



THE CITY OF SAN DIEGO

Report to the Historical Resources Board

DATE ISSUED: July 21, 2016 REPORT NO. HRB-16-047

ATTENTION: Historical Resources Board
Agenda of July 28, 2016

SUBJECT: **ITEM #6 – Truax House and 540 West Laurel Street**

APPLICANT: Soheil Nakhshab represented by Marie Lia

OWNER: City of San Diego

LOCATION: 2513-2515 Union Street and 540 West Laurel Street, Uptown Community, Council District 3

DESCRIPTION: Consider the designation of Truax House located at 2513-2515 Union Street and the property located at 540 West Laurel Street as a historical resource.

STAFF RECOMMENDATION

Designate Truax House located at 2513-2515 Union Street as a historical resource with a period of significance of 1989 under HRB Criterion A. The designation excludes the property located at 540 West Laurel Street, which is not eligible for designation under any Criteria. This recommendation is based on the following finding:

The resource is a special element of the City's historical and social development and retains integrity. Specifically, the resource Specifically, Truax House provided a sanctuary and vitally needed care to terminally ill individuals with limited resources suffering from AIDS, at a time when the AIDS epidemic was relatively new, poorly understood by the general public, and highly stigmatized.

BACKGROUND

This item is being brought before the Historical Resources Board in conjunction with a preliminary review application to determine whether or not the building is historically significant as part of a constraints analysis for future development. The subject property, located on APN 533-072-18 in the Middletown subdivision, consists of two buildings – a two-story Craftsman style building constructed in 1912 addressed at 2513-2515 Union Street, and a one-story Spanish Eclectic style building constructed in 1939 addressed at 540 West Laurel Street.

The historic name of the resource, Truax House, has been identified consistent with the Board's adopted naming policy and reflects the name of the hospice which operated in this building during its 1989 period of significance.

ANALYSIS

A Historical Resource Research Report was prepared by Kathleen Crawford of the Office of Marie Burke Lia, which concludes that Truax House located at 2513-2515 Union Street is significant under HRB Criteria A and C, and that the property located at 540 West Laurel Street is not significant under any HRB Criteria. Staff concurs that the property located at 540 West Laurel Street is not eligible for designation under any Criteria. Staff also concurs that Truax House located at 2513-2515 Union Street is a significant historical resource under HRB Criterion A; however, staff does not recommend designation of this building under HRB Criterion C. 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.

2513-2515 Union Street

In June of 1981, a report by the U.S. Center for Disease Control and Prevention (CDC) described a rare pneumonia in five young, previously healthy, gay men in Los Angeles with compromised immune systems. This marks the first official reporting of what became known as the AIDS epidemic. Within days, doctors from across the U.S. flooded the CDC with reports of similar cases. In addition to cases of pneumonia and other opportunistic infections among gay men, CDC also received reports of a cluster of cases of a rare, and unusually aggressive, cancer - Kaposi's Sarcoma - among a group of 41 gay men in New York and California. By the end of 1981, there is a cumulative total of 270 reported cases of severe immune deficiency among gay men, and 121 of those individuals have died. In September 1982, the CDC used the term "AIDS" (acquired immune deficiency syndrome) for the first time, and released the first case definition of AIDS. By 1984, two different scientists had isolated the virus causing it, and in 1986, that virus was named HIV. In March 1987, the U.S. Food and Drug Administration (FDA) approved the first antiretroviral drug, zidovudine (AZT). By the end of the decade, in 1989, the number of reported AIDS cases in the United States reached 100,000, and the disease had claimed the lives of 27,408 people"¹

From the earliest days of the AIDS crisis, non-profit organizations formed and partnered with government and private entities to raise awareness; provide funding for research into causes and treatments; and support those impacted by the disease. Despite the CDC identifying all major routes of HIV transmission in 1983 – ruling out transmission by casual contact, food, water, air, or environmental surfaces – tremendous fear and stigma continued to surround the disease and those suffering from it. According to a Los Angeles poll in December, 1988, "51 percent of the respondents supported a quarantine of acquired immune deficiency syndrome patients, 48 percent would approve of identity cards for those who have taken tests indicating the presence of AIDS antibodies and 15 percent supported tattooing those with AIDS."

