



THE CITY OF SAN DIEGO

## Report to the Historical Resources Board

DATE ISSUED: January 11, 2024 REPORT NO. HRB-24-001

HEARING DATE: January 25, 2024

SUBJECT: **ITEM #1 – Harry and Edna Payne/ Carl B. Hays House**

RESOURCE INFO: [California Historical Resources Inventory Database \(CHRID\) link](#)

APPLICANT: Ronen B. Erlich and Jesslyn E. Erlich; represented by Landmark Historic Preservation

LOCATION: 4952 Marlborough Drive, Kensington-Talmadge Community, Council District 9  
APN 440-373-1800

DESCRIPTION: Consider the designation of the Harry and Edna Payne/ Carl B. Hays House located at 4952 Marlborough Drive as a historical resource.

### STAFF RECOMMENDATION

Designate the Harry and Edna Payne/ Carl B. Hays House located at 4952 Marlborough Drive as a historical resource with a period of significance of 1928 under HRB Criteria C and D. The designation excludes the rear 2021 addition constructed outside of the period of significance. The designation includes the original detached garage. This recommendation is based on the following findings:

1. The resource embodies the distinctive characteristics through the retention of character defining features of the Spanish Colonial Revival style and retains integrity to its 1928 period of significance. Specifically, the resource exhibits an asymmetrical façade, stucco exterior, low-pitched tile roof with little eave overhang, arched focal window, arched porch openings, varied roof form and wood windows.
2. The resource is representative of a notable work of Master Builder Carl B. Hays, a prominent and accomplished building contractor responsible for the construction of many quality residences in the Kensington neighborhood and throughout the City, some of which have been historically designated. Specifically, the resource is an example of his work in his signature Spanish Colonial Revival style, expresses a quality of craftsmanship seen in his other known works and retains integrity as it relates to the original 1928 design.

## 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 property has not been identified in any historic surveys, as the subject area has not been previously surveyed.

The historic name of the resource, the Harry and Edna Payne/ Carl B. Hays House, has been identified consistent with the Board's adopted naming policy and reflects the name of Harry and Edna Payne, who constructed the house as their personal residence and the name of Carl B. Hays, a Master Builder.

In order to be eligible for designation and listing on the City's Register, a resource must meet one or more of the City's designation criteria as specified in the Historical Resources Guidelines of the Land Development Manual and retain integrity as it relates to the significance of the resource. Integrity is the ability of a property to convey its significance, which requires an understanding of the physical features and characteristics that existed during the resource's period of significance. The National, California, and City of San Diego Registers recognize location, design, setting, materials, workmanship, feeling, and association as the seven aspects of historical integrity.

Although not all seven aspects of integrity need to be present for a property to be eligible for designation, the record must demonstrate that the property retains enough physical and design characteristics to reflect and convey the significance of the property. Each resource depends on certain aspects of integrity, more than others, to express its historic significance. Determining which of the aspects are most important to a particular property requires an understanding of the property's significance and its essential physical features. The [\*Guidelines for the Application of Historical Resources Board Designation Criteria\*](#) provide information regarding the City's designation criteria, as well as guidance on their application and how to evaluate the integrity of a resource.

## ANALYSIS

The property located at 4952 Marlborough Drive is a one-story, Spanish Colonial Revival style single family building constructed in 1928 in the Kensington-Talmadge Community Planning Area. Other buildings and structures present on site include an original detached garage. The property is located in the residential neighborhood of Kensington and is surrounded by similarly scaled and styled homes. The property is in its original location.

Since its construction in 1928 the property has been modified as follows. According to historic photos, the French door on the front façade was converted to a tripartite window by the early 1960s. The fenestration pattern of the front façade was restored to its original configuration in conjunction with a 2021 rear addition project. The project also modified window openings on the rear façade of the historic portion of the structure and restored existing aluminum windows to wood on the north and south elevations. The 2021 project was reviewed by Heritage Preservation staff and determined to be consistent with the U.S. Secretary of the Interior's Standards. Other modifications include the addition of gutters to the front façade and the addition of a trellis on the north façade sometime between 2012 and 2014. The chimney was likely rebuilt in-kind in conjunction with a 1989 permit. Additionally, the garage was restuccoed and the original garage door replaced with the current door.

A Historical Resource Research Report was prepared by Landmark Historic Preservation, which concludes that the resource is significant under HRB Criteria C and D and staff concurs. This determination is consistent with the *Guidelines for the Application of Historical Resources Board Designation Criteria*, as follows.

