


CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
27-4863

HEARING IMPAIRED: (415) 904-5200

W12a 

Filed: 07/22/97
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180th day: 01/18/98
Staff: SM - SC
Staff Report: 08/19/97
Hearing Date: 09/09-12/97

STAFF REPORT REGULAR CALENDAR

APPLICATION NUMBER: **3-97-054**

APPLICANT: **CANNERY ROW MARKETPLACE**

PROJECT LOCATION: 435 Cannery Row, City of Monterey

PROJECT DESCRIPTION: Deconstruction of San Xavier Warehouse Building (previously undertaken pursuant to Emergency Permit No. 3-97-036-G)

LOCAL APPROVALS: City Council Approval granted May 6, 1997

FILE DOCUMENTS: Emergency Permit File No. 3-97-036-G; Cannery Row Land Use Plan; Secretary of the Interior's Standards and Guidelines for Architectural and Engineering Documentation: HABS/HAER Standards

SUMMARY OF STAFF RECOMMENDATION

This permit application is for the deconstruction of the San Xavier Warehouse building, previously undertaken under Emergency Permit No. 3-97-036-G). Staff recommends **approval** of the permit with special conditions which require replication of the deconstructed warehouse and utilization of salvaged material, to the extent feasible, in any future development of the site. The special conditions also require the permittee to store the salvaged materials in a manner which will preserve the ability to reuse these materials in future development. As conditioned, the project will protect the special community of Cannery Row, which, because of its unique characteristics, is a popular destination point for recreational use, consistent with the requirements of Coastal Act Section 30253(5).

I. STAFF RECOMMENDATION

The staff recommends that the Commission adopt the following resolution:

Approval with Conditions

The Commission hereby grants a permit for the proposed development, subject to the conditions below, on the grounds that the development, as conditioned, will be in conformity with the provisions of Chapter 3 of the Coastal Act, will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, and, will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

II. STANDARD CONDITIONS (Attached as Exhibit A)**III. SPECIAL CONDITIONS**

1. Replication of San Xavier Warehouse Building. Any development of future structures on the site (APN 001-022-004) shall replicate the preexisting warehouse building, and utilize the materials salvaged from the deconstruction, to the extent feasible. Those revisions necessary to maintain compliance with applicable building codes, ensure structural integrity, and accommodate the intended use of the new structure shall be allowed. The exterior of any future structure on the site shall be of compatible scale and character with the San Xavier Warehouse building, as documented by the plans prepared by the Sienna Company dated May 12, 1997 (attached as Exhibit 6), the architectural field notes and measurements submitted with the application, the structural design/features evident in the archive photographs taken by Mr. Pat Hathaway, and any other documentation generated to comply with the Secretary of the Interior's Standards and Guidelines for Architectural and Engineering Documentation (HABS/HAER Standards; see Special Condition 3, below). To the extent feasible, the interior of the future structure on the site shall incorporate salvaged materials and design features that are reminiscent of the original warehouse building. The permittee shall encourage tenants of the new structure to participate in this effort by making salvaged material available for their use at no charge.

2. Storage of Salvaged Materials. The permittee shall be responsible for storing and maintaining the materials salvaged during the deconstruction of the warehouse in a manner which minimizes further deterioration of the material. PRIOR TO THE ISSUANCE OF THE PERMIT, and no later than November 1, 1997, the permittee shall submit, for Executive Director review and approval, a written description of the method and location(s) for storing the salvaged material listed by Exhibit 5 attached to this report.

3. Evidence of Compliance with HABS Standards. PRIOR TO THE ISSUANCE OF THE PERMIT, and no later than November 1, 1997, the permittee shall submit, for Executive Director review and approval, written evidence that the historical architect hired by the City of Monterey has made a determination of compliance with the Secretary of the Interior's Standards and Guidelines for Architectural and Engineering Documentation (HABS/HAER Standards). This shall be accompanied by any documentation developed in addition to the material submitted with the coastal development permit application.

IV. FINDINGS AND DECLARATIONS

1. Project Location and Description:

This project involves the deconstruction of the San Xavier Warehouse Building at 435 Cannery Row, in the City of Monterey (location depicted by Exhibits 1 and 2). The Cannery Row area is a popular destination for visitors to, and residents of, California's Central coast, partly due to its historic significance as the site of California's major sardine canneries and as the part time residence of author John Steinbeck. The San Xavier warehouse was a part of Cannery Row's canning history in both design and function.

