Canning, Kevin

From: Bill Cooley <bcooley@successce.com>
Sent: Monday, May 22, 2023 10:01 AM

To: Canning, Kevin

Cc: Kirk, Justin; Shannon, Kevin; Salazar, Cindy; Margarita Jerabek; Valerie Smith; Alison Garcia Kellar;

Larry Nokes; Denise Coury

Subject: Re: 211 Emerald Bay - New Project does not qualify for Class 1, 2, or 3 exemption!

Attachments: Emerald Bay Local Coastal Program.pdf; Historical Pictures 211 EB.pdf; Historical Pictures for LCP.pdf

Attention: This email originated from outside the County of Orange. Use caution when opening attachments or links.

Kevin, Justin, Kevin, Cindy,

Thank you for the information, and your attention to what we believe is a untruthful application by 211 Emerald Bay and is without merit!

I am asking Dr. Margarita Jerabek, Alison Kellar, and Valerie Smith to provide each of you with information on the historical application.

Attached are historical photos of the home and Emerald Bay with arrows pointing to the location of 211 EB.

Also attached is the Emerald Bay Local Coastal Program for your review.

As you review (PA22-0227) and the CEQA, please see the responses and issues below, against any type of approval of a categorical exemption.

We wanted to ensure that no exemption of any kind would be issued for 211 Emerald Bay, as the home no longer qualifies for any exemption based on Class 1, 2, and 3 requirements for exemption especially since the capacity of the new development is much larger than any previous applications.

Any approval for any type of exemption from your office, we believe, would be a violation as any application for 211 Emerald Bay does not meet any of the requirements for a Class1,2, or 3 exemptions, nor does it meet the requirements of the Emerald Bay Local Coastal program.

Please see Section II-8, page # 4, under "Scenic Resources" as attached, and "yellow" highlighted areas of the document.

Certainly, the CEQA exemption could not be granted <u>as the home blocks the ocean views from surrounding homes thus violating the Emerald Bay and Laguna Beach Local Coastal programs.</u>

Additionally, this new project is not in keeping with the character of the community.

And since this is a new development, the project would also be subject to the archaeological and paleontological guidelines for Orange County.

Orange County Planning Orange County Public Work South Coast District California Coastal Commission

RE: 211 Emerald Bay Redevelopment - Unincorporated Orange County RE: Violations of Laguna Coastal Plan certified by the California Coastal Commission, which was initially approved by the Orange County Board of Supervisors, and Orange County Planning Commission and Emerald Bay HOA in 1989.

Good Day!

As a concerned citizen, I believe that the proposed new development at 211 Emerald Bay creates a variance and discrepancy in the Coastal Zone and violates provisions of the Laguna Coastal Plan, approved and dated in 1989.

We are requesting that the new development and expansion be halted until the violations below are remediated to the satisfaction of everyone in the neighborhood.

The next meeting where HOA approval for demolition is anticipated will be September 27th, hosted by Bill Stoffregen, 949-494-8571, BStoffregen@ebca.net.

It is anticipated that approval will be given to demolish the historic home at 211 and build a new home to an extraordinary height.

Please see the Laguna Coastal Plan (LCP) approved by The Orange County Planning Commission on January 24th, 1989, Approved by the Orange County Board of Supervisors dated February 22, 1989, and July 11th, 1989.

Additionally, approved by the California Coastal Commission on September 13th, 1989.

We believe there are multiple violations of the LCP in the new plans to demolish the current structure and have new development and an all-new structure at 211 Emerald Bay.

Here are what we believe to be violations of the Laguna Coastal Plan

1.) Violation of II-3 d. (Page II-6) regarding Fire Hazards

Section 3 d. designates "Emerald Bay as an area of "High Fire hazard"

The redevelopment plans show that the driveway next to the property is only approximately 18 feet wide, whereas the requirement is 28 feet for fire trucks to enter, exit, and fight a fire.

Please remember the "Coastal" fire in South Laguna with a narrow access road and the large number of homes that burned due to narrow or non-access.

2.) Violation II-2 (Page II-3) regarding Scenic Resources ensuring that existing ocean views of surrounding property owners within the community are preserved. Also, under Section 4, Page II-8 ensuring that existing ocean views of surrounding property owners within the community are preserved.

The current new redevelopment plans of 211 Emerald Bay completely and/or partially obstructs the current Ocean and Sunset views from one or more of the surrounding properties.

3.) We believe that the expansion and redevelopment is not in keeping with the character of the "Historic Hillside" area of the Emerald Bay community.

Please see the Laguna Coastal Plan approved by The Orange County Planning Commission on January 24th, 1989, approved by the Orange County Board of Supervisors dated February 22, 1989, and July 11th, 1989.

Additionally, approved by the California Coastal Commission on September 13th, 1989.

4.) <u>Violation of 5. Cultural, Scientific, and Historic Resources, (Page II-8) regarding preservation</u> of historic resources.

The original "Coastal California" historic home now located at 211 Emerald Bay will be destroyed and new development in its' place.

We believe that the destruction of this architecturally significant home would be an historic loss to the community, and items of cultural and ethnic significance would be lost.

All new development is subject to the archeological and paleontological policy of the Orange County Board of Supervisors (Resolution No. 77-866)

"All reasonable and proper steps be taken to achieve the preservation of archaeological and paleontological remains"

The new development plans to remove up to 4 feet of soil from the property, which due to its' location, may contain archaeological and paleontological remains.

This soil removal creates a variance and discrepancy.

We have included pictures from 1929 to present day of the property at 211 Emerald Bay.

Picture # 9 shows the current home and the poles (5 feet from camera) which will block the view for the surrounding neighbors.

If there are questions, please feel free to contact me at 949-235-4400 or BCooley@SuccessCE.com

Thank you and please feel free to contact me!



J. William "Bill" Cooley, PE, MBA
President / CEO

Mobile: 949-235-4400

Email: BCooley@SuccessCE.com

www.SuccessCE.com www.SuccessLiveCE.com

From: Canning, Kevin < Kevin.Canning@ocpw.ocgov.com>

Sent: Monday, May 22, 2023 9:06 AM **To:** Bill Cooley

bcooley@successce.com>

Cc: Kirk, Justin <justin.kirk@ocpw.ocgov.com>; Shannon, Kevin <Kevin.Shannon@ocpw.ocgov.com>; Salazar, Cindy

<Cindy.Salazar@ocpw.ocgov.com>

Subject: Re: 211 Emerald Bay - New Project does not qualify for Class 1, 2, or 3 exemption!

Thank you for your correspondences (the message beow and one sent about an hour earlier). To respond to a couple of your comments:

- 1. The application (PA22-0227) has been filed and is currently under review. No notices have been sent out regarding the application.
- 2. The CEQA review is underway, no decisions have been made. There are no provisions for public notification regarding a potential Categorical Exemption.
- 3. A minimum of ten days prior to any hearing before the Zoning Administrator, all property owners within 300' of the site and all occupants within 100' of the site will receive a mailed public notice. The site will also be posted with this notice, and a notice will be published in a newspaper of general circulation. We do not have an anticipated hearing date.

If you have specific documentation regarding the property's recognized designation as an historic site, please forward that information to us.

One of the letters you attached said that you had included pictures of the property from 1929 to present. These were not included in the copy you sent to me. Please forward these photographs.

Thank you.

Kevin Canning | Contract Planner | OC Development Services / Planning 601 North Ross Street | Santa Ana, California 92701-4048 714.667.8847 | **kevin.canning@ocpw.ocgov.com**

NOTICE: I have adjusted my office hours to Tuesdays through Thursdays, a response to messages received on other days may be delayed

From: Bill Cooley <bcooley@successce.com>
Sent: Saturday, May 20, 2023 11:05 AM

To: Canning, Kevin < Kevin. Canning@ocpw.ocgov.com>

Cc: Kirk, Justin < justin.kirk@ocpw.ocgov.com>

Subject: 211 Emerald Bay - New Project does not qualify for Class 1, 2, or 3 exemption!

Attention: This email originated from outside the County of Orange. Use caution when opening attachments or links.

Mr. Canning,

We appreciate your attention to this matter!

Listed below are just a few of the reasons that 211 Emerald Bay does not qualify under any class of exemptions, in addition to being a violation of the Emerald Bay Local Coastal program, and are as follows:

Class 1 - Does not Qualify

Although an exemption may be granted for a small structure, we believe the new project and it buildings at 211 EB is not in substanially the same location as the current structure.

Additionally, this residence has been submitted for historical status with the State of California.

Class 2 - Does not Qualify

The new proposed structure at 211 will have a much larger capacity than the current structure.

Class 3 - Does not Qualify

The proposed struuctures are not a limited number of new or small facilities.

Please contact me with any questions at 949-235-4400.



J. William "Bill" Cooley, PE, MBA
President / CEO

Mobile: 949-235-4400

Email: BCooley@SuccessCE.com

www.SuccessCE.com www.SuccessLiveCE.com Submitted by William Cooley with specific passages highlighted

EMERALD BAY LOCAL COASTAL PROGRAM

ORANGE COUNTY ENVIRONMENTAL MANAGEMENT AGENCY



SEPTEMBER 1989

EMERALD BAY LOCAL COASTAL PROGRAM

DRANGE COUNTY ENVIRONMENTAL MANAGEMENT AGENCY

EMERALD BAY LOCAL COASTAL PROGRAM

Approved by:

The Orange County Planning Commission

On January 24, 1989

Approved by:

The Orange County Board of Supervisors

On February 22, 1989 and July 11, 1989

Certified by:

The California Coastal Commission

On September 13, 1989

ORANGE COUNTY PLANNING COMMISSION

First District A. Earl Wooden

Second District Alvin M. Coen

Third District H. G. Osborne

Fourth District C. Douglas Leavenworth

Fifth District Thomas Moody

ENVIRONMENTAL MANAGEMENT AGENCY

Ernie Schneider Director

Michael Ruane Director of Planning

Manager, Coastal & Community Planning Division Kenneth C. Winter

Ronald L. Tippets Chief, Coastal Planning Section

Patricia F. Shoemaker Project Manager

Kingston B. Thomas Project Planner

> Frank Munoz Graphics

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I. Introduction





I. INTRODUCTION

This Local Coastal Program (LCP) comprises the Land Use Plan (LUP) and Implementing Actions Program (IAP) for the Emerald Bay Community and adjacent land in southern Orange County (Figure 1).

The Coastal Act of 1976 sets forth state-wide goals concerning the environment within the coastal zone. To achieve these goals the Act mandates each local government to prepare a "local coastal program" for areas within the coastal zone under its jurisdiction. Accordingly, the underlying objectives of the County's Emerald Bay Local Coastal Program are to:

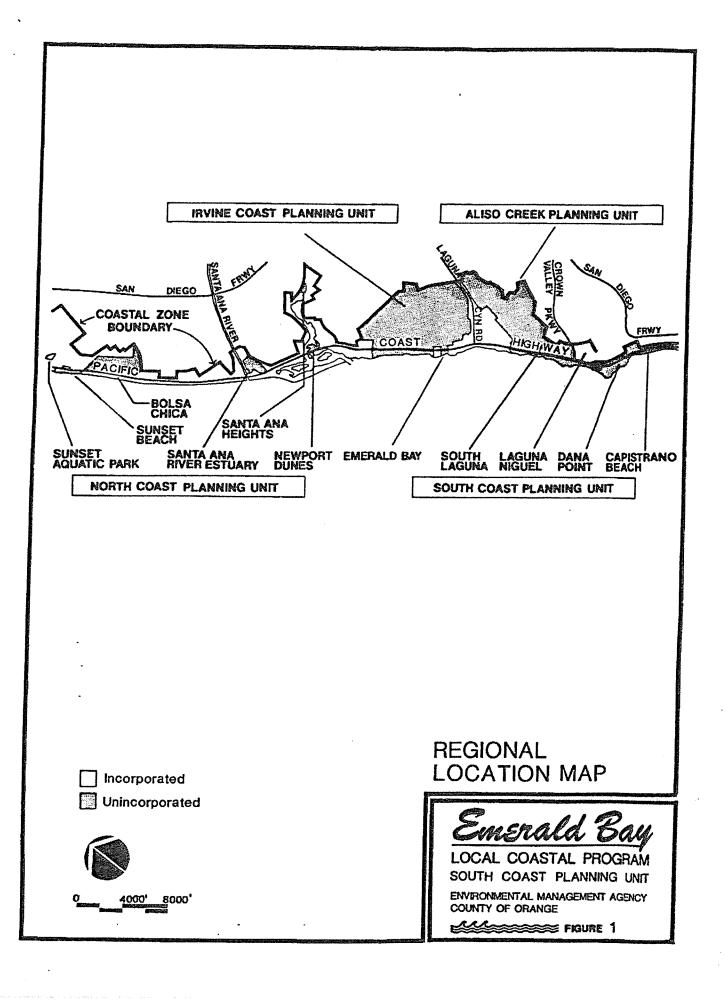
- Protect, maintain, and, where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and man-made resources.
- Assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state.
- 3. Maximize public access along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resources conservation principles and constitutionally protected rights of private property owners.
- Assure priority for coastal-dependent and coastal related development over other development on the coast.
- 5. Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the coastal zone.

Consistent with the policies of the Act, this LCP focuses on the protection of coastal resources through orderly, comprehensive planning, and the regulation of development in the coastal zone. The LCP consists of a Land Use Plan (LUP) and an Implementing Actions Program (IAP) comprising policy guidelines and regulatory requirements, respectively. The policies contained in Chapter 2 are the core of the Land Use Plan in that they establish parameters for evaluating future development projects within the LCP area. The LUP sets forth the measures that the County should take to achieve the degree of resource protection required by the Coastal Act and serves as the foundation for the IAP (ordinances) which will carry out the land use plan through zoning.

The Emerald Bay LCP area is composed of the Emerald Bay Community and the Brinderson Property (Figure 2). The LCP recognizes these properties as separate and provides specific land use policies accordingly.

A. Emerald Bay

Emerald Bay is a private, locked gate community of single family custom homes located on the coast at the northern boundary of the City of

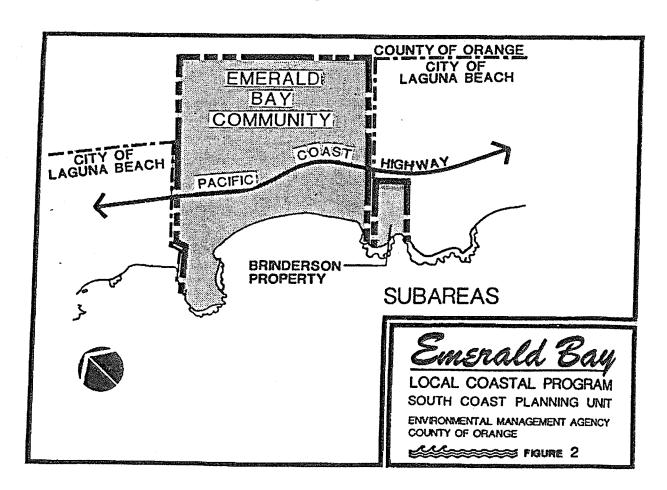


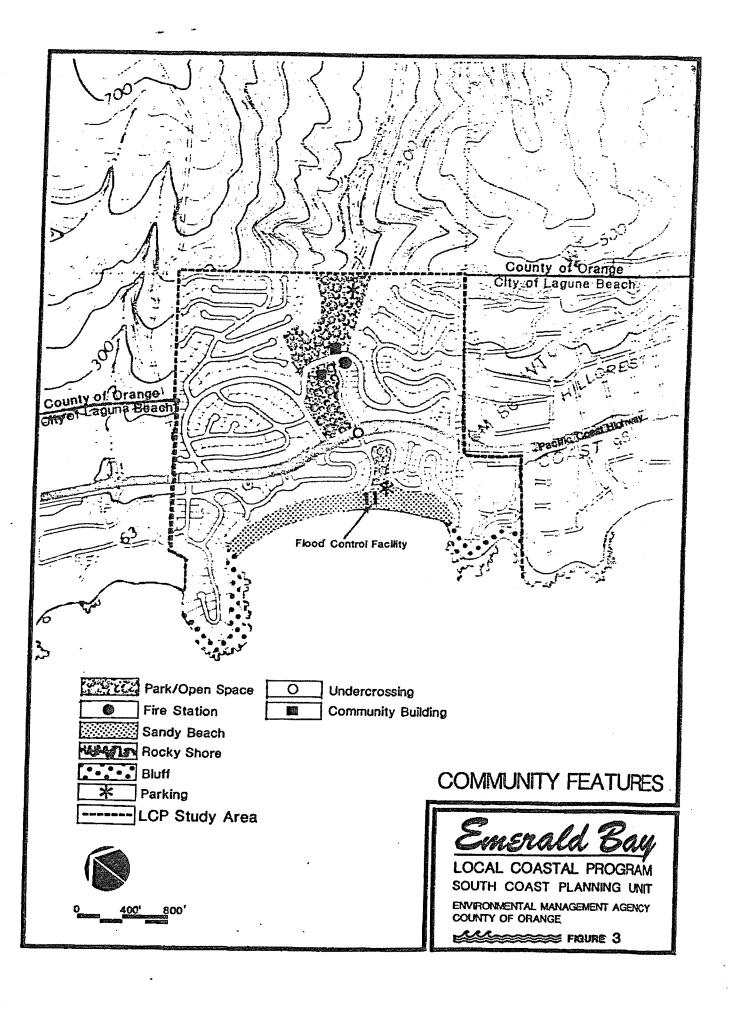
Laguna Beach. All roads within the community as well as the recreational amenities are owned and maintained by the Emerald Bay Community Association.

The dominant feature of the seaward portion of this community is a 2,000-foot long sandy beach which is isolated from adjacent beaches by two points projecting several hundred feet into the ocean (Figure 3). The largest of the two points, located at the west end of the beach, extends approximately 900 feet into the water. From its rocky base, this point ascends at a near vertical angle approximately 100 feet to a level top upon which approximately 20 homes are built. Passage around this point to gain access to the beach from adjacent property outside the Emerald Bay Community is not possible. The eastern point projects approximately 300 feet into the water with an elevation of about 80 feet. Although not as long as the western point, the slope of this less rocky point also restricts passage to the community via the shore.

B. Brinderson Property

The Brinderson Property is a 10-acre parcel located immediately south of the seaward portion of the Emerald Bay Community. The privately owned estate is physically and legally separate from the Emerald Bay Community. Development on the site consists of one single family residence and related, accessory uses.





II. Land Use Plan A. Resources Component

EMERALD BAY LOCAL COASTAL PROGRAM



II. LAND USE PLAN

The Land Use Plan (LUP) consists of four components: Resources, Transportation, Access, and New Development. Each component includes a summary of relevant Coastal Act policies, an identification of issues, a description of existing conditions, and where appropriate, an issue analysis. The last section, Land Use Plan Policies, provides new development guidelines to insure conformity with the Coastal Act.

The LUP is sufficiently detailed to indicate the kinds, locations and intensity of land uses. The plan incorporates relevant portions of the County's General Plan, sets forth appropriate resource protection and development policies and, where necessary, lists implementing actions consistent with Coastal Act Section 30108.5.

A. Resource Component

The Coastal Act provides policy guidelines for the protection of a broad range of environmental elements including marine, water, biological, cultural and historic, and scenic and visual resources.

Marine resources are protected under Sections 30230 and 30231. The former requires maintenance, enhancement and, where feasible, restoration of marine resources. It also calls for protection of areas and species of special biological or economic significance. Furthermore, it requires that uses of the marine environment be carried out such that the biological productivity of coastal waters is sustained. Section 30231 protects biological productivity and the quality of coastal waters and other water bodies through required control and management of waste water discharges, runoff, surface flows and use of ground water supplies.