¹ <https://www.aids.gov/pdf/aidsgov-timeline.pdf>

As documented in the applicant's report, medical care for those living with HIV and AIDS was not always available. According to Dr. Lawrence Altman, author of the first report on AIDS published in the New York Times in 1981, during the earliest years of the disease, "many doctors, uncertain whether AIDS was an infectious disease, refused to do essential procedures on their patients; sometimes superiors had to order them to. And while most doctors did treat their patients professionally and compassionately, they did fear they might catch the disease because no one knew how it was communicated." A 1987 survey of doctors in training at New York City hospitals "found that a quarter believed it was ethically acceptable to refuse treatment to an AIDS patient." Physicians who did provide care often found themselves facing stigma and discrimination as well. The first AIDS discrimination lawsuit was filed in 1983 when a New York doctor was threatened with eviction from his building for treating AIDS patients.

In San Diego, the onslaught of the AIDS epidemic exponentially increased the needs for social services, and throughout the 1980s many in the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) community answered the call, coming up with creative solutions to combat an overwhelming problem. In 1983, local physician Dr. Brad Truax, a gay man and activist, persuaded San Diego Mayor Roger Hedgecock to establish a task force on AIDS (which Truax would chair until 1988), then drafted a strategic plan for the county on how to respond to the crisis. In 1988, Dr. Truax asked the Board of Supervisors to close San Diego's bathhouses to reduce the spread of AIDS, as was done in San Francisco and Los Angeles. His stance angered many LGBTQ community members who saw the ordinances as infringing on their already limited civil rights; however, Dr. Truax felt the nature of the threat warranted the intrusion.

The AIDS Assistance Fund of San Diego was formed in 1984 by activists that included Albert Bell, who also organized the first local chapter of the AIDS Coalition to Unleash Power (ACTUP) in 1987 to bring help to AIDS victims; established "Our House," the first residential living facility for people with AIDS; and produced the city's first AIDS Walk for Life. In response to the desperate need for housing and care for those suffering from HIV and AIDS, the AIDS Assistance Fund began working with the San Diego Housing Commission in the late 1980s to secure a lease to a City-owned building at 2513-2515 Union Street, which is the subject of this report. In September of 1988, shortly before his death, the AIDS Assistance Fund named the six-bedroom home "Truax House" in his honor. Truax House first opened in March of 1989. Dennis Wilson, housing director of the AIDS Assistance Fund, said it was important that the house reflect the spirit of Truax, who had been a leader in the gay community and the Democratic Party, a "man who cared about decency and human rights."

According to Wilson, the role of Truax House was "to provide a secure, homelike setting for victims of AIDS and ARC (AIDS-related complex). Here, they don't have to worry about being kicked out. They won't be evicted because of their sickness, or because they're gay." Upon its opening, Truax House had a capacity of 10 residents. While Truax House did provide care to those who were dying, with weeks or days to live, Wilson noted that the requirements for tenants of Truax House were "mobility . . . they have to be ambulatory. We do have nurses for each client, but we're not set up to be a 24-hour care facility. If their conditions worsen or become severe, they go to a hospital." Truax House was one of five such hospices in the county, but it was different in being limited to 10 residents and in offering "more of a homelike setting." A Los Angeles Times article from October 1989 which documented the closure of an AIDS home in North County, noted only three other AIDS hospices in all of San Diego county, with Truax House among them (Attachment 2). While the managing

organization changed several times over the years, the building continued to operate as an AIDS hospice through August 29, 2013, when the final operator, Father Joe's Villages, ended their lease.

When considering a potential period of significance for the subject property, staff considered several options. A period of significance which reflected the entire period of time in which the building served as an AIDS hospice would take the period of significance from 1989-2013, which is incredibly recent and raises questions regarding appropriate historical perspective. When considering that the significance is derived in large part by the Truax House serving a vital need to those suffering from HIV/AIDS at a time when the disease was highly stigmatized and medical care and services extremely limited, one could potentially make a case for ending the period of significance at a point in time when such services were more readily available. However, this would require selection of a rather subjective end date, which certainly would not reflect the experiences of all those who have been impacted by HIV and AIDS. Therefore, staff has concluded that limiting the period of significance to 1989 – the year that Truax House opened and provided critical care and services to those living with and dying from HIV and AIDS – would be the most appropriate option.