The dismantling of this building took place in June 1997 following a determination by the City of Monterey that such action was necessary to abate the hazard to public safety posed by the dilapidated structure (local approval attached as Exhibit 4). Based on this finding, the Coastal Commission subsequently issued Emergency Permit No. 3-97-036-G (Exhibit 3), which allowed for the deconstruction subject to conditions including compliance with the Secretary of Interior's guidelines for Historic Building documentation; and salvage and storage of significant architectural components and materials, as well as any historic equipment and artifacts.

The deconstruction has been completed, and all that remains on the site is the concrete foundation and salvaged materials. During the deconstruction, City staff, along with a historical architect, were present to identify materials to be saved, consistent with the City of Monterey's approval of deconstruction, and based on the material's historical character and quality. Non-salvageable materials were marked for disposal. A list of the building materials that were salvaged is attached to this report as Exhibit 5. According to City staff and the applicant, all of these materials are being stored on the site or in a storage location at the former Fort Ord. In addition to the building materials listed by Exhibit 5, old cannery equipment was also salvaged and donated to the City of Monterey.

2. Coastal Act Consistency:

The subject project requires a coastal development permit because the Coastal Act definition of development includes "construction, reconstruction, demolition, or alteration of the size of any structure" (Section 30106). While the Commission has certified the City of Monterey's Land Use Plan for the Cannery Row area, there is no certified Implementation Plan; therefore, the Coastal Commission maintains coastal development permit jurisdiction over this area. The standard of review is conformance with the Chapter 3 policies of the Coastal Act. The certified LUP provides guidance only.

Section 30253 of the Coastal Act requires in part that new development shall:

... (2) Assure stability and structural integrity, and 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.

... (5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.

The above policy requires that the development assure stability and structural integrity, and at the same time protect the unique characteristics of Cannery Row. These requirements are analyzed below.

a. Structural Integrity:

Stabilization and preservation of the dilapidated warehouse building, which is an element of Cannery Row's unique character, would be an appropriate way to conform to these requirements. However, during local review of this project, alternatives to demolishing the warehouse, including temporary stabilization, proved to be infeasible. After considering the range of options available, the Monterey City Council found that temporary stabilization was not feasible, was very costly, and would not abate the public hazard.

In order to abate the public hazard and at the same time protect the structure as a historical element of Cannery Row, conditions were attached to the City's approval and the Coastal Commission's emergency permit which authorized "deconstruction" of the warehouse as opposed to "demolition". As a result of these conditions (attached as Exhibits 4 and 5), portions of the structure were salvaged, and the design documented, to allow for the replication of the building in any future development on the site. (Archive plans and elevations attached as Exhibit 6; architectural field notes/measurements and archive photographs on file at the Commission's Central Coast Area Office.)

b. Community Character:

The unique character of Cannery Row, which contributes to its popularity as a visitor destination, can be partly attributed to the presence of cannery era buildings. The San Xavier Warehouse building was an example of a cannery era structure, and therefore enhanced the special historical character of Cannery Row. As called for by the Cannery Row Land Use Plan, the unique scale and historical character of Cannery Row shall be preserved and enhanced through the preservation of older cannery buildings where feasible and by assuring new development of compatible scale and character (LUP p. IV-B-2).

As a means of protecting this unique character, Special Condition 1 attached to this permit requires that any new development on the site replicate the San Xavier warehouse building, and reuse salvaged materials, to the extent feasible. In recognition of the fact that current building codes and future uses may necessitate some changes to the original design, this condition allows for those revisions needed to maintain compliance with applicable building codes, ensure structural integrity, and accommodate the intended use of the new structure.

The current property owner's intended reuse of the site, subject to future review and approvals, is for a parking garage with street level retail. To accommodate these uses, changes to the original structure would be necessary. For example, changes to the foundation and elevation of the original building would be needed to allow for first floor retail; the building would be constructed primarily out of steel reinforced concrete rather than wood; and, the north portion of the building may be connected to a new structure to increase the amount of available parking.

