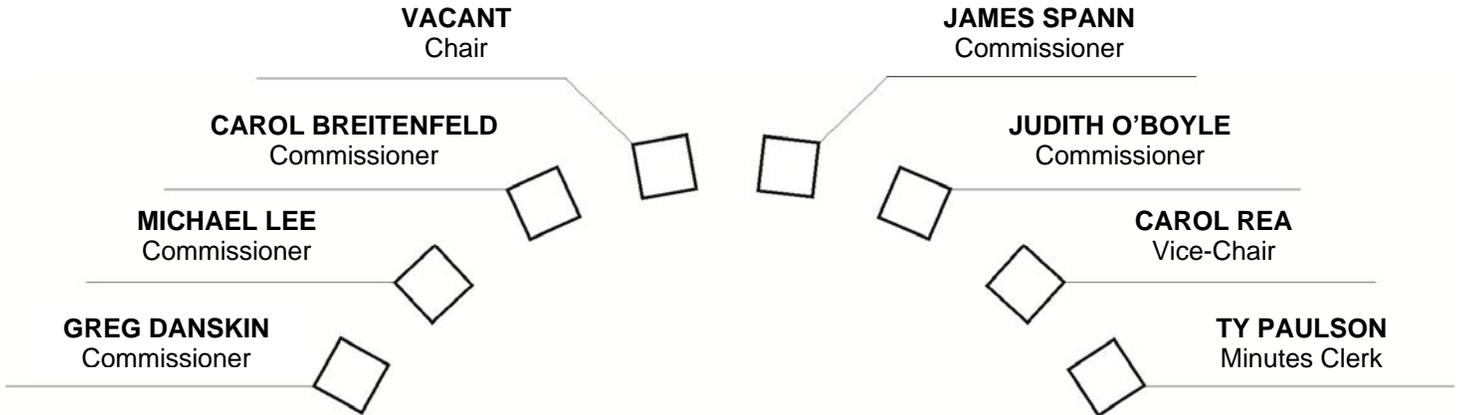


CITY OF ESCONDIDO

Historic Preservation Commission and Staff Seating



HISTORIC PRESERVATION COMMISSION
201 N. Broadway
City Hall Council Chambers

**3:00 P.M.
AGENDA**

August 5, 2014

- A. CALL TO ORDER**
- B. FLAG SALUTE**
- C. ROLL CALL & WELCOME OF NEW COMMISSIONER**
- D. REVIEW OF MINUTES: [June 3, 2014](#)**

The Brown Act provides an opportunity for members of the public to directly address the Commission on any item of interest to the public, before or during the Commission's consideration of the item. If you wish to speak regarding an agenda item, please fill out a speaker's slip and give it to the minutes clerk who will forward it to the Chairman.

Electronic Media: Electronic media which members of the public wish to be used during any public comment period should be submitted to the Planning Division at least 24 hours prior to the meeting at which it is to be shown.

The electronic media will be subject to a virus scan and must be compatible with the City's existing system. The media must be labeled with the name of the speaker, the comment period during which the media is to be played and contact information for the person presenting the media.

The time necessary to present any electronic media is considered part of the maximum time limit provided to speakers. City staff will queue the electronic information when the public member is called upon to speak. Materials shown to the Commission during the meeting are part of the public record and may be retained by the City.

The City of Escondido is not responsible for the content of any material presented, and the presentation and content of electronic media shall be subject to the same responsibilities regarding decorum and presentation as are applicable to live presentations.

If you wish to speak concerning an item not on the agenda, you may do so under "Oral Communications" which is listed at the beginning and end of the agenda. All persons addressing the Historic Preservation Commission are asked to state their names for the public record.

Availability of supplemental materials after agenda posting: Any supplemental writings or documents provided to the Historic Preservation Commission regarding any item on this agenda will be made available for public inspection in the Planning Division located at 201 N. Broadway during normal business hours, or in the Council Chambers while the meeting is in session.

The City of Escondido recognizes its obligation to provide equal access to public services to individuals with disabilities. Please contact the A.D.A. Coordinator, (760) 839-4643, with any requests for reasonable accommodation, at least 24 hours prior to the meeting.

E. WRITTEN COMMUNICATION:

"Under State law, all items under Written Communications can have no action and will be referred to the staff for administrative action or scheduled on a subsequent agenda."

F. ORAL COMMUNICATION:

"Under State law, all items under Oral Communications can have no action and will be referred to the staff for administrative action or scheduled on a subsequent agenda." This is the opportunity for members of the public to address the Commission on any item of business within the jurisdiction of the Commission.

G. PUBLIC HEARINGS:

1. [LOCAL REGISTER/MILLS ACT – Case No. HP 14-0002](#)

REQUEST: Local Register listing & Mills Act contract for the Ralph Haver house (built in 1978) in the OEN

ZONING/LOCATION: R-1-6/ 831 S. Broadway

APPLICANT: Dale & Heather Harshman STAFF: Paul Bingham

STAFF RECOMMENDATION: Approval

2. [MILLS ACT – Case No. HP 14-0001](#)

REQUEST: Mills Act contract for Local Register property in the OEN

ZONING/LOCATION: R-1-6/ 538 E. 9th Ave.

APPLICANT: Keith & Cecilia Moore STAFF: Paul Bingham

STAFF RECOMMENDATION: Approval

H. CURRENT BUSINESS:

Current Business items are those that under state law and local ordinances do not require either public notice or public hearings. Public comments may be limited to a maximum time of three minutes per person.

1. [DESIGN REVIEW – Case No. ADM 14-0126](#)

REQUEST: Approval of Enclosed Patio in the OEN built many years ago without permits.

ZONING/LOCATION: R-1-6/119 W. 7th Ave.

APPLICANT: Joe Faltaous STAFF: Paul Bingham

STAFF RECOMMENDATION: Conditional approval

2. [DESIGN REVIEW – Case No. ADM 14-0048](#)

REQUEST: Consideration of Revised Design for Replacement Home in the OEN.

ZONING/LOCATION: R-1-6/220 W. 10th Ave.

APPLICANT: Dick Yant STAFF: Paul Bingham

STAFF RECOMMENDATION: Approval

3. [DESIGN REVIEW – Case No. PHG 14-0020](#)

REQUEST: Proposal to demolish some adobe structures on the Wier Brothers site and incorporate others into a 64-unit affordable apartment complex.

ZONING/LOCATION: CG/PD-MU/1556 South Escondido Blvd

APPLICANT: Vietnam Veterans of San Diego STAFF: Jay Paul

STAFF RECOMMENDATION: Review and comment only

4. DISCUSS HPC GOALS AND WORK GROUPS

REQUESTED BY: Staff and Commissioners

5. DISCUSSION OF FEES RELATED TO HISTORIC DISTRICTS AND PROPERTIES

REQUESTED BY: Vice-Chair Carol Rea

I. **ORAL COMMUNICATION:**

"Under State law, all items under Oral Communication can have no action, and will be referred to the staff for administrative action or scheduled on a subsequent agenda." This is the opportunity for members of the public to address the commission on any item of business within the jurisdiction of the Commission.

J. **COMMISSIONER COMMENTS**

K. **ADJOURNMENT**

CITY OF ESCONDIDO

**MINUTES OF THE REGULAR MEETING OF THE
ESCONDIDO HISTORIC PRESERVATION COMMISSION**

June 3, 2014

The meeting of the Historic Preservation Commission was called to order at 3:31 p.m. by Chair Cherry, in Training Room 1, 201 North Broadway, Escondido, California.

Commissioners present: Commissioner Rea, Chair Cherry, Commissioner Breitenfeld, Commissioner O'Boyle, and Commissioner Spann,

Commissioners absent: Commissioner Lee.

Staff present: Rozanne Cherry, Principal Planner; Paul Bingham, Assistant Planner; and Ty Paulson, Minutes Clerk.

Taken out of order.

MINUTES:

Moved by Commissioner Spann, seconded by Commissioner Rea, to approve the minutes of the April 1, 2014 meeting. Motion carried unanimously.

WRITTEN COMMUNICATIONS: Received.

ORAL COMMUNICATIONS: None.

PUBLIC HEARINGS: None.

CURRENT BUSINESS:

- 1. Review staff referral for exterior painting of a Local Register commercial building in the Historic Downtown District of the Downtown Specific Plan at 155 S. Juniper Street.**

Rozanne Cherry, Principal Planner, provided the background history for the property located at 155 South Juniper as well as the current status of the property. She stated that two stop orders had been issued during the painting process for the subject property, noting that the painting had occurred prior to the issuance of the Certificate of Appropriateness. Staff recommended that the front of the tenant space be repainted so that the upper wall area was white to match

the Metro Café at the south end of the building; that the color band at the top of the building parapet be red; that the north wall on the alley be either all red or red up to the level of the canopies on the front of the building with white above; and that the rear of the building be white to match the Metro Café.

Tracy Foote, Applicant, noted that she had received permission from the landlord to paint the building. She stated that the old paint was over a decade old and was in poor shape. She stated that the current red paint helped separate the businesses and fit in with the eclectic look of downtown. She noted that many of the transients had moved away since painting the restaurant as well as receiving favorable comments from the customers, Public Works and the Police Department. She stated that her hope was to paint the rear of the building the same color in order to enhance the looks of the facility. Ms. Foote elaborated that according to the State Historian's Office paint color had no bearing on the historic status of a building and would not compromise the integrity of the building.

Commissioner Spann stated that he had received numerous phone calls in opposition to the color. He felt the color was unacceptable, noting his preference would be that the entire building should be predominantly white. He stressed that the paint colors on the entire building should have continuity.

Commissioner Rea felt color was a key component of an historic building. She expressed her concern with the current red color breaking up the building. She suggested talking to the property owner to readdress the entire building. She also stated that she appreciated the efforts of Ms. Foote to improve the property.

Commissioner O'Boyle did not feel the color scheme fell under the category of art deco. She expressed her concern with red being the predominant color. She felt the entire building needed to be repainted. Ms. Foote concurred and stated that a color other than red would be acceptable if the owner would freshen up the paint on the entire building.

Rozanne Cherry noted that the building had a middle section that had not been painted for years.

Commissioner Brietenfeld felt the color of the entire building needed to be consistent.

Chair Cherry concurred with staff's recommended color schemes. She felt the entire building needed to have a consistent color scheme. She questioned whether the tower on the building could be used for signage and encouraged looking into this.

Commissioner Rea suggested adding a mural on the side of the building. Ms. Foote noted that she could not afford to install a mural, noting her main goal was to refresh the building.

Commissioner Spann and Rozanne Cherry discussed the façade improvement incentive program.

Rozanne Cherry noted that there were no funds in the façade improvement program. Commissioner Spann asked if the façade improvement program had a repayment plan. Rozanne Cherry replied in the affirmative.

ACTION:

Moved by Commissioner Rea, seconded by Commissioner Spann, to approve painting a red band at the top to extend entire building, white color down to the level of awning and from that point down red, on the alley side red extend up to the line level with the front awnings, and paint the rear of the facility facing the parking lot white. (The white color was to be consistent with the off-white color of the Metro Café. Motion carried unanimously.

2. Review proposed facade remodel to replace historic glass tile with dyed aluminum, at 317 E. Grand Avenue in the Historic Downtown District.

Daren Parker, Assistant Planner II, provided the background history for the property and noted that the request included removing and replacing the black glass on the façade of the property due to termite damage and broken glass tiles. He noted that the original request was to take off the glass and replace with aluminum panels. Now the applicant requests replacing all of the glass with new similar black glass panels. Staff recommended approval.

Mellissa Walker, Applicant, and Nichole Deline, architect, noted that they would be using ¼" starlite glass with the back sprayed black to achieve the same look as the original glass.

Chairman Cherry asked if the paint was applied at a shop. Ms. Deline replied in the affirmative.

Rozanne Cherry asked what would be done with the glass tiles that did not need to be replaced. Ms. Walker noted that they would be retained.

Discussion ensued regarding a clarification of the color of the new window frames as well as the time frame for the project.

Lucy Berk, Escondido, noted that vitreous glass was very special and asked that the applicant consult with SOHO and the State Historic Preservation Commission to find out the best way possible to remove the glass tiles so they could be reused if possible. She noted that the Secretary of the Interior Bulletin #12 discussed glass tiles.

ACTION:

Moved by Commissioner Spann, seconded by Commissioner Rea, to approve staff's recommendation. The motion included salvaging as much glass as possible. Motion carried unanimously.

3. Review proposed additions to single-family OEN residence at 519 E. 9th Avenue.

Paul Bingham, Assistant Planner, provided the background history and status for the property located at 519 E. 9th Avenue. He indicated that the request was to construct an over-sized two-car garage off the alley and paint it the same color as the house. Staff would be requiring a deed restriction on the garage and another structure currently used for storage so they could not be used as dwelling units. He also stated that the code required that the driveways on 9th Avenue be removed as part of this project. Staff recommended approval of the garage as proposed.

Chairman Cherry asked if the retaining wall would be required to be altered upon removal of the driveway. Mr. Bingham replied in the negative.

ACTION:

Moved by Commissioner Rea, seconded by Commissioner Spann, to approve staff's recommendation. Motion carried unanimously.

4. Review proposed additions to single-family residence in OEN at 549 E. 8th Avenue (Withdrawn).

5. Discussed Historic Month Proclamation and awards presented May 21, 2014 by Mayor Sam Abed – Received.

6. Discuss and Prioritize HPC Goals & Objectives

7. Discuss and Determine HPC Subcommittees

(Items 6 & 7 were combined)

Chairman Cherry suggested that each subcommittee provide a report on anything related to their subcommittee as well as discussing the goals and objectives of each subcommittee. She noted that one of the goals of the Commission had been to prepare a grant application to fund a context statement for the purpose of surveying the commercial buildings and resources.

Commissioner O'Boyle suggested identifying potential historic districts such as the adobe district.

Chairman Cherry noted that another potential district was the Westside area.

Discussion ensued regarding a clarification of the advantages of being a historic district.

Rozanne Cherry provided a brief description of the process for becoming a district and noted that it would be appropriate for the Commission to identify potential districts.

Chairman Cherry noted that districts did not need to be bound by an area and could be based on architecture and other aspects. She also noted that another goal would be to promote Escondido cultural aspects, continue Mills Act inspections and work on improving communication with property owners. She then asked if the Commission wanted to look at grant applications or concentrate on other items.

Commissioner O'Boyle stated that she had experience in writing grants as well as knowing individuals who wrote grants. Commissioner Spann suggested providing Commissioner O'Boyle with the work completed for the previous grant application.

Chairman Cherry suggested establishing a design review work group that would be able to meet to provide direction to the staff and property owners for design review items, noting her concern with the Commission not meeting every month.

Rozanne Cherry noted she would find out the protocol for establishing a committee that would be able to take action on design review items.

Discussion ensued regarding the Commission meeting monthly as well as meeting at 3:00 p.m..

The Commission directed staff to keep the meetings the same with the ability to have special meetings on an as needed basis. There was consensus to start the meetings at 3:00 p.m.

Chairman Cherry suggested creating a workgroup to create a theme and review potential nominees for historic preservation awards. Commissioner Brietenfeld concurred.

Commissioner Spann felt at least one commercial building should receive an award each year. Chairman Cherry concurred.

Chairman Cherry expressed her concern with the Commission lacking an architect.

The tentative goals included continuing Mills Act inspections, looking at grant applications, creating an ad hoc design subcommittee or meeting as needed, nominating resources for May Historic Preservation, and creating emerging districts.

Mr. Bingham asked what the goal was for inspecting Mills Act properties. Commissioner Rea noted that the main issue with no one responding was that there was no deadline to respond given in the letter.

Discussion ensued regarding establishing the goals and methods for inspecting Mills Act properties with the emphasis being on educating homeowners.

Item 7 will be a current business at the next meeting.

8. Discuss Mills Act Application Process and Clarification

Commissioner Spann referenced a property located behind his residence and expressed his concern with the real estate agent advertising that the property could be subdivided. He noted that he had encouraged the owners to put the property on the Mills Act for the purpose of preserving the open space.

Discussion ensued regarding the process for subdividing a historic property. Additional discussion ensued regarding the process for coming off of the Mills Act.

9 Discuss HPC vacancy created by Commissioner James' departure

Rozanne Cherry noted that staff had received another application for the vacancy.

10. Recent Change to the Municipal Code regarding Window Replacements

Rozanne Cherry noted that window replacement for structures in the OEN and Historic Resource properties were now required to obtain a building permit.

Updates:

Historic District - Breitenfeld, Rea

History Center – Lee

Commercial Historical – Spann, Cherry

Register/Survey/CLG Grants – Breitenfeld, Cherry (McQuead – alternate)

Mills Act Monitoring Committee – Breitenfeld, Rea, and Spann

Historic Public Relations – Rea, (vacancy)

Endangered Structures/Vintage Signs –Rea, Cherry

Nominations for Historic Awards Program: None.

ORAL COMMUNICATIONS: None.

COMMISSIONER COMMENTS: None.

ADJOURNMENT:

The meeting was adjourned at 5:35 pm. The next regular meeting was scheduled for August 5, 2014, at 3:30 p.m.

Rozanne Cherry, Principal Planner

Ty Paulson, Minutes Clerk

**HISTORIC PRESERVATION
COMMISSION**

**Agenda Item No.: G.1
Date: August 5, 2014**

TO: Historic Preservation Commission

FROM: Paul Bingham, Assistant Planner II

REQUESTS: Residence addressed as 831 South Broadway (case number HP14-0002)

1. Local Register listing request,
2. Mills Act contract request and
3. Consideration of the proposed CEQA exemption

RECOMMENDATION: Forward recommendations of approval to the City Council

BACKGROUND:

City of Escondido Historical/Cultural Resources Survey

A City of Escondido Historical/Cultural Resources Survey was completed in 1990 (Agis, May 1990). Close to 1,000 resources were inventoried in the survey for their significance. The Survey of 1990 was conducted in compliance with procedures established by the U.S. Department of the Interior, National Park Service and the State Office of Historic Preservation. A Historical/Cultural Resources Survey is a collection of information that identifies documents and describes the historical resources in the community. The survey also associates the resources with historical events and/or people. Among other preservation programs, the survey serves as the basis for historic preservation plans. The survey also fulfills a higher level of historic nomination requirements (Local, State and National), it allows for the applicability of Historic Building Code in regard to rehabilitation/renovation of structures, and justifies local, state and federal funding assistance.

Local Register of Historic Places Listing

The Historic Preservation Ordinance No. 2000-23, Section 33-794-5 identifies a process and criteria for listing historic structures on the City's Local Register. Requests for listing on the Local Register require that both the Historic Preservation Commission and the City Council conduct a public hearing to consider the request. The historic resource is evaluated against seven criteria and must meet at least two of the seven.

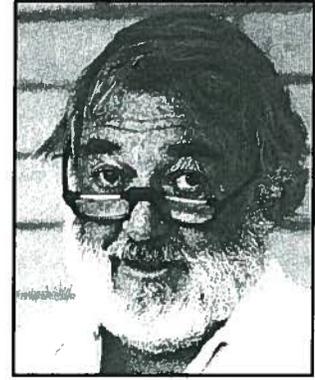
Mills Act Contract and Property Applying

The Mills Act is a state law that enables owners of designated historic properties to enter into a preservation contract with their local legislative body and receive a substantial reduction in the property taxes. One of the incentives for the preservation of historic and/or cultural resources, approved in 1989, allows property owners of designated historic resources to enter into a Mills Act contract with the City. The revised Historic Ordinance 92-409, adopted by Council on October 28, 1992, clarified that a property owner may apply for a Mills Act contract if the resource has been listed as a Local Register property. The current owner is requesting that the subject property be approved for Local Register listing.