In regard to the building's integrity related to this significance, the building was clad in asbestos shingle siding, likely sometime in the 1950s or 1960s prior to the building's use as Truax House. Therefore, this modification reflects the building's significance under Criterion A does not adversely impact it. In 1988, an access ramp was added to the exterior of the building to facilitate care of the patients at Truax House, which again reflects –rather than detracts from - the building's significance. Lastly, the porch and second floor balcony was altered and repaired in 1997, at which time the T111 siding may have been added. While this modification post-dates the period of significance, it was made during the building's use as an AIDS hospice and therefore reflects the building's significance. A photo of the building obtained from a 1979-1980 survey of the Uptown area shows that the building has remained generally unaltered since that time, and retains much of its physical features and character from the period of significance.

Significance Statement: Truax House, located at 2513-2515 Union Street, reflects special elements of the City's historical and social development, and retains integrity to its 1989 period of significance. Specifically, Truax House provided a sanctuary and vitally needed care to terminally ill individuals with limited resources suffering from AIDS, at a time when the AIDS epidemic was relatively new, poorly understood by the general public, and highly stigmatized. Therefore, staff recommends designation under HRB Criterion A.

540 West Laurel Street

Research into the history of the property at 540 West Laurel Street did not reveal any association with the Truax House. Based upon the information available, it appears that the 540 West Laurel Street property was rented separately, and there is no information to indicate that the property exemplifies or reflects special elements of the City's or San Diego's historical, archaeological, cultural, social, economic, political, aesthetic, engineering, landscaping or architectural development. Therefore, staff does not recommend designation of the property at 540 West Laurel Street under HRB Criterion A.

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

Research into the owners and tenants of the property at 2513-2515 Union Street did not reveal any individuals who could be considered historically significant in local, state or national history. While

the building does have an association with Dr. Brad Truax, a San Diego physician who dedicated his life to human rights, particularly involving the AIDS epidemic, he does not appear to have had a direct involvement in the hospice bearing his name, which opened shortly after his untimely death in November 1988. In addition, the building is not associated with singular events of local, state or national significance. Therefore, staff does not recommend designation of 2513-2515 Union Street under HRB Criterion B.

Research into the owners and tenants of the property at 540 West Laurel Street did not reveal any individuals who could be considered historically significant in local, state or national history. Furthermore, no events of local, state or national significance are known to have occurred at the property. Therefore, the building at 540 West Laurel Street is not eligible for designation under HRB Criterion B.

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.

2513-2515 Union Street

The building located at 2513-2515 Union Street is a three-story former single family home over a basement constructed in 1912 in the Craftsman style and features steeply-pitched cross gable roofs with asphalt shingles, overhanging eaves wood braces and exposed rafter tails; a red brick chimney; asbestos shingle and T-111 siding over the original wood lap siding; wood framing; and a decorative block stem wall. A full-width entry porch with second floor balcony above is accessed by a long set of wood entry steps set parallel to Union Street, all of which can be seen on the 1921 Sanborn Maps. Fenestration consists primarily of 1-over-1 double hung wood frame and sash windows in original openings.

The building has experienced a number of modifications over the years. While a Residential Building Record is not available for the property, information regarding alterations can be obtained from Sanborn Maps, permit records and visual inspection. The building has been clad in asbestos shingle siding, most likely in the 1950s or 1960s when such improvements were popular. A large ramp was added at the side of the property in the 1980s to assist patients served by the hospice. Permit records also reveal repair and modification to the front porch and balcony in 1997, which may have been when the T-111 siding was added to the front.

With origins in the British Arts and Crafts movement, which was born in response to the overly ornate Victorian aesthetic and the highly mechanized Industrial Revolution, Craftsman style architecture was popular in the United States largely between 1905 and 1930. Early examples by Greene and Greene were highly publicized in magazines, thus familiarizing the rest of the nation with the style. Character defining features of Craftsman architecture include a low-pitched, gabled roof with wide, unenclosed eave overhang; exposed roof rafters; decorative beams or braces; full or partial-width porches supported by tapered square columns or pedestals; wood or stucco cladding; and wood frame and sash windows in fixed, double hung and casement varieties.

