

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071



February 5, 2013

ADDENDUM

TO: COMMISSIONERS AND INTERESTED PERSONS

FROM: SOUTH COAST DISTRICT STAFF

SUBJECT: ADDENDUM TO ITEM W18A, APPEAL NO. A-5-LGB-12-091, FOR THE COMMISSION MEETING OF FEBRUARY 6, 2013

I. CHANGES TO THE STAFF REPORT:

Additions are marked in **bold underline text**. Deletions are marked in ~~strike through text~~.

- 1) Delete the section labeled Important Note on page 1 of the staff report. A public hearing is typically held when the Commission considers an appeal with a staff recommendation of No Substantial Issue.

IMPORTANT NOTE

~~The Commission will not take public testimony during this phase of the appeal hearing unless at least three (3) commissioners request it. If the Commission finds that the appeal raises a substantial issue, it will schedule the de novo phase of the hearing for a future meeting, during which it will take public testimony. Written comments may be submitted to the Commission during either phase of the hearing.~~

- 2) Insert the following word to the Summary of Staff Recommendation on the first full paragraph of Page 2 of the staff report to address a typographical error:

The appellants contend that the project approved by the City is inconsistent with the City's certified Local Coastal Program(LCP) and the public access policies of Chapter 3 of the Coastal Act for the following reasons: a) The demolition of the residence would be inconsistent with LCP Policies regarding historic preservation; b) The City's action resulted in impacts to public access due to the presence of a nonconforming private beach access stairway that is **not** being removed; c) The City's action failed to properly consider the applicable policies of the LCP; d) The City's action violated due process; and e) the City's action did not properly carry out CEQA.

II. CORRESPONDENCE RECEIVED:

A. Letter of Support.

On 1/31/2013 Commission staff received the attached letter from the applicant's representative in support of the staff recommendation.

B. Letter of Opposition.

On 2/1/2013 Commission staff received the attached letter from the appellants, South Laguna Civic Association and Village Laguna.

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South Coast Region

JAN 31 2013

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January 30, 2013

BY EMAIL AND MAIL

W 18a

Commissioners
California Coastal Commission
200 Oceangate, #1000
Long Beach, CA 90802


Re: Appeal No. A-5-LGB-12-091 (Meehan)
31381 South Coast Highway, Laguna Beach

Dear John:

I represent John Meehan the applicant on Appeal No. A-5-LGB-12-091. We have reviewed the Staff Recommendation and agree with its motion. The appeal does not pose a substantial issue for the Coastal Commission to review the decision of the City of Laguna Beach. The central issue for the appellants is the claim that the existing structure has historic significance. This is an issue peculiarly within the knowledge of a local government. The City had an independent historical consultant review the property and found that it did not merit preservation as a historic structure.

The question before the Coastal Commission is whether the development (demolition of an existing structure) is consistent with the City LCP. There are no public access or recreation issued related to the demolition. There is nothing in the City LCP that would authorize the City to prohibit the demolition of the structure. Local historical issues can often be very emotional. But they are local issues and are addressed in the City LCP. The City acted in accordance with its LCP both procedurally and substantively. Extensive expert opinion was unanimous that the structures lacked the necessary historical integrity to merit preservation. The Commission should let that decision stand.

Sincerely,


SHERMAN L. STACEY

SLS/sh

cc: Mr. John Meehan
Mr. Sean Brendan
Mr. Mark Singer



P. O. Box 9668
South Laguna, CA 92652
949-415-1312



P. O. Box 1309
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Appeal Number A-5-LGB-12-091

31381 Coast Highway, Laguna Beach, Orange County

Appeal of approval to demolish "Stonehenge" a K (key)-rated historical house and garage with octagonal sun room above.

The staff report recommends that there is no substantial issue regarding our appeal, but we ask the Commission to find otherwise. We maintain that this case raises issues of failure to implement LCP policies related to coastal resources, specifically historical resources.

We ask the Commission to find that there is a substantial issue and schedule a de novo hearing on this matter.

Factual support for local Government's decision is compromised

The information presented below is germane to Item 1 of **Factors to be Considered in Substantial Issue Analysis** on page 11 of the Staff report:

1. "The degree of factual and legal support for the local government's decision that the development is consistent or inconsistent with the Local Coastal Program."

We maintain that the factual support for the local government's decision is compromised as revealed in the following discussion of the chronology of events.

Correction of a number of errors and omissions in the staff report (on page 10), item 3. **History of Actions on Site** highlights for the Commission how the sequence of illegal events on this property led to the current application to demolish the historical structure.

The chronology given by Coastal staff omits several key events that are important to understanding that the integrity of the historical building was compromised as the result of recent (2009 and after) illegal partial demolition, not "alterations which occurred over the lifetime of the structure," as stated on page 15 of the staff report.

We cite the Chronology presented by City of Laguna Beach Staff on August 8, 2011 (attached to our appeal, and again attached to this memo.)

Starting with 2006, items not covered in the Coastal staff's chronology are underlined.
Our comments are in italics.

5-16-06 Permit filed for exploratory demolition of drywall, roofing and flooring. *No extensive demolition was authorized at that time. Exploratory demolition is restricted to small areas, and is only to assess conditions. Thus the damage to the "integrity" of the structure was not authorized.*

6-4-09 Code enforcement for unpermitted construction. *At this time much illegal interior demolition occurred.*

7-22-09 Application by owner First Newport Properties to remodel the interior of the dwelling, replace and/or relocate some windows, repair decks.

10-19-09 Heritage Committee reviewed plans and a Historic Resource Assessment prepared by Galvin Preservation Associates (GPA). *This report showed compliance with Secretary of Interior Standards for Historic Preservation to complete the remodel. Heritage Committee recommends approval of the plans for renovation of the existing residence. See attachment.*

3-9-10 Building Permit ready for issuance, but not obtained. *These plans would have implemented the Heritage Committee approval, but the permits were never taken out.*

11-16-10 Citations issued by City Code Enforcement for the substantial demolition of a historic dwelling. *At this time much illegal exterior demolition occurred.*

6-15-11 Real Property report issued by City to buyers advising of 'K' rated historic structure and of illegal construction activity (Major demolition to the interior and exterior of single family dwelling) and of buyer's responsibility to address outstanding code violations.

6-20-11 Heritage Committee considers demolition proposal and reviewed a Historic Resource Assessment Report by GPA. *The new GPA report cited lack of integrity of the structure as reason to allow demolition. John Meehan made the proposal but he had not yet purchased the property. The Heritage Committee urged him to implement the restoration of the house and was not supportive of demolition.*

8-15-11 Heritage Committee considers the proposal to demolish the residence and recommends retention of the existing residence. *By this time Mr. Meehan was property owner.*

The main points of this chronology are:

1. There were two episodes of illegal demolition.
2. After the first illegal demolition episode (6-4-09) the owner at the time complied by preparing plans to remodel and restore the dwelling. A historic report (by GPA) said that the plans comply with the Secretary of Interior's Standards for Historic

Preservation. The report did not document “lack of integrity.” On the contrary it assured the Heritage Committee that the house could be properly restored. (See attached GPA report.) This report documents that the recent allegations of long term (pre-2009) “lack of integrity” are convenient fabrications.

3. After the second episode of illegal demolition—prior to the 11-16-10 code citation, nothing was done to rectify/restore the damage to the building. Then when the new owner, Mr. Meehan wanted to completely demolish it, GPA produced a second report that presented the “lack of integrity” argument.
4. Conclusion: the “lack of integrity” was produced by the illegal demolition activities.

If a wetland were damaged without permits, would the Commission allow the “degraded condition” or “lack of integrity” to justify further damage to the wetlands and approval of development that would not have been approved otherwise?

We have seen the Commission consistently require such wetlands to be restored.

Historical resources are also coastal resources, especially in a city like Laguna Beach whose quaint historic setting enhances visitors’ coastal experience. There are policies in the LCP to protect these historic resources.¹ Illegally inflicted damage should not be used as justification for allowing destruction of those resources.

Architectural historian Alan Hess states, “I strongly advocate the preservation of the historic Stonehenge House. I have visited the site and reviewed its history. In my opinion as an architect and architectural historian, the structure, though partially dismantled, retains sufficient original fabric and form to be restored. Its historical architectural integrity has not been compromised beyond rehabilitation.” (See attached.)

¹Historic Preservation Ordinance Section **25.45.002 Intent and purpose.**

The purpose of this chapter is to promote the public health, safety, and general welfare by providing for the identification, protection, enhancement, perpetuation, and use of improvements, buildings and their settings, structures, objects, monuments, sites, places, and areas within the city that reflect special elements of the city’s architectural, artistic, cultural, engineering, aesthetic, historical, political, social, and other heritage to achieve the following objectives:

- (A) Safeguard the heritage of the city by providing for the protection of historic resources representing significant elements of its history;
- (B) Enhance the visual character of the city by encouraging the preservation of those buildings which make a significant contribution to the older neighborhoods of the city particularly to the designated historic register structures reflecting unique and established architectural traditions;
- (C) Foster public appreciation of and civic pride in the beauty of the city and the accomplishments of its past;
- (D) Strengthen the economy of the city by protecting and enhancing the city’s attractions to residents, tourists and visitors;
- (E) Promote the private and public use of historic resources for the education, prosperity and general welfare of the people;
- (F) Stabilize and improve property values within the city. (Ord. 1458 § 1, 2006: Ord. 1179 § 5 (part), 1989).

Other Factors to be Considered in Substantial Issue Analysis on page 11 of the Staff report also apply:

3. The significance of the coastal resources affected by the decision.
4. The precedential value of the local government's decision for future interpretations of its LCP
5. Whether the appeal raises local issues, or those of regional or statewide significance.

These items have been addressed in our appeal.

3. Significance, Page 4 and Attachment A
4. Precedent setting, Page 5, Item 3.
5. Statewide significance, conclusion, Pages 10 and 11.

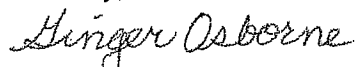
CEQA

Regarding the CEQA issue, our attorney Susan Brandt-Hawley states in her letter of September 13, 2012 (attached)

"While the Commission will not review the City's alleged lack of compliance with CEQA, the City's administrative approval of a categorical exemption is not final if the Commission asserts jurisdiction. (*McCallister v. County of Monterey* (2007) 147 Cal.App. 4th 253, 294-295.) Appellants look forward to this Commission's consideration, under its separate functional equivalent CEQA authority, as to whether feasible alternatives may substantially reduce the environmental impacts of the proposed demolition of Stonehenge. The record supports just such a finding."

Our organizations, South Laguna Civic Association and Village Laguna, are devoted to protecting our community and all of its coastal resources. We view our city as a whole to be a coastal resource because it is the setting and community that offer a special perspective from which to view and experience the coast. Preservation of its historical features is essential to that experience. We hope the Commission will agree there is a substantial issue here that justifies a de novo hearing.

