

**CITY OF CARMEL-BY-THE-SEA
HISTORIC RESOURCES BOARD
MEETING AGENDA**

Monday, September 17, 2012
3:30 p.m. Tour
4:00 p.m., Open Session

City Hall Council Chambers
East side of Monte Verde Street
Between Ocean and Seventh Avenues

I. CALL TO ORDER AND ROLL CALL

BOARD MEMBERS:

GREGORY CARPER
ERIK DYAR, CHAIR
DONNA JETT
ELINOR LAIOLO, VICE-CHAIR
SHARYN SIEBERT

II. TOUR OF INSPECTIONS

Shortly after 3:30 p.m. the Board will leave the Council Chambers for an on-site Tour of Inspection of all properties listed on this agenda (including those on the Consent Agenda). Prior to the beginning of the Tour of Inspection, the Board may eliminate one or more on-site visits. The public is welcome to follow the Historic Resource Board on its tour of the determined sites. The Board will return to Council Chambers at **4:00 p.m.** or as soon thereafter as possible.

III. PLEDGE OF ALLEGIANCE

IV. APPEARANCES

Anyone wishing to address the Board on matters within the jurisdiction of the Board may do so now. Please state the matter on which you wish to speak. Matters not appearing on the Board's agenda will not receive action at this meeting but may be referred to staff for a future meeting. Presentations will be limited to three minutes, or as established by the Board. Persons are not required to give their name or address, but it is helpful for speakers to state their name in order that the Secretary may identify them.

V. CONSENT AGENDA

1. Consideration of the HRB meeting minutes for February, 21 2012
Pg. 3

VI. APPLICATIONS

1. MA 12-1
Buff LaGrange
2552 Santa Lucia
Blk Z, Part 14 & 16

Pg. 6

Consideration of a recommendation to the City Council to adopt a Mills Act Contract for an existing historic residence located in the Single Family Residential (R-1) District and a request to place the residence on the Carmel Register of Historic Resources.

1. DS 12-19
Leidig-Draper
E/s Dolores bet. Ocean & 7th
Blk 76, Lots 6, 7, 8

Consideration of a Design Review application for alterations to an historic building located in the Central Commercial (CC) District.

Pg. 30

IX. ADJOURNMENT

Any writings or documents provided to a majority of the Historic Resources Board regarding any item on this agenda will be made available for public inspection in the Planning and Building Department located at City Hall, on Monte Verde between Ocean and 7th Avenues during normal business hours.

If there is not a special meeting, the next regular meeting of the Historic Resources Board is set for:

15 October 2012 (Regular Meeting)
3:15 p.m. – Tour of Inspection
4:00 p.m. - Regular Agenda

The City of Carmel-by-the-Sea does not discriminate against persons with disabilities. The City of Carmel-by-the-Sea Telecommunication's Device for the Deaf/Speech Impaired (TDD) number is 1-800-735-2929

**MINUTES
CITY OF CARMEL-BY-THE-SEA
HISTORIC RESOURCES BOARD
21 FEBRUARY 2012**

I. CALL TO ORDER

A regular meeting of the Historic Resources Board of the City of Carmel-by-the-Sea, California was held on the above date at the stated hour of 3:30 p.m. Chairman DYAR adjourned to the Tour of Inspection and reconvened the meeting at 4:00 a.m.

II. ROLL CALL

PRESENT: Gregory Carper
Donna Jett
Elinor Laiolo
Erik Dyar

ABSENT: Sharyn Siebert

STAFF PRESENT: Sean Conroy, Planning and Building Services Manager
Marc Wiener, Associate Planner
Margi Perotti, Administrative Coordinator

III. PLEDGE OF ALLEGIANCE

Members of the audience joined the Board in the pledge of allegiance.

IV. APPEARANCES

Stephanie Ager-Kirz appeared before the Board.

V. ADMINISTRATION

1. Election of Chair and Vice Chair for 2012.

Board member LAIOLA nominated DYAR as Chairperson, Board member Carper seconded the nomination. Board member DYAR nominated LAIOLA as vice chair, Board member CARPER seconded the nomination. There being no further nominations, the election **carried** by the following roll call vote:

AYES:	BOARD MEMBERS:	CARPER, JETT, LAIOLO, DYAR
NOES:	BOARD MEMBERS:	NONE
ABSENT:	BOARD MEMBERS:	SIEBERT
ABSTAINED:	BOARD MEMBERS:	NONE

2. Adopt meeting calendar for 2012.

Board member JETT will not be available for the March 19, 2012 meeting. It was moved by Board member JETT and seconded by Board member CARPER to approve the 2012 meeting calendar. The motion carried unanimously.

3. Fiscal Year 2012/13 goal.

Sean Conroy, Planning and Building Services presented his staff report.

Chair DYAR opened the public hearing. No appearances.

It was moved by Board member LAIOLO and seconded by CARPER to adopt the FY 2012/13 goal "Obtain Certified Local Government Status (CLG) from the State Office of Historic Preservation. The motion carried by the following roll call vote:

AYES:	BOARD MEMBERS:	CARPER, JETT, LAIOLO, DYAR
NOES:	BOARD MEMBERS:	NONE
ABSENT:	BOARD MEMBERS:	SIEBERT
ABSTAINED:	BOARD MEMBERS:	NONE

VI. CONSENT AGENDA

1. Consideration of the HRB meeting minutes for September 19, 2011.

It was moved by Board Member LAIOLO and seconded by Board member CARPER to approve the minutes of the September 19, 2011. The motion carried by the following roll call vote:

AYES:	BOARD MEMBERS:	CARPER, LAIOLO, DYAR
NOES:	BOARD MEMBERS:	NONE
ABSENT:	BOARD MEMBERS:	SIEBERT
ABSTAINED:	BOARD MEMBERS:	JETT

VII. APPLICATIONS

1. DS 12-12 Houston & Melissa Johnson 2981 Franciscan Way Blk 9M, Lot 14	Consideration of a Design Study application for alterations to an historic residence located in the Single Family Residential (R-1-C-6) and Archaeological Significance Overlay (AS) Districts.
---	---

Chair DYAR re-cused himself, he is the Architect on the project.

Marc Weiner, Associate Planner presented the staff report and addressed questions of staff.

Vice-Chair LAIOLO opened the public hearing. Don McBride appeared before the Board, there being no more appearances the public hearing was closed.

It was moved by Board member CARPER and seconded by Board Member JETT to Issue a Determination of Consistency with the Secretary's Standards with staffs special conditions and to approve the Zoning exception. The motion carried by the following roll call vote:

AYES:	BOARD MEMBERS:	CARPER, JETT, LAIOLO
NOES:	BOARD MEMBERS:	NONE
ABSENT:	BOARD MEMBERS:	DYAR, SIEBERT
ABSTAINED:	BOARD MEMBERS:	NONE

The meeting was adjourned at 4:22 p.m.

Respectfully submitted,

Approved by:

Margi Perotti, Administrative Coordinator

Erik Dyar, Chair

CITY OF CARMEL-BY-THE-SEA
HISTORIC RESOURCES BOARD
AGENDA CHECKLIST

MEETING DATE: 17 September 2012 BLOCK: Z LOT: part 14 & 16

FIRST HEARING: X

CONTINUED FROM: N/A

ITEM NO: MA 12-1

OWNER: Buff LaGrange

STREAMLINING DEADLINE: N/A

SUBJECT:

Consideration of a recommendation to the City Council to adopt a Mills Act Contract for an existing historic residence located in the Single Family Residential (R-1) District and a request to place the residence on the Carmel Register of Historic Resources.

ENVIRONMENTAL REVIEW:

Exempt (Class 31 – Historic Resource Rehabilitation)

LOCATION:

2552 Santa Lucia Ave

ZONING:

R-1

ISSUES:

1. Does the application meet the standards for granting a Mills Act Contract (CMC 17.32.100)?
2. Does the residence qualify to be placed on the City's Register of Historic Resources?

OPTIONS:

1. Recommend adoption of the Mills Act Contract to the City Council and place the residence on the Carmel Register.
2. Recommend adoption of the Mills Act Contract with special conditions to the City Council and place the residence on the Carmel Register.
3. Continue the application with a request for additional information.
4. Recommend that the Council not approve the Mills Act Contract.

RECOMMENDATION:

Option #1 (Recommend adoption of the Mills Act Contract and place the residence on the Register.)

ATTACHMENTS:

1. Staff Report dated 17 September 2011.
2. DPR 523 Form/Photos.
3. Contract/Maintenance Plan/Consultant's Review.

STAFF CONTACT: Sean Conroy, Planning & Building Services Manager

CITY OF CARMEL-BY-THE-SEA

STAFF REPORT

TO: CHAIR DYAR AND BOARD MEMBERS

FROM: SEAN CONROY, PLANNING & BUILDING SERVICES MANAGER

DATE: 17 SEPTEMBER 2012

SUBJECT: CONSIDERATION OF A RECOMMENDATION TO THE CITY COUNCIL TO ADOPT A MILLS ACT CONTRACT FOR AN EXISTING HISTORIC RESIDENCE LOCATED IN THE SINGLE FAMILY RESIDENTIAL (R-1) DISTRICT AND A REQUEST TO PLACE THE RESIDENCE ON THE CARMEL REGISTER OF HISTORIC RESOURCES.

BACKGROUND & PROJECT DESCRIPTION

This site is located on Santa Lucia Avenue, two northeast of San Antonio Avenue. The site is developed with two-story residence known as the John Bathen House. The residence was originally constructed as a single story structure in 1921 but had a second-story addition added in 1927. A flat-roof garage was added in 1939.

The residence is considered historically significant under California Register Criterion #3 (architecture) as an excellent example of the work of John Bathen and is consistent with the Architectural Development Theme of the Historic Context Statement. A DPR 523 Form was submitted to the City on 7 September 2004 and the property was included in the Historic Inventory adopted as part of the Local Coastal Plan in October, 2004.

The property owner is requesting the property be placed on the Carmel Register and is applying for a Mills Act Contract. The Mills Act was enacted by the State of California in 1972 as a way of encouraging partnerships between local governments and property owners of historic resources. Local governments are not required to participate in the Mills Act. For participating governments, a Mills Act contract can be offered to any property that contains an historic resource. The contract must be for at least 10 years and must include renewal provisions.

The property owner typically agrees to specific rehabilitation/restoration efforts that would take place over the life of the contract. In turn, the property owner receives a reduced property tax assessment using the *Income Approach to Value* rather than the *Market Approach to Value*. The assessment is performed by Monterey County. The jurisdiction benefits by having historic resources rehabilitated and maintained, while the property owner benefits by having a reduced tax burden.

X

The City's Historic Preservation Ordinance offers Mills Act contracts as a potential benefit to property owners of historic resources when certain findings can be made. These findings are addressed in the "Evaluation" section below. The HRB is advisory to the City Council for Mills Act applications.

EVALUATION

As stated in CMC Section 17.32.100.B(1), the primary purpose for offering Mills Act contracts in the City of Carmel-by-the-Sea is to assist in the rehabilitation/restoration and long-term maintenance of historic resources. Applications should include both a rehabilitation/restoration component and a maintenance component.

CMC Section 17.32.100.B(6) establishes specific findings that must be met in order to qualify for a Mills Act contract in the City. These findings are summarized below followed by a brief staff response.

- *The building is designated as an historic resource by the City and is listed on the Carmel Register.*

Response: The property is currently listed on the City's Historic Inventory but the applicant is requesting that the property be placed on the Historic Register. The code does not establish any additional criteria for listing on the Register. Staff supports this request.

- *The proposed rehabilitation and maintenance plan is appropriate in scope and sufficient in detail to guide rehabilitation and long-term maintenance. Required maintenance and rehabilitation should be more significant than just routine maintenance that would be expected for any property.*

Response: The applicant has done a good job of preparing a thorough rehabilitation and maintenance plan. The City's Preservation Consultant recommended that several conditions be added to ensure that the rehabilitation and maintenance be performed in conformance with the Secretary of the Interior's Standards.

However, there is not a restoration component included in the plan as recommended by the ordinance. Restoration generally consists of restoring elements or materials that may have been lost over time. One opportunity to include a restoration element into the plan would be to require the roof replacement to be with wood shingles or shakes rather than composition shingles, which would be more consistent with what originally would have been used. The Board should discuss this issue.

- *Alterations to the historic resource have been in the past, and will continue to be in the future, limited to interior work and to exterior rehabilitation and alterations that:*

Response: The primary alteration to the property occurred in 1927. However, this addition has gained significance in its own right. There are no other additions that would conflict with this required finding.

(A) Comply with the Secretary's Standards (future additions only), and

Response: All future changes/alterations shall require review by either staff or the HRB for a Determination of Consistency with the Secretary of the Interior's Standards. A qualified professional has reviewed the proposed rehabilitation and maintenance plan and determined that the items, with conditions, are consistent with the Secretary's Standards.

(B) Do not significantly alter, damage or diminish any primary elevation or character-defining feature, and

Response: The applicant is not proposing any alterations at this time to the primary elevation or character defining features. Any such changes that are proposed in the future would require review by the HRB.

(C) Do not increase floor area on the property by more than 15 percent beyond the amount established in the documented original or historic design of the resource, and

Response: The floor area has not been expanded since 1927, which would include the historic design of the resource.

(D) Do not result in any second-story addition to a single-story historic resource.

Response: As mentioned previously, the second-story addition has gained significance in its own right and would not be in conflict with this finding.

RECOMMENDATIONS

- 1) Place the property on the City's Historic Register; and
- 2) Recommend that the City Council approve a Mills Act Contract for this property.