While it appears that the building originally exhibited many characteristics of a fine Craftsman home, subsequent modifications that include installation of asbestos shingle and T111 siding, as well as alterations to the front porch and balcony have significantly impaired the building's integrity of design, materials, workmanship and feeling to the point that the building can no longer convey the

significance of its original 1912 Craftsman design. Therefore, staff does not recommend designation of the 2513-2515 Union Street building under HRB Criterion C.

540 West Laurel Street

The building located at 540 West Laurel Street is a one story single family home constructed in 1939 in the Spanish Eclectic style and features multiple, moderately pitched hipped roofs with single barrel clay tile; slightly overhanging eaves; exposed rafter tails; stucco over wood frame construction; and a raised concrete foundation. The entry stoop is accessed by a number of concrete steps leading to a small landing partially covered by a shed tile roof supported by a simple post. Fenestration consists of a mixture of original 2-over-2 double hung wood frame and sash widows and aluminum replacement windows in the original openings. Moderne elements can be seen in the placement of windows near building corners and the use of glass block. A 2-car garage is set down slope fronting on to Union Street and appears to be original, as it appears on the 1950 Sanborn Maps.

Modifications to the building include replacement of a number of original windows with aluminum windows in the original openings, and construction of a wood trellis above the patio over the garage.

Following the 1915-1916 Panama-California Exposition, the romantic ideal of Spanish and Latin American architecture was revived. What resulted was the Spanish Eclectic style, which was the predominant style in Southern California between 1915 and 1940, significantly altering the architectural landscape until the Modernist movement took hold during and after WWII. The style uses decorative details borrowed from the entire history of Spanish architecture. These may be of Moorish, Byzantine, Gothic, or Renaissance inspirations, an unusually rich and varied series of decorative precedents. The style employed a variety of floor plans, as well as gabled, cross-gabled, gabled and hipped, hipped and flat roof forms with parapets. Other character defining features include Mission and Spanish clay tile; focal windows; arched windows and other openings; and accented entries.

The building at 540 West Laurel Street is a minimal example of Spanish Eclectic architecture, exhibiting a tile roof and stucco walls, but few other characteristic elements of the style. Additionally, the late date of construction is reflected in the Moderne elements included in the design, including use of glass block and placement of windows near the corners. Lastly, the replacement of the original windows with historically inappropriate aluminum windows further degrades the few character defining Spanish Eclectic features present on the building. Therefore, staff does not recommend designation of the 540 West Laurel Street building under Criterion C.

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

Research into the construction of the building located at 2513-2515 Union Street failed to conclusively identify a builder, designer or architect. The building located at 540 West Laurel Street was built by Max Fitzenmeyer. Fitzenmeyer has not been established by the Historical Resources Board as a Master Architect, Designer or Builder, and there is insufficient information to designate him as such at this time. Therefore, staff does not recommend designation under HRB Criterion D.

CRITERION E - *Is listed or has been determined eligible by the National Park Service for listing on the National Register of Historic Places or is listed or has been determined eligible by the State Historical Preservation Office for listing on the State Register of Historical Resources.*

The property at 2513-2515 Union Street and 540 West Laurel Street has not been listed on or determined eligible for listing on the State or National Registers. Therefore, the property is not eligible for designation under HRB Criterion E.

CRITERION F - *Is a finite group of resources related to one another in a clearly distinguishable way or is a geographically definable area or neighborhood containing improvements which have a special character, historical interest or aesthetic value or which represent one or more architectural periods or styles in the history and development of the City.*

The property at 2513-2515 Union Street and 540 West Laurel Street is not located within a designated historic district. Therefore, the property is not eligible for designation under HRB Criterion F.

