

CITY COUNCIL STAFF REPORT

DATE:

September 3, 2014

CONSENT AGENDA

SUBJECT:

MILLS ACT HISTORIC SITE CONTRACT - 360 CABRILLO ROAD UNIT

209 (HSPB # 88/HD-3, RACQUET CLUB COTTAGES WEST)

FROM:

David H. Ready, City Manager

BY:

Planning Services

<u>SUMMARY</u>

This action would engage the City of Palm Springs into a standard Mills Act Agreement with James A. Hanapel, owner of 360 Cabrillo Road Unit 209,(APN 504-131-061) and the Racquet Garden Villas Homeowners Association. 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, James A. Hanapel and the Racquet Garden Villas Homeowners Association, for 360 Cabrillo Road Unit 209, a Class 1 historic site (HSPB #88 / HD-3).
- Authorize the City Manager to execute the Agreement.
- Direct the City Clerk to record the Agreement.

STAFF ANALYSIS:

On November 20, 2013, the City Council designated the Racquet Club Cottages West a Historic District (HSPB #88 / Historic District #3). The Racquet Club Cottages West Historic District is comprised of thirty-seven (37) residences clustered in twenty-one buildings. As such, each of the thirty-seven units are deemed "contributing" and are therefore subject to Class 1 regulations and are also each qualified for application of a Mills Act Historic Property Preservation Agreement.

On August 12, 2014 the Historic Site Preservation Board voted 4-0-1 (La Voie abstained) to recommend that the City Council execute a Mills Act Contract between the City of Palm Springs, James A Hanapel and the Racquet Garden Villas Homeowners

Association.

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 360 Cabrillo Road Unit 209 has been deemed a "contributing structure" within the Racquet Club Cottages West Historic District. Pursuant to Municipal Code Section 8.05.125, contributing structures in a historic district are subject to Class 1 regulations and are designated Class 1 historic sites. 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, 360 Cabrillo Road is qualified for a Mills Act Contract.

At Racquet Club Cottages West, routine maintenance and upkeep of the building exteriors and grounds is a shared responsibility of the home-owners association (HOA) and the individual unit owners. Because of this shared responsibility, the Mills Act Agreement in this particular case has been drafted with both the homeowners and the HOA as parties to the agreement. If, in the future, other individual home owners at the Racquet Club Cottages West wish to pursue a Mills Act Agreement, the same contractual arrangement would apply.

FISCAL IMPACT: None

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

Douglas R. Évans

Interim-Director of Planning Services

David H. Ready, City Manager

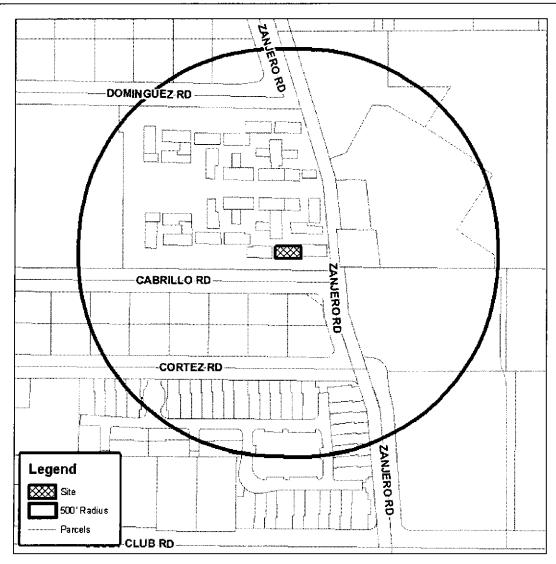
Attachments:

- Vicinity Map
- City Council Action Summary (page 2) dated November 20, 2013
- HSPB Meeting Minutes (page 2) dated August 12, 2014
- Hanapel letter of request dated June 23, 2014.



Department of Planning Services Vicinity Map

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CITY OF PALM SPRINGS

CASE NO: HSPB 88/HD-3 360 Cabrillo Road APN: 504-131-061

APPLICANT: James A. Hanapel

<u>DESCRIPTION:</u> Application for a Mills Act Historic Property Maintenance Agreement between the City of Palm Springs, Racquet Club Garden Villas HOA, and James A. Hanapel of Unit 209. HSPB 88/HD-3 Zone: RGA-6 Sec. 03/T4/R4

Motion

Councilmember Hutcheson, seconded by Councilmember Lewin and unanimously carried on a roll call vote.

1.B. AMENDMENT TO THE PALM SPRINGS ZONING CODE REGARDING CHORCHES IN VARIOUS ZONES (CASE 5.1306 ZTA):

ACTION: 1) Continue the Public Hearing with no public testimony at this time; 2) Direct staff and the Planning Commission to further review churches in the Central Business District; and 3) Direct the City Clerk to re-notice pursuant to law. Motion Councilmember Lewin, seconded by Councilmember Foat and unanimously carried on a roll call vote.