Section 30236 promotes water resource protection by limiting substantial alterations of waterways to necessary: (1) water supply projects, (2) flood control projects, and (3) development projects for the improvement of fish and wildlife habitat.

Biological resources, particularly environmentally sensitive habitat areas, are protected under Section 30240. Only those uses dependent upon such biological resources are allowed within sensitive habitat areas. Development proposed adjacent to sensitive habitat areas must be compatible with and designed to prevent impacts to such biological resources.

Cultural and historic resources are addressed in Section 30244 which requires mitigation measures in conjunction with development that will have an adverse impact on archaeological and paleontological resources.

Scenic and visual qualities of the coastal zone are protected as a public resource under Section 30251. New development must be sited and designed such that views to and along the ocean and scenic coastal areas are preserved, visual compatibility with the character of surrounding areas is achieved, and the alteration of natural landforms is minimized. Related to these ends is the assurance sought by Section 30253 that new development will neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way

require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

The foregoing Coastal Act policies influence resource management planning for the Emerald Bay LCP area. Five major topics are identified and discussed below.

- o Permanent protection of environmentally sensitive habitat areas; opportunities for location of buffer zones adjacent to sensitive habitat areas and parks.
- Maintenance and enhancement of marine resources, and ocean and ground water quality.
- o Mitigation measures required for development that may adversely affect archaeological and paleontological resources.
- o Geologic, flood, erosion and fire hazard protection.
- o Protection and enhancement of existing views to and along the ocean and other scenic vistas; measures to ensure that new development will be visually compatible with surrounding areas and will minimize the alteration of natural landforms.
- 1. Environmentally Sensitive Habitat Areas

Environmentally sensitive habitat areas are defined as "any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments (Coastal Act, Section 30107.5)." The intent of the Coastal Act is preservation of significant habitat resources.

A report by Donald Bright and Associates indicates that the rocky intertidal habitat areas along the north and south promontory points harbor a highly diverse number of species. The dominate species are California Mussel (Mytilus californianus), Ochre Seastar (Piaster ochraceaus), Barnacles (Balanus sp.), periwinkle (littorina sp.), limpets (Lottia sp.), chitons (Nuttalina sp., Mopalia), shore crabs (Pachygrapsus crassipes), turban snails (Tegula) and sea anemone (anthopeura spp.). A variety of subtidal habitats in the Emerald Bay waters have also been documented. Giant kelp (Macrocystis pyrifera) is the dominant organism.

The Bright report concludes that while the oceanographic characteristics of Emerald Bay are not unique, the marine resources, which provide habitat for various marine life, are worthy of protection from 1) overexposure to human activities, 2) air pollution, and 3) pollution from sewage outfalls and storm drainage systems. It should be noted that the quality and value of these habitats is generally less significant than that of the nearby state designated Marine Life Refuge areas of Irvine Coast and Laguna Beach.

No officially recognized rare, endangered, or threatened species are known or expected to exist within the Emerald Bay LCP area.

2. Watershed Management

The Emerald Bay area is approximately 95 percent developed and, thus, new development poses minimal threat of degradation to coastal water quality due to runoff. Notwithstanding, vacant infill parcels with development potential may contribute silt and toxic substances through runoff waters from construction, grading and vegetation removal which could cumulatively damage marine resources.

Available survey data indicate that the soil types (e.g., Capistrano, Myford and Cieneba sandy loam) in the LCP area have a moderate to high erosion hazard potential if exposed. Enforcement of the County's Grading and Excavation Code will serve to minimize development impacts on marine water quality through erosion control requirements and procedures.

3. Environmental Hazards

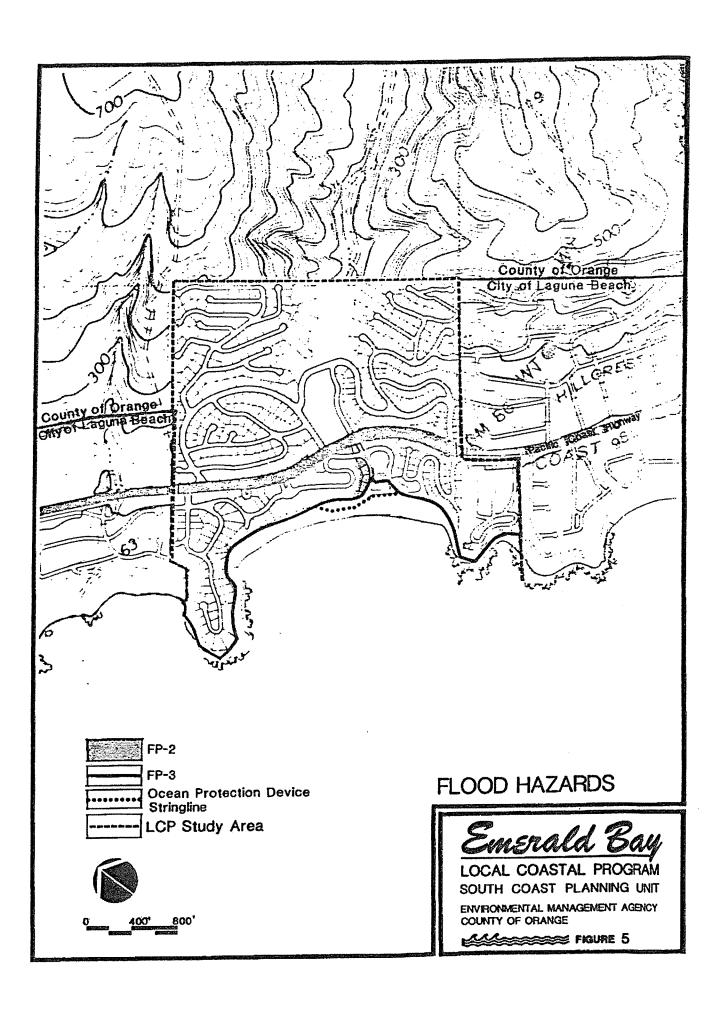
a. Geologic Hazards

Three geologic units are present in the LCP area: igneous bedrock, sedimentary bedrock, and unconsolidated deposits. There are two kinds of igneous rock. One, the Intrusive Volcanic material from the antesite classification, is found in the promontory points and three other pockets within the LCP area.

Three sedimentary bedrock units from the Miocene period exist in the area. The Monterey Formation is comprised of shale, siltstone and sandstone. This formation is generally stable and is found in the interior flanks of the points which form Emerald Bay. The San Onofre Breccia is composed of blue-grey and green schist-breccia, sandstone and conglomerates. Landslides have occurred in this formation which is found in the inland portion of the LCP area; however no landslides have been documented. The Bommer member of the Topanga Formation consists of massive sandstone with siltstone interbeds. When exposed, this porous and permeable bedrock will erode into caves. The Topanga-Bommer bedrock is found in the northeastern reaches of the LCP area.

The environmental hazards which may affect new and existing development are faults and earthquake activity (Figure 4). Several faults are thought to exist in this LCP area, none of which are apparent on the surface. Figure 4 indicates the approximate location of two earthquake epicenters. The first was the epicenter of six mild quakes (magnitude equal to 2.0) between 1934 and 1935. A second epicenter, located approximately 1,000 feet offshore, was the site of a moderate trembler (magnitude equal to 4.5) in 1969.

No landslide, soil creep, or mudflow areas have been identified within the LCP area.



b. Flood Hazards

The Emerald Canyon watershed which extends beyond the northeasterly reaches of the LCP area drains through the Emerald Bay Community. No danger from heavy storm runoff is presented to residential structures since they are all built well above the canyon floor. Runoff from the canyon passes under Pacific Coast Highway through a 10 foot wide, circular concrete storm drain. The runoff reaches its ocean destination via a concrete channel extending onto the sandy beach. The County's Development Monitoring Program (Vol. 8, February 1987) indicates that there are no deficiencies in flood control facilities in the area.

The areas subject to flood related hazards are primarily located along the coastline. The County determined flood hazard areas, which are consistent with the Federal Flood Insurance Rate Maps, are shown in Figure 5. The County of Orange Coastal Development Flood Plain Study (prepared by: Moffatt and Nichol, Engineers; January, 1985) provides design standards for new development in these flood prone areas. The study also establishes a stringline beyond which no ocean protection device (OPD) may be constructed. The OPD stringline is coterminus with the flood plain (FP-3) except where indicated in Figure 5.

c. Beach Erosion

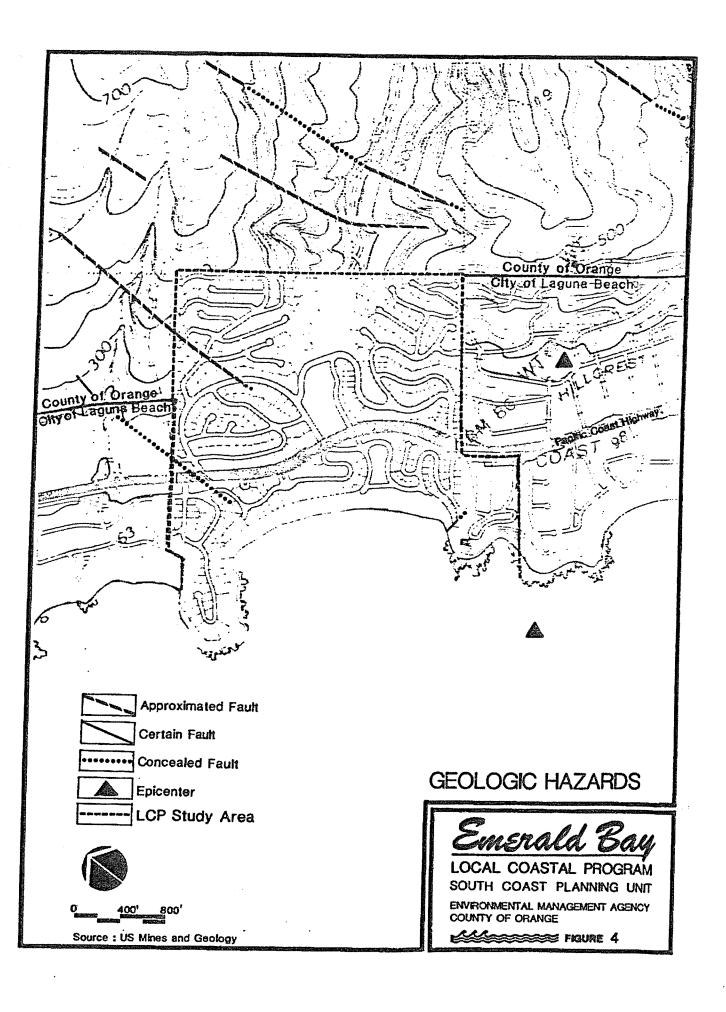
The runoff system described above also allows the transport of sand to the beach. Under normal conditions, slope-wash debris carried through the canyon system and deposited into the ocean provides adequate replenishment of beach sand.

The heavy storm activity during the winter of 1980, however, washed large amounts of sand from the beach. To restore the beach to its prior condition, the Emerald Bay Community Association imported sand. Since that time, no further erosion problems have occurred.

d. Fire Hazard

The Safety Element of the Orange County General Plan identifies the area encompassing Emerald Bay as an area of "High Fire Hazard." An existing fuel modification zone of 400 feet in width serves as a firebreak between the residential units in the Emerald Bay Community and the canyons of the Irvine Coast Wilderness Regional Park. Maintenance of the existing firebreak should serve to safeguard structures. Fire safety is also provided through implementation of existing County ordinances which require use of fire retardant roofing materials in new development and major structural modifications to existing buildings located within 1,000 feet of brush areas.

Fire protection for Emerald Bay is provided by the Emerald Bay Volunteer Fire Department in conjunction with the County. The Fire Department has its own firehouse on Emerald Bay property under lease to the County of Orange.



4. Scenic Resources

Scenic and visual resources in the LCP area are defined in terms of view opportunities and existing community character. In general, existing public access to these resources is extremely limited.

View opportunities to the ocean and inland canyons of the Irvine Coast Wilderness Regional Park from the LCP area are almost exclusive to the residents of the private community at Emerald Bay. Due to existing development, the ocean and park are not visible to the motoring public utilizing the segment of Pacific Coast Highway through the LCP area.

Much of the existing community character is a reflection of pre-1930s development in Emerald Bay and community-imposed architectural standards. All new development is monitored and influenced by the Emerald Bay Community Architectural Committee. The committee, which comprises members of the Emerald Bay Board of Directors and architects, reviews construction and landscape plan proposals to:

- Ensure project conformity with recorded restrictions;
- o Ensure project compatibility with the architectural design and character of the community; and
- o Ensure that existing ocean views of surrounding property owners within the community are preserved.

5. Cultural/Scientific/Historic Resources

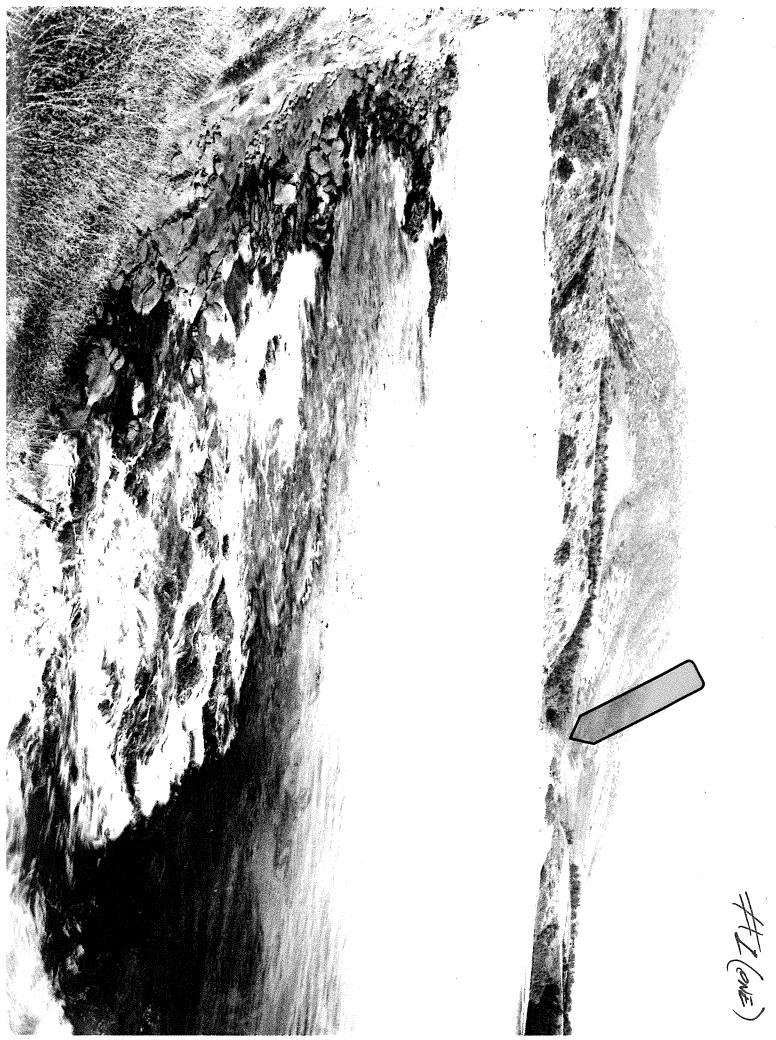
The LCP area is underlain by sedimentary bedrock units from the Miocene period which are considered to be of moderate to high paleontologic sensitivity.

Two archaeological sites are known to the LCP area. The sites, CA-ORA-2 and CA-ORA-3, are located seaward of Pacific Coast Highway. County records indicate that shell midden was found at the ORA-2, and that the site has been destroyed. In addition, a recent report on ORA-3 (Breece, June 1987) indicates that a mano, scraper, a "rubbing stone," a "mawl stone" and various species of marine shellfish were found by J. R. Briggs in 1949 when the site was officially recorded.

The historic resources in the area consist of several Mediterranean Revival style dwellings built circa 1930. These buildings were re∞gnized as significant by the Environmental Coalition of Orange County in its 1981 survey of the Laguna Beach area.

All new development is subject to the archaeological and paleontological policy of the Orange County Board of Supervisors (Resolution No. 77-866) which states that:

"all reasonable and proper steps be taken to achieve the preservation of archaeological and paleontological remains, or in the alternative, their recovery, identification and analysis, so that their scientific and historical values are preserved."







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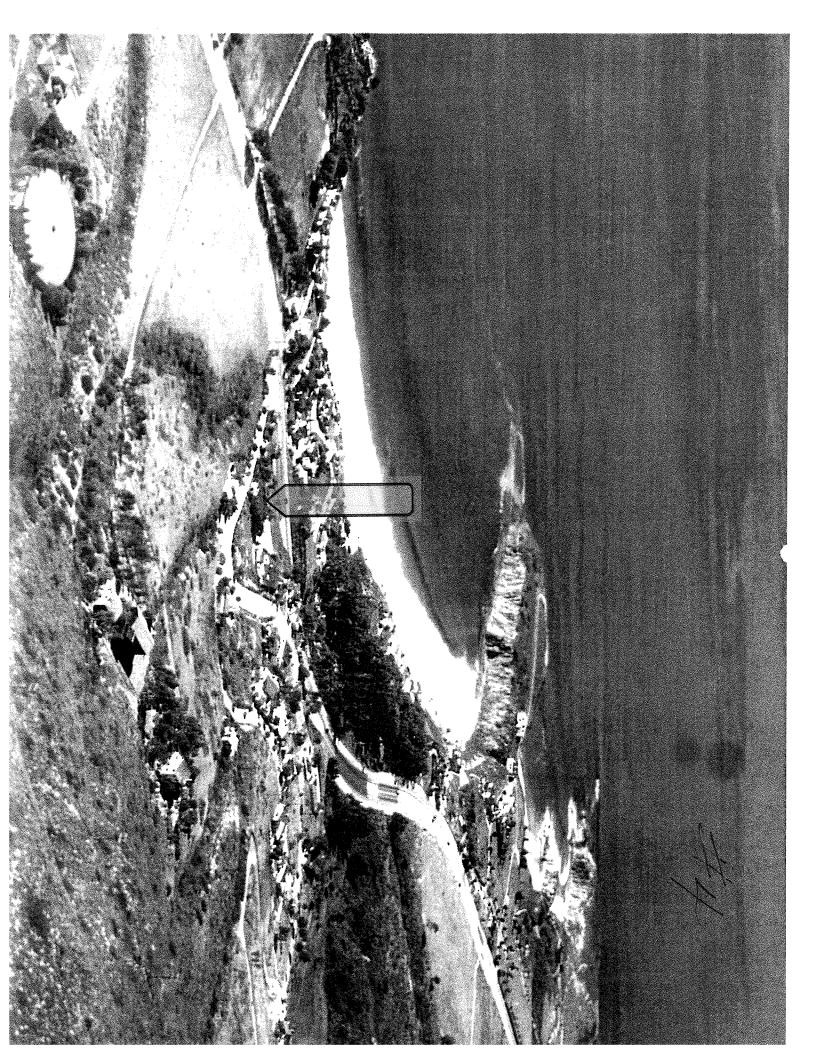