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 Truax House located at 2513-2515 Union Street be designated with a period of significance of 1989 under HRB Criterion A as a special element of San Diego's historical and social development. The designation excludes the property located at 540 West Laurel Street, which is not eligible for designation under any Criteria. 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/HRB Liaison

KS

Attachments:

1. Draft Resolution
2. Los Angeles Times Article, October 2, 1989
3. 1979 Survey Form
4. Applicant's Historical Report under separate cover

RESOLUTION NUMBER N/A
ADOPTED ON 7/28/2016

WHEREAS, the Historical Resources Board of the City of San Diego held a noticed public hearing on 7/28/2016, to consider the historical designation of the **Truax House** (owned by City of San Diego, 1200 Third Avenue, Suite 1700, San Diego, CA 92101) located at **2513-2515 Union Street, San Diego, CA 92101**, APN: **533-072-18-00**, further described as PAR 1 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 Truax House on the following finding:

(1) The property is historically significant under CRITERION A as a special element of San Diego's historical and social development and retains integrity to its 1989 period of significance. Specifically, Truax House provided a sanctuary and vitally needed care to terminally ill individuals with limited resources suffering from AIDS, at a time when the AIDS epidemic was relatively new, poorly understood by the general public, and highly stigmatized. 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 exclude the property located at 540 West Laurel Street, which is not eligible for designation under any Criteria.

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: JAN I. GOLDSMITH,
CITY ATTORNEY

BY: _____
CORRINE NEUFFER,
Deputy City Attorney

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Neighbors Force Closure of Home for AIDS Victims

October 02, 1989 | LESLIE WOLF | Times Staff Writer

In Oceanside, a plain-looking beige stucco house sits on a hillside in a quiet upper-middle-class neighborhood. It blends into the surroundings with such ease that one would never know its residents have drawn the attention of a homeowners' association that has deemed them unsuitable neighbors.

Not that the eight residents, all of them suffering from the advanced stages of AIDS, are even aware of the controversy or of their impending eviction. Most of them are too far gone to notice.

For the Record

Los Angeles Times Tuesday October 3, 1989 San Diego County Edition Part 1 Page 2 Column 6 Metro Desk 2 inches; 48 words Type of Material: Correction AIDS home--Because of an editing error, a story about an Oceanside home for terminal AIDS patients stated incorrectly that the San Diego County Health Services Department had cited the home's operator for running a nursing home without a license. The Oceanside Health Services Department issued the citation, which was later rescinded.

But Ray Beierle, founder of the home known as Fraternity House, has taken notice.

"Everybody laughs and says, 'What are you gonna do now, Ray?' " said the 66-year-old war veteran and former nurse. "I say, 'Hey, you can't keep this old man down. I'm gonna give 'em a run for their money as long as I can. What have I got to lose?'"

Though the Henie Hills Homeowners Assn. has asked for their ouster and the owner of the house has refused to renew the lease, which expires Jan. 1, Beierle is not going to pack his bags and disappear.

Over the weekend, he opened a new rented home for North County people with AIDS, taking four of Fraternity House's current residents with him.

Beierle says he has learned from his mistakes and anticipates no problems in the new house.

The new facility will not be affiliated with Fraternity House and will be called simply "Ray Beierle's House." The semi-rural location of the seven-bedroom home is a secret but, he says, "it makes this house look like Skid Row."

Patients to Move

The board of directors of Fraternity House plans to relocate the remaining patients and continue business as usual after they are forced out of the Valley Road house, board chairman Gary Lewis said.

The board of directors has hired a replacement for Beierle, who will oversee the waning days of the house on Valley Road and will move with Fraternity House to a new location. Beginning today, Violet Osborn, 59, will be paid \$2,000 a month to manage Fraternity House, with the help of newly hired assistant manager Douglas Millsap.

Osborn spent 18 years on the board of directors of the Muscular Dystrophy Assn. of San Diego, but says her real education in life-threatening illnesses began a little over a year ago when her son was diagnosed with AIDS. "I think all of us have to really be aware of what's happening to our young people," Osborn said Sunday as she was looking around Fraternity House and preparing for her new job. "There's such a need here . . . I felt I had to do something of a positive nature."

"As soon as I saw the house and met the people working here, and saw the caring . . . It's everything I would want my son to experience," she said.

A recent afternoon last week while Beierle was still in charge found most of the residents asleep, as they often are. Two of the more mobile residents watched television game shows in the den, and one sat on the back porch enjoying the cool breeze riffing through citrus trees in the yard, while golfers played the El Camino Country Club course next door.

The interior of the house is as quiet as the outside, and the only immediate clues that it is not just any suburban residence are the wheelchairs stored under the stairway and the visiting-hours sign posted in the front hallway. Watercolor paintings by the residents adorn the walls and Buffy, a friendly cocker spaniel, greets visitors.

