

Attachment 1

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DRAFT RESOLUTION

Before the Historic Resources Review Board in and for the
County of Monterey, State of California

Resolution No. 23-XXX

PLN240186 – MOSS RICHARD F & BETTINA E MOSS TRS

Resolution by the County of Monterey Historic Resources Review Board (HRRB) recommending that the:

- 1) Project qualifies for a Class 31 categorical exemption pursuant to CEQA Guidelines section 15331, and that none of the exceptions from Section 15300.2 apply;
- 2) Chief of Planning determine that the property at 55 Encina Drive Carmel Valley would qualify for a Historic Property Contract should it be listed on the Monterey County Register of Historic Resources;
- 3) Board of Supervisors list of the “McDonald House” on the Monterey County Register of Historic Resources; and
- 4) Board of Supervisors approve said Historic Property Contract.

WHEREAS, this matter was heard by the Historic Resources Review Board (HRRB) of the County of Monterey on September 5, 2024, pursuant to the regulations for the Mills Act Program contained in Chapter 18.28 of the Monterey County Code.

WHEREAS, the property is located at 55 Encina Drive, Carmel Valley, CA 93924 (Assessor’s Parcel Number 187-041-042-000).

WHEREAS, on June 21, 2024, Tai Tang of Studio Schicketanz representing property owners Richard and Bettina Moss filed an application for a Historic Property (Mills Act) contract.

WHEREAS, concurrently on June 21, 2024 property owners Richard and Bettina Moss submitted a signed letter requesting that their residence at 55 Encina Drive, Carmel Valley, the “McDonald House,” be listed on the Monterey County Register of Historic Resources.

WHEREAS, a phase I historic assessment HCD-Planning File No. LIB240172, was prepared by Kent L. Seavey, a qualified historian on the County’s list of approved historical consultants.

WHEREAS, this phase I historic report concluded that the McDonald House was eligible for listing under California Register of Historical Resource (CRHR) criteria 2, “*Associated with the lives of persons important to local, California or national history*” for its association with architect noted Mark Mills, and CRHR criteria 3, “*Embodies the distinctive characteristics of a type, period, region or method of construction or represents the work of a master or possesses high artistic values*” as an excellent and intact example of Wrightian Organic design principles as expanded by Mills.

WHEREAS, Monterey County Code section 18.25.070 states that properties meeting the criteria of the California Register of Historic Resources may be designated on the County of Monterey Register of Historic Resources.

WHEREAS, Mark Mills Mark Mills (1927-2007) received his degree in architectural engineering from the University of Colorado, after which, having hearing of Frank Lloyd Wright's work, contacted him. He became of Wright's Taliesen apprentices in Arizona, and between 1944 and 1948 lived in a tent in the desert while helping to building the Taliesen West school. Mills was "taken by one of Wright's Sunday lectures on the nature of 'seashells as housing produced by god.'" Wright noted that even though the shell was finite there was never a limit on the design possibility that the forms infinite variety could lent,..." (Seavey, HCD-Planning File No. LIB240172, 2023).

WHEREAS, a number of Mills designs took inspiration from this seashell concept and other forms of nature, including the subject residence; the 1972 "Fan-shell Beach House" in Pebble beach, which appears eligible for the CRHR as noted in the Pebble Beach Historic Context Statement (Past Consulting LLC, 2013); and the 1969 "June Haas House," which is listed on the Monterey County Register of Historic Resources (HCD-Planning File No. REF230016, 2023). "It was said of him [Mark Mills] that he was 'an architect of an individual subtlety, rarely repeating designs. Each structure is unique and tailored to the landscape and client.'" (Seavey, HCD-Planning File No. LIB220321, 2021) A 2009 Architectural Digest issue referred to him as "as one of the world's top architects."

WHEREAS, the "McDonald House" is an excellent example of Mills organic designs and retains a high degree of integrity. A one wood framed and cinderblock residence, clad in vertical redwood siding, it has a hip and gable rood system clad in cementation shingles and two cinderblock chimneys. Its character defining features include its:

- Curvilinear shape;
- Use of cinder block and vertical redwood siding as exterior wall-cladding;
- Extensive glazing including multiple skylights extending portions of fenestration into the cementation roof;
- The redwood lath finish of the residence's interior ceiling, a main design feature; and
- Pie-shaped pool and terrace, which provides an expansive view of the natural landscape setting.

WHEREAS, to be eligible for a Historic Property (Mills Act) contract, five criteria detailed in Monterey County Code (MCC) section 18.28.080.A must be met.

WHEREAS, the application would meet criteria 8.28.080.A.1, "*The property that is the subject of the application is a qualified historical property as defined by this Chapter,*" should the property be listed on the County of Monterey Register of Historic Resources.

WHEREAS, meets criteria 18.28.080.A.2, "*The application is consistent with the County's historic preservation goals and policies, as set forth in the County's General Plan and ordinances.*" The application meets the criteria for a historic resource as defined in MCC Chapter 18.25.070, the proposed work activities assure the rehabilitation and preservation of the

historic resource consistent with PS-12.12 and 12.13, and the Mills Act contract aligns with County general plan policy PS-12.6 encouraging historic preservation incentives.

