CITY OF PALM DESERT STAFF REPORT

MEETING DATE: November 17, 2022

PREPARED BY: Jason Finley, Chief Building Official

REQUEST: ADOPT A RESOLUTION FOR A HISTORIC LANDMARK DESIGNATION FOR THE CHARLES E. DU BOIS HOUSE LOCATED AT 72806 BURSERA WAY (APN 628-102-012) – CASE NO. CRPC 22-03

RECOMMENDATION:

- 1. Conduct the public hearing and receive public testimony.
- 2. Waive further reading and adopt a Resolution reaffirming the action of the Cultural Resources Preservation Committee, designating the Charles E. Du Bois house located at 72806 Bursera Way with a Historic Landmark Designation in accordance with Section 29.40.010 of the Palm Desert Municipal Code (PDMC).

BACKGROUND/ANALYSIS:

Strategic Plan:

This designation promotes the goals of the Art and Cultural elements of the City's Envision Palm Desert Strategic Plan. The direct result is an increase in public recognition and appreciation for the architectural and cultural resources in the Coachella Valley. Cultural tourism events, such as Modernism Week, continue to grow in popularity, which showcases the Coachella Valley and Palm Desert examples. This increase in tourism is an economic benefit to the City and our local businesses.

Cultural Resources Preservation Committee Recommendation:

On August 30, 2022, the Cultural Resources Preservation Committee conducted a public hearing unanimously recommending the nomination of the Charles E. Du Bois house, located at 72806 Bursera Way, as a landmark. This property is eligible for designation as a City Historic Landmark in accordance with the PDMC Section 29.40.010 Historic Landmark Designation Criteria:

- 1. Exemplifies or reflects special elements of cultural, social, economic, political, aesthetic, engineering, architectural, or natural history; or
- 2. Is identified with a person(s)or event(s) that our significant in history; or
- 3. Embodies distinctive characteristics of a style, type period, or method of construction, or is a valuable example of the use of indigenous materials or craftsmanship; or
- 4. Represents the work of master builders, designers, or architects; or
- 5. Reflects distinctive examples of community planning or significant development patterns, including those associated with different eras or settlement and growth, agricultural, or transportation; or
- 6. Conveys a sense of historic and architectural cohesiveness through design, setting, materials, workmanship, or associations; or

7. Is an archaeological paleontological, botanical, geological, topographical, ecological, ore geographical resource that has yielded or has the potential to yield important information, 2008) in history or pre-history (Ord. 1168, 2008).

Project Description:

The applicant and property owner, Mr. David Toltzman, has requested that his property at 72806 Bursera Way be designated as a landmark in accordance with the PDMC Section 29.40.010. The property as detailed in the attached application, this Mid-Century Modern single-family residence was designed by architect Charles E. Du Bois and is part of the Purple Hills Estates, a residential tract concept constructed in the early 1960s. Unlike most homes built in Palm Desert in the 1950s and 1960s, the Purple Hills Estates homes were "tract" homes designed with a custom appearance. These styles of homes epitomized the unique architecture and classic look of the early Palm Desert.

This tract concept had several exterior appearances ranging from Ranch, French Second Empire, and Greek Revisal to mid-century modern. The uniqueness can be seen in 47 homes in Palm Desert that Charles E. Du Bois left an indelible mark in architecture. The property at 72806 Bursera Way represents this style in the original inspired form and is worthy of the designation. If approved, this property would be the first to receive a landmark designation within Purple Hills Estates.

FINANCIAL IMPACT:

There is no fiscal impact associated with this action. The designation allows the property owner(s) to voluntarily apply for property tax incentives to maintain the property's appearance in an original concept or manner.

REVIEWED BY:

Department Director:	Richard D. Cannone, AICP
City Attorney:	Robert Hargreaves
Finance Director:	Veronica Chavez
Assistant City Manager:	Chris Escobedo
City Manager:	Todd Hileman

ATTACHMENTS:

- 1. Draft Resolution
- 2. Cultural Resources Preservation Committee Ordinance 1168
- 3. Cultural Resources Preservation Committee Draft Minutes
- 4. Historic Designation Application

RESOLUTION NO. 2022-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, APPROVING A HISTORIC LANDMARK DESIGNATION FOR 72806 BURSERA WAY (APN 628-102-012) – CASE NO. CRPC 22-03

WHEREAS, on August 30, 2022, the Cultural Resource Preservation Committee conducted a public hearing to consider the initiation of Historic Landmark Designation for the Charles E. Du Bois House located at 72806 Bursera Way, Assessor's Parcel No. 628-102-012, pursuant to Section 29.40 of the Palm Desert Municipal Code (PDMC); and

WHEREAS, the Cultural Resources Preservation Committee has considered all the evidence submitted into the administrative record, which includes, but is not limited to:

- 1. Agenda reports were prepared by the Building and Safety Division.
- 2. A staff presentation at a meeting and subsequent public hearing held on August 30, 2022, before the Cultural Resources Preservation Committee.
- 3. The City of Palm Desert, Cultural Resources Ordinance 1168, and all other applicable regulations and codes.
- 4. Public comments, both written and oral, received and/or submitted at or prior to the meeting, supporting and/or opposing the applicant's request.
- 5. Testimony and/or comments from the applicant and its representatives submitted to the City in both written and oral form at or prior to the meeting.
- 6. All related documents received and/or submitted at or prior to the meeting.

WHEREAS, based on the forgoing evidence, the Cultural Resources Preservation Committee finds that:

- 1. A request for Historic Landmark Designation for 72806 Bursera Way was made on April 28, 2022, to designate as a historical landmark.
- 2. Notice of the August 30, 2022, Cultural Resources Preservation Committee meeting was posted in *The Desert Sun* and at City Hall on June 09, 2022.
- 3. Notice of the August 30, 2022, Cultural Resources Preservation Committee was provided to the affected property owner as shown on the latest Riverside County assessment role. The owner was notified by first-class mail.
- 4. Notice of the Cultural Resources Preservation Committee meeting included the notice requirements set forth in California Environmental Quality Act (CEQA).

WHEREAS, based on the Landmark Designation criteria contained in Chapter 29.40 Landmarks of the PDMC, the Cultural Resources Preservation Committee concluded the following:

- 1. Palm Desert's character and history are reflected in its cultural, historical, and architectural heritage.
- 2. Palm Desert's historical foundations should be preserved as living parts of the community life and development in order to foster an understanding of the City's past so that future generations may have a genuine opportunity to appreciate,

enjoy, and understand Palm Deserts' heritage.

3. The Cultural Resources Preservation Committee has reviewed this site and determined it to be historically significant and could contribute to the economic and cultural revival of the City.

WHEREAS, in view of all the evidence and based on the forgoing designation criterion, the Cultural Resources Preservation Committee concluded the following findings:

- 1. The Charles E. Du Bois residence (1965) at 72806 Bursera Way is part of The Purple Hills Estates, which were constructed in the early 1960s. Unlike most homes built in Palm Desert in the 1950s and 1960s, the Purple Hills Estates homes were "tract" homes designed with a custom appearance. Designed by Charles E. Du Bois, these styles of homes epitomized the unique architecture and classic look of the early Palm Desert.
- 2. The exteriors vary from ranch to French Second Empire and Greek Revisal to mid-century modern. The uniqueness can be seen in 47 homes in Palm Desert where, Charles E. Du Bois left an indelible mark in architecture. The property at 72806 Bursera Way represents this style in the original inspired form and is worthy of the designation.
- 3. This residence meets the following designation criterion as contained in the City's Cultural Resources Ordinance and is hereby worthy of preservation and designation as a Local Historic Landmark:
 - A. Exemplifies or reflects special elements of cultural, social, economic, political, aesthetic, engineering, architectural, or natural history.
 - B. Embodies distinctive characteristics of a style, type, period, or method of construction, or is a valuable example of the use of indigenous materials or craftsmanship.
 - C. Represents the work of a master builder, designer, or architect.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Palm Desert, California, as follows:

<u>SECTION 1.</u> That the foregoing Recitals are true and correct and are incorporated herein by this reference.

<u>SECTION 2.</u> That Section 29.40.90 of the PDMC requires that the City Council pass a resolution designating a landmark based upon facts and findings on the criteria outlined in Chapter 29.40 Landmarks.

RESOLUTION NO. 2022-____

<u>SECTION 3.</u> Based upon the foregoing findings and facts incorporated herein, the property located at 72806 Bursera Way (APN 628-102-012), is hereby designated as a local historic landmark.

ADOPTED ON _____, 20 ___

JAN C. HARNIK MAYOR

ATTEST:

ANTHONY J. MEJIA CITY CLERK RESOLUTION NO. 2022-____

I, Anthony J. Mejia, City Clerk of the City of Palm Desert, hereby certify that Resolution No. 2022-___ is a full, true, and correct copy, and was duly adopted at a regular meeting of the City Council of the City of Palm Desert on _____, by the following vote:

AYES: NOES: ABSENT: ABSTAIN: RECUSED:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Palm Desert, California, on ______, 20___.

ANTHONY J. MEJIA CITY CLERK

AN ORDINANCE OF THE CITY OF PALM DESERT, CALIFORNIA, RESCINDING ITS ORDINANCE NO. 401 AND PROVIDING FOR THE DESIGNATION AND PRESERVATION OF HISTORIC SITES AND DISTRICTS, CREATING A CULTURAL RESOURCES PRESERVATION COMMITTEE, REQUIRING CERTAIN CONSTRUCTION AND ALTERATIONS TO BE APPROVED BY THE CULTURAL RESOURCES PRESERVATION COMMITTEE, AND PROVIDING PENALTIES FOR VIOLATION

WHEREAS, The Department of Building and Safety recommends that the purpose of this chapter is to promote the public health, safety, and general welfare by providing for the identification, designation, protection, enhancement, perpetuation and use of cultural resources that reflect themes important in the city's history.

NOW THEREFORE, The City Council of the City of Palm Desert, California, does hereby ordain as follows:

Title 29 CULTURAL RESOURCES

Chapters:

29.10 PURPOSE 29.20 DEFINITIONS 29.30 CULTURAL RESOURCES PRESERVATION COMMITTEE 29.40 LANDMARKS 29.50 HISTORIC DISTRICTS 29.60 CERTIFICATE OF APPROPRIATENESS PROCESS 29.70 PRESERVATION INCENTIVES 29.80 ENFORCEMENT AND PENALTIES 29.90 SEVERABILITY

Chapter 29.10 PURPOSE

29.10 Purpose.

The purpose of this chapter is to promote the public health, safety, and general welfare by providing for the identification, designation, protection, enhancement, perpetuation and use of cultural resources that reflect themes important in the city's history and to:

- A. Foster civic and neighborhood pride and a sense of identity;
- B. Safeguard and enhance the City's cultural, historic and architectural heritage;
- C. Encourage and promote public knowledge, understanding and appreciation of the City's past and its unique sense of place;
- D. Promote private and public stewardship and use of cultural resources for the education, enrichment and general welfare of the people;
- E. Protect and enhance the city's attractions to residents, tourists and others, thereby stimulating business and industry;
- F. Stabilize and enhance property values and increase the economic benefits of cultural resources preservation to the city and its residents;
- G. Promote public awareness of the value of rehabilitation, adaptive reuse, restoration, and maintenance of cultural resources as a means to conserve reusable material and energy resources;
- H. Identify and resolve conflicts between the preservation of cultural resources and alternative land uses;
- I. Encourage new development that will be aesthetically compatible with existing cultural resources; and
- J. Implement the cultural resources goals and policies of the General Plan.