Buffy also oversees the farewells.

"She goes from room to room and if somebody is close to dying, she goes and lays close to them," Beierle said.

Held Various Jobs

Beierle, a widower, once managed a motel, worked in real estate, then bought a citrus ranch in Texas to retire on. But a cold snap turned his fruit into "\$4,000 worth of frozen Popsicles" and ruined his retirement plans.

He turned to nursing to make a living and said the experience of working for a home nursing company in Escondido moved him to help AIDS patients.

"I kept being sent out to these patients and seeing them die in the circumstances they did," he said. "I thought if there was anything I could do to make it easier for them, I would.

"This is my career now. I enjoy it, I like it, I feel I need it and, without being a braggart, I feel I can do it better than anyone else."

There are four private shelters in San Diego County that house AIDS patients, but Fraternity House is the only one in North County. It is also the only one that takes people who are very close to death.

"We get them only when they can no longer take care of themselves," Beierle said. "This is the last stop."

Vigils Discouraged

Beierle works with the families of the residents but discourages relatives from keeping 24-hour vigils at patients' bedsides.

"I tell everybody when it's time to die, this is something we have to do by ourselves. There's no need to go to the hospital unless they are suffering in pain and have to go there to be made comfortable," he said.

"The actual leaving is like being born in reverse. If there's no unusual problem, we just let them go quietly and lovingly."

Beierle freely admits that he knew he was breaking the neighborhood rules, which call for a single family in each house. When he initially rented the house from a San Diego doctor, he said, he intended to live there with only his two sons and one AIDS patient named Don.

"I just figured, 'What the hell, I might as well have more people and make it an AIDS home.' "

As the population of the five-bedroom house gradually increased, Beierle gave up his master bedroom to house three more people. Financial troubles set in, so Fraternity House was incorporated as a nonprofit charitable organization and a 12-member board of directors was elected in January.

To date, 37 people with AIDS have passed through the doors. Some of them have improved to the point where they have been able to move back to their homes. Most have died.

Beat the Odds

Beierle figures he beat the odds by successfully running an AIDS shelter for nearly two years right under the noses of the watchful neighbors. After all, there is nothing really noticeable about the house to announce its purpose.

Except, there was that one time when an addled resident wandered out of the house in his backless hospital gown and into a neighbor's garage. Then, there was the other confused man who hiked down the hill to spontaneously join a meeting of corporate executives at the country club.

But the immediate neighbors, even the ones who had figured it out, didn't really seem to mind those things, he said.

Beierle figures his cover was blown in September, 1988, when he publicly advertised the fact that he was looking for another home to expand the operation. His plea drew a fair amount of attention from the media, not to mention the neighbors and the state Department of Health Services.

In May, the county Health Services Department served Beierle with a cease-and-desist order because it determined that he was running a nursing home without a license and without the required round-the-clock medical care for the patients.

Beierle countered that the home was nothing more than a residence for AIDS sufferers, not a medical facility. The problem eventually was solved by having each occupant sign a rent-sharing agreement, and pay \$500 a month for rent, meals and laundry service. The nursing, cooking and cleaning help, provided by the county In-Home Support Services program, is paid for from each resident's individual Social Security or medical coverage.

The order was later rescinded when the department determined that the home was not technically a medical facility.

Complaint Filed

But then a complaint was filed by an anonymous neighbor, and the Henie Hills Homeowners' Assn. ruled that a business or institution had no place in the neighborhood.

"They are in full violation of our codes, covenants and restrictions," said Ted Lohrey, treasurer of the association. "It has nothing to do with the people there. We're not looking at it because they're AIDS patients and we want them out. You just can't have medical facilities, institutions or any type of business here, and that's exactly what it is.

"Mr. Beierle knew he was against the rules. . . . He basically doesn't care about anything else but his business," Lohrey continued. "Presumably, he's making a profit off of this. I don't think he's just doing this out of the goodness of his heart."

Ambulances and trucks carrying infectious waste routinely drive through the neighborhood, creating a general nuisance, he said. The board sent a notice to the house's owner requesting that the business cease immediately, Lohrey said, not in January when the lease expires. If the business continues to operate, the board may fine the homeowner and put a lien on the house if he refuses to pay, he said.