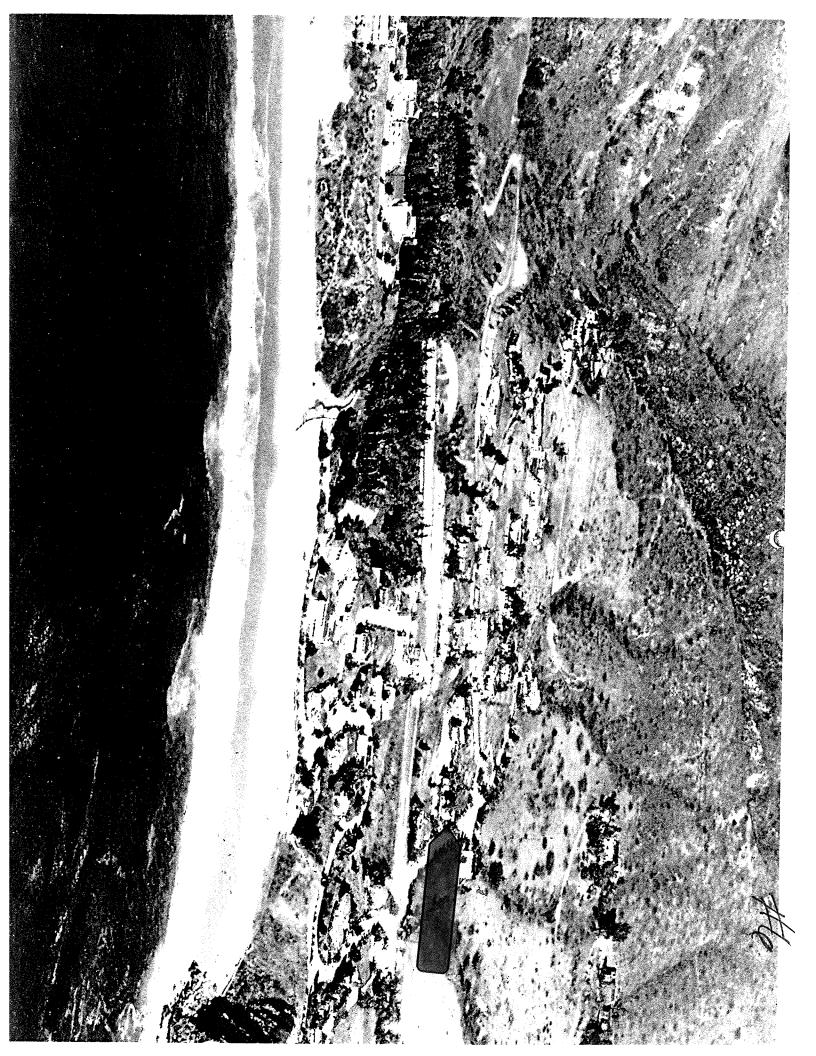
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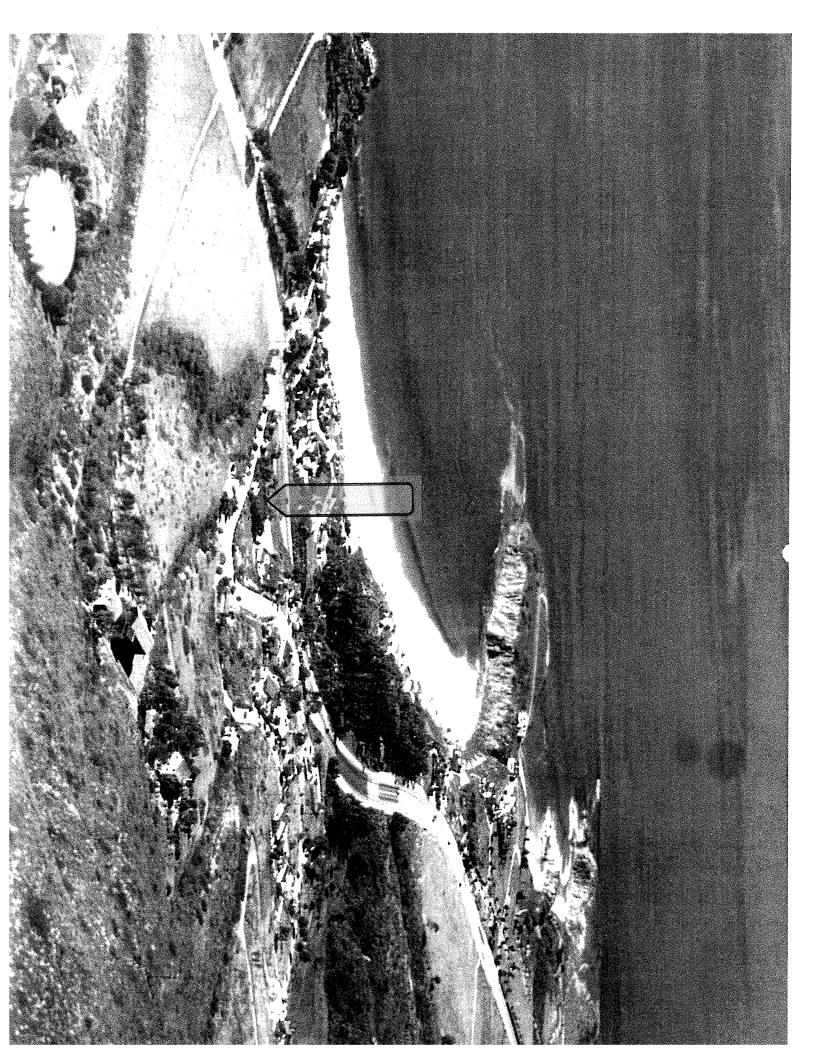


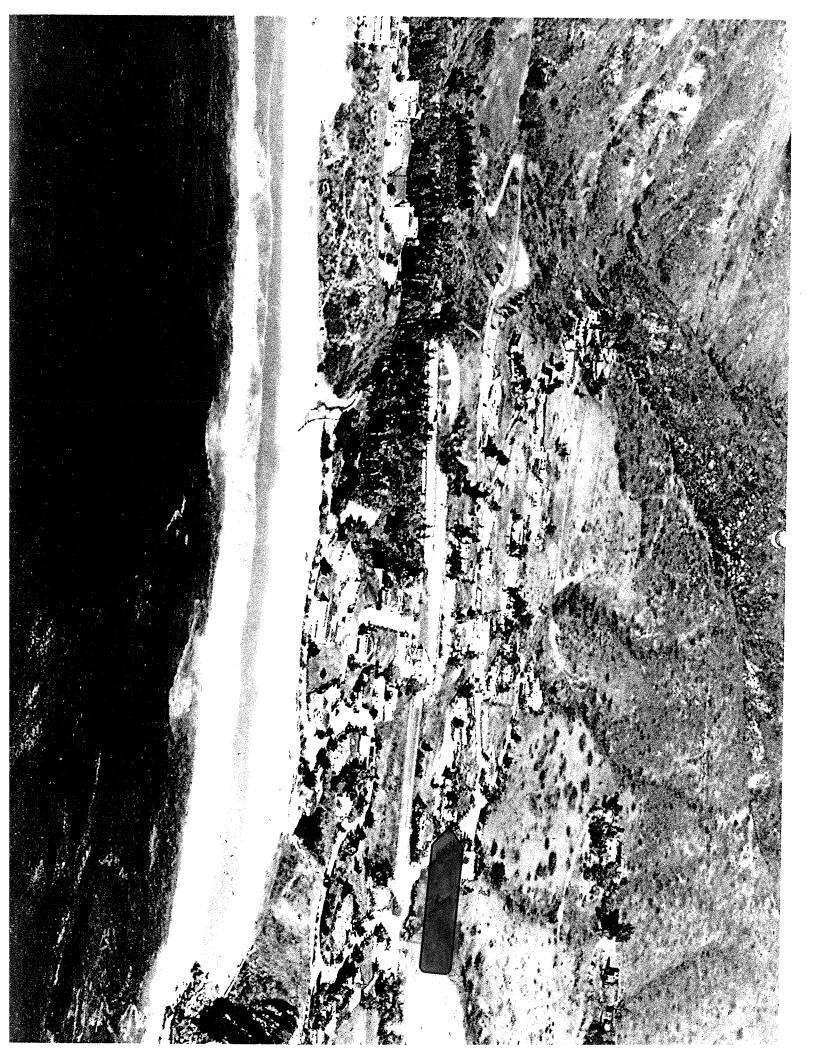


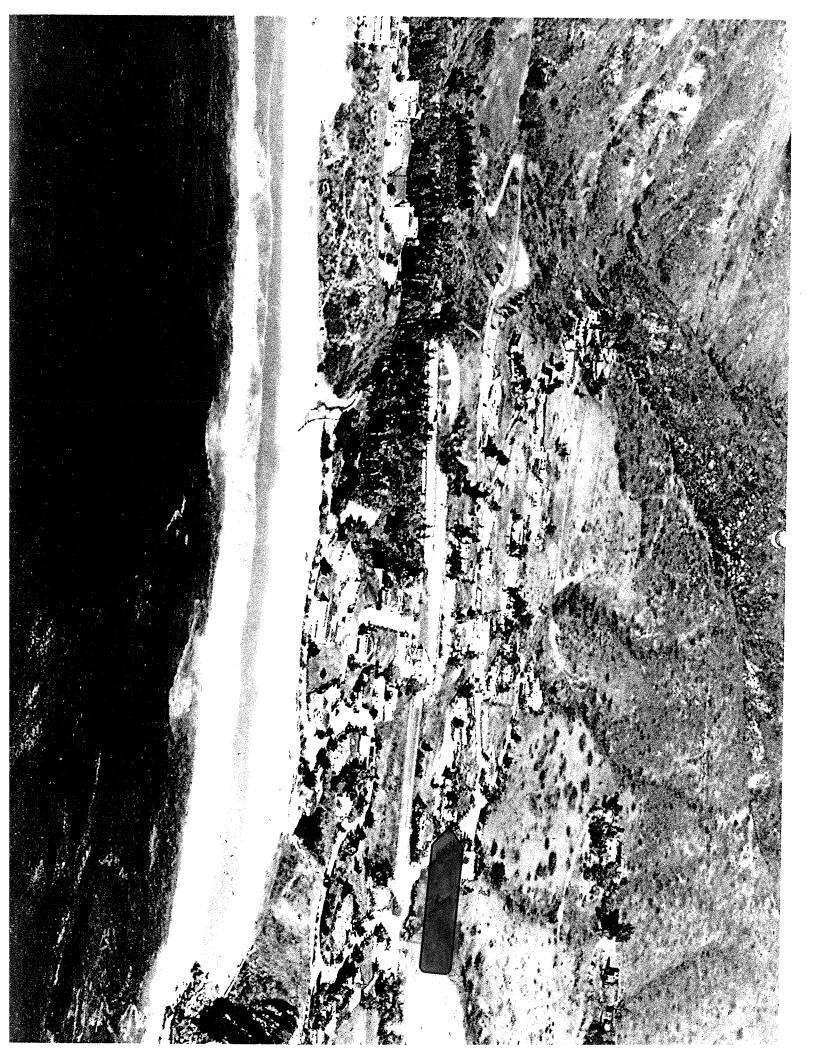
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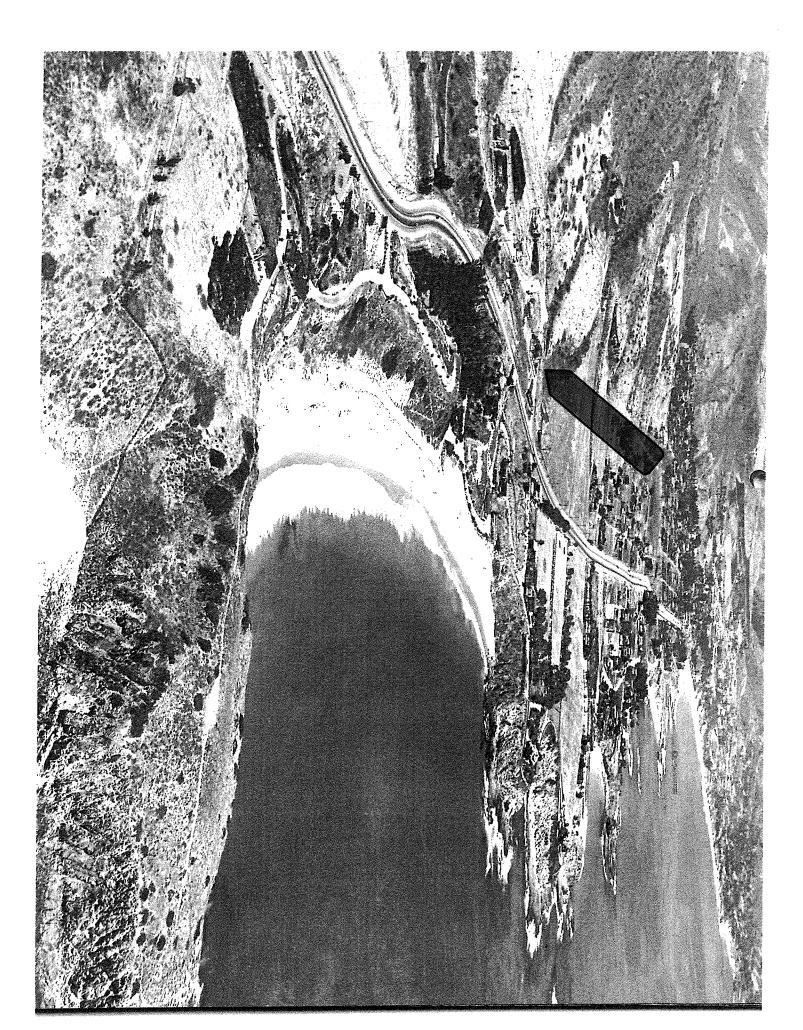


Circa 1936











626 Wilshire Boulevard Suite 1100 Los Angeles, CA 90017 213.599.4300 phone 213.599.4301 fax

January 4, 2023

Kevin Canning, Contract Planner Orange County Development Services 601 N. Ross Street Santa Ana, CA 92701

Orange County Public Works 601 N. Ross Street Santa Ana, CA 92701

Emerald Bay Architectural Review Board, Emerald Bay Homeowners Association 600 Emerald Bay Laguna Beach, CA 92651

Subject: Preparation of California Register Nomination for 211 Emerald Bay, Unincorporated Orange County

Dear Mr. Canning,:

This letter is to inform you of the legal responsibility of the County regarding historical resources and any property improvements proposed for 211 Emerald Bay. A property owner and member of the Emerald Bay community commissioned ESA to prepare a California Register Nomination for 211 Emerald Bay (Nomination) because the property is threatened with demolition.

ESA's qualified architectural historians conducted a pedestrian site survey, property history and neighborhood history research for the property. Based upon this evidence, the property retains architectural integrity and has historical significance in the early settlement history of Emerald Bay to be eligible for listing in the California Register of Historical Resources. The results of ESA's research have been documented in a California Register Nomination for the property. On July 11, 2023, ESA notified the clerk of Orange County and the Orange County Historical Commission by certified mail that the Nomination was to be filed with the California Office of Historic Preservation (OHP). Additionally, ESA included a copy of the Nomination, and requested that the clerk of Orange County and the Orange County Historical Commission provide written comments regarding the Nomination to ESA within 90 days, as required by OHP. At the end of 90 days, on October 18, 2023, the Nomination was submitted without comment to OHP for consideration by the State Historical Resources Commission (SHRC). The Nomination is currently under review by OHP.

The property is now considered a presumptive historical resource pursuant to CEQA Section 15064.5. The property is situated in the Emerald Bay Local Coastal Program (EBLCP) and the coastal zone, and therefore expansion or redevelopment of property improvements are discretionary and subject to a Coastal Development Permit. Legally, any proposed project would therefore need to undergo formal review for compliance with CEQA including analysis of potential adverse impacts to historical and cultural resources and conformance with the Secretary of the Interior's Standards. Although the EBLCP is over 30 years old (1989), it is still utilized by Orange County as the current community plan. The project would also need to be reviewed for consistency with the EBLCP which includes assessment of potential impacts to historical and archaeological resources.

Please feel free to reach out to me should you have any questions or wish to discuss this further.



Dear Mr. Canning, January 4, 2023 Page 2

Sincerely,

Margarita Jerabek, Ph.D.

Historic Resources Strategic Development Director

cc. J. William "Bill" Cooley, PE, MBA
Lawrence P. Nokes, Esq., Nokes & Quinn
Justin Kirk, AICP, Planning Division Manager, OC Public Works
John Canedo, General Manager with Emerald Bay
Karl Schwing, District Director, CA Coastal Commission
Shannon Vaughn, Coastal Program Manager



626 Wilshire Boulevard Suite 1100 Los Angeles, CA 90017 213.599.4300 phone 213.599.4301 fax

May 17, 2023

Jay Correia, Supervisor Registration Unit 1725 23rd Street, Suite 100 Sacramento, CA 95816-7100

Hugh Nguyen Orange County Clerk – Recorder County Administration South Building 601 N. Ross Street Santa Ana, CA 92701

Historical Commission 13042 Old Myford Road Irvine, CA 92602

Subject: Preparation of California Register Nomination for 211 Emerald Bay, Laguna Beach, Unincorporated Orange County

Dear Sir:

This letter is to inform you that ESA is preparing a California Register Nomination for 211 Emerald Bay (Nomination). The owner of a neighboring property has commissioned preparation of a Nomination for the 211 Emerald Bay property, which appears to be threatened with demolition. ESA's qualified architectural historians have conducted a pedestrian site survey, property history and neighborhood history research for the property. Based upon this evidence it appears that the property retains architectural integrity and has historical significance in the early settlement history of Emerald Bay to be considered potentially eligible for listing in the California Register of Historical Resources. ESA is currently in the process of conducting further evaluation and we will be soon presenting the results in a California Register Nomination which will be submitted to the California Office of Historic Preservation (OHP) for consideration by the State Historical Resources Commission (SHRC), and the County of Orange for consideration by the Orange County Historical Commission. Once the Nomination is completed, ESA will notify the clerk of Orange County by certified mail that an application will be filed with the Office of Historic Preservation (OHP) along with a copy of the Nomination, and request that Orange County provide written comments within 90 days. At the end of 90 days, the Nomination will be forwarded with any comments from Orange County to the OHP.

Sincerely,

Margarita Jerabek-Bray, Ph.D.
Director of Historic Resources



Sir May 17, 2023 Page 2

cc. J. William "Bill" Cooley, PE, MBA Lawrence P. Nokes, Esq., Nokes & Quinn Justin Kirk, AICP, Planning Division Manager, OC Public Works



May 19, 2023

VIA ELECTRONIC AND FIRST CLASS MAIL

Jonathan Canedo Director of Architecture & Compliance

office@ebca.net

William Stoffregen
Bay Building Inspector
EMERALD BAY COMMUNITY ASSOCIATION
600 Emerald Bay
Laguna Beach, CA 92651

Re: 211 Emerald Bay: Proposed Project

Dear Messrs. Canedo and Stoffregen;

I represent William Cooley, owner of 215 Emerald Bay. Emerald Bay recently received and processed a planning and building application for the property at 211 Emerald Bay. The proposal is to replace this historic property with a significant and massive structure that will block views and change the look and feel of the property and properties surrounding it. While Mr. Cooley has voiced his concerns to the applicant and to Emerald Bay, the local approval authority and the applicant have been largely dismissive of his concerns. Mr. Cooley asked that I write to you in the hopes we can draw Emerald Bay's attention to the significant violations of the Coastal Act, CEQA and Emerald Bay internal requirements.