Chapter 29.20 DEFINITIONS

29.20 Definitions.

For the purposes of this title, the following words and phrases shall have the meanings respectively ascribed to them by this section:

"Administrator" means the Cultural Resources Administrator who is the person selected by the Palm Desert City Manager or his or her designee to administer Cultural Resources program, provide professional support to the Committee, and manage the Certificate of Appropriateness processes.

"Alteration" means any change or modification, through public or private action, to the character-defining or significant physical features of cultural resources affected by this title. In the case of cultural resources that are buildings or structures, "alteration" shall include changes to the exterior unless otherwise designated per the designating resolution or per the requirements of the Secretary of Interior's Standards for the Treatment of Historic Properties.

"Archaeology" means the study of humanity's past, primarily through the study of the material (physical) remains of past human activity.

"California Environmental Quality Act (CEQA)" means the statutory requirements contained in Division 13, commencing with Section 21000 of the California Public Resources Code and the state environmental guidelines adopted by the Secretary of Resources and incorporated into the California Code of Regulations, Title 14, Section 15000 et seq.

"California Register of Historical Resources" is a listing of archaeological and historic resources that meet the criteria for designation in the Register and have been so designated.

"Certificate of Appropriateness" means a certificate issued by the Administrator approving plans, specifications, and/or statements of work, involving any proposed alteration, restoration, rehabilitation, construction, removal, demolition, or relocation, in whole or in part, of or to:

- A. any cultural resource listed in the Register; or
- B. demolition or relocation of any cultural resource that:
 - 1. is 50 years of age or older and not listed in the Inventory; or
 - 2. is a visually prominent feature in the community; or
 - 3. embodies the distinctive characteristics of a type, period, or method of construction, or that represents the work of a master, or that possesses high artistic values, or that represents a significant and distinguishable entity whose components may lack individual distinction.

"Certified Local Government (CLG)" means a local government certified under federal law by the California State Office of Historic Preservation for the purpose of more direct participation in Federal and State historic preservation programs.

"Certified survey" means a survey that the Administrator or Committee has reviewed and concurred with and has thereby certified. Resources with certified survey findings shall be included in the Inventory. Certified surveys shall be submitted to the Eastern Information Center (EIC).

"Character defining features" means the following natural or manmade elements of a cultural resource or historic district: design and general arrangement or components of an improvement(s), including but not limited to, site placement, height, scale, and setback; the kind, color, and texture of the building materials; street design, including street lights, parkway landscaping, and sidewalks; and the type and style of all windows, doors, lights, signs, and other fixtures appurtenant to such improvement(s).

"Committee" means the Cultural Resources Preservation Committee.

"Contributing cultural resource to a historic district" means a building, site, structure, place, improvement, street, streetlight, curb, sidewalk, street tree, parkway landscaping, street furniture, sign, work of art, natural feature, significant tree, or object that dates to the period of significance, retains integrity, and adds to the historic architectural qualities, historic associations, or archaeological values for which the district is significant.

"Cultural resource" means a building, site, structure, place, improvement, street, streetlight, curb, sidewalk, City-designated heritage tree, parkway landscaping, street furniture, sign, work of art, natural feature, or object, which may be of historic or archaeological significance.

"Design guidelines" means the principles contained in a document approved by the Administrator or Committee, which illustrate appropriate and inappropriate methods of preservation, rehabilitation, restoration, alteration, and new construction.

"Designated cultural resource" means any cultural resource that has been designated as a landmark or any collection of cultural resources that have been designated as a historic district pursuant to this Title or are listed in the National Register of Historic Places or the California Register of Historical Resources or is a California Historical Landmark, a California Point of Historical Interest, or a Riverside County Historical Landmark.

"Determined eligible" means any cultural resource which, in the past five years, has been surveyed and recorded on the approved State Department of Parks and Recreation (DPR) survey forms and has been determined eligible for designation at the Local, Regional, State, or Federal level and certified as such by the Administrator, Committee, or the California State Historic Preservation Officer.

"Good repair" means that level of maintenance and repair, which clearly furthers the continued availability of a cultural resource for lawful reasonable uses and prevents deterioration, dilapidation and decay of such resource.

"Historical Building Code" means that certain building code contained in the California Code of Regulations, Title 24, Part 8, adopted as part of the California Building Code.

"Historic Geographic District" A geographic district means any geographic area that possesses a concentration, linkage, or continuity of historic or cultural resources of which fifty percent or more of the total retain integrity and which have been designated as a historic district by the City Council or is listed in a County, State, or Federal register.

"Historic Thematic District" A thematic district means a group of cultural resources that are not geographically linked, but share a common association with a broad unifying theme, trend, or pattern or that share an architectural style or building type and have been designated as a historic district by the City Council or is listed in a county, state, or federal register.

"Improvement" means any building, structure, place, wall, fence, gate, landscaping, tree, work of art, or other object constituting a physical feature of real property or any part of such feature, which is not a natural feature.

"In kind" means the replacement of deteriorated features with new features that match the material, composition, design, color, texture, and other visual qualities of the original feature.

"Integrity" means the ability of a cultural resource to convey its significance. To retain integrity a cultural resource must retain most of the aspects that closely relate to the resource's significance, including location, design, setting, materials, workmanship, feeling, and association.

"Inventory" means the Palm Desert Inventory, which is a list established and maintained by the City that includes all of the cultural resources in the City that have been surveyed, including resources that are listed in the Palm Desert Register, National Register of Historic Places or the California Register of Historical Resources or are California Historical Landmarks, California Points of Historical Interest, or Riverside County Historical Landmarks.

"Landmark" means any cultural resource representative of the historical, archaeological, cultural, architectural, community, aesthetic or artistic heritage of the City that is designated pursuant to this Title or is a designated National Historic Landmark, California Historical Landmark or Riverside County Historical Landmark.

"Moratorium" means a suspension of an ongoing or planned development activity.

"National Register of Historic Places" means the Nation's official list of cultural resources that meet the criteria for designation in the National Register and have been so designated. The National Register is administered by the National Park Service, which is part of the U.S. Department of the Interior.

"Natural feature" means any tree, plant life, habitat, geographical or geological site or feature.

"Noncontributing feature to a historic district" means a feature, such as a building, structure, sign, site, tree, landscape, or other object that does not add to the historic architectural qualities, historic associations, or archaeological features for which a historic district is significant because the feature was not present during the district's period of historic significance or no longer possesses integrity.

"Object" means any material thing of functional, aesthetic, cultural, symbolic, or scientific value.

"Period of significance" means a chronological period of time that relates to the themes represented in the historic context.

"**Preservation**" means the identification, study, protection, restoration, rehabilitation, and/or acquisition of cultural resources.

"Register" means the Palm Desert Register, which is a list established and maintained by the City that includes all of the cultural resources in the City that have been registered eligible or designated as landmarks, designated as contributors or noncontributors to historic districts, or are registered in the National Register of Historic Places or the California Register of Historical Resources or are California Historical Landmarks, California Points of Historical Interest, or Riverside County Historical Landmarks.

"Registered eligible cultural resource" means a cultural resource that has been determined eligible for designation by a certified survey and for which the property owner has given written consent to be included in the Palm Desert Register.

"Substantial adverse change" means any demolition, destruction, relocation, or alteration activities that would impair the significance of a cultural resource.

"Survey" means a systematic and standardized process for identifying and gathering data on the community's cultural resources for the purpose of evaluating the resources per Local, State, and/or Federal criteria.

"The Secretary of Interior's Standards for the Treatment of Historic Properties" means the guidelines prepared by the National Park Service for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings and the standards for historic preservation projects prepared by the National Park Service with the most current Guidelines for Applying the Standards.

Chapter 29.30 CULTURAL RESOURCES PRESERVATION COMMITTEE

29.30.010 Created.

There is hereby created by the City of Palm Desert a Cultural Resources Preservation Committee, consisting of seven members who shall be appointed by the City Council.

29.30.020 Members.

No less than four members are encouraged to be appointed from individuals that have knowledge in the fields or disciplines of architecture, history, architectural history, planning, pre-historic or historic archaeology, folklore, cultural anthropology, curator, conservation, and landscape architecture, or related disciplines, such as urban planning, American studies, American civilization, or cultural geography to the extent that such professionals are available in the community. Residency within the city limits of Palm Desert shall be a requirement for appointment to the committee except in cases where the city council deems it appropriate to appoint a nonresident with specific expertise in preservation of cultural resources.

29.30.030 Term of Office.

The term of office for each member is four years and shall otherwise be subject to the terms of appointment pursuant to Section 2.34.010(A). The original appointment of the members, determined by lot, shall be as follows: two (2) for two years, two (2) for three years, and three (3) for four years.

29.30.040 Meetings.

The Administrator shall establish the time and place of its meetings and post it accordingly. Meetings will be held monthly or as needed, provided there is business to conduct.

29.30.050 Rules and Regulations.

The Committee shall make and adopt rules and regulations for the conduct of its business. The rules and regulations shall include a provision requiring the Committee to select a chairperson and vice-chairperson from its membership during the first quarter of the calendar year. The chairperson and vice-chairperson shall serve a term of one year or until a successor is selected. A quorum shall be required for the Committee to hear, discuss, or deliberate on any item within their subject matter jurisdiction. Four voting members shall constitute a quorum. The Committee shall act by a majority vote of the quorum. The Committee shall be subject to, and shall comply with, the requirements of the Brown Act.

29.30.060 Secretary.

The Administrator or designee shall serve as secretary. The secretary shall keep minutes of each meeting, record the official actions taken, and perform other duties as the Committee assigns.

29.30.070 Records.

The Administrator shall keep a record of its resolutions, proceedings, and transactions.

