

**CITY OF CARMEL-BY-THE-SEA
HISTORIC RESOURCES BOARD**

HISTORIC RESOURCES BOARD RESOLUTION NO. 2020-XX-PC

**A RESOLUTION OF THE HISTORIC RESOURCES BOARD OF THE CITY OF CARMEL-BY-THE-SEA
ISSUING A DETERMINATION OF CONSISTENCY WITH THE SECRETARY OF THE INTERIOR'S
STANDARDS FOR THE TREATMENT OF HISTORIC PROPERTIES FOR MODIFICATIONS TO THE
CARMEL MISSION BASILICA FORECOURT AND SIR HARRY DOWNIE MUSEUM
LOCATED AT 3080 RIO ROAD (APN 009-531-003)**

WHEREAS, Brett Brenkwitz ("Applicant") submitted an application requesting approval of a Design Review application "(DR 20-038, Diocese of Monterey)" described herein ("Application"); and

WHEREAS, the application has been submitted for the property located at 3080 Rio Road also known as the Carmel Mission Basilica in the Single-Family Residential Zoning District (Block US, Lot 38); and

WHEREAS, the Carmel Mission was listed as a National Historic Landmark in 1962, was listed on the National Register of Historic Places in 1967 and is included in the Carmel Historic Resource Inventory and the California Register of Historic Resources; and

WHEREAS, on May 18, 2015, the Historic Resources Board issued a Determination of Consistency with the Secretary of the Interior's Standards for the Treatment of Historic Properties for modifications to the Carmel Mission Basilica Forecourt and Sir Harry Downie Museum as part of the Phase 2 infrastructure improvements at the Carmel Mission; and

WHEREAS, on July 8, 2015, the Planning Commission approved a Design Review (DR 14-38) and associated Coastal Development Permit for the infrastructure improvements; and

WHEREAS, due to a lack of funding only portion of the infrastructure improvements were completed in 2015 and since that time the Design Review approval has expired; and

WHEREAS, the Applicant is ready to proceed with infrastructure improvements to the Carmel Mission Basilica Forecourt and Sir Harry Downie Museum with an emphasis on accessibility under the American's with Disabilities Act (ADA); and

WHEREAS, pursuant to CMC Section 17.32.160 (Historic Evaluation Process for Major Alterations), the project qualifies as a Major Alteration; and

WHEREAS, pursuant to CMC Section 17.32.140 (Determination of Consistency with the Secretary's Standards), all major alterations to historic resources require a determination of

consistency with the Secretary's Standards and must be reviewed by a qualified professional and approved by the Historic Resources Board; and

WHEREAS, the project was reviewed by qualified professional Margaret Clovis and a report was prepared dated September 14, 2020 finding the alterations to the Carmel Mission Basilica Forecourt and Sir Harry Downie Museum to be consistent with the Secretary of the Interior's Standards for Rehabilitation and the Guidelines for Rehabilitating Cultural Landscapes; and

WHEREAS, the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA"), together with State Guidelines (14 California Code Regulations §§ 15000, et seq., the "CEQA Guidelines") and City Environmental Regulations (CMC 17.60) require that certain projects be reviewed for environmental impacts and that environmental documents be prepared; and

WHEREAS, as a historic resource, the project is subject to review under CEQA and being found consistent with the Secretary's Standards for Rehabilitation and Guidelines for the Treatment of Cultural Landscapes, is considered to have mitigated impacts to a historic resource to a less-than-significant level (CEQA Guidelines 15064.5); and

WHEREAS, notice of the public meeting was given in accordance with State law (California Government Code 54954.2.); and

WHEREAS, on October 19, 2020, the Historic Resources Board held a public meeting to receive public testimony regarding the Application, including without limitation, information provided to the Historic Resources Board by City staff and public testimony on the project; and

WHEREAS, this Resolution and its findings are made based upon evidence presented to the Historic Resources Board at the October 19, 2020 meeting including, without limitation, the staff report submitted by the Community Planning and Building Department; and

WHEREAS, the Historic Resources Board did hear and consider all said reports, recommendations and testimony herein above set forth and used their independent judgement to evaluate the project; and

WHEREAS, the facts set forth in the recitals are true and correct and are incorporated herein by reference.

