



THE CITY OF SAN DIEGO

Historical Resources Board

DATE ISSUED: July 14, 2011 REPORT NO. HRB-11-046

ATTENTION: Historical Resources Board
Agenda of July 28, 2011

SUBJECT: **ITEM #9 – Miguel and Ella Gonzales House**

APPLICANT: Charles G. LaBella and Mary T. Rossi

LOCATION: 2829 28th Street, Greater North Park Community, Council District 3

DESCRIPTION: Consider the designation of the Miguel and Ella Gonzales House located at 2829 28th Street as a historical resource.

STAFF RECOMMENDATION

Designate the Miguel and Ella Gonzales House located at 2829 28th Street as a historical resource with a period of significance of 1916-1961 under HRB Criterion A. The designation excludes the 1965 additions and the detached garage. This recommendation is based on the following finding:

The resource is a special element of the City's cultural, social and political development and retains integrity. Specifically, the resource is significant as the first house on 28th Street and one of the few houses known to have made an exception to the standard restrictive covenants that prohibited ownership by anyone other than an individual of the "Caucasian race". This exception was made for Miguel and Ella Gonzales and their family when they purchased the lot in 1916, and the family would continue to own the house until 1961.



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BACKGROUND

This item is being brought before the Historical Resources Board in conjunction with the owner's desire to have the site designated as a historical resource. The house is a two story Prairie style home with Mission Revival influences located on the east side of Balboa Park in the residential subdivision of Blair's Highland

The historic name of the resource, the Miguel and Ella Gonzales House, has been identified consistent with the Board's adopted naming policy and reflects the name of Miguel and Ella Gonzales, who constructed the house as their personal residence

ANALYSIS

A historical resource research report was prepared by Charles G. La Bella and Sofia La Bella which concludes that the resource is significant under HRB Criteria A, B, C, and D. Staff concurs that the site is a significant historical resource under HRB Criterion A, but not HRB Criteria B, C or D. This determination is consistent with the *Guidelines for the Application of Historical Resources Board Designation Criteria*, as follows:

CRITERION A - Exemplifies or reflects special elements of the City's, a community's or a neighborhood's historical, archaeological, cultural, social, economic, political, aesthetic, engineering, landscaping or architectural development.

The applicant's report states that the house is significant under HRB Criterion A as a special element of the City's cultural, social and political development as the first house on 28th Street and one of the few houses known to have made an exception to the standard restrictive covenants that prohibited ownership by anyone other than an individual of the "Caucasian race". In 1916 when Miguel Gonzalez and his wife Ella purchased the property from subdivider Robert Blair, the standard deed restriction limiting ownership and occupancy to individuals of the "Caucasian race", which were standard restrictions found on deeds throughout the City, were modified to read, "the legal title to said premises shall never vest in any person other than a person... of the Caucasian Race, except a person of the Mexican Race..." This exception was rare and remarkable, and reflects Miguel Gonzales' stature as a successful and important Mexican businessman. The Gonzales family would continue to own and occupy the house until 1961. Deed restrictions on all other lots within the subdivision continued to include exclusions of all non-Caucasian individuals. Such deed restrictions were deemed unconstitutional by the U.S. Supreme Court in 1948 and were no longer enforced. The exception made to the covenants that allowed ownership and occupancy by the Gonzales family 32 years prior to the Supreme Court decision is indeed a unique and special element of the City's cultural, social and political development. In addition, the resource retains sufficient integrity of association dating to the 1916-1961 period to convey this significance. Therefore, staff recommends designation under HRB Criterion A.

CRITERION B - Is identified with persons or events significant in local, state or national history.

The applicant's report states that the property is significant under HRB Criterion B for an association with Miguel Gonzales and his sister-in-law, Matilda Ibs. Matilda Ibs was born in

Mexico and came to live the Miguel and his sons after Miguel's wife (Matilda's sister), Ella, passed away. Matilda was a member of the first graduating class of Stanford University in 1901 where she was a member of the Phi Beta Kappa honor society. She was a member of many clubs, including the YWCA, Women's University Club of San Diego and the Fine Arts Society. While a well-educated and philanthropic woman, it does not appear that Ibs would be considered a historically significant individual.

Miguel Gonzales was born in Mexico and became a prominent businessman, serving as president of Mexicali Brewing Company, the Bank of Baja California, the Mexicali Malt Company and the Commercial Distributing Company. While it appears that Gonzales was a highly successful businessman of enough stature to overcome the race-restrictive covenants of his time, there is insufficient information at this time to establish him as a historically significant individual. Therefore, staff does not recommend designation under HRB Criterion B at this time. Should such information or documentation become available in the future, the Board could reconsider Gonzales as a historically significant individual.

CRITERION C - Embodies distinctive characteristics of a style, type, period or method of construction or is a valuable example of the use of natural materials or craftsmanship.