On September 13, 1989, the Coastal Commission certified the Local Coastal Program ("LCP") for Emerald Bay. The Land Use Plan portion of the certified LCP recognizes that much of the community character is a reflection of the pre-1930s development in Emerald Bay. The representation made to the Coastal Commission in seeking certification of the LCP was that the Architectural Committee would review construction and landscape plans to "Ensure that existing ocean views of surrounding property owners within the community are preserved." The proposed plan at 211 Emerald Bay ("211") completely obliterates views from 215 Emerald Bay ("215") and is not compatible with the architectural design and character of the community, another important requirement of the LCP.

Another significant aspect of this project is that it will destroy an historic resource. Emerald Bay simply failed to look at the historicity of 211, even though the issue was brought to your attention by Mr. Cooley. As a result, Mr. Cooley has involved the State Office of Historic Preservation. It appears that the trees on the property date back to the time of original construction, so care must be taken to ensure that the property remain intact, including the trees, during this assessment period.

J. Canedo, W. Stoffregen - EBCA

Re: 211 Emerald Bay

May 19, 2023

Page 2

The current plans up for "Final Approval" of 211 are to move a minimum of four feet of earth and soil, which we believe should require an Initial Study and paleontological, environmental, archaeological, biological and historic studies to be performed, as required by CEQA.

Mr. Cooley certainly wishes he had not been placed in this situation. However, it appears Emerald Bay is intent on moving forward with this invasive and aggressive project without consideration of the LCP or CEQA requirements dealing with historic resources.

The courtesy of your reply is appreciated.

Very truly yours,

Laurence P. Nokes

LPN/dkc cc: Client

Margarita Jerabek-Bray, Ph.D., ESA



VIA ELECTRONIC MAIL ONLY

Orange County Zoning Administrator Kevin Canning, Contract Planner Cindy Salazar, Planning Division Manager OC Public Works – County of Orange

Kevin.Canning@ocpw.ocgov.com Cindy.Salazar@ocpw.ocgov.com

Re: Public Hearing on Planning Application PA22-0227 for a Coastal Development Permit, Variance Permit, Use Permit and Lot Line Adjustment 211 Emerald Bay, Laguna Beach (within the Fifth Supervisorial District) Hearing scheduled for June 20, 2024

Requested Action:

- 1. Consider the evidence presented, exercise your discretionary authority to determine 211 Emerald Bay is a historic resource under CEQA and deny the application of a Categorical Exemption;
- 2. Continue the hearing on this application until the State Office of Historic Preservation has completed its review of the Nomination of this property to the California Register of Historical Resources;
- 3. Determine that the proposed variance findings are inadequate because they fail to address the "disparity" between this property and others in the vicinity, which would make development under the applicable property development standards unduly difficult.
- 4. Deny the application and remand this project to Emerald Bay with direction to avoid destruction of the ocean view from 215 Emerald Bay.

Dear Gentlepersons:

This firm represents William Cooley, a long-time resident of Emerald Bay. Mr. Cooley owns the home at 215 Emerald Bay, next door to the proposed project at 211 Emerald Bay. Mr. Cooley opposes the proposed project on three primary grounds:

1. The County Planners urge the approval of this project using three Categorical Exemptions under CEQA. Categorical Exemptions, however, may not be used for projects that



will cause a substantial adverse change to a historic resource. [14 CCR 15300.2]. Evidence in the record is sufficient to support a finding that 211 Emerald Bay qualifies as a "historic resource" as defined in Pub. Res. Code Section 21084.1. (Attachment 9). 211 Emerald Bay was Nominated (the "Nomination") to the California Register of Historical Resources (the "Register") pursuant to and in conformity with Cal. Pub. Res. Code Section 5024.1. Notice of the Nomination was given to the County Clerk and the Orange County Historical Commission on July 11, 2023. No written comments were provided by the County within 90 days, as required, and the Nomination was submitted to the State Office of Historic Preservation, without comment, on October 18, 2023. The application is under consideration by the State Office of Historic Preservation ("State OHP") and is pending. If the OHP determines this property is eligible for inclusion on the Registry, it will be a "mandatory" historic Resource under Pub. Res. Code Section 21084.1.

- 2. The County Planners failed to advise the Zoning Administrator of its obligations when substantial evidence is presented supporting a finding that the project may have a affect a "historic resource." 14 CCR 15054.5 (a)(3) provides:
 - "Any object [or] building ... which a lead agency determines to be historically significant ... 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 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."

The ESA Nomination materials submitted to the State Office of Historic Preservation and provided to the County (included within Attachment 9) set forth substantial evidence supporting criteria (A), (B) and (C) above. As a result, the lead agency should take the path forward ordered by the court in *Valley Advocates v City of Fresno* (2008) 160 Cal.App.4th 1039, 1063, as follows:



- (1) acknowledge the lead agency's discretion to consider whether 211 Emerald Bay is an historic resource for purposes of CEQA,
- (2) expressly elect to exercise that discretion by considering the issue
- (3) evaluate the issue by, among other things, applying the criteria set forth in subdivision (a)(3) of 14 CCR 15064.5, and
- (4) determine that 211 Emerald Bay is an historic resource.
- 3. The findings proposed by Staff to justify the variances do not meet the requirements of Government Code Section 65906. The Court in *Orinda Assn v. Board of Supervisors* (1986) 182 Cal.App.3d 1145, 1166 [227 Cal.Rptr. 688, 701–702] observed that:
 - "... the language of both the Zoning Ordinance and Government Code section 65906 "emphasizes disparities between properties, not treatment of the subject property's characteristics in the abstract. [Citations.] It also contemplates that at best, only a small fraction of any one zone can qualify for a variance. [Citation.]" (Topanga Assn. for a Scenic Community v. County of Los Angeles, supra, 11 Cal.3d at p. 520, 113 Cal.Rptr. 836, 522 P.2d 112, original emphasis.) The facts set forth in the required findings must address "the critical issue whether a variance was necessary to bring the [owner of the subject parcel] into substantial parity with other parties holding property interests in the zone. [Citation.]" ... Thus, data focusing on the qualities of the property and Project for which the variance is sought, the desirability of the proposed development, the attractiveness of its design, the benefits to the community, or the economic difficulties of developing the property in conformance with the zoning regulations, lack legal significance and are simply irrelevant to the controlling issue of whether strict application of zoning rules would prevent the would-be developer from utilizing his or her property to the same extent as other property owners in the same zoning district. (*Ibid; Broadway*, Laguna etc. Assn. v. Board of Permit Appeals, supra, 66 Cal.2d at pp. 773–781, 59 Cal.Rptr. 146, 427 P.2d 80.)" [Emphasis added.]

Staff's analysis fails to set forth characteristics of this property, a combination of three flat lots with ample street access on two sides, that would qualify it as a property presenting a "substantial hardship" when following the property development standards of Emerald Bay or the County. Under Staff's analysis, applicants should simply disregard the property development standards,



and design all properties through use of variances. The end seems to justify the means, rather than enforcing the standards set forth for the vicinity.

4. Finally, the proposed structure on three lots destroys all existing ocean views from 215 Emerald Bay, as illustrated in the attached photos. It is, therefore, incompatible with other permitted uses in the vicinity. As noted in the staff report:

"LCP specifically recognizes the community's architectural guidelines and standards. Page II-8 of the LCP, states:

"Much of the existing community character is a reflection of pre-1930s development in Emerald Bay and community-imposed architectural standards. All new development is monitored and influenced by the Emerald Bay Community Architectural Committee. The committee, which comprises members of the Emerald Bay Board of Directors and architects, reviews construction and landscape plan proposals to:

- o Ensure project conformity with recorded restrictions;
- o Ensure project compatibility with the architectural design and character of the community; and
- o Ensure that existing ocean views of surrounding property owners within the community are preserved."

Emerald Bay approved a structure for 211 Emerald Bay which annihilated the existing ocean and sunset views for 215 Emerald Bay. Mr. Cooley acknowledges that process but believes the Zoning Administrator must ensure that the goals were followed, lest there be no check on Emerald Bay. At a minimum, Mr. Cooley wishes to preserve this objection for a court challenge, in the event the Zoning Administrator does not feel it can remedy the problem.

CONCLUSION

William Cooley respectfully requests that the Zoning Administrator consider the evidence before it and determine that 211 Emerald Bay property satisfies the criteria set forth in 14 CCR 15064.5 (a)(3). Mr. Cooley requests that this property be deemed an historic resource by the Zoning Administrator using the process set forth in *Valley Advocates v City of Fresno*, cited above.

In the alternative, Mr. Cooley requests that this hearing be continued until the State OHP completes its consideration of the Nomination of the property to the Register. Approval of the project with Categorical Exemptions would render a subsequent determination of historicity by the State OHP an aspirational gesture only and would result in a loss that would not be



correctable, as an historic resource would be forever destroyed. On the other hand, if the State OHP determines the home is not eligible for inclusion, the lead agency may consider its eligibility for recognition by the County or proceed with the application.

In the event the Zoning Administrator refuses to continue the matter to allow the Nomination process to be completed, Mr. Cooley requests that this project be denied as submitted, as it is not compatible with the surrounding homes, and blocks views from 215 Emerald Bay. Further, the "findings" for the variance are legally deficient and not supported by substantial evidence. There is no evidence that this property suffers from disparities that preclude its construction in conformity with the existing zoning codes and property development standards.

Thank you for your time and consideration.

Very truly yours,

Laurence P. Nokes

LPN/dkc Attachments

cc: Client



VIA ELECTRONIC MAIL ONLY

Orange County Zoning Administrator Kevin Canning, Contract Planner Cindy Salazar, Planning Division Manager OC Public Works – County of Orange

Kevin.Canning@ocpw.ocgov.com Cindy.Salazar@ocpw.ocgov.com

Re: Public Hearing on Planning Application PA22-0227 for a Coastal Development Permit, Variance Permit, Use Permit and Lot Line Adjustment 211 Emerald Bay, Laguna Beach (within the Fifth Supervisorial District) Hearing scheduled for June 20, 2024

Requested Action:

- 1. Consider the evidence presented, exercise your discretionary authority to determine 211 Emerald Bay is a historic resource under CEQA and deny the application of a Categorical Exemption;
- 2. Continue the hearing on this application until the State Office of Historic Preservation has completed its review of the Nomination of this property to the California Register of Historical Resources;
- 3. Determine that the proposed variance findings are inadequate because they fail to address the "disparity" between this property and others in the vicinity, which would make development under the applicable property development standards unduly difficult.
- 4. Deny the application and remand this project to Emerald Bay with direction to avoid destruction of the ocean view from 215 Emerald Bay.

Dear Gentlepersons:

This firm represents William Cooley, a long-time resident of Emerald Bay. Mr. Cooley owns the home at 215 Emerald Bay, next door to the proposed project at 211 Emerald Bay. Mr. Cooley opposes the proposed project on three primary grounds:

1. The County Planners urge the approval of this project using three Categorical Exemptions under CEQA. Categorical Exemptions, however, may not be used for projects that



will cause a substantial adverse change to a historic resource. [14 CCR 15300.2]. Evidence in the record is sufficient to support a finding that 211 Emerald Bay qualifies as a "historic resource" as defined in Pub. Res. Code Section 21084.1. (Attachment 9). 211 Emerald Bay was Nominated (the "Nomination") to the California Register of Historical Resources (the "Register") pursuant to and in conformity with Cal. Pub. Res. Code Section 5024.1. Notice of the Nomination was given to the County Clerk and the Orange County Historical Commission on July 11, 2023. No written comments were provided by the County within 90 days, as required, and the Nomination was submitted to the State Office of Historic Preservation, without comment, on October 18, 2023. The application is under consideration by the State Office of Historic Preservation ("State OHP") and is pending. If the OHP determines this property is eligible for inclusion on the Registry, it will be a "mandatory" historic Resource under Pub. Res. Code Section 21084.1.

- 2. The County Planners failed to advise the Zoning Administrator of its obligations when substantial evidence is presented supporting a finding that the project may have a affect a "historic resource." 14 CCR 15054.5 (a)(3) provides:
 - "Any object [or] building ... which a lead agency determines to be historically significant ... 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 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."

The ESA Nomination materials submitted to the State Office of Historic Preservation and provided to the County (included within Attachment 9) set forth substantial evidence supporting criteria (A), (B) and (C) above. As a result, the lead agency should take the path forward ordered by the court in *Valley Advocates v City of Fresno* (2008) 160 Cal.App.4th 1039, 1063, as follows:



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- (3) evaluate the issue by, among other things, applying the criteria set forth in subdivision (a)(3) of 14 CCR 15064.5, and
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- 3. The findings proposed by Staff to justify the variances do not meet the requirements of Government Code Section 65906. The Court in *Orinda Assn v. Board of Supervisors* (1986) 182 Cal.App.3d 1145, 1166 [227 Cal.Rptr. 688, 701–702] observed that:
 - "... the language of both the Zoning Ordinance and Government Code section 65906 "emphasizes disparities between properties, not treatment of the subject property's characteristics in the abstract. [Citations.] It also contemplates that at best, only a small fraction of any one zone can qualify for a variance. [Citation.]" (Topanga Assn. for a Scenic Community v. County of Los Angeles, supra, 11 Cal.3d at p. 520, 113 Cal.Rptr. 836, 522 P.2d 112, original emphasis.) The facts set forth in the required findings must address "the critical issue whether a variance was necessary to bring the [owner of the subject parcel] into substantial parity with other parties holding property interests in the zone. [Citation.]" ... Thus, data focusing on the qualities of the property and Project for which the variance is sought, the desirability of the proposed development, the attractiveness of its design, the benefits to the community, or the economic difficulties of developing the property in conformance with the zoning regulations, lack legal significance and are simply irrelevant to the controlling issue of whether strict application of zoning rules would prevent the would-be developer from utilizing his or her property to the same extent as other property owners in the same zoning district. (*Ibid; Broadway*, Laguna etc. Assn. v. Board of Permit Appeals, supra, 66 Cal.2d at pp. 773–781, 59 Cal.Rptr. 146, 427 P.2d 80.)" [Emphasis added.]

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"LCP specifically recognizes the community's architectural guidelines and standards. Page II-8 of the LCP, states:

"Much of the existing community character is a reflection of pre-1930s development in Emerald Bay and community-imposed architectural standards. All new development is monitored and influenced by the Emerald Bay Community Architectural Committee. The committee, which comprises members of the Emerald Bay Board of Directors and architects, reviews construction and landscape plan proposals to:

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CONCLUSION

William Cooley respectfully requests that the Zoning Administrator consider the evidence before it and determine that 211 Emerald Bay property satisfies the criteria set forth in 14 CCR 15064.5 (a)(3). Mr. Cooley requests that this property be deemed an historic resource by the Zoning Administrator using the process set forth in *Valley Advocates v City of Fresno*, cited above.

In the alternative, Mr. Cooley requests that this hearing be continued until the State OHP completes its consideration of the Nomination of the property to the Register. Approval of the project with Categorical Exemptions would render a subsequent determination of historicity by the State OHP an aspirational gesture only and would result in a loss that would not be



correctable, as an historic resource would be forever destroyed. On the other hand, if the State OHP determines the home is not eligible for inclusion, the lead agency may consider its eligibility for recognition by the County or proceed with the application.

In the event the Zoning Administrator refuses to continue the matter to allow the Nomination process to be completed, Mr. Cooley requests that this project be denied as submitted, as it is not compatible with the surrounding homes, and blocks views from 215 Emerald Bay. Further, the "findings" for the variance are legally deficient and not supported by substantial evidence. There is no evidence that this property suffers from disparities that preclude its construction in conformity with the existing zoning codes and property development standards.

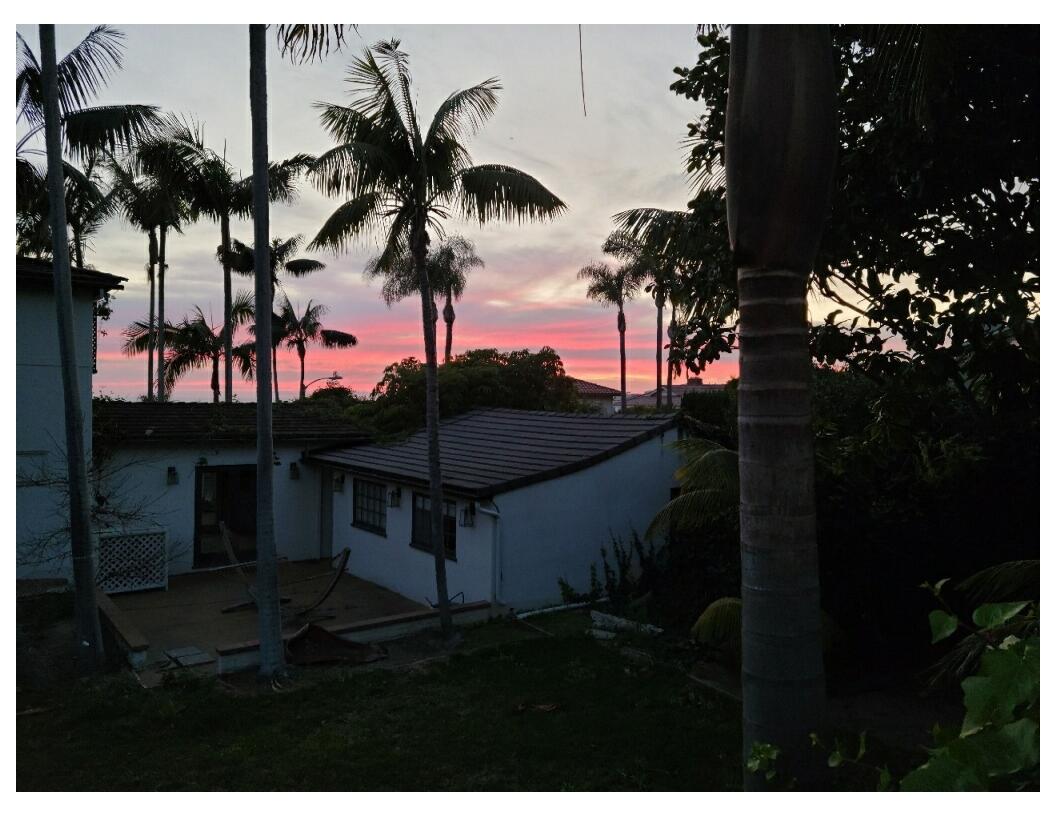
Thank you for your time and consideration.