Such changes, if permitted during future permit review, are allowable under Special Condition 1, with the caveat that the new structure be of compatible scale and character with the original San Xavier Warehouse building. To achieve this, the use of salvaged materials, corrugated

metal siding, and other unique architectural details of the original structure shall be incorporated within the new structure where possible. Tenants of the future structure will also be encouraged to utilize salvaged materials and include elements of the original buildings design. Salvaged material will be made available for their use, and a tenant criteria manual may be used to recommend ways in which the character of the original building can be replicated.

In order to ensure that the original structure has been adequately documented to allow for an accurate replication, Special Condition 3 requires evidence of compliance with the Secretary of the Interior's Standards and Guidelines for Architectural and Engineering Documentation (HABS/HAER Standards) have been adequately complied with.

To preserve the ability for future replication of the original structure, Special Condition 2 attached to this permit requires that the permittee submit a storage plan that will minimize further deterioration of the salvaged materials.

With these conditions, the project is consistent with the requirements of Coastal Act section 30253, because it eliminates a public hazard posed by a structurally unstable building while at the same time protecting the unique character of Cannery Row.

V. CALIFORNIA ENVIRONMENTAL QUALITY ACT

The California Coastal Commission's regulatory program has been certified by the Secretary of Resources to be the functional equivalent of CEQA review pursuant to PRC Section 21080.5 (CEQA Guidelines 15251(c)). Section 13096 of Title 14 of the California Code of Regulations requires Commission approval of coastal development permits to be supported by a finding showing the permit, as conditioned, to be consistent with any applicable requirements of CEQA.

In approving a permit for the deconstruction of the San Xavier Warehouse building, the City of Monterey determined that it was exempt from the requirements of the California Environmental Quality Act as a ministerial decision. Upon challenge in Monterey County Superior Court, this determination was upheld on May 19, 1997.

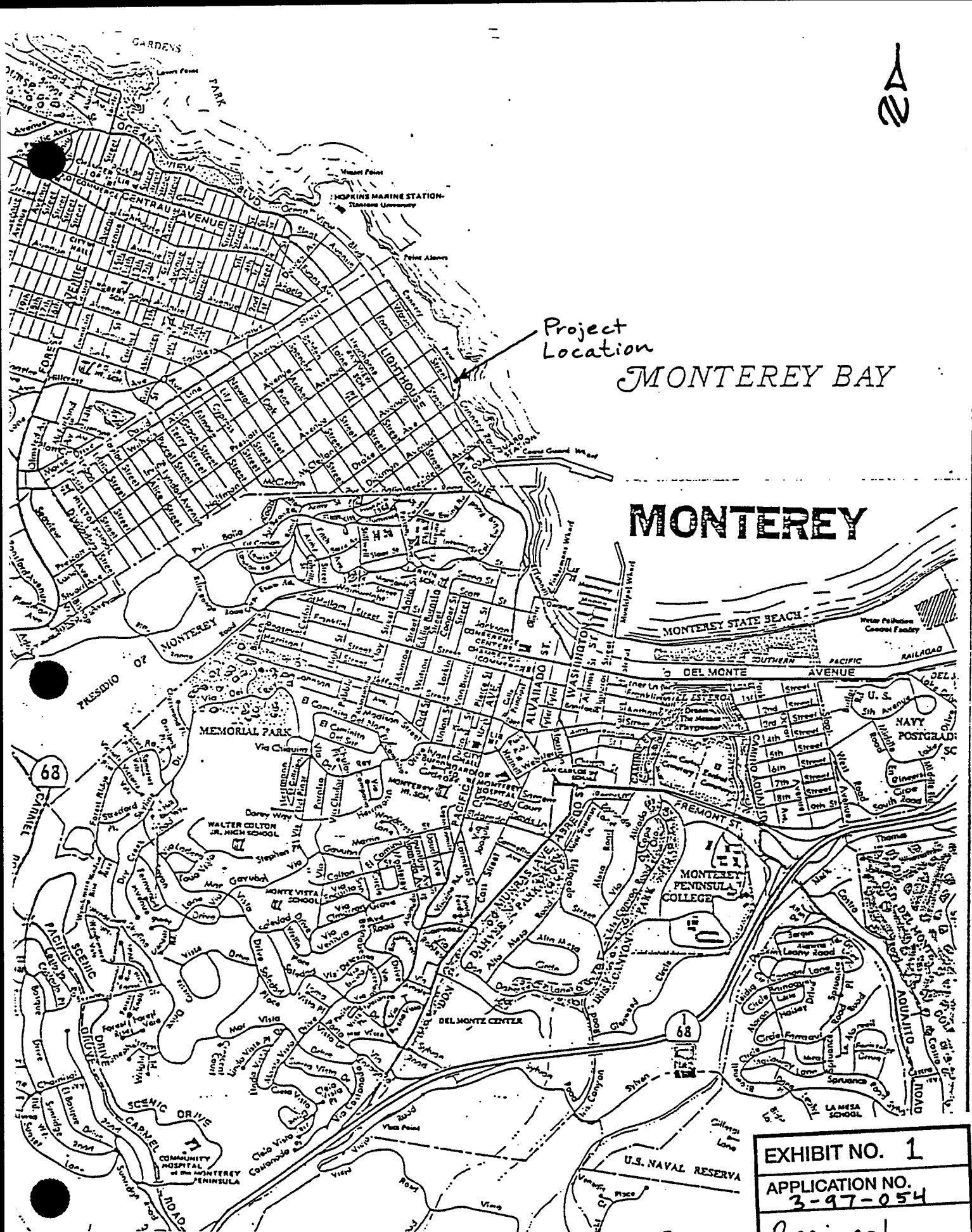
In reviewing this permit, the Coastal Commission identified the potential for the project to result in adverse impacts to unique character of Cannery Row. As detailed in the findings of this report, the Commission has attached Special Conditions to the permit to reduce such impacts to a less than significant level. Therefore, as conditioned, the project will not have a significant impact on the environment within the meaning of CEQA.