Sincerely,



Ginger Osborne
President, Village Laguna



Bill Rihn
President, South Laguna Civic Association



DATE: August 8, 2011

TO: Heritage Committee

FROM: Nancy Csira, Principal Planner/Heritage Committee Staff Liaison

RE: 31381 Coast Highway

The following is a chronology to help the Committee understand the sequence of events and make recommendations to the Design Review Board for demolition of the structure(s) along with consideration of impact assessment and possible mitigation measures.

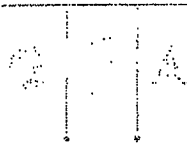
- 4/14/06 Anonymous Service Request / Code Enforcement for property management
- 5/16/06 Exploratory demolition building permit issued for drywall, roofing and hardwood flooring (main structure)
- 9/19/08 Site Meeting for upper level addition occurred with City Planner, Alicia Crump, designer, Hugo Soria and Steve Kawatani. Owner (Donald Castro) did not attend meeting. Historic Resource Assessment Report may be required.
- 6/4/09 Code Enforcement: unpermitted construction – remodel entire house and decks, patio structure rebuild, remodel of cabana and site work.
- 7/22/09 Zoning Plan Check (ZPC) application to remodel interior of single-family dwelling (2,480 square-feet), replace and/or relocate some windows, repair decks
- Michael Tekstra, architect and First Newport Properties, property owner
- 10/19/09 Heritage Committee reviewed plans and a Historic Resource Assessment Report prepared by GPA (attached) showing compliance with the Secretary of Interior Standards to complete the remodel.
- 3/9/10 Building Permit (P09-01101) ready for issuance for remodel but not obtained.
- 11/16/10 Code Enforcement: Demolition of exterior materials of house and garage
- 6/15/11 Real Property Report (attached) prepared informing the buyer of conditions and restrictions applicable to the property.
"K" rated Historic Inventory: Historic Resource Assessment Report may be required for CEQA determination.
Unresolved Problems: Buyer is advised that the subject property remains in active Code Enforcement for illegal construction activity (Major demolition to the interior and exterior of single-family dwelling). Buyer is advised and accepts responsibility to legitimize this construction through the City's permitting, inspection and approval processes, and to contact Code Enforcement and arrange for compliance inspection within 60 days of escrow.
- 6/20/11 Heritage Committee reviewed a Historic Resource Assessment Report prepared by GPA to demolish the existing residence and wanted peer review of the report (Heritage Committee minutes attached).
- 7/1/11 GPA memorandum (attached) in response to Heritage Committee comments at meeting.
- 8/3/11 Ostashay & Associates peer review of Historic Assessment Reports and findings, and Impact Assessment w/Mitigation Recommendations (attached).
- 8/5/11 Response to Ostashay & Associates peer review by new property owner's attorney (attached). New property owner is John Meehan.

Technical Memo for the Compliance of the Secretary of
Interior's Standards for 31381 S. Coast Highway
Laguna Beach, Orange County

Prepared For: David Lewis
First Newport Properties
1280 Bison Avenue, B9
Newport Beach, CA 92660

Prepared By: Galvin Preservation Associates
1611 South Pacific Coast Hwy, Suite 104
Redondo Beach, CA 90277

Galvin Preservation Associates



September 2009

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Project Description

Mr. David Lewis owns the building located at 31381 S. Coast Highway in the City of Laguna Beach, Orange County. The building was constructed in 1929 as a Period Revival style residence. The building is currently vacant and recent renovations have been stopped by the City of Laguna Beach. Since its original construction, the property has been altered several times over the years. The more recent plans have been required to be reviewed by a professional in the field of Historic Preservation to ensure that the proposed project meets the Secretary of Interior's Standards for the Treatment of Historic Properties.

In order to help the owner comply with the Secretary of Interior's Standards for the Treatment of Historic Properties, Galvin Preservation Associates Inc. (GPA) has prepared this Technical Memo to provide recommendations for rehabilitation in accordance with the City of Laguna's historic code. This document shall be used to inform the property owner, the City Planning Department and Heritage Committee as well as the Design Review Board in Laguna Beach of recommendations to restore the building to a historically compatible "Period Revival influenced" design.

Description of Proposed Project:

Following are the proposed project changes to the building at 31381 S. Coast Highway:

East Elevation:

- removal of the electrical box
- removal of the non-original window on first floor; fill in with existing opening with framing, paper lathing to match existing
- removal of the stained glass window on second floor
- removal of the brick veneer; replace with plaster

North Elevation:

- removal of existing brick wall
- removal of two sliding aluminum doors, fill in with existing opening with framing, paper lathing to match existing
- removal of 3 existing aluminum windows and replace with three new design windows
- incorporate skylight on second story rear gable
- removal of the existing stained glass window
- removal of existing aluminum dormer window; replace with wooden window

South Elevation:

- removal of existing aluminum window within dormer; replace with wooden window
- removal of two window entries and replace with one wooden window and sliding glass doors
- re-opening historic windows according to the existing window openings as found on either side of the chimney
- adding an adjacent window to the existing glass window on the rear addition

West Elevation:

- incorporating French doors to open onto the first floor of the rear porch; replacing the non-original door on the second story porch
- adding new light fixtures to the rear porch

Existing Garage and Octagonal Structure:

- incorporate a laundry room inside; this will not change any exterior features

Summary of Previous Studies

The building at 31381 South Coast Highway was previously identified as a "K - Key" single family residence listed in the 1981 Laguna Beach Historic Resources Inventory. According to the City of Laguna Beach's Historic Element, "K - Key"-rated buildings are buildings which *"strongly maintain their original integrity and demonstrate a particular architectural style or time period."* As such, the City of Laguna Beach has discretionary authority over any proposed alterations to the property to take into account any significant impacts that the proposed changes may have on the significance of the resource. In accordance with the California Environmental Quality Act (CEQA), a project may be minimized to a level of less than significant if it meets the Secretary of Interior's Standards for the Treatment of Historic Properties. Therefore, the City of Laguna Beach has asked GPA to provide recommendations to the property to owner to ensure that the project meets the Secretary's Standards.

Property Description: 1981

In 1981, the building located at 31381 S. Coast Highway was designated as significant and listed on the Laguna Beach Historic Resources Inventory. At this time the building was evaluated based on the construction as shown in Figure 1.

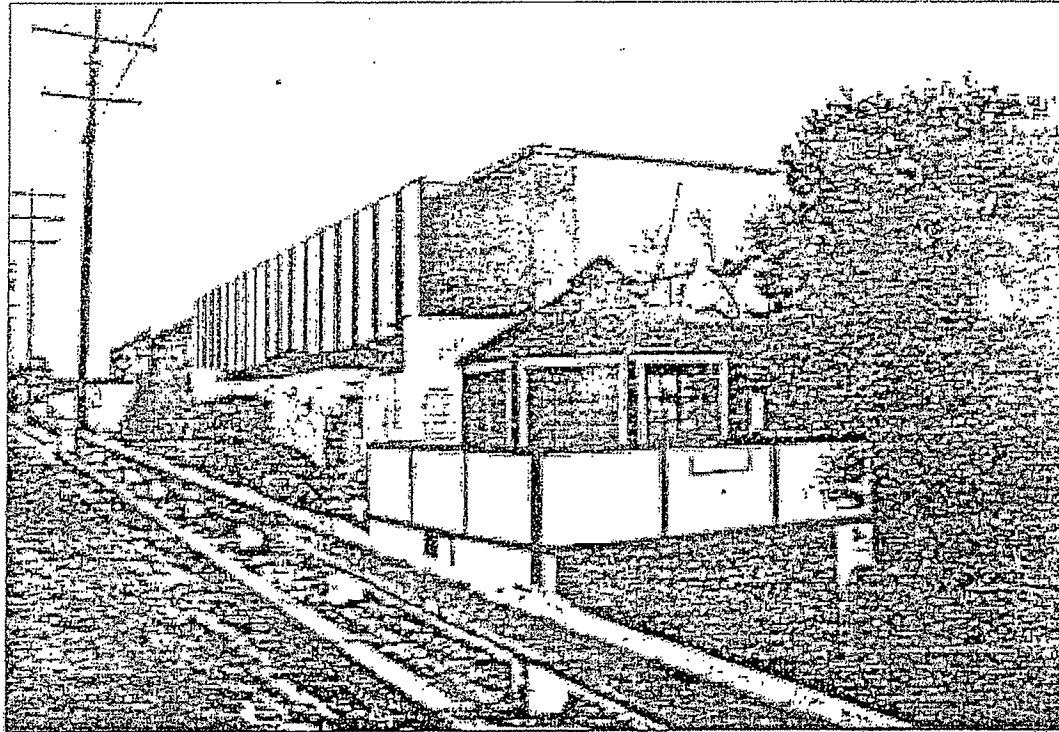


Figure 1. View of the garage from the right of way at 31381 S. Coast Highway. Photo from the 1981 Laguna Beach Historic Resources Inventory

According to the 1981 Laguna Beach Historic Resources Inventory, the building located at 31381 S. Coast Highway was evaluated as a *"Period Revival influenced house. It is rectangular house with stucco sides and half timbering. The garage (pictured here) is square with a eight-sided room on top of it which has a eight-sided shingle roof. A small cupola is on top of this structure."* Unfortunately, no photographs could be found of the main residence and no historic photographs could be obtained for this residence. Therefore the recommendations of this report are based on proposed alterations that would be compatible with is historic design and fabric and not for actual restoration of the property.

Past Alterations

According to the City of Laguna Beach building records as obtained from the Building Department, the building at 31381 S. Coast Highway was constructed in 1929 as a "Period Revival influenced house" on the west side of South Coast Highway. The following permits for alterations were performed the following years:

- A permit was filed in 1977 by the homeowner, Bernice Lanham, to convert the existing attic to a bedroom and bath within single-family dwelling to include a library.

- A permit was filed in 1992 by the homeowner, Cedic Castro, for removal of the existing roof shingles.
- A permit was filed in 2006 by the homeowner, Donald Castro, to demolish drywall, roofing, and hardwood flooring on the main structure.

No original building permit was found at the City of Laguna Beach's Planning Department. According to these building permits, the original building was a residence; and based on the construction date and the design of the building, it was likely a residence with Colonial Revival style influences. No other building permits were found for any other alterations on the building.

Property Description: 2009

The residence located at 31381 South Coast Highway is a two-story, single-family residence constructed in 1929 as a single family residence (see Figures 2-7). The building faces east, perpendicular to South Coast Highway. It is located on South Coast Highway, surrounded primarily by homes and a few commercial buildings that border South Coast Highway to the east. These buildings were built primarily between the 1910s and 1940s.