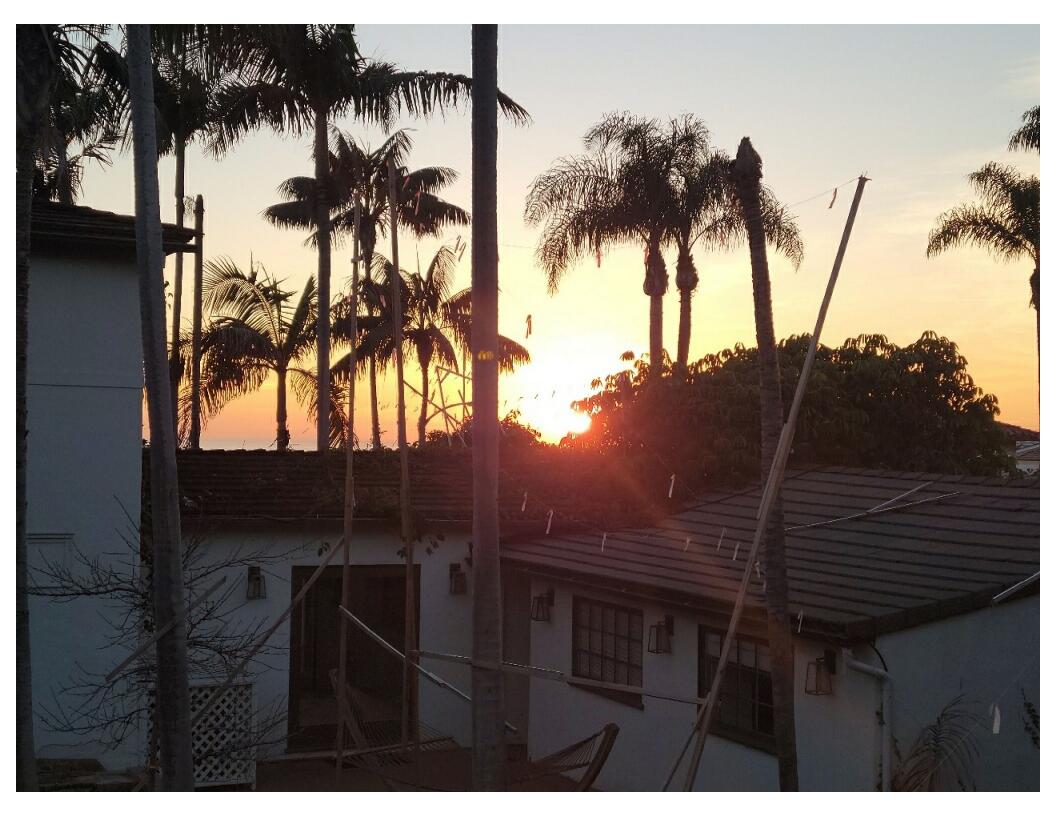
Very truly yours,

Laurence P. Nokes

LPN/dkc Attachments

cc: Client









633 West 5th Street Suite 830 Los Angeles, CA 90071 213.599.4300 phone 213.599.4301 fax

memorandum

date June 18, 2024

to Orange County Zoning Administrator; Kevin Canning, Contract Planner, and Cindy Salazar,

Planning Division Manager, OC Development Services / Planning

cc Bill Cooley, Owner 215 Emerald Bay; Larry Nokes, esq.

from Margarita Jerabek, Alison Garcia-Kellar and Valerie Smith, Architectural Historians,

Environmental Science Associates (ESA)

subject Planning Application PA22-0227 for a Coastal Development Permit, Variance Permit, Use Permit

and Lot Line Adjustment in conjunction with the demolition of an existing two-level single-family residence and its replacement with a new two-level single-family residence and associated site

grading and improvements (Proposed Project), and its attachments

ESA has reviewed the staff report from Mr. Kevin Canning, Contract Planner to Orange County Zoning Administrator, dated June 2024, and Planning Application PA22-0227 for a Coastal Development Permit, Variance Permit, Use Permit and Lot Line Adjustment in conjunction with the demolition of an existing two-level single-family residence located at 211 Emerald Bay and its replacement with a new two-level single-family residence and associated site grading and improvements (Proposed Project), and its attachments.

ESA submits the following comments to OC Development Services/Planning and the Orange County Zoning Administrator for consideration and requests that the hearing and decision for approval of the Planning Application PA22-0227 be continued until the California State Historical Resources Commission (SHRC) formally determines whether the existing two-level single-family residence and ancillary dwelling located at 211 Emerald Bay on the project site is eligible for listing in the California Register of Historical Resources.

- 1) The Nomination was Properly Submitted. The OC staff report states that the Nomination form did not include the property owner's signature and that the County could not verify that it had been properly submitted either to the state or any local County of Orange agencies (Section 15300.2 Exceptions, page 11, paragraph 1, lines 6-8). ESA clarifies that the California Register of Historic Places (CRHP) Nomination Form we prepared for 211 Emerald Bay (Nomination) was properly submitted as detailed below, in accordance with the California Office of Historic Preservation (OHP) process for historic designation, posted on its website.¹
 - a. ESA prepared a complete Nomination Packet that was submitted to OHP on October 19, 2023. Per the Checklist for Submission, the nomination included DPR 5232A, DPR 523B and DPR 523L forms, nomination documents, photos, maps and digital media. ESA notified the Orange County

¹ Procedures for Registration, California Register of Historical Resources, 2024 (https://ohp.parks.ca.gov/?page_id=21238, accessed June 14, 2024).

Clerk by certified mail on July 11, 2023, that an application was being filed, requested that the County provide written comments within 90 days, and provided a copy of the application.

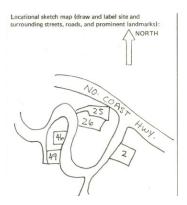
ESA received no comment on the application from Orange County or any of the other parties that were notified. After the 90-day waiting period had passed, ESA submitted the Nomination Packet to OHP on October 19, 2023. The certified mail receipt and copy of the application materials provided to the Orange County Clerk are included in Attachment A. To ensure that the County was fully aware that the Nomination had been prepared, ESA sent a copy of the Nomination on January 9, 2024, to Kevin Canning, Contract Planner. Justin Kirk, John Canedo, Karl Schwing, and Shannon Vaughn were copied on the email. Copies of the emails and letters are also included in Attachment A.

- b. ESA notes that consent of the owner is not required, but a resource cannot be listed over an owner's objections. The SHRC can, however, formally determine a property eligible for the California Register if the resource owner objects.
- 2) The Property Was Eligible for the 1981 Survey. As noted in the staff report on page 11, paragraph 2, a 1981 survey conducted by the Environmental Coalition of Orange County included five Emerald Bay residences but did not include the subject property at 211 Emerald Bay. ESA notes that the conclusion of the 1981 survey only addressed the properties southwest of the Coast Highway on the ocean side in the earliest phase of development of the Emerald Bay Community in 1929. The survey focused on a group of properties clustered near gate 1 designed by Palmer Sabin, a master architect and a member of the design review board. It failed to include other properties from the second phase of development on the northeast of the Coast Highway, in a tract named the Casbah.

Although the subject property was one of the earliest homes developed in the Emerald Bay Community on the land northeast of the Coast Highway, it was thus not identified as eligible in the 1981 survey either because of its location, or because the significance of the second wave of development or the specific focus on Palmer-Sabin designed properties were not known. However, its omission from the survey does not indicate a lack of potential eligibility.

211 Emerald Bay currently meets the age criteria for listing in the National Register of Historic Places NRHP and CRHP. The survey has not been updated since 1981. According to survey guidelines, surveys should be updated after five years. Currently, the 50-year cutoff date is 1974. Further, the OHP manual, *Instructions for Recording Historical Resources* (March 1995), recommends documentation of resources over 45 years old: "The 45-year criteria recognizes that there is commonly a five year lag between resource identification and the date that planning decisions are made." Explicitly, OHP encourages the collection of data about resources that may become eligible for the NRHP or the CRHP within that planning period.

² Office of Historic Preservation, *Instructions for Recording Historical Resources*, March 1995 (https://ohp.parks.ca.gov/pages/1054/files/manual95.pdf, accessed June 14, 2024), page 2.



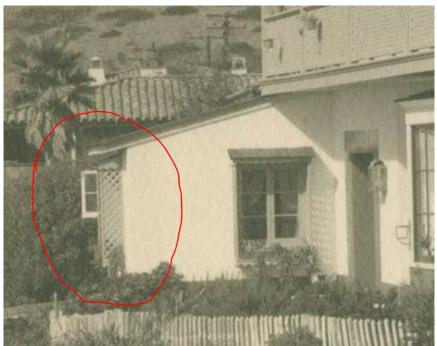
These five homes in Emerald Bay, designed by Palmer Sabin in 1929, were the only resources found eligible in 1981. Historic Resources Inventory, DPR 532.

- 3) Findings of the Historical Resources Assessment Report (HRAR) are Unsupported. The Nomination prepared by ESA was conducted from the public right of way (Staff report, page 11, paragraph 3). Since then, the owner of the subject property commissioned an HRAR, allowing full access to the property. The HRAR concludes that the structure does not qualify as historic and that its demolition is permitted under a Class 3 Categorical Exemption from CEQA. That conclusion is unsupported and based on factual errors and missing data, as explained below.
 - a. HRAR History of Planned Communities page 8
 - i. This context fails to address early California garden suburb history as is necessary to understand the significance of Emerald Bay. Francis Wood and Forest Hill in San Francisco are two examples in our report, also designed by internationally known master landscape architect Mark Daniels.
 - ii. Much of the information in this section of the HRAR applies generally to the development of automobile suburbs but not specifically to planned communities or garden suburbs. For instance, Better Homes in America does not address planned communities but individual lots with small houses.
 - b. HRAR Community of Emerald Bay page 11
 - i. This section does not establish the significance of landscape architect Mark Daniels who had already designed Bel Air and Pebble Beach.
 - ii. Missing citations in paragraph 2 on pages 11-12 and paragraph 2 on page 15.
 - c. HRAR 211 Emerald Bay page 16
 - i. Missing citations in paragraph 1 and 2 pages 16-17
 - d. HRAR Main Dwelling page 32
 - i. "The main dwelling is period revival with limited Mediterranean influence." In fact, the residence is a modest interpretation of the style as was not uncommon in the 1930s, especially in beach communities. It does not have to be a pure or high style version to qualify as historic.

e. HRAR South elevation – page 32

i. "The age of the lattice is not identified." This is a period-specific feature used in the 1920s-1940s for many beach cottages and eclectic period revival properties. A footnote in the HRAR acknowledges that Roland Coate's 1930 beach house in Emerald Bay contains lattice details; thus, the HRAR author was aware this feature was part of this period. The footnote states: "Historic images reveal that Architect Roland Coate utilized wood lattice panels as railing / balustrade material at his Emerald Bay home's 2nd level balcony and as surrounds at some windows."







Top Photo: Roland Coate's beach house with lattice details around the windows and balcony. Close-up Photo: wood lattice window detailing that resembles what still remains at 211 Emerald Bay. Bottom Photo: 211 Emerald Bay existing front window. 1935-1936, Architecture Museum, University of California, Santa Barbara / ESA 2023.

ii. The HRAR incorrectly states the lattice design was a Gothic Revival feature. We identify the lattice as a character-defining feature adding to integrity, especially at the street façade. It may have been repaired but appears as an original feature.

f. HRAR Significance – page 54

- i. 1981 survey the included resources represent Palmer Sabin properties from the earliest development of Emerald Bay in 1929. The second wave of development in the 1930s is missing from this survey.
- ii. The images in the HRAR show many altered homes from the early development of the community, strengthening the argument that the subject property is also an excellent example of Emerald Bay, an early garden suburb.

iii. Criterion 1 – page 55

- 1. 211 Emerald Bay need not have been a model home or have promoted the original community to be an excellent example of the garden suburb and modest Mediterranean Revival design.
- 2. Because 211 Emerald Bay was not part of the original tract 940 does not make it insignificant. The second phase of development was important as it contained flat lots advertised to re-spark interest that had waned in lot sales. 211 Emerald Bay was one of the first houses on the northeast side of the Coast Highway connected by a tunnel as part of the original landscape design by Daniels.

iv. Criterion 3- page 56

1. The HRAR skips over the significance of Emerald Bay as a garden suburb, and the subject property as a singular association of the designed community.

- 2. The ADU is said to have limited period revival features. It in fact is an excellent example of a beach cottage. It was constructed as a residence before the main house was built and should have been separately evaluated. While garages typically mirror the design of the main house, the HRAR concedes that the ADU was built as a freestanding residence.
- 3. 211 Emerald Way is an excellent example of a modest mediterranean revival house in Emerald Bay, regardless of whether its builder or architect are definitively established. Master architect Roland E. Coate contributed to the aesthetics of Emerald Bay as a member of the architectural review board. He designed the original gatehouse, his own beach house, and other properties in the community. Although original permits have not been located, ESA deduces that the property may have been designed (c.1931-1936) or remodeled (c.1945) by Coate as it contains signature features common to works of the master architect.

The most striking feature is the use of wood lattices for window and door surrounds. Coate's beach house in Emerald Bay contained similar wood lattice designs around windows and doors, illustrated above. Scalloped awnings were also used by Coate in his designs in a similar way seen above the main entrance of the subject property. Other features that could be attributed to him include the sculptural chimney and the square flat arched doorway. The window types including picture windows and square bays are also present on properties designed by Coate, although these features became popular during the period as architects in Los Angeles / Pasadena attempted to modernize traditional California style homes and may not be specific to Coate.

- 4. Even if not designed by Coate, the original house design would have had to be reviewed by the design board and was accepted by them as representing the design goals of the community aesthetics including longtime board members and residents Roland Coate and Palmer Sabin.
- 5. The fact of its modest example of the style does not limit its ability to convey significance, and from the public right of way, 211 Emerald Way still reads as a Mediterranean revival residence with Colonial Revival Eclectic influences reminiscent of Roland Coate's designs from the tract's early development.
- 6. As already noted, the use of lattice was common during this period as revival properties were often eclectic, incorporating more than one style as a common practice of Roland Coate and other master architects. This would have been following the trend and not necessarily a "budget conscious" decision.
- 7. Subsequent alterations including fenestration circa 1940s also must have been approved by the design board, showing its fit within the design aesthetics of the planned community.
- 8. Emerald Bay contains an eclectic mix of styles that started with Spanish Colonial and Mediterranean Revival and evolved to include Colonial Revival. Eclectic blends including Regency Revival provide modern interpretations of the traditional style found throughout Pasadena and Beverly Hills and are found throughout Emerald Bay. This desire to stay fashionable is seen in the circa 1940s window alterations including Regency Revival square bays and large

picture windows on enclosed portions. These changes remain within the early period of the construction of the residence and should be included in the Period of Significance for the home: c. 1931-1945 to include the date of construction and early renovations.

- 9. The ADU is not a starter unit but a beach cottage that was used as a primary residence. It should be evaluated as a beach cottage, a known typology especially in the Laguna Beach area.
- g. The CEQA compliance summary on page 11, paragraph 4, finds the project will not result in a cumulative impact, significant environmental effect, and will not damage scenic or historic resources and that preparation of a Notice of Exemption is appropriate. ESA disagrees with this summary and conclusion as follows:
 - i. The CRHR Nomination establishes historic context and defines the qualities of significance of the historic Emerald Bay Community comprised of residential properties with characteristic scale and massing and design qualities, a community layout with entrance gates and curvilinear roadways and designed community landscapes, and a purpose-built intentionally designed tunnel connection between the portions of the community lying on both the ocean side and land side of the Coast Highway. The Nomination finds the property individually eligible for the CRHR.
 - ii. ESA's site survey and historical research confirm that the property meets criteria for listing in the CRHR under Criterion 1 and 3. ESA recommends 211 Emerald Bay be included in the California Register for its association with the early development of Emerald Bay and as a good remaining example of a 1930s simplified Mediterranean Revival single-family property with an early vernacular beach cottage within the exclusive master planned community.
 - iii. The proposed project would result in significant unavoidable environmental impact to historical resources by demolition of the main residence and ancillary dwelling.
 - iv. Potential adverse changes to the aesthetic characteristics of the subject property and its associated community setting would result from removal of prominent public contextual views from entrance gate 2 and along the Emerald Bay roadway of the primary façade of the subject property.
 - v. The proposed demolition is planned in order to build a new residence that would be double in size and substantially change the scale and massing and design qualities in a manner incompatible with the community history, original master plan guidelines, and aesthetics.
 - vi. Taken together, the Proposed Project would result in significant unavoidable historic and aesthetic impacts including direct, indirect, and cumulative impacts.
 - vii. A project CEQA process to address impacts and alternatives is essential.

Conclusion

The Emerald Bay Community is an important example of an early master planned garden suburb designed by master architects and landscape architects. The community retains distinctive characteristics that continue to convey its historical significance.

211 Emerald Bay sits on a prominent parcel near an entrance gate (gate 2) and is highly visible from the public right of way. It serves as a visual gateway to the northeast portion of the community, contributing distinctive views of aesthetic qualities of architectural character. Historic patterns of development would be destroyed if the current residences were demolished, and the proposed project is approved as designed. Destruction of the aesthetics of the project site and associated impacts to the community setting would result in significant adverse direct, indirect, and cumulative impacts.

For all of the reasons stated above, further evaluation of aesthetic and historic impacts of the project should be conducted in a CEQA process. Consideration of the Planning Application PA22-0227 should be continued until the SHRC has formally considered eligibility of the residence and ancillary dwelling at 211 Emerald Bay for listing in the California Register.

Sincerely,

Margarita Jerabek, Ph.D.

Mayant Jerabele

Historic Resources Strategic Development Director

Attachment A- Copy of the application materials, notifications of the Nomination, ESA Professional Qualifications

Attachment A

(included as Planning Commission Attachment 11)



626 Wilshire Boulevard Suite 1100 Los Angeles, CA 90017 213.599.4300 phone 213.599.4301 fax

October 19, 2023

Mr. Jay Correia, Supervisor, Cultural Resources Programs California Office of Historic Preservation 1725 23rd Street, Suite 100 Sacramento, CA 95816-7100

Subject: 211 Emerald Bay, Laguna Beach, California Register Nomination Form

Dear Mr. Correia,

ESA is providing this documentation to the California Office of Historic Preservation to satisfy the requirements to nominate a property in the State of California. This letter is to inform you that ESA prepared a California Register Nomination for 211 Emerald Bay that was sent to the Orange County Clerk, Hugh Nguyen and the Orange County Historical Commission by certified mail on July 10, 2023. No comments were received and the certified mail receipts along with the final nomination are included herein.

The owner of 211 Emerald Bay is Brennan Slavik (314 Emerald Bay). A neighboring property owner commissioned preparation of a Nomination for the 211 Emerald Bay property, which appears to be threatened with demolition. ESA's qualified architectural historians, Margarita Jerabek, Alison Garcia Kellar, and Valerie Smith (626 Wilshire Boulevard, ESA) have conducted a pedestrian site survey, property history and neighborhood history research for the property. Based upon this evidence it appears that the property retains architectural integrity and has historical significance.

ESA's evaluation found the property at 211 Emerald Bay meets the criteria for listing in the California Register of Historical Resources (CRHR) under Criterion 1 and 3. The subject property was evaluated as an individual resource under the following contexts: The Development of Emerald Bay (1929-1945) and the Mediterranean Revival style (1918-1942), and the guest cottage was evaluated as a contributing feature to the subject property and evaluated under the Beach Cottage Architecture (1910-1940) context. The subject property is associated with the development of Emerald Bay, an early planned suburban coastal garden community. It is significant as a remaining example of an original single-family residence as constructed in Emerald Bay. In addition, 211 Emerald Bay is a rare remaining example of a simplified Mediterranean Revival style single-family home with an early vernacular beach cottage in the oceanside community of Emerald Bay, which retains sufficient architectural integrity to meet eligibility requirements.

Please kindly acknowledge receipt of the enclosed documentation in writing to Alison Garcia Kellar at agarciakellar@esassoc.com.

Sincerely,

Margarita Jerabek, Ph.D

Historic Resources Strategic Development Director

Alison Garcia Kellar, M.S. Senior Architectural Historian

Alexi Gari Keller



October 13, 2023 Page 2

Attachments:

Certified Mail Receipts (Orange County Clerk-Recorder's Office, Orange County Historical Commission) DPR Forms / Final Nomination Flash Drive with Nomination Documents From: Margarita Jerabek

Sent: Thursday, January 18, 2024 4:11 PM

To: Kirk, Justin < justin.kirk@ocpw.ocgov.com>; Canning, Kevin < Kevin.Canning@ocpw.ocgov.com>;

jcanedo@EBCA.net; shannon.vaughn@coastal.ca.gov; karl.schwing@coastal.ca.gov

Cc: Bill Cooley <bcooley@successce.com>; lnokes@nokesquinn.com

Subject: RE: 211 Emerald Bay Review Requirements

Hi Justin.

