

**CITY OF SAN DIEGO  
HISTORICAL RESOURCES BOARD  
MINUTES OF THE MEETING OF JULY 24, 2008  
202 C STREET, CITY ADMINISTRATION BUILDING  
COUNCIL COMMITTEE ROOM, 12<sup>TH</sup> FLOOR  
SAN DIEGO, CA 92101**

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**CHRONOLOGY OF THE MEETING**

The meeting was called to order by Chairperson Lemmo at 1:10pm

Chairperson	John Lemmo	Present
Vice Chairperson	Jerry Schaefer	Present
Boardmember	Priscilla Berge	Present
Boardmember	Maria Curry	Present ( <i>arrived at 2:05pm</i> )
Boardmember	John Eisenhart	Present
Boardmember	Otto Emme	Present
Boardmember	Gail Garbini	Present
Boardmember	Paul Johnson	Present
Boardmember	Abel Silvas	Present ( <i>left at 6:05pm</i> )

Staff to the Board in Attendance: Shannon Anthony, Board Secretary  
Cathy Winterrowd, Senior Planner  
Jennifer Hirsch, Senior Planner  
Tricia Olsen, Associate Planner

Legal Counsel in Attendance: Marianne Greene, Deputy City Attorney

**ITEM 1 - APPROVAL OF MINUTES for November 29, 2007 and January 24, 2008**

Boardmembers Silvas, Garbini, Johnson, and Lemmo were not present at the November 29, 2007 meeting and cannot vote on the minutes

Boardmembers Emme, Garbini, Johnson, and Lemmo were not present at the January 24, 2008 meeting and cannot vote on the minutes

**BOARD ACTION:**

**MOTION BY BOARDMEMBER BERGE TO APPROVE THE NOVEMBER 29, 2007 MINUTES WITH CORRECTION TO BOARDMEMBER BERGE'S NAME ON PAGE 10**

Seconded by Boardmember Schaefer                      Vote: 5-0-0                      Motion Passes

**MOTION BY BOARDMEMBER BERGE TO APPROVE THE JANUARY 24, 2008 MINUTES**

Seconded by Boardmember Silvas                      Vote: 5-0-0                      Motion Passes

## **ITEM 2 - PUBLIC COMMENT**

Bruce Coons, SOHO: Third Thursday Lecture Series, with all of neighborhood histories, they are very informative

## **ITEM 3 - ADMINISTRATIVE ITEMS**

### **A. BOARD ADMINISTRATIVE MATTERS AND GENERAL INFORMATION**

- **ABSENCES**

Boardmember Curry will be late

- **OTHER GENERAL INFORMATION**

Blue folders contain letters and emails referring to Item #12 – Proposed Changes to the Mills Act

- **GENERAL BOARD MEMBER COMMENTS**

Boardmember Emme mentioned that he has a piece of the Mission Hills Trolley Line in his parking lot in Mission Hills.

### **B. CONFLICT OF INTEREST DECLARATIONS**

- **CONFLICTS OF INTEREST**

Boardmembers Berge and Garbini declared a conflict of interest with Item #12 – Proposed Changes to the Mills Act.

#### **EX PARTE COMMUNICATIONS**

None

- **FAILURE TO VISIT DESIGNATION SITES (INCLUDING INTERIORS PROPOSED FOR DESIGNATION)/INVOCATION OF WAIVER**

None

### **C. STAFF REPORT**

- The Tourist Hotel project was heard today by the Planning Commission after an earlier continuance to allow time for the applicant to address issues raised by David Marshall, on behalf of the Board and by Bruce Coons of SOHO. The issues were addressed through compromise and the project was approved with increased safeguards to preserve the 1888 portion of the resource by temporarily relocating it and returning it to the historic site intact.
- We received notification from the State Office of Historic Preservation that the William Black House/SDM-W-12 Locus A, known as the Chancellor's House property, was listed on the National Register on May 2, 2008 and was also listed on the California Register. We also received notification that the proposed Torrey Pines Gliderport National Register boundary increase was continued in April by the State

Historical Resources Commission and will be heard tomorrow, July 25, 2008 at their meeting in Santa Barbara.

