



## CITY COUNCIL STAFF REPORT

DATE: September 2, 2009 PUBLIC HEARING

SUBJECT: Consideration of an Appeal of the Historic Site Preservation Board action of July 14, 2009 to issue a Stay of Demolition for the property located at 823 Avenida Palos Verdes; Appellant: Kirvin Satterwhite

FROM: David H. Ready, City Manager

BY: The Planning Department

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### SUMMARY

An appeal filed on July 15, 2009 by Kirvin Satterwhite, requesting the Council overturn the decision of the HSPB to issue a 120-day stay of demolition on the single family dwelling located at 823 Avenida Palos Verdes. No public hearing is required.

### RECOMMENDATION:

1. Adopt Resolution No. \_\_\_\_ "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS CALIFORNIA DENYING AN APPEAL AND UPHOLDING THE DECISION OF THE HISTORIC SITE PRESERVATION BOARD TO ISSUE A STAY OF DEMOLITION ON THE PROPERTY LOCATED AT 823 AVENIDA PALOS VERDES "

### ACTIONS TAKEN TO DATE

On July 14, 2009, the Historic Site Preservation Board voted 3 to 2 (Strahl, Grattan opposed) to issue a Stay of Demolition for 120 days, and initiated proceedings for possible historic designation of the property by directing staff to schedule a public hearing and prepare a report.

On June 15, 2009 the City Clerk received an appeal from the property owner on the Board's actions. The appeal stopped all further work on the matter until Council action.

### STAFF ANALYSIS:

#### Background

The issuance of a Stay of Demolition allows the City 120-day period (which may be

extended an additional 60 days) to determine if a site should be designated as a historic site and, if so, whether to assign Class 1 or Class 2 status to the property. The relevant sections of the Palm Springs Municipal Code are:

**8.05.170 Stay of demolition.**

*At any time after the initiation of proceedings for designation of an historic site or district, the historic site preservation board may, upon its own motion or upon the application of any interested person, issue an order staying any proposed or threatened demolition or alteration of the exterior of any structure within or upon such proposed site. Such stay order shall be effective for no longer than one hundred twenty days, and is intended to afford time for necessary studies, hearings and determination whether such site should be designated as an historic site. Such stay order may be extended once for a period not to exceed sixty days.*

**8.05.175 Effect of stay order—Exceptions.**

*Upon the issuance of a stay order, no permit shall be given for the demolition or exterior alteration of any structure or the interior arrangement of a public building described in such stay order, and any such permit previously issued shall forthwith be revoked; provided, however, that a stay order shall not prevent the performance of any repairs, demolition, or removal necessary for the protection of public health or safety, and ordered by the chief building official of the city to be performed by the owner or occupier of such structure.*

Upon issuance of a Stay of Demolition, a public hearing would be held by the HSPB and the City Council to determine the property's historic status. However, with the filing of the applicant's appeal, no further action has been taken on the property in this regard.

**Discussion of Appellant's Arguments**

Staff has reviewed the appellant's letter of July 15, 2009 and the letter dated July 22, 2009 from Emily Hemphill, an attorney representing the appellant (both attached). No specific reasons for the appeal were given in the letter of July 15<sup>th</sup>; however, staff has identified in the subsequent letter the following reasons the property owner's appeal. Staff's response to each is provided immediately following each statement.

1. *The building does not meet the threshold requirement for a historic designation, "...that being uniqueness or significance in the area of location, design, setting, materials, workmanship or aesthetic effect."*

The Stay of Demolition is not for buildings that meet the threshold requirements, but for buildings which may be meet them and for which the City needs time to study the matter and determine if a historic designation is warranted. As noted in Section 8.05.170, the purpose of the Stay is to: *"...afford time for necessary studies, hearings and determination whether such site should be designated as an historic site."* Consequently, the question of whether or not the building meets the threshold

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requirement for historic designation is typically answered only after conducting the appropriate studies.

Nevertheless, the decision to issue a Stay of Demolition is discretionary and suggests that a certain level of analysis must be undertaken regarding the potential for the building to have historic value. In this case, Board members conducted site visits and received third-party comment, and concluded that sufficient potential exists with this building and imposed the Stay of Demolition (see attachments).

*2. No historic designation is proper because none of the seven criteria for defining a historic site are met.*

The appellant correctly identifies the seven criteria contained in Section 8.05.020 that define a historic site. Each of these criteria is addressed by the appellant and the appellant's conclusion is that none of them were found to have been met.

As noted above, the Stay would allow the HSPB to conduct a formal study, including a search of information, to determine if there are elements of the building's design or provenance that might be historically significant. Consequently, the assertion that the property does not meet the seven criteria is not directly related to the issuance of a Stay. If information were to be found during a formal study, the building may well be found to meet one or more of the criteria.

*3. The issuance of a stay is a hardship on the owner.*

The appellant identifies certain costs and other concerns that result from delay in demolition of the structure. Specific mention is made of the energy costs required to cool the house. Staff believes that the costs of ownership are not directly related to the consideration of the property's historic value. Homes and other buildings built in a different time often include design and other characteristics that did not take account of energy costs to the extent they are today. Further, structures designated as historic must at times bear additional operating and maintenance costs as the price for preserving the structure. Staff is making no conclusion with regard to this building's historic value; however, it does not appear appropriate to use the costs of operation as a basis for avoiding a look at the building's historic potential.

*4. The owner's intent is to build a modern, energy efficient home.*

The desire to build a new, energy-efficient dwelling is commendable. However, residential properties which are deemed historic may preclude such development. The Stay of Demolition would provide an opportunity for a full investigation into the value of the site as a historic asset.

Preparation of Necessary Studies

The question of issuing a Stay of Demolition on any structure turns in part on whether or that structure might have historic value such that it warrants consideration for historic designation. To answer that question, an investigation is to be conducted. The

applicant / appellant has indirectly raised the question of whether or not a more detailed investigation would add anything to what is currently known about the property. Staff has concluded that this is a reasonable concern: A report from the Palm Springs Historical Society has revealed no historical records; and the City's own building records trace back only to 1964. The building is known to have been substantially remodeled over the years, including repairs after an electrical fire in 1966 and new windows and additions. A letter presented to the HSPB (McGrew, attached) notes that the home was owned by a local restaurateur. There is a high likelihood that we already know all there is to know about the building.

If the City Council believes that the record on this property is in all likelihood complete, and that the record does not support a historic designation, as outlined in the letter of appeal, then the Council may uphold the appeal and vacate the Stay of Demolition. If not, then the Council may deny the appeal and re-instate the Stay of Demolition.

### CONCLUSION

The Historic Site Preservation Board (HSPB) has the authority to issue a Stay of Demolition on any structure in the City (Palm Springs Municipal Code Section 8.05.170). The purpose is to provide time for the City to conduct an investigation into the possibility of designating the site or structure as historic.

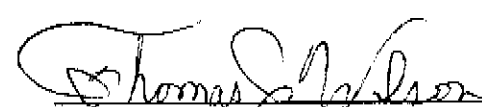
Staff has concluded that the applicant / appellant has not raised sufficient reasons to overturn the decision of the HSPB and therefore recommends denying the appeal.

### FISCAL IMPACT:

No fiscal impact.