We sent a copy of the nomination to Hugh Nguyen, Orange County Clerk – Recorder. A copy of our letter and the certified mail receipt is attached.

Margarita Jerabek, Ph.D. she/her

Historic Resources Strategic Development Director

ESA | Environmental Science Associates

310.924.7462 **cell** 213.599.4333 **direct**

From: Kirk, Justin < <u>justin.kirk@ocpw.ocgov.com</u>>

Sent: Thursday, January 18, 2024 9:33 AM

To: Margarita Jerabek < <u>MJerabek@esassoc.com</u>>; Canning, Kevin

<Kevin.Canning@ocpw.ocgov.com>; jcanedo@EBCA.net; shannon.vaughn@coastal.ca.gov;

karl.schwing@coastal.ca.gov

Cc: Bill Cooley <<u>bcooley@successce.com</u>>; <u>lnokes@nokesquinn.com</u>

Subject: RE: 211 Emerald Bay Review Requirements

Ms. Jerabek,

The County is aware of the concern, but were unaware of the formal filing with the Office of Historic Preservation as the County has no record of a formal submission to the

County Clerk, if you could provide documentation of who received the documents it would be appreciated. Irrespective of that, the County will be reviewing any proposed project in compliance with CEQA, inclusive of considerations related to historic resources. At this time, no project has been approved, nor has any project been presented to the County's decision makers for review and consideration.

Regards,

Justin



Justin Kirk, AICP OC Public Works Deputy Director - Development Services 601 N. Ross Street, Santa Ana, CA 92701 (714) 667-1627

From: Margarita Jerabek < <u>MJerabek@esassoc.com</u>>

Sent: Tuesday, January 9, 2024 7:13 PM

To: Canning, Kevin < Kirk, Justin < justin.kirk@ocpw.ocgov.com;

jcanedo@EBCA.net; shannon.vaughn@coastal.ca.gov; karl.schwing@coastal.ca.gov

Cc: Bill Cooley < bcooley@successce.com >; lnokes@nokesquinn.com

Subject: 211 Emerald Bay Review Requirements

Attention: This email originated from outside the County of Orange. Use caution when opening attachments or links.

Dear Mr. Canning, Justin Kirk, John Canedo, Karl Schwing, and Ms. Shannon Vaughn,

It is our understanding that a new project has been proposed for substantial alteration and/or demolition of 211 Emerald Bay. We are concerned that the project may be going forward without the required consideration of impacts to historical resources. The enclosed letter has been prepared to inform you of the legal responsibility of the County, Coastal Commission and Emerald Bay Architectural Review Board regarding property improvements proposed for 211 Emerald Bay. A California Register Nomination has been submitted and is currently under review by the California Office of Historic Preservation. As such, the property is considered a presumptive historical resource pursuant to CEQA Section 15064.5. The property is situated in the Emerald Bay Local Coastal Program (EBLCP) and the coastal zone. Proposed or future improvements would be considered discretionary and are subject to a Coastal Development Permit, require formal CEQA review for potential impacts to historical and cultural resources, and require review for consistency with the EBLCP. Please feel free to contact me if you have any questions or would like to discuss this further.

Sincerely,



Historic Resources Strategic Development Director

ESA | Environmental Science Associates

Los Angeles, CA

310.924.7462 **cell** 213.599.4333 **direct**

 $\underline{\mathsf{MJerabek@esassoc.com}} \mid \underline{\mathsf{esassoc.com}}$

ESA partners with clients and communities to drive sustainable, resilient, and equitable solutions that shape a better world. Let's stay in touch: Sign up for our newsletter.



626 Wilshire Boulevard Suite 1100 Los Angeles, CA 90017 213.599.4300 phone 213.599.4301 fax

January 4, 2023

Kevin Canning, Contract Planner Orange County Development Services 601 N. Ross Street Santa Ana, CA 92701

Orange County Public Works 601 N. Ross Street Santa Ana, CA 92701

Emerald Bay Architectural Review Board, Emerald Bay Homeowners Association 600 Emerald Bay Laguna Beach, CA 92651

Subject: Preparation of California Register Nomination for 211 Emerald Bay, Unincorporated Orange County

Dear Mr. Canning,:

This letter is to inform you of the legal responsibility of the County regarding historical resources and any property improvements proposed for 211 Emerald Bay. A property owner and member of the Emerald Bay community commissioned ESA to prepare a California Register Nomination for 211 Emerald Bay (Nomination) because the property is threatened with demolition.

ESA's qualified architectural historians conducted a pedestrian site survey, property history and neighborhood history research for the property. Based upon this evidence, the property retains architectural integrity and has historical significance in the early settlement history of Emerald Bay to be eligible for listing in the California Register of Historical Resources. The results of ESA's research have been documented in a California Register Nomination for the property. On July 11, 2023, ESA notified the clerk of Orange County and the Orange County Historical Commission by certified mail that the Nomination was to be filed with the California Office of Historic Preservation (OHP). Additionally, ESA included a copy of the Nomination, and requested that the clerk of Orange County and the Orange County Historical Commission provide written comments regarding the Nomination to ESA within 90 days, as required by OHP. At the end of 90 days, on October 18, 2023, the Nomination was submitted without comment to OHP for consideration by the State Historical Resources Commission (SHRC). The Nomination is currently under review by OHP.

The property is now considered a presumptive historical resource pursuant to CEQA Section 15064.5. The property is situated in the Emerald Bay Local Coastal Program (EBLCP) and the coastal zone, and therefore expansion or redevelopment of property improvements are discretionary and subject to a Coastal Development Permit. Legally, any proposed project would therefore need to undergo formal review for compliance with CEQA including analysis of potential adverse impacts to historical and cultural resources and conformance with the Secretary of the Interior's Standards. Although the EBLCP is over 30 years old (1989), it is still utilized by Orange County as the current community plan. The project would also need to be reviewed for consistency with the EBLCP which includes assessment of potential impacts to historical and archaeological resources.

Please feel free to reach out to me should you have any questions or wish to discuss this further.



Dear Mr. Canning, January 4, 2023 Page 2

Sincerely,

Margarita Jerabek, Ph.D.

Historic Resources Strategic Development Director

cc. J. William "Bill" Cooley, PE, MBA
Lawrence P. Nokes, Esq., Nokes & Quinn
Justin Kirk, AICP, Planning Division Manager, OC Public Works
John Canedo, General Manager with Emerald Bay
Karl Schwing, District Director, CA Coastal Commission
Shannon Vaughn, Coastal Program Manager

Margarita Jerabek-Bray, PhD



Historic Resources Strategic Development Director



EDUCATION

Ph.D., Art History, University of California, Los Angeles, 2005

M.A., Architectural History, and Certificate of Historic Preservation, University of Virginia, 1991

B.A., Art History, Oberlin College, 1983

36 YEARS' EXPERIENCE

AWARDS

2023 Preservation Design Award, Reconstruction, California Preservation Foundation (CPF)

2020 Gold Nugget Merit Award, Best Rehabilitation Project, PCBC

2020 Award of Excellence, Environmental Analysis, APA

2018 Merit Award, Environmental Analysis, AEP

2016 Preservation Design Award, Interpretive Exhibit, CPF

2014 Preservation Award, Rehabilitation, Los Angeles Conservancy

2014 Westside Prize, Rehabilitation, and Design Award, Landscape, Westside Urban Forum (WUF)

2012 Preservation Design Award, Historic Resource Report, CPF Margarita Jerabek-Bray, Ph.D., has 36 years of professional practice in the United States with an extensive background in architectural history, historic resources management, and historic preservation. Her qualifications and experience meet and exceed the Secretary of the Interior's Professional Qualification Standards in History, Architectural History, and Archaeology. Margarita assists clients with strategic advice and historic preservation consultation services to support project success. Highly experienced and solution oriented, she provides historic resources management and preservation consultation services for all stages of project development, from due diligence through planning and design, to preparation of required documentation for environmental compliance, project review and permitting, and implementation of mitigation measures.

Dr. Jerabek-Bray is expert in the preparation of legally defensible documentation for compliance with the National Environmental Policy Act (NEPA), Sections 106 and 110 of the National Historic Preservation Act (NHPA), Section 4(f) of the Department of Transportation Act, the California Environmental Quality Act (CEQA), and local ordinances and planning requirements. She has managed and conducted planning and technical studies for a broad range of clients and projects throughout California and the United States. She has prepared numerous historic resources technical reports, Secretary of the Interior's Standards conformance reviews, provided preservation consulting services for rehabilitation plans, relocation plans, construction monitoring and reporting, prepared Mills Act, HABS/HAER/HALS documentation, salvage inventories, developed interpretive programs and exhibits, documentary films, oral history videos, and interpretive websites. She has provided strategic planning and policy expertise for several specific plans involving historical resources and municipal general plan updates.

Dr. Jerabek-Bray leads a team of highly qualified professional architectural historians who are a part of ESA's more than 30-member Cultural Resources Group. She currently manages ESA's on-call preservation consulting contracts with the cities of Los Angeles, West Hollywood, Pasadena, and South Pasadena, and serves as principal investigator for our on-call contracts with the City of Los Angeles's Department of Historic Resources, Department of Public Works Bureau of Engineering, Recreation and Parks Department, and Department of Water and Power.

Relevant Experience

Environmental Documentation and Compliance with CEQA. Margarita has prepared a full range of CEQA documentation for redevelopment projects involving historical resources throughout greater Los Angeles including Categorical Exemption Letters, assessments and plan reviews for Certificates of Appropriateness, Initial Studies/MNDs, Focused EIRs, and EIRs. A partial list of important environmental documents for projects in Los Angeles involving substantial historical analysis completed by Dr. Jerabek includes the LAX Specific Plan Amendment Study EIR, Academy of Motion Pictures Project EIR, The New Century Plan



Margarita Jerabek-Bray, PhD (Continued)

Historic Resources Strategic Development Director

EIR for Westfield, Sunset Doheny Mixed-Use EIR, One Santa Fe Mixed-Use MND, Lindbrook & Gayley Mixed-Use MND, Hollywood Center EIR, Palladium EIR, Sunset and Crescent Heights EIR, and Yucca and Argyle EIR.

City of Los Angeles, Historic Preservation Consulting Services. *Project Director/Principal Architectural Historian*. Dr. Jerabek has served as the primary point of contact and contract administrator for ESA's historic preservation services for project applicants in the City of Los Angeles. ESA's historic resources group has prepared numerous of studies including historic resources assessments (HRAs), Secretary of the Interior's Standards (SOI) plan reviews and preservation recommendations, character-defining features reports and CEQA impacts analyses. Some recent projects have included 1030 Woodland Drive HRA, 2720 Monte Mar Terrace HRA, 6535 W. Wilshire Blvd. HRA, 337 Hawthorne HRA, 1116 and 1122 S. Westmoreland HRA, 1274-1284 S Beverly Glen, 1054-1056 S. Orange Grove, 1661 Comstock HRA, 8150 Sunset Mixed-Use Project, Northrop Grumman Campus HRA, 2616 Ellendale Avenue HRA; 1717 N. Bronson HRA, Brine Project HRA, 1642 Central Avenue HRA, Daly Street Residential Project HRA, 1509-1515 Gramercy Place HRA, 1301-1307 Cherokee Ave HRA, 714-720 Washington Pierce Brothers Mortuary Adaptive Reuse/Washington View Project, 6362 Hollywood Blvd../Palmer Hotel HRA, 4351-4373 Melrose Ave. HRA.

City of Los Angeles, Los Angeles Redevelopment Agency, Historic Resource Surveys. *Project Manager/Principal Architectural Historian*. Margarita has managed and conducted several large historic resources survey projects including three surveys for the Adelante-Eastside (Boyle Heights), Wilshire Center/Koreatown, and Normandie 5 redevelopment areas that were among the earliest to utilize SurveyLA tools and methods and to employ the Multiple Property Documentation Approach, working in close collaboration with the Los Angeles Office of Historic Resources. These surveys have been incorporated into the Los Angeles Citywide Survey.

6250 Sunset Project EIR and Earl Carroll Theatre Historic Preservation Project, Hollywood, Los Angeles, CA.

Principal Investigator/Project Manager for Historical Resources Investigations. Margarita prepared the historical resources investigations for the 6250 Sunset Project EIR for Essex Hollywood, a seven-story mixed-use development with 200 residential units, 5,000 square feet of ground floor commercial uses, and subterranean parking just west of the historic Earl Carroll Theater (ECT) in Hollywood on Sunset Boulevard. The EIR included a historic resources technical report and analysis evaluating the Streamline Moderne-style Earl Carroll Theatre (1938), and after Carroll's death became the Moulin Rouge, and in the 1960s revived as the "Hullabaloo", and the Aquarius Theater. Its last theater use was in 1984 after which it was purchased by Sunset Gower Studios for television soundstage use and functioned as Nickelodeon studio from 1997 to 2017. While the ECT Building would be retained and not directly impacted by the project, ESA determined that to maintain its historical and architectural significance, a clear separation between new construction and the ECT Building was needed and was accomplished by inserting a public paseo between the two sites. ESA also prepared a Historic-Cultural Monument nomination that was approved in September 2016. Margarita is currently preparing a Historic Structure Report to support rehabilitation of the ECT Building and providing preservation consultation for its exterior preservation. The EIR received the Merit Award from the California Association of Environmental Professionals in 2018.

Historical Resources and Preservation Consulting Services for The Culver Studios, Culver City, CA. *Project Manager/Principal Architectural Historian*. ESA's Historic Resources Practice has provided a suite of services including historical resources evaluation, environmental review and documentation, and historic preservation consultation services for the CPA-6 Specific Plan, and the CPA-7 Specific Plan known as "The Innovation Plan," a blueprint for the future of The Culver Studios. Dr. Jerabek is the point of contact for historic services, attends client and city meetings, attends public hearings, provides technical direction and advice, directs and conducts the preparation of report



Margarita Jerabek-Bray, PhD (Continued)

Historic Resources Strategic Development Director

deliverables, directs and conducts construction monitoring, and acts as the City's preservation officer for the Innovation Plan. The Plan will transform the 14.3-acre Studio into a new media production hub, keeping the Studio on the vanguard of changing production practices in the entertainment industry. The Culver Studios is a motion picture studio in downtown Culver City established in 1919 by Thomas Ince, and eventually became the home of RCA, one of the "Big Eight" major motion picture companies in the Los Angeles metropolitan area. The Studio was the production site of historically significant motion pictures like King Kong, Gone with the Wind, and Citizen Kane. The Innovation Plan will restore and re-group historic structures adjacent to the Mansion, build new support buildings near existing historic soundstages, and establish a creative campus in the core of the 14.3-acre studio lot. The Studio's 100-year history will be showcased, historic bungalows will be preserved, and original landscaping in front of the Mansion will be restored. The Innovation Plan balances the need to provide state-of-the-art studio facilities, while retaining the Studio's unique ambiance and prominent place in the community. ESA surveyed and evaluated the Studio's historical resources, provided input to the development of The Plan to reduce impacts to historical resources, completed HABS report for Bungalows S, T, U and V, prepared a Relocation and Rehabilitation Plan for the bungalows, conducted construction monitoring for relocation of the bungalows, conducted plan reviews for tenant improvements to the Mansion and associated historic buildings in the historic core, conducted a landscape analysis, and provided documentation and input for the landscape restoration. ESA also prepared the environmental documentation for The Innovation Plan EIR and is implementing the mitigation program for historical resources including HABS documentation of Stages 2/3/4 and a salvage program, preparation of a preservation plan for the Studio, and development of an interpretive program for the Studio. The Culver Studios Innovation Plan EIR received an Award of Excellence from the American Planning Association (2020).

City of Hermosa Beach, General Plan Update and EIR, Hermosa Beach, CA. Project Director for Cultural Resources/Principal Architectural Historian. Managed ESA's Cultural Resources scope of work and collaborated with Raimi & Associates and PMC to provide consulting services to the City of Hermosa Beach for preparation of a Comprehensive Integrated General Plan and Coastal Land Use Plan Update and EIR Focused on Sustainability and Low Carbon Future. Directed city-wide reconnaissance survey to identify potentially eligible historical resources. Developed historic contexts and themes for the City's historical resources. Reviewed and provided recommendations for revisions to the preservation ordinance. Provided input for preparation of historic preservation goals and policies for the General Plan update. Managed preparation of the cultural resources technical report, and oversaw preparation of the historic resources, archaeological and paleontological discussions and analyses for the EIR.

City of Whittier, Preservation Consultation Services for the Public Library Rehabilitation Project. *Project Director/Principal Architectural Historian*. Margarita led a Historical Resources Assessment and Impacts Analysis and provided design consultation for rehabilitation of the Modern-style Whittier Library. Constructed in 1958, the property is significant for its association with Mid-Century Modernism, postwar period institutional properties, architect William Henry Harrison and is significant as an individual resource under National Register Criteria A and C. Margarita directed the project, coordinated with the architect and City, led the historic resources investigations, and provided review and internal quality assurance/quality control for the ESA team in the preparation of both the Historic Resources Assessment to evaluate the significance and integrity of the building, as well as for the plan review conducted to evaluate the proposed project's conformance with the Secretary of the Interior's Standards for the Treatment of Historic Properties, and for the preparation of a Historic American Building Survey (HABS) report, and she attend the public hearings on behalf of the City for the IS/MND.

Alison Garcia Kellar



Senior Architectural Historian



EDUCATION

MS, Historic Preservation, University of Pennsylvania

BA, Design, University of California at Davis

12 YEARS EXPERIENCE PROFESSIONAL AFFILIATIONS

Latinos in Heritage Conservation, Education Committee Member

California Preservation Foundation, Member

Society of Architectural Historians, Member

National Trust for Historic Preservation, Member

Alison is a senior architectural historian with 12 years of professional experience with a background in historic preservation, design, and museum collections. Her work with historic resources and cultural heritage in California has included managing and authoring historic resource assessments, National Register Nominations, historic structure reports, feasibility studies, in addition to extensive archival research and resource documentation. Alison applies her understanding of preservation design and historic interiors to inform impacts analyses for proposed redevelopment and recommendations for adaptive reuse.

Relevant Experience

3619 Martin Luther King Jr. Boulevard Historic Resources Evaluation, Los Angeles,

CA. *Project Manager and Senior Architectural Historian.* Alison was the lead author of the Historic Resources Assessment which determined that the Mid-Century Modern commercial bank building is eligible at the local level for its association with mid-century commercial development in Crenshaw, importance as a Black banking business, and for its association with notable Black bank owner, Peter W. Dauterive. Constructed as the Santa Barbara Savings and Loan Bank in 1963, the bank building was later operated by Founders Savings and Loan, a Black-owned banking institution. Alison conducted indepth research regarding the development of the Crenshaw Shopping District that rose to prominence following World War II, profiling its decline after the 1965 City-wide Watts Riots which led to tremendous City disinvestment in predominantly African American and other minority communities. The report will be used for future redevelopment efforts.

Morningside High School Historic Resources Assessment and Impacts, Inglewood, CA.

Senior Architectural Historian. Alison was the lead author of the Historic Resources Assessment which determined that the high school campus buildings and landscape are significant as a potential historic district. Constructed in 1950, the property is significant for its association with the challenges of public-school integration in California and within the City of Inglewood, for its Mid-Century Modern architectural style, and for its association with notable modernist architectural firms. Alison assembled the construction history for the campus and created a character-defining features analysis identifying features at the campus, and specifically, interior and exterior features of the theatre building. Alison reviewed the upgrade project to ensure that the project met the SOI Standards and CEQA compliance. She authored and oversaw the production of a HABS report to document the campus prior to selective demolition and project construction.