- The next DAS meeting is scheduled for Wednesday, August 20. The next Incentives Subcommittee meeting will be on Monday, July 28. The next Policy Subcommittee meeting will be on Monday, August 11 and the next Archaeology Subcommittee meeting will be on Monday, September 8.

Boardmembers will note today's agenda includes two referrals from CCDC, including one item continued from January 2008, two development permit reviews, two individual homeowner nominations, and the Proposed Changes to the Mills Act Program. There are 3 individual homeowner nominations that were submitted in 2006, 68 individual homeowner nominations submitted in 2007, and 35 individual homeowner nominations submitted in 2008 that have not been reviewed by staff and brought forward for designation.

#### **D. REQUESTS FOR CONTINUANCES**

The property owner of Item #6 – M.J. Cushing and M.A. Ross House at 416 13<sup>th</sup> Avenue requested a continuance until the next agenda to conduct additional research

#### **BOARD ACTION:**

**MOTION BY BOARDMEMBER BERGE TO APPROVE THE CONTINUANCE OF ITEM #6 – M.J. CUSHING AND M.A. ROSS HOUSE AT THE OWNER'S REQUEST UNTIL THE NEXT AGENDA OPENING**

Seconded by Boardmember Schaefer

Vote: 8-0-0

Motion Passes

#### **E. INFORMATION ITEMS**

Marty Rosen from Caltrans provided a status update on the Cabrillo Bridge. *No action required by the Board.*

#### **ITEM 4 - REQUESTS FOR ITEMS TO BE PLACED ON CONSENT AGENDA**

ITEM 7 – SALK INSTITUTE PERMIT REVIEW located at 10010 North Torrey Pines Road

ITEM 8 – KETTENBERG BOAT WORKS/POINT LOMA TOWNHOMES PROJECT located at 1271 Scott Street and 2810 Carlton Street

ITEM 10 – IDA R. HEDGES HOUSE located at 3747 Eagle Street

ITEM 11 – MARGUERITE ROBINSON/LILLIAN JENETTE RICE HOUSE located at 1600 Ludington Lane

#### **Board Discussion:**

Boardmember Curry was not present to vote

Item 7 was pulled from the Consent Agenda due to opposition from a member of the public.

Boardmember Berger wanted to commend the property owner of Item 10 for her report and restoration of the property.

Boardmember Berger had a question on Item #11 about the balcony on the 2<sup>nd</sup>-story above the garage; there is a difference between the historic photo and the current photos. She would like to add to the other considerations on the Staff report, that the 2<sup>nd</sup>-story balcony be modified to match the historic photo

Boardmember Schaefer wanted to comment on the proposed signage for Item 8; requests that signage be prominent, creative and informative

Boardmember Eisenhart had questions for the property owner of Item 10 regarding the artificial lawn. He has problems with artificial turf in historic sites, and would like the lawn to be brought back to original sod

Boardmember Garbini commented that turf was one of the highest water uses; there are other options to landscape with other than artificial turf

Boardmember Berge was also troubled by the artificial lawn, but the artificial turf does give it more of a visual sense of the historic setting, even though it isn't the same, it is compatible but yet discernable

Chair Lemmo would prefer to see natural turf, but does not want to start a precedent of requiring natural turf in all situations; it would have to be a case by case basis

Boardmember Johnson wanted to know if a grey water system would be an alternative

Boardmember Garbini responded that grey water is not currently approved by the county, because of the quality of the water

Chair Lemmo commented that it isn't cost effective to have a grey water system on a home of this size

**BOARD ACTION:**

**MOTION BY BOARDMEMBER BERGE TO APPROVE STAFF RECOMMENDATION ON CONSENT AGENDA ITEM 11 – MARGUERITE ROBINSON/LILLIAN JENETTE RICE HOUSE WITH MODIFICATION TO STAFF'S RECOMMENDATION REGARDING THE MILLS ACT AND FOCUSING ON THE HISTORIC PHOTO AND TODAY'S VIEW OF THE 2<sup>ND</sup> STORY BALCONY; AND TO INCLUDE THE FREESTANDING ROCK WALL IN THE DESIGNATION.**