"We don't want to be the bad guys," Lohrey said. "We don't want gay rights groups and AIDS patients coming up here picketing our neighborhood and threatening our board of directors. . . . We just want them to follow the rules of our neighborhood like everybody else."

Plan to Move on Jan. 1

Lewis, a clinical psychologist who works with AIDS patients, said the board of directors of Fraternity House has no plans to move the residents before Jan. 1, unless they find another home before then. Lewis said it was his understanding that attorneys for both sides had agreed that simply allowing the lease to lapse would be sufficient.

Disputing Lohrey's contention that profit was being made on the operation, Lewis said, "We're more than happy to provide any kind of budget reports. . . . In general, we've been running about \$5,000 a month in the hole." Lewis said the facility is run entirely on private donations and that fund-raisers usually help fill the gaps. Though each resident is asked to pay about \$500 a month to cover his own rent and expenses, in reality they pay only what they can afford and some pay nothing at all, Lewis said.

The other AIDS homes in the county include the Truax House, named after the late gay activist Dr. Brad Truax and run by the AIDS Assistance Fund; the Joshua House run by the Catholic Diocese, and the Methodist Church's Ariel House. All three are in downtown San Diego and house only people who are still mobile and able to care for themselves.

Our House, also run by the AIDS Assistance Fund, closed recently because the organization couldn't afford to provide the full-time nurse required by the state Department of Health Services.

"As far as I know, that's about it. It's a really desperate situation," said Tom Ball, a San Diego AIDS Project volunteer. "It's not basically very easy to get into a nursing home. . . . They're not very happy to accept people who are HIV-positive. I've had people walk in here who have AIDS and don't know where to go.

"Even those who have families, sometimes it's too much for them to take care of the person with AIDS," Ball said. "For the majority of people who are on their own, there seems to be a real need for some kind of place like Fraternity House, for people who can't take care of themselves."

HISTORIC RESOURCES INVENTORY

		Ser. No. _____	
HABS _____	HAER _____	NR _____	SHL _____ Loc _____
UTM: A _____		B _____	
C _____		D _____	

LOCATION:

- 1.COMMON NAME:.....
- 2.HISTORIC NAME:.....Kavanaugh Home.....
- 3.STREET OR RURAL ADDRESS:.....2513 Union Street.....
CITY:.....San Diego.....ZIP:92101.COUNTY:San Diego
- 4.PARCEL NUMBER:..Not listed at assessor's.....
- 5.PRESENT OWNER:.....
ADDRESS:.....
CITY:.....ZIP:.....
OWNERSHIP IS: PUBLIC.....PRIVATE:.....XX.....
- 6.PRESENT USE:.....Residence.....
ORIGINAL USE:.....Residence.....

DESCRIPTION:

7A:ARCHITECTURAL STYLE:Transitional/Craftsman.....

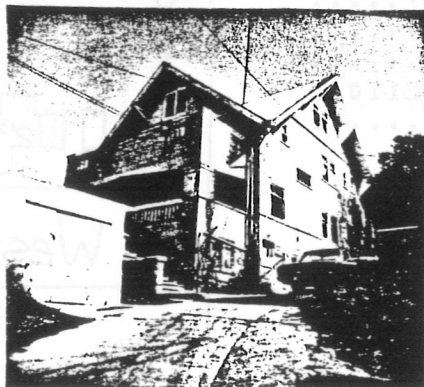
7B:BRIEFLY DESCRIBE THE PRESENT PHYSICAL DESCRIPTION
OF THE SITE OR STRUCTURE AND DESCRIBE ANY MAJOR AL-
TERATIONS FROM ITS ORIGINAL CONDITION:

Featuring a large porch in front with an open balcony
above, this two and one-half story house has a basement
and a medium cross gabled roof with a wide overhang and
large brackets or braces. A stairway with a natural stone
wall rises from the driveway to the front porch. A sep-
arate garage between the house and the street.

Legal Description* Middletown Block 82, Lot 5.

