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May 21, 2024

Historical Resources Board
City of San Diego
1222 First Avenue, MS 501
San Diego, CA 92101
c/o Suzanne Segur, HRB Liaison
Email: ssegur@sanidiego.gov

Re: HRB Hearing Date: May 23, 2024
Item #5 – 7960 La Jota Way

Dear Chair Hutter and Board Members:

I urge the Board to reject staff's recommendation and instead designate this property under Criteria C and D. Staff's recommendation to not designate violates the integrity of the Single Discipline Preliminary Review (SDPR) process and has negative ramifications for the entire process.

The document entitled "Historical Resources Board Staff Assistance Procedure for Proposed Building Modifications" (see copy attached) on Development Services webpage provides various options for seeking guidance from HRB staff, including the option to seek a SDPR for historical purposes. The possible conclusions from the process are as follows:

"The SDRP [sic: SDPR] may conclude that your property, although 45 or more years old, is not potentially historic due to loss of material integrity. ... However, ***if the SDRP concludes that your property is potentially historic and your project conforms to the Standards***, to the level of detail that you submitted, you may be able to modify your structure without going through a designation process with the HRB. You also preserve a future opportunity to be considered for historical designation if you wish." [emphasis added]

The above guidance makes clear that a conclusion that a project conforms to the Standards must be coupled with a conclusion that the property is potentially historic. It would make no sense to conclude that the property complies with the Standards if it wasn't potentially historic, since the "Standards" refer to the *Standards for Treatment of Historical Property*.


Development Services' cycle review comments to the SDPR confirm that the applicant requested a determination as to whether the subject property is potentially historically significant and eligible for designation in conjunction with requesting whether the project was consistent with the Standards. Staff's ultimate response that the project is consistent with the Standards necessarily implies that the property was potentially significant and eligible for designation. Otherwise, complying with the Standards would be irrelevant.

It appears that the applicant spent hundreds of thousands of dollars carrying out a project in reliance on staff guidance. For staff to now disavow the meaning of its guidance and take the

position that the property is not eligible for designation is disingenuous at best. Moreover, it throws the value of the SDPR process into question.

Ample evidence has been presented that the property is eligible for designation under two criteria. Please reject staff's recommendation and designate this property as historic.

Sincerely,



Barry E. Hager

Enclosure: Historical Resources Board Staff Assistance Procedure for Proposed Building Modifications

HISTORICAL RESOURCES BOARD STAFF ASSISTANCE PROCEDURE FOR PROPOSED BUILDING MODIFICATIONS

March 2009

You may contact the staff to the Historical Resources Board [HRB] for guidance when you are interested in modifying a designated historic building, including a building within a designated historic district or any building over 45 years of age. The options for seeking guidance from the HRB staff are outlined below.

If your *site has already been designated as a historical site* by the City's HRB and you want to propose additions or modifications to your building, your options are:

1. You may **meet with HRB staff** about your intentions for changes to your property for up to ½ hour at no charge. This will allow you to discuss the general direction of your proposal to change your historic building. You should bring current photos of all elevations and a view from the street front and sketches of your proposal to review with staff. During the meeting, staff will provide you with verbal comments and general guidance about whether your proposal appears to comply with the Secretary of the Interior's Standards for Treatment of Historic Properties (Standards) which govern modifications to designated historic sites. This option is intended to provide advice for small homeowner projects when an architect or design professional is not involved. If you are already working with an architect you should follow option 2 or 3 described below.
2. You may seek a **Single Discipline Preliminary Review [SDPR] for historical purposes**. You can submit plans/sketches, photos, and other information required by Development Services Department's Bulletin 513 along with a fee to the Project Submittal section on the 3rd floor of the Development Services Center (1222 First Avenue). The HRB staff will review the information you provide and prepare written comments regarding consistency of your proposal with the Standards, based on the level of detail that you submit. During this process, HRB staff may determine it is appropriate to meet with the HRB Design Assistance Subcommittee to discuss your proposal.