PRIMARY RECORD

Primary # _____

HRI # _____

Trinomial _____

NRHP Status Code _____

Looking NE at west side-elev., 8/20/2003,

Other Listings _____

Review Code _____

Reviewer _____

Date _____

Page 1 of _____

Resource Name or #: (Assigned by recorder) _____

John Bathen House

P1. Other Identifier: _____

P2. Location:

Not for Publication Unrestricted

a. County Monterey

and (P2b and P2c or P2d. Attach a Location Map as necessary.)

b. USGS 7.5' Quad _____

Date _____

T _____

; R _____

1/4 of _____

1/4 of Sec _____

; _____

B.M. _____

c. Address: _____

City Carmel-by-the-Sea

Zip 93921

d. UTM: (Give more than one for large and/linear resources)

mE/ _____

mN _____

e. Other Locational Data (Enter Parcel #, legal description, directions to resource, elevation, etc., as appropriate)

Santa Lucia 2 NE of San Antonio (Blk. Z, Lots 14, 16 & pt. Blk. 149)

Parcel No. 010-287-006

P3. Description (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)

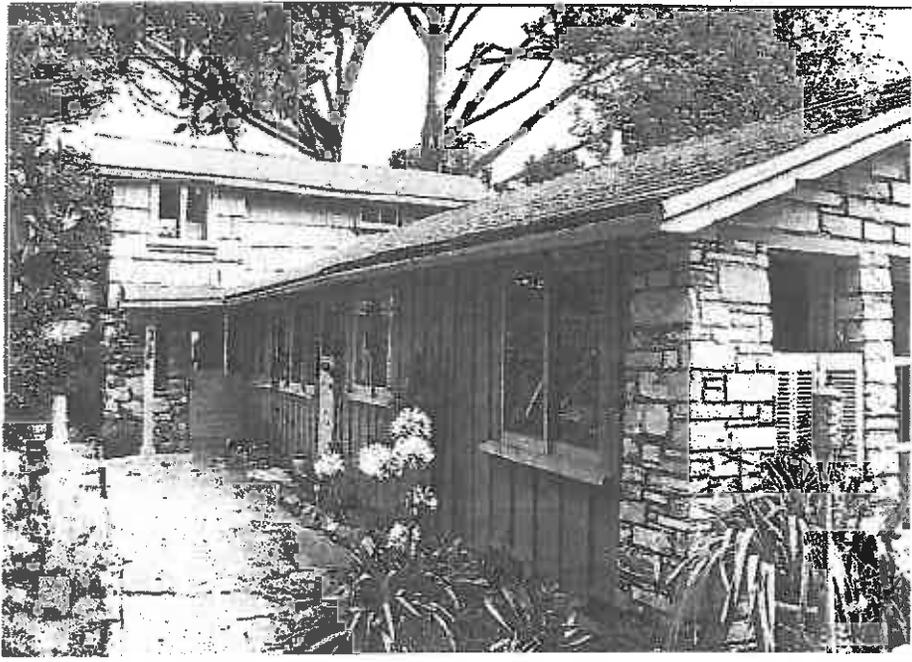
A one-and-two-story vernacular residence, slightly ell-shaped in plan, resting on a stone foundation. The exterior wall cladding is a combination of vertical board-and-batten and Carmel stone on the one-story section, and wood shingle and Carmel stone on the two-story portion, to the north. The low-pitched cross-gabled roof system is covered in composition shingle. There is one Carmel stone interior chimney. It is located toward the east, on the north side-elevation of the two-story section of the house. An exterior wooden staircase with simple horizontal railing, recently rebuilt, rises from West to East along the North side-elevation accessing the second floor. Fenestration is irregular with a combination of fixed, plate-glass, wood casement type and sliding wood windows in varying sizes. Some of the wood casement type form a band along the West side of the one-story wing. There is a narrow, fixed stained-glass window, flanking the principal entry, which faces south on the slightly projecting two-story ell. The gable end of the one-story wing has large, multi-paned glazed sliding doors centered in the wall, which is covered in coursed ashlar Carmel stone. The North end of the detached, 1939 flat-roofed Carmel stone garage creates an interior garden wall for the property which has extensive Carmel stone patios, as well as an outdoor stone fireplace in the NW cr. of the parcel. The house is sited in an informal landscape setting of mature pines and cypress with vine-covered walls and fences and several flower beds.

P3b. Resource Attributes: (List attributes and codes)

P4. Resources Present

Building Structure Object Site District Element of District Other (Isolates, etc.)

P5a. Photograph or Drawing (Photograph required for buildings, structures, and objects)



P5b. Description of Photo: (View, date, accession #)
(View toward). Photo No: 5030-.

P6. Date Constructed/Age and Sources:
 Prehistoric Historic Both

1921/1929/1939, Carmel bldg. records

P7. Owner and Address

Richard & Stella Fenton
25 Hyde Park Gardens, Flat#10
London W22LZ, England

P8. Recorded by: (Name, affiliation, and address)

Kent L. Seavey, Preservation Consultant, 310
Lighthouse Ave., Pacific Grove, CA 93950

P9. Date Recorded: 9/7/2004

P10. Survey Type: (Describe)

Intensive/required CEQA review

P11. Report Citation: (Cite survey report and other sources, or enter "none")

None

Attachments

- NONE
- Continuation Sheet
- District Record
- Rock Art Record
- Location Map
- Building, Structure, and Object Record
- Linear Feature Record
- Artifact Record
- Sketch Map
- Archaeological Record
- Milling Station Record
- Photograph Record
- Other: (List)

BUILDING, STRUCTURE, AND OBJECT RECORD

HRI #

Primary #

Page 2 of

NRHP Status Code

Resource Name or #: (Assigned by recorder) *John Bathen House*

B1. Historic Name: *John Bathen House*

B2. Common Name: *"Finestre"*

B3. Original Use: *residence*

B4. Present Use: *residence*

B5. Architectural Style: *vernacular*

B6. Construction History: (Construction date, alterations, and date of alterations)
Constructed 1921 (CBP# 249); two story stone addition 1927 (CBP # 1934)

B7. Moved? No Yes Unknown Date :

Original Location:

B8. Related Features: *Detached flat-roofed Carmel stone one-car garage, 1939 (CBP# 475)*

B9a. Architect:

b. Builder: *John Bathen (1927/1939)*

B10. Significance: Theme: *Architectural Development*

Area: *Carmel by-the-Sea*

Period of Significance: *1903-1940* Property Type: *single family residence* Applicable Criteria: *CR 3*

(Discuss importance in terms of historical or architectural context as defined by theme, period and geographic scope. Also address integrity.)

The John Bathen House is significant under California Register criteria 3, under architecture, as an excellent example of Bathen's building skills as a stonemason. The property exhibits several styles of Carmel stone masonry, including patios, and may have been used as an example of the craft for potential clients. John Bathen was a native of Norway, where he had been a fisherman. He came to Carmel in the early 1920s with his English wife Lita, and purchased a portion of the Emily Bell property containing a one-story, rectangular board-and-batten servants quarters. He added a two-story wing to the north end of the existing building that year, employing Carmel stone, and some wood framing for the second floor. He built a Carmel stone garage, fronting on Santa Lucia in 1939 that is part of the historic resource. Bathen acquired a quarry in Carmel Valley and established the Santa Lucia Quarries LTD, on Dolores St. between Ocean & 7th Ave., providing "building stone for all purposes, Art Tile and Patio." He is known to have constructed several small stone houses on the West side of Mission between 4th and 5th Aves, that may be the current Stonehouse Court, as well as instructing builder Frank Lloyd in the craft of stone masonry between 1940-1942. According to a *Carmel Pine Cone* tribute, written at the time of Bathen's death in June of 1945, well known Carmelite Dora Hagemeyer noted that Bathen and his wife Lita had become an integral part of Carmel, "Everything concerning the welfare of the village or its residents concerned them. They took an active part in the preservation of the true Carmel tradition...". His wife Lita, who worked in the realty office of Elizabeth McClung White, was well known as a costume designer for the Forest Theater and for her close association with Sunset School and its activities. The John Bathen house retains its historic integrity to a high degree and clearly reflects the findings of, and is consistent with the 1997 Carmel Historic Context Statement under the theme of architectural development.

B11. Additional Resource Attributes: (List attributes and codes) *HP2 - Single Family Property*

B12. References:

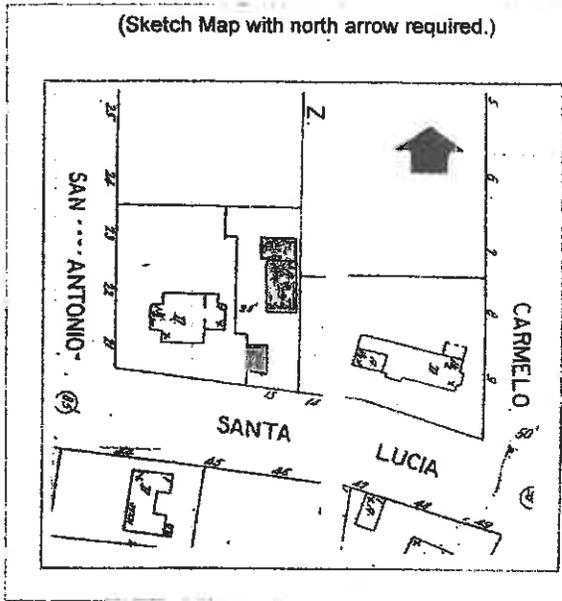
- Carmel bldg. records, Planning Dept., City Hall, Carmel
- Carmel Historic Context Statement 1997
- Carmel Pine Cone*, 6/15/45, 8/3/45
- Hale, Sharron, *A Tribute to Yesterday* Valley Publishers: Santa Cruz, 1980, p. 45
- Harrison Memorial Library, History Files

B13. Remarks: *Zoning R-1
CHCS (AD)*

B14. Evaluator: *Kent L. Seavey*

Date of Evaluation: *9/7/2004*

(This space reserved for official comments.)



K



12



RECORDING REQUESTED BY:

CITY CLERK
CITY OF CARMEL-BY-THE-SEA

WHEN RECORDED MAIL TO:

NAME: CITY CLERK
CITY OF CARMEL-BY-THE-SEA

ADDRESS: CITY HALL
PO DRAWER G
CARMEL, CA 93921

.....

**CITY OF CARMEL-BY-THE-SEA
MILLS ACT AGREEMENT
HISTORIC PROPERTY PRESERVATION CONTRACT**

THIS AGREEMENT is made and entered into this _____ day of _____, 2012 by and between the CITY OF CARMEL-BY-THE-SEA a municipal corporation (hereinafter referred to as "City"), and Buff LaGrange (hereinafter referred to as "Owner").

RECITALS

- (i) California Government Code Section 50280, et seq. (known as the Mills Act) authorizes cities to enter into contracts with the owners of qualified historic properties to provide for their appropriate use, maintenance and restoration such that these historic properties retain their historic characteristics;
- (ii) The Owner possesses fee title in and to that certain real property, together with associated structures and improvements thereon, located two northwest of Third Avenue on Junipero Avenue (APN: 010-287-006), Carmel, California, (hereinafter referred to as the "Historic Property"). A legal description of the Historic Property is attached hereto, marked as Exhibit "A" and is incorporated herein by this reference;
- (iii) The buildings on the property contain _____ bedrooms and _____ bathrooms and approximately _____ square feet of floor area.
- (iv) The property is identified as an historic resource on the City of Carmel's Register of Historic Resources;
- (v) City and Owner, for their mutual benefit, now desire to enter into this Agreement both to protect and preserve the characteristics of historical significance of the Historic Property, and to qualify the Historic Property for an assessment of valuation pursuant to the provisions of Article 1.9 (commencing with section 439) of Chapter 3 of Part 2 of Division 1 of the California Revenue and Taxation Code.

NOW, THEREFORE, City and Owner, in consideration of the mutual covenants and conditions contained herein, do hereby agree as follows:

1. **EFFECTIVE DATE AND TERM.** This Agreement shall be effective and commence on 1 January 2013, unless otherwise indicated by Monterey County, and shall remain in effect for a term of ten (10) years thereafter.

2. **AUTOMATIC RENEWAL.** Each year, upon the anniversary of the effective date of this Agreement (hereinafter referred to as "annual renewal date"), one (1) year shall be added automatically to the term of this Agreement, unless timely notice of nonrenewal is given as provided in paragraph 3 of this Agreement. The total length of the contract shall not exceed twenty (20) years.
3. **NOTICE OF NONRENEWAL.** If City or Owner desires in any year not to renew this Agreement, that party shall serve written notice of nonrenewal in advance of the annual renewal date of this Agreement as follows: Owner must serve written notice of nonrenewal at least ninety (90) days prior to the annual renewal date; City must serve written notice of the nonrenewal at least sixty (60) days prior to the annual renewal date. Upon receipt by Owner of a notice of nonrenewal from the City, Owner may make a written protest. At any time prior to the annual renewal date, City may withdraw its notice of nonrenewal.
4. **EFFECT OF NOTICE OF NONRENEWAL.** If either City or Owner serves timely notice of nonrenewal in any year, and this contract is not renewed, this Agreement shall remain in effect only for the remaining nine (9) years from the last annual renewal date.
5. **VALUATION OF PROPERTY.** During the term of this Agreement, Owner is entitled to seek assessment of valuation of the Historic Property pursuant to the provisions of Chapter 3 of Part 2 of Division 1 of the California Revenue and Taxation Code.
6. **PRESERVATION OF PROPERTY.** Owner shall preserve and maintain the characteristics of historical significance of the Historic Property. Attached hereto marked as Exhibit "B", and incorporated herein by this reference, is a list of those minimum standards and conditions for maintenance, use and preservation of the Historic Property, which shall apply to such property throughout the term of this Agreement. The Owner agrees to complete rehabilitation and/or maintenance activities of the structure and comply with such conditions as specified in Exhibit "B" including the conditions outlined by the City's Historic Preservation Consultant. Requests for substantial revisions to the maintenance and rehabilitation plan shall be reviewed by the Historic Resources Board prior to implementation. In addition, Owner shall comply with the terms of the City's Historic Preservation Ordinance (CMC 17.32). After year five (5) of the contract, Owner shall submit a maintenance and rehabilitation plan for the years not currently covered in Exhibit "B."
7. **RESTORATION OF PROPERTY.** Owner shall, where necessary, restore and rehabilitate the Historic Property to conform to the rules and regulations of the Office of Historic Preservation of the State Department of Parks and Recreation, U. S. Secretary of the Interior's Standards for Rehabilitation, State Historical Building Code, and the City of Carmel-by-the-Sea, all as amended.
8. **INSPECTIONS.** Owner shall allow periodic examinations, with reasonable notice thereof, of the interior and exterior of the Historic Property by representatives of the County Assessor, the State Department of Parks and Recreation, the State Board of Equalization, the City and other agencies as may be necessary to determine Owner's compliance with the terms and provisions of this Agreement.
9. **PROVISION OF INFORMATION.** Owner shall furnish the City with any and all information requested by City, which City deems necessary or advisable to determine compliance with the terms and provisions of this Agreement.
10. **ANNUAL REPORT.** Owner shall submit an annual report at least 90 days prior to each annual renewal date to the Department of Planning and Building specifying all work that

has been done to maintain and preserve the historic resource over the preceding year in compliance with the approved maintenance plan.