CALIFORNIA COASTAL COMMISSION

STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Compliance. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.
6. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

EXHIBIT	A
APPLICATION NO.	3-97-054
San Xavier Warehouse	
Demolition	



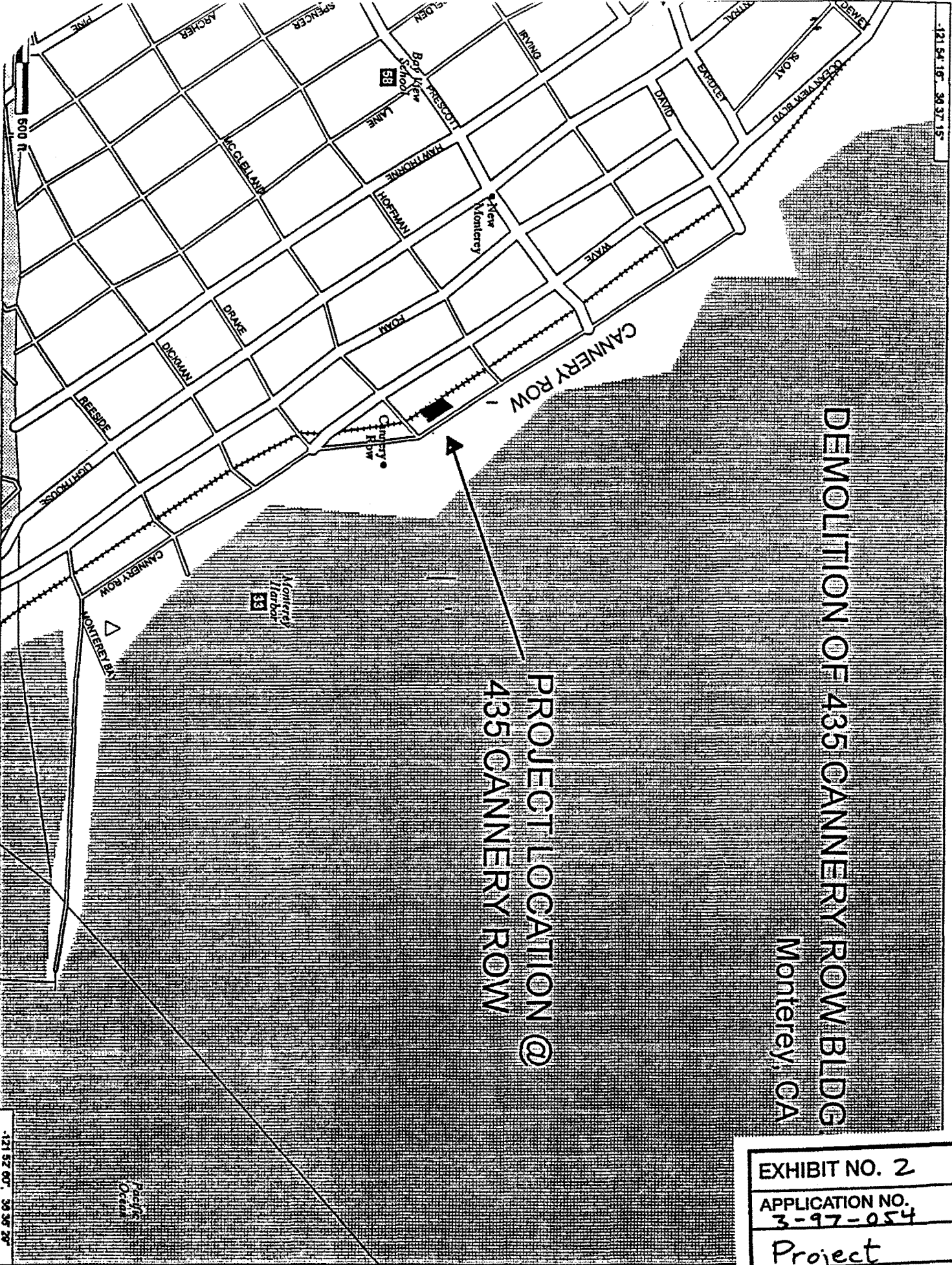
Project Location

MONTEREY BAY

MONTEREY

EXHIBIT NO. 1
APPLICATION NO. 3-97-054
Regional Location

-121.54 16' 39.37 15"



DEMOLITION OF 435 CANNERY ROW BLDG.

Monterey, CA

**PROJECT LOCATION @
435 CANNERY ROW**

EXHIBIT NO. 2
APPLICATION NO. 3-97-054
Project Location

-121.52 00' 39.36 28"

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
(408) 4863



EMERGENCY PERMIT

Daniel Summers
Cannery Row Marketplace
535 Cowper Street, 2nd Floor
Palo Alto, CA 93401

Date: May 9, 1997
Emergency Permit No. 3-97-036-G

LOCATION OF EMERGENCY WORK:

435 Cannery Row, Monterey (Monterey County) (APN(s) 001-022-04)

WORK PROPOSED:

Disassembly of warehouse building

This letter constitutes approval of the emergency work you or your representative has requested to be done at the location listed above. I understand from your information and our site inspection that an unexpected occurrence in the form of hazardous building determination requires immediate action to prevent or mitigate loss or damage to life, health, property or essential public services. 14 Cal. Admin. Code Section 13009. The Executive Director of the Coastal Commission hereby finds that:

- (a) An emergency exists which requires action more quickly than permitted by the procedures for administrative or ordinary permits and the development can and will be completed within 30 days unless otherwise specified by the terms of this permit;
- (b) Public comment on the proposed emergency action has been reviewed if time allows;
- (c) As conditioned, the work proposed would be consistent with the requirements of the California Coastal Act of 1976.

