



**BOARD OF SUPERVISORS
AGENDA LETTER**

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Planning & Development
Department No.: 053
For Agenda Of: 7/1/2014
Placement: Departmental
Estimated Tme: 1.0 hour (10 min staff presentation)
Continued Item: Yes
If Yes, date from: May 6, 2014 and June 3, 2014
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Glenn Russell, Ph.D., Director, Planning & Development
Director(s) (805) 568-2085
Contact Info: Alice McCurdy, Deputy Director, Development Review South
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SUBJECT: Pearl Chase Society Appeal (Case No. 14APL-00000-00006) of Decision by Historic Landmarks Advisory Commission Regarding County Landmark #34, Juarez-Hosmer Adobe, First Supervisorial District

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: No

Recommended Actions:

Consider the appeal of the decision of the Historic Landmarks Advisory Commission of January 13, 2014, to approve changes to County Landmark #34, the Juarez-Hosmer Adobe, resulting in a change from the 2010 approved rehabilitation project of all historic structures on the site to a reconstruction project (including demolition) of all historic structures on the site.

On July 1, 2014, staff recommends that your Board take the following actions:

1. Deny the appeal, Case Number 14APL-00000-00006;
2. Modify the action by the Historic Landmarks Advisory Commission from approval of a demolition/reconstruction plan to approval of a rehabilitation plan. The rehabilitation plan updates the plan originally approved by the HLAC on July 12, 2010 by refining the means and methods for accomplishing the rehabilitation as specified by the Roselund Engineering Company (April 2014) and Taylor & Syfan (February 20, 2014); and

3. Determine that the modified approval refining the means and methods for rehabilitation of the historic landmark is exempt from the provisions of California Environmental Quality Act pursuant to the State Guidelines for the Implementation of the California Environmental Quality Act Section 15331, Notice of Exemption, included as Attachment 2.

Refer back to staff if the Board of Supervisors takes other than the recommended actions for appropriate findings and conditions.

Background:

The Board Agenda Letter submitted for the Board of Supervisors May 6, 2014 hearing contains background information pertaining to the landmarking of the site, the permitting history of the project, the Historic Landmarks Advisory Commission's (HLAC) approval, on January 13, 2014, of the demolition and reconstruction plan, and the appeal issues raised by the Pearl Chase Society. In their appeal letter, the Pearl Chase Society requested that the applicant have a more detailed and expansive engineering report studying the adobe prepared by a company experienced in adobe preservation. As a result, on March 11, 2014 the applicant contracted with Nels Roselund (the Roselund Engineering Company), an expert in the field of adobe engineering who was recommended by the Pearl Chase Society. Mr. Roselund visited the site, assessed the current conditions of the adobe, and provided his professional recommendation to address the current conditions. Mr. Roselund identified feasible alternative methods of rehabilitation to address the substantially worsened conditions of the adobe. The applicant's architectural historian, Preservation Planning Associates, reviewed Mr. Roselund's assessment, dated April 2014, for compliance with the Secretary of the Interior's Standards for Rehabilitation. The Roselund assessment and the *Letter Addendum* by Preservation Planning Associates (PPA), dated April 30, 2014, were submitted to your Board as Attachment A to the P&D staff memo dated May 5, 2014.

The primary issue raised in the Pearl Chase Society appeal is that the reports recommending demolition/reconstruction of the adobe¹ had not been independently peer reviewed, and that as a result, the HLAC's action to allow demolition and reconstruction of the adobe was not justified. Your Board's May 6 and June 3, 2014 hearings on this item were continued to the July 1, 2014 Board of Supervisors agenda to allow a peer review of all the materials compiled to date on the preservation of the adobe. That peer review has now been completed and it concludes that the revised rehabilitation plan provided in the Roselund assessment complies with the Secretary of the Interior's Standards for Rehabilitation. P&D recommends that the Board modify the HLAC's decision to approve the revised rehabilitation plan. The permit required for this project is not presently before your Board. The applicant will need to return to P&D for a revised or new Land Use Permit, at the Director's discretion.

¹ *Revised Treatment of Hosmer Adobe, Water Tower, 461 San Ysidro Road, Montecito*. Preservation Planning Associates, December 20, 2013; *Existing Conditions at Tower Structure*. Taylor & Syfan, November 15, 2013; *Conditions of Existing Structures*. Taylor & Syfan, December 16, 2013; Letter from Tim Aguilar to Katie Hay, December 16, 2013; and Memo from Gary Frolenko Engineering to Young Construction, December 16, 2013.

Peer Review:

Adobe

On June 4, 2014, P&D received a peer review of all materials compiled to date on the adobe, including the *Conditions Assessment and Rehabilitation Plan* prepared by the Roselund Engineering Company (April 2014) and a *Letter Addendum to Phase 2 Cultural Resources Study, Historic Resources*, prepared by Preservation Planning Associates, dated April 30, 2014. The peer review of the revised rehabilitation for the adobe was completed by Garcia and Associates, under direct contract to P&D. The peer review, dated June 3, 2014, is attached to this Board Agenda Letter as Attachment 1.