11. **CANCELLATION.** The City has the right to cancel the contract if the historic resource is damaged or destroyed by unauthorized additions, alterations or remodeling. The City also has the right to cancel this contract if the owners(s) have repeatedly failed to comply with the provisions of paragraph's # 6, 7, 8 or 10 of this Agreement after the City has provided reasonable notice of any failure to comply with the agreement. Cancellation of a contract by the City consistent with the provisions of this paragraph requires a public hearing and, if cancelled, results in the immediate termination of the contract and a penalty equal to 12.5 percent of the assessed market value of the property. City's right to cancel this Agreement pursuant to this paragraph shall in no way limit or restrict its rights or legal remedies arising from City's Historic Preservation Ordinance and Municipal Code.
12. **ENFORCEMENT OF AGREEMENT.** In lieu of and/or in addition to any provisions to cancel this Agreement as referenced herein, City may specifically enforce, or enjoin the breach of, the terms of this Agreement.
13. **WAIVER.** City does not waive any claim or default by Owner if City does not enforce or cancel this Agreement. All remedies at law or in equity, which are not otherwise provided for this Agreement or in City's regulations governing historic properties are available to City to pursue in the event there is a breach of this Agreement. No waiver by City of any breach or default under this Agreement shall be deemed to be a waiver of any other subsequent breach thereof or default hereunder.
14. **BINDING EFFECT OF AGREEMENT.** Owner hereby subjects the Historic Property to the covenants, reservations and restrictions set forth in this Agreement. City and Owner hereby declare their specific intent that the covenants, reservations, and restrictions as set forth herein shall be deemed covenants running with the land and shall pass to and be binding upon Owner's successors and assigns in title or interest to the Historic Property. A successor in interest shall have the same rights and obligations under this Agreement as the original owner who executed the Agreement.

Each and every contract, deed or other instrument hereinafter executed, governing or conveying the Historic Property, or any portion thereof, shall conclusively be held to have been executed, delivered and accepted subject to the covenants, reservations and restrictions expressed in this Agreement regardless of whether such covenants, reservations and restrictions are set forth in such contract, deed or other instrument.

City and Owner hereby declare their understanding and intent that the burden of the covenants, reservations and restrictions set forth herein touch and concern the land in that it restricts development of the Historic Property. City and Owner hereby further declare their understanding and intent that the benefit of such covenants, reservations and restrictions touch and concern the land by enhancing and maintaining the cultural and historic characteristics and significance of the Historic Property for the benefit of the public and Owner.

15. **NOTICE.** Any notice required to be given by the terms of this Agreement shall be provided at the address of the respective parties as specified below, by personal delivery or United States mail, postage prepaid, addressed as follows:

City: Carmel-by-the-Sea
Community Development Department
PO Drawer G
Carmel, CA 93921

Owner: Buff LaGrange
2552 Santa Lucia Ave
Carmel, CA 93921

16. Recordation. No later than twenty (20) days after the parties execute and enter into this Agreement, the City shall cause this Agreement to be recorded in the Office of the County Recorder of the County of Monterey.
17. The Owner or agent of Owner shall provide written notice of this Agreement to the State Office of Historic Preservation within six (6) months of the date of this Agreement.
18. Should either party to this agreement bring legal action against the other, the case shall be handled in Monterey County, California and the party prevailing in such action shall be entitled to a reasonable attorney fee which shall be fixed by the judge hearing the case and such fee shall be included in the judgment together with all costs.
19. Amendments. This agreement may be amended in whole or in part, only by a written-recorded instrument executed by the parties hereto.

IN WITNESS THEREOF, the City and Owners have executed this Agreement on the day and year written above.

CITY OF CARMEL-BY-THE-SEA:

By: _____

Date: _____

Name: Jason Stilwell

Title: City Administrator

PROPERTY OWNER:

By: _____

Date: _____

Name: Buff LaGrange

Exhibit "A"

ORDER NO.: 03176870

PARCEL I:

BEGINNING AT A POINT ON THE NORTHERLY LINE OF SANTA LUCIA AVENUE FROM WHICH THE INTERSECTION OF THE NORTHERLY LINE OF SANTA LUCIA AVENUE WITH THE EASTERLY LINE OF SAN ANTONIO AVENUE; SAID INTERSECTION BEING THE SOUTHWEST CORNER OF BLOCK 149, AS SAID LOT AND BLOCK ARE SHOWN ON THAT CERTAIN MAP ENTITLED MAP OF "ADDITION NUMBER TWO TO CARMEL-BY-THE-SEA, MONTEREY COUNTY, CAL., SURVEYED BY B. E. HOOPER, JANUARY 1906" FILED FOR RECORD APRIL 5, 1906 IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA IN VOLUME 1 OF MAPS, "CITIES AND TOWNS", AT PAGE 44 1/2, BEARS N. 82° 43' W., 62.6 FEET; THENCE FROM SAID POINT OF BEGINNING N. 103.34 FEET TO THE NORTH LINE OF LOT 14 IN BLOCK "Z", AS SAID LOT AND BLOCK ARE SHOWN ON THAT CERTAIN MAP ENTITLED "MAP OF ADDITION NUMBER ONE TO CARMEL-BY-THE-SEA, MONTEREY COUNTY, CAL.", FILED FOR RECORD NOVEMBER 6, 1905 IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA IN VOLUME 1 OF MAPS "CITIES AND TOWNS", AT PAGE 45 1/2; THENCE E. 37.90 FEET TO THE NORTHEAST CORNER OF SAID LOT 14; THENCE S. 108.18 FEET TO THE NORTHERLY LINE OF SANTA LUCIA AVENUE; THENCE ALONG THE NORTHERLY LINE OF SANTA LUCIA AVENUE N. 82° 43' W., 38.21 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION THEREOF DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE ABOVE DESCRIBED PARCEL OF LAND THENCE ALONG THE NORTHERLY LINE OF SANTA LUCIA AVENUE S. 82° 43' E., 5.04 FEET; THENCE LEAVING SAID SANTA LUCIA AVENUE N. 28.14 FEET; THENCE W. 5.00 FEET; THENCE S. 27.50 FEET TO THE POINT OF BEGINNING.

PARCEL II:

BEGINNING AT A POINT FROM WHICH BEARS N. 88° 09' 15" W., 62.13 FEET, THE NORTHWEST CORNER OF LOT 14 IN BLOCK "Z" AS SAID LOT AND BLOCK ARE SHOWN ON THAT CERTAIN MAP ENTITLED MAP OF "ADDITION NUMBER ONE TO CARMEL-BY-THE-SEA, MONTEREY COUNTY, CAL." FILED FOR RECORD NOVEMBER 6, 1905 IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA IN VOLUME 1 OF MAPS, "CITIES AND TOWNS", AT PAGE 45 1/2 THEREIN AND RUNNING THENCE

(1) S. 20.30 FEET; THENCE

Continued on next page

RFA

ESCROW NO.: 03176870

- (2) W. 6.85 FEET; THENCE
- (3) N. 20.30 FEET; THENCE
- (4) E. 6.85 FEET TO THE PLACE OF BEGINNING AND BEING A PORTION OF SAID LOT 14.

PARCEL III:

A RIGHT OF WAY OVER THE NORTH 2 FEET OF THE WEST 62.10 FEET OF LOT 14 IN BLOCK "Z" AS SAID LOT AND BLOCK ARE SHOWN ON THAT CERTAIN MAP ENTITLED MAP OF "ADDITION NUMBER ONE TO CARMEL-BY-THE-SEA, MONTEREY COUNTY, CAL.", FILED FOR RECORD NOVEMBER 6, 1905 IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA IN VOLUME 1 OF MAPS, "CITIES AND TOWNS", AT PAGE 45 1/2 THEREIN, FOR INSTALLATION AND MAINTENANCE OF A SEWER PIPE LINE BEING THAT CERTAIN RIGHT OF WAY RESERVED IN THE DEED FROM LILIAN F. BATHEN TO RUTH F. TOWNSEND DATED APRIL 5, 1939, RECORDED APRIL 26, 1939 IN VOLUME 614 OF OFFICIAL RECORDS OF MONTEREY COUNTY AT PAGE 369.

A.P.N.: 010-287-006

[Faint, illegible stamp or text]

RF st

BUFF LaGRANGE - 2552 SANTA LUCIA, CARMEL, CA 93923

Exhibit "B"

DESCRIPTION:	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
New composition roof.	\$ 9,800									
New flat roof on garage	\$ 2,550									
New garage door on stone garage		\$ 8,150								
New electrical and new plumbing	\$ 1,785	\$ 1,240	\$ 3,500	\$ 1,200	\$ 3,100		\$ 1,500			
Repair of stone patios and drainage	\$ 1,200	\$ 1,800						\$ 985		
Power wash stone patios and stonework walls.	\$ 400		\$ 500	\$ 500	\$ 500	\$ 500	\$ 500	\$ 500	\$ 500	\$ 500
Repair restore or replace all windows and weatherstrip			\$ 1,800	\$ 8,300				\$ 6,700		
Repair, replace rotted, broken shingles on exterior and maintain	\$ 2,000	\$ 500	\$ 500	\$ 500	\$ 500	\$ 500	\$ 500	\$ 500	\$ 500	\$ 500
Repaint house exterior shingles, doors and windows		\$ 9,200							\$ 6,900	
Repair and support outdoor fireplace as needed and maintain		\$ 135	\$ 135	\$ 135	\$ 3,500	\$ 125	\$ 125	\$ 125	\$ 125	\$ 125
Repair interior fireplace and maintain.	\$ 145	\$ 145	\$ 500	\$ 145	\$ 145	\$ 145	\$ 145	\$ 145	\$ 145	\$ 145
Repair sliding wood doors at front of house so that they work properly			\$ 3,875							
Repair, replace broken stonework floors of interior house and patio	\$ 2,200									
Repair dry rot areas and termite damage.	\$ 2,500				\$ 2,500			\$ 2,500		\$ 2,200
Annual Pest and Termite Inspection	\$ 304	\$ 304	\$ 304	\$ 304	\$ 304	\$ 304	\$ 304	\$ 304	\$ 304	\$ 304
Annual forced air gas furnace and duct inspection	\$ 250	\$ 250	\$ 250	\$ 250	\$ 250	\$ 250	\$ 250	\$ 250	\$ 250	\$ 250

BUFF LaGRANGE - 2552 SANTA LUCIA, CARMEL, CA 93923

DESCRIPTION:	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Repair or replace front door							\$ 4,200			
Repair interior ceilings and repaint			\$ 4,800							
Refinish wood floor in dining room					\$ 2,900					
Repair foundation - create crawlspace access underneath house						\$ 6,800				
Replace central heating system										\$ 10,350
Annual roof inspection and maintenance		\$ 300	\$ 300	\$ 300	\$ 300	\$ 300	\$ 300	\$ 300	\$ 300	\$ 300
Repair/restore wood garage door and front wood gate							\$ 2,800	\$ 550		
Insulate walls and ceilings						\$ 3,260	\$ 3,000			
Replace/repair or restore all door window hardware			\$ 625		\$ 875			\$ 1,550		
Annual water heater maintenance	\$ 195	\$ 195	\$ 195	\$ 195	\$ 195	\$ 195	\$ 195	\$ 195	\$ 5,785	\$ 195
Repair and restore perimeter fencing and landscape						\$ 2,250	\$ 2,695		\$ 2,695	
Termite and subterranean termite treatment and tenting of house				\$ 3,500						
Replace gutters				\$ 2,800						
Replace water heater									\$ 5,785	
TOTALS:	\$ 25,342	\$ 24,233	\$ 19,299	\$ 20,145	\$ 17,086	\$ 16,647	\$ 18,533	\$ 16,624	\$ 25,310	\$ 16,891

KENT L. SEAVEY
310 LIGHTHOUSE AVENUE
PACIFIC GROVE, CALIFORNIA 93950
(831)375-8739

September 3, 2012

Mr. Sean Conroy/Principal Planner
Carmel Planning & Building Department
City of Carmel by-the-Sea
P.O. Drawer G
Carmel, CA 93921

Dear Mr. Conroy

Introduction

Thank you for the opportunity to review the proposed Mills Act repair and maintenance schedule for the residential property located on Santa Lucia 2NE of San Antonio (APN# 010-287-006) in Carmel, for consistency of the proposed work with the Secretary of the Interior's Standards for the Treatment of Historic Properties.

The Secretary of the Interior's Standards for the Treatment of Historic Properties identify four primary treatment approaches to historic buildings. They are Restoration, Preservation, Reconstruction and Rehabilitation. Preservation would be the recommended standard for treatment of the subject property.

Preservation is employed when the property's distinctive materials, features, and spaces are essentially intact and thus convey the historic significance without extensive repair or replacement, and when a continuing or new use does not require additions or extensive alterations.

As stated in the 1992 National Park Service *Illustrated Guidelines for Rehabilitating Historic Buildings*, "The Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility."

Historical Background & Description:

The subject property is listed in the 2003 Carmel Historic Resource Inventory, at the local level of significance, as an excellent example of Carmel stonemason John Bathen's building skills.

22

John Bathen was a native of Norway. He came to Carmel in the early 1920s with his English wife, Lita and purchased the subject property from Emily Bell. The parcel had a one-story rectangular servants qtrs. in place, to which Bathen added the two-story wood-frame and stone portion at the north end of the existing feature. He built the Carmel stone garage at the south end of the property, fronting Santa Lucia in 1939. Based on the variety of masonry features on the property, it is probable that Bathen employed it as a showcase for potential clients, as he operated the Santa Lucia Quarries LTD out of an office on Dolores between Ocean & 7th in the village. Character-defining features of the Bathen residence include:

- An ell-shaped plan.
- An exterior wall cladding combining granitic & Carmel stone walls, with board & batten and wood shingle components.
- A stepped gabled roof system.
- Large fixed wood windows, wood casement type and sliding wood windows.
- Stone patio spaces and garden walls.

Evaluation:

The subject property is owned by Ms. Buff LaGrange, who proposes to affect repairs to the exterior and interior of the residence and its grounds needed to address deferred maintenance over time.

All work proposed is to repair, and, where needed, replace in kind, materials consistent with the existing building fabric. No modifications to the exterior aesthetics, dimensions, spatial relationships, or appearance are proposed.

The repair work shall reuse, to the extent feasible, available historic building materials, and match required replacement features in kind so that the essential form and integrity of the historic property will be unimpaired.

The subject property is sited north side of Santa Lucia. It is located in a wooded neighborhood of one and two-story residences of varying ages, sizes and styles.

As described above, the owner has proposed the following Mills Act budget addressing specific preservation treatments (see budget attached).

Any general conditions of approval of the proposed maintenance schedule should require all exterior work proposed on the residence and its historic environment to be consistent with the Secretary of the Interior's Standards for Preservation (see copy of Preservation Standards attached).

