

# Attachment C

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# DRAFT RESOLUTION

Before the Board of Supervisors in and for the  
County of Monterey, State of California

In the matter of the application of:

**MID VALLEY PARTNERS LLC/MID-VALLEY  
SHOPPING CENTER**

**RESOLUTION NO. ----**

Resolution of the Monterey County Board of Supervisors declaring that the Mid-Valley Shopping Center, located at 9550 Carmel Valley Road (Assessor's Parcel No. 169-243-007-000) is an historic resource that qualifies for listing on the Monterey County Register of Historic Resources.

[Mid-Valley Shopping Center, 9550 Carmel Valley Road, Carmel (APN: 169-243-007-000)]

**The historic determination for the Mid-Valley Shopping Center came on for public hearing before the Monterey County Board of Supervisors on June 14, 2022. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Monterey County Board of Supervisors hereby finds and decides as follows:**

**WHEREAS**, the historic resources determination came before the Board of Supervisors on June 14, 2022 pursuant to Chapter 18.25 of the Monterey County Code at the request of Russel Stanley acting on behalf of Mid Valley Partners LLC (applicant).

**WHEREAS**, there is a disagreement among historians regarding the eligibility for listing of the Mid Valley Shopping Center on the local, state and national registers of historic resources.

**WHEREAS**, Dr. Anthony Kirk was commissioned by the applicant to prepare an historic assessment of the Shopping Center. Dr. Kirk submitted a letter dated September 18, 2019, finding that the Mid Valley Shopping center does not appear eligible for listing on the National, State, or Local registers.

**WHEREAS**, the Carmel Valley Association (CVA) separately hired Page & Turnbull to conduct an assessment of the Mid Valley Shopping Center. Page & Turnbull provided a "Preliminary Opinion of Historic Significance" dated October 29, 2019. Page & Turnbull's preliminary opinion was that the Mid Valley Shopping Center appears to possess sufficient significance and integrity to be eligible for listing in the California Register under Criterion 3, for its architectural style and association with architect Olof Dahlstrand. Page & Turnbull later provided a Phase 1 Historic Assessment and Primary Records document using the Department of Parks and Recreation (DPR) forms.

## **DRAFT RESOLUTION**

**WHEREAS**, Dr. Kirk provided a written rebuttal to the Page & Turnbull Preliminary Opinion dated November 4, 2019, in which he disagreed with the Page & Turnbull conclusion and provides additional details to support his earlier conclusion that the shopping center does not qualify for listing.

**WHEREAS**, the applicant commissioned Dr. Laura Jones to provide another historic assessment of the property. Dr. Jones found no substantial evidence supporting a determination that the shopping center is eligible for listing as an historic resource and further found that even if it were considered eligible for listing, it lacks integrity and does not convey its original design (agreeing with and support the conclusions of Dr. Kirk).

**WHEREAS**, due to competing expert opinions on the historic significance of the Mid-Valley Shopping Center, the County initiated preparation of an Environmental Impact Report (EIR). A Draft EIR was prepared and circulated for public comment from November 24, 2021, through January 10, 2022 (SCH#2020090480).

**WHEREAS**, Dr. Diana Painter with Painter Preservation conducted an historic assessment of the Mid Valley Shopping Center under contract with the County's EIR consultant. Dr. Painter concluded in her letter dated December 21, 2020, that the Mid Valley Shopping Center is significant for its design and association with Olof Dahlstrand and it retains integrity.

**WHEREAS**, a Draft Environmental Impact Report (DEIR) was prepared for a Design Approval request (PLN190140) due to competing historian opinions. comments submitted on the Draft EIR by Anthony Lombardo on behalf of the applicant contain attachments that include additional responses from Dr. Anthony Kirk dated January 3, 2020, and another historic evaluation from Barbara Lamprecht from Modern Resources dated April 2021. In her report, Lamprecht evaluates the previous reports and analysis and concludes that the Mid-Valley Shopping Center is not eligible for listing as an historic resource.