The work is hereby approved, subject to the conditions listed on the attached page.

Sincerely,

PETER M. DOUGLAS
Executive Director

By: LEE OTTER
District Chief Planner

cc: Local Planning Department
Baker & Mc Kenzie, Attn: Judy Davidoff

(over)

Enclosures: 1) Acceptance Form; 2) Regular Permit Application Form

EXHIBIT NO. 3, p. 1
APPLICATION NO. 3-97-054
Emergency
Permit

CONDITIONS OF APPROVAL

EMERGENCY PERMIT 3-97-036-G

1. Permittee shall comply with the Secretary of the Interior's guidelines for Historic Building documentation (HABS standards), including wide-format photography of interior and exterior, including structural and architectural details.
2. Permittee shall arrange for the storage of any historic equipment and artifacts contained in the building; and , to the extent feasible, shall arrange for the salvage and storage of any significant architectural components and materials having potential for any future replication of the subject structure.
3. The enclosed Emergency Permit Acceptance form must be signed the Property Owner and returned to our office within 15 days.
4. Only that work specifically described in this permit and for the specific property listed above is authorized. Any additional work requires separate authorization from the Executive Director.
5. Within 60 days of the date of this permit (i.e. by July 8, 1997), the permittee shall apply for a regular Coastal Development Permit to have the emergency work be considered permanent, unless this deadline is waived in writing by the Executive Director.
6. In exercising this permit, the applicant agrees to hold the California Coastal Commission harmless from any liabilities for damage to public or private properties or personal injury that may result from the project.
7. This permit does not obviate the need to obtain necessary authorizations and/or permits from other agencies.

