



CITY COUNCIL STAFF REPORT

DATE: September 03, 2014 CONSENT AGENDA

SUBJECT: MILLS ACT HISTORIC SITE CONTRACT – 283 EAST TWIN PALMS DRIVE (HSPB #73 / HD-2 ROYAL HAWAIIAN ESTATES)

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 Craig Hammond, owner of 283 East Twin Palms Drive, (APN 511-070-038) and the Royal Hawaiian Estates 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 and Bill Lewallen, and the Royal Hawaiian Estates Homeowners Association, for 283 East Twin Palms Drive, a Class 1 historic site (HSPB #73 / HD-2).
2. Authorize the City Manager to execute the Agreement.
3. Direct the City Clerk to record the Agreement.

STAFF ANALYSIS:

On February 3, 2010, the City Council designated the Royal Hawaiian Estates a Historic District (HSPB #73 / Historic District #2). The Royal Hawaiian Estates Historic District is comprised of forty residences on roughly five acres. Two Eighty-three East Twin Palms Drive is one of the residences that is defined as a contributing structure to the historic district.

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, Bill Lewallen and the Royal Hawaiian 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 283 East Twin Palms Drive has been deemed a “contributing structure” within the Royal Hawaiian Estates 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, 283 East Twin Palms Drive is qualified for a Mills Act Contract.

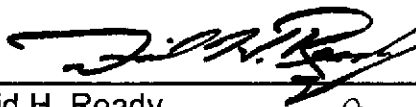
At Royal Hawaiian Estates, routine maintenance and upkeep of the building exteriors and grounds is a shared responsibility of the home-owners association (HOA) and the individual unit owners. Because of this shared responsibility, the Mills Act Agreement in this particular case has been drafted with both the homeowners and the HOA as parties to the agreement. If, in the future, other individual home owners at the Royal Hawaiian 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