Figure 2: View looking northwest at the east elevation of 31381 S. Coast Highway (GPA, 2009)

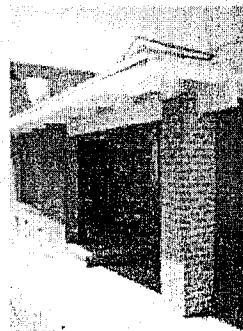


Figure 3: View looking west at the front porch of 31381 S. Coast Highway. (GPA, 2009)



Figure 4: View looking west at the commercial storefront of 31381 S. Coast Highway (GPA, 2009)



Figure 5: View looking east at an oblique of the south elevation of 31381 S. Coast Highway (GPA, 2009)

This building has a near rectangular floor plan and the east-facing façade is not visible from the street. The building has a one and one-half story with a front gable roof. The primary siding is stucco with a faux half timbering design. A brick veneer covers parts of the exterior walls on the north, east and south elevations. Remnants of the wood shingle siding on the dormers still remain. There is also a partial-width partially enclosed porch located on the south and east elevation corner. The porch roof is shed and a single brick column supports the roof. A brick chimney is located on the south elevation.

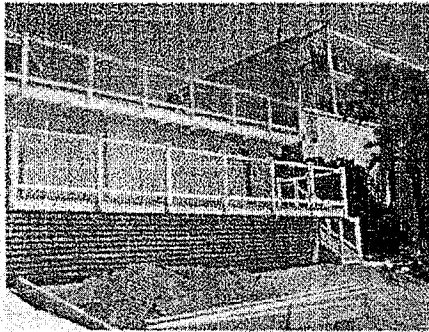


Figure 6: View looking east at the west elevation on the rear of 31381 S. Coast Highway (GPA, 2009)

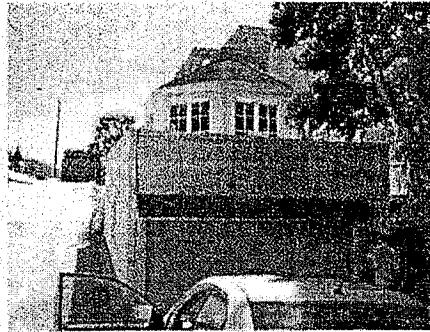


Figure 7: View looking south at the garage located east on the property at 31381 S. Coast Highway. (GPA, 2009)

Most of the windows of the building have been replaced or covered over. The windows that remain are two stained glass hopper windows underneath the front and north elevation gables. Other windows are aluminum sliders. An additional feature of this property is the original two-car garage with the octagonal one-room structure on top. This room has original flushed horizontal wood siding and some original wooden casement windows with multiple lights. Modifications to the building include non-original siding, the replacement of windows with sliding doors on the north elevation, the non-original porch as well as the large rear addition that includes a two-tiered deck overlooking the Pacific Ocean.

Assessment of Impacts

In the Laguna Beach Historic Element, buildings listed in the Laguna Beach Historic Resources Inventory have been designated with a rating of "K - Key, E - Excellent, or C- Contributive." In 1981, the building at 31381 South Coast Highway was designated with a rating of "K - Key." Buildings with this rating are buildings that "strongly maintain their original integrity and demonstrate a particular architectural style or time period." One of the criteria that this building met in 1981 was its historic integrity. The National Register of Historic Places defines integrity as having seven aspects: location, design, setting,

materials, workmanship, feeling and association. The integrity of the building in 1981 was good.

Today the building has undergone several alterations since its original condition. Some of the main character-defining features of this building are its windows and siding. The octagonal structure located on the two-car garage has its original flushed horizontal wood siding. Based on the remnants of siding left on the residence, it likely had horizontal wood siding before it was covered in stucco, faux half-timbering, and brick veneer. Most of the windows have been replaced with aluminum sliders or covered over. The original window openings can be seen inside the building along the framing system. Other material changes include the brickwork done to the porch as well as the brick wall that surrounds the entrance to the property. Also, a large rear addition has been constructed in the recent past. There is a small "guest house" located on the west section of the property as well as a non-original free-standing wooden pergola that is equipped with shower capabilities.

This building is an example of the early permanent residential houses in Laguna Beach. This was a time when Laguna Beach had recently been incorporated (1927) and was establishing itself as a beach town with permanent residents. At the time this building was surveyed, its design and materials best represented this time period in Laguna Beach history as well as the character of the neighborhood. With the materials altered in a non-compatible manner, the building has the potential to lose its historic integrity and its historic significance.

Therefore, the city shall review the proposed project plans to determine if any proposed alterations to the building would cause a substantial adverse change on the significance of the resource. According to CEQA, *a substantial adverse change in the significance of an historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired. The significance of an historical resource is materially impaired when a project demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to section 5020.1 (k) of the Public Resources Code or its identification in an historical resources survey meeting the requirements of section 5024.1 (g) of the Public Resources Code, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant.*

However, one method to avoid causing a substantial adverse change on the resource and mitigate any impacts to a level of less than significant would be to design the alterations to the building in a manner that is consistent with the Secretary of Interior's Standards for the Treatment of Historic Properties with Guidelines for Rehabilitation. As stated in the CEQA Guidelines (Title 14, Chapter 3): *Generally, a project that follows the Secretary of Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating,*

Restoring, and Reconstructing Historic Buildings (1995), Weeks and Grimmer, shall be considered as mitigated to a level less than a significant impact on the historical resource. Therefore, this report provides recommendations for the compliance of these standards in the following section.

Recommendations

The current property owner has chosen to rehabilitate the building located at 31381 S. Coast Highway and has requested guidance on how to design the proposed changes in a manner that is consistent with the Secretary of Interior's Standards for Rehabilitation. In order to do this, *latitude is given in the Standards for Rehabilitation and Guidelines for Rehabilitation to replace extensively deteriorated, damaged, or missing features using either traditional or substitute materials. Of the four treatments, only Rehabilitation includes an opportunity to make possible an efficient contemporary use through alterations and additions.*

Note: After thorough investigation of this building, it appears that based on the form, roof shape and pitch, the evidence of siding found on the dormers as well as the Batchelder tiles found on the original fireplace, that this building was likely originally a Craftsman beach style residence, and not a "Period Revival influenced" house as noted in the 1981 Historic Inventory. Because there are no historic photographs of this property, GPA's recommendations are based on the building "scars" and roof pitch and overall shape.

After thorough examination of the current architectural plans for the proposed renovations to this property, GPA recommends the following treatments.

1. *A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.*

In order to meet Standard 1, the property located at 31381 S. Coast Highway shall continue to be used as a residence. No alterations shall be made to change its distinctive materials, features, spaces and spatial relationships. The distinctive materials include the horizontal wood siding, wood multi-light windows. The distinctive exterior features that characterize the property include the moderately pitched gable roof with wide open overhanging eaves, the massing and form of the building, the octagonal structure on top of the garage, the multi-light windows, and the stained glass windows. The distinctive spatial relationships that shall be retained include the residence's orientation to the beach and the highway as well as the primary building's relationship to the garage.

2. *The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.*

In order to meet Standard 2, character-defining features of this residence and garage shall not be removed. The original windows and siding on the octagonal structure on the garage must not be removed, if possible. If they are deteriorating, and there is no way to feasibly repair the windows, they must be replaced in kind. The original window on the front gable of the east elevation of the residence must also remain. Other original features such as the wood shingle siding on the dormers must not be removed but can be repaired to save as much material as possible and then replaced in kind where the severity of deterioration prohibits rehabilitation.

3. *Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties will not be undertaken.*

In order to meet Standard 3, the property owner shall not salvage and reuse historical artifacts or materials from other buildings that might create a false sense of history. However, materials and features that were added to the building that do not contribute to the significance of the historical property may be removed. Materials and features that do not contribute to the significance of the building that can be removed include the bubble skylights, the brick veneer, the porch addition and the non-original doors and windows.

4. *Changes to a property that have acquired historic significance in their own right will be retained and preserved.*

This property has undergone several changes in the past. In order to meet Standard 4, the only changes that may be made to the other alterations to the building, include the brick veneer and entry porch, the one story addition, the addition of the porch on the rear of the property and the change in fenestration (closing of the original window openings and addition of new larger window openings). These features may be removed or altered; however, any related new construction must also comply with Standards number 9 and 10 (below).

5. *Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize the restoration period will be preserved.*

In order to meet Standard 5, the new project must consider the following recommendations for the following features:

- **A. Windows:** Several of the windows have been either replaced or covered. It is recommended that the property owner restore the original window openings as can be seen from the interior of the house. This would include removing the existing non-original sliding doors on the north elevation and replacing them with new windows wood cased windows. The new windows should be multi-light wooden casement windows with individual lights (vinyl windows with sandwich muntins are not compatible with the historic character and features of this building). Larger windows should be replaced with large fixed windows with two flanking narrow double hung wood sash windows with lamb's tongues and top multi-lights. The window on the south elevation may have one flanking casement or double hung wood sash window because of how it is situated and incorporated into the new design. The removal of the existing skylights is recommended and any incorporation of new skylights is not recommended because they were not there historically. According to the Standards, it is stated that, *identifying, retaining and preserving windows- and their functional and decorative features- are important in defining the overall historic character of the building. Such features can include frames, sash, muntins, glazing, sills, heads, hoodmolds, paneled or decorated jambs and moldings, and interior and exterior shutters and blinds. The replacement of windows may be an accurate restoration using historical, pictorial, and physical documentation; or be a new design that is compatible with the window openings and the historic character of the building.* Therefore, any new windows should be wood cased and similar in design to the existing multi-light windows on the octagonal structure over the garage.
- **B. Siding:** The stucco and faux half timbering siding with the brick veneer do not appear to be original to the building, but were present in 1981 when the building was determined historically significant. This siding was likely added to the building at a later date and therefore GPA recommends replacing the siding with material more appropriate to a Craftsman-style building such as wood siding. The octagonal structure above the garage has flushed horizontal wood siding which appears to be original to the building. There is also brick on the east, north and south elevations that is not original to the building and does not contribute to the historic integrity or significance of the building. Therefore, GPA recommends that the horizontal wood siding be retained and preserved in place and repaired, where necessary. The brick veneer may be removed. However, the brick water table on the south elevation appears to be original along with the chimney. GPA recommends repairing and replacing this original brick water table where possible. Any new construction can use either horizontal wood siding depending on the appropriateness and compatibility of the location and treatment. There is evidence of wood shingles on the dormers and GPA recommends keeping this siding; repairing the original material and replacing in kind material that has been lost.