29.30.080 Powers and duties.

- 1. The powers and duties of the Administrator are in addition to those of the Committee and are subject to Section 29.30.080(3) as follows:
 - A. Conduct or cause to be conducted a comprehensive survey to identify cultural resources.
 - B. Compile, maintain and publish an up-to-date inventory of all cultural resources with certified survey findings;
 - C. Compile, maintain and publish a Register to include designated and register eligible cultural resources;
 - D. Approve, conditionally approve, or deny Certificate of Appropriateness applications that are pursuant to Chapter 29.60.
 - E. Make recommendations to the City Council regarding the adoption of cultural resources preservation incentives including, but not be limited to economic and tax incentives, conservation easements, preservation easements, acquisition or sale of property, development rights, fee adjustments and land use, zoning, development restrictions.
 - F. Make recommendations to the City Council for enforcement and penalties concerning matters covered in this title;
 - G. Ensure that cultural resources preservation is coordinated with other City departments and agencies;

- 2. The powers and duties of the Committee are subject to Section 29.30.080(3) as follows:
 - A. Certify survey findings at an agendized public meeting or authorize the Administrator to certify survey findings administratively through a specific findings process designated by the City Council.
 - B. Adopt and make available designation applications and review procedures by which cultural resources may be designated as landmarks or historic districts.
 - C. Recommend to the City Council the inclusion or deletion of landmarks and historic districts in the Register pursuant to the regulations of this title;
 - D. Encourage and foster public participation in the cultural resources survey and designation processes;
 - E. Seek means and resources to appropriately identify landmarks and historic districts with permanent City approved plaques and signs;
 - F. Initiate and prepare nominations of eligible City-owned cultural resources to Local, State and National registers;
 - G. Adopt standards including design guidelines to be used by the Committee and the Administrator in reviewing Certificate of Appropriateness applications.
 - H. Encourage cooperation between public and private cultural resources preservation organizations and groups including the Historical Society of Palm Desert, the Eastern Information Center at the University of California, Riverside, and other organizations in Coachella Valley communities.
 - I. Make recommendations to the City Council regarding the adoption of cultural resources preservation incentives including, but not be limited to economic and tax incentives, conservation easements, preservation easements, acquisition or sale of property, development rights, fee adjustments and land use, zoning, and development restrictions.
 - J. Review and make recommendations to City Council on applications to participate in local cultural resources preservation incentives programs established to effectuate the purposes of this title.
 - K. Seek out information and advise City Council on the use of various Local, State, Federal or private sources and mechanisms available to promote cultural resources preservation;
 - L. As part of the City's CEQA review procedures if referred by City, identify and advise appropriate City departments and governmental entities of known cultural resources; assess and advise the City Council whether any proposed project would have an adverse effect on the significance of such cultural resources; and recommend to the City Council appropriate action in compliance with the city's adopted CEQA procedures;
 - M. Evaluate and comment on proposals and environmental reviews that affect cultural resources in the City and are pending before public agencies other than the City of Palm Desert;

- N. Prepare and adopt plans including design guidelines for the preservation of cultural resources;
- O. Review and make recommendations on zoning and general plan amendments for the purpose of preserving cultural resources;
- P. Develop and conduct public information, educational and interpretive programs pertaining to cultural resources preservation and provide for public participation in all aspects of the City's cultural resources preservation program;
- Q. Assume whatever responsibilities and duties may be assigned to the Committee by the City Council under the Certified Local Government provisions, of the National Historic Preservation Act of 1966 as amended;
- R. Perform any other functions that may be designated by resolution or motion of the City Council.
- 3. Any designation or certified survey of property shall require written consent of the owner of the property.

Chapter 29.40 LANDMARKS

29.40.010 Landmark designation criteria.

A cultural resource may be designated as a landmark by the City Council if, with written consent of property owner, after completion of a certified survey and upon the recommendation of the Committee, it is determined that it retains integrity as defined in Chapter 29.20 and at a Local, State, Regional, or National level:

- A. Is associated with an event or events that have made a significant contribution to broad patterns of history; or
- B. Is associated with the lives of persons significant in the past; or
- C. Embodies distinctive characteristics, or is one of the few remaining examples of a style, type, period or method of construction or possesses high artistic value; or
- D. Represents the work of a master builder, designer or architect; or
- E. Is an archaeological, paleontological, botanical, geological, topographical, ecological, or geographical resource that has yielded or has the potential to yield important information in history or prehistory; or
- F. Reflects distinctive examples of community planning or significant development patterns, including those associated with different eras of settlement and growth, agriculture, or transportation.

29.40.020 Registered eligible cultural resources.

Based on a certified survey and using the criteria listed in Section 29.40.010, the Administrator or Committee, with the property owner's consent, may at any time request to place a cultural resource that has been determined eligible for designation as a landmark on the Register. Register eligible cultural resources shall be subject to all

applicable requirements of this title and the property owner shall be so notified by mail. A cultural resource determined eligible for designation as a landmark that does not receive written consent from the property owner to be placed on the Register, shall be placed on the Inventory only and shall not be subject to the requirements of this title. All cultural resources listed in the Register, as well as those determined eligible for designation and listed in the Inventory are subject to the requirements of CEQA.

29.40.030 Landmark designation initiation.

The designation of a landmark may be initiated by any person, organization or entity, but may only be acted upon with written consent of the property owner. If property owner consent is not obtained, the application shall be deemed incomplete and will not be processed. Application shall be made upon such forms and accompanied by such data and information as may be required for that purpose by the Committee to assure the fullest practical presentation of the facts for proper consideration of the request. The survey certification and landmark designation processes may be completed concurrently.

29.40.040 Landmark designation hearing date.

Upon the filing of a complete application, the matter shall be set for public hearing before the Committee. The date of such hearing shall be not more than sixty (60) days from the date of filing of the complete application. Time periods shall be extended when necessary to comply with the provisions of the California Environmental Quality Act (CEQA).

29.40.050 Landmark designation investigation.

To provide the necessary information to assure Committee action consistent with the intent and purpose of this title, an investigation of the facts bearing on a landmark application set for hearing shall be made by the Administrator.

29.40.060 Landmark designation hearing notice.

At least ten (10) days prior to the hearing before the Committee notice of the date, time, place and purpose of the hearing shall be given by:

- A. publishing at least one notice in a newspaper with general circulation in the City; and
- B. mailing the same or similar notice to:
 - 1. the applicant and owner(s) of the subject property; and
 - 2. property owners within a 300-foot radius of the subject property.

The last known name and address of each owner may be used for this notification. Failure to send any notice by mail to any property owner where the address of such owner is not a matter of public record or the non-receipt of any notice mailed pursuant to this section shall not invalidate any proceedings in connection with the proposed designation.

29.40.070 Landmark designation hearing.

A public hearing shall be conducted before the Committee at the time and place indicated in the required notices. The Committee may continue such hearing to a specific time and place when such action is deemed necessary or desirable but no longer than 60 days from the original hearing date or to such time that is approved by the applicant.

29.40.080 Landmark designation process.

The Committee may recommend to the City Council approval or denial of the designation of a landmark based on the criteria set forth in Section 29.40.010 of this title and the facts presented in connection with the application. The City Council shall review the matter at a public hearing. If the City Council approves the Committee's recommendation for designation, it shall find that the purpose of this title is maintained by such designation. The provisions of this title regulating landmarks shall be effective from the date of the initial recommendation by the Committee on the landmark application and shall become final only after City Council's action.

29.40.090 Landmark designation resolution.

A landmark shall be designated by a resolution passed by the City Council, which provides facts and findings based on the criteria for designation as set forth in this chapter.

29.40.100 Listing of Landmark designation.

The Inventory and the Register shall be updated by the Administrator to include the property as a designated landmark. Whenever any project to be carried out by the City may have an impact on a designated landmark, reasonable notice shall be given to the Committee by the City department(s) or division(s) responsible for the project, so that the Committee may review and make recommendations concerning the project early in the decision making process in accordance with the provisions of this title. Such review and recommendation shall be accomplished within 30 days of such notice.

29.40.110 Notice of Landmark designation.

The property owner(s) shall receive a copy of the resolution establishing the landmark designation and a letter explaining the designation and stating that the landmark is now subject to all applicable requirements of this title. The City Clerk shall record all designating resolutions in the office of the Riverside County Recorder. A Covenant and Agreement shall be recorded with the Riverside County Recorder that states that the property is a designated landmark and is subject to all applicable provisions of Title 29.

29.40.120 Landmark plaque

The City shall designate a plaque to the property owner(s) that describes the significance of the designated landmark. A Covenant and Agreement shall be signed by the City and the property owner to ensure that the plaque will be prominently displayed in perpetuity at the site of the landmark or returned to the Administrator if the landmark designation is repealed. This document shall be recorded in the office of the Riverside County Recorder.

29.40.130 Repeal.

The repeal of a determination of eligibility or designation may be initiated by any person, organization or entity. If the cultural resource no longer meets the designation criteria, or the property owner requests the designation be removed, the City Council shall consider a repeal of a previously approved determination of eligibility or landmark designation in the same manner provided by this chapter for the determination or designation. If the determination of eligibility or the landmark designation is repealed, the Inventory and the Register shall be updated accordingly and the landmark plaque shall be returned to the Administrator. As a condition of removal, the City Council may require repayment of any preservation benefits awarded the owner of the resource under section 29.70

Chapter 29.50 HISTORIC DISTRICTS

29.50.010 Historic District designation criteria.

A historic district, either geographic or thematic, as defined in Chapter 29.20 with the written consent of the property owner may be designated as such by the City Council upon the recommendation of the Committee if, after completion of a survey, it is determined that the district represents a significant and distinguishable entity that at the Local, State, Regional, or National level:

- A. Exemplifies or reflects special elements of cultural, social, economic, political, aesthetic, engineering, architectural, or natural history; or
- B. Is identified with persons or events significant in history; or
- C. Embodies distinctive characteristics of a style, type, period, or method of construction, or is a valuable example of the use of indigenous materials or craftsmanship; or
- D. Represents the work of master builders, designers, or architects; or
- E. Reflects distinctive examples of community planning or significant development patterns, including those associated with different eras of settlement and growth, agricultural, or transportation; or
- F. Conveys a sense of historic and architectural cohesiveness through its design, setting, materials, workmanship or associations; or
- G. Is an archaeological, paleontological, botanical, geological, topographical, ecological, or geographical resource that has yielded or has the potential to yield important information in history or pre-history.

29.50.020 Historic District designation initiation.

The request for designation of any historic district may be initiated by any person, organization or entity. Application shall be made upon such forms and accompanied by such data and information as may be required for that purpose by the Committee to assure the fullest practical presentation of the facts for proper consideration of the request. The process outlined in Section 29.50.030, shall be completed prior to formal initiation of the designation process. The written consent of the property owner must be obtained prior to any action by the Committee. If such consent is not obtained, the application will be deemed incomplete and will not be processed.

29.50.030 Public participation in the designation of Historic Districts.

Any person, organization, or entity may request that a geographic area or thematic grouping of cultural resources be evaluated for designation as a historic district. However, prior to initiation of the formal designation process, a survey as defined in Chapter 29.20 must be completed and certified and the following efforts to encourage public participation must be undertaken.

- A. Upon completion of a survey:
 - 1. a subcommittee of the Committee shall be established to review the survey findings and work with staff and the public during the designation process; and
 - 2. a notice shall be mailed to all property owners and residents within the preliminary district boundaries:
 - a. advising that the City is considering designating a historic district;
 - b. briefly explaining the designation process and stating that properties within a designated district will be subject to all applicable regulations within this title; and
 - c. inviting the public to a workshop at a specific date, time, and location.
- B. The Committee's subcommittee along with the Administrator shall present at least one public workshop, which shall include the following:
 - 1. an explanation of the designation process;
 - 2. a description of the benefits to and obligations of residents and owners of property within the proposed district;
 - 3. an explanation of any regulations, especially maintenance and design guidelines, to be adopted in conjunction with the designation; and
 - 4. a request for volunteers to participate on a citizen's advisory committee that will assist with issues such as district boundaries, design guidelines, and district signage.
- C. The Committee's subcommittee and staff shall meet with the citizen's advisory committee at least once to receive their input regarding the aforementioned issues and any others that may be appropriate for discussion. Notice shall be given as set forth in Section 29.50.060.
- D. Prior to initiating the formal designation process, the Committee's subcommittee and staff may hold another public workshop. All residents and owners of property within the proposed district boundaries shall be notified by regular mail of each workshop at least ten (10) days prior to said workshop.
- E. When these procedures have been completed, the survey certification and historic district designation processes shall be initiated. These processes may be completed concurrently.