  
\_\_\_\_\_  
Craig A. Ewing, AICP  
Director of Planning Services

  
\_\_\_\_\_  
David H. Ready  
City Manager

  
\_\_\_\_\_  
Thomas J. Wilson  
Assistant City Manager, Dev't Svcs

### Attachments:

1. Draft City Council Resolution
2. Vicinity Map
3. Appeal letters dated July 15 and July 22, 2009
4. Minutes of HSPB Board, July 14, 2009
5. HSPB Staff report, July 14, 2009
6. HSPB Member Reports on Site Visit
7. Letter, Patrick McGrew, July 12, 2009
8. Letter Whitney Sander, May 26, 2009
9. Survey Record, January 31, 1982

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS CALIFORNIA DENYING AN APPEAL AND UPHOLDING THE DECISION OF THE HISTORIC SITE PRESERVATION BOARD TO ISSUE A STAY OF DEMOLITION ON THE PROPERTY LOCATED AT 823 AVENIDA PALOS VERDES

WHEREAS, the building located at 823 Avenida Palos Verdes was constructed prior to 1945 and is therefore automatically designated a Class 3 Historic Resource under Section 8.05.125 of the Palm Springs Municipal Code; and

WHEREAS, the Historic Site Preservation Board (HSPB) may issue a Stay of Demolition on any Class 3 resource for which a demolition permit has been requested; and

WHEREAS, on May 26, 2009, the applicant, Kirvin Satterwhite submitted an application to demolish the existing structures at 823 Avenida Palos Verdes; and

WHEREAS, on July 14, 2009 the HSPB held a public meeting on the application for demolition of the buildings located 823 Avenida Palos Verdes; and at which meeting the HSPB considered a staff report, related exhibits and public testimony; and

WHEREAS, following consideration of all information presented at the hearing, the HSPB, by a 3 to 2 vote (Strahl and Grattan opposed) approved a Stay of Demolition for 120 days for the subject property; and

WHEREAS, on July 15, 2009, the applicant filed an appeal with the City Clerk seeking to overturn the decision of the HSPB regarding the Stay of Demolition; and

WHEREAS, a public hearing notice is not required for an appeal of a Stay of Demolition; and

WHEREAS, on September 2, 2009, the City Council conducted a public hearing on the appeal of the HSPB decision to issue a stay of demolition on the structures located at 823 Avenida Palos Verdes; and

WHEREAS, the City Council has carefully reviewed and considered all of the evidence presented in connection with the meeting on the appeal, including but not limited to the staff report, and all written and oral testimony presented.

THE CITY COUNCIL DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1: There is sufficient evidence to conclude that the property at 823 Avenida Palos Verdes may qualify for designation as a historic resource in that a dwelling was constructed in 1928 in the Spanish Revival style and subsequently occupied as a single family residence.

SECTION 2: In order to determine if either existing or as-yet unidentified evidence would support a historic designation for the property, as determined by Section 8.05 of the Palm Springs Municipal Code, additional time for research and analysis is appropriate and necessary.

SECTION 3: In order to provide additional time for discovery and analysis of evidence related to the subject property, a Stay of Demolition will allow for a 120-day period to conduct such investigations and hold required hearings on the property's potential historic value.

SECTION 3: Based on the above findings, the City Council hereby denies the appeal of July 15, 2009 and re-instates the Stay of Demolition for the property located at 823 Avenida Palos Verdes.

ADOPTED THIS 2<sup>nd</sup> of September, 2009.

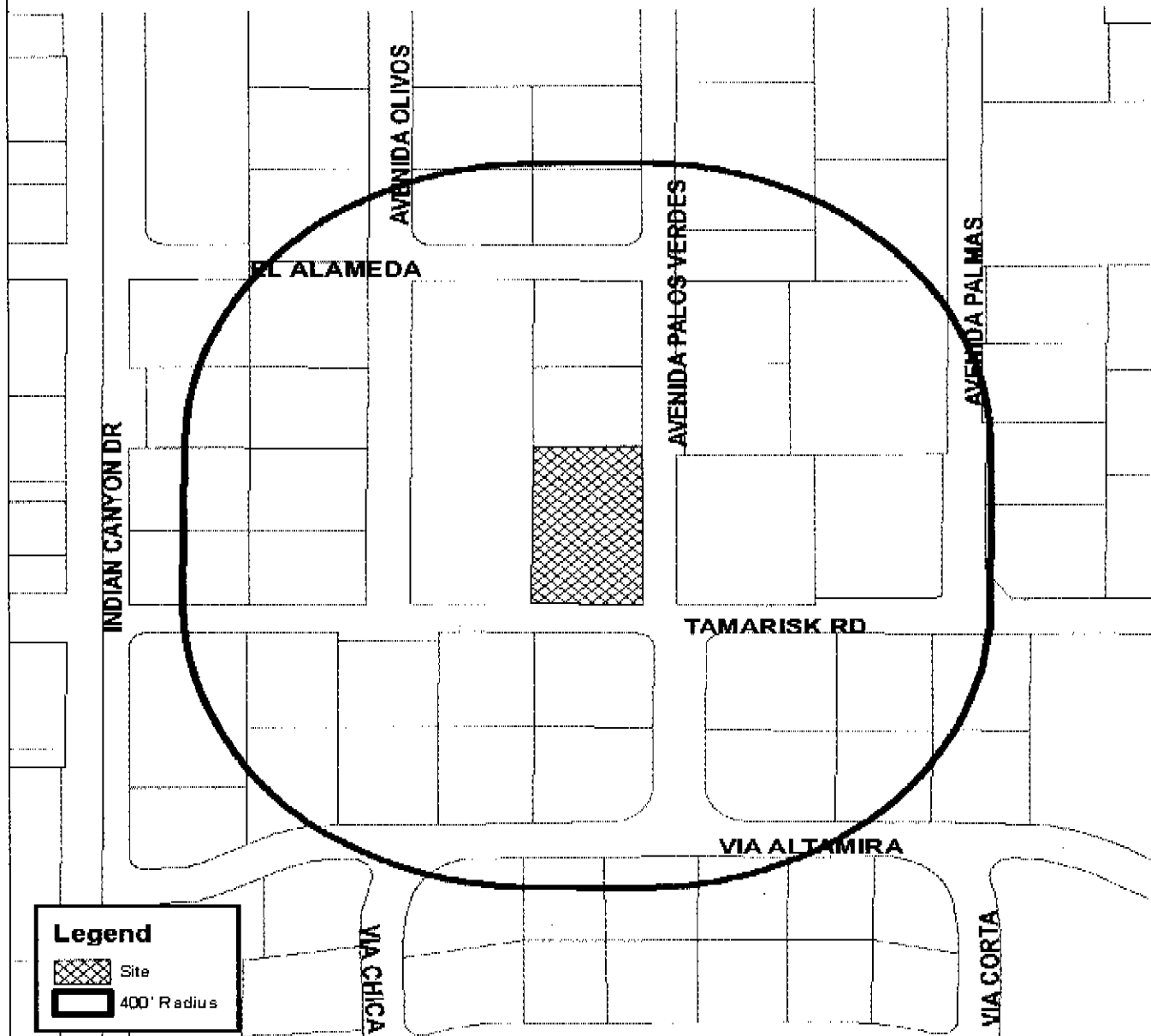
\_\_\_\_\_  
David H. Ready, City Manager

ATTEST:

\_\_\_\_\_  
James Thompson, City Clerk



# Department of Planning Services Vicinity Map



## CITY OF PALM SPRINGS

**CASE NO:**  
3.3352 / HSPB Stay of Demolition

**APPLICANT / APPELLANT:**  
Kirvin Satterwhite

**DESCRIPTION:** To consider an appeal by Kirvin Satterwhite of a Stay of Demolition for the property located at 823 Avenida Palos Verdes, Zoned R-1-B (Single Family Residential).