- **C. Doors:** The doors on the existing plan appear to be sliding glass (on the south elevation) and full-plated glass doors (on the west elevation). In keeping with the historic character of the building, GPA recommends wooden doors with multi-lights for these openings.
 - **D. Front porch:** The front porch has been significantly altered from its original condition in that it was likely wood and now it is covered in brick. Since no historic photos could be found of the original porch to accurately reproduce this section, the second acceptable option is a compatible new design. According to the Standards, *identifying, retaining and preserving entrances and porches- and their functional and decorative features are important in defining the overall historic character of the building such as doors, fanlights, sidelights, pilaster, entablatures, columns, balustrades, and stairs. It may be a restoration based on historical, pictorial, and physical documentation; or be a new design that is compatible with the historic character of the building.* Therefore, GPA recommends that the new construction be compatible in size and scale to the existing entrance and utilize similar materials and features as the historic features of the house. However, it is important that the new construction is slightly differentiated from the old so that a false historic appearance is not created. This can be accomplished by using materials that are similar but slightly different from the existing while maintaining the overall design of the residence.
 - **E. Building Site:** The Standards recommend *removing non-significant buildings, additions, or site features which detract from the historic character of the site.* This includes the white pergola, as well as the brick veneer wall surrounding the front entrance area. *It also does NOT recommend introducing new construction onto the building site which is visually incompatible in terms of size, scale, design, materials, color, and texture; which destroys historic relationships on the site; or which damages or destroys important landscape features. It also does not recommend introducing a new building or site feature that is out of scale or of an otherwise inappropriate design. Also, a new landscape feature, including plan material that is visually incompatible with the site or that alters or destroys the historic site patterns or vistas should be avoided.*
6. *Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.*

In order to comply with Standard 6, the remaining materials available must be preserved. This includes the wood shingles on the dormers, the siding to the octagonal structure above the garage, as well as the original wooden windows on this structure. Other original materials include any wood siding and exposed overhangs underneath the eaves of the roof. These should be repaired rather than replaced. Where the windows are missing and shall be

replaced, these windows shall be reintroduced in the original openings in accordance with the recommendations in number 5 above.

7. *Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.*

According to the current plans, there do not appear to be any proposed cleaning methods which would require the removal of historic materials.

8. *Archaeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.*

There are no archaeological resources that will be affected by this project; therefore nothing will need to be done to meet Standard 8.

9. *New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.*

The rear addition is new construction and therefore does not contribute to the significance of the historic building. However, any proposed alterations to this portion of the building shall be constructed in a manner that is consistent with the overall design, scale, size, materials, feeling and historic character of the historic building. In order to meet this Standard, the property owner shall consider the following recommendations for the rear addition:

- **A. Rear Addition:** Visual inspection reveals that this rear addition is not original. This area of the building may have been a later addition as a rear porch but no historic photographs are available to verify this. Therefore, accurate replacement of this feature cannot be completed. The second option given by the Secretary of Interior's Standards is to include a new design that is compatible with the rest of the building. Since this rear addition adds two rooms which spatially are needed and cannot be incorporated into the existing original floor plan, this addition must take into account the size, scale and material of the historic building itself and most importantly, should be clearly differentiated so that a false historic appearance is not created. This includes the doors that are on the rear elevation. These doors must be in keeping with the historic character of the building. Therefore GPA recommends wooden doors with multi-lights instead of the full-glass plated doors on the current proposed plans. According to the Standards, *new window openings on additions may also be cut into exposed party walls. Such designs should be compatible with the overall design of the building, but not duplicate the fenestration*

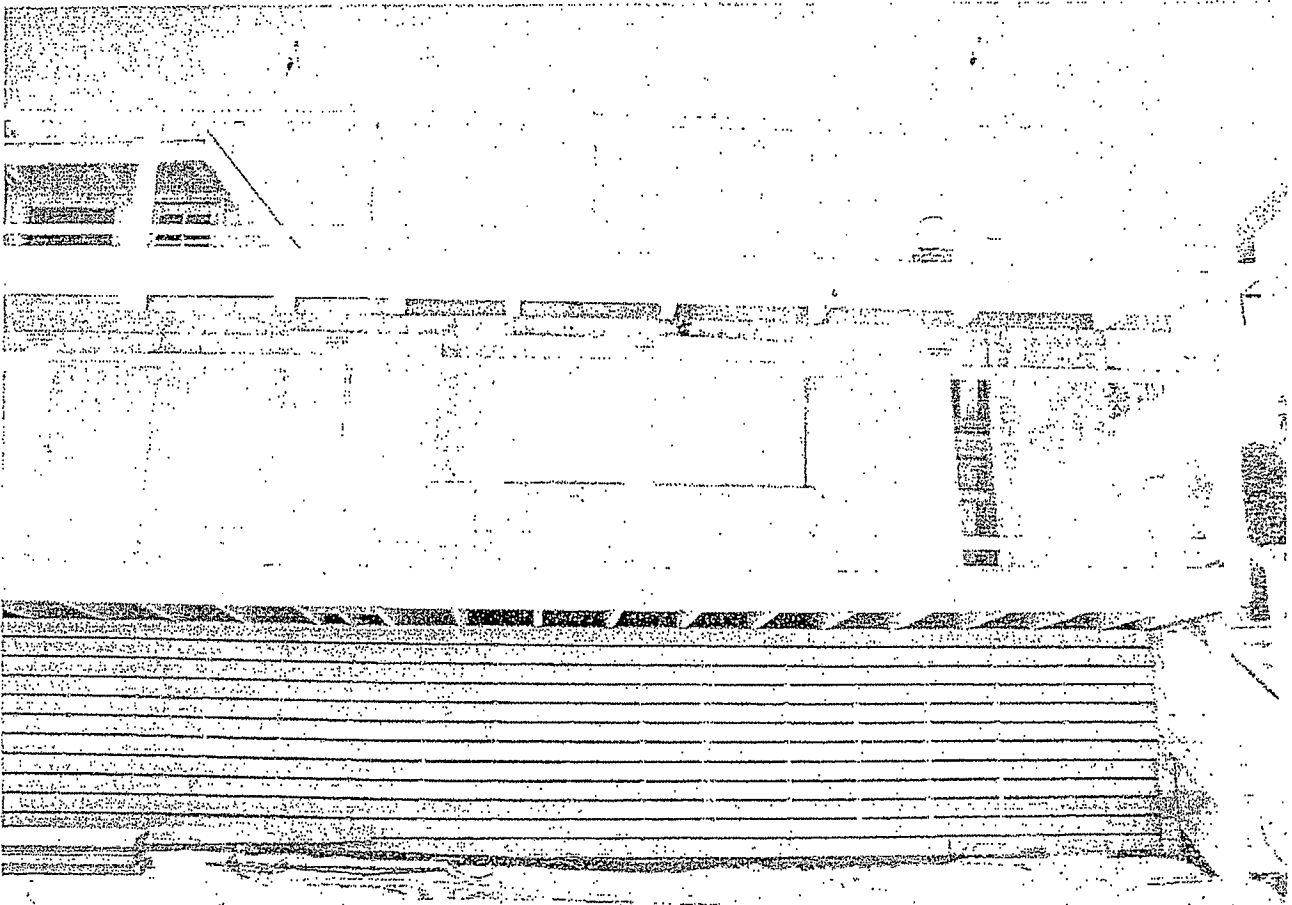
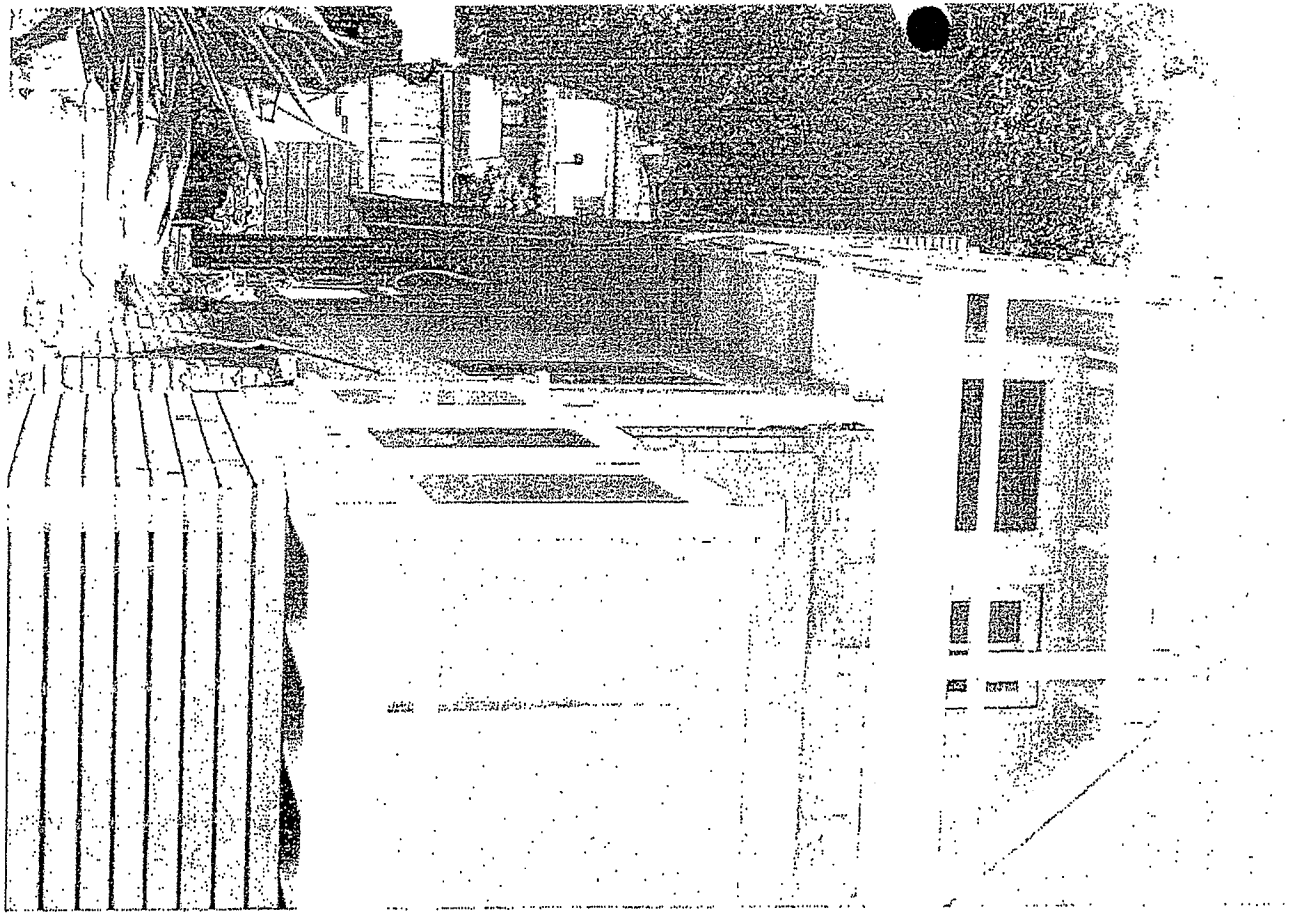
pattern and detailing of the character-defining elevation. The Secretary of Interior's Standards recommends considering the design for an attached exterior addition in terms of its relationship to the historic building as well as the historic district or neighborhood. Design for the new work may be contemporary or may reference design motifs from the historic building. In either case, it should always be clearly differentiated from the historic building and be compatible in terms of mass, materials, relationship of solids to voids and color. The Standards also recommend that when designing a rooftop addition when required for the new use that it is set back from the wall plane and is as inconspicuous as possible when viewed from the street.