Seconded by Boardmember Emme                      Vote: 8-0-0                      Motion Passes

**MOTION BY CHAIR LEMMO TO APPROVE STAFF RECOMMENDATION ON CONSENT AGENDA ITEM 10 – IDA R. HEDGES HOUSE**

Seconded by Boardmember Berge                      Vote: 8-0-0                      Motion Passes

**MOTION BY BOARDMEMBER BERGE TO APPROVE STAFF RECOMMENDATION ON CONSENT AGENDA ITEM 8 – KETTENBERG BOAT WORKS/POINT LOMA TOWNHOMES PROJECT**

Seconded by Boardmember Eisenhart                      Vote: 8-0-0                      Motion Passes

## **ACTION ITEMS**

### **ITEM 5 – 1335 J STREET (WORKMAN HOTEL)**

**Continued from January 28, 2008**

Applicant: Scott Moomjian, on behalf of the owner Workman Hotel LP

Location: 1335 J Street, Centre City Community, Council District 2 (1289 B4)

Description: Consider the designation of the Workman Hotel located at 1335 J Street as a historical resource.

Today's Action: Designate the property as a historical resource under adopted designation criteria, or do not designate.

Staff Recommendation: Do not designate the property located at 1335 J Street under any adopted HRB criteria.

Report Number: Staff memo dated July 12, 2008 and HRB-08-001

Staff Report by Cathy Winterrowd

#### **Testimony Received:**

In Favor: Scott Moomjian (*Danny Dabby, Mark Lyon, Joe O'Keefe, Eric Fletcher*)

In Opposition: Bruce Coons

#### **Board Discussion:**

Item was moved out of order due to a lack of Quorum without Boardmember Curry in attendance. Boardmembers Garbini, Johnson, and Lemmo could not vote because they were not on the Board when the item was originally heard in January.

Boardmember Emme could vote on this Item, he was able to listen to the audio from the January hearing.

Boardmember Eisenhart is on the fence, but does not support designation. It has good bones, but the distinctive features are not there, great potential for restoration. Floor plan is very interesting and somewhat distinctive for the period.

Boardmember Curry thinks this is historic even if altered. It was not built for tourists and is part of the warehouse district; has potential for restoration.

Boardmember Emme committed that storefronts are problematic; feels that it could fit under Criterion A, it is one of a few remaining hotels, the windows are reversible, has been identified in numerous surveys. Even though the storefronts are missing and rest of the building is there. It has social and economic history.

Boardmember Schaefer thinks that some of the considerations for this building are based more on the feeling of this neighborhood than the historical significance of this building as a stand-alone is. Alterations are significant and without historic photo it can't be restored per the Secretary of Interior Standards. Building lacks integrity, and it doesn't have a lot of architectural character to it. He is leaning towards voting against designation.

Boardmember Berge's does not support designation under Criterion C, but feels that the Board can look at Criterion A in terms of the social and economic development of the

neighborhood. When focusing on Criterion A the emphasis is more on the sense and the feel of the building than the architectural integrity.

Boardmember Silvas agrees that this has potential under Criterion A; it is almost 100 years old, and would like to see it preserved.

**BOARD ACTION:**

**MOTION BY BOARDMEMBER EMME TO DESIGNATE ITEM 5 – 1335 J STREET (WORKMAN HOTEL) UNDER CRITERION A, AS IT REFLECTS SOCIAL HISTORY AS ONE OF SEVERAL HOTELS OF THIS AREA**

Seconded by Boardmember Curry

Vote: 4-2-0

Motion Fails

*(Eisenhart, Schaefer)*

**ITEM 6 – M.J. CUSHING AND M.A. ROSS HOUSE**

Applicant: Marie Burke Lia, on behalf of the owner R. Quigley and K. Hallahan

Location: 416 13<sup>th</sup> Avenue, Centre City Community, Council District 2 (1289-B4)

Description: Consider the designation of the property located at 416 13<sup>th</sup> Avenue as a historical resource.

Today's Action: Designate the property as a historical resource under adopted designation criteria, or do not designate.

