

Iconic building to be leveled

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RANCHO MIRAGE — The City Council voted unanimously Thursday afternoon to allow demolition of the burned-out former home of the Chart House restaurant.

The vast majority of public comments have been in favor of requiring owner John Wessman to restore as much of the building as possible and replicate the rounded, low-slung building that was built into a rock outcropping near Highway 111 in 1978.

But council members said they had no option but to let it be torn down.

Mayor Scott Hines said he would not be in favor of letting the iconic building be razed if it were still whole, but the relatively intact roof is “deceptive” as to the amount of destruction underneath.

“As for letting government or the community dictate, that my friend feels an awful lot like tyranny of the majority. Sometimes it is the government’s role to protect the rights of the minority,” Hines said.

Peter Moruzzi, president of the Palm Springs Modern Committee, said in an emailed statement his group, which appealed a city demolition permit after it was issued in September, won’t carry on the fight.

“Unfortunately, it is our attorney’s opinion that due to the current condition of the building and various interpretations of relevant case law, pursuing litigation would be problematic at best,” Moruzzi wrote. “After careful deliberation, the Palm Springs Modern Committee’s board could not justify the tremendous time and expense that would be required to fight this decision when our chance of prevailing before a judge would be relatively poor.”

Wessman was not at the Ran-

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cho Mirage meeting, which happened during the highly publicized dismantling of another of his properties, the Desert Fashion Plaza mall in Palm Springs. He said by telephone Thursday evening that it could take a couple of months before the demolition can get under way, because he will have to take bids from other contractors.

He said the Chart House restaurant chain almost backed out of having the unusual design come to life in 1978, but he convinced them to lease an expanded building from him.

"We enjoyed building it and enjoyed owning it," he said.

But he said it's not salvageable now, despite what some proponents say.

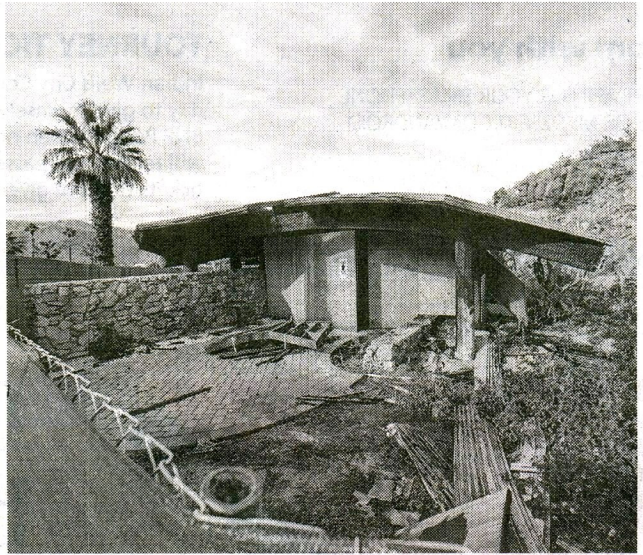
"It's pretty difficult to preserve ashes, and that's not exactly historic preservation," he said.

The building at 69-934 Highway 111 was declared a historic resource by the city in 2005, and some of the demolition's opponents said it could qualify for the National Register of Historic Places. The Chart House closed in 2003 and was followed by a succession of four restaurants.

The building had been involved in a dispute between two tenants who claimed ownership of the restaurant business inside, GG's Island, when the fire broke out in January 2012. It caused an estimated \$5 million in damage. The Riverside County Fire Department immediately began an arson investigation, which as of this week is still ongoing.

"It's very sad that somebody took it upon themselves, probably, to destroy it," Wessman said.

Ron Marshall, president of the Palm Springs Preservation Foundation, decried what he called the



The Rancho Mirage City Council voted unanimously Thursday to allow demolition of the burned-out former home of the Chart House restaurant. DESERT SUN FILE PHOTO

council's lack of leadership after the vote.

"It's extremely shortsighted to let an arsonist write Rancho Mirage's history," he said.

Supporters of the effort to save the building include its architect, Ken Kellogg, who called for a public vote to settle the demolition question, and Patty Newman, wife of former Rancho Mirage Councilman Arthur Newman and sister-in-law of late Hollywood icon Paul Newman.

She encouraged the council to explore more possibilities to rescue a building that's "unique in every way."

"Sad to say, this is probably the most significant historical and cultural resource we have in our little city," she said. She once headed Rancho Mirage's historic preservation commission.

Frank Tyson, leader of a Palm Springs petition drive to force changes in Wessman's redevelopment of Desert Fashion Plaza, said, "What you have before you today is a treasure that must be rebuilt."

City Attorney Steve Quintanilla told the council he believes Wessman's demolition permit is exempt from the California Environmental Quality Act's protections for historic buildings due to the

building's condition, which he said makes it a public safety matter and not a "discretionary" act.

PS ModCom attorney Amy Minter argued against this interpretation, citing different case law than Quintanilla used.

Councilman Dana Hobbart said he was voting for the demolition "with great sadness," but said the city could not force Wessman to rebuild the building.

"Every one of the Rancho Mirage residents I've spoken to, or all except one, have supported the demolition," he added.

The newest council member, Ted Weill, said he was drawing on his career in real estate development. "If I were the owner of that building, I would not rebuild that building. It would be impractical," he said.

Hines and others said they'd back private efforts by preservationists to buy the site from Wessman and re-create the building, and Wessman said he'd be willing to have the property and charred stone building appraised if anyone made a serious offer.

Kellogg said after the meeting, "Because it is hard to restore a work of art, certainly during a recession, the people are looking for a hero to buy the property before the demolition."