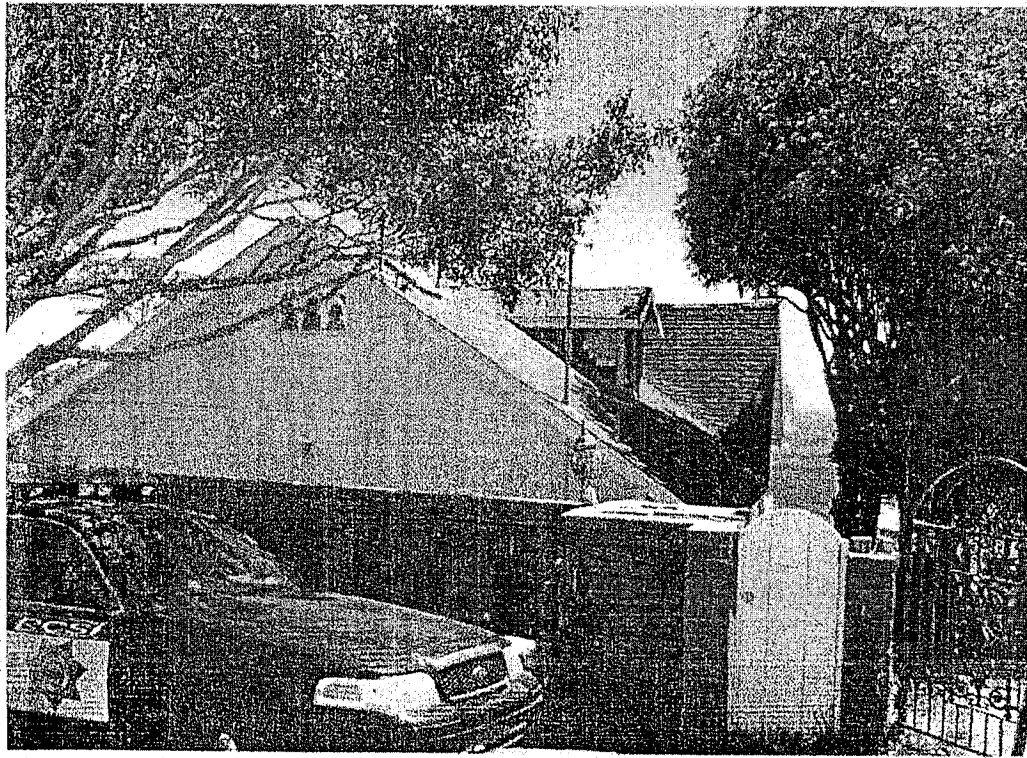
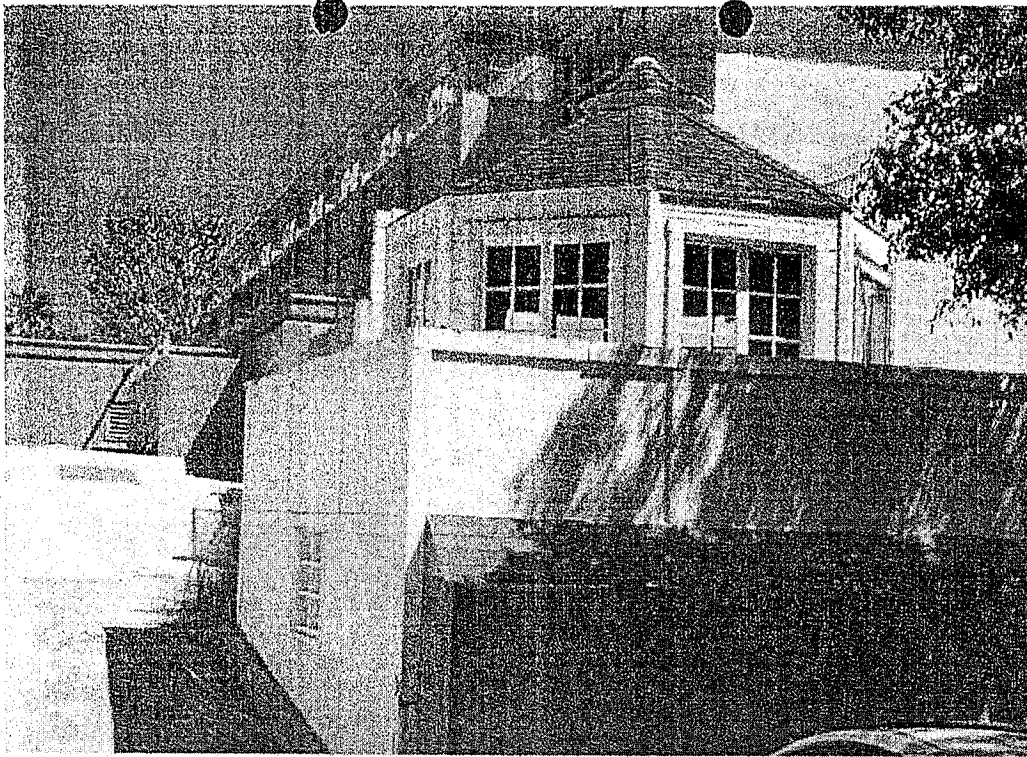
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

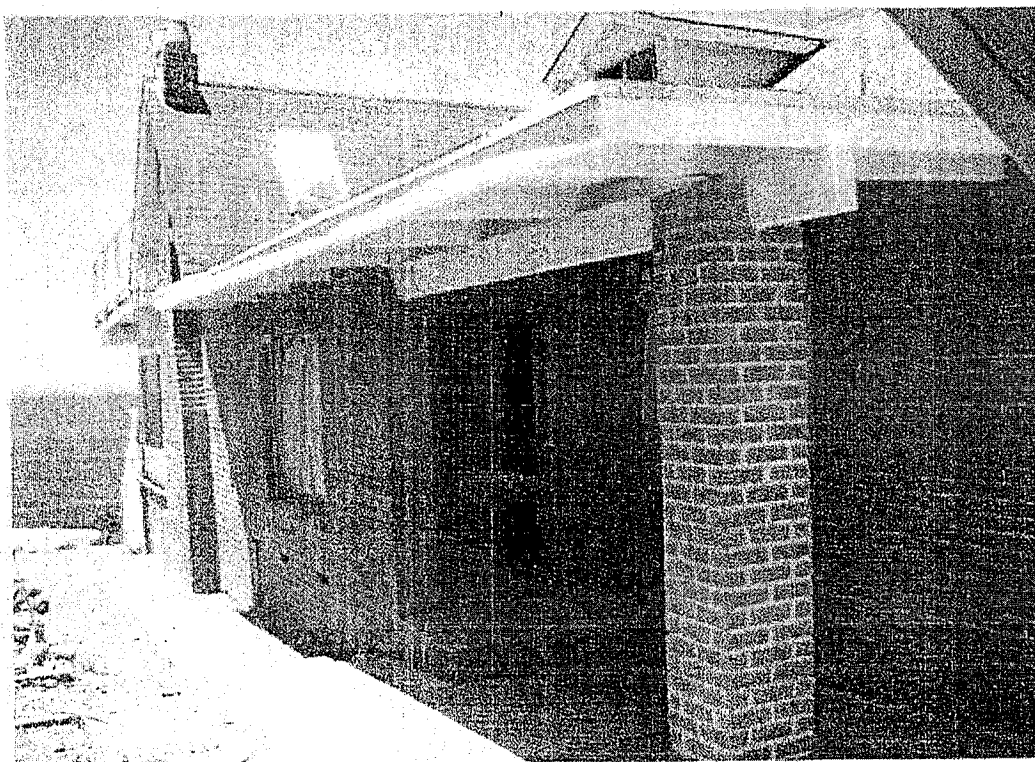
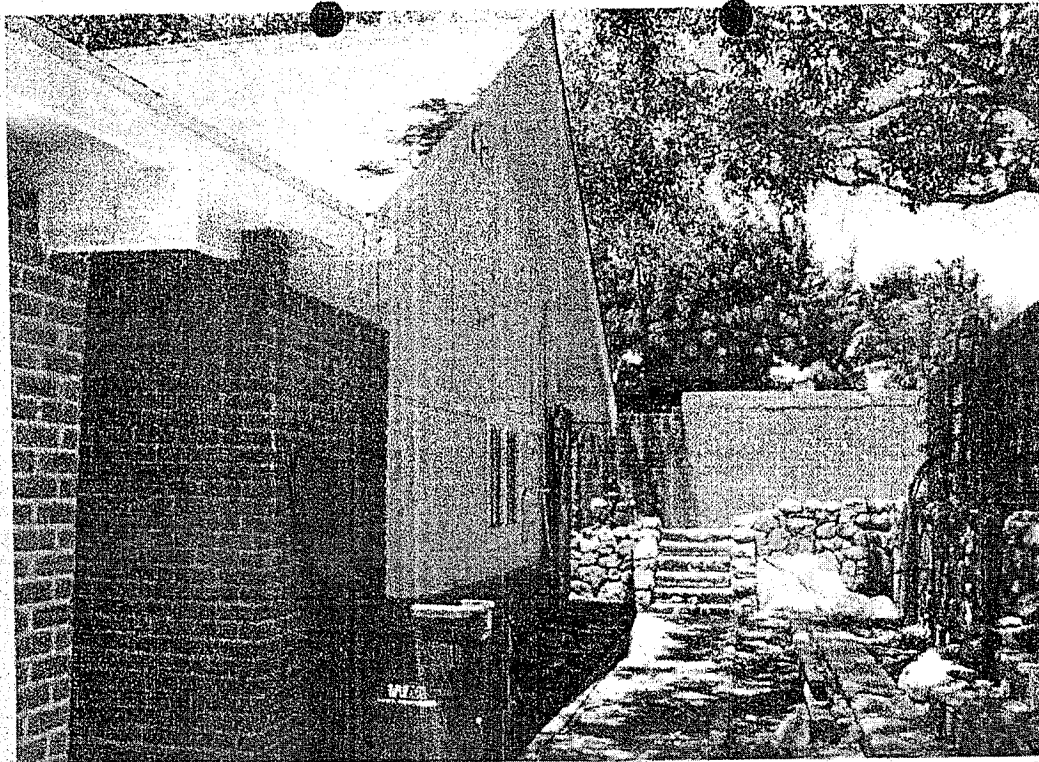
The rear addition is essentially enclosing what may have been a porch. This addition, if removed in the future would not impair the historic property and its environment. There are no plans to add to this addition, and it is not recommended to enlarge it.