29.50.040 Historic District designation hearing date.

The matter shall be set for public hearing before the Committee at a date not more than sixty (60) days from the filing of a complete application and the completion of the process outlined in Section 29.50.030. Time periods shall be extended when necessary to comply with the provisions of the California Environmental Quality Act (CEQA).

29.50.050 Historic District designation investigation.

To provide the necessary information to assure Committee action consistent with the intent and purpose of this title, an investigation of the facts bearing on a historic district application set for hearing shall be made by the Administrator.

29.50.060 Historic District designation hearing notice.

At least ten (10) days prior to the hearing before the Committee, notice of the date, time, place and purpose of the hearing shall be given by:

A. publishing at least one notice in a newspaper with general circulation in the City; and

B. by mailing the same or similar notice to the applicant(s), owners, and residents of all the properties being considered for inclusion in a historic district and to all property owners within 300 ft. radius of the subject property.

The last known name and address of each owner may be used for this notification. Failure to send any notice by mail to any property owner where the address of such owner is not a matter of public record or the non-receipt of any notice mailed pursuant to this section shall not invalidate any proceedings in connection with the proposed designation.

29.50.070 Historic District designation hearing.

A public hearing shall be conducted before the Committee at the time and place indicated in the notices. The Committee may continue such hearing to a specific time and place when such action is deemed necessary or desirable but no longer than 60 days from the original hearing date.

29.50.080 Historic District designation process.

The City Council upon the recommendation of the Committee may recommend the approval or denial of the historic district designation in whole or in part based on the criteria set forth in Section 29.50.010 of this title and the facts presented in connection with the application. The City Council shall review the matter at a public hearing. The provisions of this title regulating historic districts shall be effective from the date of the initial recommendation on the historic district application and shall become final only after City Council action.

29.50.90 Historic District designation resolution.

A historic district shall be designated by a resolution passed and adopted by the City Council, which provides facts and findings based on the criteria for designation as set forth in this chapter.

29.50.100 Historic District overlay zone.

Concurrent with the application for district designation or upon adoption of the historic district resolution by the City Council, the Planning Department may initiate a rezoning case to apply the HD-Historic District overlay zone to the properties within the district. This process shall follow the requirements outlined in Title 25 of the City of Palm Desert Municipal Code.

29.50.110 Notice of Historic District designation.

The Administrator will update the Inventory and the Register to include the district and all contributing cultural resources and non-contributing features to the district. The City's zoning map may be updated to show the HD-Historic District overlay zone on all properties within the district. Whenever a project is to be carried out by the City in a designated historic district, a description of the proposed project shall be given to the Administrator by the City department or division responsible for the project *so* that the Administrator and/or Committee may review and make recommendations on the project early in the decision making process in accordance with the provisions of this title.

29.50.120 Repeal.

The repeal or modification of a historic district designation may be initiated by any person, organization or entity. The City Council with the recommendation of the Committee may consider amendments to or the repeal of a historic district that has been designated in the same manner provided by this chapter for the designation, with the exception of Section 29.50.030.

- A. The designation may be repealed if the majority of cultural resources no longer meets the designation criteria.
- B. The district may be amended to:
 - 1. Include additional cultural resources that meet the designation criteria and have been determined to contribute to the district and, when appropriate, the district boundaries may be amended to reflect this; or
 - 2. Eliminate individual cultural resources within the district that no longer meet the designation criteria due to alterations or other conditions resulting in a loss of integrity. Those resources may be determined not to contribute to the district and, when appropriate, the district boundaries may be amended to reflect this.

In the event that the designation is repealed or the district is amended, the Inventory, Register, and zoning map shall be updated accordingly. In addition, the Planning Department shall initiate a rezoning case to remove the HD-Historic District overlay zoning from any properties that are removed from a historic district.

Chapter 29.60 CERTIFICATE OF APPROPRIATENESS PROCESS

29.60.010 Certificate of appropriateness required.

- A. A Certificate of Appropriateness must be issued by the Administrator, or by the City Council on appeal, before any person, organization, or entity:
 - 1. restores, rehabilitates, remodels, alters, constructs, relocates, demolishes, or changes the appearance of any cultural resource listed in the Register; or
 - 2. demolishes or relocates any cultural resource that:
 - a. is 50 years of age or older and not listed in the Inventory; or
 - b. is a visually prominent feature in the community; or
 - c. was designed by a master architect.
- B. Nothing in this chapter shall prevent ordinary maintenance or repair of any exterior architectural feature of a cultural resource if the proposed work does not involve a change in style, design, materials or external appearance and a permit is not required under the existing building provisions of the California Building Code.
- C. Nothing in this chapter shall prevent the construction, alteration, repair, restoration, stabilization or demolition of a historic structure if the Building Official has determined the cultural resource creates an unsafe or dangerous condition that constitutes an imminent threat as defined in the California Building Code, and the proposed action is necessary to mitigate the unsafe or dangerous condition. In such event no Certificate of Appropriateness shall be required. However, the Building Official shall make all reasonable efforts to determine if there are feasible alternatives to the proposed action that will adequately protect the public health and safety.
- D. The following types of projects shall be reviewed for a Certificate of Appropriateness by the Administrator:
 - 1. In-kind replacement of historically correct architectural features or building elements, including windows, doors, exterior siding, porches, cornices, balustrades, stairs, and the like, that are deteriorated, damaged beyond restoration, or were previously removed.
 - 2. Replacement or repair of roof covering material provided that the re-roofing material has a similar appearance to the original roofing material and the existing roofing material is infeasible to repair.
 - 3. One-story, residential room additions, excluding attached garages, that are no more than 25% of the size of the existing main residence with limited or no visibility from public rights-of-way.
 - 4. Fences and walls.
 - 5. Awnings and signs.
 - 6. Removal or alteration of landscape features, such as walkways, planter walls, fountains, and in certain circumstances mature foliage, that contribute

to the historic character of the property, but are not designated or listed as a contributing feature to a historic district.

- 7. Installation or removal of mechanical equipment, including but not limited to heating, air conditioning and ventilation, water heaters, satellite dishes and electrical and plumbing improvements which are not visible from the public right of way.
- 8. Installation of fire protection systems that are not visible from the public right of way.
- 9. Paving for driveways, walkways and/or patios, and the addition of or alterations to driveway approaches.
- 10. Exterior painting. Surfaces allowed to be painted include only those that were originally intended to be painted unless it is unsafe to the health and welfare of humans.
- 11. Exterior lighting.
- 12. Demolition or removal of non-contributing or inappropriate features of a cultural resource, including additions, garages and accessory structures.
- 13. Demolition of a one-story, detached single-car garage and construction of a new one-story, detached garage that is architecturally compatible with the existing residence and does not exceed the square-footage of the original garage by more than 200%.
- 14. Any other project determined by the Administrator to be minor that does not materially alter significant features of cultural resources or have an adverse affect on the significance of cultural resources or historic districts.
- E. At the discretion of the Administrator, projects shall be subject to review and action by the Committee.
- F. The requirements of this Chapter are in addition to all other applicable City requirements.

29.60.020 Referral to the Committee

The Administrator may refer a Certificate of Appropriateness application to the Committee when he or she believes the importance of the cultural resource or the discrepancies between the proposal and the findings and standards of this Chapter justify public review. Any such referral shall be made within ten (10) days of the acceptance of a complete application by the Administrator and shall be placed on the next available Committee meeting agenda. Time periods shall be extended when necessary to comply with the provisions of the California Environmental Quality Act (CEQA).

- A. Notice and Hearing for Certificate of Appropriateness.
 - 1. Hearing. Upon the filing of a complete application, the matter shall be set for public hearing before the Committee. The date of such hearing shall be not more than thirty (30) days from the date of filing the complete application.
 - 2. Hearing Notice. At least ten (10) days prior to the hearing before the Committee, notice of the date, time, place and purpose of the hearing

shall be given by:

- a. publishing at least one notice in a newspaper with general circulation in the City; and
- b. mailing the same or similar notice to:
 - i. the project applicant and owner(s) of the subject property; and
 - ii. property owners within a 300-foot radius of the subject property. The last known name and address of each owner may be used for this notification. Failure to send any notice by mail to any property owner where the address of such owner is not a matter of public record or the non-receipt of any notice mailed pursuant to this section shall not invalidate any proceedings in connection with the proposed designation.
- 3. Compliance with CEQA time periods shall be extended when necessary to comply with the provisions of the California Environmental Quality Act (CEQA).

29.60.030 Application.

The Certificate of Appropriateness application shall be made on such forms and accompanied by such data and information as may be required for that purpose by the Administrator or Committee to assure the fullest practical presentation of the facts for proper consideration of the request. Applications shall include:

- A. Plans and specifications showing the design, materials, colors, landscaping, and other details relating to the proposed project;
- B. The relationship of the proposed project to the surrounding environs, where applicable;
- C. The relationship of proposed new construction in a historic district to the existing scale, massing, architectural style, site and streetscape, landscaping, and/or signage;
- D. Current photographs of the property; and
- E. Any other information determined to be necessary for review of the proposed project.

29.60.040 Review of alterations.

Pursuant to this chapter, the Committee or Administrator may approve, conditionally approval, or deny an application for a Certificate of Appropriateness.

29.60.050 Procedures for designated cultural resources.

The Administrator or Committee shall review and act on projects affecting landmarks and contributing and non-contributing features within a historic district.

29.60.060 Procedures for registered eligible cultural resources.

Registered eligible cultural resources shall be subject to review by the Administrator or Committee pursuant to this chapter.

29.60.070 Procedures for demolition or relocation.

Applications for demolition or relocation of cultural resources meeting the criteria listed in:

- A. Section 29.60.010(A) (1) must complete the Certificate of Appropriateness process pursuant to Chapter 29.60. The Administrator or the Committee may approve, conditionally approve, or deny the application for demolition or relocation. The decision of the Administrator or the Committee may be appealed to the City Council pursuant to the procedures outlined in Section 29.60.130.
- B. Section 29.60.010(A)(2), shall be referred to the Administrator for a period not to exceed thirty (30) days, during which the necessary research will be completed to determine whether or not the cultural resource is eligible for designation. This research may be completed by either the Administrator. If the cultural resource is determined eligible for designation, the time limit shall be extended to allow for completion of the Certificate of Appropriateness process. The Committee may approve, conditionally approve, or delay the application for demolition or relocation for up to sixty (60) calendar days. The decision of the Committee may be appealed to the City Council pursuant to the procedures outlined in Section 29.60.130.

29.60.080 Standards of design review.

The Administrator or Committee shall apply and consider the following when reviewing a project pursuant to this chapter:

- A. The Secretary of the Interior's Standards for the Treatment of Historic Properties summarized as follows:
 - 1. The anticipated use for the property remains that for which it was originally intended or requires minimal alteration for the proposed reuse.
 - 2. The distinguishing original qualities or character of a cultural resource or historic district and its environment shall not be compromised. The removal or alteration of any historic material or distinctive features should be avoided when possible.
 - 3. All cultural resources shall be recognized as products of their own time. Alterations that have no historical basis and which seek to recreate an earlier appearance shall be discouraged.
 - 4. Certain alterations which may have taken place in the course of time are potentially significant to understanding the history and development of a cultural resource and its environment. These historic alterations may have acquired significance in their own right and this significance shall be recognized and respected.
 - 5. Distinctive stylistic features or examples of skilled craftsmanship, which

characterize a cultural resource, shall be retained.