The subject property at 831 South Broadway (APN 233-382-1500) consists of .29 acres with a Mid-Century Modern residence, carport and various decks built in 1978. The Escondido house was designed and built by award-

winning architect Ralph Haver as his personal residence. Mr. Haver is a well-known Mid-Century Modern architect originally from Pasadena, who had offices in San Diego and Phoenix. Haver spent much of his career designing residential and commercial buildings in desert communities like Borrego Springs, CA and Phoenix, Scottsdale and Tucson, Arizona. Nicknamed the "Tree House", his Escondido residence was built mostly of wood at the top of the slope, cantilevering over the property's boulder-strewn hillside to the south.



In 2011 the Haver house was included in the OEN's annual Mother's Day Tour. The existing house, carport and decks are mostly as they were when built originally. A small basement area was added by a subsequent owner, but is not readily visible from off-site. The driveway gate is also a later non-period introduction by subsequent owners.

ANALYSIS

Escondido Historical/Cultural Resources Survey

The applicant has conducted the required historic research and data collection, and has provided the information on the required format, State Department of Parks and Recreation forms (see attached). The information provided by the applicant, includes historical background and descriptive analysis of the architectural style, is adequate for the purpose of determining the appropriateness of adding the structures to the survey.

Local Register of Historic Places Listing

This request by the current owners, Dale and Heather Harshman, is to consider placing this resource on the Local Register.

While not yet 50 years old, the Haver residence meets the following three of seven criteria (*note that only two are required for Local Register listing approval*):

1. Escondido historical resources that are strongly identified with a person or persons who significantly contributed to the culture, history, prehistory, or development of the City of Escondido, region, state or nation.

The structure was designed by and built as architect Ralph Haver's personal residence. Mr. Haver was an award-winning and renowned Modernist architect responsible for the design of tens of thousands of residences and commercial structures in the Southwestern United States during the 1950's-1980's.

2. Escondido building or buildings that embody distinguishing characteristics of an architectural type, specimen, or are representative of a recognized architect's work and are not substantially altered.

The existing Mid-Century Modern style house and carport are mostly as they were originally built in 1978.

6. Escondido historical resources that are an important key focal point in the visual quality or character of a neighborhood, street, area or district.

The main residence and its outbuildings sit at the top of a hill with a commanding view of much of the Escondido valley to the south.

Mills Act Contract

The Mills Act contract is for a minimum of ten years, automatically renewed each year unless a notice of non-renewal is filed. The terms of the contract require that the property owner make a commitment to maintain the structure and surrounding property, per a maintenance schedule that has been included with this report (see attached). All improvements must be performed to the Secretary of the Interior Standards. In addition, the applicant has been informed that all exterior modifications require staff review. Staff feels that the proposed Mills Act Contract is appropriate since the property meets the established criteria for a historic resource, and adequate improvements have been listed.

Respectfully Submitted,

A handwritten signature in blue ink that reads "Paul K. Bingham". The signature is fluid and cursive.

Paul K. Bingham
Assistant Planner II

Mills Act Application List of Improvements

Property Address: 831 South Broadway
Property Owners: Dale and Heather Harshman

1. Trim existing trees on property (in process)
2. Repair and upgrade existing irrigation system (in process)
3. Relandscape rear yard to include drought-tolerant plants that will assist with erosion control (in process)
4. Make efforts to save and maintain young avocado tree orchard planted to replace orchard that existed when property was originally purchased by Ralph Haver (in process)
5. Replace rotted and termite damaged wood in decks (planned)
6. Replace rotted and termite damaged wood in house siding (planned)
7. Replace rotted and termite damaged wood in carport (planned)
8. Repaint decks, the house's wooden siding, and carport (planned)
9. Replace rotted planter boards in terraced landscaping areas (planned)
10. Add plants and trees in front yards (planned)
11. Replace wooden property line fences as needed (planned)



CITY OF ESCONDIDO
 Planning Division
 201 North Broadway
 Escondido, CA 92025-2798
 (760) 839-4671

| FOR INTERNAL USE ONLY | |
|-----------------------|---|
| Case No.: | HP14-0002 |
| Date Received: | 7/30/14 |
| Received By: | P.B. |
| Fees Received: | 534.- |
| Date Approved: | |
| Application: | <input type="checkbox"/> Incomplete <input checked="" type="checkbox"/> Complete |

ESCONDIDO HISTORIC DESIGNATION APPLICATION

(Check one) Historic Landmark Local Register

Applicant: Dale and Heather Harshman
 Address: 831 S. Broadway St.
 City/State/Zip: Escondido, CA 92025
 Phone No.: (H) 858-254-8644 (W) 858-774-7351

Present Property Owner: same
 Address: _____
 City/State/Zip: _____
 Phone No.: (H) _____ (W) _____

Address of Site/Structure: same
 Assessor Parcel No.: 233-382-1500

Present Land Use: residence
 General Plan Designation: _____
 Tier/Neighborhood: Old Escondido

Common Name/
 Historic Name: residence
 Archtural Style: _____

Zoning: _____
 Related Case File: _____

Put answers to questions 1-3 on the reverse side of this form.

1. Please describe historical aspects of the site or structure as well as any other significant factors which may determine this as an Historic Resource (i.e., special aesthetics; cultural, architectural, or engineering factors; and any dates, events, or persons associated with the site or structure).
2. Has the site or structure been altered in any way from its original design? Explain.
3. Are there any known threats to the site or structure? (i.e., private development, zoning, vandalism, public works, structural damage, etc.)

SUBMITTAL REQUIREMENTS:

- Complete legal description of property *See Grant Deeds attached as Exhibit F*
- List of past and present occupants/owners *See Grant Deeds attached as Exhibit F*
- 1 copy of site plan *See Exhibit G*
- Photos of exterior of structure/site *See Exhibit B*
- Evidence that the property owner has consented to designating the Historic/Cultural Resource as an Historic Landmark/Local Register Property
- Chain of Title *See California Title Company policy and Grant Deeds attached as Exhibit F*
- State of California Department of Parks and Recreation forms 523a & b (attached)

Heather Harshman 7/27/14
 Applicant Signature (Date)

[Signature] 27 July 2014
 Property Owner Signature (Date)

PART I

Satisfaction of Escondido Zoning Code Section 33-794(d):

A structural resource proposed for the *local register* shall be evaluated against criteria number one (1) through seven (7) and must meet at least two (2) of the criteria.

1. **Satisfaction of 33-794(d)(1): Escondido historical resources that are strongly identified with a person or persons who significantly contributed to the culture, history, prehistory, or development of the City of Escondido, region, state or nation.**

Ralph Haver was a famous Southwestern architect who designed and was the original owner of our 1978 home, which he nicknamed the Tree House. He was born in Pasadena, California in 1915. He received a degree in architecture from the University of California, Pasadena in 1941. After he served in WWII, he then moved to Phoenix where he practiced architecture from 1945 until the mid-1980s. He retired in Escondido in the late 70's and died in 1987.

Mr. Haver is considered one of the fathers of the "Mid-Century Modern" architectural style. He was responsible for so much of the design of postwar Phoenix that his firm was considered to be among one of the largest producing firms of the time. His Phoenix building designs were valued at more than \$500 million by the mid-1970s.

He received multiple awards and citations for his work, and achieved "cult status" in the Phoenix area for his many works. His homes are much sought after by home buyers and investors. The city of Scottsdale designated a neighborhood he designed as its first historic neighborhood.

This is a brief summary of *some of his works*, which are further elaborated on in the Chronology of work included in Exhibit D:

- Escondido custom homes in the late 1970s,
- More than a dozen tract home developments with an inventory of roughly 20,000 tract homes built within a five-year span across Arizona, New Mexico and Colorado,
- Dozens of custom homes in the Valley of the Sun,
- Over 250 individual churches, schools, factories, commercial buildings, apartments, townhomes, and civic buildings were cited in the firm's portfolio by 1967.

The following documents attached in Exhibit E expand on his background, accomplishments, and notoriety:

- Article, *Ralph Haver: Everyman's Modernist*,
- List of awards and citations,

- Ralph Haver obituary,
- Article, *Homes Were Turning Point for Scottsdale*
- Article, *Council designates two neighborhoods historic*
- Article, *A Phoenix man scored when he bought Ralph Haver's home for a song.*

Ms. Alison King, an Associate Professor of Design at The Art Institute of Phoenix and founder of the Modern Phoenix website, is available to answer questions about Mr. Haver's background, accomplishments, architectural style, notoriety, etc. She can be reached at alison@modernphoenix.net, (602) 363-6158.

Other articles of interest:

- *Ralph Haver*, <http://www.historicphoenix.com/architecture/ralph-haver/>
- *Homes in Ralph Haver Neighborhoods*, <http://dwellarizona.com/mid-century-modern/ralph-haver-neighborhoods>
- *Midcentury modern finds a place in the valley*, http://www.eastvalleytribune.com/get_out/at_home/article_105545ea-e829-57df-9d8d-b211e4eb7b37.html
- *Anyone Who Had a Heart Would Connect a Country Music Singer, a Jazz Standard and Burt Bacharach Together With One Smooth Line*, <http://distinctivephoenix.com/76/anyone-who-had-a-heart-could-tie-a-country-music-singer-a-jazz-standard-and-burt-bacharach-together-with-one-smooth-line/>
- *High schools facing costly repairs*, http://www.eastvalleytribune.com/news/article_543cb1d0-3993-558c-9ea8-a89f7d51cc9c.html
- Please also view the video at the following link. It is from a Phoenix-area television program and comments on Haver's accomplishments in both residential and commercial architecture: *The Legacy of Ralph Haver and The Vig Uptown*, <http://www.youtube.com/watch?v=0hs6Xqb0BsQ>
- The following video is about a couple on the HGTV show "House Hunters" who select a Ralph Haver home partly because he's a famed architect, http://www.youtube.com/watch?v=-hhD5DaZy_g

2. **Satisfaction of 33-794(d)(2):** Escondido building or buildings that embody distinguishing characteristics of an architectural type, specimen, or are representative of a recognized architect's work and are not substantially altered.

Characteristics that were typical of Ralph Haver homes are listed on the Do I have a Haver Home? and Characteristics documents included in Exhibit A. Our home has the following characteristics that are representative of Ralph Haver homes:

- a. Main gable beam juts out beyond eave, angled somewhat Polynesian style: See photos #9, 10 on Exhibit B,
- b. Floor-to-ceiling windows: See photos #3 and 17 on Exhibit B,
- c. Clerestory windows of trapezoidal shape: See photos #2, 3, 7, 16, 17 on Exhibit B,
- d. Interior exposed beams (per input from Alison King): See photo #16 on Exhibit B,
- e. Patio shade structure that is a natural extension of the roofline creating an outdoor room: See photos #6, 7, 8, 14, 17 on Exhibit B,
- f. Carport rather than a garage: See photo #18 on Exhibit B.

The only exterior modification we're aware of is the construction of a slab on grade basement structure that was added under a portion of the house. It holds the water heater and storage. It is on the side of the house least visible from Khayyam Road and 9th Avenues. See photo #5.

3. **Satisfaction of 33-794(d)(6): Escondido historical resources that are an important key focal point in the visual quality or character of a neighborhood, street, area or district.**

Our home, nicknamed the Tree House by Mr. Haver, has many distinguishable features that make it a key focal point in the visual quality and character of Old Escondido. They include the following:

- a. Our home was included on the 2011 Escondido Mother's Day Home Tour. Though the home is much younger than others featured on the Tour, the home was selected due to its unique character and architecture as well as the fame of the architect/builder.

Please see the letter from Carol Rea attached as Exhibit C which expands on why the home was chosen for the tour, should be afforded attention by the Local Register, and is an architecturally significant home in Old Escondido. Ms. Rea is the recipient of the City of Escondido's 2012 Historic Preservation Award and the 2012 Save our Heritage Organization's Outstanding Preservation Citizen Award. She is also the President of the Old Escondido Historic District and the Vice Chairman of the Escondido Preservation Committee.

Photos of the home from the Tour can be found at this link:
http://oldescondido.org/Old_Escondido_Historic_District/Photo_Albums/Pages/OE_HT_11_Houses.html#143 (scroll through photos to see the unique architectural elements of the home)

- b. Mr. Haver designed the home so that it was built over and around massive boulders on the property. The boulders are at the Broadway entrance to the property, under the house, along the east side of the house, and scattered throughout the yard. See photos #1, 4, 6, 7, 9, 10, 12, 19 in Exhibit B.
 - i. Per Mr. Haver's son, Harrison, he enjoyed the challenge of building on the steeply sloped property because many believed it to be unbuildable.
 - ii. Many Escondidians know our home as the one at the top of Broadway set behind the massive boulder at the bend in the road. See photos #1, 19 in Exhibit B.
 - iii. The challenging design of the home is part of what impressed the Home Inspection Committee when selecting it for the Mother's Day Home Tour. See the letter from Carol Rea attached as Exhibit C
- c. The home is constructed on stilts due to the boulders and slope of the property. We believe it is the only home of its unique architectural design in Old Escondido. See photos #6, 7, 12 in Exhibit B. See also Exhibit C, the letter from Carol Rea.
- d. The exposed beams and vaulted ceilings create a unique roof line that is visually pleasing. See photos #2, 3, 7, 9, 10, 17 in Exhibit B.
- e. The landscaping is terraced due to the slope of the property. This creates a unique and attractive environment. See photos #4, 6, 7 in Exhibit B.

PART II

Potential Structure/Property Improvement Timeline:

Please note the home has wooden siding, wooden decks, and a wooden carport. The wood will be the primary item to be maintained in the next ten years.

1. Termite maintenance
2. Painting decks, wooden siding, and carport as needed
3. Replacing compromised wood in decks, siding, and carport
4. Replacing rotted planter boards in terraced landscaping areas
5. Adding and maintaining plants and trees



CITY OF ESCONDIDO
 Planning Division
 201 North Broadway
 Escondido, CA 92025-2798
 (760) 839-4671
 Fax: (760) 839-4313

| FOR INTERNAL USE ONLY | |
|-------------------------------------|----------------|
| Case No. | HP 14-0002 |
| Date Submitted: | 7/30/14 |
| Project Planner: | D. B. |
| Fees: | 312.- |
| Receipt No.: | |
| <input type="checkbox"/> Incomplete | Date of Notice |
| <input type="checkbox"/> Complete | Date |

**HISTORIC PROPERTY PRESERVATION
 (MILLS ACT) APPLICATION AND AGREEMENT**

APPLICANT/CONTACT PERSON

Name (Print): Dale and Heather Harshman
 Address: 831 S. Broadway St.
 City, State, Zip: Escondido, CA 92025
 Phone: (760) 858-254-8147; (415) 858-774
 Fax: N/A 7351
 E-mail: daharshman@hotmail.com
 Signature: [Signature]
gharshman h-harshman@yahoo.com

OWNER (If multiple owners/addresses, attach additional sheets as necessary.)

Name (Print): Same
 Address: _____
 City, State, Zip: _____
 Phone: _____
 Fax: _____
 E-mail: _____
 Signature: _____
 (authorizing applicant to submit application)

SITE INFORMATION

Property Address: Same
 Assessor's Parcel Number: 733-382-15-00
 Historic Name: _____

LANDMARK/LOCAL REGISTER INFORMATION

Historic Designation:
 Local State National
 Date of Designation: _____
 Local Register Listing: Yes No
 Date of Listing: _____

POTENTIAL STRUCTURE/PROPERTY IMPROVEMENT TIMELINE:

Please list the improvements which are intended to take place over the next 10 years. List them in order of owner's priority. The improvements listed may be as specific or as general as the applicant prefers; however, physical alterations shall comply with the Secretary of Interior standards. Emergency maintenance not identified in this Agreement may be substituted for listed improvements. The listed improvements may be performed out of order, depending on the property owner's financial situation. Visits to the property by City representatives to monitor the progress will be performed every two to three years.

PROPOSED IMPROVEMENTS

see attachment

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary # _____
HRI # _____
Trinomial _____
NRHP Status Code _____

Other Listings _____
Review Code _____ Reviewer _____ Date _____

Page 1 of 3 *Resource Name or #: (Assigned by recorder) parcel # 233-382-15-00

P1. Other Identifier: _____

*P2. Location: Not for Publication Unrestricted

*a. County San Diego and (P2c, P2e, and P2b or P2d. Attach a Location Map as necessary.)

*b. USGS 7.5' Quad _____ Date _____ T _____; R _____; _____ ¼ of _____ ¼ of Sec _____; _____ B.M.

c. Address 831 S. Broadway St City Escondido Zip 92025

d. UTM: (Give more than one for large and/or linear resources) Zone _____, _____ mE/ _____ mN

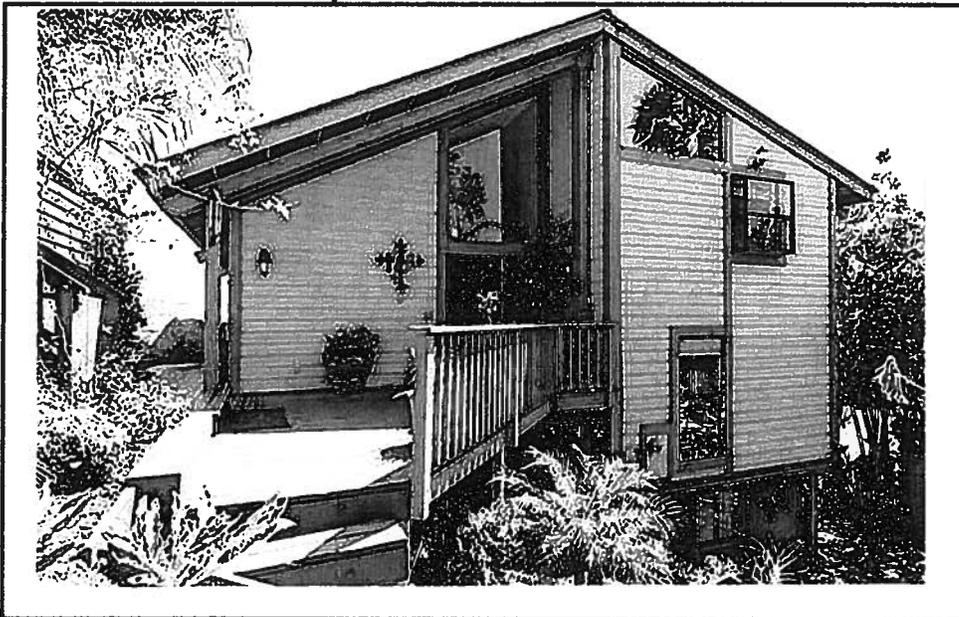
e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate) parcel # 233-382-15-00

*P3a. Description: (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)

Residence borders Broadway St., Khayyam Rd., and W. 9th Ave.

*P3b. Resource Attributes: (List attributes and codes) _____

*P4. Resources Present: Building Structure Object Site District Element of District Other (Isolates, etc.)