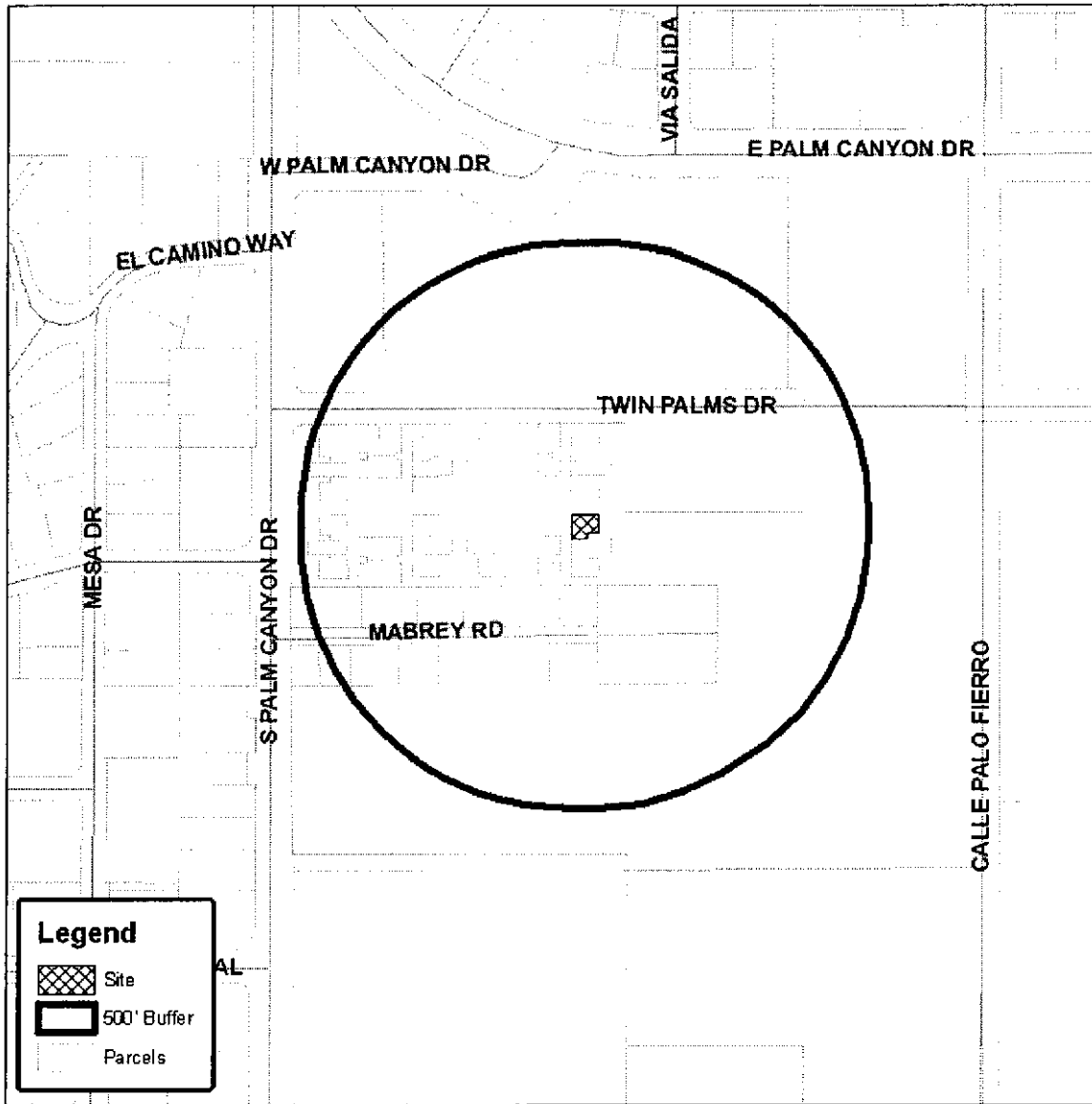


Attachments:

- Vicinity Map
- City Council Action Summary (pages 1 and 2) dated February 3, 2010.
- HSPB Meeting Minutes (page 2) dated July 8, 2014.
- Lewallen to HSPB letter of support dated May 12, 2014



Department of Planning Services Vicinity Map



CITY OF PALM SPRINGS

CASE # HSPB 74/HD-2 283 E
 Twin Palms Drive
APN: 511-070-038
APPLICANT: Mr. Bill Lewallen

DESCRIPTION: Application for a Mills Act Historic Property Maintenance Agreement between the City of Palm Springs, Royal Hawaiian Estates HOA and Bill Lewallen of Unit 283. Zoned R2 Sec. 26/T4/R4.

CITY COUNCIL ACTION SUMMARY
WEDNESDAY, FEBRUARY 3, 2010

CALL TO ORDER: 6:00 p.m.

ROLL CALL: All Present.

REPORT OF CLOSED SESSION:

ACTION: 1) Make the finding that the Item came to the attention of the City after the posting of Agenda, and there is an immediate need to hear and/or take action on the Item; and 2) Add the following Item to the Closed Session Agenda: Government Code Section 54950.8, Conference with Real Property Negotiator for the property described as El Dorado Palms Estates, Negotiating Parties El Dorado Palm Springs Ltd., City Negotiator, David Ready, City Manager or Designee, to discuss price and terms of purchase. **Motion Councilmember Mills, seconded by Councilmember Foat and unanimously carried (5-0).**

City Attorney Holland stated that the City Council recessed into Closed Session to discuss Items on the posted Closed Session Agenda. City Attorney Holland reported the City Council provided direction to the City Attorney on the Property Negotiations with El Dorado Palm Springs Ltd., otherwise no reportable actions were taken.

ACCEPTANCE OF THE AGENDA:

City Clerk Thompson requested the City Council delete the extension of the Subdivision Improvement Agreement with Palomino TTM 33577, on Item 2.J.

Councilmember Foat requested Item 2.J. be removed from the Consent Calendar for separate discussion.

Councilmember Mills stated he has a business related conflict of interest with respect to Consent Calendar Item 2.J., and would not participate in the discussion or the vote.

Mayor Pro Tem Hutcheson requested Item 2.L. be removed from the Consent Calendar for separate discussion.

Councilmember Weigel stated he has a property related conflict of interest with respect to the Alta Subdivision Improvement Agreement on Item 2.J. and would abstain on that extension.

Mayor Pougnet requested Item 2.F. be removed from the Consent Calendar for separate discussion.

