

Legacy 106, Inc.

[www.Legacy106.com](http://www.Legacy106.com)

## **President's Message**

Early Spring 2008



### **In Review - Individual Historical Designations vs. Districts**

The Year 2007 kicked-off with a temporary moratorium on individual house historic landmark considerations imposed by Mayor Jerry Sanders directing City of San Diego Historical Resources Board Staff to focus their resources to process the Islenair, Burlingame, Fort Stockton Line, and Mission Hills Historic Districts. The moratorium lasted through May. Meanwhile, Legacy 106, Inc. busily conducted house assessments, researched and wrote reports, and assisted homeowners with questions about their homes and the process before kicking-off our own landmarking season in June of 2007. Politics at City Hall, federal archaeology work, and a few projects at the County of San Diego fleshed out the remainder of the year.

### **Historical Designations in 2007**

Legacy 106, Inc. successfully presented fourteen houses that were landmarked by the City of San Diego and County of San Diego in 2007 and none submitted were denied. Of the seventy-five houses included in the Mission Hills Historic District, we researched forty-four houses. We also submitted reports supporting nomination of twelve more significant houses. The 2007 designations included Craftsman, Spanish Eclectic, Italian Renaissance, Old English, and Mission Revival architectural styles that were built between 1911 and 1926. We also landmarked Casa Blanca, a Lilian Rice-designed Row House in Rancho Santa Fe through the County of San Diego, Historic Site Board. The client houses range from Point Loma, Kensington, El Cerrito, Mission Hills, Golden Hill, North Park, Encinitas, Jamul, and Rancho Santa Fe. We also have about twenty more houses under assessment and in the process of restoration work, several of which will become active research projects in 2008.

### **Going Forward - Assault on the Mills Act**

Elements within City Hall have begun a program to “reform” the Mills Act property tax incentives program. While most would agree with the necessity of the implementation of fees, to go back to the Historical Resources Board to run the program (as opposed to the City’s General Fund), the new proposals go far beyond that. As proposed, the changes will cripple this important incentive program. Not everyone who achieves recognition for their home as a historical landmark wants the Mills Act tax incentive benefit. Some of our clients haven’t applied, for a variety of reasons. It is also not a “tax benefit for the rich,” as some people have

characterized it, or a program that takes property tax money out the system to deny the homeless a new shelter or firefighters a pay raise. Of course, the real issue is a former City Council's decision to under-fund retirement benefits for their employees to the tune of \$143 million dollars and another \$22 million spent in legal fees and audits.

In reality, property owners invest tens of thousands of dollars of their own money into restoring historical properties before they are judged by the City and/or County. The Mills Act property tax break, if it is requested and granted, is then reinvested back into the property over a period of years. Adjacent property values go up by association because the neighbors often begin painting their houses and restoring their landscaping. Readers who are our clients know they are working school teachers, military, computer programmers, lawyers, doctors, performers, social counselors, court reporters, religious leaders, store buyers, and civil servants who restore their old homes lovingly.

After several years of proposing outrageously high intake fees to read and process individual house landmark nomination reports, Historical Resources Board staff is now proposing reasonable fees for monitoring the landmark houses to ensure they are well-maintained and writing the Mills Act contracts. Legacy 106, Inc. supports these reasonable fees to help support the program to preserve our heritage neighborhoods. Furthermore, I testified before the Land Use and Housing Committee recommending the City Council raise Demolition Permit fees from \$209 to \$1,500 to ensure the Historical Resources Board staff review the demolitions to prevent loss of eligible historical buildings.

We support SOHO Executive Director Bruce Coons' recommendation that those guilty of illegal demolition of Historical Landmarks be fined the full cost of reconstruction of the house and the fine be placed in a new "Historic Preservation Fund" account to be used to offset intake review of individual homeowner landmark nominations.

Legacy 106, Inc. advises readers of this newsletter to telephone Fred Sainz of Mayor Jerry Sanders' Office at (619) 236-7228 and let him know what you think of the Mills Act program.

## **Mission Hills Heritage – Mission Hills Centennial**

Mission Hills Heritage celebrated its second birthday in October 2007 and then the Centennial of the January 20, 1908 recordation of the Mission Hills subdivision map on January 19, 2008. The fitting location for the Centennial was the Francis W. Parker School. Legacy 106, Inc. believes this was appropriate, because the school has important associations with Mission Hills. The Centennial kicked-off with an interesting panel discussion about the recently approved Fort Stockton Line Historic District and Mission Hills Historic District and the implications for homeowners. After the panel, I delivered a one hour Power Point lecture on "The Homes of Mission Hills," followed by Jane Powell's slide lecture on "Bungalow Homes – Humble and Enduring." The entire audience then had cake, ice cream, and coffee donated by Chisum Brothers Painting.

## **Mission Hills Historic District**

On January 22, 2008, more than 100 people showed up at the City Council to urge denial an appeal by two homeowners of the Mission Hills Historic District. They urged denial because 70% of the homeowners supported it and there were no errors or omissions in the decision. Andrew Narwald, a University of San Diego economics professor testified to the City Council that a new study of historically designated houses in San Diego showed property values rose 16% after designation. For all these reasons, the City Council unanimously denied the appeal and upheld the new district.

We are also participating in the 4<sup>th</sup> Annual Home Tour to be held April 19, 2008 (tickets can be obtained by mailing \$25 to Mission Hills Heritage, 4020 Falcon Street, San Diego, CA 92103).