The subject property is a two story Prairie style home with Mission Revival influences constructed in 1916, and features hipped tile roofs; overhanging boxed eaves; stucco walls over wood framing; and a concrete foundation. The front of the house is dominated by a wide front porch supported by massive square columns. The top of the porch, which serves as a balcony for the upper floor, is finished with a shed tile roof and slightly crenellated parapet. Fenestration consists of 1-over-1 double hung wood frame and sash windows and fixed wood frame and sash windows with multi-lite uppers. The house was originally a more squared two-story massing with a one story porte cochere at the south end of the building. In 1927 Edward F. Bryans constructed an addition over the porte cochere. In 1965, the Rossi family enclosed the porte cochere space and constructed another addition behind the porte cochere with a small courtyard between. The detached garage at the rear has been heavily altered over the years. The second floor addition in 1927 and in particular the enclosure of the porte cochere in 1965 significantly altered the character of the original Prairie style building, substantially increasing the massing and altering the original proportions and spatial relationships. Therefore, staff does not recommend designation under HRB Criterion C.

CRITERION D - Is representative of a notable work of a master builder, designer, architect, engineer, landscape architect, interior designer, artist or craftsman.

The applicant's report recommends designation under HRB Criterion D as the work of recently established Master Builder Edward F. Bryans. Water and sewer records clearly document that Bryans was responsible for the construction of the 1927 addition; however, his name does not appear on the 1916 water and sewer records and there is no clear documentation to tie Bryans to the original 1916 construction. In addition, even if Bryans were responsible for the original 1916 building, the 1965 enclosure of the porte cochere is a significant alteration of a character defining

feature that destroys the original design intent and the work of the Master. Therefore, staff does not recommend designation under HRB Criterion D.

OTHER CONSIDERATIONS

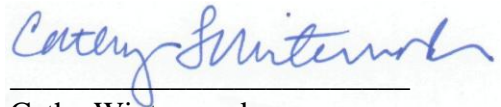
If the property is designated by the HRB, conditions related to restoration or rehabilitation of the resource may be identified by staff during the Mills Act application process, and included in any future Mills Act contract.

CONCLUSION

Based on the information submitted and staff's field check, it is recommended that the Miguel and Ella Gonzales House located at 2829 28th Street be designated with a period of significance of 1916-1961 under HRB Criterion A as a special element of the City's cultural, social and political development. The designation excludes the 1965 additions and the detached garage. Designation brings with it the responsibility of maintaining the building in accordance with the Secretary of the Interior's Standards. The benefits of designation include the availability of the Mills Act Program for reduced property tax; the use of the more flexible Historical Building Code; flexibility in the application of other regulatory requirements; the use of the Historical Conditional Use Permit which allows flexibility of use; and other programs which vary depending on the specific site conditions and owner objectives.



Kelley Stanco
Senior Planner



Cathy Winterrowd
Principal Planner/HRB Liaison

KS/cw

Attachments:

1. Draft Resolution
2. Applicant's Historical Report under separate cover

RESOLUTION NUMBER N/A
ADOPTED ON 7/28/2011

WHEREAS, the Historical Resources Board of the City of San Diego held a noticed public hearing on 7/28/2011, to consider the historical designation of the **MIGUEL AND ELLA GONZALES HOUSE** (owned by Charles G. LaBella and Mary T. Rossi, 2829 28th Street, San Diego, CA 92104) located at **2829 28th Street, San Diego, CA 92104**, APN: **453-631-02-00**, further described as BLK 5 LOTS 4 THRU 6 in the City of San Diego, County of San Diego, State of California; and

WHEREAS, in arriving at their decision, the Historical Resources Board considered the historical resources report prepared by the applicant, the staff report and recommendation, all other materials submitted prior to and at the public hearing, inspected the subject property and heard public testimony presented at the hearing; and

WHEREAS, the property would be added to the Register of Designated Historical Resources as **Site No. 0**, and

WHEREAS, designated historical resources located within the City of San Diego are regulated by the Municipal Code (Chapter 14, Article 3, Division 2) as such any exterior modifications (or interior if any interior is designated) shall be approved by the City, this includes but is not limited to modifications to any windows or doors, removal or replacement of any exterior surfaces (i.e. paint, stucco, wood siding, brick), any alterations to the roof or roofing material, alterations to any exterior ornamentation and any additions or significant changes to the landscape/site.

NOW, THEREFORE,

BE IT RESOLVED, the Historical Resources Board based its designation of the Miguel and Ella Gonzales House on the following finding:

(1) The property is historically significant under CRITERION A as a special element of the City's cultural, social and political development and retains integrity to the 1916-1961 period of significance. Specifically, the resource is significant as the first house on 28th Street and one of the few houses known to have made an exception to the standard restrictive covenants that prohibited ownership by anyone other than an individual of the "Caucasian race". This exception was made for Miguel and Ella Gonzales and their family when they purchased the lot in 1916, and the family would continue to own the house until 1961. This finding is further supported by the staff report, the historical research report, and written and oral evidence presented at the designation hearing.

BE IT FURTHER RESOLVED, in light of the foregoing, the Historical Resources Board of the City of San Diego hereby approves the historical designation of the above named property. The designation includes the parcel and exterior of the building as Designated Historical Resource **Site No. 0**. The designation excludes the 1965 additions and the detached garage.

BE IT FURTHER RESOLVED, the Secretary to the Historical Resources Board shall cause this resolution to be recorded in the office of the San Diego County Recorder at no fee, for the benefit of the City of San Diego, and with no documentary tax due.

Vote: N/A

BY: _____
JOHN LEMMO, Chair
Historical Resources Board

APPROVED AS TO FORM AND
LEGALITY: JAN I. GOLDSMITH,
CITY ATTORNEY

BY: _____
KEITH BAUERLE
Deputy City Attorney