Specific conditions of approval should include:

1. Careful attention to employing the lowest possible PSI for any power washing of patios and stone walls. Carmel Stone is a soft shale material, susceptible to erosion, and the grout in the joints of both the Carmel Stone and granitic surfaces is old and prone to loss from too high a water pressure in the cleaning process (See Standards 5, 6 & 7 provided).
2. The existing wood windows that I was able to see appeared to be in reasonable condition, and should be repaired rather than replaced. They are all single-paned and should remain so. The National Park Service provides Preservation Briefs for guidance in this work, available on line. Preservation Brief #9 covers care of wooden windows.
3. In repairing or replacing damaged or deteriorated exterior wood shingles, they should be done in-kind on a one-for-one basis. Lengthy split wood shingles like those found on the exterior of the two-story portion of the subject property can be special ordered or fabricated locally.
4. Every effort should be taken to repair, rather than replace the existing front door. If replacement is necessary, it should match the original in kind (see Standards #5 & 6).
5. Unless physically broken, original door and window hardware should be repaired and retained. A reasonable effort should be made to match any broken components, with similar parts from historic hardware catalogs or used building components businesses.

Impacts of Proposed Project:

As proposed, the work will identify, retain and preserve, where feasible, historic materials and features. The proponents will strive to retain existing materials and features while employing as little new material as possible. All work shall be physically and visually compatible with the historic property, and upon close inspection, identifiable and documented for further research.

The proposed repair work will be compatible with the size, scale, proportions and massing of the residence to protect its essential form and integrity. The historic property and its environment will be unimpaired.

The subject property retains much of its physical integrity as constructed in 1926-27 & 1939, and evokes a strong sense of time and place and of feeling and association with the vernacular aesthetic in Carmel during the period. It is an excellent example of the craftsmanship of early Carmel stonemason John Bathen.

CEQA states in CCR Section 15064.5 (2)(B) that a change which demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that account for its inclusion in a local register of historical resources may constitute a substantial adverse change in the significance of the resource.

Conclusion:

The proposed work on the subject property should be executed consistent with the Secretary's Standards for Preservation, with the least possible loss of historic materials so that the remaining character-defining features of the historic resource will not be obscured, damaged or destroyed. Employing the suggested general and specific conditions noted, the repair and maintenance work will not create a significant change to the historic building and will not cause a significant adverse effect on the environment.

Mitigation:

The proposed project is in conformance with the Secretary of the Interior's *Standards for the Treatment of Historic Properties* under the standard for Preservation. No mitigation is needed for this project.

Respectfully Submitted,

Kent S. Seavey

Standards for Preservation



WALTER DEAN BRIDGE & ASSOCIATES

-GUIDELINES-

The Approach

Exterior Materials

Masonry

Wood

Architectural Metals

Exterior Features

Roofs

Windows

Entrances + Porches

Storefronts

Interior Features

Structural System

Spaces/Features/Finishes

Mechanical Systems

Site

Setting

Special Requirements

Energy Efficiency

Accessibility

Health + Safety



1. A property will be used as it was historically, or be given a new use that maximizes the retention of distinctive materials, features, spaces, and spatial relationships. Where a treatment and use have not been identified, a property will be protected and, if necessary, stabilized until additional work may be undertaken.

2. The historic character of a property will be retained and preserved. The replacement of intact or repairable historic materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.

3. Each property will be recognized as a physical record of its time, place, and use. Work needed to stabilize, consolidate, and conserve existing historic materials and features will be physically and visually compatible, identifiable upon close inspection, and properly documented for future research.

4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.

5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.

6. The existing condition of historic features will be evaluated to determine the appropriate level of intervention needed. Where the severity of deterioration requires repair or limited replacement of a distinctive feature, the new material will match the old in composition, design, color, and texture.

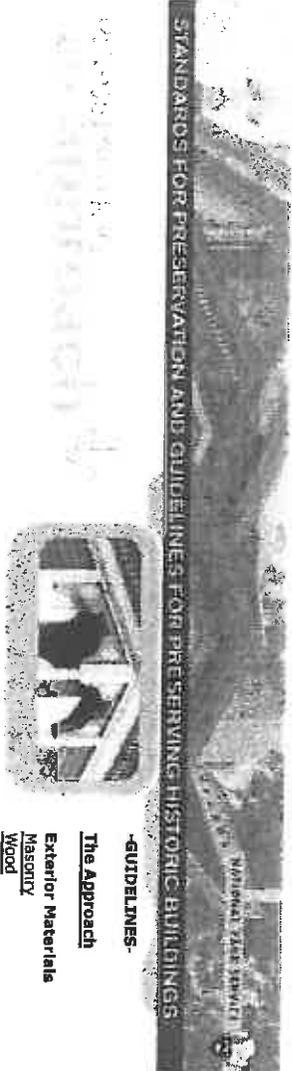
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

Guidelines for Preservation-->

HISTORICAL OVERVIEW - preserving - REHABILITATING - RESTORING - RECONSTRUCTING

main - credits - email



When the property's distinctive materials, features, and spaces are essentially intact and thus convey the historic significance without extensive repair or replacement, when depiction at a particular period of time is not appropriate, and when a continuing or new use does not require additions or extensive alterations, Preservation may be considered as a treatment. Prior to undertaking work, a documentation plan for Preservation should be developed.

Choosing Preservation as a Treatment

In Preservation, the options for replacement are less extensive than in the treatment, Rehabilitation. This is because it is assumed at the outset that building materials and character-defining features are essentially intact, i.e., that more historic fabric has survived, unchanged over time. The expressed goal of the Standards for Preservation and Guidelines for Preserving Historic Buildings is retention of the building's existing form, features and detailing. This may be as simple as basic maintenance of existing materials and features or may involve preparing a historic structure report, undertaking laboratory testing such as paint and mortar analysis, and hiring conservators to perform sensitive work such as reconstituting interior finishes. Protection, maintenance, and repair are emphasized while replacement is minimized.

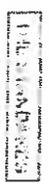
Identify, Retain, and Preserve Historic Materials and Features

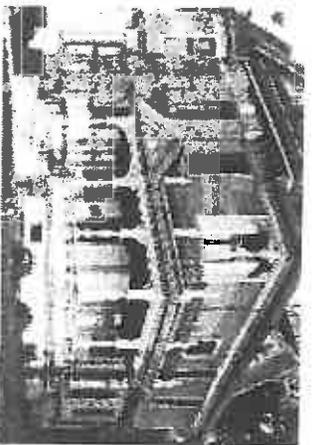
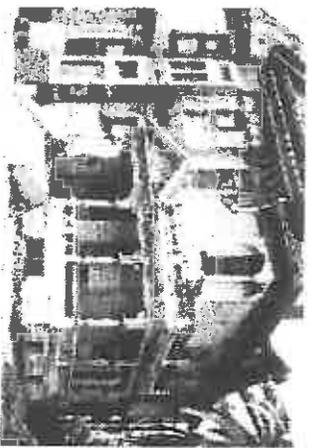
The guidance for the treatment Preservation begins with recommendations to identify the form and detailing of those architectural materials and features that are important in defining the building's historic character and which must be retained in order to preserve that character. Therefore, guidance on *identifying, retaining, and preserving* character-defining features is always given first. The character of a historic building may be defined by the form and detailing of exterior materials, such as masonry, wood, and metal; exterior features, such as roofs, porches, and windows; interior materials, such as plaster and paint; and interior features, such as moldings and stairways, room configuration and spatial relationships, as well as structural and mechanical systems, and the building's site and setting.

Stabilize Deteriorated Historic Materials and Features as a Preliminary Measure

Deteriorated portions of a historic building may need to be protected through preliminary stabilization measures until additional work can be undertaken. *Stabilizing* may include structural reinforcement, weatherization, or correcting unsafe conditions. Temporary

- GUIDELINES-
- The Approach**
- Exterior Materials**
- Masonry
- Wood
- Architectural Metals
- Exterior Features**
- Roofs
- Windows
- Entrances + Porches
- Storefronts
- Interior Features**
- Structural System
- Spaces/Features/Finishes
- Mechanical Systems
- Site**
- Setting**
- Special Requirements**
- Energy Efficiency
- Accessibility
- Health + Safety





Preservation of the exterior of the Hale House, Los Angeles, California, involved repairing the exterior walls and decorative features in historically appropriate colors. In excellent example of the Preservation treatment focused upon the ongoing maintenance of historic materials and features. Photo: Before, NPS files; After: Bruce Boehner.

After identifying those materials and features that are important and must be retained in the process of **Preservation** work, then **protecting and maintaining** them are addressed. Protection generally involves the least degree of intervention and is preparatory to other work. For example, protection includes the maintenance of historic materials through treatments such as rust removal, caulking, limited paint removal, and re-application of protective coatings; the cyclical cleaning of roof gutter systems; or installation of fencing, alarm systems and other temporary protective measures. Although a historic building will usually require more extensive work, an overall evaluation of its physical condition should always begin at this level.

Repair (Stabilize, Consolidate, and Conserve) Historic Materials and Features

Next, when the physical condition of character-defining materials and features requires additional work, **repairing by stabilizing, consolidating, and conserving** is recommended. **Preservation** strives to retain existing materials and features while employing as little new material as possible. Consequently, guidance for repairing a historic material, such as masonry, again begins with the least degree of intervention possible such as strengthening fragile materials through consolidation, when appropriate, and repointing with mortar of an appropriate strength. Repairing masonry as well as wood and architectural metal features may also include patching, splicing, or otherwise reinforcing them using recognized preservation methods. Similarly, within the treatment **Preservation**, portions of a historic structural system could be reinforced using contemporary materials such as steel rods. All work should be physically and visually compatible, identifiable upon close inspection and documented for future research.

identified and properly documented for future research. If prominent features are missing, such as an interior staircase, exterior cornice, or a roof dormer, then a Rehabilitation or Restoration treatment may be more appropriate.

Energy Efficiency/Accessibility Considerations/Health and Safety Code Considerations

These sections of the Preservation guidance address work done to meet accessibility requirements and health and safety code requirements, or limited retrofitting measures to improve energy efficiency. Although this work is quite often an important aspect of preservation projects, it is usually not part of the overall process of protecting, stabilizing, conserving, or repairing character-defining features; rather, such work is assessed for its potential negative impact on the building's historic character. For this reason, particular care must be taken not to obscure, damage, or destroy character-defining materials or features in the process of undertaking work to meet code and energy requirements.

HISTORICAL OVERVIEW - **preserving** - **REHABILITATING** - **RESTORING** - **RECONSTRUCTING**

[main](#) - [credits](#) - [email](#)

CITY OF CARMEL-BY-THE-SEA
HISTORIC RESOURCES BOARD
AGENDA CHECKLIST

MEETING DATE: 17 September 2012

BLOCK: 76 LOTS: 6, 7 & 8

FIRST HEARING: X

CONTINUED FROM: N/A

ITEM NO: DR 12-19

OWNER: Leidig-Draper Properties, LLC

STREAMLINING DEADLINE: 11/12/12

SUBJECT:

Consideration of a Design Review application for alterations to an historic building located in the Central Commercial (CC) District.

ENVIRONMENTAL REVIEW:

Exempt (Class 31- Historic Resource Rehabilitation).

LOCATION:

Dolores 2 SE of Ocean

ZONING:

CC

ISSUES:

1. Is the project consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties?

OPTIONS:

1. Issue a Determination of Consistency with the Secretary's Standards.
2. Issue a Determination of Consistency with the Secretary's Standards with special conditions.
3. Continue the application with a request for changes.
4. Determine that the project is not consistent with the Secretary's Standards.

RECOMMENDATION:

Option #2 (Issue a Determination of Consistency with special conditions.)

ATTACHMENTS:

1. Staff Report dated 17 September 2012.
2. DPR 523 Form.
3. Consultant Report.

STAFF CONTACT: Marc Wiener, Associate Planner

CITY OF CARMEL-BY-THE-SEA
COMMUNITY PLANNING AND BUILDING
STAFF REPORT

APPLICATION: DR 12-19

APPLICANT: Leidig-Draper Properties, LLC

BLOCK: 76

LOTS: 6, 7 & 8

LOCATION: Dolores 2 SE of Ocean

REQUEST:

Consideration of a Design Review application for alterations to an historic building located in the Central Commercial (CC) District.

ADDITIONAL REVIEW:

1. Planning Commission.

BACKGROUND:

This project site is located on Dolores Street two southeast of Ocean Avenue. The property is developed with a two-story commercial building that was built in 1929. The property is historically significant under California Register Criterion 3 (architecture), as a significant Spanish Colonial Revival building designed by the architectural firm of Blaine and Olson.

PROJECT DESCRIPTION:

The applicant is proposing alterations to the east (rear) elevation as well as the north and south side elevations. No alterations are proposed on the west (front) elevation. The primary purpose of this project is to construct an outdoor seating area at the rear of the building that would be used by the neighboring restaurant "Le St. Tropez". The applicant is also proposing to increase the wall height around the second-story patio that belongs to the upstairs apartment. Below is summary of the proposed alterations.

- The installation of awnings at the rear of the building to provide cover for the outdoor seating.
- Infill of the rear windows and the installation of wall mounted heaters in the area where the windows were.
- The construction of an 8-10 foot tall wall with arched openings at the south end of the outdoor seating area. The wall is connected to the southeast corner of the building.
- The construction of a 9 foot tall wing wall with a door on the north end of the seating area. The wall is connected to the northeast corner of the building.
- An arched entry is proposed in the intra-block walkway that provides access from Dolores.
- The applicant is proposing to increase the height of the guardrail around the second-story patio from four to eight feet.

EVALUATION:

CEQA: The California Environmental Quality Act requires an environmental review for alterations to historic resources that are not consistent with the Secretary of the Interior's Standards. The City's preservation consultant has reviewed this project and determined that it is consistent with the Secretary's Standards. Below is a summary of the consultant's review with a staff evaluation.

Ground Level Alterations (Outdoor Seating): The applicant is proposing new walls at the northeast and southeast corners of the building in order to enclose the seating area. There is also an arched entry proposed within the intra-block walkway. The consultant is supportive of these proposals, and notes that both walls and the entry are consistent with Standard #10, which states that *"new additions or construction will be undertaken in a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired."*

Staff concurs with the consultant, in that the development is reversible and will not damage the form or integrity of the historic building. Staff has added a special condition that the stucco on the walls be slightly differentiated from the building so that it can be distinguished from the original as encouraged by Standard #9. Staff notes that Standard #10 would also apply to the wall mounted heaters as well as the rear awning. Both developments are reversible and would not damage the historic integrity of the building.