To the degree that future plans submitted for building permits are consistent with the information submitted and evaluated in the SDPR, HRB staff's formal review of your submitted project will be simplified and straightforward. See Information Bulletin 581 for a complete discussion of processing requirements for designated historical resources and properties within historic districts.

3. You may **submit your building permit plans directly to the Project Submittal section** on the 3rd floor of the Development Services Center (1222 First Avenue). Your plans will be routed to HRB staff for evaluation of your project's compliance with the Standards. All proposed modifications and additions to designated historic properties will be evaluated. HRB staff may forward your project to the Design Assistance Subcommittee for evaluation if determined necessary. If your proposal cannot be judged to be in compliance with the Standards, you may then be directed into a discretionary process with the Development Services Department.

If your *site has NOT been designated as a historical site* by the City's HRB but you are interested in preserving the potential historical integrity of your building, and you want to propose additions or modifications to it, your options are:

1. You may **meet with HRB staff** about your intentions for changes to your property for up to ½ hour at no charge. This will allow you to discuss the appropriateness of your proposal if you are interested in preserving a future possible determination of historicity. You should bring current photos of all elevations and a view from the street front and any sketches of your proposal to review with staff. Staff will discuss historical issues with you but will not make a determination during this meeting about whether the site should be considered for historical designation. During the meeting, staff will provide you with verbal comments about whether proposed additions or modifications appear to comply with the Standards which govern modifications to designated

historical sites. Staff may also be able to indicate to you whether your building appears, from photographs provided, to retain architectural integrity. Staff may also advise you to apply for historical designation, and explain the benefits of doing so. This option is intended to provide advice for small homeowner projects when an architect or design professional is not involved. If you are already working with an architect you should follow option 2 or 3 described below.

2. You may seek a **Single Discipline Preliminary Review [SDPR]** for historical purposes. You can submit plans/sketches, photos, and other information required by Development Services Department's Bulletin 513 along with a fee to the Project Submittal section on the 3rd floor of the Development Services Center (1222 First Avenue). The HRB staff will review the information you provide, and prepare written comments regarding the potential historical significance of your property and consistency of your proposal with the Standards, based on the level of detail that you submitted, even though your property is not historically designated.

The SDRP may conclude that your property, although 45 or more years old, is not historically significant due to loss of material integrity. If this is the case, you may submit a project without regard to compliance with the Standards. However, if the SDRP concludes that your property is potentially historic and your project conforms to the Standards, to the level of detail that you submitted, you may be able to modify your structure without going through a designation process with the HRB. You also preserve a future opportunity to be considered for historical designation if you wish.

You may use this SDPR analysis to demonstrate compliance with the Standards when you submit for your building permits. This may simplify your ministerial plan review process. However, if your property is potentially historic and your proposal does not conform to the Standards, when you do submit your plans to Project Intake in the Development Services Department, staff will request that you prepare a Site Specific Historical Survey based on an evaluation of required information about your property, including past owners and occupants, and the building architect. The results of this more detailed analysis will be used to refer your property to the HRB for formal designation or to determine that the property is not historically significant. See Information Bulletin 580 for a complete discussion of processing requirements for potential historical resources.

3. You may **submit your building permit plans directly to the Project Submittal section** on the 3rd floor of the Development Services Center. Based on information you have submitted, you may be "cleared" of any further requirement for historical analysis, and you may be allowed to proceed directly with your building plans. Alternatively, you may be asked to prepare a Site Specific Historical Survey which would be reviewed by HRB staff to determine the historical significance of your property. At that point, you may be directed to seek a historical resources designation determination. See Information Bulletin 580 for a complete discussion of processing requirements for historical determinations for buildings 45 or more years old.

If you have any questions about the information presented here or to schedule a meeting with HRB staff, you may send an email inquiry to HistoricalResources@sanidiego.gov.

To obtain Information Bulletins, go to the City of San Diego's website at www.sandiego.gov/development-services, headings of "Information Bulletins" or "Submittal Information." This is procedural advice is not applicable to your property or your project if your proposal is subject to **discretionary review** as determined by the Development Services Department.