P5b. Description of Photo: (view, date, accession #) front of residence, 2013

*P6. Date Constructed/Age and Source: Historic Prehistoric Both 1978

*P7. Owner and Address: Date and Heather Harshman 831 S. Broadway St, Escondido 92025

*P8. Recorded by: (Name, affiliation, and address) _____

*P9. Date Recorded: _____

*P10. Survey Type: (Describe) _____

*P11. Report Citation: (Cite survey report and other sources, or enter "none.") _____

*Attachments: NONE Location Map Continuation Sheet Building, Structure, and Object Record
 Archaeological Record District Record Linear Feature Record Milling Station Record Rock Art Record
 Artifact Record Photograph Record Other (List): _____

State of California – The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
BUILDING, STRUCTURE, AND OBJECT RECORD

Primary # _____

HRI # _____

*NRHP Status Code _____

Page 2 of 3 *Resource Name or #: (Assigned by recorder) _____

B1. Historic Name: _____

B2. Common Name: Residence

B3. Original Use: Residence

B4. Present Use: Residence

*B5. Architectural Style: _____

*B6. Construction History: (Construction date, alterations, and date of alterations)

Completed 1978

*B7. Moved? No Yes Unknown Date: _____ Original Location: _____

*B8. Related Features: _____

B9a. Architect: Ralph Haver b. Builder: _____

*B10. Significance: Theme _____ Area: _____

Period of Significance: _____ Property Type: _____ Applicable Criteria: _____

(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

B11. Additional Resource Attributes: (List attributes and codes) _____

*B12. References:

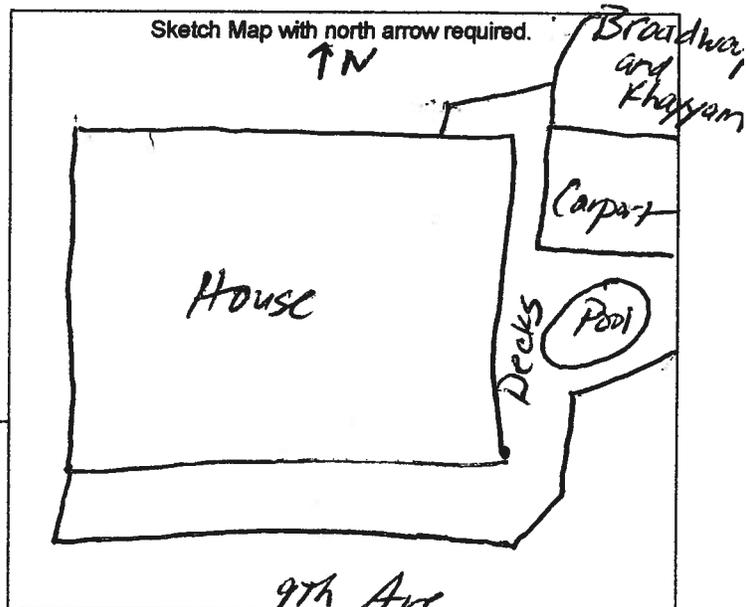
www.modernphoenix.com

B13. Remarks:

*B14. Evaluator:

*Date of Evaluation: _____

(This space reserved for official comments)



State of California – The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET

Primary # _____
HRI # _____
Trinomial _____

Page 3 of 3 *Resource Name or #: (Assigned by recorder) _____

Recorded by: _____ Date: _____

Continuation Update

Answers to Questions 1 – 3:1. Historical or significant factors:

- a. Special Aesthetics: Our home, nicknamed the Tree House by the famous architect and original owner, Ralph Haver, is constructed on a site many had believed to be unbuildable: the severely sloped lot where Broadway ends at Khayyam Rd. between W. 8th and 9th Avenues. The home has a special design due to the lot's unique, challenging terrain, including massive boulders throughout. It is built on stilts above boulders, and is immediately adjacent to other very large boulders. It is set below the Khayyam Road level, and has terraced landscaping in the front which provides a special perspective when approached from that direction.

The home also boasts clerestory windows of trapezoidal shape at the roofline of the cathedral ceiling rooms. This creates a special aesthetic from both the interior and exterior in the front and back.

- b. Cultural, architectural, or engineering factors:
See 1a above.

Characteristics that were typical of Ralph Haver homes are listed on the Do I have a Haver Home? and Characteristics documents included in Exhibit A. Our home has the following characteristics that are representative of Ralph Haver homes:

- i. Main gable beam juts out beyond eave, angled somewhat Polynesian style: See photos #9, 10 on Exhibit B,
ii. Floor-to-ceiling windows: See photos #3 and 17 on Exhibit B,
iii. Clerestory windows of trapezoidal shape: See photos #2, 3, 7, 16, 17 on Exhibit B,
iv. Interior exposed beams (per input from Alison King): See photo #16 on Exhibit B,
v. Patio shade structure that is a natural extension of the roofline creating an outdoor room: See photos #6, 7, 8, 14, 17 on Exhibit B,
vi. Carport rather than a garage: See photo #18 on Exhibit B.
- c. Any dates, events, or persons associated with the site or structure:

Events:

Our home was included on the 2011 Escondido Mother's Day Home Tour. Though the home is much younger than others featured on the Tour, the home was selected due to its unique character and architecture as well as the fame of the architect/builder.

Please see the letter from Carol Rea attached as Exhibit C which expands on why the home was chosen for the tour, why it should be afforded attention by the Local Register, and why it is an architecturally significant home in Old Escondido. Ms. Rea is the recipient of the City of Escondido's 2012 Historic Preservation Award and the 2012 Save our Heritage Organization's Outstanding Preservation Citizen Award. She is also the

President of the Old Escondido Historic District and the Vice Chairman of the Escondido Preservation Committee.

Photos of the home from the Tour can be found at this link:

http://oldescondido.org/Old_Escondido_Historic_District/Photo_Albums/Pages/OE_HT_11_Houses.html#143 (scroll through photos to see the unique architectural elements of the home)

Persons:

Ralph Haver was a famous Southwestern architect who designed and was the original owner of our 1978 home, which he nicknamed the Tree House. He was born in Pasadena, California in 1915. He received a degree in architecture from the University of California, Pasadena in 1941. After he served in WWII, he then moved to Phoenix where he practiced architecture from 1945 until the mid-1980s. He retired in Escondido in the late 70's and died in 1987.

Mr. Haver is considered one of the fathers of the "Mid-Century Modern" architectural style. He was responsible for so much of the design of postwar Phoenix that his firm was considered to be among one of the largest producing firms of the time. His Phoenix building designs were valued at more than \$500 million by the mid-1970s.

He received multiple awards and citations for his work, and achieved "cult status" in the Phoenix area for his many works. His homes are much sought after by home buyers and investors. The city of Scottsdale designated a neighborhood he designed as its first historic neighborhood.

This is a brief summary of *some of his works*, which are further elaborated on in the Chronology of work included in Exhibit D:

- Escondido custom homes in the late 1970s,
- More than a dozen tract home developments with an inventory of roughly 20,000 tract homes built within a five-year span across Arizona, New Mexico and Colorado,
- Dozens of custom homes in the Valley of the Sun,
- Over 250 individual churches, schools, factories, commercial buildings, apartments, townhomes, and civic buildings were cited in the firm's portfolio by 1967.

The following documents attached in Exhibit E expand on his background, accomplishments, and notoriety:

- Article, *Ralph Haver: Everyman's Modernist*,
- List of awards and citations,
- Ralph Haver obituary,
- Article, *Homes Were Turning Point for Scottsdale*

- Article, *Council designates two neighborhoods historic*
- Article, *A Phoenix man scored when he bought Ralph Haver's home for a song.*

Ms. Alison King, an Associate Professor of Design at The Art Institute of Phoenix and founder of the Modern Phoenix website, is available to answer questions about Mr. Haver's background, accomplishments, architectural style, notoriety, etc. She can be reached at alison@modernphoenix.net, (602) 363-6158.

Other articles of interest:

- *Ralph Haver*, <http://www.historicphoenix.com/architecture/ralph-haver/>
- *Homes in Ralph Haver Neighborhoods*, <http://dwellarizona.com/mid-century-modern/ralph-haver-neighborhoods>
- *Midcentury modern finds a place in the valley*, http://www.eastvalleytribune.com/get_out/at_home/article_105545ea-e829-57df-9d8d-b211e4eb7b37.html
- *Anyone Who Had a Heart Would Connect a Country Music Singer, a Jazz Standard and Burt Bacharach Together With One Smooth Line*, <http://distinctivephoenix.com/76/anyone-who-had-a-heart-could-tie-a-country-music-singer-a-jazz-standard-and-burt-bacharach-together-with-one-smooth-line/>
- *High schools facing costly repairs*, http://www.eastvalleytribune.com/news/article_543cb1d0-3993-558c-9ea8-a89f7d51cc9c.html
- Please also view the video at the following link. It is from a Phoenix-area television program and comments on Haver's accomplishments in both residential and commercial architecture: *The Legacy of Ralph Haver and The Vig Uptown*, <http://www.youtube.com/watch?v=0hs6Xqb0BsQ>
- The following video is about a couple on the show HGTV show "House Hunters" who select a Ralph Haver home partly because he's a famed architect, http://www.youtube.com/watch?v=-hhD5DaZy_g

2. *Has the site or structure been altered in any way from its original design? Explain.*

A slab on grade basement structure was added under the house. It stores the water heater and storage. It is on the side of the house least visible from Khayyam Road and 9th Avenues.

3. *Are there any known threats to the site or structure? (i.e., private development, zoning, vandalism, public works, structural damage, etc.)* No

**RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:**

City Clerk
City of Escondido
201 N. Broadway
Escondido, CA 92025

THIS SPACE FOR RECORDER'S USE ONLY

HISTORIC PROPERTY PRESERVATION AGREEMENT

This Agreement is made and entered into by and between the CITY OF ESCONDIDO, a municipal corporation (hereinafter referred to as "the CITY") and [Insert Owners' Names] (hereinafter referred to as "the OWNERS").

Recitals

1. WHEREAS, the OWNERS possess and own real property located within the City of Escondido, which property is more fully described in Attachment "A" to this Agreement (hereinafter "the PROPERTY"); and
2. WHEREAS, the PROPERTY is a qualified historical property in that it is privately owned, it is not exempt from property taxation, and it is listed in the Local Register of Historic Places; and
3. WHEREAS, both the CITY and the OWNERS desire to carry out the purposes of Article 12 (commencing with section 50280) of Chapter 1 of Part 1 of Division 1 of Title 5 of the California Government Code and Article 1.9 (commencing with section 439) of Chapter 3 of Part 2 of Division 1 of the California Revenue and Taxation Code; and
4. WHEREAS, both the CITY and the OWNERS desire to limit the use of the PROPERTY to retain its characteristics as a property of historical significance.

Agreement

NOW THEREFORE, both the CITY and the OWNERS, in consideration of the mutual promises, covenants and conditions contained herein and the substantial public benefits to be derived therefrom, do hereby agree as follows:

1. Applicability of Government Code and Revenue and Taxation Code. This Agreement is made pursuant to Article 12 (commencing with section 50280) of Chapter 1 of Part 1 of Division 1 of Title 5 of the California Government Code and Article 1.9 (commencing with section 439) of Chapter 3 of Part 2 of Division 1 of the California Revenue and Taxation Code and is subject to all of the provisions of these statutes.

2. Preservation of Property. The OWNERS agree to the preserve the PROPERTY and, when necessary, to restore and rehabilitate the property to conform to the rules and regulations of the Office of Historic Preservation of the California Department of Parks and Recreation, the United States Secretary of the Interior's Standards for Rehabilitation, and the State Historical Building Code. In particular, the OWNERS agree to make all of the improvements identified in Attachment "B" during the initial term of this Agreement.

 OWNER'S INITIALS

3. Inspections. The OWNERS agree to permit the periodic examination of the interior and exterior of the PROPERTY by the CITY, the County Assessor, the Department of Parks and Recreation, and the State Board of Equalization as may be necessary to determine the OWNERS' compliance with this Agreement.

 OWNER'S INITIALS

4. Term of Agreement. This Agreement shall be effective and shall commence on the date this Agreement is approved by a resolution of the City Council and shall remain in effect for a period of ten (10) years thereafter.

5. Automatic Renewal. On the tenth (10th) anniversary of this Agreement and on each successive anniversary date (hereinafter referred to as "the RENEWAL DATE"), one (1) year shall automatically be added to the initial term of this Agreement unless notice of nonrenewal is given as provided in Paragraph 6 below.

6. Notice of Nonrenewal. If, in any year, either the CITY or the OWNERS desire not to renew this Agreement, that party shall serve written notice of nonrenewal on the other party. If the OWNERS elect to serve a notice of nonrenewal, the notice must be served on the CITY at least ninety (90) days prior to the RENEWAL DATE, otherwise one (1) additional year shall automatically be added to the term of this Agreement. Conversely, if the CITY elects to serve a notice of nonrenewal, the notice must be served on the OWNERS at least sixty (60) days prior to the RENEWAL DATE, otherwise one (1) additional year shall automatically be added to the term of this Agreement. Upon receipt by the OWNERS of a notice of nonrenewal from the CITY, the OWNERS

may make a written protest of the nonrenewal. The CITY may, at any time prior to the RENEWAL DATE, withdraw its notice of nonrenewal.

7. Effect of Notice of Nonrenewal. If, in any year, either party serves a notice of nonrenewal as provided in Paragraph 6 above, this Agreement shall remain in effect for: (1) the balance of the period remaining under the initial term of this Agreement; or (2) the balance of the period remaining since the last automatic renewal, whichever the case may be.

8. Cancellation. The CITY may cancel this Agreement if the CITY determines the OWNERS have breached any of the conditions or covenants of this Agreement or have allowed the PROPERTY to deteriorate to the point that it no longer meets the standards of a qualified historical property. The CITY may also cancel this Agreement if it determines that the OWNERS have failed to restore or rehabilitate the PROPERTY in the manner specified in this Agreement.

 OWNER'S INITIALS

9. Notice of Cancellation. Notwithstanding the above, this Agreement cannot be cancelled until after the CITY has given notice and has held a public hearing as required by California Government Code section 50285. Notice of the hearing shall be mailed to the last known address of each owner of property within the same historic zone as the PROPERTY and shall be published in accordance with California Government Code section 6061.

10. Cancellation Fee. If the CITY cancels this Agreement in accordance with Paragraph 8, the OWNERS shall pay a cancellation fee of twelve and one-half percent (12-1/2%) of the then current fair market value of the PROPERTY, which is to be determined by the County Assessor as though the PROPERTY were free and clear of any of the restrictions contained in this Agreement. The cancellation fee shall be paid to the County Auditor at the time and in the manner that the County Auditor shall prescribe and shall be allocated by the County Auditor to each jurisdiction in the tax rate area in which the PROPERTY is located in the same manner as the County Auditor allocates the annual tax increment in that tax area that fiscal year.

 OWNER'S INITIALS

11. No Compensation. The OWNERS shall not receive any payment from the CITY in consideration for the obligations imposed under this Agreement. The parties recognize and agree that the consideration for the execution of this Agreement is the substantial public benefit to be derived therefrom and the advantage that will accrue to the OWNERS as a result of the effect this Agreement will have on the assessed value of the PROPERTY because of the restrictions this Agreement imposes on the use and preservation of the PROPERTY.

12. Remedy If Agreement Not An Enforceable Restriction. In the event it is finally determined by a court of competent jurisdiction that this Agreement does not constitute an enforceable restriction within the meaning of the applicable provisions of the California Government Code and the California Revenue and Taxation Code, except for an unenforceability arising from the cancellation or nonrenewal of this Agreement, for any tax year during the life of this Agreement, then this Agreement shall be null and void and without further effect and the PROPERTY shall from that time forward be free from any restriction whatsoever under this Agreement without any payment or further act by the parties.

13. Condemnation Proceedings. If condemnation proceedings are filed against the PROPERTY, or if the PROPERTY is acquired by a public agency in lieu of condemnation proceedings, this Agreement shall be null and void. If the condemnation proceedings are subsequently abandoned or the acquisition rescinded, this Agreement shall be reactivated retroactively and shall be in full force and effect without the need for any further act by the parties.

14. Entire Agreement. This instrument and its attachments constitute the entire agreement between the parties. The parties shall not be bound by any terms, conditions, statements, or representations, oral or written, not contained in this Agreement. Each party hereby acknowledges that in executing this Agreement, the party has not been induced, persuaded, or motivated by any promise or representation made by the other parties, unless expressly set forth in this Agreement. All previous negotiations, statements, and preliminary instruments by the parties or their representatives are merged in this instrument and are of no force and effect.

15. Modification. No modification of this Agreement shall be valid or binding unless the modification is in writing, signed by all parties, and recorded with the County Recorder for the County of San Diego.

16. Binding Effect. This Agreement shall be binding on and inure to the benefit of all successors-in-interest of the OWNERS. A successor-in-interest shall have the same rights and obligations under this Agreement as the OWNERS.

17. Choice of Law and Forum. This Agreement and the legal relations between the parties shall be governed by and construed in accordance with the laws of the State of California. Any action or proceeding to enforce any provision of this Agreement shall be brought in the San Diego Superior Court, North County Division.

18. Headings. The headings of the paragraphs of this Agreement are inserted for convenience only. They do not constitute part of this Agreement and shall not be used in its construction.

19. Waiver. The waiver by any party to this Agreement of a breach of any provision of this Agreement shall not be deemed a continuing waiver or a waiver of any subsequent breach of that or any other provision of this Agreement.

20. Severability. The invalidity in whole or in part of any provision of this Agreement will not void or affect the validity of any other provisions of this Agreement.

21. Notices. Any notice, delivery or other communication pursuant to this Agreement shall be in writing and shall be given to:

CITY: City Clerk
 City of Escondido
 201 N. Broadway
 Escondido, CA 92025

OWNERS: **[Insert Names and Mailing Address]**

Any party may change his/her/its address by giving written notice to the other parties in the manner provided in this paragraph. Any notice, delivery, or other communication shall be effective and shall be deemed to be received by the other parties within five (5) business days after the notice has been deposited in the United States mail, duly registered or certified, with postage prepaid, and addressed as set forth above.

22. Notice to Office of Historic Preservation. The OWNERS or an agent of the OWNERS shall provide written notice of this Agreement to the Office of Historic Preservation within six months of entering into this Agreement. A copy of this notice shall also be provided to the CITY.

(Remainder of page left intentionally blank.)

23. Counterparts. This Agreement may be executed in any number of counterparts or by facsimile transmission, each of which will be deemed an original with the same effect as if all signatures were on the same instrument.

IN WITNESS WHEREOF, the CITY and the OWNERS have executed this Agreement as of the date set forth below.

CITY OF ESCONDIDO

Dated: _____

By: _____
Lori Holt Pfeiler, Mayor

Dated: _____

By: _____
Marsha Whalen, City Clerk

OWNERS

Dated: _____

By: _____
[Insert Name]
(This signature must be notarized.)

Dated: _____

By: _____
[Insert Name]
(This signature must be notarized.)

Dated: _____

By: _____
[Insert Name]
(This signature must be notarized.)

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY
JEFFREY R. EPP, City Attorney

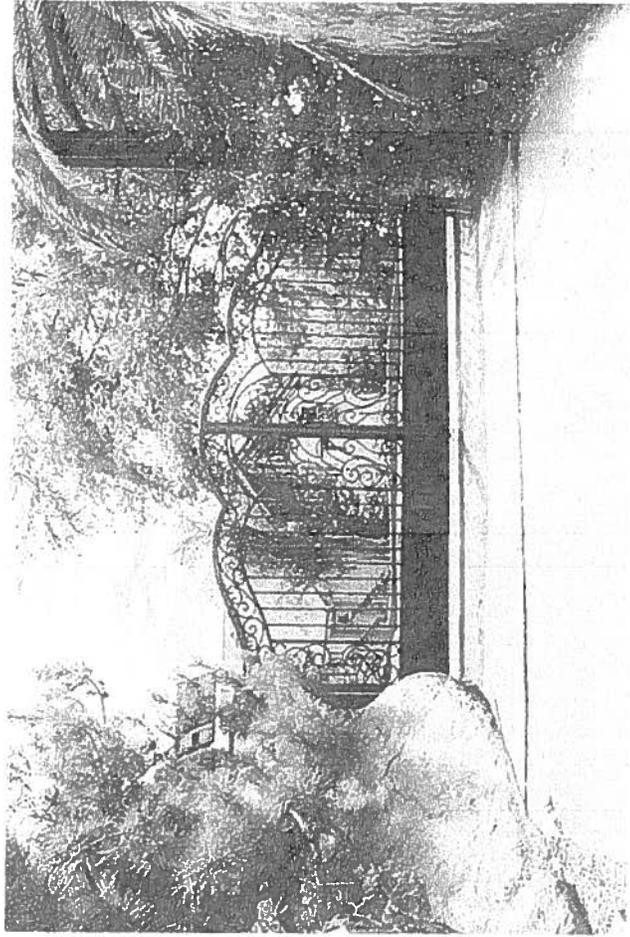
By: _____

1

Front entrance of home at Broadway and Khayyam

Note: The massive boulders at the entrance of the property make it a unique, well-known focal point in Escondido.