Conclusion

GPA prepared this Technical Memo for the Compliance of the Secretary of Interior's Standards for the Treatment of Historic Properties under contract of the property owner and on behalf of the City of Laguna Beach to assess the building at 31381 S. Coast Highway's current condition and the impacts of this condition on its historic significance with consideration for the current plans for the proposed new project. In addition to this, the one photograph that documented its original condition in 1981, during the Laguna Beach Historic Resources Inventory was found and described. GPA recommends that the existing condition and alterations to the building have caused "substantial adverse changes" on the building's significance according to the CEQA Guidelines (Title 14, Chapter 3). However, GPA has provided recommendations to minimize the impacts to this building to a level of "less than significant" by incorporating new designs and alterations that are consistent with the Secretary of Interior's Standards for the Treatment of Historic Properties with Guidelines for Rehabilitation.







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February 28, 2012

Laguna Beach City Council
505 Forest Avenue
Laguna Beach, CA 92651

Re: 31381 Pacific Coast Highway (Stonehenge/Guy Skidmore House)

To the City Council:

I strongly advocate the preservation of the historic Stonehenge House. I have visited the site and reviewed its history. In my opinion as an architect and architectural historian, the structure, though partially dismantled, retains sufficient original fabric and form to be restored. Its historical architectural integrity has not been compromised beyond rehabilitation.

The importance of preserving Stonehenge goes beyond this one structure's significance as a historical resource, however. It is also a significant historical resource because it is an integral and representative part of the Skidmore brothers' vision to establish a high quality character for Laguna Beach.

Demolishing Stonehenge would materially diminish that larger vision. It is a vision which relates directly to the identity of Laguna Beach that we enjoy and appreciate today: a unified (not piecemeal or disjointed) urban design for neighborhoods, a simplicity of form to contrast with the magnificent mountains and ocean, and a respect for and integration with nature.

For the city's purpose, Stonehenge cannot be considered as just one isolated structure. It contributes to an existing (though unfortunately diminishing) historic district of early Laguna Beach homes in the Coast Royal neighborhood established by the Skidmores in the 1920s. This district's qualities are distinctive to Laguna Beach, and contribute to its current character. These qualities embodied in houses such as Stonehenge can be considered civic assets, as they create a valuable civic identity. To decimate this asset is to alter the city's value unnecessarily.

Stonehenge, the Joe Skidmore house (31302 Camel Point), the Ilsley house (31351 Coast Hwy.), and other historic houses in the immediate area form a set of buildings that define the appealing character of South Laguna. The low cottage-like form, the sloping gable roof, the local San Onofre Breccia stone walls, steps, and paths throughout this district (and on the Stonehenge site) are intentional architectural and aesthetic features that unify the entire district, not just one house. As an architect, it is clear to me that though the house may have

lost some of its original fabric, it can be brought back to its original character through rehabilitation. The house is not so far altered as to compromise these features.

Architecturally, the house appears to be more than a simple beach cottage; this reflects the level of quality as conceived by the Skidmore brothers. While the simplicity of the overall double-gabled roof fits with the simplicity of a beach cottage, certain elements suggest a more sophisticated house for the time and place. For example, the half timbering which appears to be part of the original exterior gives the house a specific historical style (Tudor) to distinguish it from a plain beach cottage.

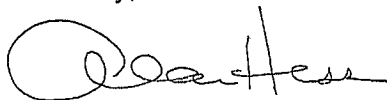
The value of rehabilitating Stonehenge lies in maintaining the character of the South Laguna neighborhood -- an effort that benefits the neighborhood, the city, and the property owner. Any meaningful evaluation of Stonehenge House must take this larger picture into account; it was part of the concept for the area historically, and it raises the level of public quality in the district today.

My own work and research as a historian focuses on the architecture of twentieth century California. I am a licensed architect, and have published eighteen books on architectural history, most focused on California and the West in the twentieth century. I have written on architecture for the *Los Angeles Times*. I am the architecture critic for the *San Jose Mercury News*, where I often write about the need for the kind of unifying urban design seen on the neighborhood scale in Coast Royal. My resume is attached.

Coast Royal's unifying civic and planning elements are no surprise; the Skidmore Development Company was involved in many civic improvements for infrastructure, services, and public amenities. Today it is essential for our generation to maintain the high quality of comprehensive civic design and planning instituted by pioneers such as the Skidmores by preserving the remaining pieces of their efforts. Rehabilitating the significant historical resource of Stonehenge House is one important way to do this. Allowing the house's demolition would damage that vision.

The issue here goes far beyond one single house. The idea of preserving Stonehenge and its character ties into the character of South Laguna, and Laguna Beach in general. The illegal demolition suffered by the house does not irrevocably compromise its historical integrity. It can be brought back to play its role in the character of Laguna Beach. I urge you to take all necessary steps to preserve this significant historical resource and the high quality of neighborhood design and character it embodies.

Sincerely,

A handwritten signature in dark ink, appearing to read "Alan Hess", written in a cursive style.

Alan Hess

RESUME OF ALAN HESS, ARCHITECT

4991 Corkwood Lane, Irvine, CA 92612 949/551 5343 alan@alanhess.net

WORK	1981- 1986-	Alan Hess, Architect Architecture critic, San Jose Mercury-News
EDUCATION	1975-78 1970-74	M.Arch. I, School of Architecture and Urban Planning, University of California, Los Angeles B.A., Principia College, Elmhurst, IL
DESIGN		Jamm's Coffee Shop, Petersen Automotive Museum, Los Angeles County Museum of Natural History; principal contributor to interpretive exhibits Gordon Onslow-Ford guesthouse, Marin County, CA
TEACHING	1989-91 1986-90	Instructor, University of California, Los Angeles Lecturer, Southern California Institute of Architecture
PRESERVATION		Design Guidelines, Heatherstone Community, Mountain View, CA Honor Award 1997, National Trust for Historic Preservation; President's Award, California Preservation Foundation Qualified for National Register of Historic Places: Bullock's Pasadena (Wurdeman and Becket 1947), Pasadena CA McDonald's Drive-In (Stanley C. Meston 1953), Downey, CA Valley Ho Hotel (Edward Varney, 1957), Scottsdale, AZ Stuart Pharmaceutical Factory (Edward Durell Stone 1958), Pasadena, CA Expert testimony on behalf of landmark designations for Century Plaza Hotel, Los Angeles (Minoru Yamasaki, 1966); Bob's Big Boy, Burbank (Wayne McAllister, 1949); Wichstand, Los Angeles (Armet and Davis, 1957), Columbia Savings, Los Angeles (1964), Stanford Hospital (Edward Durell Stone, 1959), National Theater, Westwood (1969) and other mid-century modern structures
FELLOWSHIPS		Fellow, National Arts Journalism Program, School of Journalism, Columbia University, 1997-98
GRANTS		Graham Foundation for Advanced Studies in the Fine Arts, research on Brazilian landscape architect Roberto Burle Marx, 1990
LICENSE		Licensed architect, California # C 15747

SELECTED PUBLICATIONS

BOOKS:

Casa Modernista: A History of the Brazil Modern House Rizzoli International, New York 2010

Oscar Niemeyer Buildings Rizzoli International, New York 2009

Frank Lloyd Wright: The Buildings Rizzoli International, New York 2008

Julius Shulman: Palm Springs Rizzoli International, New York 2008

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Frank Lloyd Wright: Mid-Century Modern, Rizzoli International, New York 2007

Organic Architecture: The Other Modernism Gibbs Smith Publisher, Layton, UT 2007

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"San Jose: A Downtown in the Making," **Places**, vol. 15, no. 2

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 "City Center to Regional Mall," **Journal of Preservation Technology**, vol XXVII, no 4, 1997
 "New York, New York," **Architectural Record**, March 1997
 "John Lautner" **Progressive Architecture**, December 1994
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 "Technology Exposed," **Landscape Architecture**, May 1992, pp 38-48
 "Burle Marx: A Shaky Legacy," **Landscape Architecture**, April 1992 p 38
 "Back to Brasilia," **Progressive Architecture**, October 1991 pp 96-97
 "Greenwald house," **Los Angeles Times Magazine**, October 27, 1991, p 31
 "Of Cities and Their Halls," **San Francisco Examiner**, Aug. 7, 1991
 "*American Style* and *Fifties Style*: reviews," **Design Book Review**, Winter 1989
 "Schindler and Goff: Architectures," **L.A. Style**, March 1989
 "Monsanto House of the Future," **Fine Homebuilding**, August/September 1986, No. 34
 "The Eichler Homes," **Arts + Architecture**, Vol. 3, No. 3, 1984

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LECTURES:

Getty Research Institute; Kansas City Modern; Dallas Modern; Arizona Preservation Conference Keynote; Nevada Museum of Art Symposium; Society of Architectural Historians Tour; Commonwealth Club of San Francisco; Society for Commercial Archeology Conference Keynote; Los Angeles Conservancy Welton Becket Centennial Keynote; Columbia University School of Architecture; Houston Modern; Phoenix Modern; Walker Art Museum; Chicago Humanities Festival; Cooper-Hewitt Museum of Design; Yale University School of Architecture; Graham Foundation for Advanced Studies in the Fine Arts; Greenwich (England) National Maritime Museum; Cliff May Lecture, Los Angeles Conservancy; Vancouver (B.C.) Alcan Lecture Series; Architecture League; International Association of Shopping Center Owners; National Real Estate Editors Association; Colby College Southworth Lecture; Monterey Design Conference; University of British Columbia; National Trust for Historic Preservation Conference; AIA 2005 National Convention, Las Vegas; Hammer Museum Symposium; San Francisco AIA; California Preservation Foundation; Schusev State Museum of Architecture, Moscow.

BROADCAST MEDIA AND FILMS:

"A Kick in the Head—The Lure of Las Vegas," BBC-TV January 2010
 "William Krisel, Architect," DesignOnScreen, 2010
 "Journeyman Architect: The Architecture of Donald Wexler," DesignOnScreen 2009
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 Which Way LA, KCRW-FM, July 7, 2008
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 The Late Show, BBC-TV January 16, 1995
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Thomas Hines, **Architecture of the Sun**, 2010
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"In Los Angeles, a '50s Flameout," **New York Times**, September 7, 1995
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"Would Las Vegas Landmark Be an Oxymoron?" **New York Times**, Oct. 7, 1993
"Restaurant Architecture," **Journal of the Society of Architectural Historians**, XLVIII:2, June 1989
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"Googie: *Fifties Coffee Shop Architecture*, a review," **Architectural Record**, May 1986
"Who Says It's Not a Landmark?" **Historic Preservation**, November/December 1987
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"Now let's hear it for Googie style," **Vancouver Sun**, February 5, 1987
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"Architecture To Go," David Dillon, **Dallas News**, June 22, 1986
"Googie: *Fifties Coffee Shop Architecture*," **Art and Design**, London, June 1986

Feb 2012

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September 14, 2012

John Del Arroz, Coastal Program Analyst
California Coastal Commission
via email jdelarroz@coastal.ca.gov

Subject: Appeal # A-5-LGB-12-091 (Meehan)
31831 Coast Highway, Laguna Beach

Dear Mr. Del Arroz:

On behalf of appellants Village Laguna and the South Laguna Civic Association, I am writing to respond to the comments of Sherman Stacey.