MacArthur Park Historic Viaduct Railings Historic Structure Evaluation and Treatment Plan, Los Angeles, CA. Senior Architectural Historian. Alison was the lead author of a report that documents and recommends treatments for a historic 1938 concrete wall that lines either side of Wilshire Boulevard through McArthur Park. Alison conducted extensive archival research on the park and on the walls, and later conducted a significance evaluation for the walls. She conducted a character-defining features analysis



Senior Architectural Historian

for the walls and associated roadway which helped to inform architectural and structural recommendations with a team of subconsultants. Alison coordinated with the engineering and architectural contractor subconsultants to compile recommendations and present them to the City.

Whittier Public Library Historic Resources Assessment, Whittier, CA. Senior Architectural Historian. Alison was the lead author of the Historic Resources Assessment which determined that the library is significant as an individual resource under National Register Criteria A and C. Constructed in 1958, the property is significant for its association with Mid-Century Modernism, postwar period institutional properties, and architect William Henry Harrison. Alison assembled the construction history for the library and the Whittier Civic Center. She created a detailed character-defining features analysis identifying significant and contributing features at the property's interior, exterior, and site. Alison coordinated with the project architect to ensure that the project met the SOI Standards in order to meet community's contemporary needs while respecting the building's historic character. Alison authored and oversaw the production of a HABS report to document the library building prior to selective demolition and project construction.

Earl Carroll Theatre Historic Structures Report, Los Angeles, CA. *Senior Architectural Historian.* Alison was the lead author of the Historic Structure Report created for the rehabilitation of the historic Earl Carroll Theatre in Hollywood. Constructed in 1938, the property is significant for its association with owner-operator Earl Carroll, Hollywood nightlife, and architect Gordon B. Kaufmann. The theatre is a listed LA Historic-Cultural Monument and has been identified as eligible for the National Register. In recent years the theatre was rented by television studios as sound stages, and as a result some public areas had been modified. Alison assisted with the preparation of the historic structures report and conducted supplemental in-depth research, participated with the creation of a detailed interior and exterior character-defining features analysis, and assisted with the analysis of the theatre's current condition. She developed recommendations in compliance with the SOI standards that sensitively guide ongoing preservation efforts.

Mt. Helix Park Rock Wall Short-Term Preservation Project, San Diego, CA. Senior Architectural Historian. Alison is serving as the deputy project manager for a rehabilitation project to document and provide short term preservation recommendations for the 1932 rock wall that borders a hilltop park. Work has included documentation of failing portions of the rock wall with digital photograph, extensive research through local archives, and the development of a character-defining features matrix for the rock walls. Working closely with Mel Green Associates and Silman Structural Engineers, ESA has developed treatment and stabilization recommendations for the deteriorating rock wall portions.

Port of San Diego Old Police Headquarters Assembly Building Peer Review, San Diego, CA. *Project Manager, Senior Architectural Historian.* Alison is conducting a peer review for proposed rehabilitation modifications and tenant improvement to a historic former police headquarters in San Diego. Work has included a review of historic documentation including nomination forms and original plans, and a review of the applicant's proposed plans to modify the historic building into an events space. Alison is recommending that the applicant include a more robust Standards review discussion, provide supportive graphics, reference historic documentation, and a create more comprehensive project description for the proposed submission to be adequately substantiated for City review and approval.

Benjamin Franklin Elementary School Historic Resource Evaluation and Mitigated Negative Declaration, San Diego, CA. *Senior Architectural Historian.* Alison conducted an HRA for the 1930s, 40s, and 50s-designed elementary school campus. The property was found to be a historic district eligible for its association with the post-war development of the Kensington neighborhood, and for its association with two master San Diego architects. The proposed project was reviewed for compliance with the Secretary of the Interior's Standards, and a CEQA analysis was performed, resulting in



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the Mitigation Measures and design considerations for future construction within the district. Alison authored and oversaw the production of a HABS report to document the campus and its buildings prior to project construction.

Celes King III Swimming Pool Historic American Building Survey, Los Angeles, CA. Senior Architectural Historian, Deputy Project Manager. ESA was hired to conduct HABS documentation for the City of Los Angeles Park and Recreation Department. Constructed in the early 1960s, the Celes King III Swimming Pool was designed by architect Albert Criz in the Mid-Century Modern-Expressionist style. Alison conducted in-depth research related to the history of the surrounding recreational complex, construction of the swimming pool, architect, and neighboring communities.

Long Beach Unified School District, ESSER Shade Structure Impacts Analysis Report, Long Beach, CA. Senior Architectural Historian, Project Manager. Alison conducted a survey of five Long Beach Unified School District schools which were previously determined to be historical resources. Alison documented the current conditions of each school's outdoor recreational play area as part of the impacts analysis study which evaluated the potential effects of new outdoor shade structures at each of the schools. She reviewed project site plans and canopy specifications for compliance with CEQA and for conformance with the SOI Standards. Alison oversaw the development of a California Built Environment Resources Directory (BERD) and City of Long Beach Designated Landmarks list search to identify adjacent historical resources. She analyzed each school against the project for direct and indirect analysis and reviewed each proposed project against the SOI Standards, determining that project would have no adverse effects to historic resources.

Alpine Village Preservation Consulting Services, Unincorporated Los Angeles County, CA. Senior Architectural Historian. Alison was the lead author of the preliminary historical significance evaluation determination for the Alpine Village complex, a European-style shopping center located near Torrance, California. Comprised of seven buildings constructed between 1969 and 1974, the complex is an example of an increasingly rare type of roadside architecture and retains high historic integrity. Alison participated in conducting in-depth construction chronology research, determining the complex's period of significance, and identified both interior and exterior character-defining features for the property to help guide ongoing planning efforts.

City of Laguna Beach, Historic Preservation Services, Laguna Beach, CA. *Deputy Project Manager.* Alison supported ESA's contract administrator for numerous studies including Historic Resources Assessments (HRAs), Secretary of the Interior's Standards (SOI) Plan Reviews, character-defining features reports and CEQA impacts analyses, as well as rehabilitation plans and conducted construction monitoring for a wide variety of projects. ESA assists project applicants from due diligence through design development and environmental review to reduce impacts to historical resources for compliance with CEQA and the City's preservation ordinance. Projects include 1065 Marine Drive, 31204 Ceanothus, 989 Cliff Drive, and 951 Cliff Drive.

City of Santa Monica On-Call Historic Preservation Services, Santa Monica, CA. *Deputy Project Manager.* Alison supported ESA's contract administrator for on-call historic preservation services with the City of Santa Monica. Alison and ESA's historic division has prepared hundreds of studies including preliminary assessments, landmark assessments, structure of merit assessments, Secretary of the Interior's Standards plan reviews and preservation recommendations, landscape assessments, character-defining features reports and CEQA impacts analyses.

989 Cliff Drive Historic Resources Evaluation and Impacts Analysis, Laguna Beach, CA. Senior Architectural Historian and Project Manager. Alison served as the project manager and provided research assistance and guidance for the development of the Historic Resources Assessment for the 1928 Mediterranean Revival style residence, which is an identified historic resource. Further, Alison oversaw the development of impacts analysis to assess impacts to the



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property's historic garage which included creating a character-defining features analysis to ensure that the integrity of the property will be protected and maintained as part of the new proposed project.

989 Cliff Drive Historic Resources Evaluation and Impacts Analysis, Laguna Beach, CA. Senior Architectural Historian and Project Manager. Alison served as the project manager and provided research assistance and guidance for the development of the Historic Resources Assessment for the 1928 Mediterranean Revival style residence, which is an identified historic resource. Further, Alison oversaw the development of impacts analysis to assess impacts to the property's historic garage which included creating a character-defining features analysis to ensure that the integrity of the property will be protected and maintained as part of the new proposed project.

Long Beach Airport Airplane Showroom, Long Beach, CA. *Senior Architectural Historian.* Alison provided research assistance related to regional general aviation in the post-World War II era for an EIR amendment project. ESA conducted preliminary research to determine that an existing airport building which was most recently used as a terminal building was formerly a mid-20th century airplane showroom. As part of this research effort, Alison compiled the overall history of the Long Beach airport, in addition to reviewing patterns of both roadside architecture and car showroom which were researched for comparison between airplane and car sale marketing efforts.

McDonnell Douglas Assembly and Warehouse Building, Long Beach, CA. Senior Architectural Historian, Project Manager. Alison served as the project manager for a mitigation document which evaluated a historic assembly and warehouse building constructed for the production of the DC-10 luxury commercial aircraft in 1967. Located adjacent to the Long Beach Airport, the building was later repurposed for the development and assembly of the C-17 military cargo aircraft in the 1980s. The property was determined to be significant for its association with aviation history in Southern California and in Long Beach and is reflective of an industry that was critical in the post-World War II economic development of the region. The historic resources assessment was required as part of a larger PEIR effort.

31204 Ceanothus Drive Plan Review and Impacts Analysis, Laguna Beach, CA. Senior Architectural Historian. Alison served as the project manager for the plan review for an undeveloped portion of property that was once associated with the locally designated Halliburton House. The proposed new hillside residential project was reviewed for conformance with the Standards utilizing the National Park Service's National Register Bulletin 30: How to Evaluate and Document Rural Historic Landscapes and Preservation Brief 36: Protecting, Treatment and Management of Historic Landscapes, and for compliance with a previously established Project Design Feature and for conformance with mitigation measures for the historic adjacent property.

2949 S. Coast Highway, Laguna Beach, CA. *Senior Architectural Historian and Project Manager.* Alison served as the project manager and co-author for a plan review of a locally designated resource which was formerly a mixed-use building constructed in 1929. The property had since been converted into a single-family residence and included a large contemporary addition. Work included the assessment of unpermitted previous modifications and design consultation with the property owner in order to assess the home against CEQA impacts thresholds and for conformance with the Standards.

400 Walker Drive Historic Resources Assessment, Beverly Hills, CA. *Senior Architectural Historian.* Alison was the coauthor of an HRA which involved research and an evaluation of a Mid-Century Modern style single-family residence. Designed by notable architect William R. Stephenson in 1962, the property is located in the Trousdale Estates neighborhood. ESA developed a new context for the neighborhood and conducted historic research to determine that extensive property modifications had occurred over time, diminishing the property's historic integrity.



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1202 3rd **Street Promenade Preservation Consulting, Santa Monica, CA.** *Senior Architectural Historian*. Constructed in 1949 as a JC Penny department store, the commercial building was designed in the Late Moderne style. ESA previously worked to produce a Landmark Assessment Report, and today, the property is recognized as a City of Santa Monica Landmark. Alison conducted a SOI Standards conformance review of a proposed tenant improvement project for a Certificate of Appropriateness.

1221 Hermosa Avenue Preservation Consulting, Hermosa Beach, CA. *Senior Architectural Historian.* ESA serves as a historic preservation consultant to the City of Hermosa Beach, and has a longstanding relationship with the building at 1221 Hermosa Boulevard, known as the Bijou Building. The building is a former historic theatre and bank designed in the Neo-Classical Revival style, constructed in 1923. Alison evaluated proposed tenant improvement modifications including the removal of non-original features and the retention of original features related to original theatre and bank uses. Alison has conducted design reviews which included an understanding of all modifications to the space over time, character-defining features analyses, and reviews of proposed plans against CEQA thresholds and the SOI Standards for compliance. Alison is currently participating with overseeing the construction monitoring efforts for the theatre space as part of this ongoing project.

3325 Monterey Road CEQA Impacts Analysis and Design Review, San Marino, California. *Senior Architectural Historian.* A two-story Art Deco style single-family residence, constructed in 1927 in San Marino, California was determined to be a historic resource. Proposed modifications to the residence included a two-story rear addition and building rehabilitation. Alison assisted with preservation design consultation and conducted a plan review for conformance with the SOI Standards for the proposed project. She coordinated with the project architect to better convey preservation components of the proposed work into the drawing set for city review. The review required a character-defining features analysis to determine the level of significance of the remaining features.

Marston Middle School Historic Resource Evaluation, San Diego, CA. Senior Architectural Historian. Alison conducted an HRA for 1954 constructed middle school campus. Comprised of seven buildings, the property was found to be a historic district eligible for its association with the post-war development of Clairemont, and for innovative master planned campus that exemplified indoor-outdoor Mid-Century Modern schools of the era. The proposed project to modify the campus and upgrade the historic buildings was reviewed for compliance with the SOI Standards, and a CEQA analysis was performed, resulting in the Mitigation Measures and design considerations for future construction within the district.

Universal Hilton Historic Resources Technical Report and Environmental Impacts Report for 555 W Universal Terrace Parkway, Los Angeles, CA. Senior Architectural Historian. The Universal Hilton Hotel was designed by master architect, William L. Pereira in 1983 in the Postmodern style. As one of Pereira's final commissions, the hotel building was originally part of a master plan and was designed to accommodate visitors to the expanding Universal Theme Parks. Alison conducted in-depth architect and postmodern style research, and evaluated the property for historic significance as part of the Historic Resources Technical Report.

Ca. Senior Architectural Historian. Alison conducted the reconnaissance-level windshield survey to document potentially eligible historic resources present at the California Aqueduct project site. Alison produced a character-defining features table and historic contexts for the evaluation which evaluated potentially eligible resources under applicable national, state, and local criteria. Alison conducted a windshield survey to identify potentially eligible resources adjacent to the



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project site. She developed a context for Kettleman City, a bedroom community of small cottages that grew overnight to accommodate oil workers due to the discovery of oil in the foothills. Alison is serving as a co-author on the cultural resources report and will conduct an analysis of the potential for indirect effects to eligible resources.

Cross Creek Cultural Resources Assessment, Malibu, CA. Senior Architectural Historian. The owner of several parcels of undeveloped land along Cross Creek in Malibu requested a feasibility-level Cultural Resources Assessment study prior to determining a desired program for development. The former agrarian land included four industrial buildings. Alison conducted extensive archival research, reviewing County-issued building permits and historic aerial photographs in order to document the property's development over time. Alison authored developmental contexts related to the residential and commercial development of the former agricultural land at the project site. The property was evaluated for historic significance under local, state, and national framework, which aided to assist the client with future planning for the site.

Los Cerritos Wetlands Restoration Plan Program, Cultural Resource Assessment, Seal Beach, CA. Senior Architectural Historian. The Los Cerritos Wetlands Restoration EIR project will reinstate historic wetlands to a previously developed oil rig/production site that has been in operation since the early 20th century. As part of the larger restoration plan program, ESA was hired to conduct a cultural resources study to observe, document, and prepare preliminary mitigation measures related to identified built environment resources. Alison collaborated with the archeology team during a field visit to identify potential sites for later investigative studies. She reviewed historic aerial photographs and conducted research to determine the companies and general ages of oil-industry related infrastructure including oil rigs, operations sheds, and decommissioned tank farms. Mitigation recommendations presented for the structures included Historic Resource Assessment reports to be conducted in the future.

1101 N. Vermont Avenue Historic Resource Assessment, Los Angeles, CA. *Senior Architectural Historian.* The client is proposing to redevelop a site with a previously identified historic resource, a Mediterranean Revival commercial building constructed in the 1920s. Alison oversaw and co-authored the production of a Historic Resource Evaluation (HRA) to establish the building's historic significance, which included extensive research about the building, its site, associated designers, relevant patterns of development, and an analysis of the building's historic integrity. Upon completion of the HRA report, the optional service of design advice and preservation guidance may be employed to assist the client in the preparation of a CEQA impacts analysis, Standards review, and mitigation recommendations as the client moves forward to redevelop the property while maintaining a portion or all of the historic resource intact.

McDonnell Hall/Our Lady of Guadalupe Chapel Historic Structures Report, San Jose, CA. Architectural Historian, Project Manager. Constructed as a parish church in 1914, the building moved to its current location in 1953. Here, the building served as a newly formed Catholic Mission, the Center of Our Lady of Guadalupe. The property is associated with civil rights activist and labor rights leader Cesar Chavez, and the mid-20th century Mexican American civil rights movement. Alison served as the lead author of the HSR and assisted with the research, production, and design recommendations, including bringing the building back to its appearance during its period of significance, which required a meticulous analysis of the building's historic integrity. As a result of these efforts, the property is now listed as a National Historic Landmark.

Historic YMCA Hotel Preservation Consulting in the Embarcadero, San Francisco, CA. Senior Architectural Historian, Project Manager. Built in the early 20th century, the building was formerly a YMCA hotel used by young navy men and is currently a hotel along the waterfront with an adjacent YMCA recreational center. The hotel was proposing modifications



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which included rehabilitation work and reconfiguring the interior lobby space. Alison researched and documented the interior evolution by reviewing old plans, movies filmed on-location, post cards, and existing fabric. She established the building's construction chronology with a focus on the building's public spaces at the interior, overseeing the entire production of the report and created recommendations to update the client's proposed plans which included acceptable sensitive modifications to historic features and recommendations for potential future demolition.

Palo Alto History Museum Historic Preservation Consulting, Palo Alto, CA. Architectural Historian. The Spanish Revival style Roth Building was the original location of the Palo Alto Medical Foundation. The former medical building is undergoing a conversion into a local history museum with gallery space, interpretive areas, and archival and study rooms. Alison assisted with secondary research efforts of both the medical foundation and the building, upon modifications to the museum's scope of work. She conducted a Part 2 Federal historic rehabilitation tax credit application review which included recommendation to best comply with the Secretary of the Interior's Standards for Historic Preservation.

CA. Senior Architectural Historian, Project Manager. The City of Half Moon Bay was working with a local historical society to implement a history museum at the site of its early 20th century jail and adjacent barn. Alison conducted an in-depth historic resource assessment then reviewed proposed plans for buildings and site modifications to accommodate gallery space, offices, and archival storage. Coordinating with project architects, she assisted with the creation of recommendations for project compliance with the Secretary of the Interior's Standards for Rehabilitation

Toscano Hotel Preservation Consulting, Sonoma State Historic Park, Sonoma, CA. *Senior Architectural Historian.* The two-story wood framed Toscano Hotel was constructed in the 1850s and is a contributing resource to the Sonoma Plaza National Historic Landmark District and the Sonoma Plaza National Register Historic District. Alison conducted Secretary of the Interior's Standards reviews of proposed changes to the interior of the building. Proposed changes included the conversion of a portion of the building from a hotel saloon museum display area into a retail concession area for the California State Parks. Project recommendations included sensitive design solutions to maintain original features.

Golden Gate Village Historic Resource Evaluation, Marin City, CA. Senior Architectural Historian, Project Manager. The Golden Gate Village low-income housing complex was constructed in 1958 to house many of the former Marinship workers and their families. Designed by notable mid-century designers including Aaron G. Green, John Carl Warnecke, and Lawrence Halprin, the property serves as an example of a well-designed housing complex, significant as a product of post-war urban development and for its prominent mid-century designers. Alison performed the site visit and conducted research through local and private archival repositories, plan analysis, and interviews, to produce the report narrative and historic evaluation for the property. Today, the property is listed on the National Register of Historic Places.