Satisfaction of 33-794(d)(6)

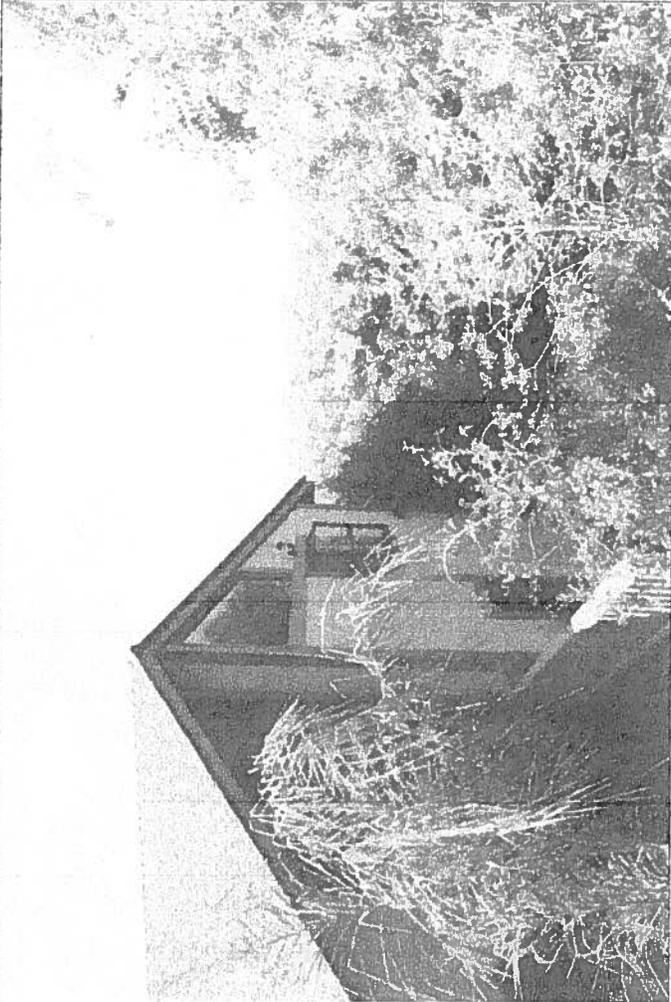


2

Front of house

The vaulted ceilings create a unique roof line that is visually pleasing.

Satisfaction of 33-794(d)(6)



3

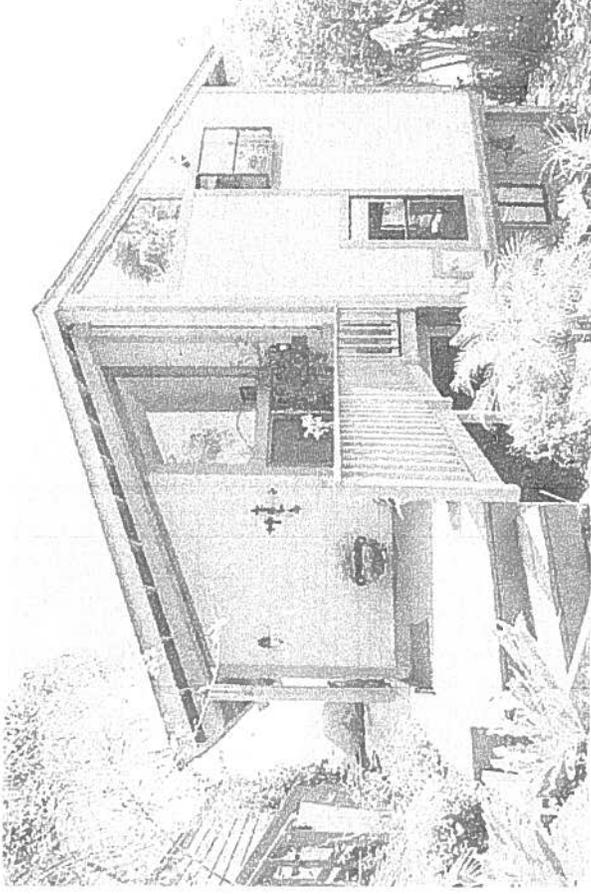
Front of house

Note: Floor-to-ceiling windows (at front door) and clerestory windows of trapezoidal shape were typical of Ralph Haver homes (2 seen here).

Satisfaction of 33-794(d)(2)

The vaulted ceilings create a unique roof line that is visually pleasing.

Satisfaction of 33-794(d)(6)



4

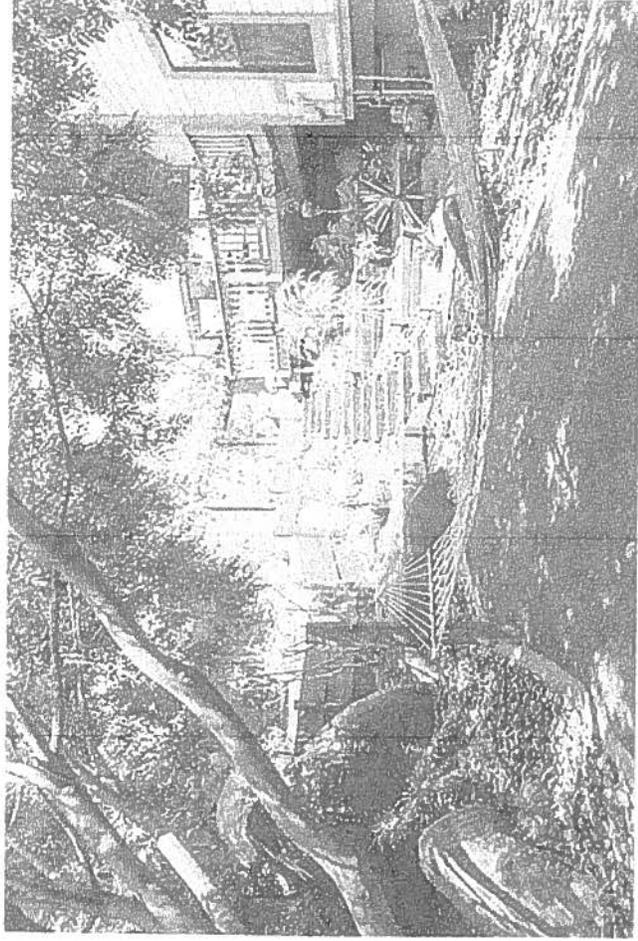
Front of house

Note: The landscaping is terraced due to the slope of the property. This creates a unique and attractive environment.

Satisfaction of 33-794(d)(6)

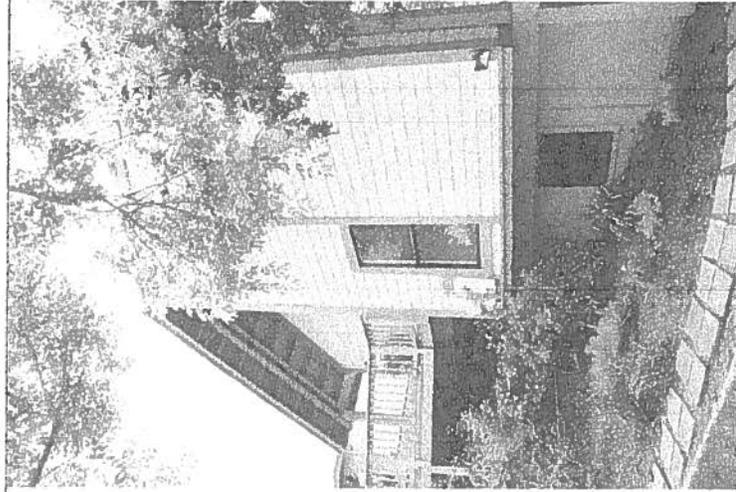
Note: The massive boulders in the yard make it a unique, well-known focal point in Escondido.

Satisfaction of 33-794(d)(6)



5

Front of house



6

Back of house

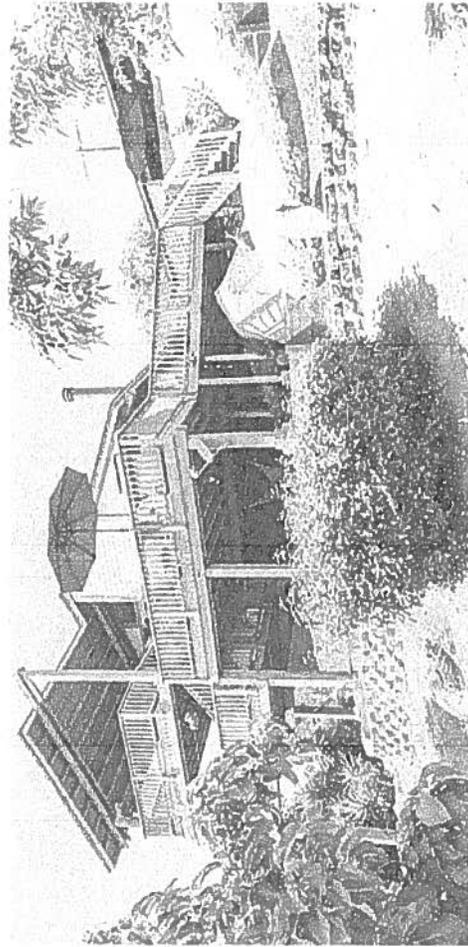
Note: The patio shade structure that is a natural extension of the roofline creating an outdoor room was typical of Ralph Haver homes.

Satisfaction of 33-794(d)(2)

Note: The massive boulders in the yard and being built on stilts make it a unique, well-known focal point in Escondido.

The landscaping is terraced due to the slope of the property. This creates a unique and attractive environment.

Satisfaction of 33-794(d)(6)



7

Back of house

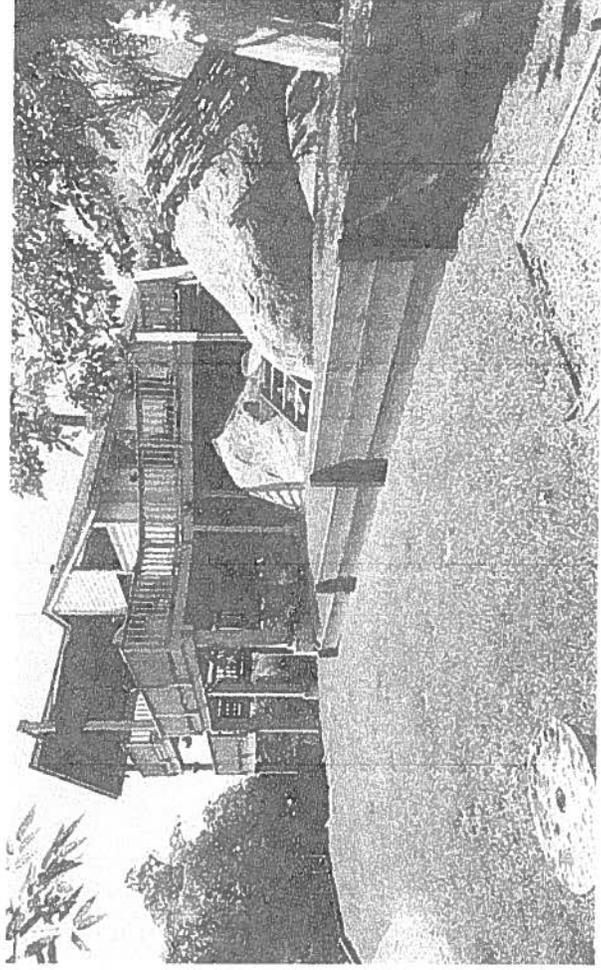
Note: The patio shade structure that is a natural extension of the roofline creating an outdoor room was typical of Ralph Haver homes.

Satisfaction of 33-794(d)(2)

Note: The massive boulders on the property, construction on stilts, and vaulted ceilings make it a unique, well-known focal point in Escondido.

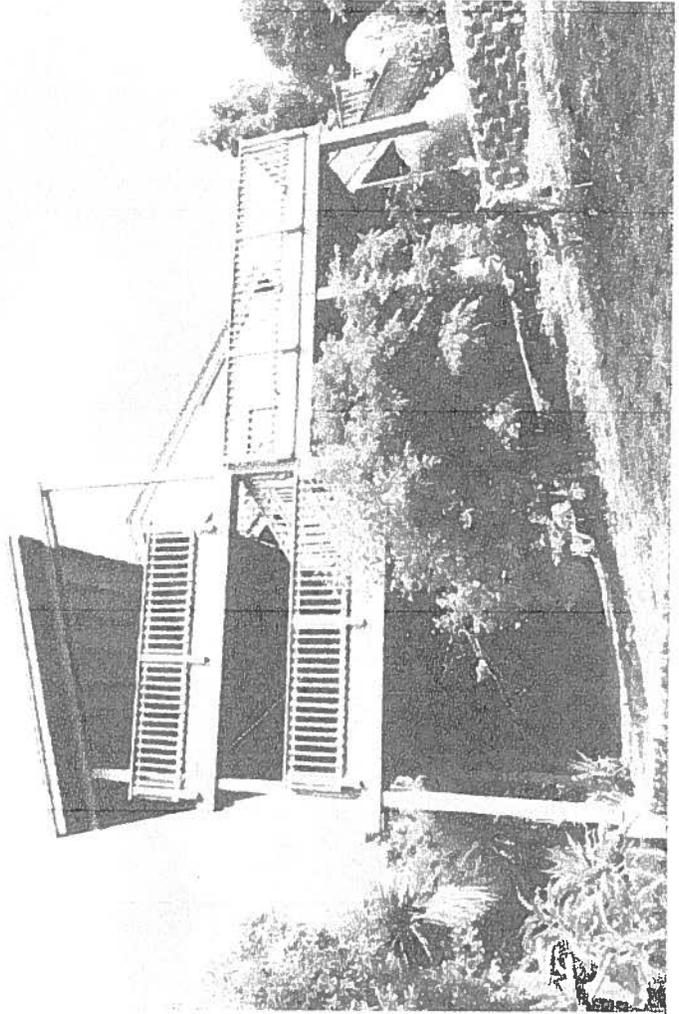
The landscaping is terraced due to the slope of the property. This creates a unique and attractive environment.

Satisfaction of 33-794(d)(6)



8

Back of house



9

East side of the house

Note: Main gable beams that jut out beyond eaves and are angled somewhat Polynesian style were typical of Ralph Haver homes. Satisfaction of 33-794(d)(2)

Note: The massive boulders along the side of the house and exposed beams make it a unique, well-known focal point in Escondido. Satisfaction of 33-794(d)(6)

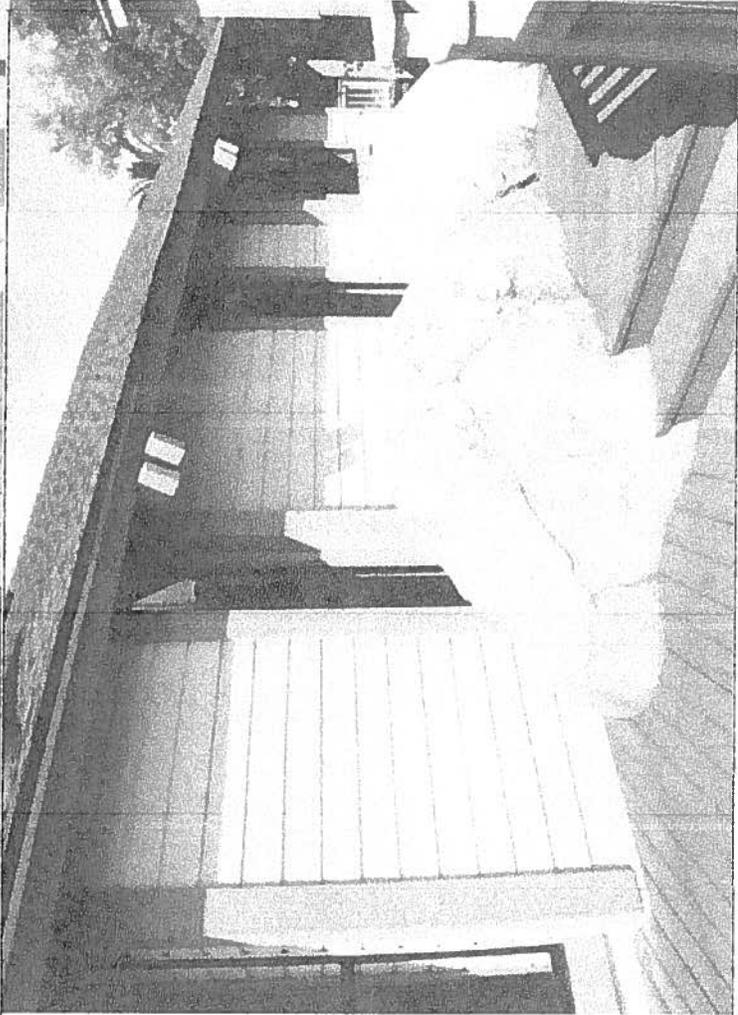


10

East side of the house

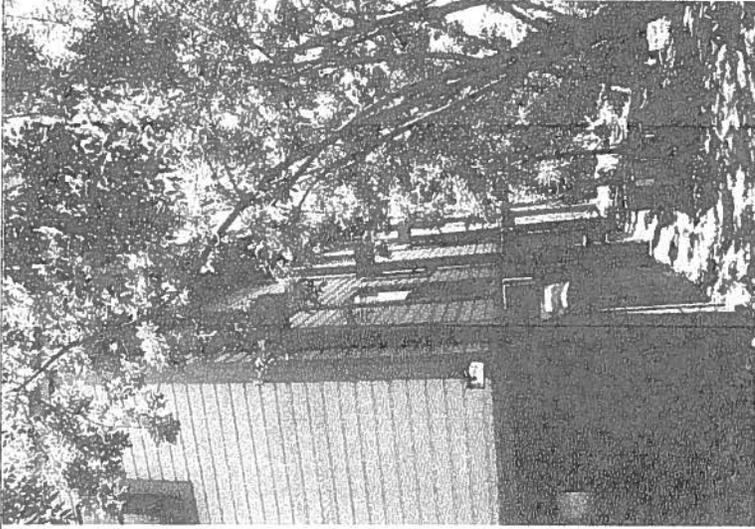
Note: Main gable beams that jut out beyond eaves and are angled somewhat Polynesian style were typical of Ralph Haver homes. Satisfaction of 33-794(d)(2)

Note: The massive boulders along the side of the house and exposed beams make it a unique, well-known focal point in Escondido. Satisfaction of 33-794(d)(6)



