



CITY COUNCIL STAFF REPORT

DATE: September 3, 2014 CONSENT AGENDA

SUBJECT: MILLS ACT HISTORIC SITE CONTRACT - 360 CABRILLO ROAD UNIT 118 (HSPB #88/HD-3, RACQUET CLUB COTTAGES WEST)

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 Richard Cook and Christopher Macaluso owners of 360 Cabrillo Road Unit 118, (APN 504-131-026) and the Racquet Club Garden Villas HOA. 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 Richard Cook, Christopher Macaluso and the Racquet Club Garden Villas Homeowners Association, for 360 Cabrillo Road Unit 118, a Class 1 historic site (HSPB #88 / HD-3).
2. Authorize the City Manager to execute the Agreement.
3. Direct the City Clerk to record the Agreement.

STAFF ANALYSIS:

On November 12, 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 for a Mills Act Historic Property Preservation Agreement.

On July 8, 2014, the Historic Site Preservation Board voted (6-0-1), (La Voie abstained), to recommend that the City Council execute a Mills Act Contract between the City of Palm Springs, Richard Cook, Christopher Macaluso and Racquet Club Garden Villas HOA.

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 118 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, Unit 118 is qualified for a Mills Act Contract.

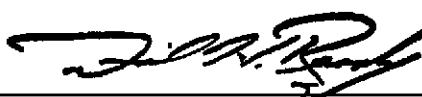
At Racquet Club Cottages West, routine maintenance and upkeep of the building exteriors and grounds is a shared responsibility of the home-owners association (HOA) and the individual unit owners. Because of this shared responsibility, the Mills Act Agreement in this particular case has been drafted with 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. Evans
Interim-Director of Planning Services



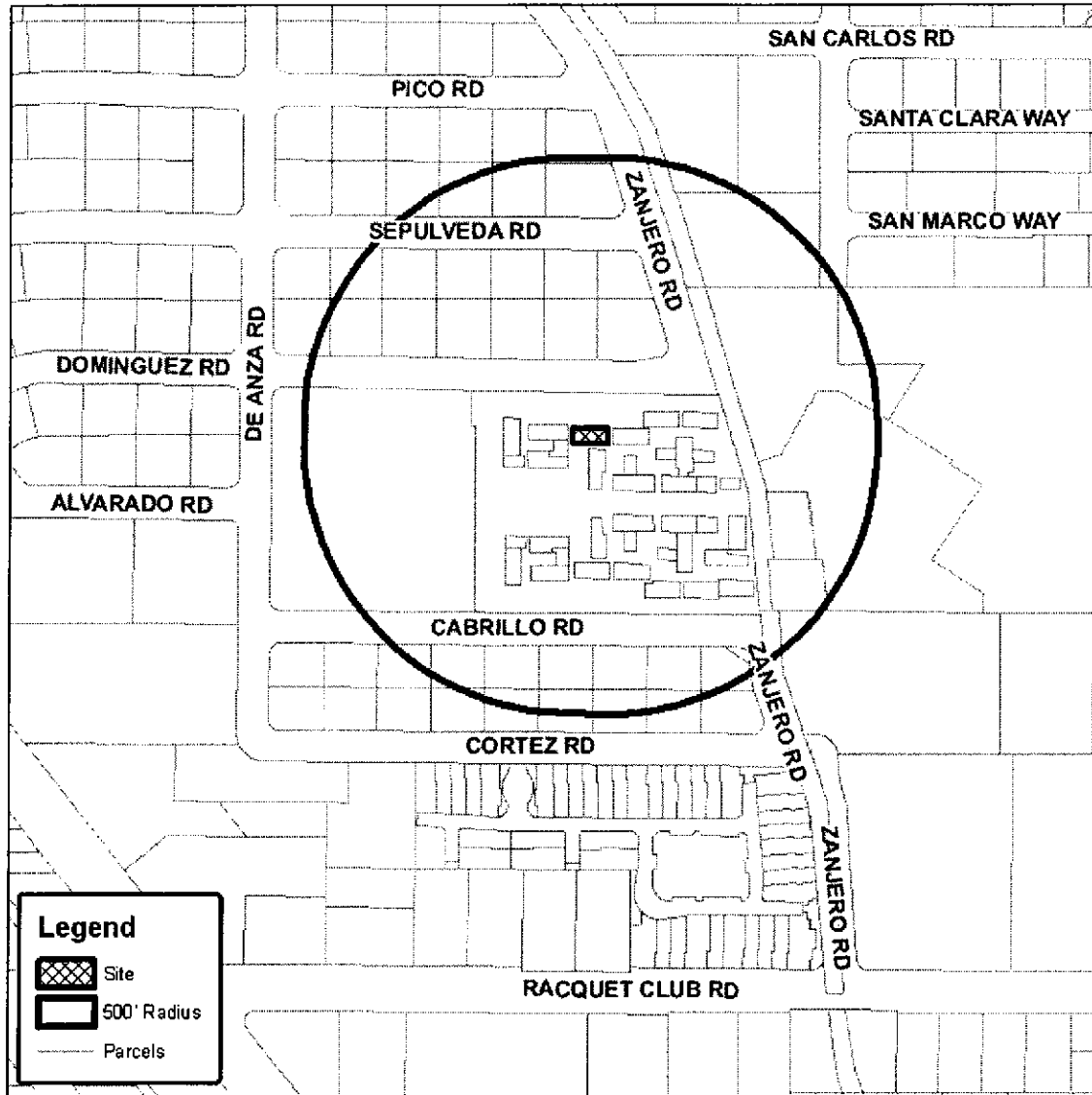
David H. Ready
City Manager 

Attachments:

- Vicinity Map
- City Council Action Summary (page 2) dated November 20, 2013.
- HSPB Meeting Minutes (page 2) dated August 12, 2014
- Richard Cook and Christopher Macaluso letter to HSPB dated April 23, 2014



Department of Planning Services Vicinity Map



CITY OF PALM SPRINGS

CASE NO: HSPB 88/HD-3 360
Cabrillo Road APN: 504-131-026

APPLICANT: Richard Cook and
Christopher Macaluso

DESCRIPTION: Application for a Mills Act Historic Property Agreement between the City of Palm Springs, Racquet Club Garden Villas HOA, Richard Cook and Christopher Macaluso of Unit 118 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 CHURCHES 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. ████████, "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: Councilmember Hutcheson.

Councilmember Hutcheson returned to the dais.

1.D. 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. ████████, "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, TOGETHER 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.

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.

STAFF MEMBER LYON summarized the staff report.

April 23, 2014

M. Margo Wheeler
Department of Planning Services
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

RE: Mills Act Contract request for
Racquet Club Cottages West, HD-3/HSPB-88
Unit # 118 (APN# 504-131-026)

Dear Ms. Wheeler,

Please accept this letter as an application
request for the city of Palm Springs to execute
a Mills Act Contract for my property located at
360 Cabrillo Rd, Unit 118

Palm Springs, CA 92262.

fichcook.rc@gmail.com / (949) 290-5895

Thank you for your consideration.

Sincerely,

Richard Cook and Christopher Macaluso
Owners (MACALUSO)