



CITY COUNCIL STAFF REPORT

DATE: September 3, 2014 CONSENT AGENDA
SUBJECT: MILLS ACT HISTORIC SITE CONTRACT – 1860 NORTH VISTA DRIVE
FROM: David H. Ready, City Manager
BY: Planning Services

SUMMARY

This action would engage the City of Palm Springs into a standard Mills Act Agreement with Michael F. Fleming and Luis A. Lavin, owners of 1860 North Vista Drive, (APN 504-200-010). The intent of this contract is to require maintenance and preservation of this Class 1 historic site in exchange for possible property tax relief as calculated by the County of Riverside.

RECOMMENDATION:

1. Approve a Mills Act Historic Property Agreement between the City of Palm Springs, Michael F. Fleming and Luis A. Lavin (HSPB #89)
2. Authorize the City Manager to execute the Agreement.
3. Direct the City Clerk to record the Agreement.

STAFF ANALYSIS:

On May 7, 2014 the City Council by Resolution No. 23538, designated the Paul Dougherty residence located at 1860 Vista Drive, Class 1 historic site HSPB-89.

On July 8, 2014 the Historic Site Preservation Board voted (7-0) to recommend that the City Council execute a Mills Act Contract between the City of Palm Springs, Michael F. Fleming and Luis A. Lavin.

Pursuant with California Government Code Section 50280 – 50290 upon the application of an owner of any qualified historic property, the legislative body of a city may contract with the owner or agent to restrict the use of the property to carry out the purposes and goals of historic preservation of the property. Such a contract is commonly referred to as a "Mills Act Agreement" and it provides for possible alternative property tax rate calculations in exchange for specific and ongoing preservation and maintenance of the

property, specifically its historically significant elements and characteristics.

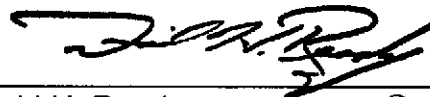
The property at 1860 North Vista Drive "The Paul Dougherty Residence" is a class one historic site. State of California Governmental Code Section 50280.1 denotes that properties that are eligible for application of a Mills Act contract must be listed in a state, city, county official register of historic sites. As such, 1860 North Vista Drive is qualified for a Mills Act Contract.

FISCAL IMPACT: None

There is no known fiscal impact upon the city as a result of this recommended action.