July 15, 2009

City of Palm Springs

RE: Case No: 3.3352 SFR Demolition

To Whom It May Concern:

I'd like to appeal the decision made by the HSPB on July 14, 2009 for a stay of demolition for property located at :

823 N. Avenida Palos Verdes.

Sincerely,



Kirvin Satterwhite  
Property Owner

(760) 323-3723  
kirvin@mac.com

CITY OF PALM SPRINGS

RECVD BY: CR 01000026325  
PAYOR: KIRVIN SATTERWHITE  
TODAY'S DATE: 07/15/09  
REGISTER DATE: 07/15/09 TIME: 12:21

DESCRIPTION	AMOUNT
OTHER CHARGES SVCS	\$225.00
CUST ID: APPEAL TO COUNCIL	
TOTAL DUE:	\$225.00

CHECK PAID: \$225.00  
CHECK NO: 6314  
TENDERED: \$225.00  
CHANGE: \$1.00



LAW OFFICES OF

**EALY, HEMPHILL & BLASDEL, LLP**

A CALIFORNIA LIMITED LIABILITY PARTNERSHIP

W. Curt Ealy  
Emily Perri Hemphill  
Diane C. Blasdel

71780 San Jacinto Drive, Suite 1-3,  
Rancho Mirage, California 92270  
Telephone: (760) 340-0666  
Facsimile: (760) 340-4666

July 22, 2009

VIA ELECTRONIC MAIL AND REGULAR MAIL

Craig Ewing  
City of Palm Springs  
3200 E. Tahquitz Canyon Way  
Palm Springs, CA 92262

Re: Case No. 3.3352 SFR Demolition  
823 Avenida Palos Verdes

Dear Mr. Ewing:

This office represents Kirvin Satterwhite, owner of the above referenced property (the "Property"). As you know, my client has submitted an application for demolition ("Application") of the single family home that is currently located on the Property, as she intends to construct a new residence on the site. Because the house currently located on the property was constructed before 1945, under the City's historic preservation ordinance, it was automatically classified a "class 3" structure, necessitating the Historic Site Preservation Board's ("HSPB") review of the Application.

The HSPB first considered my client's Application at its June 9, 2009 meeting. At that time, in addition to the staff report, the HSPB has access to the City's official historic preservation survey conducted in 1982, information on the current condition of the Property from my client's architect, and photographs demonstrating the changes made to the house since the 1982 survey and demonstrating that this private home is not visible from any surrounding streets or properties. At the June 9 meeting, the HSPB decided that they required a site visit to the Property before they could make a decision on the Application.

Representatives of the HSPB did make a site visit to the Property, and as a result, the Application was again considered at the HSPB meeting on July 14. At that time, the HSPB had the staff report that confirmed the condition of the Property has been significantly changed from the original design and that there were structural issues with the Property. The Staff Report went on to recommend that the Application be approved having found no evidence of historic significance for the Property after consulting with the Palm Springs Historical Society. Despite the staff recommendation, the staff's research on the Property, its deteriorated conditions, the changes made

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JAMES THOMPSON  
CITY CLERK

to the original architecture eliminating much of its potentially historic fabric, and the fact that it is a private home not open to the public, the HSPB determined to institute a 120 day stay of demolition. On July 15, 2009, my client delivered her request for appeal of this decision, along with the applicable fee. She has been advised that the appeal has been scheduled for Council meeting on September 2, 2009. The purpose of this letter is to provide further support and grounds for my client's appeal.

Under the City's Code section 8.05.020, a building may be historic if it is "unique or significant because of its location, design, setting, materials, workmanship or aesthetic effect." The Property in this case does not meet this threshold standard. The Property is part of one of the City's residential neighborhoods and presents nothing unique or significant with respect to location and setting. The design, materials and workmanship are not unique, but rather, result in a traditional Spanish style house which "is part of the most common style in Palm Springs from the 1920's – 1940's." [Quote from 1982 City survey.] In terms of the Property's aesthetic effect, my client provided several photographs to the HSPB which show that the house, itself, is not visible from any adjoining streets or properties, and therefore, the current structure makes no significant aesthetic effect to the area. In all respects, therefore, this residence does not meet the threshold requirement for a historic designation—that being uniqueness or significance in the area of location, design, setting, materials, workmanship or aesthetic effect.

Even if it could be said that the above described threshold criteria were met in this case, nonetheless, no historic designation is proper because the City's ordinance also requires that the property:

- (1) Be associated with events that have made a meaningful contribution to the nation, state or community; or
- (2) Be associated with the lives of persons who have made a meaningful contribution to the nation, state or community; or
- (3) Reflect or exemplify a particular period of national, state or local history; or
- (4) Embody the distinctive characteristics of a type, period or method of construction; or
- (5) Present the work of a master designer, architect, etc or possess high artistic value; or
- (6) Represent a significant and distinguishable entity whose components lack individual distinction; or
- (7) Has yielded or may yield information important to national, state or local history or prehistory.

Applying the above criteria to the Property, we first find that no event of historic significance took place on or near the Property. This is a private home which has never been open to the public and according to the Palm Springs Historical Society, no survey of historic records extant in the City indicates any significant events have occurred on or near the Property.

The Property is not associated with the lives of any person who has made a meaningful contribution to the nation, state or community. After being sold by Paul DiAmico (the owner during the 1982 survey), the Property went through several hands and was the subject of a foreclosure sale. My client is the current owner of the Property and uses it as her residence.

The nature of the construction of the Property is not unique, but rather, is the most common form of architecture used from the 1920's-1940's in Palm Springs. This Spanish Style of architecture can be seen today in a large number of the homes and commercial buildings found throughout the City. The Spanish Style continues to be a popular style of architecture in the Valley. Given that the Property fits within one of the most common architectural styles in the Valley it cannot be said to exemplify a particular period in national, state or local history, nor can be it said that it embodies the distinctive characteristics of a type, period or method of construction.

The architect of the house on the Property is unknown, but there is no evidence to suggest that any master builder, designer, artist or architect was involved. Neither does the Property have high artistic value. As noted by my client's architect and confirmed by the site visit of the HSPB and staff, the Property has been modified from its original design to enclose a lanai, modify roof materials, close window openings, install modern metal framed windows and sliding glass doors that are inconsistent with the original style of architecture, add a carport, and convert a garage to a guest house. In addition, there are several cracked walls, foundations and floors as well as evidence of termite repairs and further termite and dry rot damage.

The Property is not a distinguishable entity made of components that lack individual distinction; it is simply a private single family residence that has never been open to the public. A check with the Palm Springs Historic Society by staff confirmed that the Property is not likely to yield significant information important to national, state or local history or prehistory.

