meeting. Scott Reese, David Busick (ARC) and Tony Michaelis (Baord) will be meeting with new Director of Operations Bruce Maize on June 12 in Palm Desert to discuss the development status and Montage resident concerns and to identify possible mitigation strategies. We will prepare a meeting summary following the meeting. Rilington has been quite cordial and we expect the introductory meeting to go well. A copy of the email thread regarding the establishment of this meeting is attached.

Phasing Plan Concept

Start with construction of models on internal court; complete homes along Paseo Del Rio where utilities and road already exist; move into Montecito neighborhood working in a clockwise fashion beginning near the models. Homes adjacent to Montage in Phase 5 or 6. Phases consist of 6 to 10 homes. (Phasing subject to change)



Thank you Scott – that works for me. See you Friday.

Bruce D. Maize
Chief Operating Officer



Office: (760) 698-9614 Ext. 226
Cell: (760) 218-8420

From: Scott Reese <scott.o.reese@gmail.com>
Sent: Tuesday, July 9, 2019 5:05 PM
To: Bruce Maize <bruce@rilingtongroup.com>
Cc: Tony Michaelis <tonymichaelis@icloud.com>; David Busick <busickdave@gmail.com>
Subject: Re: Rio Del Sol Development Impacts - Montage at Mission Hills Homeowners Association

Bruce –

I wanted to get back to you before the end of the day to let you know that I have been able to secure the participation of Montage Boardmember Tony Michaelis and Architectural Review Committee member Dave Busick to accompany me to the meeting with you on Friday. Taking your suggestion, lets plan to meet at 1:30p at the Starbucks on El Paseo at San Pablo in Palm Desert. You have probably been there. We'll be the three distinguished gentlemen and I will be wearing a gray Cubs hat.

Our primary purpose in meeting you is to introduce ourselves and open a dialogue (as they say) so that we have a clear line of communications between Rilington and the Montague at Mission Hills Homeowners Association in the coming months and years as Rio Del Sol develops. More specifically we would like to discuss some of the typical concerns you must hear from contiguous HOAs where you develop. We are certain that Rilington has various best practices it uses to mitigate development concerns and impacts and we are interested in hearing those strategies from you.

More specifically, there are some particular concerns that contiguous neighbors have that we would like to present to you in hope of working with Rilington to mitigate, or reduce, those concerns. Much of this has to do with the fact that Rio Del Sol is at a higher elevation than Montage and the June 2018 revisions to setbacks changed the conditions that Montage residents understood when they purchased their residences and did their due diligence regarding Rio Del Sol. I am sure you can guess the concerns related to privacy, noise, view shed blockage, drainage, common wall height and construction, residential rear yard improvements and landscaping, roof line orientation, etc.

We believe that Montage residents have some good options to mitigate or reduce the impacts of some of these issues and feel like with your experience we can find the best possible strategies in time to begin putting things in place prior to development of the 12 Montecito homesites contiguous to Montage. We know that Rilington is a quality developer and we see that the newly proposed architecture is quite nice and compatible with Montage. We know you have an excellent consultant team, and we know some of them personally. I think we

both have developed a strong rapport with City staff who I know will be supportive of our collaboration. That's a great start, don't you agree.

I hope this helps. Let me know if anything changes in your schedule and we will do the same. We'll hold next Thursday as a rain date should it be necessary to reschedule.

Thanks again for this opportunity. Looking forward to meeting with you.

Regards,

Scott Reese
69701 Van Gogh Road
Cathedral City, CA 92234-8933
408-482-8290

From: Bruce Maize <bruce@rilingtongroup.com>
Date: Tuesday, July 9, 2019 at 12:21 PM
To: Scott Reese <scott.o.reese@gmail.com>
Subject: RE: Rio Del Sol Development Impacts - Montage at Mission Hills Homeowners Association

Scott,

Friday afternoon will work for me. In the event this day does not work the only day I am available next week is Thursday. I will look forward to hearing from you.

Thank you,

Bruce D. Maize
Chief Operating Officer



Office: (760) 698-9614 Ext. 226
Cell: (760) 218-8420

From: Scott Reese <scott.o.reese@gmail.com>
Sent: Tuesday, July 9, 2019 8:53 AM
To: Bruce Maize <bruce@rilingtongroup.com>
Subject: Re: Rio Del Sol Development Impacts - Montage at Mission Hills Homeowners Association

Mr. Maize –

Thank you for your reply.

I wanted to acknowledge your reply first and now I will reach out to our ad hoc committee to see about availability for Friday. I know it will have to be an afternoon meeting on Friday and at this point in the summer Montage residents are frequently out of the desert.

In the event that Friday is not possible, is there another date next week that will work for you? I would like to reach out to the group with two alternatives.

I will prepare a list of questions later today and forward them for your reference.

Again, thank you for your response. We are looking forward to meeting with you and to establishing a collaborative relationship for the future. I contact you again after I have received your note as to an alternative day and contacted the committee.

Regards,

Scott Reese
69701 Van Gogh Road
Cathedral City, CA 92234-8933
408-482-8290

From: Bruce Maize <bruce@rilingtongroup.com>
Date: Monday, July 8, 2019 at 5:39 PM
To: Scott Reese <scott.o.reese@gmail.com>
Cc: Mickie Riley <Mickie@rilingtongroup.com>
Subject: RE: Rio Del Sol Development Impacts - Montage at Mission Hills Homeowners Association

Hello Mr. Reese,

My apologies. Your original email got buried and I was out of the country when you sent your follow up email. As you are aware, we thought this project would have started by now and we are still working with the owner to finalize some of the key components before we start construction. Now that things appearing to be progressing toward a start within the next 90 days, it would be good use of our collective time to meet. It is probably easier for me to come to a location near to your home than coming to our office in La Quinta.

If you want we can meet at a local Starbucks. Just let me know. It might also be helpful if you provide a list of your concerns or questions so we can make this a constructive meeting. I am available to meet this Friday if that works for you.

Thank you,

Bruce D. Maize
Chief Operating Officer



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