



October 3, 2012

Ms. Terri Jacquemain (also sent via email)

c/o

City Clerk

City of Rancho Mirage

69-825 Highway 111

Rancho Mirage, CA 92270

Subject: Chart House Restaurant (Historic Name) at 69-934 Highway 111

Dear Ms. Jacquemain,

Attached please find a response to your email request of September 27, 2012 wherein you asked us to answer four questions regarding the feasibility of the rehabilitation or reconstruction of the subject historic resource. The attached answers represent a professional assessment by retired architect Patrick McGrew, a highly-regarded local expert who has authored a number of books on California architecture.

As we have stated previously, the Chart House Restaurant is a much-loved local landmark and we are confident that the city of Rancho Mirage will not only comply with the applicable portions of the California Environmental Quality Act but will leverage all of the tools and influence at its disposal to ensure that this important historic resource is not lost forever.

Thank you for the opportunity to comment on this important issue. We would be happy to meet with you to discuss this matter further. The foundation can be contacted at (760) 837-7117 or [info@pspreservationfoundation.org](mailto:info@pspreservationfoundation.org).

Sincerely,

Ron Marshall  
President

Attachment:

(1) Chart House Restaurant CEQA Responses from PSPF

## Attachment (1) - Chart House Restaurant CEQA Responses from PSPF

**Question 1:** Does the building, in its current condition<sup>1</sup>, retain sufficient historic integrity and architectural character to remain eligible as a "historical resource," according to CEQA definition?

*Answer 1: In order to answer this question, historic preservation professionals and/or other qualified preservation experts need to inspect the damage, evaluate the current conditions, and provide technical advice regarding the potential for restoration. Such professionals possess an integral understanding of older buildings and may provide valuable expertise on the latest construction and repair techniques. Additionally, these experts know how to keep the damaged resource eligible and would be a key resource on the building evaluation team. Local governments may contact OES (the Governor's Office of Emergency Services) for SAP (Safety Assessment Program) assistance in establishing teams who can accompany building inspectors to historic buildings for initial inspections and make more in-depth second assessment of historic buildings initially determined unsafe. At least one member of the assessment team should be a preservation architect with solid structural knowledge or a structural engineer with strong preservation experience.*

**Question 2:** If the building, in its current condition, retains sufficient historic integrity and architectural character to remain eligible as an historical resource, can the impacts of future redevelopment of the property (including demolition) be reduced to levels that are "less than significant" (under CEQA provisions) through the implementation of mitigation measures?

*Answer 2: If the historic resource is demolished, there will be a substantial negative environmental impact that cannot be mitigated.*

**Question 2a:** Will the impacts be reduced to levels that are "less than significant" if the redevelopment plans include complete or near-complete restoration of the damaged building?

*Answer 2a: If the historic resource is restored, consistent with the "Secretary of the Interior's Standards for Reconstruction & Guidelines for Reconstructing Historic Buildings" there will be no negative environmental impacts and consequently no requirement for mitigation.*

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<sup>1</sup> Historical Resources and Natural Disasters: Most projects undertaken to demolish or replace property or facilities damaged as a result of a disaster for which a state of emergency has been declared are statutorily exempt from CEQA (subdivision (b), Section 21080). Such is not the case with this property, i.e., it is not exempt from CEQA. Notwithstanding that exemption, actions in the aftermath of a disaster which might adversely affect historical resources are subject to State laws governing consideration of historical resources. In the wake of a fire the local agency may only demolish or destroy those structures which are an "imminent threat." In all other cases, the local agency must notify and consult with SHPO immediately if there are damaged historical resources which may require demolition, destruction, or significant alterations. Section 5028 provides that no structure listed in the National Register of Historic Places, the California Register, or a local register that has been damaged as a result of a natural disaster is to be demolished, destroyed, or significantly altered (except for alterations to preserve or enhance historic value) unless: (1) the structure represents "an imminent threat to the public of bodily harm or of damage to adjacent property," or (2) the action is approved by the SHPO. That section further establishes the procedure for review of proposed actions by the SHPO.

**Question 3:** If mitigation of the effects can be achieved, wholly or partially, what would the appropriate mitigation measures be?

*Answer 3: Not sure what this question means: if the resource is restored, there will be no impacts; if it is demolished, there are no mitigations that can reduce the negative environmental impact.*

**Question 4:** If the building is to be restored, what character-defining elements and features must be preserved or restored to retain the building's historic significance and integrity?

*Answer 4: If a property is properly remodeled, renovated or restored and still has the majority of its original fabric, its eligibility as an historic resource survives without interruption. If reconstruction<sup>2</sup> is required, and if it is accurately executed on its original site, the eligibility as an historic resource may also survive without interruption.*

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<sup>2</sup> Reconstruction is defined as the reproduction of the exact form and detail of a vanished building, in whole or in part, as it appeared at a specific period of time, using historic and new materials