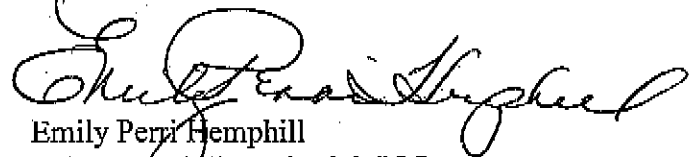
Given these facts, which have been documented and observed by the HSPB, there is no basis upon which the City could find that the Property requires a historic designation and preservation, and therefore, continuing consideration of the Application for 120 days, plus the additional time for hearings thereafter is not likely to result in any benefit to the City, while it will continue to burden my client unreasonably.

With no basis upon which to make a historic designation for the Property, the HSPB nonetheless ordered a 120 day stay of demolition in the hopes that some obscure piece of information may be uncovered that somehow justifies the Property's association with some person or event important to history. Yet such a fishing expedition is not in keeping with the intent of the City's ordinance related to historic preservation. By ordinance, the HSPB is admonished "to be lenient in its judgment of plans for structures which have little or no historic value. . ." [PSMC 8.05.195.]

The extended stay of demolition violates the ordinance's intent and works a hardship on my client. As has previously been noted in staff reports and the letter from the project architect, there are structural and foundation cracks in the house as well as other deterioration. Further, although my client updated the air conditioning system in the house several years ago in an effort to achieve greater efficiency, the thick walled design of the house prevents installation of ductwork necessary to achieve cooling efficiency. As a result, even with the new HVAC units, my client's electrical bills have averaged \$1042 per month for the past 12 months. During the period from 2005 to the present, her bills have ranged from a low of \$500 per month to a high of \$2753 per month. (Evidence of the Property's electrical usage from 2005 – present was submitted to the HSPB and is in the City's project file.) The longer she is delayed in proceeding with demolition and new construction, the longer she is subjected to such exceptionally high electrical bills from inefficient energy consumption by the Property.

My client's objective in seeking the demolition permit for the Property is to construct a modern, energy efficient home. If allowed to do so, Ms. Satterwhite will be investing in Palm Springs at a time when such investment should be welcomed, improving the City's housing stock and responding responsibly to the need to increase energy efficiency and reduce the carbon footprint. The demolition of the existing home on the Property does no harm to the historic fabric of the City of Palm Springs as the City has an abundance of homes of similar vintage and design, and the current Property has no historic figures or events associated with it. Further, the house, as it currently exists, is completely hidden from view from the adjoining streets and properties and it therefore makes no contribution to the aesthetics of the area outside its perimeter wall. The loss of an essentially invisible structure cannot be seen to be a significant loss to the City's historic fabric. Continued delays in the project result in a burden to my client and run counter to the need for increasing energy efficiency. We therefore respectfully request that the Council overturn the decision of the HSPB imposing a 120 day of demolition on the Property, and instead approve my client's application for a demolition permit.

Sincerely,



Emily Peri Hemphill  
Ealy, Hemphill & Blasdel, LLP

cc: Kirvin Satterwhite  
Doug Holland  
Glen Mlaker

~~Glenn Mlaker, Assistant Planner, presented the staff report and recommended that the Historic Site Preservation Board recommend denial to the City Council designating 1958 South Navajo Drive a Class 1 Historic Site.~~

~~The public hearing was opened and closed with no appearances coming forward.~~

~~M/S/C (DeLeeuw/Grattan, 5-0, 1 absent/Williams) To recommend denial to the City Council.~~

#### 8. CERTIFICATE OF APPROVAL REQUEST(S):

8.A Case 3.3352 – Application by Satterwhite for demolition of the structures located at 823 Avenida Palos Verdes, Zone R-1-B, Section 1, Built 1925 - Class 3 Historic Site. - Assistant Planner Glenn Mlaker, and report from Subcommittee members: Marshall and Grattan

Glenn Mlaker, Assistant Planner, presented the staff report and recommended that the Historic Preservation Site Board approve the request to demolish the house, pool, tennis court and guesthouse.

M/S/C (DeLeeuw/Gilmer, 3-2, Strahl,Grattan) To issue a Stay of Demolition for 120 days, and direct staff to schedule a public hearing and prepare a report on the possible designation of the property.

#### ~~9. OTHER BUSINESS:~~

~~9.A Work Program and Budget for 2009 / 10 – Adoption of Proposed Work Program~~

~~Director Ewing provided background information as outlined in the staff report.~~

~~M/S/C (Grattan/Strahl, 6-0) To approve the Historic Preservation Site Board's work program for the 2009/2010 fiscal year.~~

~~9.B Historic Markers – Review of Marker Locations~~

~~Director Ewing provided background information as outlined in the staff memorandum.~~

~~M/S/C (Gilmer/Marshall, 6-0) To approve.~~

~~9.C Historic Markers – Review of Marker Text - No report.~~

~~9.D Case 3. 3228 - HSPB 67 Casino House, 982 North Avenida Palmas – Progress Report – Glenn Mlaker and Subcommittee Marshall & Williams~~

~~Glenn Mlaker, Assistant Planner, reported that staff will continue to work with the owner to set-up a site visit within the next few weeks.~~

#### 10. COMMITTEE REPORTS AND SPECIAL PROJECTS:

10.A P.S. Preservation Foundation ([www.pspreservationfoundation.org](http://www.pspreservationfoundation.org)) – Board member Strahl provided details on the Retro Martini Party to be held on Friday, February 19, 2010. The Fall/Winter events will be published on the website.



## Historic Site Preservation Board Staff Report

Date: July 14, 2009  
Case No.: 3.3352 Demo  
Application Type: Demolition  
Location: 823 Avenida Palos Verdes  
Applicant: Kirvin Statterwhite, Owner  
Zone: R-1-B (Residential Zone, 15,000 sf lots minimum)  
General Plan: L4 (Low density residential, 4 dwelling units per acre)  
APN: 507-162-003  
From: Glenn Mlaker, Assistant Planner

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### **PROJECT DESCRIPTION**

The proposed project is for the complete demolition of a 1925 house to include the a guesthouse, pool and tennis court. The perimeter wall and mature landscaping will remain at 823 Avenida Palos Verdes, a Class 3 historic site.

### **RECOMMENDATION**

That the Historic Site Preservation Board approve the request to demolish the residence, pool, tennis court, and guesthouse at 823 Avenida Palos Verdes and take no action to re-designate it to a higher, more protective historic status.

### **PRIOR ACTIONS TAKEN ON THE PROJECT**

None.

## **BACKGROUND AND SETTING**

The subject parcel is a 0.72 acre (31,492 square foot) parcel with an existing 4,700 square foot house, guest house, garage, pool, and tennis court. The site is in the Movie Colony neighborhood on the northwest corner of Avenida Palos Verdes and Tamarisk Road and is surrounded by existing single family homes.

## **DESCRIPTION AND ANALYSIS**

The house at 823 Avenida Palos Verdes was constructed in 1925 according to the database in the City's Planning Department. (No building permit records exist in the City's Building Department on the property prior to 1947.) The present day structure can be described as a classic California-Spanish style house with thick stucco walls, barrel tile roof and details most associated with the 85 year old house. The entire site is surrounded by a tall stucco perimeter wall with mature groves of palm trees, fruit trees, ficus and other vegetation.

The front of the house facing Avenida Palos Verdes serves as the main entrance with a wide circular driveway. On the north side stands a thick wooden trellis carport and pergola structure with large stone fireplace. The rear of the house has been altered with a 1970's patio enclosure and contains a pool with large tile patio. A two story converted garage into a guest house is located at the northwest corner and a below grade tennis court lies at the southern end of the property. At the tennis court end of the house, the grade change gives the appearance that the house is two stories.