- 6. Deteriorated features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new feature should match the feature being replaced in material, composition, design, color, texture and other visual qualities. Repair and replacement of missing features should be based on accurate duplications of features, substantiated by historic, physical or pictorial evidence rather than on conjectural designs or the availability of different elements from other sources.
- 7. Surface cleaning shall be undertaken with proven methods as designated by the Secretary of the Interior Standards that shall avoid damage to the historic materials.
- 8. Contemporary design for alterations and additions shall not be discouraged when such alterations and additions do not compromise significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the cultural resource and its environs.
- 9. Whenever possible, new additions or alterations to the cultural resource shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the resource would be unimpaired.
- 10. Archaeological resources will be protected and preserved in place. If such resources will be disturbed, mitigation measures shall be undertaken.
- 11. Any other Secretary of the Interior's Standards for the Treatment of Historic Properties may also be applied as appropriate.
- B. Applicable design guidelines.
- C. The goals and policies of this chapter; and
- D. The goals and policies of the General Plan and any applicable specific or community plan, rules and regulations in the City of Palm Desert.

29.60.090 Decision and findings.

In determining whether to grant or deny a Certificate of Appropriateness the Administrator or Committee shall apply the following standards as applicable:

- A. The proposed project is compatible with the Secretary of the Interior's Standards for the Treatment of Historic Properties;
- B. The proposed project is consistent or compatible with the architectural style and the character-defining elements of the cultural resource;
- C. The proposed project does not destroy or adversely affect an important architectural, historical, cultural or archaeological feature or features;
- D. The colors, textures, materials, fenestration, decorative features, details, height, scale, massing and methods of construction proposed are consistent with the period and style of the cultural resource;
- E. The proposed project is compatible with adjacent or nearby cultural resources and their character-defining elements and will not adversely affect the character of a historic district;
- F. The proposed project is not fully consistent with the Secretary of the Interior's Standards, but is consistent with and supportive of identified goals and policies of

the General Plan or applicable community or specific plan(s) and the project is generally consistent with and supportive of the goals and policies of this chapter; and

G. Other standards as adopted by the Committee or City Council.

29.60.100 Decision time limit.

The application shall be considered by the Administrator or Committee within thirty (30) calendar days for Certificates of Appropriateness. Such time period shall be calculated from the date on which a complete application is accepted by the Administrator. However, such time periods shall be extended when required to comply with the provisions of the California Environmental Quality Act (CEQA). When required, a public hearing shall be scheduled and notice provided per this Chapter and CEQA, when applicable.

29.60.110 Compliance with California Environmental Quality Act.

In conjunction with any public hearing or discretionary action required pursuant to this chapter, the Administrator, Committee, and/or City Council shall require an environmental review of the requested action in accordance with the California Environmental Quality Act (CEQA). Depending on the nature and scope of the requested action, a negative declaration, mitigated negative declaration, or environmental impact report may need to be prepared. Such environmental documents shall be prepared based on CEQA, the state CEQA guidelines, and the City of Palm Desert local CEQA guidelines.

29.60.120 City projects.

The provisions of this chapter shall also apply to projects affecting City-owned cultural resources listed in the Register. When acting on City projects the City Council or other City-decision making body, entity or person shall apply the same standards, and make the same findings required by this chapter for private projects.

29.60.130 Appeals.

A. Finality of Administrator or Committee decision.

Any decision or order of the Administrator or Committee under this chapter shall become final if no appeal is submitted within the applicable time limits in this chapter.

B. Appeal of Administrator actions.

Any person aggrieved or affected by a decision of the Administrator may appeal to the Committee at any time within fifteen (15) calendar days after the date on which the Administrator announces his or her decision. An appeal shall be taken by filing a letter of appeal with the Committee secretary and paying an appeal fee as established by the City Council. Such letter of appeal shall set forth the grounds upon which the appeal is based.

Notice of the hearing before the Committee shall be given in the same manner

and time as is required in Section 29.60.020 and written notice shall be given to the appellant(s).

C. Appeal of Committee actions.

Any person aggrieved or affected by a decision of the Committee including any decision on appeal of a decision of the Administrator, may appeal to the City Council at any time within fifteen (15) calendar days after the date the Committee announces its decision. An appeal shall be taken by filing a letter of appeal with the Committee secretary and paying an appeal fee as established by the City Council. Such letter of appeal shall set forth the grounds upon which the appeal is based. Within ten (10) days after the receipt of the letter of appeal, the Committee secretary shall transmit to the City Clerk the letter of appeal, copies of the application and all other papers constituting the record upon which the action of the City Council was taken. Notice of the hearing before the City Council shall be given in the manner specified in Section 29.60.020 and written notice shall be given to the appellant(s).

 D. Actions by the City Council.
The City Council may affirm, reverse or modify the decision of the Administrator or Committee. Such action by the City Council shall be final.

29.60.140 Permit required.

- A. No City permit shall be issued for any purpose regulated by this Chapter unless and until the proposed work has been approved or granted conditional approval by the Administrator, Committee or by the City Council on appeal, and then shall be issued only in conformity with such approval or conditional approval.
- B. No permit to demolish a cultural resource shall be issued without the issuance of a building permit for a replacement structure or project for the subject property, unless the Administrator or Committee determines otherwise or the demolition permit is issued pursuant to Section 29.60.010(C).

29.60.150 Expiration of approval.

A Certificate of Appropriateness shall lapse and become void twelve (12) months (or other period if specified as a condition of approval) from the date of final approval, unless a building permit (if required) has been issued and the work authorized by the Certificate has commenced prior to such expiration date and is diligently pursued to completion. Upon request by the property owner, a Certificate of Appropriateness may be extended by the Administrator for an additional period of up to twenty-four (24) months as long as the approved plans have not been modified. The Administrator may approve, conditionally approve, or deny any request for a time extension or may refer the request to the Committee, which may approve, conditionally approve, or deny any request for a time extension.

29.60.160 Duty to keep in good repair

Every person in possession or control and every owner of a cultural resource and any appurtenant premises shall maintain and keep in good repair, as defined in Chapter 29.20, the exterior of such designated resources, and all of the interior portions thereof when subject to control as specified in the designating resolution, and all interior portions thereof whose maintenance is necessary to prevent deterioration or decay of any exterior architectural feature. This section shall be enforced by the Administrator or his designee to the full extent permissible by law.

29.60.170 Application of the State Historical Building Code.

Pursuant to the State of California Health and Safety Code the Building Official shall apply the State Historical Building Code in permitting repairs, alterations and additions necessary for the preservation, restoration, rehabilitation, moving, or continued use of a designated cultural resource.

Chapter 29.70 PRESERVATION INCENTIVES

29.70.010 Preservation incentives.

The City Council may by resolution establish preservation incentives to encourage owners to designate, maintain, preserve, rehabilitate, and improve cultural resources. Preservation incentives shall be made available to owners of designated cultural resources as defined in Chapter 29.20 of this Title.

29.70.020 California State Historical Building Code.

The Building Official is authorized to use and shall use the State Historical Building Code for projects involving designated cultural resources.

29.70.030 Mills Act Contracts.

Pursuant to California Government Code, Title 5, Chapter 1, Article 12, Section 50280 (known as the Mills Act), the City Council may establish a Mills Act Program providing for contractual agreement with an owner of a cultural resource designated by the City Council or listed in the National Register. The terms of the Mills Act Agreement allow for the owner to receive a reduction in property taxes in exchange for the property owner's commitment to specific repair, restoration and/or rehabilitation improvements and satisfactory maintenance of the property. The Agreement shall include, but not be limited to, the contract provisions as required under law and shall extend a minimum period of ten (10) years, renewed annually, until and unless a notice of non-renewal or cancellation is filed. The application process, review procedures, and required contract provisions for Mills Act Agreements shall be established by separate resolution of the City Council and shall be implemented by the Administrator or his or her designee.

Chapter 29.80 ENFORCEMENT AND PENALITIES

29.80.010 Enforcement and penalties.

- A. Any person who violates a requirement of this title or fails to obey an order issued by the Administrator or Committee or comply with a condition of approval of any certificate or permit issued under this title shall be guilty of a misdemeanor.
- B. Any alteration or demolition of a cultural resource in violation of this Article is expressly declared to be a nuisance and shall be abated by restoring or reconstructing the resource to its original condition prior to the violation. Any person or entity who demolishes or substantially alters or causes substantial alteration or demolition of a cultural resource, in violation of the provisions of this Article, shall be liable for a civil penalty.
- C. Alteration or demolition of a cultural resource in violation of this Article shall authorize the City to issue a temporary moratorium for the development of the subject property for a period not to exceed sixty (60) months (5 years) from the date the City becomes aware of the alteration or demolition in violation of this Article. The purpose of the moratorium s to provide the City an opportunity to study and determine appropriate mitigation measures for the alteration or removal of the cultural resource, and to ensure measure are incorporated into any future development plans and approvals for the subject property. Mitigation measures as determined by the Administrator or Committee shall be imposed as a condition of any subsequent permit for development of the subject property.
- D. In the case of demolition, the civil penalty shall be equal to one-half the fair market value of the property prior to the demolition. In the case of alteration, the civil penalty shall be equal to one-half the cost of restoration of the altered portion of the cultural resource based on an estimate obtained by the City at the cost of the offender. Once the civil penalty has been paid, building and construction permits and/or a Certificate of Occupancy may be issued. This penalty is in addition to and not in lieu of the moratorium set forth in Subsection C above.
- E. The City Attorney may maintain an action for injunctive relief to restrain a violation or cause, where possible, the complete or partial restoration, reconstruction or replacement of any cultural resource demolished, partially demolished, altered or partially altered in violation of this Article. The City Attorney may also pursue any other action or remedy authorized under the Palm Desert Municipal Code, state statutes and/or in equity for violation of this title. This civil remedy shall be in addition to, and not in lieu of, any criminal prosecution and penalty or other remedy provided by law.

Chapter 29.90 SEVERABILITY

29.90.010 Severability.

If any section, sentence, clause, or phrase of this chapter is for any reason held to be invalid by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter. The City Council declares that it would have passed this ordinance and adopted this title, and each section, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Palm Desert, California at its regular meeting held this <u>9th</u> day of <u>October</u>, 2008, by the following vote, to wit:

AYES: FINERTY, KELLY, SPIEGEL, and BENSON

NOES: NONE

ABSENT: FERGUSON

ABSTAIN: NONE

ATTEST:



10-13-08



CITY OF PALM DESERT

CULTURAL RESOURCES PRESERVATION COMMITTEE MEETING

PRELIMINARY DRAFT MINUTES

August 30, 2022 – 9:00 a.m.

(Virtual Meeting)

I. CALL TO ORDER

Chair Paul Clark called the meeting to order at 9:01 a.m.

