



Massy Mehdipour
 CEO
 Jotter, Inc.
 111 Independence Drive
 Menlo Park, CA 94025
 Re: Analysis of Reports Received re:1170 Signal Hill Road

November 25, 2013

Massy,

I was recently informed of an internal County staff memo dated July 15, 2013 from Clovis Clovis, Cultural Affairs Manager (County of Monterey), to Delinda Robinson, Senior Planner (County of Monterey). This memo was received after I compiled a chronology of reports (dated August 23, 2013) to address the issue of the alleged historic status of the property located at 1170 Signal Hill Road, Pebble Beach (the Project).

The Circa summary memo also functioned as a cover letter to Delinda Robinson for the submittal of three CDs containing eleven maps, two matrices and over 600 photographs¹. The July 15th County memo was not received until October 2013 and therefore not included in the Circa memo of August 23rd.

The County is currently having a consultant prepare the Initial Study (IS) for the proposed project. Since the intent of having an outside consultant is to provide objective and unbiased analysis we believe it is important to communicate all information. The purpose of this memo is to address certain statements in the July 15th Clovis memo in order to focus the attention back on the unresolved issue of adequate mitigations. While there is considerable question as to whether the residence meets any criteria as a historic resource the owner has agreed to mitigation measures in event there may be some assemblage of historic significance. To date there is no written evidence suggesting the proposed mitigations are inadequate under CEQA.

1) In the Background section Clovis states "Within the context of Modern Architecture in Pebble Beach Dr. Kirk's report states that the Connell House is significant under [the California Register] Criterion 3 at the local level because it embodies the distinctive characteristics of the American International or Contemporary style and reflects...the second phase of the Bay Area Tradition [of architecture]"

- At a joint meeting with County staff on October 24, 2011 I pointed out that Kirk did not evaluate the property for the "local" Monterey County criteria. Staff agreed and on November 15 Clovis confirmed via email that "...we need your [my] analysis of the local [Monterey County] eligibility criteria...and the evidence that supports your conclusion." The purpose of the Circa analysis was to provide a complete evaluation that provided the basis for establishing mitigation measures.
- At the same joint meeting Clovis stated that she had "no background or substantial knowledge of the International, Contemporary, Modern or Second Bay area style - but knows it when she sees it", and admitted that she "relies heavily" on Kirk's opinion on the subject. This statement does

¹ These materials were generated at the direction of staff, and were compiled and reviewed with staff on two occasions in May 2013.

not provide any assurance that Ms. Clovis was acting in an unbiased or objective manner, and nothing written or stated by the County has changed this perception.

- The Clovis memo states that Kirk evaluated the subject house "Within the context of Modern Architecture in Pebble Beach..." This statement is not true. The Kirk evaluation does not place the subject house in any historic context except to say that the property "embodies the distinctive characteristics of... and reflects...the Second Bay Area Tradition." Peer reviewer Robert Chattel AIA stated that "...the consultant has not placed the Connell house within its proper context"² Indeed, if Kirk had evaluated the property "within the context of Modern Architecture" then there would have been no need for the County to direct Circa to define the term Modernism, draft a modernism in Pebble Beach historic context, or conduct the windshield³.
- Due to Kirk's lack of consistent use of terms to describe the architectural style of the house [he used interchangeably American International, Contemporary, Modern, and Second Bay Area Tradition] I was directed to define these terms in an amendment to my peer review. It was also agreed at the joint meeting that using the term "Modernism" would be used for ease and consistency of communication. Accordingly I wrote an entire section on Modernism including definitions and design characteristics in my amendment report dated May 18, 2012.
- To identify impacts it is necessary to establish the historic significance of a property. A property's historic significance is developed through the identification of the area of significance within an established and recognized historic context⁴. The Kirk evaluation, by the County's own admission, does not identify how the property meets local criteria, does not supply a historic context, nor does it document how the subject property "... embodies the distinctive characteristics of the American International or Contemporary style and reflects...the second phase of the Bay Area Tradition". Kirk merely makes a statement that Clovis has adopted as Truth.

2) In the Background section Clovis continues that Dr. Kirk found that despite "some changes" to the fenestration (windows) the original plan, form, fenestration, features, finishes and setting are intact.

- Kirk's statement ignores the actual condition of the house where many noticeable changes occurred years before Kirk's report was written⁵.
- The July 15 Clovis report ignores the very real changes that have occurred since 2010 which were identified in the Circa peer review (2011) and also listed in Circa's existing conditions report dated September 10, 2013.
- Since a property must retain integrity to be considered a historic resource the County's acceptance of Kirk's broad statement that "some changes" occurred to the property is problematic regarding determination of mitigation measures. Indeed CEQA states " Mitigation measures are not required for effects which are not found to be significant".⁶ Except for the low, flat roofline and boxy, single-story massing, the subject property does not retain the character defining features of Neutra's late-work

² Robert Chattel, AIA, Chattel Architecture, Planning & Preservation, letter dated April 19, 2012.

³ These tasks were funded by the property owner and therefore are not the ownership of the County.

⁴ "The significance of a historic property can be judged and explained only when it is evaluated within its historic context". National Register Bulletin #15, National Park Service, Washington D.C., 2002.