*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 resource is a one-story, single-family residence constructed in 1928 in the Spanish Colonial Revival style. The house is clad in stucco and covered by a low-pitched, tile roof with little eave overhang. The roof form is a combination of gable, shed and flat styles and the principal roof covers the structure's front porch. The house is accessed via a scored concrete pathway that leads to the center of the asymmetrical primary façade. An arched focal window is located in the southernmost bay of the primary elevation and the arched motif is repeated in the porch supports of the other two bays. A French door with sidelights is featured in the center of the structure; however, the main entrance is located on the southern wall of the porch and is obscured from view. A brick chimney is located on the south façade and a wood trellis is located on the rear of the north façade. Additional fenestration includes wood windows in various sizes and operations. A stucco garage that dates to the 1928 date of construction is located towards the rear of the north side of the parcel.

The Spanish Colonial Revival style uses decorative details borrowed from the entire history of Spanish architecture. Its vocabulary is influenced by Moorish, Byzantine, Gothic or Renaissance precedents. The style became popular after the Panama-California Exposition of 1915 and reached its height in the 1920's and early 1930's before rapidly declining in the 1940's. Identifying features include a low-pitched roof with little or no eave overhang, red tile roof covering, stucco exterior wall finishes, an asymmetrical façade and arches above doors and principle windows. Common decorative details are patterned tiles, carved stonework, large focal windows, wooden or iron window grilles, decorative vents and balconies.

Of the seven aspects of integrity, design, materials, and workmanship are the most critical to the property's ability to convey significance under HRB Criterion C as a resource that embodies the distinctive characteristics of the Spanish Colonial Revival style. The property, which has been modified as detailed in the beginning of the analysis section of this report, retains overall integrity of design, materials, and workmanship despite the modifications. The rehabilitation project approved in 2021 improved the overall integrity of the resource through the restoration of the French door on the front façade in 2021 and the replacement of the aluminum windows on the north and south elevations with historically appropriate wood windows. The rear addition and associated modification of window openings on the rear façade is not readily visible and did not impact character defining features. The in-kind replacement of the chimney in 1989, and the addition of gutters to the front façade and the addition of a trellis on the north façade sometime between 2012 and 2014 are minor changes that do not significantly impair integrity. The restucco of the garage and replacement of the garage door do not impair the resource's ability to convey its significance as a Spanish Colonial Revival style building. Therefore, the property does retain integrity to its 1928 period of significance under HRB Criterion C. Staff is recommending inclusion of the garage in the designation because the current stucco texture and door are appropriate for the Spanish Colonial Revival style and do not detract from the resource's ability to convey its historic significance under Criterion C.

Significance Statement: The resource embodies the distinctive characteristics through the retention of character defining features of the Spanish Colonial Revival style and architectural integrity to its 1928 period of significance. Specifically, the resource exhibits an asymmetrical façade, stucco exterior, low-pitched tile roof with little eave overhang, arched focal window, arched porch openings, varied roof form and wood windows. Therefore, staff recommends 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.*

Carl B. Hays was born in Ohio in 1884. He moved to San Diego in the early 1920s. In the 1923 San Diego City Directory, he is listed as a partner in the real estate firm Hays, Howard & McCoy, along with C. E. Howard and E. L. McCoy. Hays and McCoy remained partners until 1924. This was likely the period when Hays and McCoy perfected their signature floor plan that they used in Kensington, Talmadge, North Park, and many other communities. The 1928 San Diego City Directory listed Hays and his wife as owning a real estate company. In 1936, he partnered with Richard M. Jackson to start the firm Hays & Jackson. Their partnership lasted until Hays' retirement in 1942.

Several advertisements in the San Diego Union during Hays' career characterized him as one of the influential builders in Kensington Heights. He was included in a 1937 photograph of industry leaders such as A.L. & A.E. Dennstedt, Henry F. Landt, R.S. Brock, John Lovett, Raymond Perrigo, Lawrence Michael, Van Brady, and George Forbes, developer of Kensington.

At least five of Hays' works have been designated as historical resources by the City of San Diego Historical Resources Board. They include the Enrique and Esperanza Aldrete/Carl B. Hays House (HRB #1222), which established him as a Master Builder by the HRB in 2016, the J.W. Harlan and Carl and Matilda Hays Spec House #1 (HRB #967), Carl B. and Matilda G. Hays Spec House No. 1 (HRB #1002), the Carl and Matilda Hays/Elmer and Susie McCoy Spec House #1 (HRB #1172), and the Carl and Matilda Hays Speculation House #2 (HRB #1437).

The subject resource was sold to the original owners, Harry and Edna Payne, by Master Builder Carl Hays in 1928, likely while the house was still under construction. The subject residence is an example of Hays' work in his signature Spanish Colonial Revival style and conveys his skill as a builder through its high-quality design and craftsmanship.