Note: This Emergency Permit is based on the determination of "imminent hazard" by the City Council on May 7, 1997. If the City's action is set aside, then this permit shall likewise be suspended.

EXHIBIT NO. 3, p. 2
APPLICATION NO. 3-97-054
Emergency
Permit



May 21, 1997

Mr. Dan Summers
Cannery Row Marketplace LLC
535 Cowper Street, 2nd Floor
Palo Alto, CA 94301

Dear Mr. Summers:

The Monterey City Council at their May 7, 1997, meeting approved the dismantling of the San Xavier Warehouse on the following conditions:

1. Documentation of the building's size, construction, etc.
2. Dismantle building retaining as much as possible.
3. Salvage of historic artifacts.
4. Replication of the exterior design and the sound interior members of the cannery building, and use salvage materials as much as possible in the ultimate design of any project on the site.

Your representative, Allen Robinson has requested a more specific itemization of the salvage materials. Based on condition 2 above, you will be required to dismantle the building retaining as much as possible of:

1. All exterior siding.
2. A minimum of one corner decorative eave block (cupola).
3. A minimum of one of each window type.
4. Main wood door.
5. One corrugated metal rolling door.
6. First floor 10x10 posts, including nailers supporting the "Y" braces (which are not deteriorated).
7. First floor 10x16 beams (which are not deteriorated).
8. Metal plates used to connect beams to posts.
9. At least one set of braces (post to beam "Y" braces).
10. Sign over the front door.

EXHIBIT NO. 4, p.1
APPLICATION NO. 3-97-054
Local
Approval

We understand the foundation will remain.

The demolition should proceed in a manner which causes the least damage to the materials mentioned above. The materials shall be stored and protected from the elements, preferably on-site. The City could help with storage, if necessary. The City's inspector, Ted Larson, will review the materials to be saved and indicate if they meet the City's needs for replication or use in the building.

If you have any questions regarding these directions, please contact me as soon as possible.

Sincerely,

Bill Wojtkowski

Bill Wojtkowski

BW:BF:pk

cc: City Manager
Building Official
Ted Larson, 547½ Lighthouse Avenue, Pacific Grove, CA 93950
Allen Robinson, 321 Alvarado Street #H, Monterey, CA 93940
Judy Davidoff, Baker & McKenzie, 2 Embarcadero Center, 24th Floor,
San Francisco, CA 94111-3909

EXHIBIT NO. 4, p. 2
APPLICATION NO. 3-97-054
Local
Approval

CITY OF MONTEREY

TO: Community Development Director
FROM: Planning Services Manager
DATE: June 23, 1997
SUBJECT: San Xavier Warehouse Disassembly Report

This is a brief description of the work that took place on the disassembly of the San Xavier Warehouse during the week of June 16 - June 20:

JUNE 16: The structure has been disassembled 100% to the foundation slab. Workers are removing materials from the slab. Materials are being organized and stacked by hand and with the Dynalift for inspection by the City and the City Consulting Architect.

JUNE 18: City Consulting Architect, Planning Services Manager (Advance) and Public Facilities Director inspected materials for salvage of historic artifacts and replication in the ultimate design of any project on the site. Consulting Architect and Staff marked the following items for preservation:

1. Exterior metal siding (6 bundles)
2. Corner decorative eave block (cupola)(1)
3. Metal window frames (32)
4. Main wood door (1)
5. Corrugated metal rolling door (none - this door was in poor condition prior to disassembly and did not survive disassembly)
6. First floor 10x10 posts, including nailers supporting the "Y" braces (21)
7. First floor 10x16 beams (29)
8. Metal plates used to connect beams to posts (1 pallet)
9. Set of post to beam "Y" braces (2)
10. Sign over front door (1)

JUNE 20: Public Facilities Department transported window frames and Cupola to Fort Ord storage (sign over front door previously stored there). Metal siding bundles, beams, plates, "Y" braces moved into subgrade loading dock area and covered with posts and main wood door. Security fencing and weatherproofing remains to be completed. Final weekly progress report will be provided when security fencing and weatherproofing completed.