On June 2, 2009, staff along with HSPB members Marshall and Grattan walked the site with the owner/applicant. Upon inspection, it is clear that alterations and damages have occurred to the house including visible cracked walls, foundations, and floors. Alterations have included the closing of window openings, the replacement of original windows with efficient modern windows not in keeping with the style of the original house, a 1970's patio cover enclosure, and repair of termite damaged wood. Visible cracks can be seen on the exterior stucco walls, and foundations.

Board members Marshall and Grattan have submitted their notes on the site visit (please see attached). Staff would like to respond to committee member Marshall's comment regarding the actual age of the house. An exact date of construction cannot be confirmed due to conflicting or non-existent records. It is safe to say that the home was built in the mid to late 1920's.

## REQUIRED FINDINGS

### Definition of an Historic Site.

Section 8.05.020 of the Municipal Code provides the definition of an historic site as follows;

#### *(a) Historic Site.*

An historic site is any real property such as: a building; a structure, including but not limited to archways, tiled areas and similar architectural elements; an archaeological excavation or object that is unique or significant because of its location, design, setting, materials, workmanship or aesthetic effect and:

1. *That is associated with events that have made a meaningful contribution to the nation, state or community; or*
2. *That is associated with lives of persons who made meaningful contribution to national, state or local history; or*
3. *That reflects or exemplifies a particular period of the national, state or local history; or*
4. *That embodies the distinctive characteristics of a type, period or method of construction; or*
5. *That presents the work of a master builder, designer, artist, or architect whose individual genius influenced his age; or that possesses high artistic value; or*
6. *That represents a significant and distinguishable entity whose components may lack individual distinction; or*
7. *That has yielded or may be likely to yield information important to national, state or local history or prehistory.*

Staff has evaluated the structure at 823 Avenida Palos Verdes and finds no defining architectural style or construction characteristics that would argue in favor of defining the subject property a historic site.

Those elements of the building which date to 1925 have been altered with 'modern' 'barrel tile-looking' roof tiles, new windows, original window openings being enclosed, and additions unsympathetic to the original structure. Staff therefore believes architectural integrity worthy of a higher more protective designation is not present.

Staff consulted with the Palm Springs Historical Society and found the site has no known or significant individuals or events associated with it.

## ENVIRONMENTAL ASSESSMENT

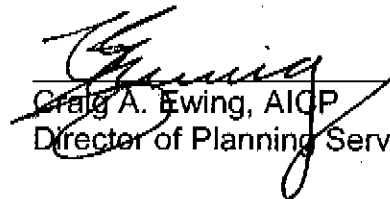
This project is categorically exempt from environmental review per Section 15301(L), (1) of the California Environmental Quality Act (CEQA) Guidelines.



## NOTIFICATION

There are no public notification requirements for this application.

  
\_\_\_\_\_  
Glenn Mlaker,  
Assistant Planner

  
\_\_\_\_\_  
Craig A. Ewing, AICP  
Director of Planning Services, AICP

## ATTACHMENTS

1. Vicinity Map
2. Photographs
3. Sub-Committee Report

July 8, 2009

TO SHSPB  
FROM Sheila Grattan, Board Member

I met Assistant Planner Glenn Mlaker and HSPB Board Member Barbara Marshall on June 16, 2009 for an exterior tour of 823 Avenida Palos Verdes. The owner, who is applying for a demolition permit for the Class 3 Historic Site was present along with her contractor, Larry Hochanadel.

This home, built in 1928, has had many owners and many alterations. The main house has an enclosed lanai added on with sliding glass doors typical of the 1970s. The roofing material was altered in the process and now has part tile and part hot mop materials. Windows have been covered up with stucco. Larry Hochanadel was helpful in pointing out the frame lines visible through the newer stucco. He also pointed out dry rot, degraded materials and foundation cracks along with alterations made to the guest house. There is a car port that was added on in more recent years.

There is a sunken tennis court that will be eliminated when and if the new home is built. There are magnificent fruit trees on a higher level ringing the tennis court area. The contractor and owner plan to maintain these mature fruit trees along with a stand of stately palms located at the front of the property.

This home may have been typical of early Spanish Revival homes built in Palm Springs during the 1920s and 30s. Over the years, owners mixed in other architectural styles during a series of alterations. Today it is a hybrid in a lovely landscaped setting.

The only owner with some local name recognition is restaurant owner Paul Di Amico who owned the home in the 1980s. Paul has moved from the area and has not operated a restaurant here for many years.

## **REPORT FROM HSPB MEMBER BARBARA MARSHALL**

A site visit was conducted at 823 N. Avenida Palos Verdes on June 16, 2009 at 8:30AM by Barbara Marshall (HSPB), Glenn Mlaker (city planner), Kirvin Satterwhite (home owner), Larry Hochanadel (present at home owners request), and Sheila Grattan (HSPB, who arrived later). The site visit was required because the house was built prior to 1945 (i.e., a Class 3 site) and the home owner is requesting a demolition permit.

The exterior of the house, guesthouse, pool, patio, tennis courts, and landscaping all appear well-maintained.

**MAIN HOUSE:** Ms. Satterwhite and Mr. Hochanadel walked us around the exterior of the main house beginning at the southeast corner. Mr. Hochanadel pointed out replaced windows and doors, cracks in the stucco and said that the house is not on a concrete slab foundation. He pointed out several thin cracks in the exterior stucco which may be typical of a house this age or *bona fide* structural issues. Ms. Satterwhite said that the roof, including all tiles, had been replaced approximately 13 years ago. She also opined that the original "U" shape design of the house was later closed in to include the patio.

**GUEST HOUSE:** Mr. Hochanadel pointed out several larger cracks in the foundation on the south side of the two-story guesthouse which is originally believed to have been a garage. He also pointed out several larger cracks in the stucco along the south wall of the guesthouse.

According to Jeri Vogelsang, Director, Palm Springs Historical Society, there is no information on this address other than it was previously the residence of Paul de Amico. Ms. Vogelsang noted that Mr. de Amico was a Palm Springs restaurateur though not "famous."

The June 9, 2009 staff report indicates the house was constructed in 1928, however, it is reported as 1925 on the [www.realtor.com](http://www.realtor.com) website. It is recommended that city staff verify the date for record accuracy.

## McGREW / ARCHITECTURE

July 12, 2009

Ms. Sidney Williams, Chair  
Palm Springs Historic Site Preservation Board  
Palm Springs City Hall  
3200 East Tahquitz Canyon Way  
Palm Springs, California 92264

Re: Case No.: 3.3352 Proposed Demolition  
823 Avenida Palos Verdes

Dear Ms. Williams,

I am writing regarding the proposed demolition of the Spanish Colonial Revival residence located at 823 Avenida Palos Verdes that is scheduled for your hearing of July 15, 2009. In handling projects like this one the Board's real purpose is tested; I am strongly opposed to the staff recommendation. The recommendation argues the building, automatically granted Class 3 status due to its age, should be demolished while retaining a Class 3 designation for the "perimeter wall and mature landscaping." This is akin to "killing granny for the tiara."