Staff Recommendation: Designate the M.J. Cushing and M.A. Ross House located at 416 13th Street as a historical resource under HRB Criterion C, as an example of Folk Victorian architecture.

Report Number: HRB-08-046

Staff Report by Jennifer Hirsch

ITEM HAS BEEN CONTINUED AT THE REQUEST OF THE PROPERTY OWNERS

**ITEM 7 – SALK INSTITUTE PERMIT REVIEW**

Applicant: Salk Institute

Location: 10010 North Torrey Pines Road, University Community, Council District 1 (1227 J1)

Description: Review and make a recommendation to the appropriate decision-making authority on those aspects of the development permit pertaining to designated historical resources.

Today's Action: Recommend to the Planning Commission adoption of the mitigation measures and findings associated with the site development permit as presented or recommend inclusion of additional permit conditions related to designated historical resources.

Staff Recommendation: The Historical Resources Board recommend to the Planning Commission adoption of the mitigation measures and findings associated with the site development permit related to the designated historical resource as presented.

Report Number: HRB-08-047

Staff Report by Cathy Winterrowd

**Testimony Received:**

In Favor: Mark Rowson (*Gary Van Gerpen, Kim Baranak, Jay Turnbull*), Lisa Ross, Anne Harvey

In Opposition: Bruce Coons

**Board Discussion:**

Laura Black, Development Services in attendance

Boardmember Garbini is concerned about the view of the corridor from the eastside, and she is not sure what the attachment to the Chinese Fringe Trees is, thinks they date from 1990; expansion plan should not be tied to anything specific, should look at the whole plan and not to any improvements made in 1990. She thinks they could do better to frame the view of the Eucalyptus Grove.

Boardmember Eisenhart is pretty comfortable with development on the East building, would prefer a wider bridge but OK with 20'. Wanted clarification that the height will not impact flights from the Gliderport, and that road access to the Gliderport and the beach will not be impacted as well. Main concern is the North community building height may affect iconic view from the courtyard. He does not have a problem with the north building being there, but would like building lowered 6' to preserve the views.

Boardmember Emme supports Staff's recommendation. This is consistent with previous HRB/DAS recommendations, this is a compromised solution.

Boardmember Schaefer also supports Staff's recommendation. Definite improvements in reducing visual impacts; there has been a lot of work to achieve this compromise.

Boardmember Berge is also in support of Staff's recommendation.

Boardmember Silvas has the same concerns about the equinox view toward north building. He also noticed that the mitigation measures are in order as far as the Native American Monitoring; recommends that the monitor be allowed to address the workers at the daily safety meetings with regards to why the he/she is there and the cultural sensitivity of the area (on a daily basis).

**BOARD ACTION:**

**MOTION BY BOARDMEMBER EMME TO APPROVE STAFF RECOMMENDATION FOR ITEM 7 – SALK INSTITUTE PERMIT REVIEW WITH SOME FLEXIBILITY ON THE LANDSCAPING**

Seconded by Boardmember Schaefer

Vote: 5-4-0

Motion Passes

*(Curry, Eisenhart, Johnson, Silvas)*

**ITEM 8 – KETTENBERG BOAT WORKS/POINT LOMA TOWNHOMES PROJECT**

Applicant: Wassem, Prism Investments, Inc. on behalf of Dean Wilson Living Trust and Axiom Shelter Island, LLC., owners.

Location: 1271 Scott Street and 2810 Carlton Street, Peninsula Community, Council District 2 (1288 B2)

Description: Review and make a recommendation to the appropriate decision-making authority on those aspects of the development permit pertaining to designated historical resources.

Today's Action: Recommend to the Planning Commission adoption of the mitigation measures and findings associated with the site development permit as presented or recommend inclusion of additional permit conditions related to designated historical resources.

Staff Recommendation: The Historical Resources Board recommend to the Planning Commission adoption of the mitigation measures and findings associated with the site development permit related to the designated historical resource as presented.

Report Number: 08-048

Staff Report by Cathy Winterrowd

ITEM PASSED ON CONSENT

**ITEM 9 – WALTER AND NETTIE BELLON HOUSE AT 4276 TRIAS STREET**

THIS ITEM HAS BEEN PULLED FROM THE AGENDA BY STAFF AT THE REQUEST OF THE PROPERTY OWNER.