Staff has some concern with the height of the 8-10 foot tall wall at the south end of the seating area. The concern is whether the outdoor seating area should appear more visible and less walled off. This matter will be addressed with the Planning Commission as a zoning issue that is related to outdoor seating. The HRB can address the height of the wall if it relates to the Secretary's Standards for the rehabilitation of historic properties. For example, does the wall meet Standard #9, which encourages new work to be compatible with the *"features, size, scale, proportion and massing to protect the integrity of the property"*?

In addition to the walls, the applicant is also proposing to infill the rear windows. A note has been provided that the project will be constructed to allow removal without significant damage to the existing historic structure. The consultant is in support of this proposal and cited Standard #7, which calls for physical treatments, like window closures, to be *"undertaken using the gentlest means possible."* A special condition has been added that the applicant provide details on the working drawings to ensure that Standard #7 is achieved.

Second-story Alterations (Rear Patio): For privacy reasons the applicant is proposing to increase the height of the guardrail wall around the second-story patio from four to eight feet. The patio belongs to a second-story apartment that is located above the proposed seating area.

The consultant is not in support of this proposal and cites Standard #3, which states that *“each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.”* The consultant concluded that the wall addition constitutes a conjectural feature and appears unnecessary.

Staff supports the consultant’s position on this issue. The proposed wall additions are difficult to distinguish from the original design and give a false sense of historicity. Increasing the height of these walls will also add to the perceived mass and scale of the building on the rear elevation. It should be noted that while the proposed alterations are not on the primary elevation, there is a public area at the rear and along the south side of the building. A special condition has been added that the applicant withdraw the proposed wall alterations on the second-story patio.

RECOMMENDATION:

Issue a Determination of Consistency with the Secretary’s Standards with the attached special conditions.

SPECIAL CONDITIONS:

1. The stucco on the new walls shall be slightly differentiated from the stucco on the historic building.
2. The working drawings shall provide details showing that the work will be done in a manner that minimizes damage to the building.
3. The applicant shall withdraw the proposal to increase the height of the second-story guardrails.
4. Prior to the beginning of construction, the applicant shall convene a pre-construction meeting to include the contractor and the project planner to ensure compliance with the Secretary of the Interior’s Standards for the Treatment of Historic Properties.

5. Prior to issuance of a building permit, the final construction documents shall include a materials list and a plan with elevation keynotes that clearly identify the methodology and extent of the proposed salvage and reuse of existing building materials including all exterior walls. This "salvage and reuse plan" shall clearly indicate that materials shall be: 1) preserved, 2) repaired when preservation is not possible, and 3) replaced in-kind only when absolutely necessary. The "salvage and reuse plan" shall also indicate that the windows being removed from the east elevation will be salvaged and stored for possible future use.

Primary # _____
 HRI # _____
 Trinomial _____
 NRHP Status Code **5515D1**

Other Listings
 Review Code _____ Reviewer _____ Date _____

Page 1 of 3

Resource Name or #: (Assigned by recorder) *Draper Leidig Building*

P1. Other Identifier: *Draper Leidig Building*

P2. Location: Not for Publication Unrestricted a. County *Monterey*

and (P2b and P2c or P2d. Attach a Location Map as necessary.)

b. USGS 7.5' Quad _____ Date _____ T _____ ; R _____ ; 1/4 of _____ 1/4 of Sec _____ ; E _____

c. Address: _____ City *Carmel-by-the-Sea* Zip *93921*

d. UTM: (Give more than one for large and/linear resources) _____ ; _____ mE/ _____ mN

e. Other Locational Data (Enter Parcel #, legal description, directions to resource, elevation, etc., as appropriate)

East side Dolores 2 south of Ocean (Block 76 (Lots South parts 6,7,8)

Parcel No. *10-146-13*

P3. Description (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)

A white stucco building consisting of a two-story front section and a one-story rear section having concrete foundations. A Spanish tile roof covers the front section and a residential patio is over the rear section. The ground floor of the front section includes four Moorish arches with green canvas canopies fronting the retail stores. The second story of the front section is a residence occupied by the owner. The left portion of the front section has a shed roof sloping northward. The remaining portion of the front section has a gable roof with a north-south ridgeline. Elaborate decorative cornice work of brick and red tile shows under the eaves. The upstairs apartment has a large vaulted ceiling living room and french doors leading to a grand balcony overlooking Dolores Street.

On the ground floor, Photography West Gallery has a single display window. The other shops each have two angled display windows. The doors of the shops are either one-piece with a large glass panel or patterned wood Dutch type with multi-paned upper sections. The walls under the windows are faced with decorative tile. Cantilevered signs hang outside each shop. Moorish (See Continuation Sheet)

P3b. Resource Attributes: (List attributes and codes) *HP6 - Commerical (1-3 stories)*

P4. Resources Present Building Structure Object Site District Element of District Other (Isolates, etc.)

P5a. Photograph or Drawing (Photograph required for buildings, structures, and objects)

P5b. Description of Photo: (View, date, accession #)
West facing facade (View toward southeast). Photo No: 9219-38, 11/9/2002

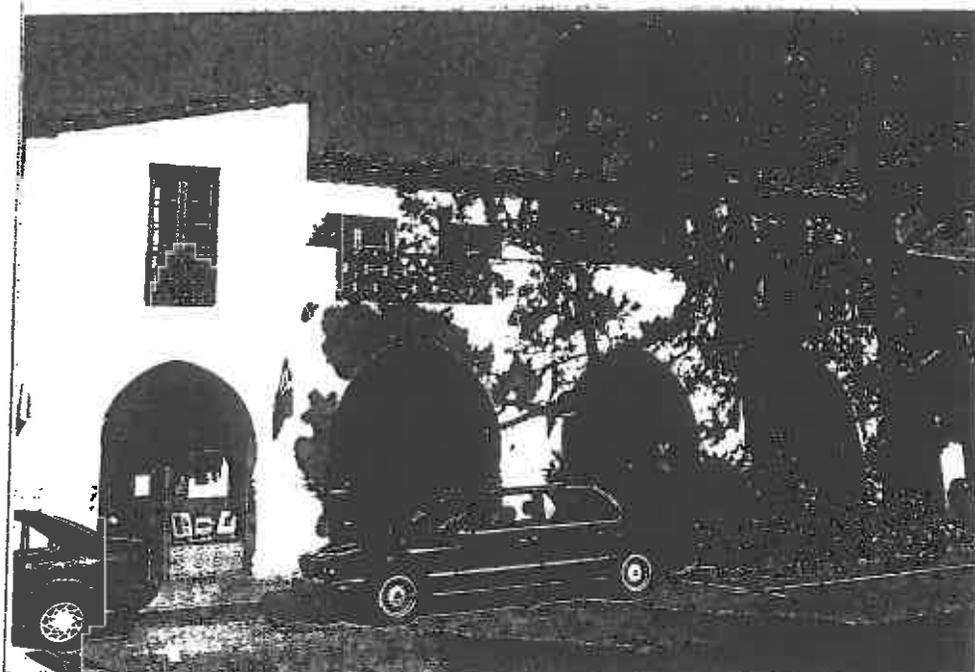
P6. Date Constructed/Age and Sources:
 Prehistoric Historic Both
1929 - Carmel Building Files

P7. Owner and Address
*Theodore R. Leidig
 P.O. Box 221634
 Carmel, CA 93922*

P8. Recorded by: (Name, affiliation, and address)
Richard N. Janick, P.O. Box 223408, Carmel, CA 93922

P9. Date Recorded: *5/22/2002*

P10. Survey Type: (Describe)
HRI Carmel 2001



P11. Report Citation: (Cite survey report and other sources, or enter "none") *Significant Building Survey 1978*

Carmel Historic Survey 1989-1997

- Attachments NONE Continuation Sheet District Record Rock Art Record Other: (List)
- Location Map Building, Structure, and Object Record Linear Feature Record Artifact Record
- Sketch Map Archaeological Record Milling Station Record Photograph Record

Significant Building Survey Carmel-by-the-Sea 1978

35

Resource Name or #: (Assigned by recorder) *Draper Leidig Building*

- B1. Historic Name: *Isabel Leidig Building*
- B2. Common Name: *Leidig Building*
- B3. Original Use: *Commercial/Residential*
- B4. Present Use: *Commercial/Residential*
- B5. Architectural Style: *Spanish Revival*

B6. Construction History: (Construction date, alterations, and date of alterations)
 1. Permit #2081 (January 3, 1929) Build 2-story concrete frame, stucco stores and upstairs apartment (\$24,000).
 (Original plans in file dated November 24, 1928) Architects: Blaine and Olson, Oakland, CA (See Continuation Sheet)

- B7. Moved? No Yes Unknown Date: Original Location:
- B8. Related Features:

- B9a. Architect: *Blaine and Olson*
- b. Builder: *C. H. Lawrence*
- B10. Significance: Theme: *Architectural Development in Carmel* Area: *Carmel-by-the-Sea*
- Period of Significance: *1903-1940* Property Type: *Commercial* Applicable Criteria: *CR#3*

(Discuss importance in terms of historical or architectural context as defined by theme, period and geographic scope. Also address integrity.)

This building qualifies under California Register Criteria #3 in the area of architecture as a significant Spanish Colonial Revival Style design by the Architectural firm of Blaine and Olson of Oakland, California. The Spanish Colonial Revival Style was paramount in the 1920s throughout California and was even required by deed for homes built in Pebble Beach. The building also is part of a row of commercial designs on Dolores Street between Ocean and 7th that best expresses Carmel's historic commercial development.

Roger W. Blaine and David Olsen had been partners with Wilson J. Wythe in Oakland, and were primarily church and commercial designers. Wythe, an instructor at UC Berkeley, died in 1926, and the firm of Blaine & Olsen only lasted until the Depression. Both Blaine and Olsen had spent some time traveling in Spain prior to the commission, so they were acutely aware of the nuances of Spanish architecture. This is one of their few known works.

The Spanish Colonial Revival Style became very popular in California after the Panama Pacific Exposition in 1915 in San Diego featuring buildings designed by Bertram Grosvenor Goodhue that mixed Mediterranean architectural details with elements of Baroque architecture. The style spread to Santa Barbara, California after the 1925 earthquake in the work of George Washington Smith and Carlton Winslow Sr. and in the development of Pebble Beach by Samuel Morse in the 1920s where all houses were mandated to follow Mediterranean design elements. Architects such as Addison Mizner, Bernard Maybeck, Clarence Tantau, George Washington Smith, Lewis Hobart, Bakewell and Brown and local builders Hugh Comstock and M. J. Murphy produced buildings conforming to this style.

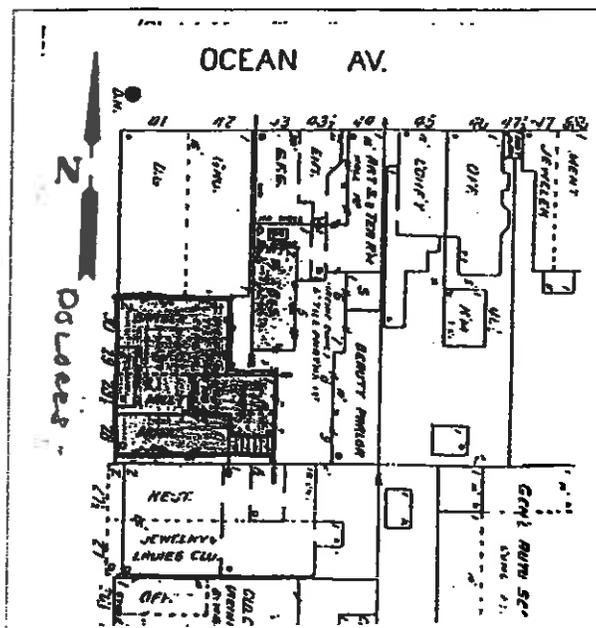
B11. Additional Resource Attributes: (List attributes and codes) *HP-2 (Upstairs Apartment)*

- B12. References:
1. *Architectural Guide to Northern California* by Sally Woodbridge, p. 452.
 2. *"Tribute to Yesterday"* by Sharon Hale, pgs. 38, 61, 64
 3. *Carmel-by-the-Sea Survey 1989-1996*
(See Continuation Sheet)

B13. Remarks: *Zoning - Commercial
CHCS (AD)*

B14. Evaluator: *Richard N. Janick*
Date of Evaluation: *5/22/2002*

(This space reserved for official comments.)



CONTINUATION SHEET

Page 3 of 3 Resource Name or #: (Assigned by recorder) Draper Leidig Building
Recorded by: Richard N. Janick Date 5/22/2002 Continuation Update

B.6. Construction History (Continued from Page 2)

- a. Previous Permits for same site
1. Permit #158 (February 1921) Owner De Yoe (\$600)
 2. Permit #699 (November 1923) Owner Isabel Leidig (\$3,000)

 2. Permit #2 (November 30, 1953) Install a T.V. antenna
 3. Permit #2599 (April 30, 1954) Electrical
 4. Permit #4262 (March 10, 1965) Interior remodel (Downstairs shop) (\$1,000) Contractor: Carl Moberg
 5. Permit #75-67 (May 19, 1975) Interior remodel (Downstairs shop) (\$900)
 6. Permit #1-508 (June 26, 1975) Awning replacement (Downstairs shop)
 7. Permit #75-22 (March 17 1975) Interior remodel (Downstairs shop) (\$4,500)
 8. Permit #79-115 (November 9, 1979) Door-Planter-Awning (Downstairs shop) Drawings in file
 9. Permit #90-4 (January 26, 1990) Electrical
 10. Permit #96-71 (November 20, 1996) Awning replacement
 11. Permit #01-226 (December 17, 2001) Elevator Addition to rear of building, access to 2nd floor (\$25,000) Architect: Melvin E. Pritchard; Contractor: Lewelleyn Construction

B.10 Significance (Continued from Page 2)

This building was built for Robert and Isabel Leidig, whose daughter Jean married Raymond Draper. Isabel was the daughter of John Martin, who with his brother Robert purchased and successfully operated what is now the Mission Ranch, around 1860. Isabel was the youngest and only girl of the seven Martin children. The Leidigs had two boys, both World War II casualties, and one daughter, Jean. She later operated the exclusive sportswear shop in the Las Tiendas building known as Draper's. This shop later became Robertsons. Over the years the building has remained much the same and is still owned by the original family. There have been many tenants including: jewelry stores, art galleries, ladies apparel, real estate offices, photo galleries and gift shops. The original Robert and Isabel Leidig home on this site was moved from this location to the northwest corner of Fifth Avenue and Dolores Street in 1929 to make the original site available for the new building.