The subject property is among the early residences built in the historic Movie Colony district. Like the Heigho Residence / *Invernada* (which it predates) the home could conceivably qualify for Class 1 designation. It appears eligible for local register listing under *Criterion 1* as it is associated with the pattern of *events* that have made a meaningful contribution to the community; *Criterion 3* as it exemplifies a particular period in Palm Springs history; *Criterion 4* as it "embodies the distinctive characteristics of a type and period of construction"; and *Criterion 6* as a potential contributor to a Movie Colony Historic District because it "represents a significant and distinguishable entity whose components may lack individual distinction."

The Staff Report alleges the "planning staff has evaluated the structure," but the only evidence of such an evaluation is a one paragraph statement that the building is not worthy of designation above the Class 3 level. This statement raises questions about the qualifications of the evaluator who summarily dismisses the potential historic value of the property by concluding that it has "no defining architectural style." This same staff report incorrectly indicates the proposed demolition is exempt from CEQA.

CEQA states that historic resources are properties of local significance designated under a local preservation ordinance or properties that have been identified in a local historical resources inventory (such as a Class 3 listing). Under CEQA, these properties may be eligible for listing in the California Register and are presumed to be significant resources unless a preponderance of evidence indicates otherwise (PRC Section 5024.1, 14 CCR § 4850). Additionally, the HSPB has identified the Movie Colony as a potential Historic District, to which the subject property might be a contributor. However, a resource does not need to have been identified previously through listing or survey to trigger the requirements of CEQA.

Lead agencies must not only determine whether a historic resource exists, but also whether such a resource will be impacted by a proposed project - in this case demolition. California law requires the agency evaluate the potential resource against the California Register criteria prior to making a finding (PRC Section 21084.1, 14 CCR Section 15064.5(3)). Such an evaluation must be done by a qualified professional historic resource

ARCHITECTURE + PRESERVATION

674 SOUTH GRENFALL ROAD • PALM SPRINGS, CALIFORNIA 92264 • (760) 416-7819

MS. Sidney Williams  
July 12, 2009

consultant.<sup>1</sup> Currently the information provided in the staff report is essentially hearsay, neither objective nor complete. I am requesting that the HSPB stay the demolition permit for six months and request the owner provide an legitimate Historic Resource Evaluation Report.

PM:bc

---

<sup>1</sup> Qualified professional historic resource consultants are required under CEQA to meet the History, Architectural History or Historic Architecture professional qualifications as outlined by the federal government in 36 Code of Federal Regulations 61, (see Appendix B). These qualifications, in general, are a graduate degree in history, architectural history or a closely related field, or a bachelors degree in the same fields plus at least two years of full-time experience in architectural history related work. Having experience in the architectural history of Palm Springs would be helpful.

sander architects, LLC

2434 Lincoln Boulevard; Venice, CA 90291 310 822 0300 310 822 0900 (fax) www.sander-architects.com

**RECEIVED**

MAY 26 2009

Palm Springs Planning Commission/  
Historic Site Preservation Board  
3200 East Tahquitz Canyon Way  
Palm Springs, CA 92262

**PLANNING SERVICES  
DEPARTMENT**

21 May 2008

To Whom it May Concern:

We respectfully apply herewith for a demolition permit for the residence at 823 Avenida Palos Verdes. I have carefully reviewed the design and condition of the present structure, and believe that it is better for the owner to demolish the present structure than to try to fix it. There are two main areas of concern with the present structure.

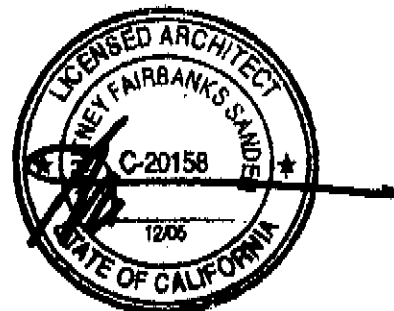
1. Aesthetic Condition: The building is a combination of older and newer sections, and is not, therefore, an intact old structure. This fact is demonstrated by the roof, which is composed of a number of flat sections, quite unlike authentic Mission style roofs. There are a number of other additions to the building which are inconsistent with Mission style, including sliding doors, new windows, flat roof (mentioned above), etc.
2. Structural / Health Concerns: The foundation is substantially insufficient by today's building standards, and is cracked in many places. All the HVAC systems are insufficient. There are substantial sections of the exterior walls that are riddled with dry rot and termites. Most importantly, the client is experiencing respiratory problems relating directly to the mold that she has found in a number of places.

Please feel free to contact me with any questions at 310 822 0300.

Sincerely,

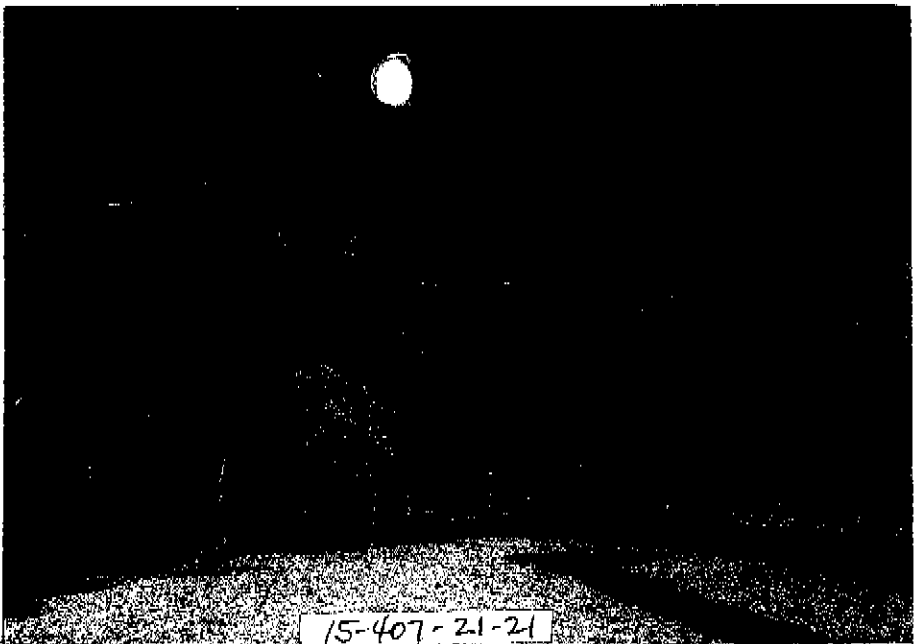


Whitney Sander



ORSIDE COUNTY HISTORIC RESOURCES SURVEY  
**ARCHITECTURAL SURVEY FORM**

Address/Location: 823 Avenida Pablos Verde  
 City/Town Area & ZIP: Ps  
 Common name: Paul de Amico  
 Historic name: None  
 Photo date: 1/31/82 Roll # 115 Neg. # 30  
 Photographer's name: J. Weiss  
 Surveyor's name(s): J. Weiss  
 Survey date: 1/31/82 Survey district # 15



ARCHITECTURAL STYLE:  
 (dates are a loose guide)