⁵ As documented in the Hines book Mr. Connell himself made comments about the ill-fitting and ineffectual original windows, alluding to the fact that the Connell's repaired and replaced windows.

⁶ CEQA Sec. 15126.4 *Consideration and Discussion of Mitigation Measures Proposed to Minimize Significant Effects*.

residential designs (i.e. the "spider leg" exterior element, ribbon windows, etc). Since non-existent elements cannot be mitigated only those remaining character-defining features are considered. Regarding the subject residence this leads to the question of *what is left to be mitigated?*

- If, for purposes of proceeding with my client's agreement to address mitigations, there must be a connection between the mitigation measure and a legitimate governmental interest⁷ then the establishment of "...mitigation measures must be 'roughly proportional' to the impacts of the project".⁸

3) In the Reports Received section Clovis glosses over the detailed 2011 evaluation (Circa) that appropriately utilized the Monterey County criteria where it was repeatedly pointed out that the house does not retain physical integrity due to changes and damages. The Circa report also states that although Neutra is an acclaimed architect the subject property is not a great example of Neutra's work, therefore, at best, might only *marginally* be historic and is dependant on Neutra's notoriety rather than its architectural distinction.

- Barbara Lambrect⁹ stated in her 2012 letter that before being contacted by Anthony Kirk she had only a "...superficial knowledge" of the property. This statement is supported by the fact that the subject property wasn't included in Lambrect's recent book on Neutra¹⁰ and that Lambrect has never been to the subject house.
- Thomas Hines wrote that he visited the house only once in the 1970s, for which Hines himself documented Connell's complaint of the house's incompatibility with the environment (i.e. water and wind leaks, heating, etc). While Hine's admires Neutra's work his recollection of his one-time visit and opinion of the residence is over 30 years old.
- As stated in CEQA Sec. 15126.4 *Consideration and Discussion of Mitigation Measures Proposed to Minimize Significant Effects* the establishment of the appropriate mitigation measure must be based on identified, existing character-defining features that have a direct association with the historic significance of the property.

4) Clovis states that on May 21, 2012 Delinda Robinson received another report from Circa.

- What is omitted from this statement is that Clovis had required the property comparison to be conducted by Circa. Clovis specifically wanted to know what other "Modern" houses were in Pebble Beach.
- The County agreed that the property comparison was for informational purposes only and was not intended as an intense survey of Pebble Beach. The privately funded survey therefore did not require completion of DPR 523 forms or other survey criteria established by the National Park Service.
- Due to the vast area of the Pebble Beach community, and time and budgetary reasons it was agreed that the property comparison task would focus on post WW-II properties nearest the subject property.

⁷ Ibid.

⁸ Ibid.

⁹ Barbara Lambrect, architectural historian, letter dated February 1, 2012.

¹⁰ Lambrect, Barbara, *Neutra-Complete Works*, 2010.

5) Clovis refers to the Pebble Beach Historic Context (Page & Turnbull, Inc., August 2013) which was paid for by a CLG Grant and therefore was required to utilize specified criteria.

- The context statement was completed in August, and not available when the evaluations and reports for the house were conducted.
- While the context statement identifies the subject property as a rare example of the International Style in Pebble Beach, and significant for its association with Neutra the context statement does not (nor should it) address the issue of integrity. In addition, the context statement is not a survey report and not intended to evaluate any individual property, nor should it be used as such. The context statement is intended to establish important trends and themes within a given area. As far as establishing any importance of the International Style in Pebble Beach, the discussion of the subject feels strained and is minimally substantiated.

6) In the section Evaluating Properties within a Historic Context Clovis fervently points to the Bulletin 15, and the adequacy of Kirk's report, that a comparison of properties is not needed - seemingly to defend Kirk.

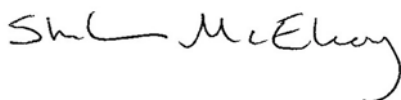
- If Kirk's Context on Modern Architecture in Pebble Beach" [or American International, Contemporary, Modern, and Second Bay Area Tradition] was adequate then there was no reason to require Circa to develop a context presumably to educate the County.
- Clovis specifically requested a property comparison to augment Kirk's admittedly lack of documentation. Once receiving and reviewing it (asking no questions regarding the extensive photos and data we provided) she ignores the findings and defers yet again to Kirk's unsubstantiated findings.

7) In the section Evaluating Properties within a Historic Context the windshield survey is criticized for not following National Register Bulletin 24 directions for surveys, and therefore does not meet professional standards.

- The County defined the scope of work for the context and windshield survey as part of property owner's demolition application. The Modernism definition, historic context and windshield survey were developed, by their request, to educate the County. The survey was not intended for any public use nor intended to meet the County's historic resource recordation obligation. This statement is inappropriate and evidences bias.

In closing, I find the comments made by Meg Clovis to be bias towards the unsubstantiated and incomplete findings made by Tony Kirk. Clovis' comments ignore the well documented and thorough reporting by Circa that were developed per her request, for the County's benefit, and at the expense of the property owner. The comments in this interoffice memo only substantiate that Clovis relies disproportionately on Kirk's unsubstantiated and speculative opinion.

Respectfully submitted,



Sheila McElroy
Principal
Circa: Historic Property Development