Lockheed Missiles and Space Historic American Building Survey (HABS), Sunnyvale, CA. Architectural Historian, Project Manager. The Lockheed Martin Space Systems Company had an important association with the development of the defense industry and advanced communications systems in the San Francisco Bay Area. Large-scale technological contributions to defense-related pursuits were achieved here through aerospace manufacturing, research, and development. Subject buildings were utilitarian, constructed of concrete tilt-up construction and were representative of industrial buildings developed for sensitive defense purposes of the era. Alison conducted a site visit, coordinated professional photography, and conducted extensive archival research to create the narrative for the HABS



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documentation in accordance with NPS standards. She assisted in providing the client with mitigation measures and coordinated with municipal agencies throughout the project development and submission process.

Delta Feasibility Study, Walnut Grove, CA. *Senior Architectural Historian, Project Manager.* Three historic buildings were identified for feasibility studies, including the adaptive reuse of a church for artist live/work and performance/gallery space; the adaptive reuse of a one-roomed school house into a community center; and the construction of a park to commemorate Asian American Heritage. Work included a market demand analysis, conceptual plan, cost estimate, and potential partnerships and funding. Serving as the project manager and primary author, Alison coordinated site visits and served as the day-to-day contact for the sub consultant team. She undertook extensive primary source research, she assisted with the creation of rehabilitation recommendations.

915 Laurel Avenue Preservation Consulting, San Mateo, CA. *Architectural Historian.* Alison conducted a Historic Resource Assessment of a one-story Spanish Revival home, and later performed a Secretary of the Interior's Standards review of proposed modifications to add more square footage to the historic home. Guided the property owner to refine their concept while working closely with San Mateo Panning to come to an agreeable solution for the historic property to maintain its aesthetic within the neighborhood, while achieving more space.

630 Purissima Street Historic Resource Assessment and Preservation Consulting, Half Moon Bay, CA. *Senior Architectural Historian, Project Manager.* Alison conducted a Historic Resource Assessment and an analysis of proposed modifications to an early 20th century Craftsman-style home. Working closely with the City of Half Moon Bay, she provided the building owner with design recommendations and guidance compliant with the Secretary of the Interior's Standards for Rehabilitation.

1303 North Central Avenue Historic Resource Assessment, Glendale, CA. Senior Architectural Historian. Alison oversaw and conducted the HRA for a 1960s multi-family apartment complex located in the West Glendale neighborhood. Comprised of three two-story interrelated structures and a central open-air courtyard, work included an intensive field visit to the property site, research at local repositories and the Glendale Planning Division, original plan review, and a thorough understanding of existing related context statements. While the project was reflective of a garden apartment of its era, ESA determined that the property did not rise to a level of historic significance warranted for listing on the National Register or California Register.

311 and **317** 5th Street, Huntington Beach Historic Resource Assessment and CEQA Impacts Analysis, Huntington Beach, CA. *Senior Architectural Historian*. Alison prepared an HRA for two subject buildings, followed by CEQA and SOI analyses for their proposed redevelopment. The HRA includes a shared property development for the two adjacent parcels, one which is improved with a Craftsman-style residence, and the other improved with a Zigzag Moderne commercial building. Research included an analysis of previously prepared historic surveys of the area, extensive property research, and historic integrity. Recommendations for the project to better comply with the SOI Standards and with CEQA regulations were created.

930 S. Mansfield Historic Resource Assessment and CEQA Impacts Analysis, Los Angeles, CA. *Senior Architectural Historian.* Alison coordinated efforts to prepare an HRA which included an update to the surrounding historic district and an impacts analysis for a proposed project. Several contributing structures in the Mediterranean Revival and Spanish Revival residential historic district had recently been demolished or heavily altered. Alison conducted a design review of a proposed contemporary 6-story multi-family project at the project site that would sit amidst the extant low-profile



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revival style buildings in the historic district. Alison created recommendations for a more compliant new project design within the district.

Presentations

National Trust for Historic Preservation Past Forward Conference: panelist on the Women's Affinity Session, 'Women Leading the Change,' 2021.

California Preservation Foundation Conference: panelist on modernism in 'Becoming Silicon Valley,' and 'Documenting Hispanic Heritage' tour leader, 2018.

UCDavis Undergraduate Design Studio Lectures: 'Historic Preservation in Northern California,' 2014 and 'PennDesign Thesis: 20th Century Architectural Lighting and Establishing Guidelines for its Preservation,' 2013.

Valerie Smith

ESA

Architectural Historian



EDUCATION

MS, Historic Preservation, Columbia University

Advanced Certificate, Columbia University

BA, Studio Art, Hope College

3 YEARS' EXPERIENCE (HISTORIC PRESERVATION)

23 YEARS' EXPERIENCE (PHOTOGRAPHY)

18 YEARS' EXPERIENCE (FINANCIAL SERVICES)

PROFESSIONAL AFFILIATIONS

Preservation Alumni, Columbia University, Board Member

Columbia University, Mentorship Committee Member

California Preservation Foundation, Member

National Trust for Historic Preservation, Member

DOCOMOMO US, Member

Association for Preservation Technology (APT), Member

Valerie is an architectural historian with three years of experience in historic preservation. Her work with historic resources and cultural heritage includes extensive and detailed archival research, drafting historic resource assessments, historic preservation consulting such as plan reviews and construction monitoring, feasibility studies, and resource surveys and documentation. She has experience with conservation projects, conditions assessment reports, and materials science. Valerie's Master's Thesis was about architect-designed house plans and model houses from the 1920s. Her focused research and interest in this typology have resulted in extensive knowledge of single-family houses from 1920-1945, including the Period Revival and the Minimal Traditional style. Research projects and her coursework at Columbia University in Paris and New York City gave her extensive knowledge of Modernist architecture, which she has continued to expand upon in Los Angeles during her time with ESA. Valerie's studio art background and photography training have proven helpful for onsite documentation and HABS photography. In addition to historic preservation and photography, Valerie has 18 years of professional experience in finance and investor relations, with strong client and project management skills.

Relevant Experience

3916 Martin Luther King Jr, Historic Resource Assessment, Los Angeles, CA.

Architectural Historian. Valerie co-authored the production of a Historic Resource Evaluation (HRA) to establish the building's historic significance in the Crenshaw neighborhood of Los Angeles. Valerie's research provided context for a 1962 bank building in the International Style that was occupied by a Black-owned savings and loan company for over twenty years. The founder, Peter Dauterive was instrumental in race relations in Los Angeles and provided financial services to underserved communities, served on the board of various foundations, and started a scholarship fund at USC for minority students.

Ventura County Transportation Commission, US 101 Improvement Project, Ventura

County, CA. Architectural Historian. While working for ICF, Valerie assisted with a large-scale Cultural Heritage Survey as part of the US 101 Improvement Project. The project included the survey of over 100 buildings in the study area located throughout San Buenaventura (Ventura), Camarillo and Oxnard, California. As part of this effort, Valerie wrote historic context statements on various property types and architectural styles including manufactured homes, post-war restaurants, commercial buildings, and Mid-Century Modern-style architecture. She researched, documented, and evaluated the individual properties and prepared compliance reports and DPR forms.

Los Angeles Housing Department (LAHD), Section 106 Reviews, Los Angeles County, CA. *Architectural Historian*. While working for ICF, Valerie surveyed and researched buildings within areas of potential effect for various projects as part of the Section 106

Valerie Smith (Continued)



Architectural Historian

requirements for the City of Los Angeles. She drafted DPR documents and completed deliverables for development projects. As part of her responsibilities, she wrote building descriptions, conducted site visits, conducted research, and evaluated buildings located in the vicinity of development projects.

City of Los Angeles, Venice Coastal Zone Survey, Los Angeles County, CA. *Architectural Historian.* Valerie expanded on existing research included in SurveyLA to evaluate contributing/non-contributing members of the Millwood Historic district of Venice, CA. Survey, documentation, and research was conducted on a large number of bungalow-style homes within the historic district.

1000-1018 N. Croft Avenue, Historic Resource Assessment, Los Angeles, CA. *Architectural Historian.* Valerie provided research, wrote historical contexts, and compiled a Historic Resource Assessment for four multi-family properties in Hollywood. One property was designed in a Mediterranean Style using a house stock plan from the local company Bungalowcraft. Two of the properties are Spanish Colonial Revival duplexes constructed in the 1920s and 1930s. The fourth property was designed in 1940 by a notable Los Angeles architect who became known for his unique window treatment and Minimal Traditional designs. The four properties were found significant as early dwellings in the Hollywood Scenic Tract under Criterion A, and as excellent examples of three different architectural styles applied multifamily properties under Criterion C.

133 Vieudelou Avenue, Historic Resource Assessment, Catalina Island, CA. *Architectural Historian*. Valerie researched the oldest house in Avalon, Catalina Island and compiled a Historic Resource Assessment. The house belonged to a family who settled on the island during the early days of development into a resort town. The house is Folk Victorian style and constructed in 1888. The property was found eligible for the National Register and California Register for its significance under Criterion A, B, and C.

301 Beacon Street, Historic Resource Assessment, Catalina Island, CA. *Architectural Historian*. Valerie researched a multi-family property on Beacon Street in Avalon, Catalina Island and compiled a Historic Resource Assessment. The dwelling has been owned by the same family who constructed it in 1923. The style is vernacular with elements of Italianate and Mediterranean Revival. It was called the White House Apartments and housed the original family and other short-term guests visiting the island. The property was found eligible as a rare example of a multi-family property from the 1920s in Avalon, Catalina Island.

West San Gabriel Valley, Historic Context Statement, Los Angeles County, CA. Architectural Historian. Valerie authored the residential section of the West San Gabriel Historic Context Statement which involved extensive research, and the development of architectural context narratives and residential resource registration requirements. Valerie conducted an archival record search at the South Central Coastal Information Center (SCCIC) to determine the presence of cultural resources in eight unincorporated study areas.

211 Emerald Bay, California Register Nomination, Orange County, CA. Architectural Historian. Valerie provided architectural historian services which included research, the development of historical contexts, and the preparation of a nomination for the California Register of Historical Resources for a property in Emerald Bay. 211 Emerald Bay is in a planned coastal "garden suburb" that was developed beginning in 1929. The community was designed by renowned landscape architect Mark Daniels and notable Pasadena architects such as Roland Coate and H. Palmer Sabin. The house at 211 Emerald Bay contributed to the early development of the neighborhood and is one of the last remaining intact examples of the Mediterranean Revival aesthetic developed by the architectural review board and original developer.

Valerie Smith (Continued)



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AGBU Manoogian-Demirdjian School Improvements, Categorical Exemption, Canoga Park, CA. Architectural Historian. Valerie provided research, wrote historical contexts, conducted a site visit, and compiled a Department of Parks and Recreation form 523 and Notice of Exemption for an Armenian-American school in Canoga Park. The school is operated by the Armenian General Benevolent Union (AGBU), and the organization purchased the parcel in 1985. The campus was originally an LAUSD campus, and the AGBU has made improvements to accommodate the Armenian student body occupying the campus. The buildings are a mixture of 1962 Mid-Century Modern and post-1996 buildings.

Modernist house, Peer Review, Laguna Beach, CA. *Architectural Historian*. Valerie peer-reviewed a California Register of Historical Resources nomination that had been drafted by other historians for a house in Laguna Beach. As part of the peer review, Valerie wrote a historic context statement for modernist architecture in Laguna Beach, focusing on 1960s and 1970s expressionist /organic single-family properties. The house was representative of a local, regional, and national trend for the design of houses by architects practicing in a modernist style. Valere drafted a script and provided guidance to the client and team for the presentation to the California State Historical Resources Commission at the quarterly meeting.

Eastmont Theatre, Historic Resource Evaluation, Oakland, CA. *Architectural Historian.* Valerie provided research, wrote historical contexts, and compiled a Historic Resource Evaluation for the Eastmont Theatre. The Eastmont Theatre was constructed in 1926 during the rise of Art Deco theaters in the United States. The theater is a modest version of the movie palaces of the era and was evaluated for its significance in the city of Oakland and the larger context of Art Deco theaters.

615 E. Ocean Boulevard, Historic Resource Assessment, and Impacts, Long Beach, CA. *Architectural Historian.* Valerie researched and evaluated a 1970s commercial vernacular restaurant that was originally a Copper Penny Family Restaurant. The building design was a modest interpretation of the Late Hollywood Regency style and consisted of a simple box design capped with a mansard roof.

448 West Cypress Street, Historic Resource Evaluation, Glendale, CA. *Architectural Historian.* Valerie provided research, wrote historic contexts, and compiled the Historic Resource Assessment report for the property at 448 West Cypress Street. 448 West Cypress was identified as a historic vernacular warehouse from c. 1907 located in the Tropico section of Glendale, CA.

951 Cliff Drive, Historic Resource Assessment and Impacts, Laguna Beach, CA. *Architectural Historian.* Valerie provided research and updated an existing impact assessment for a 1918 Beach Cottage with a Craftsman-influenced style in Laguna Beach. Valerie evaluated the property using the new Laguna Beach Historic Preservation Ordinance and assessed the impact of a pending addition to the property's historic fabric.

1051 Marine Drive, Historic Resource Assessment and Impacts, Laguna Beach, CA. *Architectural Historian.* Valerie provided research and updated an existing impact assessment for a 1920s Beach Cottage with a Craftsman-influenced style in Laguna Beach. Valerie evaluated the property using the new Laguna Beach Historic Preservation Ordinance and assessed the impact of a pending addition to the property's historic fabric.

Columbia University, The Harlem Renaissance: Preservation, Spatial Encounter, and Anti-Racism, Harlem, NY. *Architectural Historian/Student.* As a graduate student, Valerie contributed to a group research report that examined the legacy of the Harlem Renaissance, its significance in anti-Black racism histories and its place-based associations. This included an in-depth study of the era, Harlem as the Black mecca, and the exploration of preservation through an

Valerie Smith (Continued)



Architectural Historian

innovative community lens. The goal of the report was to instrumentalize the heritage of the Harlem Renaissance toward anti-racism and social justice while also identifying and preserving key assets for the Black community.

Columbia University, Historic Paint Sample Analysis, Jay Heritage Center. *Architectural Historian/Student.* As a graduate student, Valerie contributed to a group conservation project that examined the layers of paint in the historic Jay Estate. The Jay Estate requested that Columbia's Historic Preservation graduate students help date various parts of the 1838 Greek Revival mansion. Paint samples were collected, and the multiple layers of paint and architectural finishes were examined using microscopes in the historic preservation laboratory at the University.

Columbia University, National Register Nomination, Bronx, NY. *Architectural Historian/Student.* As a graduate student Valerie wrote a National Register Nomination for a church in the Bronx. The nomination is in review by the New York State Historic Preservation Office. The nomination detailed the history and significance of Creston Avenue Baptist, a historically black church constructed c. 1905, and designed in a Chateauesque style.

Columbia University, Woodlawn Cemetery Research Report, Bronx, NY. *Architectural Historian/Student.* As a graduate student, Valerie wrote a section of a group report for the Woodlawn Cemetery in the Bronx. The report included a detailed evaluation of the materials, stained glass window, and biographical family account of the Livingston mausoleum. One key goal was to determine if the window was created by Louis Comfort Tiffany's company, and the other was to construct a vital historical account needed to create a preservation plan for the historic mausoleum.

Goodman Commerce Center, Historic Resource Assessment and Impacts, Long Beach, CA. *Architectural Historian.* Valerie conducted a site visit and compiled a report for a 1967 Boeing factory in Long Beach. A project for a development plan of the property was created by Goodman and Valerie compiled historic and current information about the building.

Photography

Trained as a photographer, with a B.A. in Studio Art from Hope College, Valerie has 23 years of photography experience. She has a large portfolio of architectural photographs from site visits, college courses and fine art photography exploration. She completed an architectural photography course at UCLA in 2018, and she is currently being trained as a Historic American Buildings Survey (HABS) photographer.

California Historical Resources Information System (CHRIS) - Authorized Researcher

Valerie is authorized to perform record searches to uncover archeological and historic resources at one of the twelve Information Centers managed by the California Office of Historic Preservation. Valerie has been trained to review 7.5 USGS Quadrangle Maps, historical resource records and reports, and computerized data housed at the South Central Coastal Information Center at California State University, Fullerton.

Publications

Preserve Orange County, Tracts "Better Homes in America in Anaheim," December 23, 2022.

Columbia University Master's Thesis, "The Small House Movement of the 1920s: Preserving Small 'Better' Houses," 2022.

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June 19, 2024

Orange County Zoning Administrator Kevin Canning, Contract Planner <u>Kevin.Canning@ocpw.ocgov.com</u> Cindy Salazar, Planning Division Manager <u>Cindy.Salazar@ocpw.ocgov.com</u>

Subject: Zoning Administrator Meeting Agenda, June 20, 2024

Item # 1, Planning Application PA22-0227

211 Emerald Bay, Laguna Beach

Dear Mr. Canning and Ms. Salazar:

On behalf of concerned Laguna residents, I request that the Zoning Administrator find that the proposed demolition project at 211 Emerald Bay is not categorically exempt from the California Environmental Quality Act. In light of the significant historic and aesthetic environmental impacts brought to your attention, the County should not consider any project approvals until its discretion is informed by an appropriate CEQA process.

By way of introduction, my law practice focuses on public interest law and particularly on the application of CEQA to protect California's unique historic resources. Some representative published environmental decisions litigated by my office on behalf of public-interest groups include Sierra Club v. County of Fresno, Friends of the College of San Mateo Gardens v. San Mateo County Community College District, Friends of Sierra Madre v. City of Sierra Madre, and Berkeley Hillside Preservation v. City of Berkeley, all at the California Supreme Court, and Save the Capitol, Save the Trees v. Department of General Services, Save Our Capitol! v. Department of General Services, Flanders Foundation v. City of Carmel-by-the-Sea, Preservation Action Council v. City of San José I and II, The Pocket Protectors v. City of Sacramento, Galante Vineyards v. Monterey Peninsula Water Management District, Lincoln Place Tenants Association v. City of Los Angeles, League for Protection v. City of Oakland, Stanislaus Natural Heritage Project v. County of Stanislaus, and Sierra Club v. County of Sonoma, all in the California Court of Appeal.

Letter to Orange County Zoning Administrator June 18, 2024 Page 2 of 2

I concur with the analysis of Laurence Nokes regarding the import of *Valley Advocates v City of Fresno* (2008) 160 Cal.App.4th 1039, which requires a lead agency to determine whether a property threatened with harm by a discretionary project may warrant recognition as a discretionary historic resource. If so, CEQA review must occur for analysis and feasible mitigation to avoid or reduce significant impacts.

The report of Margarita Jerabek, Ph.D., Historic Resources Strategic Development Director at ESA, provides substantial evidence that the Historic Resource Analysis Report (HRAR) prepared for the applicant by Urbana Preservation & Planning, LLC, is inaccurate and incomplete. As famously held by the California Supreme Court, CEQA does not allow uncritical reliance "on every study or analysis presented by a project proponent in support of its position. A clearly inadequate or unsupported study is entitled to no ... deference." (*Laurel Heights Improvement Association v. Regents of the University of California* (1988) 47 Cal.3d 376, 409, fn 12.) Dr. Jerabek's report provides substantial additional fact-based expert opinion amply supporting a finding that 211 Emerald Bay qualifies as historic.

Resources like 211 Emerald Bay that demonstrate the unique characteristics of an area warrant CEQA protection even absent a historic register listing. *Georgetown Preservation Society v. County of El Dorado* (2018) 30 Cal. App. 5th 358, 409, affirmed that additional CEQA analysis was warranted for the potentially significant impacts of a project proposed in an unlisted "quaint Gold Rush-era hamlet."



Please deny this impactful project pending CEQA review to inform all of the broad approvals relating to the demolition via the requested coastal development permit, variance permit, use permit, and lot line adjustment.

Sinverely, Susan Brandt-Hawley