II. ROLL CALL

	Current Meeting		Year to Date	
<u>Present</u>	Present Absent	<u>Present</u>	<u>Absent</u>	
Yvonne Bell Paul Clark Don Graybill Kim Housken Rochelle McCune Thomas Mortensen David Toltzmann	X X X X X X X	1 4 3 4 4 4 3	3 0 1 0 0 0	

Also Present

Jason Finley, Supervising Plans Examiner Latisha Booker, Recording Secretary Karina Quintanilla, City Council Member Liaison

III. ORAL COMMUNICATIONS

None.

IV. CONSENT CALENDAR

A. MINUTES of the regular meeting June 28, 2022

Rec: Approve as presented.

Upon a motion made by Member McCune, seconded by Committee Member Mortensen, and a 6-0 vote of the Cultural Resources Preservation Committee, the minutes for June 28, 2022, were approved as presented. (AYES: Clark, Graybill, Housken, McCune, Mortensen, and Toltzmann; NOES: None; ABSENT: Bell).

V. CONSENT ITEMS HELD OVER

None.

VI. NEW BUSINESS

A. Election of Committee Chair and Vice Chair.

Member Mortensen moved to nominate Member McCune to Chairperson. The motion was seconded by Member Housken and was carried by 6-0 vote (AYES: Clark, Graybill, Housken, Mortensen, McCune, and Toltzmann; NOES: None; ABSENT: Bell)

Member Clark moved to nominate Member Housken to Vice Chairperson. The motion was seconded by Committee Chair McCune and was carried by a 6-0 vote (AYES: Clark, Graybill, Housken, Mortensen, McCune, and Toltzmann; NOES: None; ABSENT: Bell)

B. Discuss Requesting a Historic Survey.

Committee members discussed having the City do a formal Historic Survey like the other surrounding cities.

Committee Chair McCune motioned to continue the discussion at the next workshop. The motioned was seconded by Committee Vice-chair Housken and was carried by a 6-0 vote (AYES: Clark, Graybill, McCune, Housken, Toltzmann and Mortensen; NOES: None; ABSENT: Bell)

VII. CONTINUED BUSINESS

None.

VIII. PUBLIC HEARING – 72806 BURSERA WAY (CHARLES DU BOIS HOME) CASE NO. CRPC 22-03

<u>REQUEST FOR APPROVAL</u> OF LANDMARK DESIGNATION FOR 72806 BURSERA WAY (APN 628-102-012) (CHARLES DU BOIS HOME) AS A LOCAL HISTORIC LANDMARK DESIGNATION FOR CITY COUNCIL APPROVAL. (CONTINUED FROM JUNE 28, 2022.)

1) Authorize staff to prepare a resolution approving local historic landmark designation for the property located at 72806 Bursera Way, Assessor's Parcel No. 628-102-012 for City Council consideration.

Member Toltzmann recused himself from the zoom meeting at 9:33 a.m. the property that is being designated is his property and it is a conflict of interest.

Chair McCune declared the public hearing <u>open</u> and invited public testimony.

With no testimony offered, Chair McCune declared the public hearing <u>closed</u>.

<u>Motion</u> Chair McCune moved to approve the designation. Vice-chair Kim Housken seconded the motion. The motion carried by 5-0 vote (AYES: Clark, Housken, Mortensen, McCune and Graybill; NOES: None; RECUSED: Toltzmann; ABSENT: Yvonne Bell)

Member Toltzmann returned to the zoom meeting at 9:43 a.m.

AGENDA CULTURAL RESOURCES PRESERVATION COMMITEE

IX. REPORTS AND REMARKS

Vice-chair Housken stated that the Coachella Valley Preservation Group would be meeting at the Henderson building on September 21, 2022, at 12:00 p.m.

The Committee discussed where the public could find Cultural Resources information on the City's website and the Cultural Resources Preservation Committee's purposes and goals.

X. ADJOURNMENT

With the Cultural Resources Preservation Committee concurrence, Chair McCune adjourned the meeting at 10:02 a.m.

Latisha Booker, Recording Secretary
Application for Historic Designation 72806 Bursera Way Purple Hills Estates

David Toltzmann formatted by Rob Bridges

Item 3B-37

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Real Estate Ad/Close Out!
Statement of Significance



City of Palm Desert Department of Building and Safety 73-510 Fred Waring Dr., Palm Desert, CA 92260 (760) 776-6420 Fax (760) 776-6392

Landmark Cultural Resources Nomination Application

IDENTIFICATION

- 1. Common name: Charles Du Bois Model Home
- 2. Historic Name: Charles Du Bois Model Home
- 3. Street address: 72806 Bursera Way

city Palm Desert State CA Zip 92260

- 4. Assessor Parcel number: <u>628102012</u>
- 5. Legal Owner: David Toltzmann
 - State CA Zip 92260 city Palm Desert
- 6. Present Use: Single Family Residence
- 7. Original Use: Single Family Residence

Date form prepared: April 26, 2022

Preparer: Rob Bridges, Researched by David Toltzmann

Sponsoring Organization (if any):

Address: 72806 Bursera Way

city Palm Desert State CA zip 92260

Phone: 619-299-0608

DESCRIPTION

8. Legal property description: Palm Desert Unit 12, Lot 2 MB 034/087
Include approximate property size (in feet): Street Frontage 100 Depth 135
9. Architectural Style: Mid Century Modern - Hollywood Regency
10. Construction Date: Estimated <u>1962-1966</u> Factual <u>1965</u>
Source of Information: 🗹 Assessor's Records 🗹 Building Permit 🛛 Sanborn Map
Publications
11. Architect's Name: Charles Du Bois Builder's Name: JC Dunas
12. Condition:
□No longer in existence (for site of)
13. Alterations: Original property fences have been replaced.
14. Use type:
☑ Residential □ Industrial □ Commercial □ Civic □ Other
15. Is the structure on its original site?
✓ Yes □ No □ Unknown If moved, approximate year
16. Related features and/or outbuildings:
17. Architectural Description

SIGNIFICANCE

18. Statement of Significance

ADDITIONAL INFORMATION

- 19. References used
- 20. Photographs
- 21. Letter from property owner

Cultural Resources Ordinance (excerpt) Title 29 of the Palm Desert Municipal Code Criteria for the Designation of City Landmarks

29.40.010 Landmark designation criteria.

A cultural resource may be designated as a landmark by the City Council if, with written consent of property owner, after completion of a certified survey and upon the recommendation of the Committee, it is determined that it retains integrity as defined in Chapter 29.20 and at a Local, State, Regional, or National level:

- A. Is associated with an event or events that have made a significant contribution to broad patterns of history; or
- B. Is associated with the lives of persons significant in the past; or
- C. Embodies distinctive characteristics, or is one of the few remaining examples of a style, type, period or method of construction or possesses high artistic value; or
- D. Represents the work of a master builder, designer or architect; or
- E. Is an archaeological, paleontological, botanical, geological, topographical, ecological, or geographical resource that has yielded or has the potential to yield important information in history or prehistory; or
- F. Reflects distinctive examples of community planning or significant development patterns, including those associated with different eras of settlement and growth, agriculture, or transportation.

72806 Bursera Way



Variety is the keynote at Purple Hills Estates, Palm Desert subdivision where Old World influence prevail in home architecture. Homes are variously styled in Italian, French and Grecian modes, with names that reflect them: Florentine, Parthenon and Classic. Imported marble, formal dining rooms and estate settings also are major features of the three-bedroom, three-bathroom homes. Purple Hills Estates can be seen three quarters of a mile up Highway 111 in Palm Desert.

Original Elements



Aluminum Slider Frame



Marble Fireplace



Linen Cabinets



Aluminum Garage Door



Cultured Marble Counter



Roman Tub

Dwelling/Garage & Fence Permits, 72806 Bursera Way

JOB ADDRESS OWNER 72-806 BUYSEYA Way Hills Est. Purple 3-22-65 SUPPLEMENT TO PERMIT Palm Desert Indio. Dive + Att. Garage DISTRAS CODE AREA F.C. INITS VALUATION OFFICE PERMIT NUMBER 28,753 00 126178 M PERMIT NO. 7 35 DESCRIPTIVE ADDRESS 01 1 SOND DOND CASH LEGAL DESCRIPTION Let 2. Unit 1.2 - Palm Dasard GROUP TYPE FIRE ZONE BOOK MA RELEASE BOND SOOK MAP PAGE LINE T DATE CERTIFICATE OF COMPLIANCE CERT. SENT FINALED DATE INSPECTOR X 8-27-65 Shaw DATE PLAN FILE CONTRACTOR

03/22/65 Dwelling and Attached Garage



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Item 3B-45

Fountain Permit, 72806 Bursera Way

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07/14/65 Fountain Permit



Pool Permit, 72806 Bursera Way

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04/09/65 Private Swimming Pool



Purple Hills Estates, Part 1, South Palm Desert development in the early 1960s by Merilee Colton

This article is the first in a three-part series about the Purple Hills Estates homes that were constructed in South Palm Desert in the early 1960s. The series will feature biographies about the developer, the builder, and the architect. The research is a work in progress, and anyone with additional information is urged to contact the author through the Historical Society.

Unlike most of the homes in Palm Desert in the 1950s and 60s, the Purple Hills Estates homes were "tract" homes, albeit designed with a custom look. They came in several facades, including the "Parthenon" with columns in front and the "Fontainebleau" (has since been correctly identified as "Normandy") with a mansard roof. Common to all is the deep entryway at the front, often covered in stone; double front doors, many of which have a decorative block pattern design; and large rectangular chimneys of cement block. The model home was located at 72-792 Bursera Way, and still has its original doors.

The Purple Hills Estates homes were not built as a contiguous tract development but were scattered singly or in small groups among existing custom homes and vacant lots in South Palm Desert. They can be seen primarily on Tamarisk, Goldflower, Salt Cedar and Shadow Mountain, with a few on Joshua Tree and Bursera. At present there have been 43 homes identified; these same designs can be seen in Indian Wells and Palm Springs.

The Architectural Committee for the Palm Desert Improvement Association, the predecessor to the Palm Desert Property Owners Association, strongly discouraged tract housing anywhere in Palm Desert, and especially homes built south of El Paseo where large lots and architect designed homes were the norm. In the early 1960s the Palm Desert Sales Company wanted approval from the PDIA to sell 30 lots in the vicinity of Tamarisk Street. The Architectural Committee refused to approve the sale, believing that it was a tract development, but the company manager sold the lots anyway. In response the Architectural Committee resigned en masse.

The PDIA minutes don't reveal the purchaser, but the timing, size, and location points to the Purple Hills Estate homes developer J. C. Dunas, doing business in Palm Desert as Jay-Cee Investment Company.

The Developer

In the late 1950s and early 60s some of the developers and builders who had been successful in Palm Springs with tracts of mid-century modern and contemporary desert ranch homes began looking at Palm Desert for their next projects. J. C. (Joseph Cassel, or Joe) Dunas was one.

Born in Chicago in 1900 (d. 1987) to Russian and Lithuanian parents, Joe Dunas was one of four children. His two brothers were also entrepreneurs. His brother Arthur developed several neighborhoods in Highland Park on the North Shore of Chicago in the 1920s. A headline from the real estate section of the Chicago Tribune proclaimed; "Arthur Dunas to Open His 35th Subdivision." Arthur and his brother Alvin were also involved in the Florida land boom.