The Draper Leidig Building clearly reflects the findings of, and is consistent with, the 1997 Carmel Historic Context Statement under the theme of Architectural Development. (Page 31)

B.12. References (Continued from Page 2)

4. CHCS, 1997

P3. Description (Continued from Page 1)

decorative tiles accent windows and entrances on the rear patio, stairs, and the recently enclosed elevator tower, tying the elevations together. Carved wood pergolas frame the main entrance of the upstairs apartment off the roof patio at the rear of the building.

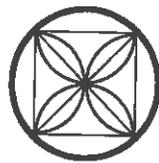
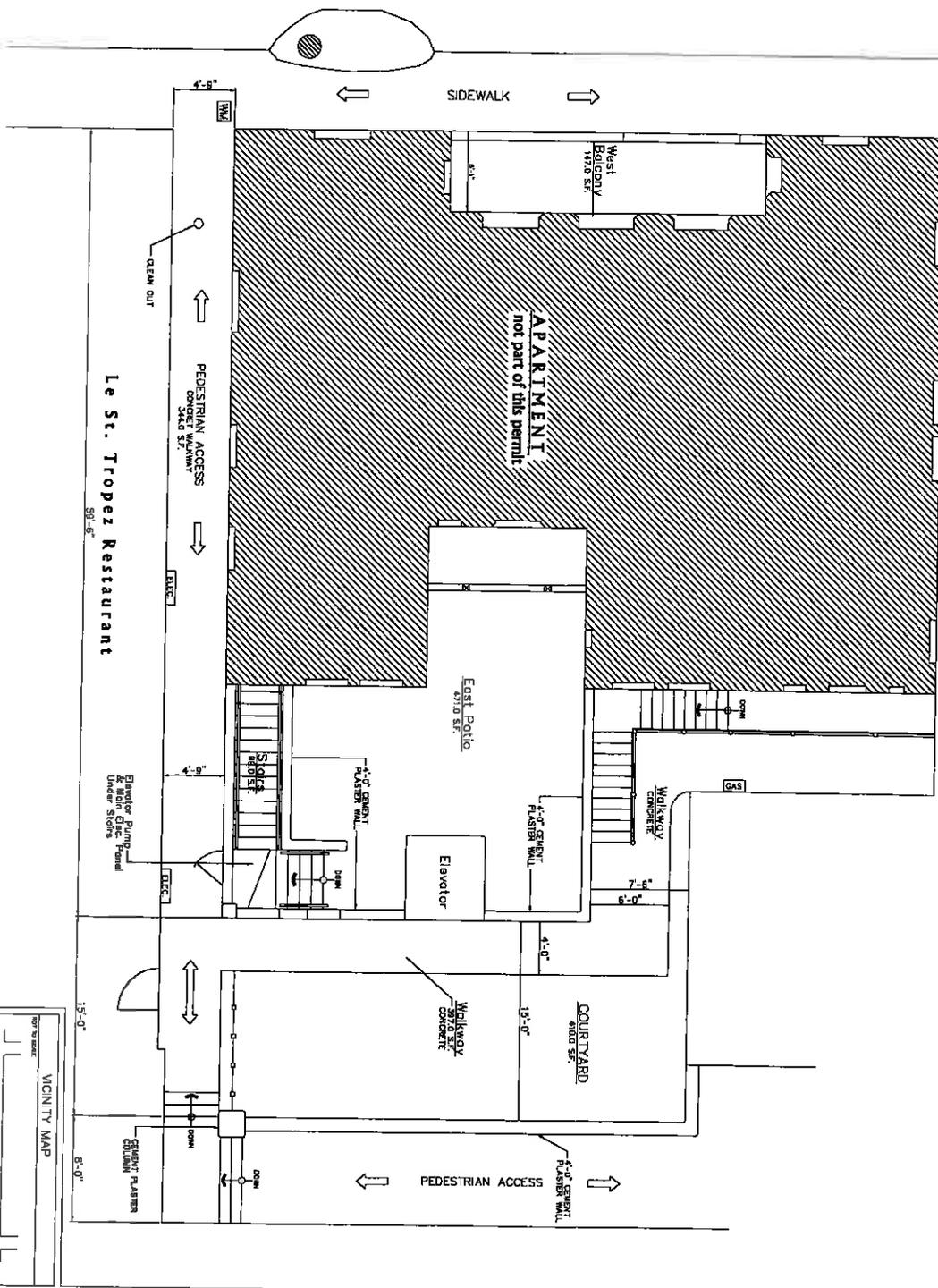
From left to right, the second story residence shows recessed French doors with a decorative wood railing, a recessed balcony with a patterned red tile railing. There are three sets of French doors leading out, two decorative lamps on the walls and three rainspouts extending out through the facade. Next, there are two recessed casement windows followed by French doors leading out to a French balcony of black metal. A red concrete passageway at the right leads to the decorative wrought iron gate at the rear of the residence. There are exterior stairs which lead to the patio and the entrance. The passageway continues to the back of the building and to the rear of the property where there is another passageway to Ocean Avenue via an adjacent property.

The rear one-story service space has metal doors with security glass panes and industrial sash windows. A steel staircase leads to the second story at the inner corner of the front and back sections. At the southwest corner, rises a slim cone-shaped stucco column topped by a decorative lamp and finial. An elevator tower with a sympathetic stucco wall treatment provides disabled access to the upstairs apartment. The elevator tower is not visible from the street.

At the rear of the property, behind a wood rail fence, is a garden and an ivy covered stucco wall which delineates the back property boundary. Behind a wood rail fence at the edge of the Dolores Street sidewalk, is an earthen plot containing two sizeable Monterey pines which front the two right hand shops.

37

DOLORES STREET



CLAUDIO ORTIZ
DESIGN GROUP, INC.

PROJECT DATA

LOT SIZE	6000 SF.
DOWN	CHARLENE, CHES (AO)
A.P.N.	010-146-013
ADDRESS	800-7th Street, South Pointe, S.F.
FLOOR AREA	NO CHANGE
FEM ALLOWED	NO CHANGE
EXISTING	NO CHANGE
MIN. LEVEL	NO CHANGE
1/2 IN. E2I GROSS FLOOR AREA	NO CHANGE
SITE COVERAGE	NO CHANGE
EXISTING	1410 SF.
PROPOSED	4710 SF.
WEST BALCONY	1410 SF.
EAST BALCONY	4710 SF.
APARTMENT STAIRS	810 SF.
COURTYARD	4142 SF.
PEDESTRIAN ACCESS WALKWAY	3077 SF.
TOTAL EXISTING COVERAGE	1410 SF.
TOTAL PROPOSED COVERAGE	10800 SF.

SCOPE OF WORK

1. EXISTING CONCRETE FLOOR TO BE REPAIRED.
2. ALL EXISTING WALLS & DOORS TO REMAIN.
3. TWO WALLS TO BE REMOVED ON UPPER LEVEL PER PLAN.
4. NEW WALL AT REAR COURTYARD PER PLAN.

SHEET INDEX

1. EXISTING SITE PLAN
2. EXISTING ELEVATIONS
3. PROPOSED SITE PLAN
4. PROPOSED ELEVATIONS
5. PROPOSED ELEVATIONS
6. PROPOSED ELEVATIONS
7. PROPOSED ELEVATIONS

OWNER:
LEIDIG-DRAPER PROPERTIES
P.O. Box 221834
CARMEL-BY-THE-SEA, CA. 93922
TEL. (831) 622-8850

NOTES:

1. Final landscape plan, approved from Water District.
2. All existing walls, doors, or windows of any kind of masonry, brick, or concrete, including the window openings, shall be repaired or replaced by new masonry, brick, or concrete, as shown on the drawings.
3. All existing concrete shall be repaired or replaced by new concrete, as shown on the drawings.
4. All existing steel shall be repaired or replaced by new steel, as shown on the drawings.
5. All existing wood shall be repaired or replaced by new wood, as shown on the drawings.
6. All existing electrical shall be repaired or replaced by new electrical, as shown on the drawings.
7. All existing plumbing shall be repaired or replaced by new plumbing, as shown on the drawings.
8. All existing mechanical shall be repaired or replaced by new mechanical, as shown on the drawings.
9. All existing fire protection shall be repaired or replaced by new fire protection, as shown on the drawings.
10. All existing safety shall be repaired or replaced by new safety, as shown on the drawings.

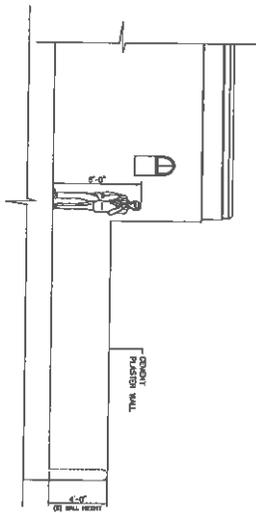
CLAUDIO ORTIZ
DESIGN GROUP INC.
1/4 W. of 100th Street, Box 3776
Carmel-by-the-Sea, CA 93921
831-622-6146 831-622-4344
Fax 1760

Leidig-Draper Residence
2 S/E of Ocean Ave. on Dolores St. Carmel-by-the-Sea, Ca

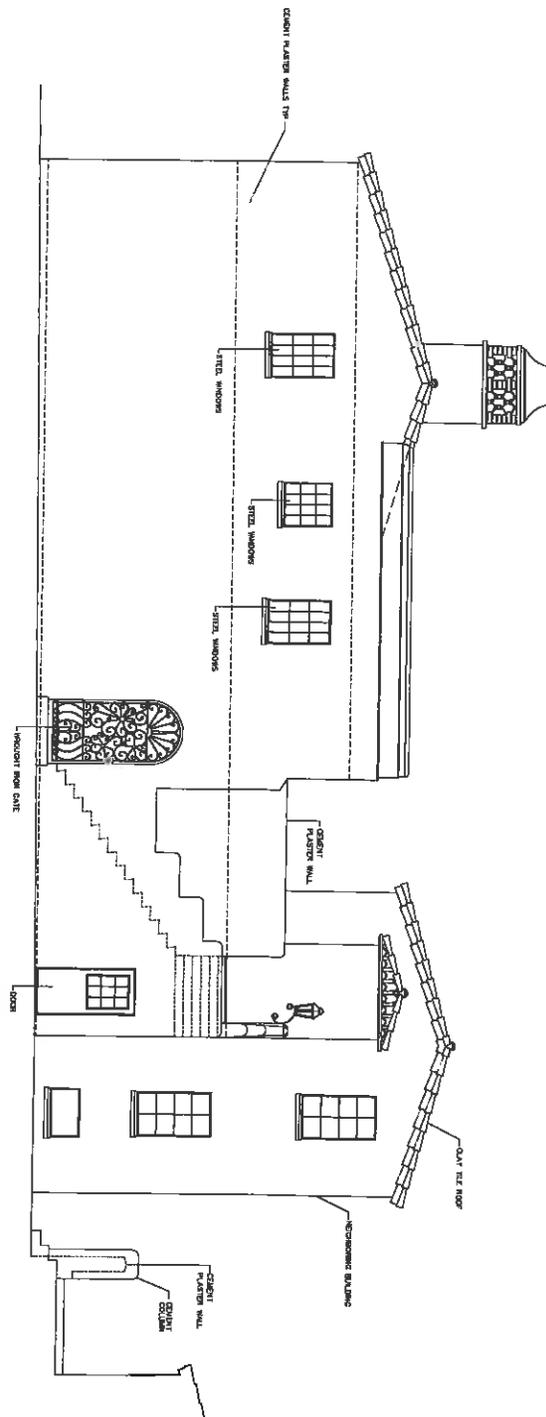
SHEET TITLE:
EXISTING SITE PLAN
SCALE: 1" = 1/8"

DATE: 09/13/12
DRAWN BY: [Signature]
CHECKED BY: [Signature]
SCALE: 12-04
SHEET: 1

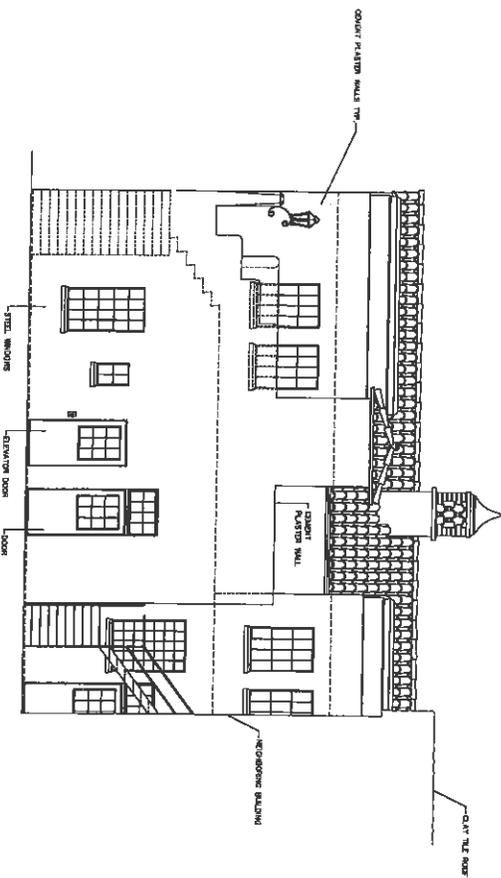
South Elevation
APARTMENT PATIO INSIDE VIEW