ACTION: Accept the Agenda as amended. **Motion Councilmember Weigel, seconded by Councilmember Foat and unanimously carried on a roll call vote.**

1. PUBLIC HEARINGS:

1.A. DESIGNATION OF THE ROYAL HAWAIIAN ESTATES CONDOMINIUM LOCATED AT 1774 SOUTH PALM CANYON DRIVE AS A HISTORIC DISTRICT (CASE HSPB 73 / HD 2):

ACTION: Adopt Resolution No. 22657, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA,

ESTABLISHING HISTORIC DISTRICT NO. 2, AT THE ROYAL HAWAIIAN ESTATES CONDOMINIUMS LOCATED AT 1774 SOUTH PALM CANYON DRIVE." **Motion Councilmember Foat, seconded by Mayor Pro Tem Hutcheson and carried 4-1 on a roll call vote.**

AYES: Councilmember Foat, Councilmember Weigel, Mayor Pro Tem Hutcheson, and Mayor Pougnet.

NOES: Councilmember Mills.

1.B. DESIGNATION OF THE SINGLE FAMILY DWELLING AT 1070 EAST APACHE ROAD AS A CLASS 1 HISTORIC SITE (CASE HSPB 74):

ACTION: Adopt Resolution No. 22658, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DESIGNATING THE SINGLE FAMILY DWELLING AT 1070 EAST APACHE ROAD, A CLASS ONE HISTORIC SITE." **Motion Mayor Pro Tem Hutcheson, seconded by Councilmember Foat and unanimously carried on a roll call vote.**

2. CONSENT CALENDAR:

ACTION: Approve Items 2.A., 2.B., 2.C., 2.D., 2.E., 2.G., 2.H., 2.J., 2.K., 2.M., 2.N., and 2.P. **Motion Mayor Pro Tem Hutcheson, seconded by Councilmember Weigel and unanimously carried on a roll call vote.**

2.A. REPORT ON POSTING OF THE AGENDA:

ACTION: Receive and file Report on the Posting of the February 3, 2010, City Council Agenda. **Approved as part of the Consent Calendar.**

2.B. APPROVAL OF MINUTES:

ACTION: Approve the City Council Minutes of January 13, 2010, and the City Council/Community Redevelopment Agency Minutes of January 20, 2010. **Approved as part of the Consent Calendar.**

2.C. APPROVAL OF PAYROLL WARRANTS, CLAIMS AND DEMANDS:

ACTION: 1) Adopt Resolution No. 22659, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1039753 THROUGH 1039851, IN THE AGGREGATE AMOUNT OF \$307,227.88, DRAWN ON BANK OF AMERICA;" and 2) Adopt Resolution No. 22660, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1039852 THROUGH 1039928, IN THE AGGREGATE AMOUNT OF \$787,919.56, DRAWN ON BANK OF AMERICA;" 3) Adopt Resolution No. 22661, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 01-09-10 BY WARRANTS NUMBERED 415340 THROUGH 415380 TOTALING \$100,467.59, LIABILITY CHECKS NUMBERED 1039929 THROUGH 1039949 TOTALING \$138,810.00, FIVE WIRE TRANSFERS FOR \$52,210.88,"

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

~~Approve as amended M/S/C Williamson/Davis (11-0) 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.



RECEIVED

MAY 12 2014

PLANNING SERVICES
DEPARTMENT

Bill Lewallen

May 12, 2014

M. Margo Wheeler, FAICP
Department of Planning
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262-6959

Dear Director Wheeler:

I am the owner of 283 E. Twin Palms Drive in Palm Springs (Assessment Number 511070038-7), which is located in the Royal Hawaiian Estates. The Royal Hawaiian Estates became Palm Springs first Historic Residential District on February 3, 2010.

I am writing to apply for the Mills Act Tax Abatement Program. Enclosed is my check for \$824.00 to begin the application process.

Through the Mills Act economic incentives, I look forward to continue performing ongoing restoration and preservation of our historic Donald Wexler and Richard Harrison mid-century tiki-modern property.

If you have any questions or need additional information, you may contact me at bill@royalhawaiianestates.org or 760-475-4561.

Thank you for your help in this process.

Sincerely,


Bill Lewallen