**WHEREAS**, a Final Environmental Impact Report (FEIR) was prepared following the requirements of the California Environmental Quality Act (CEQA). The FEIR contains the comments received on the DEIR and responses to those comments including revisions to the text of the DEIR. The Board of Supervisors has reviewed and certified the DEIR and FEIR (together the "EIR") prior to adopting this resolution. The EIR contains all the historic assessments, comments, responses, and other supporting documentation.

**WHEREAS**, the matter was reviewed by the Monterey County Historic Resources Review Board (HRRB) on February 3, 2022 and April 7, 2022. The HRRB considered the DEIR and all the comments received thereon prior to forwarding a recommendation to the Board of Supervisors.

**WHEREAS**, On April 7, 2022, the HRRB considered the EIR, a report from County

## DRAFT RESOLUTION

staff, written comments, oral testimony, and other evidence in the record and voted 7 ayes to 1 no to adopt a resolution recommending that the Board of Supervisors find that the Mid Valley Shopping Center is an historic resource that is eligible for listing on the Monterey County register under criteria A.5 of Section 18.25.070 of the Monterey County Code.

**WHEREAS**, the Mid Valley Shopping Center was design by Olof Dahlstrand. Dahlstrand. Olof Dahlstrand was born in Wisconsin. He earned his degree in architecture from Cornell University in 1939 and moved to the San Francisco Bay area in 1948 where he worked as an associate for Fred and Lois Langhorst. He took over the practice when the Langhorsts moved to Europe in 1950 and later worked for Skidmore, Owings & Merrill before establishing his own practice in the Monterey Bay area in the early 1960s. Dahlstrand's work was inspired by Frank Lloyd Wright. Some of his notable projects include the Carmel Plaza Shopping Center, the Wells Fargo Building in Carmel, a few single-family residences in the "usonian" architectural style located in the Bay Area, renderings produced in collaboration with John Carl Warnecke, and the UC Santa Cruz Faculty Housing.

**WHEREAS**, Section 15064.5(a) of the CEQA Guidelines states:

*For purposes of this section, the term "historical resources" shall include the following:*

- (1) A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Pub. Res. Code §5024.1, Title 14 CCR, Section 4850 et seq.).*
- (2) A resource included in a local register of historical resources, as defined in section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.*
- (3) Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources (Pub. Res. Code, § 5024.1, Title 14 CCR, Section 4852) including the following:
  - (A) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;*
  - (B) Is associated with the lives of persons important in our past;*
  - (C) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or*
  - (D) Has yielded, or may be likely to yield, information important in prehistory or history.**

## DRAFT RESOLUTION

*(4) The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to section 5020.1(k) of the Public Resources Code), or identified in an historical resources survey (meeting the criteria in section 5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be an historical resource as defined in Public Resources Code sections 5020.1(j) or 5024.1.*

In this case, the Mid Valley Shopping Center is not listed on any register (local, state, or federal). The property owner does not believe the Mid Valley Shopping Center is an “historic resource” and does not consent to listing the property on any register at this time. Therefore, the determination on “historical significance” lies with the lead agency’s determination. Monterey County is the “lead agency” under CEQA in this case. Generally, a project that qualifies for listing, on the local, state, or national registers is treated as an “historical resource” under CEQA; and

**WHEREAS**, Criteria for listing on the Monterey County Register of Historic Resources can be found in Chapter 18.25 of the Monterey County Code. These criteria are interpreted at the local level (i.e. a resource important to Monterey County) rather than the State or National level. The Board of Supervisors is the authority to maintain the local register and to determine eligibility for the local register (not at a State or Federal level). The criteria for listing at the local level pursuant to Section 18.25.070 include:

*An improvement, natural feature, or site may be designated an historical resource and any area within the County may be designated a historic district if such improvement, natural feature, site, or area meets the criteria for listing on the National Register of Historic Places, the California Register of Historic Resources, or one or more of the following conditions are found to exist:*