11

West side of the house



12

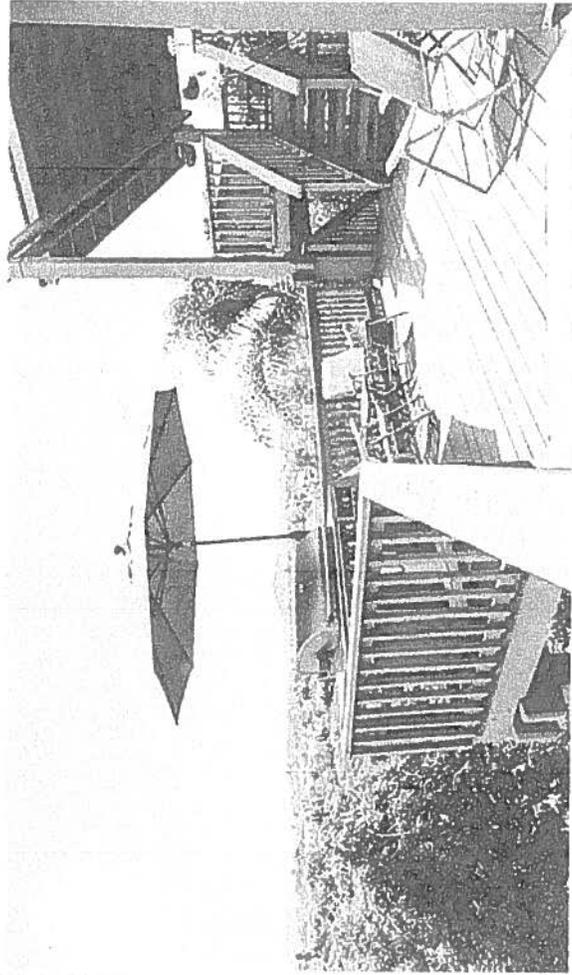
Underneath the house

Note: The massive boulders underneath the house and stilt construction make it a unique, well-known focal point in Escondido. Satisfaction of 33-794(d)(6)



13

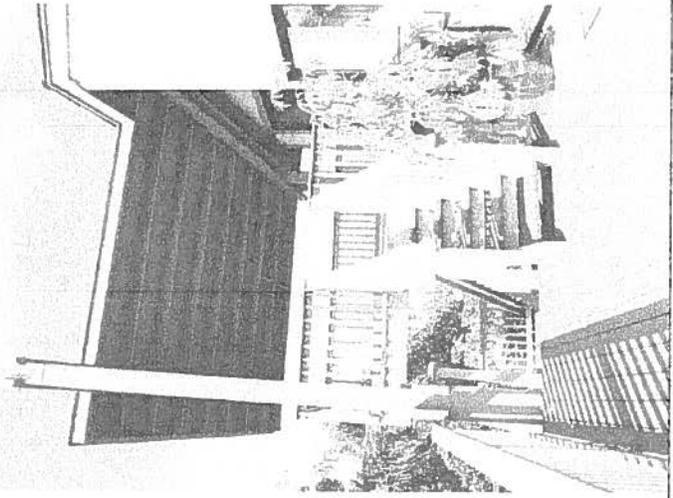
The back of the house



14

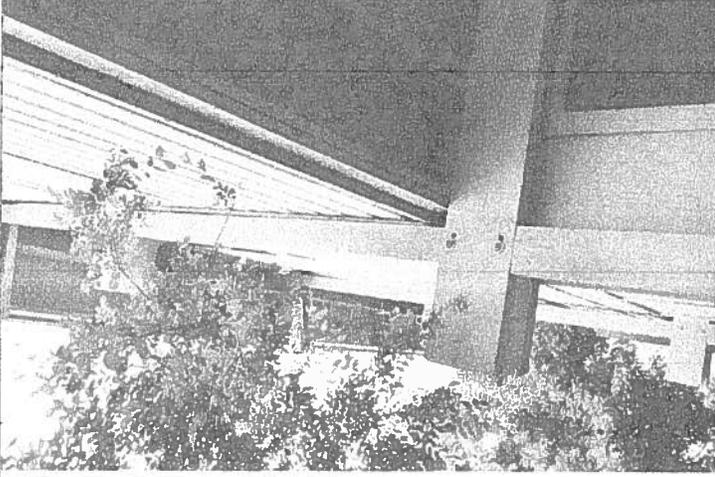
The back of the house

Note: The patio shade structure that is a natural extension of the roofline creating an outdoor room was typical of Ralph Haver homes.
Satisfaction of 33-794(d)(2)



15

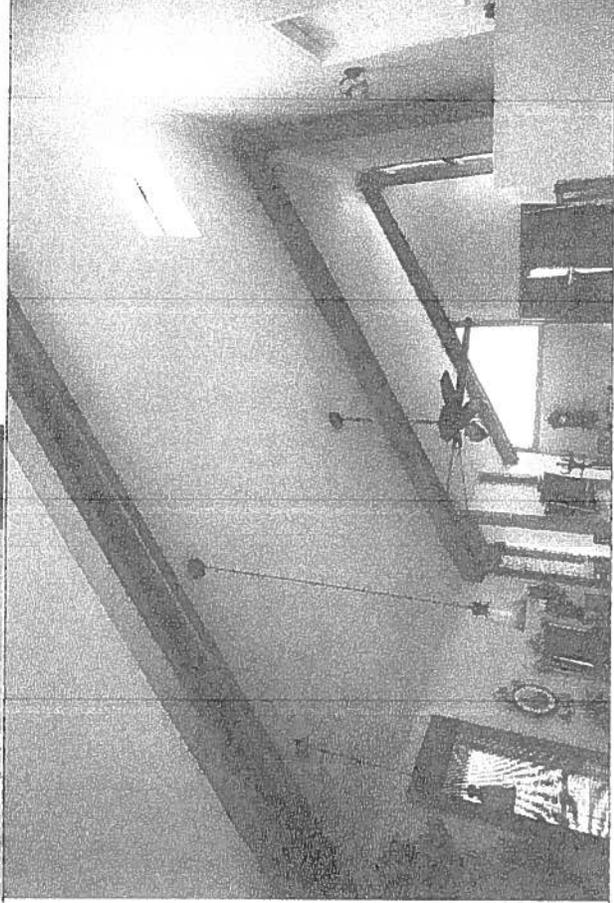
The east side of the house



16

Interior main room

Note: Main gable beams that jut out beyond eave, are exposed on the interior, and are angled somewhat Polynesian style were typical of Ralph Haver homes.
Satisfaction of 33-794(d)(2)

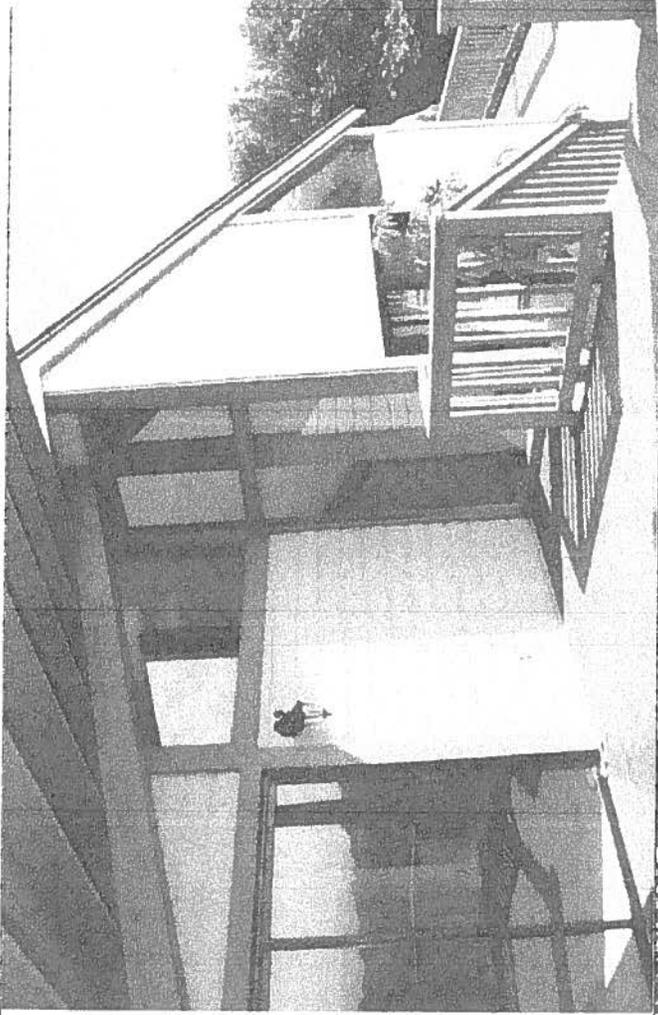


17

Back of house

Note: Floor-to-ceiling windows and clerestory windows of trapezoidal shape were typical of Ralph Haver homes (2 seen here).
Satisfaction of 33-794(d)(2)

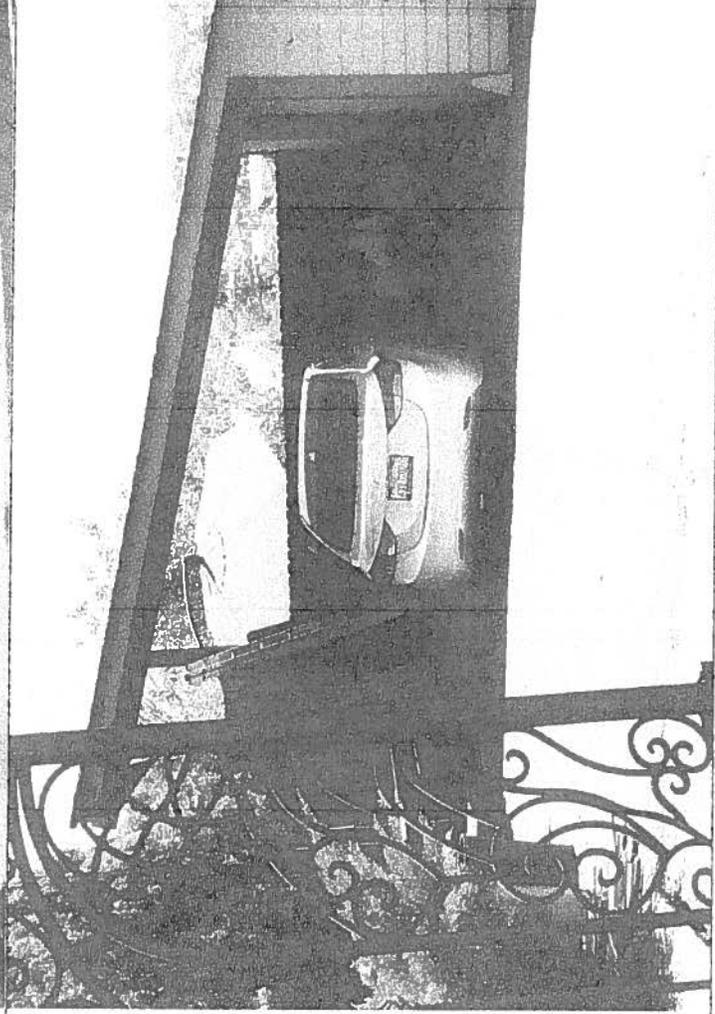
The vaulted ceilings create a unique roof line that is visually pleasing.
Satisfaction of 33-794(d)(6)



18

Carport at front of house

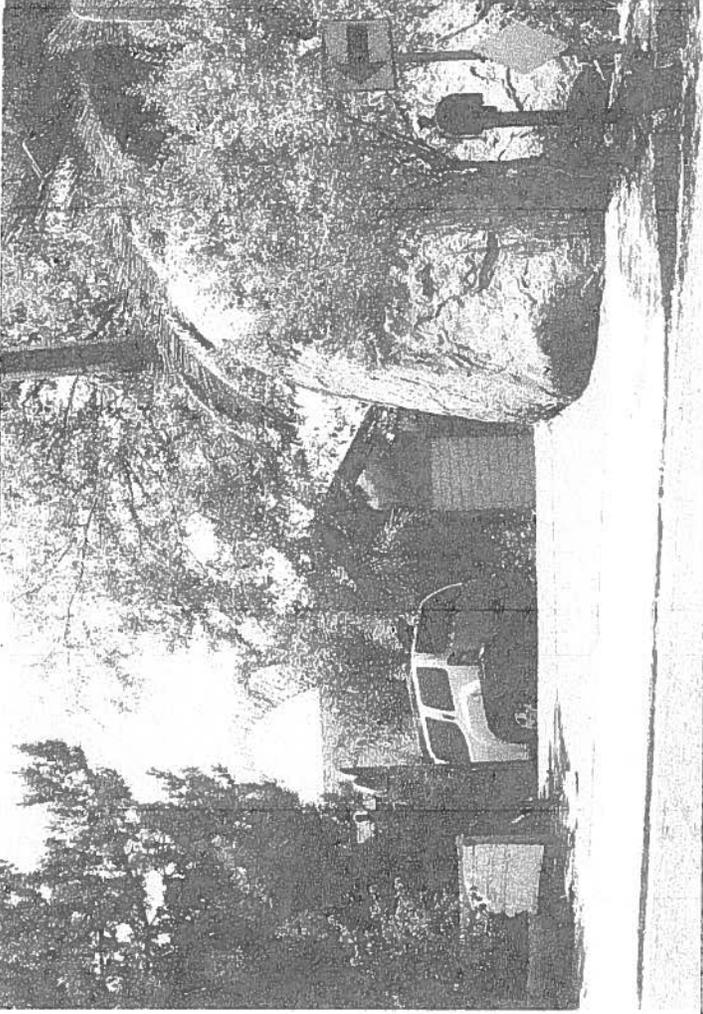
Note: Carports were typical of Ralph Haver homes.
Satisfaction of 33-794(d)(2)



Entrance at front of house on Broadway

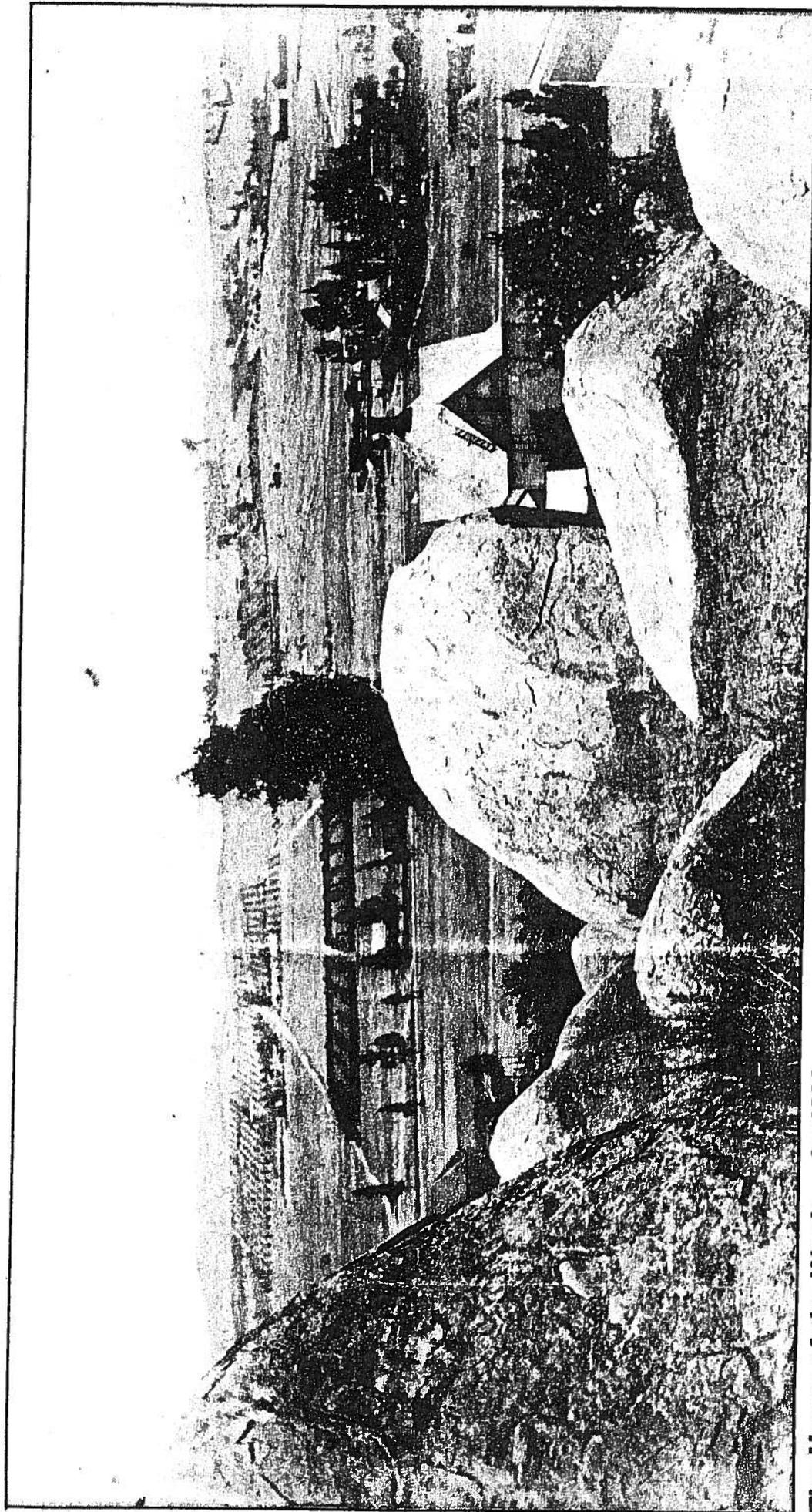
Note: The massive boulders at the entrance of the property make it a unique, well-known focal point in Escondido.

Satisfaction of 33-794(d)(6)



nday, May 15, 1983

North County Yesterday



The Home of the Week — in 1899

The house in the foreground is today's Home of the Week (see F1) as it looked six years after it was built. The 1899 photo of Escondido was taken from South Broadway (formerly Lime

Photo courtesy Escandido Historical Society

Street) between 8th Avenue (Delaware Avenue) and 9th Avenue (Kansas Avenue). The location was commonly known as "Catholic Hill," the site of St. Mary's Church. The view to the

west shows a few substantial houses, young groves, early street plantings and the mountains surrounding what is now Lake Hodges.



Haver's "Tree House" as seen from 9th Avenue and Broadway



ABOUT NEIGHBORHOODS ARTICLES ARCHITECTS MAP FORUMS TOURS LINKS FAQ ADS HOME



THE RALPH HAVER ARCHIVE

| | | | |
|----------------------------------|--------------------------------------|------------------------------------|--------------------------------|
| Index | Brief Chronology | Neighborhoods | Firm Portfolio |
| Ralph Haver AIA | Commercial Buildings | Custom Homes | Family History |
| Jimmie Nunn FAIA | Civic Buildings | Characteristics | Awards |
| James Salter AIA | Multifamily Housing | Do I Have a Haver? | |

RALPH HAVER AIA: A CHRONOLOGY

Compiled by Alison King, Founding Editor, ModernPhoenix.net

This chronology features just a sampling of highlights from the firm's inventory. Many buildings listed here were personally designed by Ralph Haver AIA but several were also designed by principals of the firm. [James Salter AIA](#) was responsible for the overall look during the award-winning years. [Jimmie Nunn FAIA](#) was responsible for on-site supervision of projects, and interfacing with the public and civic groups in order to get projects approved.

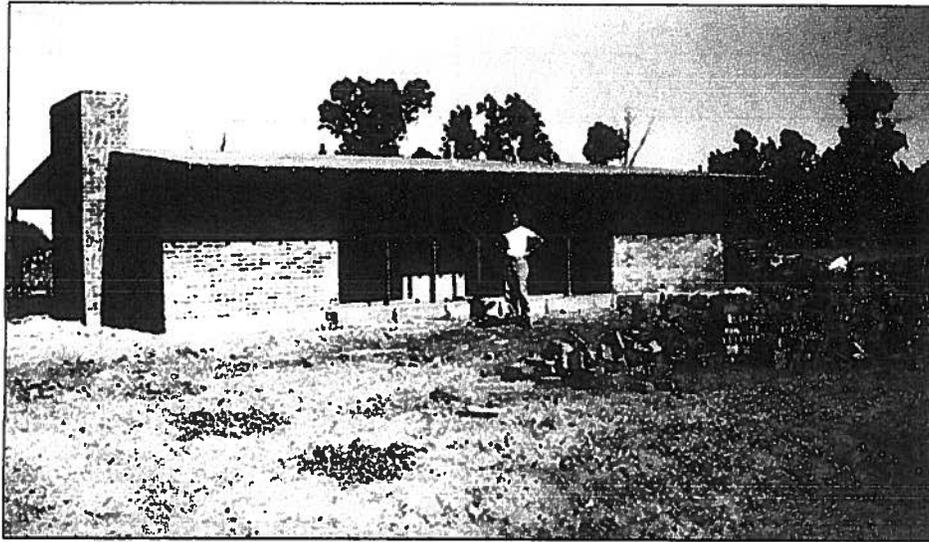
Some projects like the [Phoenix Municipal Complex](#), [Quebedeaux Chevrolet](#), the [Ciné-Capri Theater](#) and [Tower Plaza](#) were completed in collaboration with other firms. Surely dozens of collaborators assisted in design over the decades, but individual credits for the architect of record are difficult to verify.