<input type="checkbox"/>	Vernacular Adobe	1800-1950
<input type="checkbox"/>	Vernacular Wood Frame	1850-1950
<input type="checkbox"/>	Vernacular Brick	1850-1950
<input type="checkbox"/>	Vernacular Ranch House	1850-1950
<input type="checkbox"/>	Vernacular (other)	1850-1950
<input type="checkbox"/>	Gothic Revival	1850-1910
<input type="checkbox"/>	Italianate	1860-1880
<input type="checkbox"/>	French Second Empire	1860-1890
<input type="checkbox"/>	Eastlake	1870-1890
<input type="checkbox"/>	Victorian (mixed style)	1870-1900
<input type="checkbox"/>	Colonial Revival	1870-1920
<input type="checkbox"/>	Queen Anne	1880-1900
<input type="checkbox"/>	Classical Revival	1890-1920
<input type="checkbox"/>	Mission Revival	1890-1920
<input type="checkbox"/>	Craftsman Bungalow	1895-1920
<input type="checkbox"/>	Bungalow	1895-1930
<input type="checkbox"/>	Prairie Style	1905-1930
<input type="checkbox"/>	Pueblo Revival	1905-1940
<input checked="" type="checkbox"/>	Egyptian Revival	1915-1940
<input checked="" type="checkbox"/>	Mediterranean/Spanish Rv.	1915-1940
<input type="checkbox"/>	Provincial Revival	1915-1940
<input type="checkbox"/>	Tudor Revival	1915-1940
<input type="checkbox"/>	Moderne/Art Deco	1920-1940
<input type="checkbox"/>	International Style	1925-1950
<input type="checkbox"/>	California Ranch House	Post-1945
<input type="checkbox"/>	Commercial	
<input type="checkbox"/>	Other:	

ROOF TYPE:

<input checked="" type="checkbox"/> Gable	<input type="checkbox"/> Hip	<input type="checkbox"/> Half-Hipped	<input type="checkbox"/> Gabled	<input type="checkbox"/> Shed
<input type="checkbox"/> Gambrel	<input type="checkbox"/> Flat	<input type="checkbox"/> Mansard	<input type="checkbox"/> Hipped Gable	<input type="checkbox"/> Other

PRESENT CONDITION:

<input checked="" type="checkbox"/>	Excellent
<input type="checkbox"/>	Good
<input type="checkbox"/>	Fair
<input type="checkbox"/>	Deteriorated
<input type="checkbox"/>	Destroyed

ALTERATIONS:

<input checked="" type="checkbox"/>	Major
<input type="checkbox"/>	Minor
<input type="checkbox"/>	Unaltered

Describe: \_\_\_\_\_

- RELATED FEATURES:
- Barn
  - Carriage house
  - Garage
  - Shed
  - Outhouse
  - Windmill
  - Water tower
  - Tankhouse
  - Hitching post
  - Fence
  - Wall
  - Unusual curb
  - Unusual sidewalk
  - Formal gardens
  - Unusual trees
  - Expansive lawns
  - Other \_\_\_\_\_

PRESENT USE: Residence

ORIGINAL USE: \_\_\_\_\_

SIGNIFICANT DECORATIVE ELEMENTS (describe):  
True Spanish house w/ thick walls,  
tile arches & plank floors

- PRIMARY BUILDING MATERIAL:
- Wood frame
  - Log
  - Adobe brick
  - Brick
  - Stone
  - Stucco
  - Concrete
  - Metal
  - Other \_\_\_\_\_

- SURROUNDINGS:
- Open Land
  - Scattered Buildings
  - Densely built-up
- USE:
- Residential
  - Industrial
  - Commercial
  - Agricultural **23**
  - Other \_\_\_\_\_

TALKED TO RESIDENT: Name: Ened

Address/Info: \_\_\_\_\_

**RESEARCH**

Res earcher \_\_\_\_\_

Date:   /  /  

Construction date: <u>pre 1932</u>	<input type="checkbox"/> Estimated <input type="checkbox"/> Factual	SOURCES: <u>John Clark</u>
ARCHITECT: <u>Unkown</u>		
BUILDER: <u>"</u>		
ORIGINAL OWNER:		
IMPORTANT OWNERS:		
OTHER HISTORIC ASSOCIATIONS:		
IS THE STRUCTURE ...		
<input checked="" type="checkbox"/> On the original site?	Original Address:	
<input type="checkbox"/> Moved?		
<input type="checkbox"/> Unsure		
IS THE PROPERTY ...		
<input type="checkbox"/> In public ownership?	Parcel Number:	
<input checked="" type="checkbox"/> In private ownership?	<u>SN/ 505-162-003-8</u>	
PRESENT OWNER (if known): <input type="checkbox"/> same as address on front		
Name: _____ Address: _____		

**OFFICE USE**

Recorder \_\_\_\_\_

Date   /  /  

<p><b>MAIN THEME:</b></p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Architecture</li> <li><input type="checkbox"/> Arts &amp; Leisure</li> <li><input type="checkbox"/> Economic/Industrial</li> <li><input type="checkbox"/> Exploration/Settlement</li> <li><input type="checkbox"/> Government</li> <li><input type="checkbox"/> Military</li> <li><input type="checkbox"/> Religion</li> <li><input type="checkbox"/> Social/Education</li> </ul>	<p><b>HISTORIC RESOURCE AND LANDMARK STATUS:</b></p> <table style="width: 100%;"> <tr> <td style="width: 50%;"> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><th>YES</th><th>NO</th></tr> <tr><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr> <tr><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr> <tr><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr> <tr><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr> <tr><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr> <tr><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr> </table> <p>HABS _____ HAER _____ NR # _____ SHL _____ Loc _____</p> <p><input type="checkbox"/> Individual nomination <input type="checkbox"/> District nomination</p> </td> <td style="width: 50%;"> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><th>YES</th><th>NO</th></tr> <tr><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td></tr> <tr><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td></tr> <tr><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr> </table> <p>Recommended by district review committee Recommended by County Hist. Commission Included by State Office of Hist. Presv.</p> <p>UTM: <u>A11542300/3743840</u> B _____ C _____ D _____</p> </td> </tr> </table>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><th>YES</th><th>NO</th></tr> <tr><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr> <tr><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr> <tr><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr> <tr><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr> <tr><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr> <tr><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr> </table> <p>HABS _____ HAER _____ NR # _____ SHL _____ Loc _____</p> <p><input type="checkbox"/> Individual nomination <input type="checkbox"/> District nomination</p>	YES	NO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><th>YES</th><th>NO</th></tr> <tr><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td></tr> <tr><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td></tr> <tr><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr> </table> <p>Recommended by district review committee Recommended by County Hist. Commission Included by State Office of Hist. Presv.</p> <p>UTM: <u>A11542300/3743840</u> B _____ C _____ D _____</p>	YES	NO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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<input type="checkbox"/>	<input type="checkbox"/>																								
<p><b>THREATS TO SITE:</b></p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> None known -</li> <li><input type="checkbox"/> Private development</li> <li><input type="checkbox"/> Zoning</li> <li><input type="checkbox"/> Vandalism</li> <li><input type="checkbox"/> Public works project</li> <li><input type="checkbox"/> Deterioration</li> <li><input type="checkbox"/> Other: _____</li> </ul>	<p><b>ADDITIONAL SOURCES:</b> (books, documents, records, personal interviews; include dates)</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>																								
<p>Approx. property size (ft.)</p> <p>Frontage <u>219</u> Depth <u>150</u></p> <p>Or approx. acreage _____</p>	<p>24</p>																								



823 Avenida Palo Verde

D: This Mediterranean/Spanish Revival home has thick walls and plank floors characteristic of early Spanish homes in California. The house is constructed on a wood frame with a stucco finish. There have been few changes to the exterior. The gable roof is covered with tile, the doorways are all arched, the masonry chimney is capped with tile. Iron work light fixtures ~~and~~ door and window hardware are original to the house. The house has been painted a cantaloupe color.

more traditional

S: This is a good example of the Spanish style, and is part of the most common style in Palm Springs for the 1920s-1940s. It is now owned by a well known Palm Springs restaurateur, Paul di Arnica.