In the 1920s Joe was married and in business in Chicago with his brother-in-law, as the Cole and Dunas Music Company, importers, manufactures and distributers of musical instruments and credited with offering the first portable phonograph, the "Lark." In 1927 Joe wrote a book; "New Slow Method Strokes for Ukulele."

In 1931 the business was sold, and Joe and his growing family moved to Los Angeles. Joe became a real estate agent, broker, and developer of apartment buildings. By the time WWII ended and the post – WWII housing boom began in Southern California, he was well positioned to become a developer of housing tracts in Los Angeles and the San Fernando Valley, as well as in Orange and Riverside counties. Joe partnered in these ventures with his son Ron, sons-in-law Stuart Swindler and Morton Greene, and George and Bob Alexander.

George Alexander of Palm Springs fame was born in 1899 in New York, of Russian and Polish parents. He and his wife were living in Los Angeles by 1935. Granddaughter Jill Kitnick remembers that George got involved in real estate through a friend, developer Joe Dunas.

Joe Dunas' partnership with the Alexanders continued for decades, beginning in Los Angeles, and moving to the desert when Alexander did, though they continued to build in Los Angeles and Orange counties. The friendly partnership extended to George's son Bob Alexander, who knew Ron Dunas and Stuart Swindler from college and socially.

Joe Dunas and George Alexander built "dingbats" in Los Angeles and the San Fernando Valley, so named because, like most developers at the time, they put up cheap housing quickly for the returning vets with little thought to design. Bob Alexander and Ron Dunas were acquainted with architect William (Bill) Krisel, then also in his twenties, and who also wanted to build housing in a modern design. Bob and Ron Dunas convinced their fathers to test whether these houses would sell as well as the "dingbats" and still make money. So, George gave Bob 10 lots, and Joe gave Ron 12 lots in the San Fernando Valley, and Bob and Ron built the Krisel-designed houses and sold them for more money than the dingbats.

Three of the notable projects in Palm Springs developed by the Alexander-Dunas partnership were the Ocotillo Lodge, Twin Palms and Vista Las Palmas. When the Ocotillo Lodge opened, the Los Angeles Times headlined an article about the Ocotillo, "The Boy Wonder Builders from Los Angeles," referring to George Alexander and Joe Dunas.

Joe Dunas invested in many Palmer and Krisel designed, Alexander built housing developments, but preferred a more traditional look with a larger footprint, believing that not everyone was enamored with modernity in housing. Similar to the Dunas-built houses in Vista Las Palmas, the Purple Hills Estates homes are a blend of the desert modern style with the more traditional ranch, featuring extended rooflines and walls of glass.

Today Joe Dunas is not as well-known as his accomplishments warrant, and his involvement in building out a significant portion of South Palm Desert was, until recently virtually unknown. Two articles in future issues of The Hourglass will present the biographies of the other men involved in the Purple Hills Estate Homes: Torrey Spannagel, builder and Charles E. Du Bois, architect.

Originally published in The Hourglass Newsletter, February 2017

Purple Hills Estates, Part 2, South Palm Desert Housing Development in the early 1960s by Merilee Colton

This article is the second in a three-part series about the Purple Hills Estates homes that were constructed in South Palm Desert in the early 1960s. The series features short biographies about the developer, the builder, and the architect. The Winter edition of The Hourglass featured the developer, J.C. Dunas. This article features the builder, Torrey Spannagel and his wife Clara, long-time Palm Desert residents. This research is a work in progress, and anyone with additional information is urged to contact the author through the Historical Society.

Unlike most of the homes built in Palm Desert in the 1950s and 1960s, the Purple Hills Estates homes were "tract" homes, albeit designed with a custom look. They came in several façades and are similar to homes seen in North Vista Las Palmas in Palm Springs. The model home was at 72792 Bursera, which still has its original doors.



A Purple Hills Estate Home located on Shadow Mountain Drive

The Builder

Roscoe Torrey (R.T.) Spannagel was born in South Dakota in 1901 (d 1985). He attended the University of Michigan Engineering School. He was interested in building construction, set design and building, and interior design, and in the 1920s went to Hollywood. There he made films with Cecil B. DeMille, also appearing in front of the camera in many of the pot boilers of the time. He was good-looking and athletic and often played the hero's buddy, doing the stunts himself. He was in the cast of the 1926 classic, "What Price Glory", and palled around with Clark Gable.

Torrey met his wife Clara Frazee in Hollywood where she was a dancer, actress, costumer, and interior decorator. She designed clothes for famous actresses of the day, including Theda Bara and Carole Lombard. Clara was also an aviatrix with the Dominguez Hills Flyers, wrote books, and later, a column for the Palm Desert News.

Torrey and Clara had an interior decorating business on Sunset Boulevard in Hollywood, "Frazee and Torrey," from 1926 to 1947. Both were devotees of Dr. Ernest Holmes' "Science of Mind," an early self-help and positive thinking philosophy later called Religious Science. Holmes himself was a student of Mary Baker Eddy and Ralph Waldo Emerson, as well as eastern religious philosophy.

In the late 1940s Clara had a commission to decorate Joe and Beatrice Dunas' Los Angeles home in preparation for their daughter's wedding, and they became friends in no small part because the Dunas' also followed Dr. Holmes' philosophy. They maintained this friendship for many years, and after the

Spannagels moved to Palm Desert Torrey built houses for Joe Dunas in the Purple Hills Estates. (See the Winter edition of The Hourglass for more about J.C., or Joe Dunas.)

Torrey Spannagel built houses and public buildings in Palm Springs, Palm Desert and the El Dorado Country Club development, among others. He and Clara had no children and devoted their extra time and effort to supporting Angel View. In the 1960s Torrey gave his service as a builder and construction manager free, for two years, to build a 36-bed dormitory wing at the Angel View facility in Desert Hot Springs. He arranged for the donation of most of the building materials and prevailed upon the construction worker unions he dealt with in his housing projects, to give their time for free as well. In the 1970s Torrey spearheaded the construction of the Angel View thrift shop in Cathedral City.

Torrey Spannagel was a rock collector, and during World War II he established a rock and mineral club at Camp Irwin, near Barstow. He had an extensive collection and rock-hunted throughout the Coachella Valley whenever he could. Near the end of his life, he donated his collection to the College of the Desert Geology Department.

Torrey and Clara were often the subjects of articles in the Desert Sun for their many accomplishments and their extensive social life. Clara served as a vice president of Angel View for many years and was president and a longtime member of the National League of American Penwomen. Clara survived Torrey by several years and is remembered fondly by many of Palm Desert's older residents.

Information for this article is from The Desert Sun newspaper, years 1958-1974, thanks to the California Digital Newspaper Collection, and from the Science of Mind magazine article "Building with Faith, the Spannagel Story" by Helen Munger, 1968.

Originally published in The Hourglass Newsletter, July 2017

Purple Hills Estates, Part 3, South Palm Desert Housing Development in the early 1960s By Merilee Colton

This article is the third in a three-part series about the Purple Hills Estates homes that were constructed in South Palm Desert in the early-mid 1960s. This series features short biographies about the developer, the builder, and the architect. The Winter edition of The Hourglass featured the developer, J.C. Dunas. The Summer edition featured the builder, R. Torrey Spannagel. This article features the architect, Charles E. Du Bois. Research on the Purple Hills Estates homes is a work in progress and anyone with additional information is urged to contact the author through the Historical Society.

Unlike most of the homes built in South Palm Desert in the 1950s and 1960s, the Purple Hills Estates homes were "tract" homes, albeit designed with a custom look. They came in several façades, and many are similar to homes seen in Las Palmas Summit in Palm Springs. The model home was at 72792 Bursera, and it still boasts its original doors with the iconic stone surround typical of Du Bois here and in the San Fernando Valley.

The Architect

Charles Elwin Du Bois (pronounced boyz) was born in upstate New York in 1903 (d 1996). He and his older sister Gertrude were raised by an uncle in Glendale, California. Charles graduated from Glendale High School in 1921 and attended UCLA for a year. He then attended MIT intermittently from 1922 – 1930.

Traveling between coasts and working at different architectural firms throughout the 1920s, Charles Du Bois was a draftsman at Walker & Eisen (1923-1931), at Gogerty & Weyl (1926-1929), and at Horatio W. Bishop (1929). Each of these firms was responsible for notable architecture in Los Angeles and



Home Doorway by Architect Charles Du Bois

around Southern California at the time. Each firm experimented with different architectural styles and many of their buildings have since been designated historic landmarks. Some of the design styles Du Bois would have been exposed to in his early career are Spanish Baroque, Spanish Colonial, Mediterranean Revival, Art Deco, Moderne, and Beaux Arts.

Walker & Eisen built the El Mirador Hotel in Palm Springs in 1927-1928, and it is tempting to speculate that Charles Du Bois may have visited the desert then. Another desert connection: Hank Gogerty of Gogerty and Weyl built the Desert Air Airpark and Hotel after WWII in what is now Rancho Mirage, near the ranch Gogerty purchased in the 1930s.

Charles E. Du Bois passed the California and national

exams in the 1930s and started his own firm in 1938. During WWII, when housing construction slowed, he worked as a Senior Set Designer for MGM at the same time as Torrey Spannagel, although it is not known if they met at that time. Charles Du Bois was an A.I.A. member from 1946-1982, when he resigned his membership to care for his wife, who had cancer.

In the 1950s Charles Du Bois lived in Encino with his family and was employed by various developers including J.C. Dunas, as the post-WWII housing boom accelerated throughout Southern California and especially in the San Fernando Valley. Drawing on his varied drafting experience, he was a versatile

designer of homes from storybook to traditional ranch to mid-century modern and was much in demand. A partial list of his work includes Hollywood Riviera Estates and Palos Verdes Riviera Beach Estates (Torrance); Fairwood Estates (Granada Hills); Compton Estates; Santa Anita Estates (East Pasadena); and Woodland West (Woodland Hills).



Du Bois Swiss Miss photo by Jim Riche

In Palm Springs Du Bois designed houses in Vista Las Palmas for the Alexander Company including the iconic "Swiss Miss" houses; in Las Palmas Summit for J.C. Dunas, an Alexander partner; and in Canyon Estates for Roy Fey. In Palm Desert, he designed the Purple Hills Estates for Dunas. Much later in his career, Du Bois, and his son Charles Robert (Bobby) Du Bois designed large custom homes in Los Angeles for, among others, Michael Jackson, and Van Halen.

J.C. Dunas purchased several dozen lots in Palm Desert in the early 1960s and asked Du Bois to design custom-style homes to be known as the Purple Hills Estates. 20

were built and sold quickly; a total of 47 have been identified to date.



Home by Architect Charles Du Bois

The exteriors vary in style from desert ranch to French Second Empire and Greek Revival to midcentury modern. All have walls of glass, high or vaulted ceilings and interiors designed for indooroutdoor living focused on the oversized swimming pools in the back yards. Most have wrap-around hill and mountain views. Marketed as luxury homes, complete with hisand-her master baths with spa

tubs, they were popular with new homeowners but not so much with the Palm Desert Improvement Association, which had planned to develop South Palm Desert exclusively with custom homes and avoid any semblance of "tract" housing. Charles Du Bois almost disappeared from history until a few interested homeowners in Woodland West and Palm Desert began to research him.