Douglas R. Evans
Interim-Director of Planning Services



David H. Ready,
City Manager

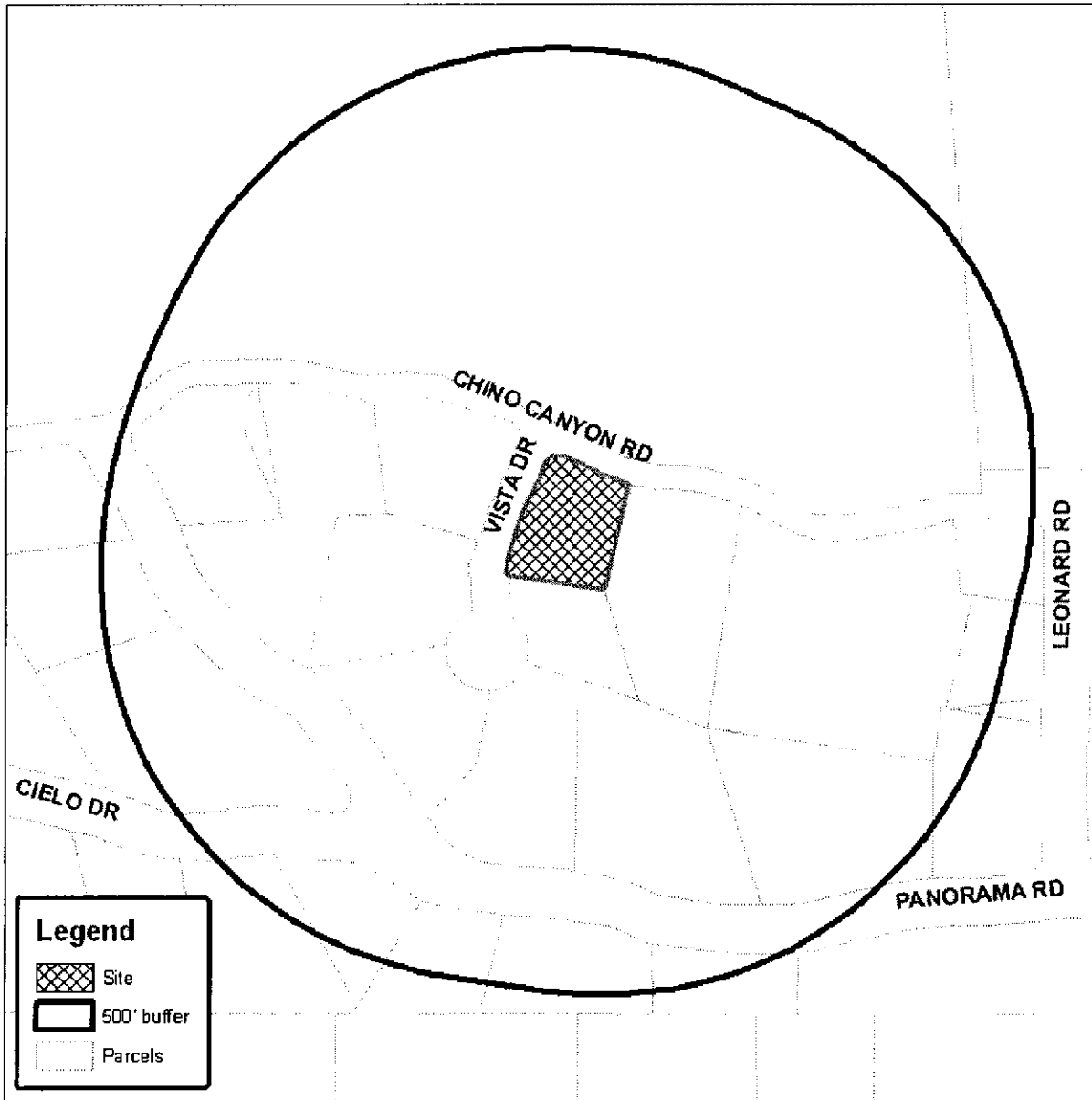
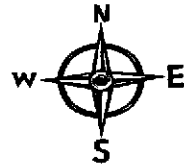


Attachments:




- Vicinity Map
- City Council Action Summary (page 1) dated May 7, 2014
- Excerpt of HSPB minutes dated July 8, 2014



**Department of Planning Services
Vicinity Map**



Legend

-  Site
-  500' buffer
-  Parcels

CITY OF PALM SPRINGS

CASE NO: HSPB 89 1860 North Vista Drive (The Paul Dougherty House)
APN: 504-200-010
APPLICANT: Michael F. Fleming & Luis A. Lavin, Owners

DESCRIPTION: Request for a Mills Act contract between the City of Palm Springs, Michael F. Fleming and Luis A. Lavin. Zone R-1-A,

CITY COUNCIL ACTION SUMMARY
WEDNESDAY, MAY 7, 2014 – Revised 1.C.

CALL TO ORDER: 6:09 p.m.

ROLL CALL: Foat absent.

REPORT OF CLOSED SESSION: No reportable actions.

ACCEPTANCE OF THE AGENDA:

City Clerk Thompson requested Item 2.D. be withdrawn from the Agenda.

Mayor Pougnet requested Item 2.C. be removed from the Consent Calendar for separate discussion and noted a business related conflict of interest and abstention on Consent Calendar Item 2.F.

Councilmember Mills noted his abstention on Consent Calendar Item 2.I. and requested Item 2.G. be removed from the Consent Calendar for separate discussion.

Councilmember Lewin requested Item 2.K. be removed from the Consent Calendar for separate discussion.

ACTION: Accept the Agenda as amended. **Motion Mayor Pro Tem Hutcheson, seconded by Councilmember Mills and unanimously carried 4-0 on a roll call vote.**

AYES: Councilmember Lewin, Councilmember Mills, Mayor Pro Tem Hutcheson, and Mayor Pougnet.