NOW THEREFORE, BE IT RESOLVED, that the Historic Resources Board of the City of Carmel-By-The-Sea does hereby **issue a Determination of Consistency with the Secretary of the Interior's Standards for the Treatment of Historic Properties** for modifications to the Carmel Mission Basilica Forecourt and Sir Harry Downie Museum located at 3080 Rio Road (APN 009-

531-003) in the Single-Family (R-1) Zoning District, Archaeological Significance Overlay, Park Overlay and Beach & Riparian Overlay districts subject to the following Conditions of Approval:

CONDITIONS OF APPROVAL		
No.		
1.	<p>Determination of Consistency. The following modifications for DR 20-138 (Carmel Mission) have been found to be consistent with the Secretary's Standards for the Treatment of Historic Properties: 1)</p> <p>All work shall conform to the plans prepared by Franks Brenkwitz & Associates dated 5-15-20, the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Cultural Landscapes, unless modified by the conditions below.</p>	✓
2.	<p>Pre-Construction Meeting. Prior to issuance of the building permit, the applicant shall convene a pre-construction meeting to include the contractor, the City's Project Planner, and if deemed necessary by the City, the City's Historic Consultant, to ensure compliance with the Secretary of the Interior's Standards for the Treatment of Historic Properties.</p>	✓
3.	<p>Interior Adobe Walls. The location of original interior adobe walls that are removed shall be delineated by darker tiles on the floor to guide any future reconstruction of the walls. In addition, the Applicant shall maintain a photographic record of the removed walls that could be used for reconstruction purposes.</p>	✓
4.	<p>Downie Building, North Elevation. If the two doors on the north elevation are lowered to facilitate an accessible path of travel, the existing wood headers shall remain in place and be plastered over. New matching wood headers shall be installed below the current headers.</p>	✓
5.	<p>Repair or In-Kind Replacement of Historic Material. Any damaged wood members shall be repaired with epoxy rather than replaced. If replacement is necessary, then wood elements shall be replaced "in kind", to match type, texture, and dimensions. Any adobe bricks that are completely fractured, disintegrate or come loose when preparing the surface shall be reset or replaced with similar bricks.</p>	✓
6.	<p>Garden Bed Stones. The stones that border the garden beds shall be preserved and reused.</p>	✓
7.	<p>Adobe Wall @ Museum Store/Gift Shop. The reconstruction of the failed adobe wall shall be plastered to match the original in color and texture.</p>	✓
8.	<p>Cultural Resources. A qualified archaeologist and appropriately qualified Native American monitor shall be present on-site to monitor all earth moving activities.</p>	✓

	All new construction involving excavation shall immediately cease if cultural resources are discovered on the site, and the applicant shall notify the Community Planning and Building Department within 24 hours. Work shall not be permitted to recommence until such resources are properly evaluated for significance by a qualified archaeologist. If the resources are determined to be significant, prior to resumption of work, a mitigation and monitoring plan shall be prepared by a qualified archaeologist and reviewed and approved by the Community Planning and Building Director. In addition, if human remains are unearthed during excavation, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and distribution pursuant to California Public Resources Code (PRC) Section 5097.98.	
9.	Salvage and Reuse Plan. Prior to the issuance of a building permit, the final construction documents shall include a materials list and a plan with elevation keynotes that clearly identify the methodology and extent of the proposed salvage and reuse of existing building materials including all exterior walls. This "salvage and reuse plan" shall clearly indicate that materials shall be: 1) preserved, 2) repaired, when preservation is not possible, and 3) replaced in-kind only when absolutely necessary.	✓
10.	Conditions of Approval. These Conditions of Approval shall be in addition to any conditions imposed by the Planning Commission. All conditions of approval for the project shall be printed on a full-size sheet and included with the construction plan set submitted to the Building Safety Division.	✓
11.	Indemnification. The applicant agrees, at his or her sole expense, to defend, indemnify, and hold harmless the City, its public officials, officers, employees, and assigns, from any liability; and shall reimburse the City for any expense incurred, resulting from, or in connection with any project approvals. This includes any appeal, claim, suit, or other legal proceeding, to attack, set aside, void, or annul any project approval. The City shall promptly notify the applicant of any legal proceeding, and shall cooperate fully in the defense. The City may, at its sole discretion, participate in any such legal action, but participation shall not relieve the applicant of any obligation under this condition. Should any party bring any legal action in connection with this project, the Superior Court of the County of Monterey, California, shall be the situs and have jurisdiction for the resolution of all such actions by the parties hereto.	✓

PASSED, APPROVED AND ADOPTED by the Historic Resources Board of the City of Carmel-By-The-Sea on this 19th day of October, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Erik Dyar
Chair

Margi Perotti
Historic Resources Board Secretary

Property Owner Signature

Printed Name

Date

Once signed, please return to the Community Planning & Building Department.