<http://www.missionhillsheritage.org/>

## **The Heart of Kensington**

After real estate speculators applied to the City of San Diego for permits to demolish a gas station, apartment complex, and two small houses to build a 38-foot high commercial building, a ground swell of concerned residents rallied together and formed “The Heart of Kensington” and hired Legacy 106, Inc. to research a small Colonial Revival house built in 1923 at 4166 Adams Avenue. We learned U.S. President Warren G. Harding and Secretary of Commerce Herbert Hoover kicked-off the Better Homes Movement in October 1922 by building a replica of songwriter John Howard Payne’s Colonial Revival home on the White House lawn. This launched the Better Homes Movement across America and small Colonial Revival homes became synonymous with federally approved housing for World War I veterans and their families. President Harding capitalized on the 100<sup>th</sup> anniversary of Payne’s famous song, “Home Sweet Home.” We advised them that the house at 4166 Adams Avenue contributes to a better understanding of this significant national historical movement, which also marked the transition away from Craftsman architecture to exciting new architectural styles in San Diego. The Heart of Kensington has appealed the Planning Commission approval of the 38-foot Kensington Terrace project and the appeal will be heard at the City Council on February 5, 2008.

<http://forkensington.com/theheartofkensington.html>

## **Save Our Heritage Organization**

Legacy 106, Inc. has contributed to Save Our Heritage Organisation (SOHO) by recruiting for houses to be included in the upcoming March 15 and 16, 2008 home tour weekend. Three of our client’s houses in Mission Hills will be featured, including one designed by William Templeton Johnson / built by Harry Brawner, and two designed and built by Richard Hathaway. Several more client houses featuring fired clay Batchelder or Claycraft fireplace surrounds, wall tiles, and floor tiles are to be included in the Tile Tour. Although not a Legacy 106, Inc. event, we are organizing the U.S. Army Fort Rosecrans Tour as members of the Fort Guijarros Museum

Foundation on Naval Base, Point Loma. Tickets for the tours can be acquired at the SOHO office behind the Whaley House in Old Town. <http://sohosandiego.org/main/events.htm>

## **Neighborhood Historic Preservation Coalition**

The Uptown Historic Preservation Coalition formed to protest a conclusion of the \$150,000 Uptown Historical Survey by the City of San Diego that 8,000 homes would be cleared for demolition and more than 4,000 more were threatened by a coding system that does not match that adopted by the federal government. Since 2006, the UHPC has drawn neighborhood groups from urban neighborhoods in University Heights, Hillcrest, Mission Hills and recently Kensington, Golden Hill, North Park, South Park, La Jolla and Ocean Beach. The current focus is the alarming number of illegal demolitions of houses or approved demolitions of known historically significant houses and commercial buildings. One in particular at 4555 Texas Street was demolished by the property owner during the Thanksgiving Day weekend and, although UHPC filed protests and requested investigations, City Codes Enforcement issued a retroactive permit 22-days later. This issue peaked at the Land Use and Housing Committee hearing of January 23, 2008 at which more than fifty people testified and demanded a new discretionary Demolition Permit with a fee to cover review by the Historical Resources Board. I recommended a \$1,500 fee. This issue is still under review by LUHC and Development Services Department. As more and more neighborhood organizations have joined the group, the coalition voted on a new name, the “Neighborhood Historic Preservation Coalition.”

## **Political Winds**

The power struggle over control of City Hall and the fate of the shape of our fine city dominated the newspapers, TV, and radio through 2007. Mayor Jerry Sanders asserted his strong mayor position by demanding he be able to appoint the City Auditor, City Attorney (instead of elected), he have greater veto power, to increase another council seat and the authority to define the political boundaries rest with his office.

As president of Legacy 106, Inc., I joined a stream of citizens in speaking to urge the City Council to maintain the balance of power between the legislative and executive branches of government and not give into the pressure of the Charter Review Committee, whom I believe had ulterior motives for stripping the power from the City Council, City Attorney and City Auditor. The City Council deferred the proposal to the 2010 election when the citizens of San Diego can decide for themselves and vote on whether or not to continue the experiment of the “Strong Mayor” form of government.

Those same political winds have blown across the city in the form of the General Plan that will guide city government, planning, infrastructure, recreation, conservation, and historic preservation for the next twenty years. We participated at the Land Use and Housing and Natural Resources and Culture Committee hearings, the latter being January 30, 2008, when Chairperson Donna Frye instructed Planning Director Bill Anderson to reconcile changes to the Historic Element with members of the public, including Legacy 106, Inc. and SOHO.

Our primary push in the Historic Preservation Element is to insist that the Mills Act program be available throughout the City of San Diego to partially mitigate the proposed increased density in historic neighborhoods, local shopping areas, and intact areas of the older parts of the city. We also encouraged the City to broker low interest loan programs with local banks and restoration architectural design by local architectural design schools in blighted areas where owners need financial assistance and expertise with extensive restoration work.

I realize this is an unusually long newsletter, but we are living in interesting and exciting times. Readers of this newsletter need to be aware of changes in the City of San Diego and how the residents of the neighborhoods and communities are reacting to Mayor Jerry Sanders' strong mayoral policies and City Council reactions. If you have any questions, give me a call.

Ronald V. May, RPA

President and Principal Investigator