NOES: None.

ABSENT: Councilmember Foat.

1. PUBLIC HEARINGS:

1.A. APPLICATION BY MICHAEL F. FLEMING AND LUIS A. LAVIN (OWNERS) IN COLLABORATION WITH THE PALM SPRINGS PRESERVATION FOUNDATION, REQUESTING CLASS 1 HISTORIC DESIGNATION FOR "THE PAUL DOUGHERTY RESIDENCE" A SINGLE FAMILY RESIDENCE LOCATED ON A HILLSIDE LOT AT 1860 VISTA DRIVE (HSPB 89):

ACTION: Adopt Resolution No. [REDACTED], "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DESIGNATING THE PAUL DOUGHERTY RESIDENCE AT 1860 VISTA DRIVE A CLASS 1 HISTORIC SITE AND APPROVING A CATEGORICAL EXEMPTION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)." **Motion Councilmember Mills, seconded by Mayor Pro Tem Hutcheson and unanimously carried 4-0 on a roll call vote.**

AYES: Councilmember Lewin, Councilmember Mills, Mayor Pro Tem Hutcheson, and Mayor Pougnet.

NOES: None.

ABSENT: Councilmember Foat.

1. CONSENT CALENDAR:

1.A. APPROVAL OF THE MINUTES: JUNE 10, 2014 MEETING.

Approve as amended M/S/C Williamson/Hays (4-1-2) Ploss opposed, Dixon and La Voie abstained.

1.B. REQUEST BY BILL LEWALLEN (OWNER) FOR EXECUTION OF A MILLS ACT HISTORIC PROPERTY PRESERVATION AGREEMENT BETWEEN THE CITY OF PALM SPRING, THE ROYAL HAWAIIAN ESTATES HOMEOWNERS ASSOCIATE AND BILL LEWALLEN FOR THE PROPERTY LOCATED AT 283 EAST TWIN PALMS DRIVE, A CONTRIBUTING STRUCTURE ELIGIBLE FOR CLASS 1 HISTORIC STATUS WITHIN THE ROYAL HAWAIIAN HISTORIC DISTRICT (HSPB 73 / HD-2).

M/S/C Ploss/Dixon Approve staff's recommendation (7-0).

1.C. REQUEST BY RICHARD COOK AND CHRISTOPHER MACALUSO, OWNERS FOR EXECUTION OF A MILLS ACT HISTORIC PROPERTY PRESERVATION AGREEMENT BETWEEN THE CITY OF PALM SPRINGS, THE RACQUET CLUB GARDEN VILLAS HOMEOWNERS ASSOCIATION AND RICHARD COOK AND CHRISTOPHER MACALUSO, FOR THE PROPERTY LOCATED AT 360 CABRILLO ROAD UNIT 118, A CONTRIBUTING STRUCTURE ELIGIBLE FOR CLASS 1 HISTORIC STATUS WITHIN THE RACQUET CLUB COTTAGES WEST HISTORIC DISTRICT, (HSPB 88 / HD-3).

M/S/C Ploss/Dixon Approve staff's recommendation (6-0-1) La Voie recused.

1.D. REQUEST BY MICHAEL FLEMING AND LUIS A. LAVIN, OWNERS FOR EXECUTION OF A MILLS ACT HISTORIC PROPERTY PRESERVATION AGREEMENT BETWEEN THE CITY OF PALM SPRINGS AND MICHAEL FLEMING AND LUIS A. LAVIN FOR THE PROPERTY LOCATED AT 1860 VISTA DRIVE, A CLASS 1 HISTORIC SITE (HSPB 89).

M/S/C Approve staff's recommendation (7-0).

2. PUBLIC HEARINGS

2.A APPLICATION BY THE CITY OF PALM SPRINGS FOR CONSIDERATION OF CLASS 1 HISTORIC DESIGNATION OF 630 EAST TACHEVAH DRIVE KNOWN AS "THE CHARLIE FARRELL ESTATE" (HSPB-80) AND 1120 NORTH VIA MIRALESTE KNOWN AS "THE GUEST HOUSE" (HSPB-81) ZONE R-1-B.