South Elevation
ALLEY VIEW



East Elevation
PATIO VIEW



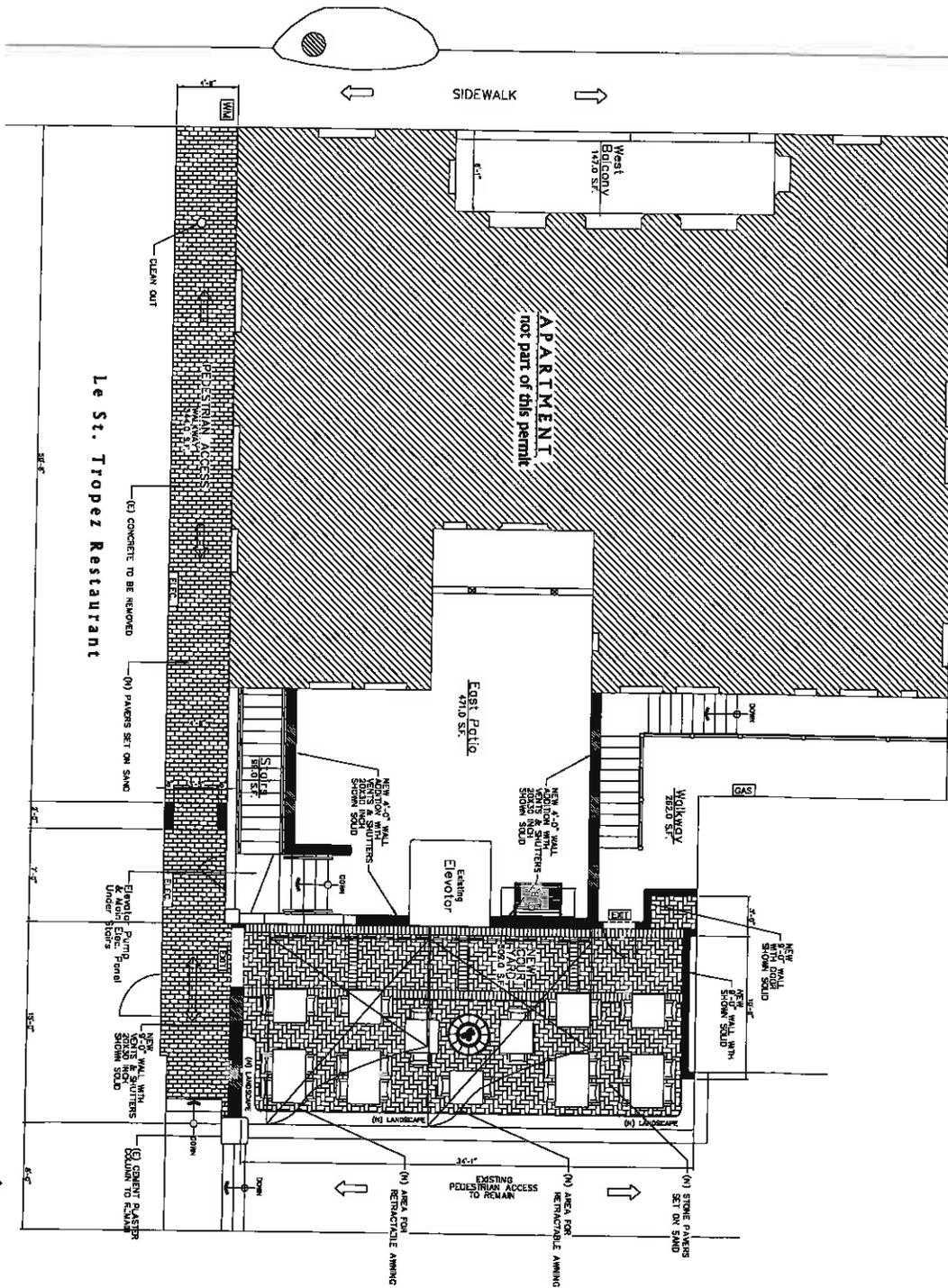
39

DATE	09/13/12
REVISION	
BY	
CHECKED	
DATE	
SCALE	1/2" = 1'-0"
SHEET TITLE	EXISTING ELEVATION
PROJECT	Leidig-Draper Residence
NO. OF SHEETS	12-04
TOTAL	2

Leidig-Draper Residence
2nd. S/e of Ocean Ave. on Dolores St. Camel-by-the-Sea, Ca

CLAUDIO ORTIZ DESIGN GROUP INC.
 5/4 W. CO. DOLORES and 5TH P.O. BOX 3772
 CARMEL-by-the-Sea, CA 95021
 831-458-1148 831-458-4344
 Office Fax

DOLORES STREET



PROJECT DATA

LOT SIZE	0.020 S.F.
ZONING	COMMERCIAL, OFFICE (AO)
A.P.N.	010-148-013
ADDRESS	8300-76 LOTS: South Pacific B, 7, 8
FLOOR AREA	
FAR ALLOWED	NO CHANGE
EXISTING	NO CHANGE
WALL LEVEL	NO CHANGE
TOTAL (G) DENSE FLOOR AREA	NO CHANGE

SITE COVERAGE

EXISTING	1410 S.F.
WEST BALCONY	1410 S.F.
APARTMENT STAIRS	410 S.F.
COURTYARD	410 S.F.
PEDESTRIAN ACCESS WALKWAY	3440 S.F.
TOTAL EXISTING COVERAGE	1,880 S.F.
PROPOSED	
EAST PATIO	4710 S.F.
APARTMENT STAIRS	890 S.F.
WALKWAY	3920 S.F.
PEDESTRIAN ACCESS WALKWAY	3440 S.F.
TOTAL PROPOSED COVERAGE	1,320 S.F.

NOTES:

1. Find hazardous and removal from Water District
2. removed prior to City approval
3. disposed, removed, or abandoned of any and all green, grass, or concrete, paint, oil, or other materials, in strictly prohibited by the Public Works Director and violators of the rules and ceased all cleaning work.
4. Survey must be in place.
5. All contractor and locate grid copies of property prior to the final foundation and footing inspection.
6. Survey must be in place.
7. All surface water drainage shall be directed away from the property.
8. Existing trees shall be protected from construction activities over the height of any tree during the construction period.
9. Protect all trees during construction.



**CLAUDIO ORTIZ
DESIGN GROUP, INC.**



Leidig-Draper Residence
2 S/E of Ocean Ave. on Dolores St. Carmel-by-the-Sea, Ca

**CLAUDIO ORTIZ
DESIGN GROUP, INC.**
5/4 on DOLORES and 504 P.O. BOX 3775
Carmel-by-the-Sea, CA 93921
831-929-1148 831-929-1244
Office Fax

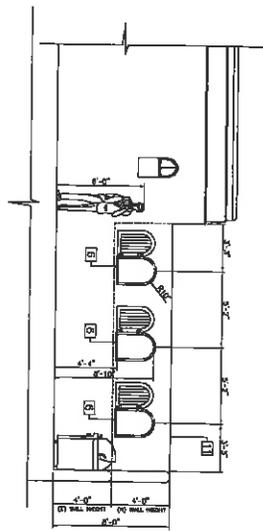
**PROPOSED
SITE PLAN**
SCALE: 1" = 1/8"

SHEET TITLE: **PROPOSED SITE PLAN**

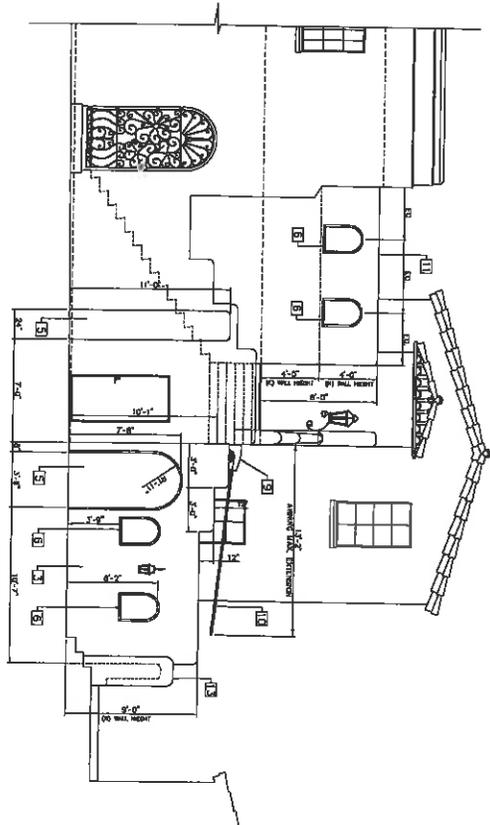
DATE: **09/13/12**

DESIGNER: **12-04**

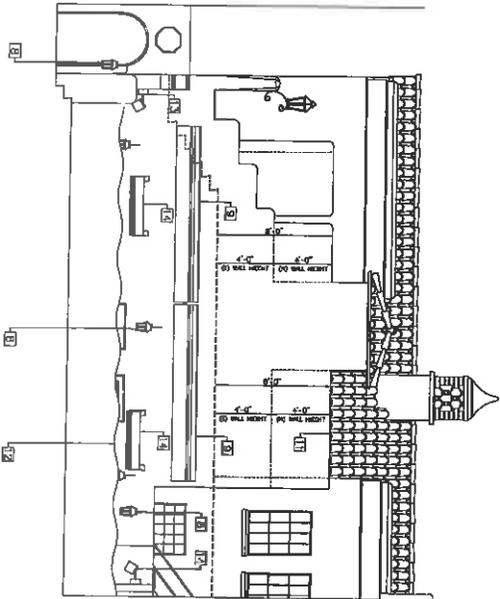
PROJECT NO: **4**



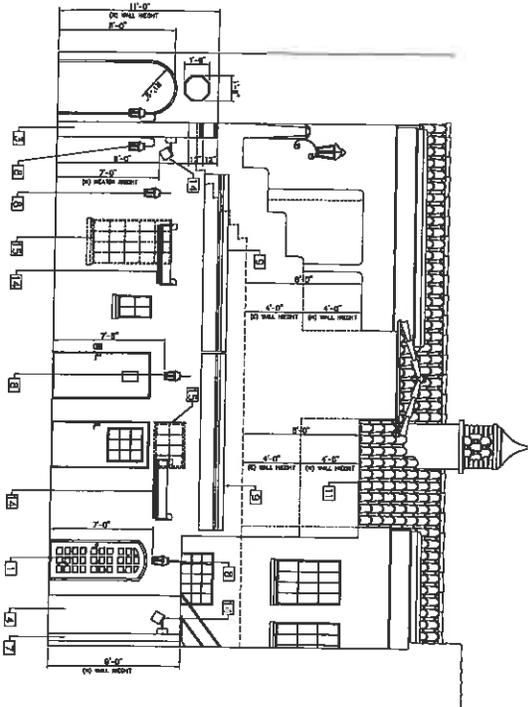
South Elevation
APARTMENT PATIO INSIDE VIEW



South Elevation
ALLEY VIEW



East Elevation
ALLEY VIEW



East Elevation
PATIO VIEW

- Key Notes**
REFER SEE OTHER SHEET ONLY APPLY TO THIS SHEET
- 1 (1) 1/2" TYP. BRICK
 - 2 (2) WOOD GRATE FOR PROTECTION
 - 3 (3) 1/2" TYP. BRICK
 - 4 (4) 1/2" TYP. BRICK
 - 5 (5) CONCRETE SLAB ON GRADE
 - 6 (6) 1/2" TYP. BRICK
 - 7 (7) 1/2" TYP. BRICK
 - 8 (8) 1/2" TYP. BRICK
 - 9 (9) 1/2" TYP. BRICK
 - 10 (10) 1/2" TYP. BRICK
 - 11 (11) 1/2" TYP. BRICK
 - 12 (12) 1/2" TYP. BRICK
 - 13 (13) 1/2" TYP. BRICK
 - 14 (14) 1/2" TYP. BRICK
 - 15 (15) 1/2" TYP. BRICK
 - 16 (16) 1/2" TYP. BRICK
 - 17 (17) 1/2" TYP. BRICK
 - 18 (18) 1/2" TYP. BRICK
 - 19 (19) 1/2" TYP. BRICK
 - 20 (20) 1/2" TYP. BRICK
 - 21 (21) 1/2" TYP. BRICK
 - 22 (22) 1/2" TYP. BRICK
 - 23 (23) 1/2" TYP. BRICK
 - 24 (24) 1/2" TYP. BRICK
 - 25 (25) 1/2" TYP. BRICK
 - 26 (26) 1/2" TYP. BRICK
 - 27 (27) 1/2" TYP. BRICK
 - 28 (28) 1/2" TYP. BRICK
 - 29 (29) 1/2" TYP. BRICK
 - 30 (30) 1/2" TYP. BRICK
 - 31 (31) 1/2" TYP. BRICK
 - 32 (32) 1/2" TYP. BRICK
 - 33 (33) 1/2" TYP. BRICK
 - 34 (34) 1/2" TYP. BRICK
 - 35 (35) 1/2" TYP. BRICK
 - 36 (36) 1/2" TYP. BRICK
 - 37 (37) 1/2" TYP. BRICK
 - 38 (38) 1/2" TYP. BRICK
 - 39 (39) 1/2" TYP. BRICK
 - 40 (40) 1/2" TYP. BRICK
 - 41 (41) 1/2" TYP. BRICK
 - 42 (42) 1/2" TYP. BRICK
 - 43 (43) 1/2" TYP. BRICK
 - 44 (44) 1/2" TYP. BRICK
 - 45 (45) 1/2" TYP. BRICK
 - 46 (46) 1/2" TYP. BRICK
 - 47 (47) 1/2" TYP. BRICK
 - 48 (48) 1/2" TYP. BRICK
 - 49 (49) 1/2" TYP. BRICK
 - 50 (50) 1/2" TYP. BRICK
 - 51 (51) 1/2" TYP. BRICK
 - 52 (52) 1/2" TYP. BRICK
 - 53 (53) 1/2" TYP. BRICK
 - 54 (54) 1/2" TYP. BRICK
 - 55 (55) 1/2" TYP. BRICK
 - 56 (56) 1/2" TYP. BRICK
 - 57 (57) 1/2" TYP. BRICK
 - 58 (58) 1/2" TYP. BRICK
 - 59 (59) 1/2" TYP. BRICK
 - 60 (60) 1/2" TYP. BRICK
 - 61 (61) 1/2" TYP. BRICK
 - 62 (62) 1/2" TYP. BRICK
 - 63 (63) 1/2" TYP. BRICK
 - 64 (64) 1/2" TYP. BRICK
 - 65 (65) 1/2" TYP. BRICK
 - 66 (66) 1/2" TYP. BRICK
 - 67 (67) 1/2" TYP. BRICK
 - 68 (68) 1/2" TYP. BRICK
 - 69 (69) 1/2" TYP. BRICK
 - 70 (70) 1/2" TYP. BRICK
 - 71 (71) 1/2" TYP. BRICK
 - 72 (72) 1/2" TYP. BRICK
 - 73 (73) 1/2" TYP. BRICK
 - 74 (74) 1/2" TYP. BRICK
 - 75 (75) 1/2" TYP. BRICK
 - 76 (76) 1/2" TYP. BRICK
 - 77 (77) 1/2" TYP. BRICK
 - 78 (78) 1/2" TYP. BRICK
 - 79 (79) 1/2" TYP. BRICK
 - 80 (80) 1/2" TYP. BRICK
 - 81 (81) 1/2" TYP. BRICK
 - 82 (82) 1/2" TYP. BRICK
 - 83 (83) 1/2" TYP. BRICK
 - 84 (84) 1/2" TYP. BRICK
 - 85 (85) 1/2" TYP. BRICK
 - 86 (86) 1/2" TYP. BRICK
 - 87 (87) 1/2" TYP. BRICK
 - 88 (88) 1/2" TYP. BRICK
 - 89 (89) 1/2" TYP. BRICK
 - 90 (90) 1/2" TYP. BRICK
 - 91 (91) 1/2" TYP. BRICK
 - 92 (92) 1/2" TYP. BRICK
 - 93 (93) 1/2" TYP. BRICK
 - 94 (94) 1/2" TYP. BRICK
 - 95 (95) 1/2" TYP. BRICK
 - 96 (96) 1/2" TYP. BRICK
 - 97 (97) 1/2" TYP. BRICK
 - 98 (98) 1/2" TYP. BRICK
 - 99 (99) 1/2" TYP. BRICK
 - 100 (100) 1/2" TYP. BRICK