After reviewing the County Landmark Resolutions and all of the documents prepared by the applicant's engineering consultants and architectural historian dating from the 2010 approval of the original rehabilitation plan, up to and including the recently prepared and submitted reports, Garcia and Associates independently concludes that the Roselund rehabilitation plan, proposing alternative means and methods to rehabilitate the Juarez-Hosmer Adobe, is in compliance with the Secretary of the Interior's Standards for Rehabilitation (Weeks and Grimmer 1995).

In their peer review, Garcia and Associates recommends that Preservation Planning Associates revise the *Letter Addendum*, dated April 30, 2014, to incorporate an analysis under each Standard for Rehabilitation and to address the proposed treatment of the redwood addition to the adobe so that the final report comprehensively analyzes the proposed alterations to the entire structure. The purpose of the recommendation is to include the full analysis in one report rather than referring readers to the 2010 analysis. P&D intends to require that the applicant complete this task as a part of the application for a new or revised permit to authorize the revised rehabilitation plan.

Water Tower

While it does not figure prominently in their January 21, 2014, appeal letter, the Pearl Chase Society does mention a concern about proposed demolition of the water tower structure. The approved 2010 rehabilitation plan assessed the conditions of the water tower structure as poor to bad with the wooden components of the structure exhibiting heavy damage by termites, dry rot, honey bees and woodpeckers. The approved 2010 rehabilitation plan included the reuse of all redwood siding that could be salvaged, a 184-sq. ft. addition, and the addition of a water tank to the top of the tower to replicate the missing water tank. The 2010 plan envisioned the possibility that damage to the structure might be more extensive such that the walls would need to be disassembled, catalogued and re-assembled to accomplish the rehabilitation. The approved 2010 plan, including the treatment of the water tower, was determined by HLAC to be consistent with the Secretary of the Interior's Standards for Rehabilitation. The later assessment by Taylor & Syfan (February 20, 2014), conducted after construction had begun, noted that the damage by termites, other pests, and dry rot was more extensive than previously identified, extending into the weight-bearing members of the structure. Taylor & Syfan concluded that the framing was damaged to such an extent that disassembly (to a greater extent than originally envisioned) would be necessary.

Taylor & Syfan described this work on the water tower as reconstruction. However, consistent with Roselund's logic pertaining to rehabilitation of the adobe, the water tower would be rehabilitated pursuant to the Secretary of the Interior's Standards for Rehabilitation, with the means and methods simply being more extensive than originally envisioned in the approved 2010 rehabilitation plan. All

salvageable materials that provide the character-defining features, especially the wood siding, would still be used to rehabilitate the structure. Members damaged beyond repair would be replaced with the same or similar materials. As stated by Preservation Planning Associates in the *Letter Addendum*, dated April 30, 2014, and reiterated by Garcia and Associates in the peer review for the adobe, the Standards for Rehabilitation allow for the in-kind replacement of severely deteriorated features that cannot be repaired.

Recommended Action:

Pursuant to County Landmark Resolution 98-265, with respect to the Juarez-Hosmer Adobe, the role of the HLAC is to review any proposal that would affect or modify the landmark. Pursuant to Santa Barbara County Code section 18A-7, the Board of Supervisors shall consider the appeal and may confirm, modify, or set aside the action of the HLAC. As such, the Board is considering the facts of the appeal along with new information submitted since the appeal was filed, and making a decision on whether to approve the revised rehabilitation plan as consistent with the Secretary of the Interior's Standards for Rehabilitation.

P&D recommends that the Board of Supervisors modify the HLAC's action and approve the rehabilitation plan, including the plan for the adobe as refined by Nels Roselund, and the plan for the water tower structure as described by Taylor and Syfan in its February 20, 2014 report.

CEQA:

The action by the Board of Supervisors to approve rehabilitation of the landmark is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15331. Section 15331 Historical Resource Restoration/Rehabilitation applies to:

projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (1995) Weeks and Grimmer.

This conclusion is supported by the independent peer review by Garcia and Associates that confirms the revised rehabilitation plan would comply with the Secretary of the Interior's Standards for Rehabilitation. As discussed in Attachment 2 to this Board Agenda Letter, none of the exceptions to the exemption would apply.

While your Board has the discretion to confirm, modify, or deny the HLAC appeal, your decision will not commit the County to any particular course of action. A commitment occurs at the land use permitting stage and that decision lies with the Director of Planning and Development, unless appealed to your Board.

Fiscal and Facilities Impacts:

Budgeted: Yes

No appeal fees are required for appeals of decisions by the Historic Landmarks Advisory Commission. The estimated staff cost to process the appeal is approximately \$18,876 (100 planner hours). This work is funded in the Planning and Development Permitting Budget Program on page D-168 of the adopted 2013-2015 fiscal year budget. Processing a revised or new Land Use Permit would be paid by the applicant in compliance with Planning and Development's adopted fee schedule for Land Use Permit applications.

Attachments:

Attachment 1: Peer Review by Garcia and Associates, June 3, 2014

Attachment 2: CEQA Exemption for Rehabilitation (Revised Project)

Authored by: Julie Harris 568-3518