**ITEM 10 – IDA R. HEDGES HOUSE**

Applicant: Dondi Simone Dahlin, owner

Location: 3747 Eagle Street, Uptown Community, Council District 2, (1268-J6)

Description: Consider the designation of the property located at 3747 Eagle Street as a historical resource.

Today's Action: Designate the property as a historical resource under adopted designation criteria, or do not designate.

Staff Recommendation: Designate the Ida R. Hedges House at 3747 Eagle Street as a historical resource under Criterion C as an example of National Folk architecture.

Report Number: HRB-08-050

Staff Report by Jennifer Hirsch

ITEM PASSED ON CONSENT

**ITEM 11 – MARGUERITE ROBINSON/LILIAN JENETTE RICE HOUSE**

Applicant: Constance M. Branscomb, owner

Location: 1600 Ludington Lane, La Jolla Community, Council District 1 (1227-G6)

Description: Consider the designation of the property located at 1600 Ludington Lane as a historical resource.

Today's Action: Designate the property as a historical resource under adopted designation criteria, or do not designate.

Staff Recommendation: Designate the Marguerite Robinson/Lilian Jenette Rice House at 1600 Ludington Lane as a historical resource under HRB Criteria C as a good example embodying distinctive characteristics of Colonial Revival style architecture and under Criterion D as a notable work of Master Architect Lilian Jenette Rice.

Report Number: HRB-08-051

Staff Report by Jennifer Hirsch

ITEM PASSED ON CONSENT

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**\*\*\*THE FOLLOWING ITEM WILL BE HEARD AT 4:00 PM – TIME CERTAIN\*\*\***

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**ITEM 12 – PROPOSED CHANGES TO THE MILLS ACT PROGRAM**

Applicant: City Planning & Community Investment Department

Location: Citywide

Description: Consider proposed changes to the current Mills Act program and make recommendations on the proposed changes to the San Diego City Council.

Today's Action: Make recommendations on specific proposed changes to the Mills Act program.

Staff Recommendation: HRB Staff recommends that the Board make the following recommendations to the San Diego City Council related to the Mills Act Program:

1. Set an annual fiscal limit for Mills Act agreements based on new revenue loss to the general fund and do not set an aggregate limit for the total number of Mills Act agreements.
2. Establish eligibility requirements for new Mills Act agreements and retain current discretion within Redevelopment Areas. Require historic designation by December 31 of the year preceding the application for a Mills Act agreement and require the property owner to meet at least one of the following criteria where granting an agreement would:
  1. substantially contribute to the preservation of a historical resource threatened by deterioration or abandonment;
  2. enhance opportunities for maintaining or creating affordable housing;
  3. facilitate preservation and maintenance of a property in cases of economic hardship;  
*or,*
  4. support substantial reinvestment in a historical resource and/or rehabilitation of a historical building or structure.
3. Change the application deadline to March 31 of each year.
4. Add a requirement for a 10-year tailored agreement with annual renewal for every property to achieve necessary rehabilitation or implement a restoration plan and retain the requirement for visibility of the resource from the public right-of-way.
5. Establish an inspection schedule for monitoring of Mills Act properties prior to a new agreement and every 5 years thereafter prior to the renewal date.
6. Establish cost recovery fees for implementation of the Mills Act program, as follows: \$590 for agreement (one time); \$492 monitoring fee paid at time of agreement and every 5 years; and \$949 enforcement fee only if needed.

Staff Report by Cathy Winterrowd

**Testimony Received:**

In Favor: None

In Opposition: Stephen Whitburn, Linda Canada, Penny Buchanan, Sheryl Hopwood, Betty Hauck, David Marshall, Pat Olapson, Daniel Soderbery, Rick Haas, Donna Sevilla, Janet O’Dea, Allen Hazard, David Goldberg, Deborah Pettry, Joe Marrone, Katherine Hon, George Franck, Steve Hon, Alana Coons, Berry Hager (*Jane Ligon, Pat Russell*), Cherry DeLorenzo (*Marissa Feliciano*), Ron May (*Ernestine Bonn, Dale May*), Bruce Coons (*Donna Eden, Dondi Dahlin, David*

*Feinstein, Roger Devenyns, Ashley Christensen, Christianne Knoop*), Catherine Lynch, Todd Gloria, A. Becker, Janet Widmer, Bill Markinson, M. Antrim-Seniben

**Board Discussion:**

Boardmembers Berge and Garbini recused themselves from this Item

Shannon Lauchner, Office of Historic Preservation, presented support for the proposed changes.