.....8.CONSTRUCTION DATE:

ATTACH PHOTO(S) HERE:



- EST:.....1912.....
- FACTUAL:.....
- 9.ARCHITECT:.....Unknown.....
- 10.BUILDER:.....Unknown.....
- 11.APPROX.PROP.SIZE(IN FT):
FRONTAGE:.....50.....
DEPTH:.....100.....
OR APPROX.ACREAGE:
.....
- 12.DATE(S) OF ENCLOSED
PHOTOGRAPH(S):
.....October 1979.....

13. CONDITION: EXCELL...GOOD.X.FAIR...DETERIORATED.....
NO LONGER IN EXISTENCE.....

14. ALTERATIONS:.....None apparent.....

15. SURROUNDINGS:(CHK MORE THAN ONE IF NECESSARY)
OPEN LAND...SCATTERED BLDGS...DENSELY BUILT-UP.....
RESID.X..INDUST....COM'L....OTHER.....

16. THREAT TO SITE:NONE KNOWN.X..PVT DEVEL...ZONING.....
VANDALISM....PUBLIC WORK PROJECT...OTHER.....

17. IS STRUCT.:ON ITS ORIG SITE?.X.MOVED?...UNKNOWN?.....

18. RELATED FEATURES:.....Garage.....
SIGNIFICANCE

19. BRIEFLY STATE HISTORICAL AND/OR ARCHITECTURAL IMPORTANCE
(INCLUDE DATES,EVENTS,AND PERSON ASSOC. WITH THE SITE.)

This home shows some Craftsman features and is an individual owner's adaptation. In 1912, Edward A. and Cora E. Kavanaugh mortgaged the property for \$3000. A series of property owners are located after this time.

20. MAIN THEME OF THE HISTORIC
RESOURCE:(IF MORE THAN ONE
IS CHKD, NUMBER IN ORDER OF
IMPORTANCE.)

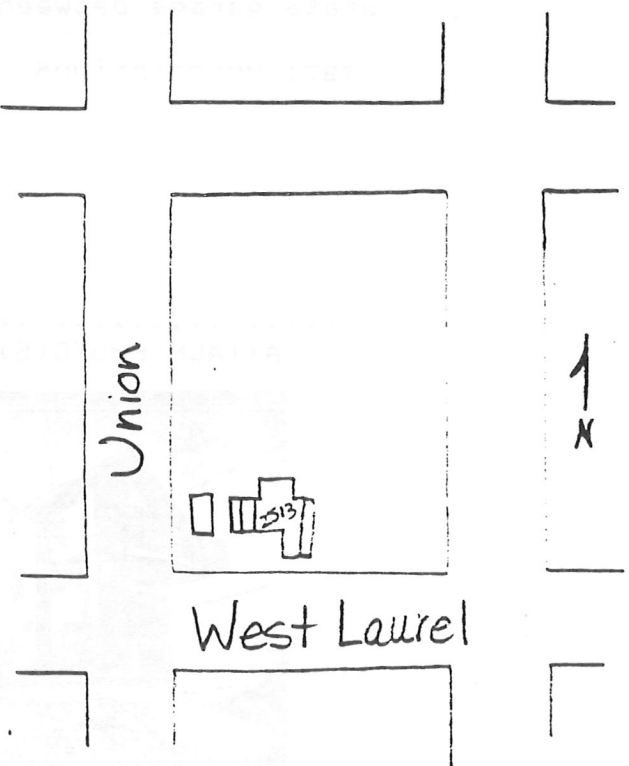
ARCHITECT.X.ARTS & LEISURE...
ECONOMIC/INDUSTRIAL.....
EXPLORATION/SETTLEMENT.....
GOVT....MILITARY...RELIG...
SOCIAL/EDUCATION.....

21. SOURCES(LIST BOOKS,DOCUMENTS,
PERSONAL INTERVIEWS,AND
THEIR DATES).

San Diego Recorder's and Assess-
or's records
San Diego City Directories

22. DATE FORM PREPARED.Spring'80.
BY(NAME)...University of.....
ORGANIZATION..San Diego.....
ADDRESS....Alcala Park.....
CITY..San Diego...ZIP.92110..
PHONE...(714) 293-4800.....

.....
.LOCATIONAL SKETCH MAP
(DRAW AND LABEL SITE AND
SURROUNDING STREETS,
ROADS, AND PROMINENT
LANDMARKS):



1979 Survey Photo (Enlarged)