43

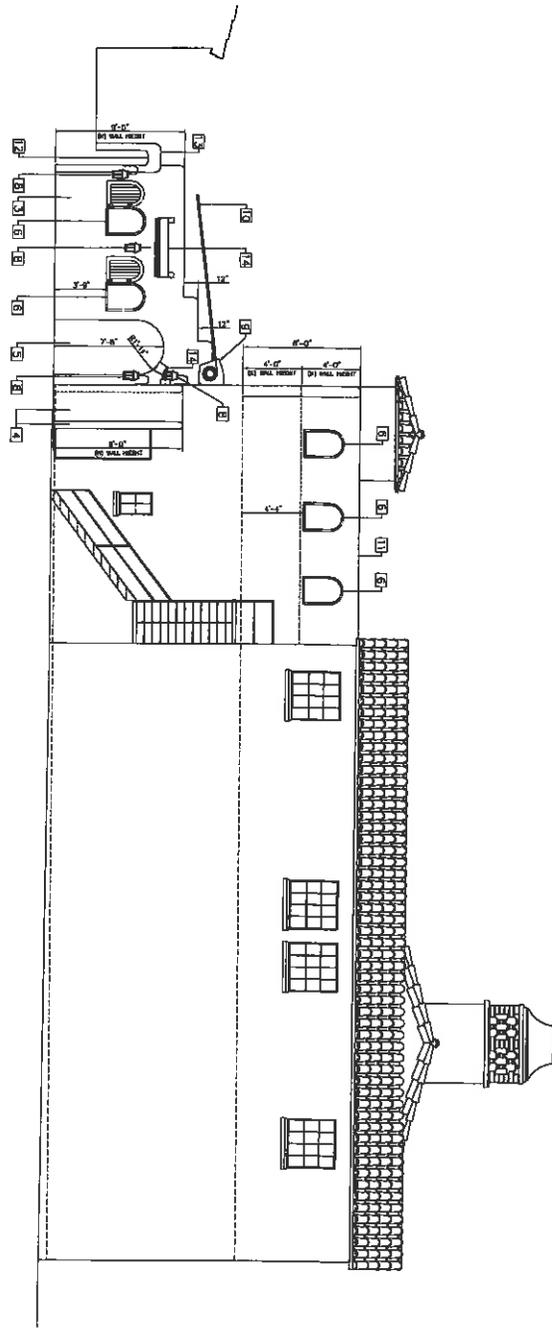
PROJECT TITLE: PROPOSED ELEVATION
 DATE: 09/13/12
 SCALE: 1" = 1/4"

DESIGNER: [Signature]
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]
 DATE: 12-04

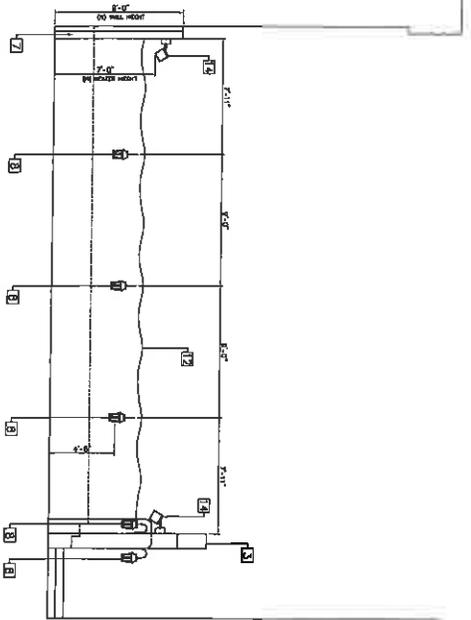
6

Leldig-Draper Residence
 2nd. S/e of Ocean Ave. on Dolores St. Carmel-by-the-Sea, Ca

CLAUDIO ORTIZ DESIGN GROUP INC.
 574 W. DOLORES and 2TH P.O. BOX 3722
 Carmel-by-the-Sea, CA 93921
 831-924-1148 831-924-1544
 Office Fax



North Elevation
PATIO VIEW



West Elevation
ALLEY VIEW

- KEY NOTES**
PLEASE REFER NUMBERS CORRESPONDING TO THIS SHEET
1. LEFT BALCONY
 2. LEFT BALCONY
 3. (1) BRICK PAVING
 4. (1) BRICK PAVING
 5. (1) EXIST. MASONRY ARCHED WAY
 6. (1) BRICK PAVING
 7. (1) BRICK PAVING
 8. (1) BRICK PAVING
 9. (1) BRICK PAVING
 10. (1) BRICK PAVING
 11. (1) BRICK PAVING
 12. (1) BRICK PAVING
 13. (1) BRICK PAVING
 14. (1) BRICK PAVING
 15. (1) BRICK PAVING
 16. (1) BRICK PAVING
 17. (1) BRICK PAVING
 18. (1) BRICK PAVING
 19. (1) BRICK PAVING
 20. (1) BRICK PAVING
 21. (1) BRICK PAVING
 22. (1) BRICK PAVING
 23. (1) BRICK PAVING

44



**CLAUDIO ORTIZ
DESIGN GROUP INC.**
S/W of GOLDEN GATE BLVD. P.O. BOX 3775
SAN FRANCISCO, CA 94112
CLAUDE ORTIZ
CLAUDE ORTIZ
CLAUDE ORTIZ

Leidig-Draper Residence
2nd. S/e of Ocean Ave. on Dolores St. Cornel-by-the-Sea, Ca

PROPOSED ELEVATION
SCALE: 1" = 1/4"

DATE: 09/13/12
DRAWN BY: [Signature]
CHECKED BY: [Signature]
APPROVED BY: [Signature]

PROJECT NO: 12-04
SHEET NO: 7

KENT L. SEAVEY
310 LIGHTHOUSE AVENUE
PACIFIC GROVE, CALIFORNIA 93950
(831)375-8739

September 11, 2012

Mr. Mark Weiner /Senior Planner
Carmel Planning & Building Department
City of Carmel by-the-Sea
P.O. Drawer G
Carmel, CA 93921

Dear Mr. Weiner:

Thank you for the opportunity to prepare a Focused Phase II Historic Review of the Draper Leidig Building commercial property on the east side of Dolores 2 south of Ocean (Blk 76, Lots, south part of 6,7,8) (APN# 010-146-013) in Carmel, Monterey County, as required by the California Environmental Quality Act (CEQA) and the City of Carmel. The review is for consistency with the Secretary of the Interior's Standards for the Treatment of Historic Properties.

The Secretary of the Interior's Standards for the Treatment of Historic Properties identify four primary treatment approaches to historic buildings. They are Restoration, Preservation, Reconstruction and Rehabilitation. Rehabilitation would be the recommended standard for treatment of the subject property.

Rehabilitation is defined as the act or process of making a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values.

The Secretary's Standards encourages "placing a new addition on a non-character-defining elevation." and locating alterations to historic properties in areas where previous alterations already exist.

As stated in the 1992 National Park Service *Illustrated Guidelines for Rehabilitating Historic Buildings*, "The Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility." Character-defining features of the subject property include:

- Textured cement stucco exterior wall cladding,

45

- Mission tiled roofs w/parapeted exterior walls.
- Multi-paned casement type metal windows, w/some round-arched window, and door openings along Dolores St.
- Front and rear roof patios.
- Scalloped stucco-clad garden walls.

The subject property is owned by Leidig-Draper Properties, which proposes to modify the existing c. 1929 rear (east) garden area into an outdoor dining space. The plans also call for the addition of four foot exterior walls on an existing second story patio space on the main building block.

The proposed garden dining space will cause the in fill of two windows on the rear of the historic building envelope, extension and heightening of a garden wall along an existing pedestrian alley on the south side of the garden space, to include a new arched entry, and small arched window openings, and the addition of an arched entry feature on the pedestrian pathway just west of the proposed dining area facing Dolores. A second wing wall and gate will be added to the NE corner of the building block to secure access to the rear entries of ground floor businesses in the subject property.

Also proposed is the heightening of the exterior walls enclosing a second floor residential patio space at the rear (east) of the main building block, to include a series of small arched openings around this feature (see DPR 523, photos and plans & drawings provided).

As noted above, the Standards recommend new additions be placed on secondary elevations, and where alteration has already occurred. In this instance, the proposed dining space addition is off an altered secondary elevation. The proposed garden wall extension would match the stucco finish of the existing garden wall. An appropriate wall height for the feature should be determined by the city.

As proposed, the work shall reuse, to the extent feasible, available historic building materials, and match any required replacement features in kind.

The proposed new work shall be compatible with the size, scale, proportions and massing to protect the integrity of the subject property and its environment. If removed in the future, the essential form and integrity of the historic property will be unimpaired.

The subject property is listed in the 2003 Carmel Historic Resource Inventory, at the local level of significance, for its Spanish Colonial Revival design by the Oakland architectural firm of Blaine & Olsen. It may also be significant for its association with the Draper and Leidig families, early Carmel merchants and business owners (see the attached DPR 523 for a full physical description of the property)

As described in the DPR 523 cited above, the owner has proposed the following alterations and additions for contemporary usage.

WEST (FRONT) ELEVATION (primary)

As proposed, there will be no change to this elevation.

NORTH SIDE-ELEVATION (secondary)

As proposed, there will be a four foot heightening of the rear second story patio wall with the addition of three small arched window openings in the proposed feature. The wall heightening and proposed new windows are inconsistent with the Secretary's Standard #3 for Rehabilitation.

The Standard states that "Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken."

The proposed patio wall addition constitutes a conjectural feature, and appears to be unnecessary as an element of the proposed garden dining area (see photos, plans & drawings provided).

EAST (REAR) ELEVATION (secondary)

As proposed, the garden dining space will cause the in fill of two existing windows on the rear of the historic building envelope. However, the owners have reserved the right to reopen any and all of the casement window openings proposed for closure at a future time. They note that the proposed in fill of the windows "shall be constructed to allow removal without significant damage to the existing historic structure."

The required treatment by the owners is consistent with Standards for rehabilitation, particularly Standard #7, which calls for physical treatments, like this temporary window closure, to be undertaken using the gentlest means possible. This would suggest that the wood framing treatment identified in the owner's agreement letter would be the least invasive approach to in fill.

A wing wall and gate proposed to be added to the NE corner of the building block to secure access to the rear entries of ground floor businesses in the subject property appears to be consistent with Standard #10, which states that new additions or construction will be undertaken in such a manner that, if removed in future, the essential form and integrity of the historic property and its environment would be unimpaired. This would also apply to the gas heaters proposed for wall mounting on this elevation.

As to the proposed heightening of the second story patio walls, see North Side Elevation above.

SOUTH SIDE-ELEVATION (secondary)

As proposed an approximate eight to ten foot high extension of the rear (east) garden wall will connect that feature to the SE corner of the historic building envelope. The new wall will be slightly stepped up at its meeting with the historic building envelope to provide for an arched entry to the outdoor dining space from the pedestrian walkway. Two small arched windows are proposed for the new wall. The new wall will match the existing garden wall in its exterior finish, but will be differentiated from the earlier feature in its height and stepped form, which borrows from a set of side-approach enclosed stairs leading up to the second floor patio on the south side of the historic building.

A second, open, arched entry is proposed for location approx. seven feet along the pedestrian walkway towards the west. This feature is to be accessed from Dolores Street. Because it is not in the immediate public view, does not penetrate the historic building envelope, and is easily reversible, consistent with Standard #10, the possible issue of seeing it as a conjectural feature, as per Standard #3 becomes moot.

The two issues with this elevation that need to be addressed by the City are the proposed width of the arch, for legal egress, and the appropriateness of the new garden dining area wall height.

As to the proposed heightening of the second story patio walls, see North Side Elevation above (see photos, plans & drawings provided).

As proposed, the work shall reuse, to the extent feasible, available historic building materials, and where necessary match required replacement features in kind. The proposed new work will be compatible with the size, scale, proportions and massing to protect the integrity of the subject property. If removed in the future, the essential form and integrity of the historic property and its environment will be unimpaired.

The subject property retains much of its physical integrity as constructed in 1929, and evokes a strong sense of time and place and of feeling and association with the up building of Carmel's historic business core during the 1920s. Architecturally, the building's Spanish Colonial Revival design contributes significantly to the historic character of the downtown commercial district.

CEQA states in CCR Section 15064.5 (2)(B) that a change which demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that account for its inclusion in a local register of historical resources may constitute a substantial adverse change in the significance of the resource. However, CEQA also notes that the degree of potential adverse change can be considered "proportionate to the level of significance of an historic resource" based on its relative importance in history. The primary reason for listing the subject property is for its architectural values. It may also be significant for its association with early Carmel business leaders in the Leidig and Draper families.

CONCLUSION

The proposed work on the subject property, except where noted, will be executed consistent with the Secretary's Standards for Rehabilitation, with the least possible loss of historic materials so that the remaining character-defining features of the historic resources will not be obscured, damaged or destroyed. All proposed changes are reversible. As proposed the new work will not create a significant change to the historic building and will not cause a significant adverse effect on the environment.

MITIGATION

The proposed four foot heightening of the second floor patio walls does not appear to be directly related to the patio dining area project as presented and should be removed from said project. It is the only aspect of the proposal that is in conflict with the Secretary of the Interior's Standards for Rehabilitation, Other than that, and the two City building code issues noted, the proposed project is in conformance with the Secretary of the Interior's *Standards for the Treatment of Historic Properties* under the standard for Rehabilitation. No further mitigation than that stated above is needed for this project.

Respectfully Submitted,

Kurt H. Jolley

REHABILITATION

is defined as the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values.

STANDARDS FOR REHABILITATION

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials.

REHABILITATION AS A TREATMENT.

When repair and replacement of deteriorated features are necessary; when alterations or additions to the property are planned for a new or continued use; and when its depiction at a particular period of time is not appropriate, Rehabilitation may be considered as a treatment. Prior to undertaking work, a documentation plan for Rehabilitation should be developed.

Replacement of missing features will be substantiated by documentary and physical evidence.

7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to

historic materials will not be used.

8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