WHEREAS, the application meets criteria 18.28.080.A.3, *“The application is consistent with the applicable Secretary of the Interior's Standards for the Treatment of Historic Properties, the rules and regulations of the Office of Historic Preservation of the California State Parks Department, and the California Historical Building Code.”* County staff and the HRRB have reviewed the proposed work plan and find the activities keeping with the requirements of the Secretary of the Interior’s Standards for the Treatment of Historic Properties at a programmatic level.

WHEREAS, the application meets criteria 18.28.080.A.4, *“The fair market value of the property that is the subject of the application is equal to or less than the valuation limits set forth in Section 18.28.040.C of this Chapter, unless an exception has been granted pursuant to this Chapter.”* A Residential Appraisal Report was prepared by Gerald F. Enders of Independent Real Estate Research, Inc. (Certification #AG041310). The report assessed the fair market value of the property as \$2,400,000, less than the \$3,000,000 valuation limit for residential properties.

WHEREAS, the application would meet criteria 18.28.080.A.5, *“The application is consistent with the requirements of this Chapter,”* should the property be listed on the County of Monterey Register of Historic Resources. Materials necessary for the review of the Mills Act Contract application have been submitted and reviewed by staff, the property would meet the definition of a qualified historical property should it be listed on the local register, and the proposed work plan appears generally consistent with the sections policies in Monterey County Code Chapter 18.28.

WHEREAS, the proposed 10-year rehabilitation and maintenance has a total estimate of \$430,150 in activities over the initial 10-year contract term. \$122,200 of this is in recurring maintenance activities, and \$307,950 is one time rehabilitation activities.

WHEREAS, based on the property’s 2023 – 2024 tax bill, the Proposition 13 assessed value of the property is \$1,872,720 while the total tax obligation for that year was \$20,024.26. The estimated property taxes based on the Mills Act tax savings worksheet are \$426.48, resulting in an approximate tax savings (or loss of revenue) of \$19,597.78. Over a period of 10 years this would be a savings of \$195,977.80 dollars.

WHEREAS, CEQA Guidelines section 15331 categorically exempts projects limited to the maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation, or reconstruction of historical resources in a manner consistent with the Secretary of the Interior Standards for the Treatment of Historic Properties.

WHEREAS, the project consists of listing a property on the County of Monterey historic register and approving a historic property contract to allow the on-going maintenance and preservation of a historic home, consistent with the intent of this exemption.

WHEREAS, none of the exceptions in CEQA Guidelines section 15300.2 apply to the project: Class 31 exemptions are not qualified by their location; Approving the historic register listing and contract would not contribute to a cumulative environmental effect; there are no unusual

circumstances associated with the project that would create the reasonable possibility of a significant environmental effect; the project would not cause damage to scenic resources within view of a state scenic highway; the project is not on a hazardous waste site listed pursuant to Section 65962.5 of the Government Code; and the project would not cause a substantial adverse change to a historical resource.

THEREFORE, BE IT RESOLVED, that having considered all the written and documentary information submitted, oral testimony, and other evidence presented before the HRRB, the HRRB adopts the following findings, supported by the listed evidence:

Finding: The McDonald House at 55 Encina Road, Carmel Valley is eligible for listing on the County of Monterey Register of Historic Resources.

Finding: The property will meet the criteria for a Historic Property Contract should the property be added to the County of Monterey Register of Historic Resources.

Finding: The project qualifies for a Class 31 categorical exemption pursuant to CEQA Guidelines section 15331, and that none of the exceptions from Section 15300.2 apply.

Supporting Evidence:

1. Application materials in the file PLN240186, including the tax savings estimate, rehabilitation and maintenance plan, and property appraisal;
2. The Mills Act Program contained in Chapter 18.28 of the Monterey County Code;
3. The Preservation of Historic Resources Code in Chapter 18.25 of the Monterey County Code;
4. The phase I historic assessment prepared for the property by Kent L. Seavey (HCD-Planning File No. LIB240172);
5. The historic register listing REF230016 for the June Haas House at 62 Yankee Point Drive, including the historic assessment prepared by Kent L. Seavey with HCD-Planning File No. LIB22032;
6. The Pebble Beach Historic Context Statement;
7. Oral testimony and HRRB discussion during the public hearing and the administrative record; and
8. County staff site visit and photos from August 27, 2024.

BE IT FURTHER RESOLVED, that based on the aforementioned findings, at the conclusion of the hearing HRRB recommends that the:

- 1) Project qualifies for a Class 31 categorical exemption pursuant to CEQA Guidelines section 15331, and that none of the exceptions from Section 15300.2 apply;
- 2) Chief of Planning determine that the property at 55 Encina Drive Carmel Valley would qualify for a Historic Property Contract should it be listed on the Monterey County Register of Historic Resources;
- 3) Board of Supervisors list of the “McDonald House” on the Monterey County Register of Historic Resources; and
- 4) Board of Supervisors approve said Historic Property Contract.

Passed and adopted on this **5th day of September, 2024**, upon motion of _____,
seconded by _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Attest
Philip Angelo, HRRB Secretary
September 5th, 2024

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