Summary. Stonehenge is on the City's Historic Inventory. Two episodes of illegal alteration in 2009 and 2010 do not justify demolition. Applicant John Meehan purchased Stonehenge knowing about the unlawful alterations and became responsible for their correction. The proposed demolition of Stonehenge is inconsistent with LCP policies and violates the California Environmental Quality Act. Feasible non-demolition alternatives could substantially lessen significant environmental impacts.

A substantial issue is presented for the Commission. Project applicants cannot fairly take advantage of the known LCP violations of a prior owner.

A. Issues Raised on Appeal

1. Historicity

The historic status of Stonehenge in the context of the Coast Royal development and its historic beach and access dedications is relevant to

establish its protection under the historic preservation provisions of the LCP, the Laguna Beach Land Use Element, and the Zoning Code.

Mr. Stacey vaguely questions the provenance of the house, but fails to provide evidence of an alternative scenario.

The City-adopted 1981 Historic Inventory unequivocally states that "[t]he house was built by Guy Skidmore as one of the first unusual homes in the Skidmore Brothers development of Coast Royal. It is named Stonehenge."

Appellants provided voter registration records and newspaper articles verifying that Stonehenge both belonged to and was lived in by Guy Skidmore. City Councilmember Elizabeth Pearson supported the demolition but noted at public hearing that she believed "Guy Skidmore lived in the house..."

Mr. Stacey suggests selfish motives for the Skidmores' dedication of the Coast Royal beaches to the public. His theory is unsupported. Had the Skidmores wished to make beaches and accessways private they could have done so. Other developers in South Laguna in the 1920s and 1930s touted their private beaches. Three Arch Bay, Three Arches Tract 849, and Lagunita all had private beaches accessible only to their residents on the beachfront and the inland side of the highway. Even after the depression, when the Skidmores lost most of their interest in Coast Royal, they defended the public right to use the beaches and accessways against the new tract manager who tried to prevent public access. The issue was taken to the Orange County Board of Supervisors and the beaches, park, and accessways remained public. (See attached newspaper articles.)

The Skidmores' exceptional commitment to the public interest makes them more than historical developers of the Coast Royal tract. Their pioneering beach, park, and access dedications make them important historical figures "representing significant elements of (Laguna Beach's) history." (Sec. 25.45.002)

2. Inconsistency with the LCP

Mr. Stacey contends that the City lacked authority to deny demolition once it found that Stonehenge did not qualify as a historical structure. This is untrue. Laguna Beach Code section 25.07.012 section (G), encompassed in the

LCP, allows approval of a CDP only for projects conforming to applicable provisions of the General Plan and LCP and to the public access policies of Chapter 3 of the Coastal Act and that "will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act."

Appellants contend that the CDP as approved by the City Council is inconsistent with the LCP, the Coastal Act, and CEQA. There is substantial evidence both that Stonehenge qualifies as a historic resource whose demolition would result in adverse environmental impacts AND that there are viable alternatives to demolition.

It is untrue that "architectural integrity was lost decades ago." Damage to Stonehenge occurred unlawfully in the last few years in violation of the LCP. Eminent architectural historian Alan Hess provided his professional "opinion as an architect and architectural historian [that] the structure, though partially dismantled, retains sufficient original fabric and form to be restored. Its historical architectural integrity has not been compromised beyond rehabilitation."

The City relies on the recent opinion of historian Andrea Galvin. Ms Galvin previously evaluated the house in 2009 for an owner who wanted to refurbish it. Ms. Galvin at that time made recommendations "to minimize the impacts to this building to a level of 'less than significant' by incorporating new designs and alterations that are consistent with the *Secretary of Interior's Standards for the Treatment of Historic Properties with Guidelines for Rehabilitation*." It is the 2009 status of Stonehenge that is the relevant baseline for the Commission's review.

Enforcement Remedies. The 2011 peer review report by historical consultant Jan Ostashay outlined "remedies to address the violation of the City's Historic Preservation Ordinance," including the following:

- **Retroactive compliance.** Apply for and obtain a permit for construction, exterior alteration or enlargement of the subject property in accordance with Section 25.45.008 and Section 25.05 of the City's Municipal Code, including compliance with all conditions for work previously approved by the Heritage Committee.

- **Rehabilitate.** Rehabilitate or reconstruct the subject property to its original condition prior to the violation using as much physical and photographic evidence as possible . . . The City can compel the violator to perform or provide for the rehabilitation work, or the City may perform or provide the rehabilitation work and recover all of its costs from the applicant. The City may also defer this action to the City Attorney for legal action.
- **Penalty.** In the case of demolition, which the subject property is subject to, a monetary penalty equal to one-half the assessed value of the historic property prior to demolition . . . "

Appellants support the Rehabilitation option, not to "demonize" or "punish" applicant Meehan, but to assure preservation of the community's unique historic resources.

Mr. Meehan was aware of the unpermitted alterations to Stonehenge, and purchased the property knowing that he would be responsible for correcting code violations and legalizing the work on the site. Heritage Committee members told him that they could not support demolition, having just the prior year approved plans to rehabilitate the house in conformance with the *Secretary of the Interior's Standards*. The Committee told him that requesting demolition would be "an uphill battle." They encouraged him to implement the already-approved plans for rehabilitation or to come back with revised rehabilitation plans. It is unfortunate for all that Mr. Meehan did not heed the Committee's advice.

Laguna's charm is reflected in its historic neighborhoods as well as beaches. Mr. Stacey posits that Section 30253 (e) of the Coastal Act dealing with preservation of "special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational use" doesn't apply here. To the contrary, the LCP contains consistent policies that link historic preservation to the preservation of community character and attractions for visitors.

The Laguna Beach Visitor's bureau describes "Laguna's unique flavor and old-world charm" related to "beautifully restored historic cottages."

Coast Royal, the oldest community in South Laguna, is a special community. The way to protect its unique characteristics is to preserve its historic buildings, accessways, stonework, beaches and parks. Stonehenge is an anchor. It is a direct link with the founders of Coast Royal. Its needless loss would diminish the community as a whole.

Laguna Royale is a large condominium project adjacent to Stonehenge. Approved by the County in the 1960s, it is widely considered to be the kind of development that the Coastal Act was enacted to prevent. Its presence does not justify destroying a historic building that, among its many positive attributes, also buffers the adverse impact of Laguna Royale.

While the Commission will not review the City's alleged lack of compliance with CEQA, the City's administrative approval of a categorical exemption is not final if the Commission asserts jurisdiction. (*McCallister v. County of Monterey* (2007) 147 Cal.App.4th 253, 294-295.) Appellants look forward to this Commission's consideration, under its separate functional equivalent CEQA authority, as to whether feasible alternatives may substantially reduce the environmental impacts of the proposed demolition of Stonehenge. The record supports just such a finding.

3. Precedent

There is no documentation of any prior request by the owners to remove Stonehenge from the Historic Inventory prior to the illegal partial demolition. Ms. Galvin's 2009 report confirmed that Stonehenge would qualify as a historic structure under applicable criteria. The "lack of integrity" argument post-dates 2009 and hinges on the unlawful alterations. The City Council's approval sets a dangerous precedent because instead of enforcing the LCP and the City's codes, the City justified demolition using a decree of "lack of integrity" caused by illegal acts.

4. Due process

The hearing at the City Council was not a standard appeal hearing. Councilmember Toni Iseman, who filed the appeal, was not allowed to vote and participate in the deliberations. This prevented a fair hearing.

5. Lack of compliance with the LCP

Mr. Stacey denies that Stonehenge is a historical resource. As discussed above, the overwhelming evidence is to the contrary. The provisions of the LCP relied upon by appellants are applicable.

The initial findings of the Design Review Board did not have the benefit of Alan Hess's expert opinion regarding Stonehenge's historicity and feasible rehabilitation, and the DRB's findings were not revisited. The claim that the DRB findings did not *require* a "formal revisit" is off-point.

The previous owner's application for rehabilitation acknowledged the historic status of the building. Stonehenge remains on the City's inventory referenced in the LCP. The LCP policies apply.

B. Substantial Issue Findings

1. Factual and Legal Support

Mr. Stacey omits references to the letter and testimony from architect and architectural historian Alan Hess. The inadequacy of the Design Review Board findings are discussed above. The City's approach to the Stonehenge demolition cannot fairly be considered in isolation since the loss of this particularly important resource will foreshadow others. The City should not be allowed to presume itself free to issue demolition permits based on illegal actions that are inconsistent with the LCP and diminish historic status.

2. Status of Private Access Stairs

The stairway connects the Stonehenge property to the public beach. Applicant Meehan proposed to repair the stairway and sought a building permit in October 2011. A building permit was issued for the repair based on a site plan that omitted oceanward property lines showing that the stair is not on the Stonehenge property.

The demolition request for Stonehenge reasonably raises questions as to the status of the stairs and their removal from the public beach. Appellants have just learned that the applicant recently produced a new survey that confirms the stairs' extension onto the public [County] beach. Liane Schuller,

John Del Arroz
September 14, 2012
Page 7 of 7

the City's zoning administrator, explained that "The owner of the property has submitted his proposed home into zoning plan check. The plan sets include a survey showing the location of the beach access stairs, confirming that the stairs extend onto the adjacent oceanfront property."

Village Laguna and the South Laguna Civic Association respectfully request that the Commission find substantial issue that warrants its review.

Sincerely Yours,

A handwritten signature in black ink, appearing to be "Susan Brandt-Hawley", written over the typed name.

Susan Brandt-Hawley

cc: Sherman Stacey

Laguna Council for

SUPERVISORS HEAR CHARGES BY SKIDMORE

Investigation Ordered at
Coast Royal Park

STREETS CLOSED
DONOR CLAIMS

Accusations Directed at
Elmer L. Crawford

Following the filing by Joseph Skidmore of charges pertaining to the public park at Coast Royal, the Orange county Board of Supervisors Tuesday appointed Supervisor N. E. West a committee of one to make an investigation and report. Skidmore told the supervisors that he represents many property owners in Coast Royal and adjoining tracts.

While asserting that the complaints he made to the supervisors are in no way due to personal animosities between him and E. L. Crawford, Skidmore admitted that he had also conferred with other officials about Crawford's alleged activities and added that both he and Supervisor West had been instructed to co-operate in any investigation that may be made. It is Skidmore's contention that Crawford has abandoned or barricaded streets opening into the public park.