*A. Historical and Cultural Significance.*

- 1. The resource or district proposed for designation is particularly representative of a distinct historical period, type, style, region, or way of life.*
- 2. The resource or district proposed for designation is, or contains, a type of building or buildings which was once common but is now rare.*
- 3. The resource or district proposed for designation was connected with someone renowned.*
- 4. The resource or district proposed for designation is connected with a business or use which was once common but is now rare.*
- 5. The resource or district proposed for designation represents the work of a master builder, engineer, designer, artist, or.*
- 6. The resource or district proposed for designation is the site of an important historic event or is associated with events that have made a meaningful contribution to the nation, State, or community.*
- 7. The resource or district proposed for designation has a high potential of yielding information of archaeological interest.*

## DRAFT RESOLUTION

### *B. Historic, Architectural, and Engineering Significance.*

- 1. The resource or district proposed for designation exemplifies a particular architectural style or way of life important to the County.*
- 2. The resource or district proposed for designation exemplifies the best remaining architectural type of a community.*
- 3. The construction materials or engineering methods used in the resource or district proposed for designation embody elements of outstanding attention to architectural or engineering design, detail, material or craftsmanship.*

### *C. Community and Geographic Setting.*

- 1. The proposed resource materially benefits the historic character of the community.*
- 2. The unique location or singular physical characteristic of the resource or district proposed for designation represents an established and familiar visual feature of the community, area, or county.*
- 3. The district is a geographically definable area, urban or rural possessing a significant concentration or continuity of site, buildings, structures, or objects unified by past events, or aesthetically by plan or physical development.*
- 4. The preservation of a resource or resources is essential to the integrity of the district.*

Dr. Diana Painter and Dr. Stacey Kozakvich both determined that the Mid-Valley Shopping Center is eligible for listing under MCC Section 18.25.070(A)(5) as a resource that represents the work of a master architect, Olof Dahlstrand. The HRRB also adopted a resolution recommending that the Board of Supervisors find that the Mid Valley Shopping Center is eligible for listing under Section 18.25.070(A)(5).

**WHEREAS**, evidence considered by the Board of Supervisors in making this determination includes:

1. The staff report prepared for the June 14, 2022 Board of Supervisors hearing on this matter;
2. The Draft Environmental Impact Report Prepared for the Mid-Valley Shopping Center Design Approval (SCH#2020090408) including appendices;
2. The Final Environmental Impact Report including comments received on the Draft Environmental Impact Report and responses to those comments;
3. The General Plan Historic Preservation Goals and Policies;
4. Criteria contained in Chapter 18.25 of the Monterey County Code;
5. National Register Bulletin 15 criteria for evaluating historic significance;
6. California Public Resources Code Sections 5020.1(j) (State's definition of "Historical resource) and 5024.1 California Historic Register criteria;
7. Reference to the collection of works by Olof Dahlstrand contained in the UC Berkely Environmental Design Archives;
8. Reference to a Book titled: *Olof Dahlstrand: The Usonians, The Magnificent Seven of the East Bay*" by Bill & Bea Welty;
9. Video of a Lecture on Olof Dahlstrand provided by Pierluigi Serraino August 26,

**DRAFT RESOLUTION**

- 2021;
- 10. Recommendation of the HRRB (Resolution No. 22-002);
- 11. Written and oral testimony provided for the June 14, 2022 Board of Supervisors hearing; and
- 12. Plans, reports, and other evidence contained in file number PLN190140.

**WHEREAS**, the Board of Supervisors finds that the Mid-Valley Shopping Center is an historic resource that qualifies for listing on the Monterey County Register of Historic Resources under Monterey County Code Section 18.25.070(A)(5) based on the evidence described herein.

**DECISION:**

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Supervisors does hereby declare that the Mid-Valley Shopping Center, located at 9550 Carmel Valley Road (Assessor’s Parcel No. 169-243-007-000), is an historic resource that qualifies for listing on the Monterey County Register of Historic Resources.

PASSED AND ADOPTED on this \_\_\_\_\_, by the following vote, to-wit:

- AYES:
- NOES:
- ABSENT:

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book \_\_\_\_\_ for the meeting on \_\_\_\_\_.

Dated: \_\_\_\_\_ Valerie Ralph, Clerk of the Board of Supervisors  
County of Monterey, State of California

By \_\_\_\_\_

Deputy