Councilmember Hutcheson stated he had a property related conflict of interest with respect to Item 1.C., would not participate in the discussion or vote, and left Council Chamber.

1.C. HISTORIC DISTRICT DESIGNATION FOR THE RACQUET CLUB COTTAGES WEST CONDOMINIUMS (NOW KNOWN AS THE RACQUET CLUB GARDEN VILLAS) AT 360 WEST CABRILLO ROAD (HSPB 88, HD-3):

ACTION: Adopt Resolution No. 2010, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DESIGNATING THE RACQUET CLUB COTTAGES WEST LOCATED AT 360 CABRILLO ROAD AS HISTORIC DISTRICT NO. 3 (COMMON AREA APN 504-131-061) (HSPB 88, HD-3)." Motion Councilmember Foat, seconded by Councilmember Lewin and unanimously carried 4-0 on a roll call vote.

AYES:

Councilmember Foat, Councilmember Lewin, Mayor Pro

Tem Mills, and Mayor Pougnet.

NOES:

None.

ABSENT:

1.D.

Councilmember Hutcheson.

Councilmember Hutcheson returned to the dais.

PROPOSED ORDINANCES ADOPTING AND AMENDING THE 2013 CALIFORNIA BUILDING STANDARDS CODE, ADOPTING AND AMENDING THE 2013 CALIFORNIA FIRE CODE, ADOPTING AND AMENDING THE 2012 INTERNATIONAL PROPERTY MAINTENANCE CODE, ADOPTING THE CITY OF PALM SPRINGS BUILDING ADMINISTRATIVE CODE, AND REPEALING ARTICLE VII OF CHAPTER 8.04 OF THE PALM SPRINGS MUNICIPAL CODE RELATING TO SWIMMING POOL SAFETY STANDARDS:

ACTION: 1) Waive the reading of the text in its entirety and read by title only and introduce on first reading Ordinance No. 2007, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING AND RESTATING ARTICLE I OF CHAPTER 8.04 OF THE PALM SPRINGS MUNICIPAL CODE, ADOPTING BY REFERENCE, TOGLITTER WITH CERTAIN ADDITIONS. AMENDMENTS AND DELETIONS. THE 2013

They did not adopt Reso that was on Agenda, needs to put back on when Ordinances are adopted.

Public Hearing Notice Published. seconded withdrawn by mays.

VICE-CHAIR PLOSS listed corrections to minutes

- · Spelling of Donna Shaban,
 - Tracy Conrad's comments about a previous historic resources urvey and that Conrad was previously on the Planning Commission
- Clarify the vote on the Charlie Farrell Residence Class 1
 designation that it was recommended that the main house only be
 designated and not the guest house, until both parcels are merged
 as a single parcel (which is why she voted against the motion)

M/S/C Dixon/Hays (4-1-0) A prove the minutes of the July 12, 2014 HSPB minutes as amended. Ploss opposed on the lack of first names.

1.B. REQUEST BY VICTORIA CRANDAL AND STEPHANIE HANKEY, (OWNERS) FOR EXECUTION OF A MILLS ACT HISTORIC PROPERTY PRESERVATION AGREEMENT FOR THE PROPERTY LOCATED AT 360 CABRILLO ROAD UNIT 229, (HSPB 88 / Hz. 3).

STAFF MEMBER LYON summarized staff report.

M/S/C Dixon/Hays (4-0-1) Approve as staff recommended by consent. La Voie abstained for the reason that he is a property owner in the same nistonic district.

1.C. REQUEST BY JAMES A. HANAPEL, (OWNER) FOR EXECUTION OF A MILLS ACT HISTORIC PROPERTY PRESERVATION AGREEMENT FOR THE PROPERTY LOCATED AT 360 CABRILLO ROAD UNIT 209, (HSPB 88 / HD-3)

STAFF MEMBER LYON summarized staff report

M/S/C Dixon/Ploss (4-0-1) Approve as staff recommended by consent. La Voie abstained for the reason that he is a property owner in the same historic district.

2. UNFINISHED BUSINESS:

2.A. REVIEW OF PALM SPRINGS MUNICIPAL SODE SECTION 8.05 "HISTORIC PRESERVATION"

STAFF MEMBER LYON noted that a study session was conducted with HSPB members Le Voie and Ploss, and council members Chris Mills,

June 16, 2014

RECEIVED

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PLANNING SERVICES DEPARTMENT

Margo Wheeler Director of Planning City of Palm Springs 3200 E. Tahquitz Čanyon Road Palm Springs, CA 92262

Dear Ms. Wheeler:

I am interested in entering a Mills Act Property Preservation Agreement with the city of Palm Springs for the property shown below. Attached you will find the application fee of \$824.

Sincerely.

James A. Hanapel

Racquet Club Cottages West (Historic District 3)

360 Cabrillo Road, Unit 209 Palm Springs, CA 92262

See See J. See J. Com J.

JUH 99 2014