Skidmore volunteered the following statement of his representations to the Board of Supervisors: "I reminded the supervisors that Skidmore Bros. had given, to Orange county some 3000 feet of ocean frontage at Dana Point as a public park; that Skidmore Bros. and associates had built some \$8000 of public buildings and stairways at Dana Point public park as a part of the park donation and that, in 1924, Skidmore Bros. (Guy and Joe), subdivided and owned Coast Royal and, in the filing of Coast Royal map, all the sand strip and

(Continued on Page 5)

LAGUNA C. OF C. TAKES STAND

Approves Slant Drilling

EDITORIAL THOUGHTS

THREE CHEERS FOR COUNCIL

Laguna's City Council may take plenty of time about tearing down an old pier, building a dog pound or authorizing the Recreation commission to spend \$20 for a day and night nursery to relieve working mothers, but it acted promptly enough on the liquor issue when that popped up. With amazing unanimity and celerity the city's lawmakers declared themselves as being emphatically in favor of local option and against state liquor control.

In so doing the City Council established itself in public confidence as possessing moral convictions and the courage to express them. As to the principle involved—whether a group of politicians should handle the liquor problem for the whole state, foisting liquor on communities whether they want them or not, or shall each community prohibit or permit and regulate as it sees fit—there can be no real debate.

California is a large state. What Humboldt county might approve may not suit San Diego county at all; San Francisco may want a thousand liquor stores, Laguna not a one. Local option appeals to the sense of fair play and the spirit of self-government.

City Council is entitled to a great big hand. Laguna is quite capable of deciding for itself whether it wants any intoxicating drink sold here at all; how much, where, when and how. It's not a thing for a board of five political appointees or a board of three or any group or any individual to decide for the community. "Attaboy," City Council!

WHAT'S THE NEWS?

How Are We Doing?
Where Are We Going?

By A WAYFARING MAN

Gov. Eugene Talmadge, arch foe of the New Deal, is defeated overwhelmingly in Georgia for the Democratic senatorial nomination. Richard B. Russell Jr., the bachelor senator from that state, will go back to Washington. Four, possibly six, Townsend-endorsed candidates for Congress have been nominated in Washington. Two of them are Democratic incumbents. The production-for-use candidate for gov-

LONG LIFE FILLED WITH JOY, MRS. PYNE LOVED BY 1



Mrs. Lucretia A. Pyne, mother of E. Walter Pyne, the Broadview, magnificent Laguna Beach home he built for funeral takes place at Santa Ana Friday.

DOG LICENSES ARE DUE NOW

FUNERAL A 2 P. M. FI

Dog licenses became due in Laguna Sept. 1 and all pets whose owners have not yet secured their 1936-37 tags are not legally entitled to reside in Laguna any longer.

Chief of Police Abe Johnson issued a warning this week to the effect that all police officers have been instructed to pick up all stray and unlicensed dogs within the city.

Until a pound master is appointed to superintend the animal shelter

Scores of intimate friends of Mrs. Lucre who died last Sunday at the palatial home here E. Pyne built for her Laguna and the ocean, her funeral Friday at the Winbiger mortuary. Burial will follow at the cemetery in Los

The Rev. Raymond minister of the Laguna

SKIDMORE IS UP IN ARMS

(Continued from Page 1)

parts of the bluff and canyons were deeded and dedicated to Orange county as a public park forever.

"On this 3000 feet of ocean front park we built stairways, bridge and a large building to be used by the public for resting and eating. This building was furnished with a large table and benches. An incinerator, water and other accommodations were furnished, donated and paid for by Skidmore Bros.

"The development of this park was done under the direction of Florence Yoch, a famous landscape architect.

"Several rights of ways from upper lots of Coast Royal were dedicated to the park.

"On Tuesday I presented proof to the board that several of these rights-of-ways from upper lots to the park had been abandoned by E. L. Crawford. I told the board that a fraud and deception had been done in the abandonment of these rights-of-ways. I informed the board that I had talked to some of the people who signed Crawford's petition of abandonment and that some of these signers are now ready to testify that they were told by Crawford and his wife that the rights of ways he wished to abandon were for streets on the uppermost part of Coast Royal tract which he desired to turn back into acreage. Now these signers have found that they abandoned rights of ways leading down toward the ocean park.

"These witnesses are ready to testify.

"I called the board's attention to the fact that certain paved roads in Coast Royal are barricaded from public use by locked iron gates, and in other cases barriers are in the street with signs 'Private Road.' These streets were paved by my brother and myself and dedicated to public use. They are not 'Private Roads.'

"I told the board that E. L. Crawford had removed a table and public property from the public park building and that he had taken the table to his private property. This table was donated to the public park by Skidmore Bros. (It was my demand on Crawford to return this table which led to my arrest for alleged disturbance of Crawford's peace).

"I told the Board that Crawford and his wife have ordered people from the public park.

"The Board of Supervisors referred the matter to the District Attorney and to Supervisor N. E. West to investigate. The Board expressed itself as anxious to pro-

Faith and Form

International Uniform Sunday School Lesson for Sept. 13.
Text: Acts 15:1-35; Galatians 2.

SOME of the gravest problems of the early church came with the first Gentile converts. These problems, apparently simple of solution, were difficult because the Jews had brought with them into their new faith in Jesus the faith and forms of Judaism.

Paul did not think of himself as less a Jew because he was a follower of Jesus. On the contrary, he believed that, in accepting Jesus as the Messiah, he was following out the teachings and prophecies of the religion in which he had been trained. Thus he said that he worshiped the God of his Fathers, though it was in the way that his former associates called heresy.

The most acute problem that confronted the church concerned the matter of circumcision. This was a rite that occupied much the same place in Judaism that baptism has occupied in the Christian church; and if we think of the Jewish converts as narrowminded and attaching undue importance to forms in asserting that the Gentile converts to Christianity should be circumcised, we need only imagine what would happen even today if someone proposed that baptism should not be insisted upon

THE council at Jerusalem decided that it was not necessary that the Gentile converts should be circumcised. All that was required of them was that they should fulfill the moral law.

The momentous nature of this decision can hardly be overemphasized. It meant that, in the first great issue that faced the church, the decision was for reality and not for form. It meant that the new religion was to be as broad as humanity in its scope, and not merely a new sect of Judaism.

IT would be well if the church had always met similar issues with the same sanity of vision, and with the same largeness of view.

Again and again through less wise decisions of churches and church leaders, things "too grievous to be borne" have been imposed upon new converts, things that had little to do with the fundamental matter of true character and loyalty to Christ.

Christians learn slowly to put first things first. The history of the church is a history of elevating creeds, forms, practices, and sometimes prejudices to the place that only Christ should have in the Christian heart and mind and in the Christian fellowship.

COUNCIL FOR LOCAL OPTION

(Continued from Page 1)

power to dicker with the liquor trade and, then, override local sentiment by granting licenses where they pleased and to whom they pleased without limit. As a result, wild night life, crime, traffic accidents, graft, and political corruption have all increased until the Board of Equalization rule has become a disgrace to the state.

"The power of any state commission to plant saloons and hip-flask stores under the eaves of schools and next to public playgrounds must be abolished. Cities and counties must again be allowed to protect themselves against excesses of the liquor business, the most disturbing element of commercial life. Carpet-bagger government, always corrupt, must be ended. There must be home rule over liquor.

No Children in Saloons

"A city zones and regulates bill-

LAGUNA FORUM OPENS MONDAY

(Continued from Page 1)

perience with labor and governmental movements both in the United States and abroad. He is in this country for a period of six weeks to speak at public forums in various cities.

Until recently he was professor of economics and business administration at the California Institute of Technology.

Homer C. Chaney, director of the educational movement for Orange county, will conduct the programs on the Laguna calendar during the latter part of September and early October. Chaney combines his administrative work with that of the Forum leadership. He is a graduate of Pomona college, where he received his A. B. degree in 1919. Afterward he served on the faculty as instructor of economics for two years. He has been a resident of this county for 12 years and is widely known in banking circles as

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"I told the Board that Crawford and his wife have ordered people from the public park.

"The Board of Supervisors referred the matter to the District Attorney and to Supervisor N. E. West to investigate. The Board expressed itself as anxious to protect the public park."

Skidmore added:

"Now that the Coast Royal park has become an issue and proper action will be taken to restore rights-of-ways, the table, etc., I ask that the park be named in honor of my mother, 'Catherine Brooks Park.'"

West Finds Streets Closed

Upon returning from his personal inspection of the Coast Royal park and the roads leading thereto, Supervisor West said:

"I found certain streets which appear to have been dedicated for public use to be blocked off or barricaded as Skidmore represented to the Board of Supervisors. I looked into the situation with the original maps before me and I found conditions to be substantially as Skidmore had stated. Of course I know nothing about the table and chairs which he claims Crawford removed from the building in the park. I shall make my report to the supervisors in accordance with what I found.

"There is no justification for closing up a public street and no doubt the board will order the gates removed and the entrances to the park kept open at all times for public use."



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COUNCIL FOR LOCAL OPTION

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No Children in Saloons

"A city zones and regulates billboards and bakeries, poultry markets and poolrooms, laundries and overall factories. Why not saloons? California had local option from 1879 to 1920. Never in all that time were conditions as rotten as now. Restore local option and there will be no more fan dancers, no children singing in saloons, no major political scandals.

"Local option will not make the state dry. It will not automatically make a single city dry. It will only enable cities and counties to really govern themselves. The local option measure merely provides that every city and every county shall again have power, if it chooses, to regulate, zone or prohibit the sale of alcoholic beverages within its limits. It grants no more authority over liquor than municipalities now have over firecrackers or fresh fish, for instance.

"Tying the hands of local government, has made California the wettest, wildest state in the Union. It has given us a very high traffic-accident record; and perhaps the highest percentage of persons on relief and relief projects outside the dust-bowl states. Let us get back to sanity and prosperity.

"On Proposition 9, Vote Yes."

Call for Nickels

The organization known as the "United Dry Forces of California" has its main offices at 129 West Second street, Los Angeles. E. E. Covert is campaign manager and the state officers are: chairman, Dr. Roy L. Smith; vice-chairman, Dr. J. C. McPheeters; secretary, Dr.

LAGUNA FORUM OPENS MONDAY

(Continued from Page 1)

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Linton T. Simmons, superintendent of schools, who will preside at the first meeting Monday, will give a brief talk on the meaning and value of the Forum in the community. All meetings are limited to one hour and a half, 40 minutes being allotted to the speaker and 25 given over to questions from the floor.

Dr. Laing will point out Monday the necessity for changes in society and the ever attending unrest and desire to return to "good times."

His lecture will outline the two main types of change going on in the modern world, the economic change and the social change. He includes five points in the summary of his talk on the price of this progress. These points are: the progressive surrender of the individual to the group; the greater demand made upon human intelligence; necessary adjustment of human nature to changed conditions; curtailment of individual freedom; and the necessity for an open mind and the application of human intelligence to human problems.

MANY MOURN FOR MRS. PYNE

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