An [Arizona Republic](#) article marking Haver & Nunn's 30-year collaboration cited that the firm built in excess of \$500 million dollars worth of buildings by the mid-70s. Verified research documents more than a dozen tract home developments officially bearing Haver's name, but the inventory was reported to total roughly 20,000 tract homes built within a five-year span across Arizona, New Mexico and Colorado. Primary and secondary sources document dozens of custom homes in the Valley of the Sun. Over 250 individual churches, schools, factories, commercial buildings, apartments, townhomes, and civic buildings were cited in the firm's portfolio by 1967.



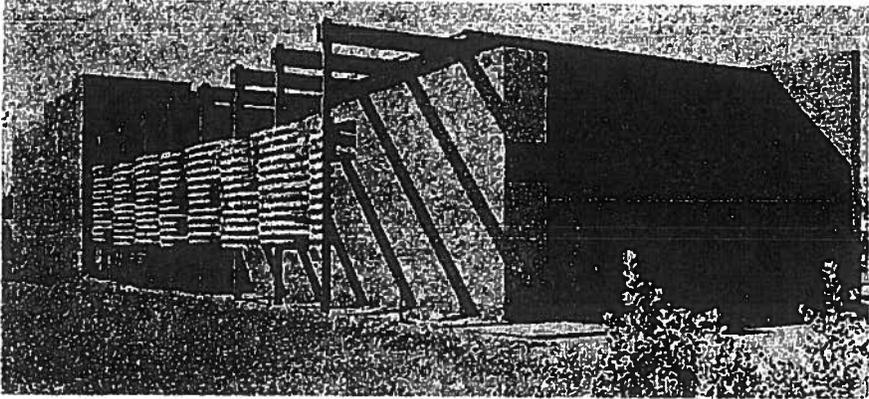
THE EARLY YEARS

- 1915 Born in Pasadena, California the son of a Harry, a mason and Alice, a schoolteacher
- 1941 Graduated University of Southern California, Pasadena with a degree in Architecture
- 1943 Marries wife Millie, whom he met at a USO dance, serves as a "90 Day Wonder" in the South Pacific
- 1946 Separated as Captain from Army Corps of Engineers



- 1946 Built his family a home in Hixson Homes subdivision (now Canal North), Uptown Phoenix
- 1946 The Hopkins House, Uptown Phoenix
- 1946 Worked for Ed Varney in Uptown Phoenix on Architect's Row
- 1946 Designed his first architectural office building on Architect's Row
- 1947 Southdale subdivision, South Phoenix

R. HAVER ARCHITECTS IN PHOENIX



(Photo, Stuart A. Weiner)

Ralph Haver's New Building Has Striking Architectural Features

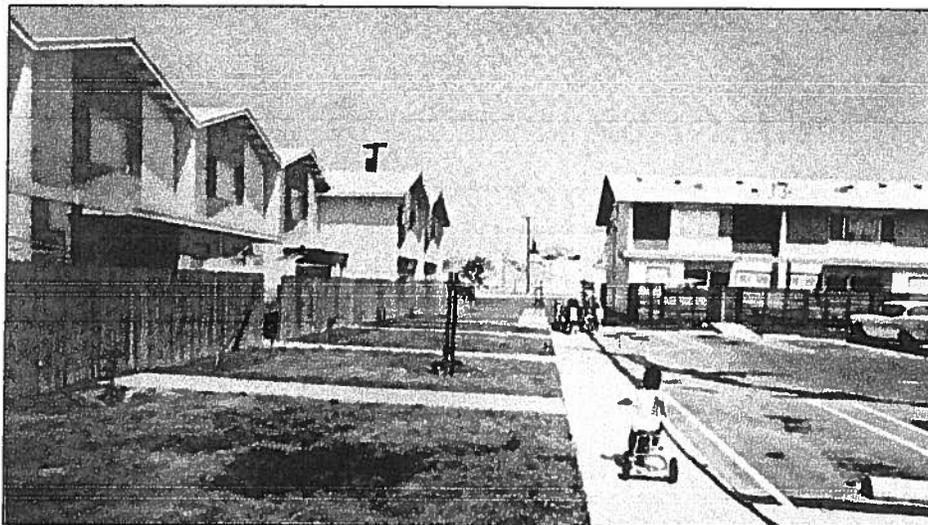
Ralph Haver, Phoenix architect, has completed a new building with striking architectural features at 207 East Camelback Road which will house his offices and a salesroom for Modern Kitchens.

The structure, built of pumice brick and with exposed redwood beams for the roof, contains a central refrigeration and heating unit.

Mr. Haver's suite of offices is reached by a trellised walkway which runs along the east side of the building. The rear offices also open onto a fenced-in garden at the rear of the property. The architectural plan allows clerestory lighting for the rear offices, which emphasize natural finishes in the decorative scheme, with a cork floor scheduled to be laid in the near future.

Mason Contractors, Inc., built the edifice for Mr. Haver for an approximate \$8,000.

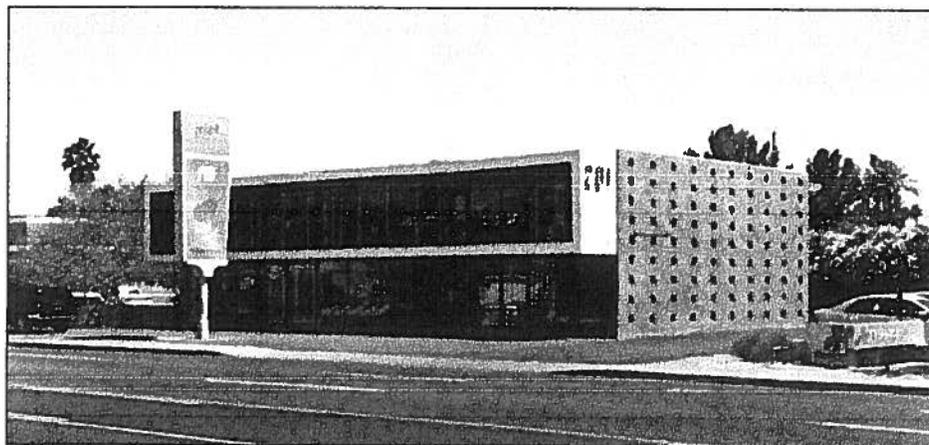
- 1949 Mañana Vista subdivision, West Phoenix
- 1949 Country Club Apartments [FHA Housing]
- 1949 Madison Rose Lane and Madison #2 schools, Uptown Phoenix
- 1950 Luke Air Force Base Housing, Glendale



- 1950 The Peggy Reed Residence at Ingleside Country Club, Central Phoenix
- 1950 The Nelson Residence, Uptown Phoenix
- 1950 The Morse Residence, Phoenix
- 1950 Mayfair Manor subdivision, Uptown Phoenix
- 1951 Poladian Residence, Uptown Phoenix
- 1951 Koko Theater and Restaurant aka Koko Club, Biltmore Area

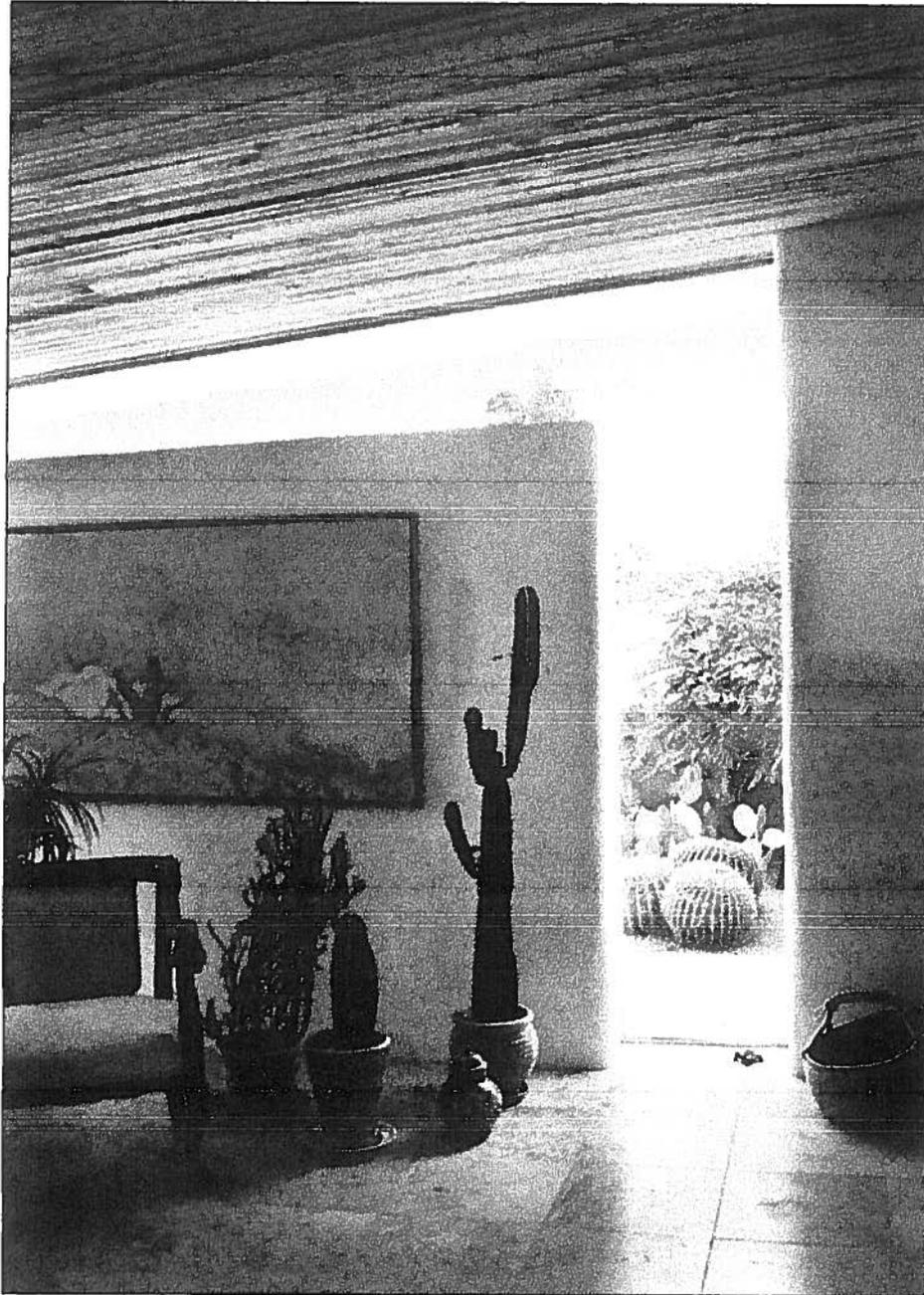
THE CIVIC BOOM YEARS

- 1952 Forged partnership with Jimmie Nunn in Uptown Phoenix
- 1952 Marden Grove subdivision, Uptown Phoenix
- 1952 Feltman Building (now Pima Plaza), Central Scottsdale
- 1954 Friedman office building, Uptown Phoenix (now Red Modern Furniture)



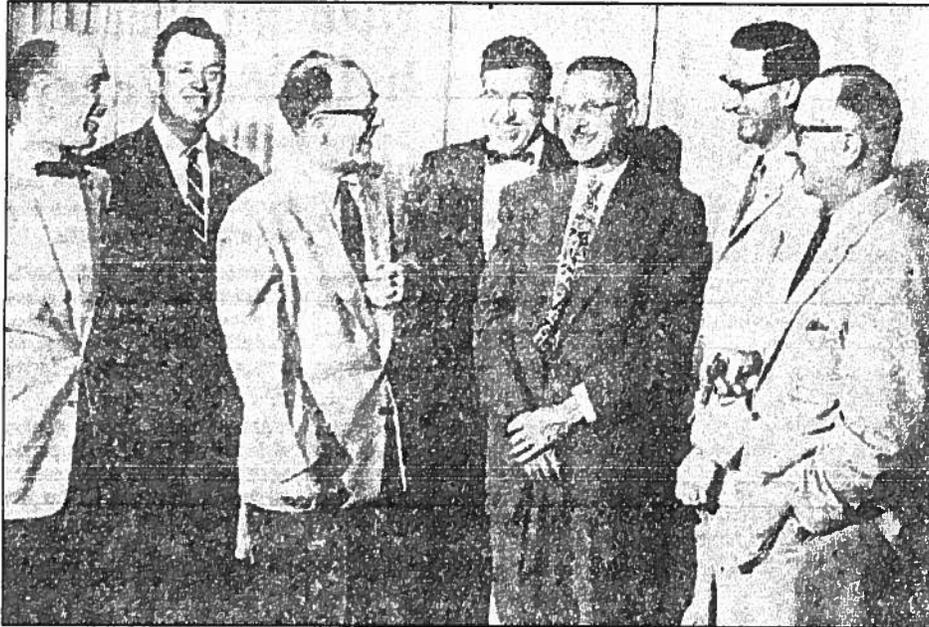
- 1952 Princess Homes in Northwood subdivision, Uptown Phoenix
- 1953 Entz White Lumber, Uptown Phoenix [demolished]

- 1953 G.E. Wonder Home, Paradise Valley
- 1954 Lou Register Furniture [now Copenhagen Imports], Uptown Phoenix
- 1954 Quebedeax Chevrolet [with Victor Gruen], Downtown Phoenix
- 1954 Starlite Vista subdivision, North Phoenix
- 1954 Maricopa School, Maricopa
- 1955 Haver Development Corp. is formed with Ralph, Millie and Alice Haver
- 1955 Various homes in Tonka Vista subdivision including second Haver family home, Uptown Phoenix

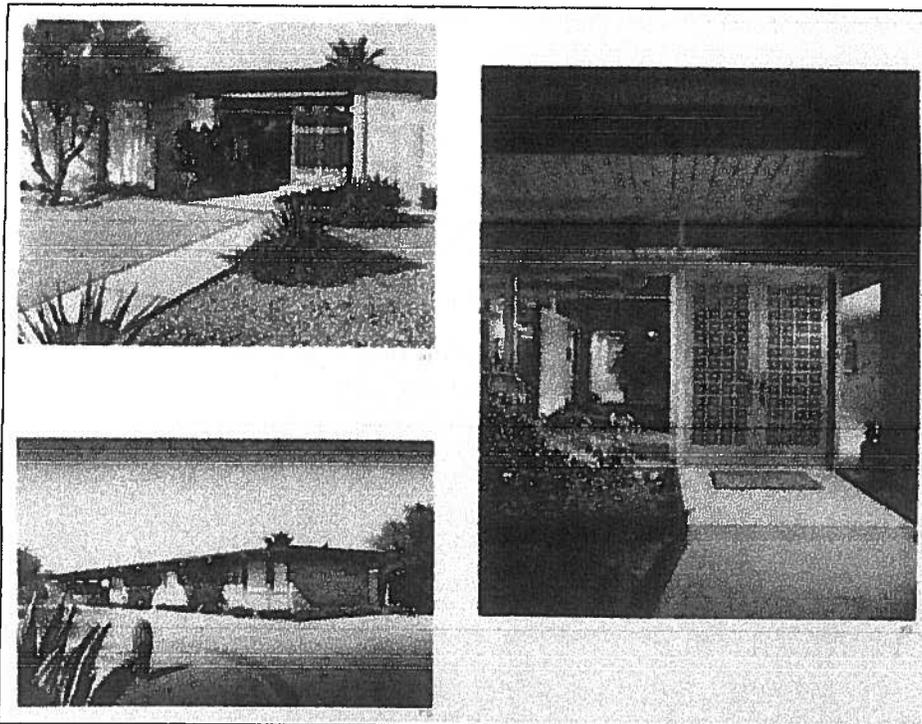


- 1955 Windemere subdivision, Arcadia

- 1955 Princess Homes at Regents Park, Arcadia
- 1955 Park Lee Alice Apartments, West Phoenix
- 1955 Barrow's Furniture Store, Tucson
- 1956 Engineering Complex, Arizona State University, Tempe
- 1956 Starlite Model Home for Parade of Homes, North Phoenix
- 1956 Tower Plaza [with John Schotanus], Phoenix
- 1957 Ralph Haver and Jimmie Nunn become founding members of the Central Arizona Chapter of the AIA with five other officers



- 1956 Town & Country Manor subdivision - Town & Country I [aka Rancho Vista], Central Phoenix
- 1956 Orchid Park subdivision, North Phoenix
- 1957 Kaibab Elementary School [AIA Regional Award for Excellence of Design]
- 1957 Janet Manor subdivision - Town & Country II, Uptown Phoenix
- 1958 St. Vincent de Paul Church complex, Maryvale
- 1958 Parker House, Arcadia
- 1958 James Salter AIA joins Haver, Nunn and Associates
- 1959 Evertson House, Marion Estates, Paradise Valley



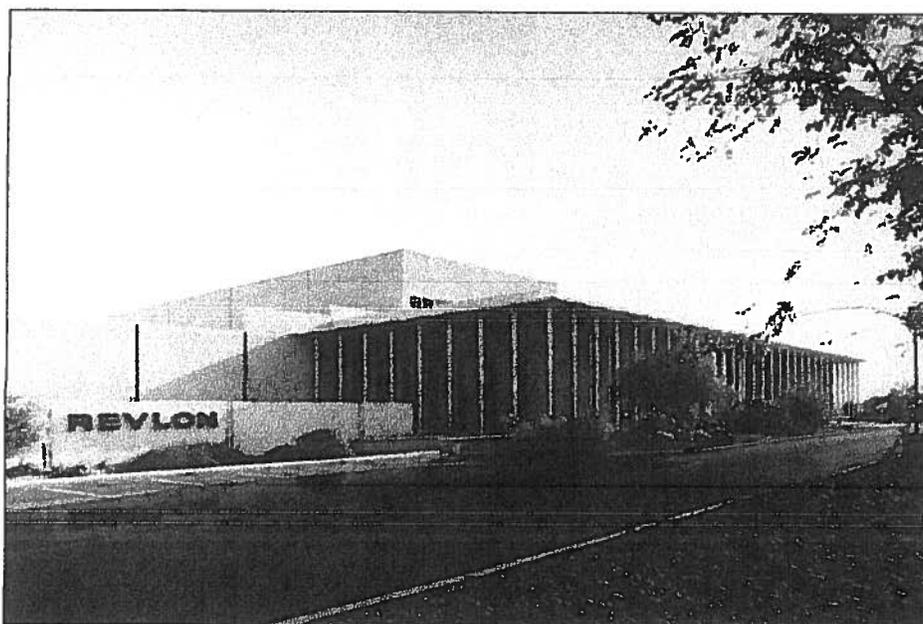
- 1959 Finkelstein Residence, Tucson
- 1959 Town & Country Scottsdale subdivision - Town & Country III, Central Scottsdale
- 1959 Social Sciences Building at ASU, Tempe
- 1959 Newman Foundation, Arizona State University [demolished?]
- 1959 Hohokam Elementary School, Central Scottsdale