Bill Fell

Bill Fell

C: City Manager
Building Official
Ted Larson, 547½ Lighthouse Avenue, Pacific Grove, CA 93950
Joseph Rock, 210 17th Street, Pacific Grove, CA 93950

EXHIBIT NO. 5
APPLICATION NO. 3-97-054
List of Salvaged Building Materials

THE SIENNA COMPANY
 321 ALVARADO STREET, SUITE H
 MONTEREY, CA 93940
 TEL. 408-641-8000
 FAX 408-641-0502



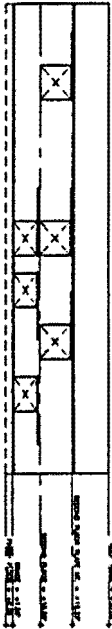
Project
San Xavier Warehouse

Project Location
 433 Cannery Row
 Monterey, CA

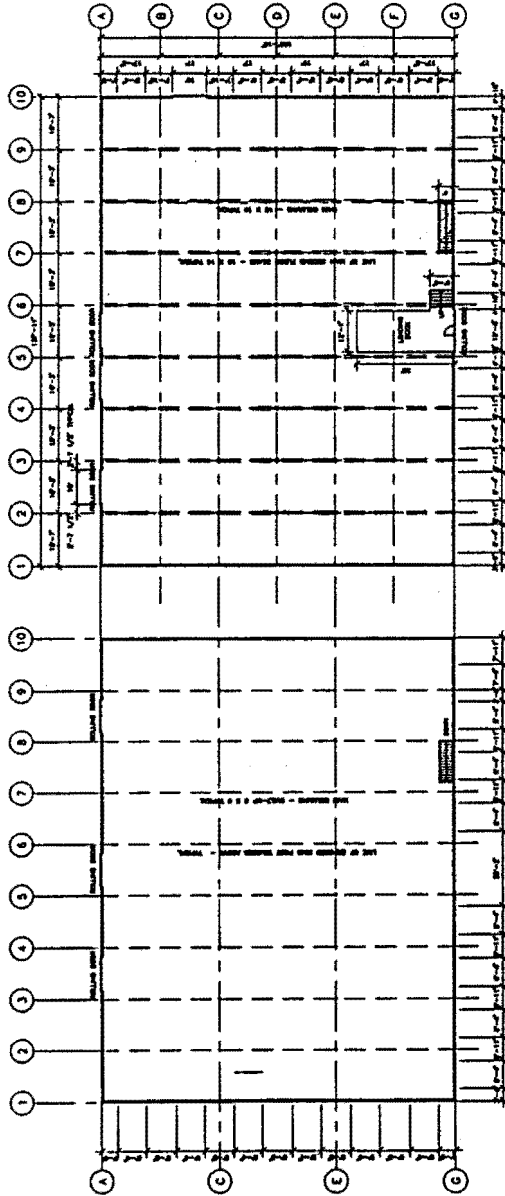
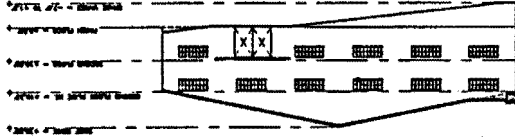
Project No. RCL2000
 Issue Date May 23, 1997
 Revision

Drawing Scale 1/8"=1'-0"
 Sheet Title
 Archive Plans & Elevations

EAST ELEVATION - VIEW FROM RECREATIONAL TRAIL 1/8"=1'-0"



NORTH ELEVATION 1/8"=1'-0"

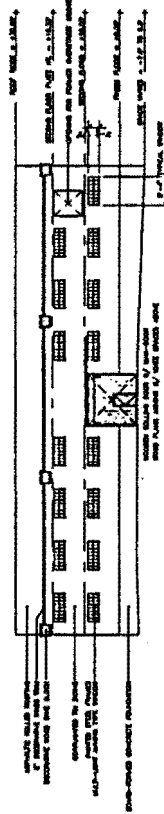


FIRST FLOOR PLAN 1/8"=1'-0"

SECOND FLOOR PLAN 1/8"=1'-0"



SOUTH ELEVATION 1/8"=1'-0"



WEST ELEVATION - VIEW FROM CANNERY ROW 1/8"=1'-0"

RECEIVED

JUL 23 1997

CALIFORNIA
 COASTAL COMMISSION
 CENTRAL COAST AREA

EXHIBIT NO. 6
APPLICATION NO. 3-97-054
Archive Plans and Elevations