MASTER FILE

HISTORIC RESOURCES DATA ENCODING SHEET

NOTE: The numbers in parentheses indicate either the number of characters (letters, numbers, punctuation marks, spaces) that may be entered or the number of lines that may be checked.

1. Ser. No. 2262 - 373 -  
City Zip (4) Form No. (1-4) Prop. No. (0-4)

USGS Quad Map No. (4) 0834

2. UTM Zone (2) Easting (6) Northing (7)  
A 11 542300 3743240  
B \_\_\_\_\_  
C \_\_\_\_\_  
D \_\_\_\_\_

3. Property Name:  
Common Name (30): \_\_\_\_\_

Historic Name (40): \_\_\_\_\_

Parcel No. (0-17) 507-162-003-8

4. Address:  
823 Avenida Palos Verde  
Number (0-5) Street Name (4-20)

Nearest Cross Street (0-20)  
Palm Springs  
City/Town (3-20)  
92262 Zip code (5) Vicinity of City/Town

County 3-letter designator (3) \_\_\_\_\_

5. Type of Ownership (1-7):  
 1) unknown  4) private  
 2) federal  5) county  
 3) state  6) city  
 7) special district

6. Present Use (1-6):  
 1) unknown  4) private non-comm.  
 2) commercial  5) public  
 3) residential  6) none

7. Year of Initial Construction:  
Individual Property (4) \_\_\_\_\_  
District (8) \_\_\_\_\_

8. Architect(s) (0-25): \_\_\_\_\_

Builder(s) (0-25): \_\_\_\_\_

9. Year of Survey (2): 84

10. Registration Status (1):  
 1) listed - date (6) / / 4) may become eligible  
 2) determined eligible -  5) eligible local listing  
year (2) -  6) ineligible for above  
 3) appears eligible  7) undetermined

11. Property Given Registration Status as (1):  
 1) part of district  
 2) individual property  
 3) both of above

12. NR Class Category (1):  
 1) district - No. of properties (0-3) \_\_\_\_\_  
 2) site  
 3) building  
 4) structure  
 5) object

13. Other Registration (0-9)  
 1) Historic Am. Bldg. Survey  6) Cal. Historical Landmark  
 2) Historic Am. Eng. Rec.  7) County Pt. of Hist. Interest  
 3) National Hist. Landmark  8) Local Listing  
 4) State Historic Park  9) County/Regional Park  
 5) other

14. Property Attributes:  
 1) unknown  22) lake/river/reservoir  
 2) sing. family prop.  23) ship  
 3) mult. family prop.  24) lighthouse  
 4) ancillary bldg.  25) amusement park  
 5) hotel/motel  26) monument/mural/gravestone  
 6) comm. bldg. 1-3 st.  27) folk art  
 7) comm. bldg. over 3 st.  28) street furniture  
 8) industrial bldg.  29) landscape archit.  
 9) public utility bldg.  30) trees/vegetation  
 10) theatre  31) urban open space  
 11) engineering struct.  32) rural open space  
 12) civic auditorium  33) farm/ranch  
 13) cmnty cntr/soc. hall  34) military property  
 14) government bldg.  35) CCC/WPA structure  
 15) educational bldg.  36) ethnic minority property  
 16) religious bldg.  37) ethnic group (5-20)  
 17) R/R depot  38) highway/trail  
 18) train  39) women's property  
 19) bridge  40) cemetery  
 20) canal/aqueduct  41) other  
 21) dam

15. Architectural Plans and Specifications:  Yes  No

CITY OF PALM SPRINGS  
PUBLIC HEARING NOTIFICATION



PLANNING SERVICES DEPARTMENT  
Craig Ewing, Director of Planning Services

---

Meeting Date: September 2, 2009  
Subject: Stay of Demolition Notice of City Council Appeal Hearing  
823 Avenida Palos Verdes

---

**AFFIDAVIT OF MAILING**

I, Craig A. Ewing, Director of Planning Services of the City of Palm Springs, California, do hereby certify that a copy of the attached Stay of Demolition Notice was mailed to each and every person on the attached list on August 20, 2009 in a sealed envelope, with postage prepaid, and depositing same in the U.S. Mail at Palm Springs, California. (3 notices)

I declare under penalty of perjury that the foregoing is true and correct.

  
\_\_\_\_\_  
Craig A. Ewing  
Director of Planning Services



# City of Palm Springs

Department of Planning Services

3200 E. Tahquitz Canyon Way • Palm Springs, California 92262  
Tel: (760) 323-8245 • Fax: (760) 322-8360 • Web: [www.palmsprings-ca.gov](http://www.palmsprings-ca.gov)

August 20, 2009

Patrick McGrew  
674 South Grenfall Road  
Palm Springs, CA 92264

RE: Stay of Demolition Notice of City Council Appeal Hearing;  
823 Avenida Palos Verdes

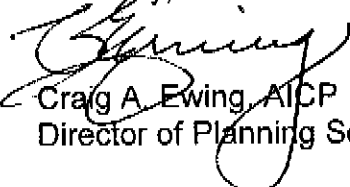
Dear Mr. McGrew,

At the Historic Site Preservation Board meeting of July 14, 2009, the Board issued a Stay of Demolition for the property located at 823 Avenida Palos Verdes. The Office of the City Clerk received an appeal on July 15, 2009 in reference to the Board's action.

The appeal is scheduled to be heard by the City Council at its meeting of September 2, 2009. The City Council meeting begins at 6:00 p.m. The appellant and other citizens are allowed to speak at the hearing regarding this item. A staff report and agenda will be provided to you in advance of the meeting.

If you have any questions, feel free to call me at 760-323-8245.

Sincerely,

  
Craig A. Ewing, AICP  
Director of Planning Services



# City of Palm Springs

Department of Planning Services

3200 E. Tahquitz Canyon Way • Palm Springs, California 92262  
Tel: (760) 323-8245 • Fax: (760) 322-8360 • Web: [www.palmsprings.ca.gov](http://www.palmsprings.ca.gov)

August 20, 2009

Kirvin Satterwhite  
823 Avenida Palos Verdes  
Palm Springs, CA 92262

RE: Stay of Demolition Notice of City Council Appeal Hearing;  
823 Avenida Palos Verdes

Dear Ms. Satterwhite,

At the Historic Site Preservation Board meeting of July 14, 2009, the Board issued a Stay of Demolition for the property located at 823 Avenida Palos Verdes. The Office of the City Clerk received an appeal on July 15, 2009 in reference to the Board's action.

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If you have any questions, feel free to call me at 760-323-8245.

Sincerely,

Craig A. Ewing, AICP  
Director of Planning Services

cc: Emily Hemphill  
Ealy, Hemphill & Blasdell, LLP  
71780 San Jacinto Dr.; Ste. I-3; Rancho Mirage, CA 92270