THE AWARD-WINNING YEARS

- 1960 Phoenix Municipal Complex, Downtown Phoenix [AIA First Honor Award, designed in collaboration with Edward L. Varney and Associates]
- 1960 Villa Monterrey Retirement Homes, Scottsdale [phase 1 cited]
- 1960 Coronado High School, Central Scottsdale [mostly demolished]
- 1960 Town and Country Paradise - Town & Country IV, North Phoenix
- 1961 Ralph Haver and Jimmie Nunn assume business name of Ralph Haver Associates
- 1961 Kon Tiki Motel, Phoenix [demolished]
- 1961 Arizona Bank branch, Uptown Phoenix AIA Chapter Award for Excellence of Design AIA Award of Merit [now The Vig Uptown]
- 1961 Delta Chi Fraternity house on ASU's Greek Row, Tempe [demolished]
- 1962 Haver & Nunn Office Building on Missouri, Uptown Phoenix [now the Phoenix Boys Choir]

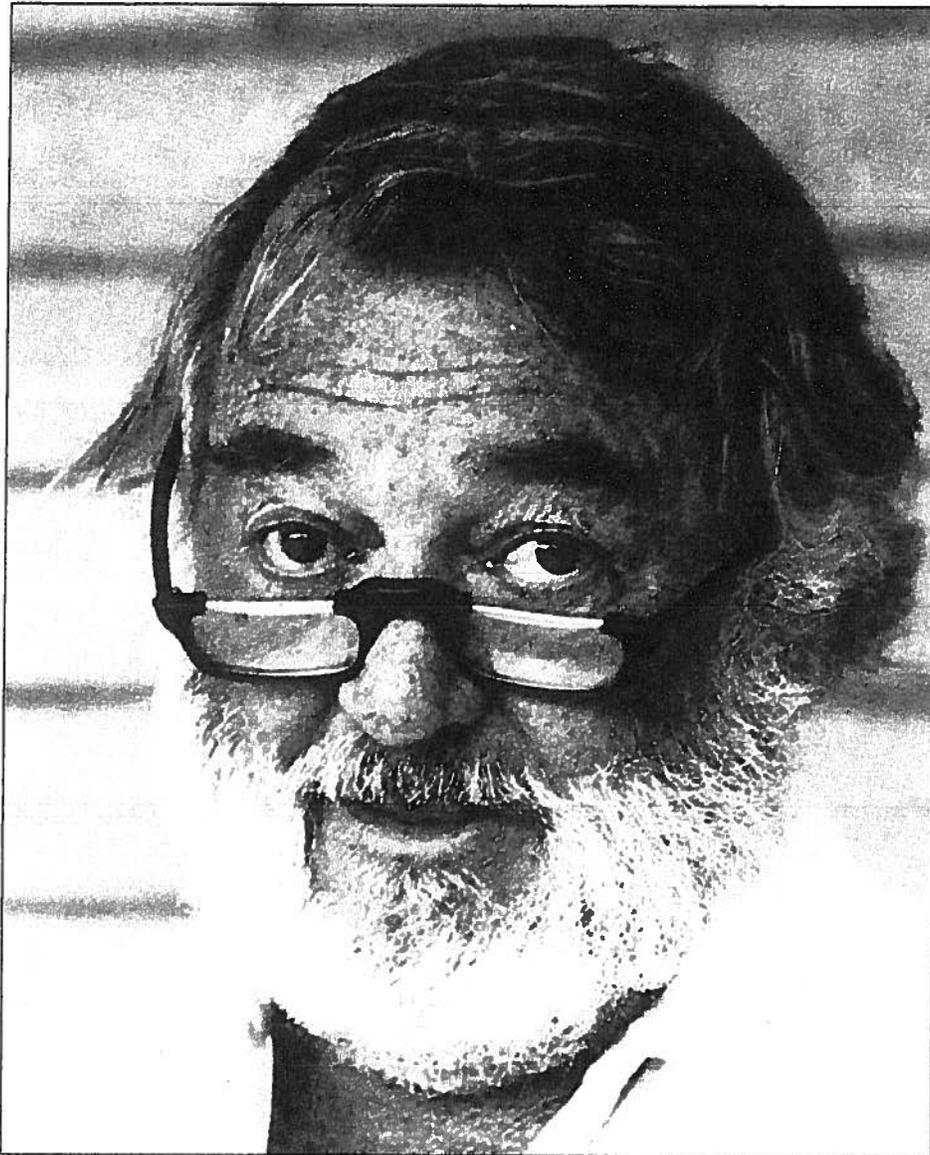
- 1963 the firm is incorporated as Haver, Nunn & Jensen Architects Inc. with Ross Jensen, James Harris and Jim Salter as fellow incorporators with Haver & Nunn
- 1963 First Federal Savings & Loan, Central Scottsdale [NSID Award for Excellence of Design and AIA Award of Merit, demolished]
- 1963 Barrow's Furniture Store, Tucson [AIA Award of Merit, AIA Honor Award]
- 1963 Engineering Complex expansion, Arizona State University, Tempe
- 1963 Paradise Valley United Methodist Church Master Plan and chapel [Valley Beautification Award]
- 1964 Ciné Capri Theater, [with Henry G. Greene], Phoenix [demolished]
- 1964 Phoenix College Library, additions and various buildings in years to follow, Phoenix
- 1964 Golden Keys Townhomes for Del Trailor, Scottsdale [phase 1 cited]



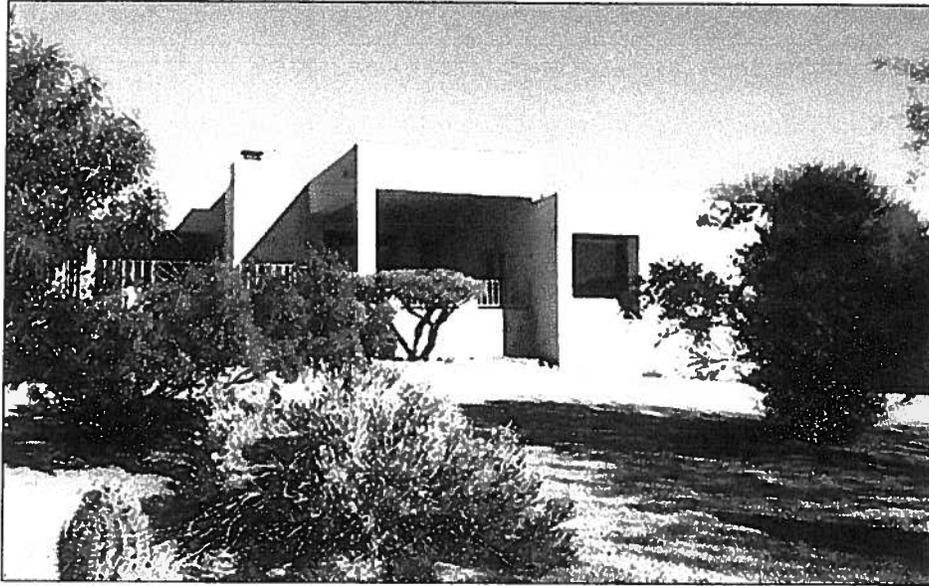
THE INDUSTRIAL & CORPORATE YEARS

- 1965 Beekman Place townhouses, Phoenix
- 1965 Phoenix Country Club Townhouses [Valley Beautification Award]
- 1966 Revlon Factory, Phoenix
- 1966 Goldblatt's Home Center, Chicago
- 1969 American Express Complex, North Phoenix
- 1969 Firm changes name to Haver, Nunn and Nelson and begins to offer engineering services
- 1971 Avenida Hermosa and Casa Hermosa condos, Uptown
- 1973? Key artistic director of the firm, James Salter AIA, dies in tragic accident in Honolulu

- 1973 Sentry Center, North Scottsdale
- 1975 The firm is reorganized into Haver, Nunn and Collamer
- 1978 Escondido custom homes, Southern California [including Haver's own personal "tree house"]



- 1979 Pueblo Bonita duplexes, Arcadia
- 1980 North Phoenix Baptist Church, North Phoenix
- 1981 Salt River Project Administration Building, Phoenix
- 1981 Intel Deer Valley Facility, North Phoenix
- 1983 Ramm Hill townhomes in Borrego Springs, CA [San Diego firm]
- 1980s Firm begins to disband, Haver semi-retires in San Diego, Nunn to Flagstaff
- 1986 Four Haver Family custom homes built in one year: Mesa, Carefree, Phoenix, and Cave Creek



- 1986 Builds his last home in Cave Creek in a boxy international/southwestern style
- 1987 Ralph Burgess Haver passes away in Scottsdale, Arizona from complications of COPD [chronic obstructive pulmonary disease]

Carol Rea

420 E. 7th Ave., Escondido, CA 92025. 760-735-8072, Carolrea@aol.com

July 28, 2014

Dear Heather and Dale,

Congratulations on owning a significant home in the Old Escondido Historic District. The Haver House is a unique piece of architecture that typifies the diversity of homes in Escondido's oldest neighborhood.

As you know, your home was featured on Old Escondido's Mothers Day Home Tour in 2011. This was an easy choice by our rather particular Home Selection Committee and supported by the OE Board of Directors even though it's not quite historic in traditional terms but definitely a home of note that stands in equal esteem with older homes in the historic district.

We came across the restored home when it came on the market just prior to the Home Tour, after the new owner renovated the place and did a terrific job. With impressive views from multiple levels, each with its own deck, the massive beams and soaring angles make this a handsome and distinctive home. Standing almost anywhere inside and looking out, one has a sense of privacy and a feeling of living in the treetops. Possibly equally amazing, is that the house – including the swimming pool – was built in and around massive granite boulders that no doubt challenged but ultimately enhanced its design.

In order to write up a description of your home for the Mothers Day program, my initial research uncovered the name "Ralph Haver" in the building permit files at City Hall but I didn't recognize it at the time. What a lovely surprise I had when I Googled it upon returning home! Ralph Haver built thousands of homes and commercial structures in Phoenix, Arizona and surrounding areas and his designs have long been well respected there. His homes are still prized today, especially by aficionados of mid-century architecture, and we are privileged that it was here, in the heart of Escondido, that he had planned to retire and built this exceptional home for himself.

While some may feel that the Haver House is not old enough to be placed on the Local Register, we must not forget that this outstanding home was once so neglected that its only occupants were rodents and other wild creatures and the City had declared it uninhabitable. Even though it is not likely to be mistreated in that way again, I strongly believe that the Haver House's distinctive design and the prominence of the architect who designed it for his own home make it worthy of the attention afforded by the Local Register, so that it can always be protected and enjoyed by generations to come.

Please feel free to share my thoughts as you wish in order to pursue Local Register status and a Mills Act Contract. You have my full support as the recipient of the City of Escondido's 2012 Historic Preservation Award and the 2012 Save Our Heritage Organisation's Outstanding Preservation Citizen Award and as President of the Old Escondido Historic District, Vice Chairman of the Escondido Historic Preservation Commission, and a proud neighbor.

Sincerely,


Carol Rea



CITY OF ESCONDIDO
PLANNING DIVISION
201 NORTH BROADWAY
ESCONDIDO, CA 92025-2798
(760) 839-4671

Notice of Exemption

To: San Diego County Recorder's Office
Attn: Vanessa Esquivel
P.O. Box 121750
San Diego, CA 92112-1750

From: City of Escondido
201 North Broadway
Escondido, CA 92025

Project Title/Case No.: HP-14-0002

Project Locations - specific: At the south side of the intersection of South Broadway and Khayyam Road, addressed as 831 South Broadway (APN: 233-382-1500).

Project Location - City: Escondido, Project Location - County: San Diego

Description of Project:

To approve listing the subject property on the City of Escondido's Local Register of Historic Places and approve a Mills Act Contract to assist the owners with future preservation in the R-1-6 (Single-Family Residential, 6,000 SF minimum lot size) zone, located in the U1 (Urban I) land use designation of the General Plan.

Name of Public Agency Approving Project: City of Escondido

Name(s) of Person or Agency Carrying Out Project:

Names: Dale & Heather Harshman
Address: 831 South Broadway, Escondido, CA 92025

Telephone: (858) 254-8647

Private entity School district Local public agency State agency Other special district

Exempt Status:

Categorical Exemption: Section 15331, Class 31. "Historic Resource Restoration/Rehabilitation

Reasons why project is exempt:

- 1. The project is within the R-1-6 zone, UI General Plan land use designation and no variances are required.
2. The project will be consistent with the Secretary of Interior's Standards for the Treatment of Historic Properties with guidelines for preserving, rehabilitating, restoring and reconstructing historic buildings.
3. The project will not be limited by the factors in section 15300.2 and will not adversely change the significance of a historical resource.

Lead Agency Contact Person: Paul K. Bingham

Area Code/Telephone/Extension (760) 839-4306

Signature: Paul K. Bingham
Assistant Planner

7/31/14
Date

Signed by Lead Agency

Date received for filing at OPR:

Signed by Applicant

HISTORIC PRESERVATION COMMISSION

Agenda Item No.: G.2
Date: August 5, 2014

TO: Historic Preservation Commission

FROM: Paul Bingham, Assistant Planner II

REQUESTS: Residence addressed as 538 East Ninth Avenue (case number HP14-0001)

1. Mills Act contract request and
2. Consideration of the proposed CEQA exemption

RECOMMENDATION: Forward recommendation of approval to the City Council

BACKGROUND:

City of Escondido Historical/Cultural Resources Survey

A City of Escondido Historical/Cultural Resources Survey was completed in 1990 (Agis, May 1990). Close to 1,000 resources were inventoried in the survey for their significance. The Survey of 1990 was conducted in compliance with procedures established by the U.S. Department of the Interior, National Park Service and the State Office of Historic Preservation. A Historical/Cultural Resources Survey is a collection of information that identifies documents and describes the historical resources in the community. The survey also associates the resources with historical events and/or people. Among other preservation programs, the survey serves as the basis for historic preservation plans. The survey also fulfills a higher level of historic nomination requirements (Local, State and National), it allows for the applicability of Historic Building Code in regard to rehabilitation/renovation of structures, and justifies local, state and federal funding assistance.

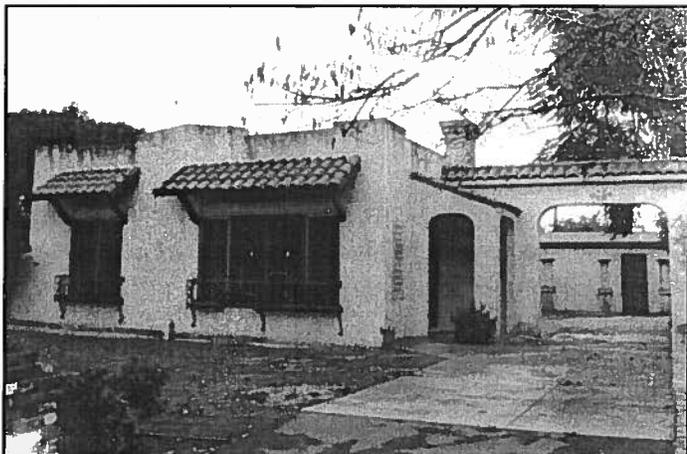
Local Register of Historic Places Listing

The Historic Preservation Ordinance No. 2000-23, Section 33-794-5 identifies a process and criteria for listing historic structures on the City's Local Register. Requests for listing on the Local Register require that both the Historic Preservation Commission and the City Council conduct a public hearing to consider the request. The historic resource is evaluated against seven criteria and must meet at least two of the seven.

Mills Act Contract and Property Applying

The Mills Act is a state law that enables owners of designated historic properties to enter into a preservation contract with their local legislative body and receive a substantial reduction in the property taxes. One of the incentives for the preservation of historic and/or cultural resources, approved in 1989, allows property owners of designated historic resources to enter into a Mills Act contract with the City. The revised Historic Ordinance 92-409, adopted by Council on October 28, 1992, clarified that a property owner may apply for a Mills Act contract if the resource has been listed as a Local Register property. The subject property was approved for listing on the City's Local Register on June 2, 1992. The current property owner is currently requesting to enter into a Mills Act contract.

The subject property at 538 East Ninth Avenue (APN 233-431-1000) consists of .24 acres with the main 2-bedroom single-story 1353 SF Mediterranean Revival house built in 1928. Adjacent to the main house is a 380 SF detached "Granny Flat" which was the original



garage. This structure is located directly north of the arched gateway at the back of the driveway. In 2004 approval was obtained for construction of an 853 SF two-car single-story garage off the alley and an 843 SF addition to the rear of the main house. Both were done in a style matching the original structures. The rear addition replaced an older one that had been poorly built and done without regard to the style of the house. An old hand-dug swimming pool in the far northwestern corner of the backyard, which had become non-functional and a health and safety hazard, was also demolished and filled in at that time. Some original retaining walls and mature trees also exist on the site. Except for the stain glassed windows and a gate and wooden cover added over the back of the driveway, the property appears to have had no other significant exterior alterations.

ANALYSIS

Escondido Historical/Cultural Resources Survey

The applicant has conducted the required historic research and data collection, and has provided the information on the required format State Department of Parks and Recreation forms (see attached). The information provided by the applicant, includes more complete historical background and descriptive analysis of the architectural style and will add substantially to what is currently included in the City's survey.

Local Register of Historic Places Listing

This resource was placed on the Local Register by previous Historic Preservation Commission and Council actions taken on or before June 2, 1992.

Mills Act Contract

The Mills Act contract is for a minimum of ten years, automatically renewed each year unless a notice of non-renewal is filed. The terms of the contract require that the property owner make a commitment to maintain the structure and surrounding property, per a maintenance schedule that has been included with this report (see attached). All improvements must be performed to the Secretary of the Interior Standards. In addition, the applicant has been informed that all exterior modifications require staff review. Staff feels that the proposed Mills Act Contract is appropriate since the property meets the established criteria for a historic resource, and adequate improvements have been listed.

Respectfully Submitted,



Paul K. Bingham
Assistant Planner II

Mills Act Application List of Improvements

Property Address: 538 East 9th Avenue
Property Owners: Keith and Cecilia Moore

1. Repair roof and bring up to Code (planned)
2. Improve front landscaping (planned)
3. Repair hardscape in front, side and backyards (planned)
4. Repair/refinish exterior of existing chimney (planned)
5. Repair/refinish/add liner to interior of existing chimney and fireplace (planned)
6. Repair exterior tile work where needed (planned)
7. Repair where needed and paint exterior walls (planned)
8. Finish upgrading house electrical system to meet current Code (planned)
9. Finish upgrading house plumbing system to meet current Code (planned)
10. Re-glaze/re-string and repair/refinish original windows and trim (planned)
11. Restore/repair original front door (planned)
12. Remove security screening (planned)



CITY OF ESCONDIDO
 Planning Division
 201 North Broadway
 Escondido, CA 92025-2798
 (760) 839-4671
 Fax: (760) 839-4313

| FOR INTERNAL USE ONLY | |
|-------------------------------------|----------------|
| Case No.: | HP 14-0001 |
| Date Submitted: | 9/13/14 |
| Project Planner: | FB |
| Fees: | 375 |
| Receipt No.: | 23248 |
| <input type="checkbox"/> Incomplete | Date of Notice |
| <input type="checkbox"/> Complete | Date |

**HISTORIC PROPERTY PRESERVATION
 (MILLS ACT) APPLICATION AND AGREEMENT**

APPLICANT/CONTACT PERSON

Name (Print): Keith C Moore
 Address: 538 E 9th Avenue
 City, State, Zip: Escondido, CA 92025
 Phone: 858-449-7250
 Fax: _____
 E-mail: zipdang@me.com
 Signature: [Signature]

OWNER (If multiple owners/addresses, attach additional sheets as necessary.)