Of the seven aspects of integrity, design, materials, and workmanship are the most critical to the property's ability to convey significance under HRB Criterion D as a resource that represents the notable work of Master Builder Carl B. Hays. The property, which has been modified as detailed in the beginning of the analysis section of this report, retains overall integrity of design, materials, and workmanship despite the modifications. The rehabilitation project approved in 2021 improved the overall integrity of the resource through the restoration of the French door on the front façade in 2021 and the replacement of the aluminum windows on the north and south elevations with historically appropriate wood windows. The rear addition and associated modification of window openings on the rear façade is not readily visible and did not impact character defining features. The in-kind replacement of the chimney in 1989, and the addition of gutters to the front façade and the addition of a trellis on the north façade sometime between 2012 and 2014 are minor changes that

do not significantly impair integrity. The restucco of the garage and replacement of the garage door do not impair the resource's ability to convey its significance as a resource that represents the notable work of Master Builder Carl B. Hays. Therefore, the property does retain integrity to its 1928 period of significance under HRB Criterion D.

Significance Statement: The subject resource is representative of a notable work of Master Builder Carl B. Hays, a prominent and accomplished building contractor responsible for the construction of many quality residences in the Kensington neighborhood and throughout the City, some of which have been historically designated. Specifically, the resource is an example of his work in his signature Spanish Colonial Revival style, expresses a quality of craftsmanship seen in his other known works and retains integrity as it relates to the original 1928 design. Therefore, staff recommends designation of the subject property under HRB Criterion D.

#### OTHER CONSIDERATIONS

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. 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 Harry and Edna Payne/ Carl B. Hays House located at 4952 Marlborough Drive be designated with a period of significance of 1928 under HRB Criterion C as an example of the Spanish Colonial Revival style and Criterion D as a notable work of Master Builder Carl B. Hays. The designation excludes the rear 2021 addition constructed outside of the period of significance. The designation includes the original detached garage.



Suzanne Segur  
Senior Planner/ HRB Liaison  
City Planning Department

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Attachment(s):

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

RESOLUTION NUMBER N/A  
ADOPTED ON 1/25/2024

WHEREAS, the Historical Resources Board of the City of San Diego held a noticed public hearing on 1/25/2024, to consider the historical designation of the Harry and Edna Payne/ Carl B. Hays House (owned by Ronen B & Jesslyn E Erlich, 4952 Marlborough Drive, San Diego, CA 92116) located at **4952 Marlborough Drive, San Diego, CA 92116**, APN: **440-373-18-00**, further described as BLK 7 LOT 7 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 Harry and Edna Payne/ Carl B. Hays House on the following findings:

(1) The property is historically significant under CRITERION C for its distinctive characteristics through the retention of character defining features of the Spanish Colonial Revival style and retains architectural integrity from its 1928 period of significance. Specifically, the resource exhibits an asymmetrical façade, stucco exterior, low-pitched tile roof with little eave overhang, arched focal window, arched porch openings, varied roof form and wood windows. This finding is further supported by the staff report, the historical research report, and written and oral evidence presented at the designation hearing.

(2) The property is historically significant under CRITERION D as a notable work of Master Builder Carl B. Hays, a prominent and accomplished building contractor responsible for the construction of many quality residences in the Kensington neighborhood and throughout the City, some of which have been historically designated. Specifically, the resource is an example of his work in his signature Spanish Colonial Revival style, expresses a quality of craftsmanship seen in his other known works and retains integrity as it relates to the original 1928 design. 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**.

BE IT FURTHER RESOLVED, the designation shall include the original detached garage.

BE IT FURTHER RESOLVED, the designation shall exclude the rear 2021 addition constructed outside of the period of significance.

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:

BY: \_\_\_\_\_  
TIM HUTTER, Chair  
Historical Resources Board

APPROVED: MARA W. ELLIOTT,  
CITY ATTORNEY

BY: \_\_\_\_\_  
LINDSEY SEBASTIAN,  
Deputy City Attorney

RECORDING REQUESTED BY  
CITY OF SAN DIEGO  
DEVELOPMENT SERVICES DEPARTMENT

**WHEN RECORDED MAIL TO**

HISTORICAL RESOURCES BOARD  
ATTN: HRB SECRETARY  
1222 FIRST AVENUE, MS 501  
SAN DIEGO, CA 92101

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SPACE ABOVE THIS LINE FOR RECORDER'S USE

RESOLUTION NUMBER **N/A**

HISTORICAL DESIGNATION OF PROPERTY ON

**4952 Marlborough Drive, San Diego, CA 92116**

ASSESSOR PARCEL NUMBER **440-373-18-00**

HISTORICAL RESOURCES BOARD NUMBER **0**