Home by Architect Charles Du Bois



He is known to insiders such as Donald Wexler's nephew Jason Groman, who cited Du Bois as one of the "Big Seven" architects working in Palm Springs in the 1950s and 1960s, but to the average person interested in mid-century modern architecture he remains virtually unknown. For many years it was not commonly known that he designed the Swiss Miss houses.

Home by Architect Charles Du Bois



Home by Architect Charles Du Bois



Home by Architect Charles Du Bois



Home by Architect Charles Du Bois Originally published in The Hourglass Newsletter, September 2017

Rediscovering Charles Du Bois & Purple Hills Estates by David Toltzmann

After purchasing our home, a little over five years ago, small bits of information kept coming to the surface in reference to our home, little historical bits of information. I have always been intrigued by mid-mod homes, their windows, roof lines, and the flow from inside to outside. Well, it turns out that we did purchase one.

I was appointed to the Cultural Resources Preservation Committee a year ago, and then joined the Historical Society of Palm Desert, and boy, did I ever start to learn about this area. It all started with Luke Leuschner's "Becoming Palm Desert" website. Suddenly we found out we owned a Purple Hills Estate home (PHE), designed by the architect Charles E. Du Bois, and developed by J. C. Dunas, both of whom were involved with the Alexander Company in Palm Springs and designed and built many famous homes in Vista Las Palmas. I then met Merilee Colton, and she said that we lived next to the sales office of the Purple Hills Estates and that there was a possibility that our house was a model home. This house does have a very cool water fountain in the backyard, which most homes in PHE do not. Turns out that we do have a model home for PHE.



So, then the digging started, and I found that there were 2100 references to PHE at the California Digital



Doors to Purple Hills Charles Du Bois House

Newspaper Collection (www.cdnc.ucr.edu) website, I went through all of them and was able to see that in 1965 our house was used for an open house and is the "Normandy" style home for the PHE subdivision. PHE consisted of four styles, Parthenon, Normandy, Florentine, and Classic. These homes were sold starting in 1963; the last two sold in 1968. The homes featured custom-built pools, lavish marble walls and hearths, atriums, private patios flanking bedrooms, and roman tubs. Sounds like the Normandy got the full treatment; the interior was designed by Bob Hurd, who said, "the home will be featured in powder blue, French lilac and touches of gold and black with furnishings in empire design."

One of the original features of this home, which we are lucky to still have, is the double entry doors with casket pulls. Also, the house has not been modified: it still has all the original windows, baths, and fireplace, which of course is marble-clad and prominent in the Normandy and Parthenon homes. These two styles of homes had identical floor plans as well. From what I can tell, there are only three Normandy's left in PHE. I said the homes were sold in 1963, however there was a swimming pool contract signed in 1962 for the first 20 pools. This contract was awarded to Sunset Pools. The second contract was issued later for 18 pools. From what I can tell, there were about 40 homes in PHE. PHE was marketed as upscale living at a discounted price; for instance, the Parthenon was "The House With the \$80,000 look – but priced at only \$52,000."

Recently Merilee Colton, Luke Leuschner, and Susie O'Hare were able to put together a tour of a few of the PHE homes here in South Palm Desert. The granddaughter of Charles Du Bois and the grandson of J. C. Dunas joined the tour and really appreciated seeing their grandparents' work all these years later. I learned a couple of interesting facts on the tour. Dunas always liked to put a shuffleboard court in the backyard along the pool, and I do have an area along the back of the pool where that court most likely was. Also, it was noted on the tour that the Norman roof in France equates to the mansard roof in the PHE Normandy House. This investigation has been very rewarding, and I am continuing to find new information about Purple Hills Estates and our Normandy model home.

Originally published in The Hourglass Newsletter, Spring 2020

Exterior North Side & Patio Cover, 72806 Bursera Way



Exterior of Back of House, North Side



Covered patio with Alexander inspired roof

Exterior East Side & West Side, 72806 Bursera Way



Exterior, East Side



Exterior, West Side



Desert Sun, December 18, 1965

Introducing the Parthenon



Desert Sun, March 30, 1964

Parthenon & Normandy Floorplan



Pool Contract

Contract Let For 20 Pools

A contract for construction of 20 swimming pools at 20 homes in the Purple Hills Estates in Palm Desert has been awarded to Sunset Pools, it was announced Thursday. H. I. Winston, Sunset regional director, said the pools will be built at all but one of 21 homes now under way in the tract about a mile and a half above Highway 111. off Highway 74. He said the developers, Jacee Investment of Beverly Hills, plans for 35 additional homes in the tract. The Purple Hills Estates homes are in the \$35 to \$45,000 class.

Desert Sun, December 28, 1962

A contract for construction of 20 swimming pools at 20 homes in the Purple Hills Estates in Palm Desert has been awarded to Sunset Pools, it was announced Thursday.

H. I. Winston, Sunset regional director, said the pools will be built at all but one of the 21 homes now underway in the tract about a mile and half above Highway 111, off Highway 74. He said the developers, Jacee Investment of Beverly Hills, plans for 35 additional homes in the tract.

The Purple Hills Estates homes are in the \$35 to \$45,000 class.

Lifestyle Ad/The Rich Get Richer



Desert Sun, June 1, 1963

It's so true. For example, who but the rich (or the on-the-way-to-becoming-rich) can afford a \$75,000 home, even if it costs less than \$40,000. That's why it's so nice being rich. You get bargains like our terribly elegant Palm Desert villas that overlook four exclusive golf courses and five expansive mountain ranges for just a sliver of your riches. That's how the rich get richer. 'Cause they're smart.

Lifestyle Ad/A Happy Home



Desert Sun, March 27, 1964



Desert Sun, January 15, 1965



Desert Sun, February 7, 1965

Lifestyle Article/Scenic Wallpaper



Desert Sun, October 8, 1965

Scenic wallpaper will grace the Normandie version of Purple Hills Estates model homes, and Bob Hurd, interior designer for W. and J. Sloane is shown here with Mary Martha O'Dowd, sales executive for Purple Hills. Décor of the home will feature powder blue French lilacs with touches of gold and black, with furnishings in empire design. The model will be open this weekend on Highway 74, less than a mile from its junction with Highway 111 in Palm Desert.

Lifestyle Article/Normandy Home Tour, 72806 Bursera Way



A preview peek at one of the new Purple Hills Estates homes will be offered to the public tomorrow and Sunday when the members of the Palm Desert Woman's Club sponsor a tour to benefit Angel View Crippled Children's Foundation.

The Event will take place from 10 a.m. to 9 p.m. on both days. Address of the home is 72-806 Bursera Way, off Highway 74 in Palm Desert.

The tour is similar to the ones which the club sponsored to herald the opening of Eldorado Homes, Firecliff Cottages, and the entire Purple Hills development. This time however, only one, not three, homes will be shown, and refreshments will be served.

The house to be shown is titled "The Normandy" and is designed in French Provincial. Bob Hurd of W & J Sloane's of Palm Springs decorated the interior, choosing black, blue, and gold to carry out the feeling of the period.

Chairman of the event, which is open to the public, is Mrs. J. Sigart Anderson and Mrs. James R. Barton. Donations are \$1 per person.

Real Estate Ad/Close Out!



Desert Sun, January 26, 1968

Statement of Significance

- A. Is associated with an event or events that have made a significant contribution to broad patterns of history:
 The development of Purple Hills Estates was the first of the Tract Homes in Palm Desert complete with its controversy.
- B. Is associated with the lives of persons significant in the past: The original owner of the house is unknown at this point; I did meet a resident of the city that she rented a room from to original owner as they were both nurses at Eisenhower Hospital.
- C. Embodies distinctive characteristics or is one of the few remaining examples of a style, type, period, or method of construction or possesses high artistic value:

This Du Bois designed home is one of only three Normandy style left in the Purple Hills Collection in Palm Desert. Complete with its Mansard roof, custom oval windows, and flat roof with Alexander style construction. The home still has its original aluminum windows, galley kitchen, popcorn ceilings, and original counters and sinks including the original Roman Tub. Of the 40 or so homes that were built in this neighborhood by Du Bois there are only a handful that have most of their original integrity, for these reasons we need to designate and preserve these remaining few. This will, in my opinion, give us the opportunity to pursue a district designation at some point.

D. Represents the work of a master builder, designer, or architect:

Du Bois designed extensively throughout Sothern California, and is most noted for his Swiss Miss, or Aloha Houses in Vista Las Palmas area of Palm Springs. The Du Bois Normandy homes in Palm Desert are wood construction with stucco exterior, a flat roof, and a central block chimney for a massive fireplace clad in Carrara marble tiles. This home has the original aluminum 1962 garage door manufactured in Long Beach. The original flooring was white sheet vinyl. Each Normandy had 6 sets of sliding glass doors with vistas of the pool area and mountain views, with minimal windows. The homes had tall narrow double doors with casket pull handles that opened into the entry, which is the back side of the freestanding marble clad fireplace. The living room comes complete with a 12-foot ceiling and the massive fireplace, the dining room is small and quaint. The three bedrooms are located to the left of the living area. The kitchen and rumpus room are on the right side of the living area. As I stated before this is the exact floor plan for the Du Bois Parthenon.

E. Is an archaeological, paleontological, botanical, geological, topographical, ecological, or geographical resource that has yielded or has the potential to yield important information in history or prehistory:

This home does not yield any important history or prehistory as it relates to these guidelines.

F. Reflects distinctive examples of community planning or significant development patterns, including those associated with different eras of settlement and growth, agriculture, or transportation:

This Du Bois home epitomizes the design styles of the mid 60s from its large spacious rooms to the 1/3 acre lots. Houses of this era in this neighborhood were thoughtful modern designs with minimal landscaping centered around poolside leisure.

Architectural Description

This Normandy style Charles De Bois house built in 1965 at 72806 Bursera Way Palm Desert, CA in the Purple Hills Estates (PHE) neighborhood. It's a one story 2400 sq house with 3 bedrooms and 3 bathrooms, with double car garage and designed in the Hollywood regency style.

The structure of the one-story house consists of three roof volumes, all of which are flat, the lowest and most of the roof surface consist of 8' ceilings, the next level is the living room which has an 11' ceiling, the highest is to form a mini attic space above the mansard. There are 2 oval windows below the mansard which are original with wood trim. The roof was originally rock and tar and has been replaced with foam. The house is on a concrete slab with wood construction and a stucco exterior. The house is centered on the lot, the large pool is located behind the home. Next to the pool is a beautiful original tile and block water feature which was built for this model home.

The house has a poured aggregate concrete sidewalk and driveway.

The original landscaping was a lawn and 3 trees in a cluster, they were Pine, Palm or African Sumac. Throughout the front yard and buried, were perfect 36" concrete steppingstones that have been reused.

The original plan called for the enclosed patios off the front 2 bedrooms to be wood, however when the original PHE homes were built, all used a variety of block walls as does this home. All the PHE homes, including this home, have an atrium at the entrance.

The large central fireplace is clad in marble. All the doors and windows are aluminum and still original. The bathrooms all have cultured marble countertops which are still present in this home. The front double doors are original including their casket style pulls. Each door is flanked by an 8' original window. [This page has intentionally been left blank.]