Chair Lemmo is concerned about the idea of setting an annual fiscal limit and is not sure how this Board would be capable of doing that, is in support of having a reasonable fee in place for monitoring/inspection, wanted to know if there could be a mechanism to capture the fees through the property taxes

Boardmember Curry understands staff reasons for changes, and agrees that changes need to be made. We are not hearing from the majority in San Diego, not everyone is familiar with the Mills Act program; it should be spread out to benefit more of San Diego, not just certain areas.

Boardmember Schaefer is in favor of some reforms; would like to see the program benefit more people of modest means or people who have more need for economic support for rehabilitation per the standards; does not want to see inequity occur. More specificity could result in more public support. There needs to be more of a nexus between the designation process and the Mills Act.

Boardmember Eisenhart does not think there should be any changes to the current program, the program works and is unique. He does support some fees; for inflation costs and inspections.

Boardmember Silvas has to leave for work, but he does not feel that there should be any changes to the current program; refocus where we focus on the history of San Diego.

Boardmember Emme believes the process needs credibility and integrity. Based on today's testimony, he is not sure if there needs to be a limit. If a revenues limit is implemented, higher end homes, i.e. La Jolla, may squeeze out other neighborhoods. More specifics needed on enforcement and reimbursements specific to preservation, i.e. what is required of the property owner.

Boardmember Johnson quoted "the Mills Act does not take from our City but gives to the City"; it is a fallacy that the Mills Act results in a loss of City revenue, it is a revenue generator. The cost recovery fees are OK, there should not be a limit on the number of contracts, and inspections are needed. We have a distinct lack of historic districts in San Diego; more districts need to be in place prior to making changes to the Mills Act.

Chair Lemmo doesn't think Council will enact any fiscal limits, doesn't see any real benefit or support for it. He is supportive of the idea of tailored agreements and putting some sort of maintenance plan in place; also in favor of a reasonable monitoring/inspection fee. He is also supportive of the deadline; Staff needs to have a deadline in order to process contacts, he is deferring to Staff on what a reasonable amount of time is. He suggested

that the tailored agreement could include the owner's documentation of investment of tax savings back into the property rather than adding eligibility requirements.

**BOARD ACTION:**

**MOTION BY BOARDMEMBER EMME TO RECOMMEND THAT COUNCIL ADOPT STAFF RECOMMENDATION 3, 4, 5, AND 6, WITH THE PROVISION THAT MORE DETAILED INFORMATION CONCERNING SCOPE AND PROTOCOL OF THE INSPECTIONS WILL BE PREPARED AND BROUGHT TO THE BOARD FOR PUBLIC COMMENT, THAT STAFF WILL REPORT ON AN ANNUAL BASIS HOW MANY INSPECTIONS HAVE BEEN DONE, AND THAT THE CITY CONSIDER A PROVISION FOR A FEE WAIVER OR REDUCTION FOR LOW INCOME APPLICANTS**

Seconded by Boardmember Schaefer

Vote 6-0-0

Motion passes

**MOTION BY BOARDMEMBER LEMMO TO DIRECT STAFF TO COME BACK AT A FUTURE BOARD MEETING WITH FURTHER INFORMATION AND AN ANALYSIS OF WHAT HAS BEEN DISCUSSED AT THIS MEETING FOR ITEMS 1 AND 2.**

Seconded by Boardmember Curry

Vote 5-1-0

Motion passes

*(Eisenhart)*

**REMINDER:**

**NEXT BOARD MEETING DATE:**

August 28, 2008

**LOCATION:**

City Administration Building  
12<sup>th</sup> Floor, Council Committee Room

**MEETING ADJOURNED AT 6:40PM**