Name (Print): Keith C Moore
 Address: 538 E 9th Avenue
 City, State, Zip: Escondido, CA 92025
 Phone: 858-449-7250
 Fax: _____
 E-mail: zipdang@me.com
 Signature: [Signature]
 (authorizing applicant to submit application)

SITE INFORMATION

Property Address: 538 E 9th Avenue
 Assessor's Parcel Number: 233-431-10-00
 Historic Name: Black House

LANDMARK/LOCAL REGISTER INFORMATION

Historic Designation:
 Local State National
 Date of Designation: _____
 Local Register Listing: Yes No
 Date of Listing: June 2, 1992

POTENTIAL STRUCTURE/PROPERTY IMPROVEMENT TIMELINE:

Please list the improvements which are intended to take place over the next 10 years. List them in order of owner's priority. The improvements listed may be as specific or as general as the applicant prefers; however, physical alterations shall comply with the Secretary of Interior standards. Emergency maintenance not identified in this Agreement may be substituted for listed improvements. The listed improvements may be performed out of order, depending on the property owner's financial situation. Visits to the property by City representatives to monitor the progress will be performed every two to three years.

PROPOSED IMPROVEMENTS

Repair roof and bring up to code; improve landscape and repair hardscape front, side and back yards;
repair/refinish/add liner and bring chimney and fireplace up to code; repair exterior tile work; repair and paint
interior and exterior walls; repair/refinish original hardwood floors; restore/repair/refinish original interior doors, trim
and hardware; upgrade electrical (to code); upgrade plumbing (to code); re-glaze/re-string and repair/refinish
original windows and trim; restore/repair original front door; remove security screen

Primary # _____
HRI # _____
Trinomial _____
NRFP Status Code _____

Other Listings
Review Code _____ Reviewer _____ Date _____

Page 1 of 3 *Resource Name or #: (Assigned by recorder) Black House

P1. Other Identifier: _____

*P2. Location: Not for Publication Unrestricted

*a. County San Diego and (P2c, P2e, and P2b or P2d. Attach a Location Map as necessary.)

*b. USGS 7.5' Quad 5641298 Date 2012 T _____; R _____; _____ 1/4 of _____ 1/4 of Sec _____; _____ B.M.

c. Address 538 E 9th Avenue City Escondido Zip 92025

d. UTM: (Give more than one for large and/or linear resources) Zone _____, _____ mE/ _____ mN

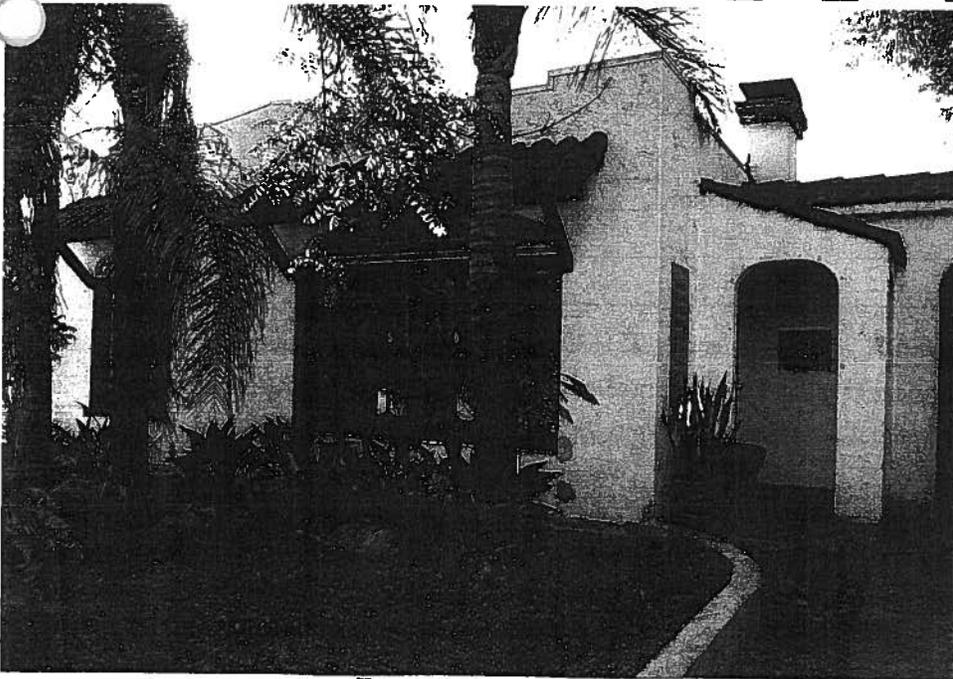
e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate) APN 233-431-10-00

*P3a. Description: (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)

A broken parapet forms an attractive roof-line on this single-story mission-style Mediterranean revival house. Multi-paned front door; multi-paned side windows; and multi-paned front windows flank two stained glass windows. The main living room boasts a high, barrel ceiling. There are two separate outbuildings - a casita (granny flat) and a garage.

*P3b. Resource Attributes: (List attributes and codes) HP2

*P4. Resources Present: Building Structure Object Site District Element of District Other (Isolates, etc.)



P5b. Description of Photo:

(view, date, accession #) front of house, street view, May 2014

*P6. Date Constructed/Age and Source:

Historic Prehistoric Both
1928

*P7. Owner and Address:

Keith C Moore
538 E 9th Avenue, Escondido, CA 92025

*P8. Recorded by:

(Name, affiliation, and address)
Keith C. Moore
538 E 9th Avenue, Escondido, CA 92025

*P9. Date Recorded: May 18, 2014

*P10. Survey Type: (Describe) _____

*P11. Report Citation: (Cite survey report and other sources, or enter "none.") _____

Attachments: NONE Location Map Continuation Sheet Building, Structure, and Object Record
 Archaeological Record District Record Linear Feature Record Milling Station Record Rock Art Record
 Artifact Record Photograph Record Other (List): _____

Primary # _____

HRI # _____

*NRHP Status Code _____

Page 2 of 3 *Resource Name or #: (Assigned by recorder)

Black House

B1. Historic Name: Black House

B2. Common Name: Black House

B3. Original Use: residential house

B4. Present Use: residential house

*B5. Architectural Style: Mediterranean revival / mission style

*B6. Construction History: (Construction date, alterations, and date of alterations)

Originally constructed in 1928. The breakfast nook and back bedroom were added circa 1940s. New garage was built, and kitchen and bath were remodeled circa 2005-06.

*B7. Moved? No Yes Unknown Date: _____ Original Location: _____

*B8. Related Features:

Separate casita outbuilding; separate garage outbuilding with office room

B9a. Architect: unknown b. Builder: unknown

*B10. Significance: Theme residential architecture Area: Old Escondido Historic District

Period of Significance: _____ Property Type: _____ Applicable Criteria: _____

(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

Early California mission style Mediterranean revival. This home was part of the Del Diablo Acres development planned in the 1920s. Original owner, Howard Black, a local dentist, was murdered in his home on March 7, 1950, with a knife, in the kitchen. His wife, Gloria Gould Black, was found guilty of manslaughter.

B11. Additional Resource Attributes: (List attributes and codes) _____

*B12. References:

County assessor records; county property tax records; Times Advocate newspaper records; city telephone directories

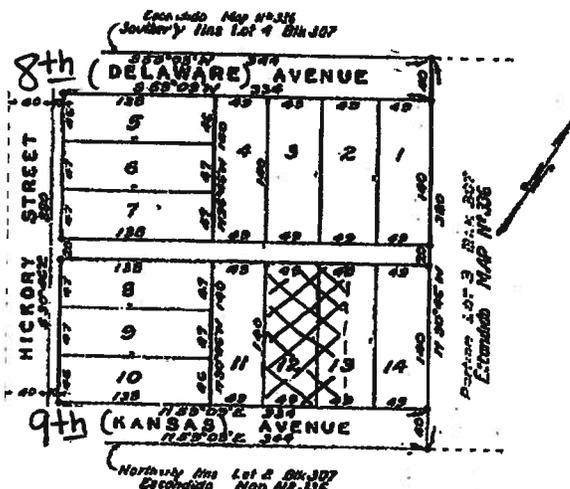
B13. Remarks:

*B14. Evaluator:

*Date of Evaluation: _____

(This space reserved for official comments)

Sketch Map with north arrow required.



Page 3 of 3 *Resource Name or #: (Assigned by recorder) Black House

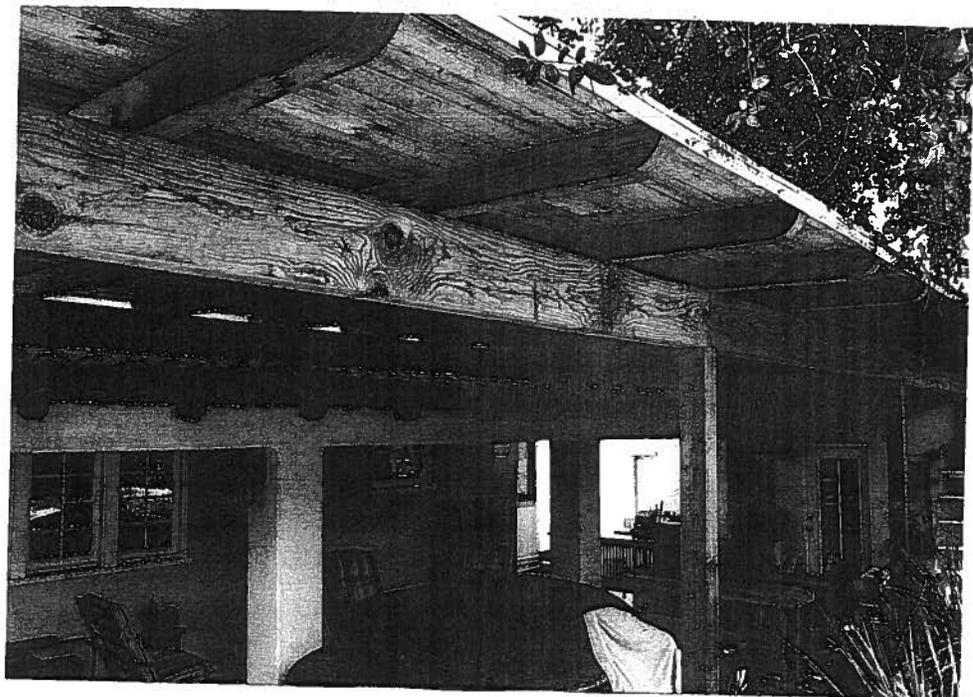
Recorded by: _____ Date: _____

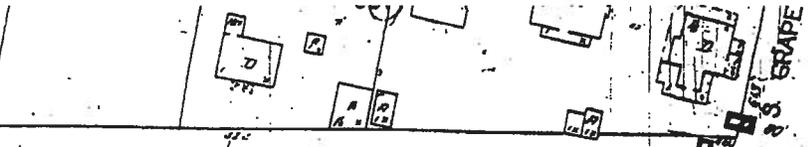
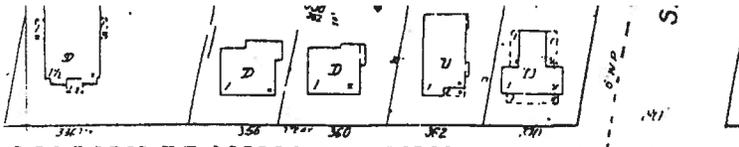
Continuation Update

front of house, street view
May 2014



Side of house, side view
May 2014

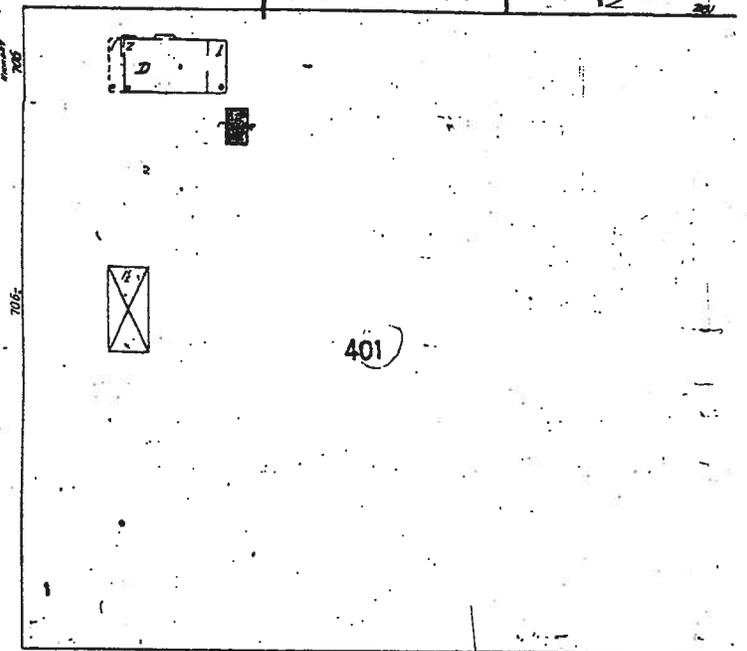
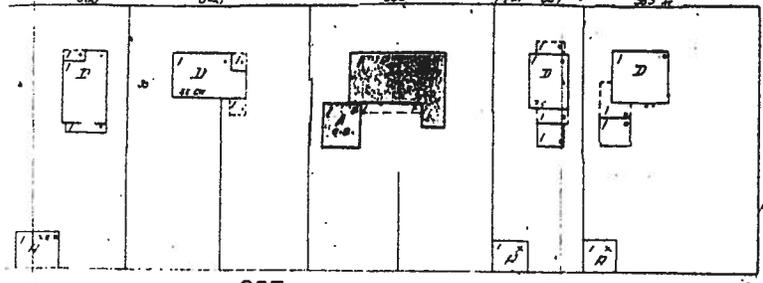




Sanborn Fire Map
May 1933, p. 19

E. 7TH AV.
(E. MINNESOTA AV.)

AV.



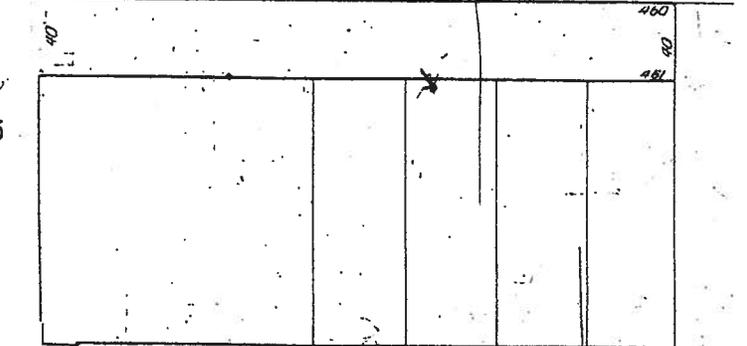
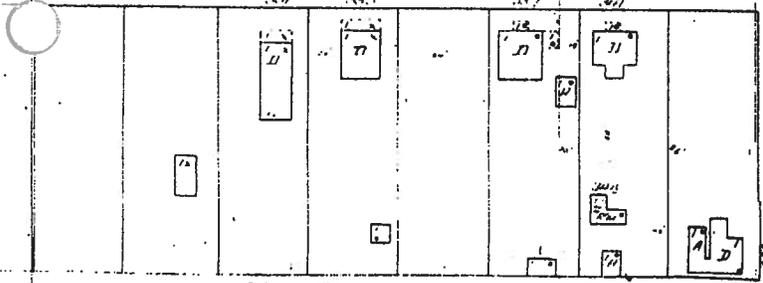
307

401

HICKORY

E. 8TH AV.
(E. DELAWARE AV.)

AV.



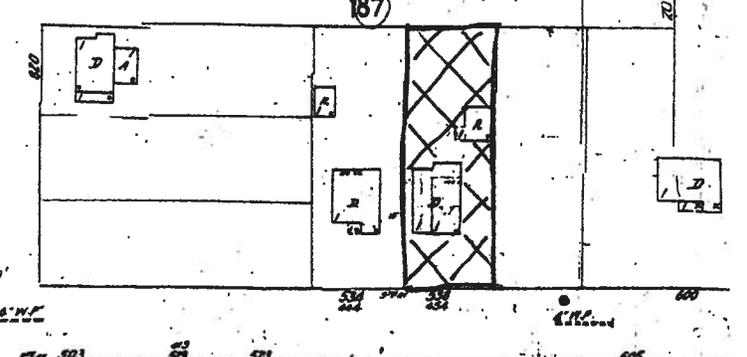
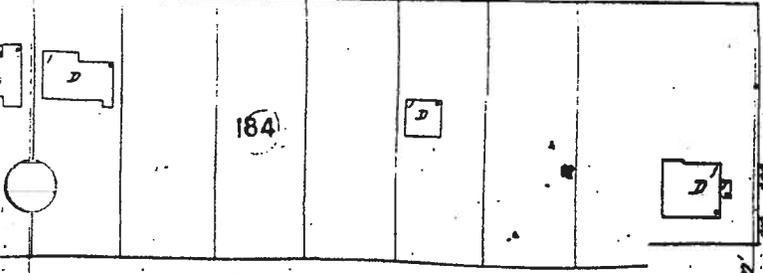
188

187

S.

E. 9TH AV.

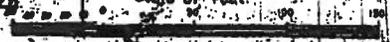
AV.



184

183

Scale of Feet



HISTORICAL INFORMATION

14. **Construction Date(s)** c1935 **Original location** unknown **Date moved**
15. **Alterations & date** none apparent except stained glass windows
16. **Architect** unknown **Builder** unknown
17. **Historic attributes (with number from list)**

SIGNIFICANCE AND EVALUATION

18. **Context for Evaluation:** **Theme** architecture **Area**
Period **Property Type** **Context formally developed?**
19. **Briefly discuss the property's importance within the context. Use historical and architectural analysis as appropriate. Compare with similar properties.**

J. Sources

21. **Applicable National Register criteria**
22. **Other Recognition:**
State Landmark Number
23. **Evaluator**
Date of Evaluation 1990
24. **Survey type**
25. **Survey name**
26. **Year Form Prepared** 1983
By(Name) Donald A. Cotton Associates
Organization Revised by Aegis 1990
Address 111 Spring Street
City & Zip Claremont, CA 91711
Phone (714) 621 1207

**NOMINATION REPORT FOR THE CITY OF ESCONDIDO
LOCAL REGISTER OF HISTORIC PLACES**

Address of Resource: 538 East Ninth Avenue

Existing Use: Residential

Zoning: R-1-6

General Plan Designation: Urban 4

Tier Designation: Central/Tier 1

Construction Date: 1935

Meets Ordinance Criteria 2 and 5 for Local Register Listing.

Justification for Register Listing:

A broken parapet forms an attractive roof line on this single-story Mediterranean Revival house. Elements of the style are exhibited in the shed-style roofs of red tile shading the casement-style windows, heavy brackets supporting the roofs and multi-paned (10) casement windows with a matching multi-paned door. A small wrought iron grill runs across the bottom of the windows.

Staff Recommendation:

Staff recommends this resource be placed on the Local Register.

Commission Action:

On June 2, 1992, the Commission voted unanimously to approve placing this resource on the Local Register.

LR-

PL\T0221-03

Chain of Title Ownership History
538 E 9th
[aka 428 E 9th aka 428 E Kansas]

Assessor parcel number 233-431-10-00 [aka 233-440-10]
Plot map #2079 filed 11/23/27 – Del Diablo Acres – Lot 12 and SW 26 feet of Lot 13
Built February 1928

Earliest records indicate the purchase of the **land** on which the subject property now sits:

4/5/27 Chas. Mendenhall and Nellie G. Mendenhall purchase **land** from Harry Crise for \$10 what is to become known as Del Diablo Acres, inclusive of the subject property. This is a portion of the Rancho Rincon del Diablo. [*Grant Deed*]

6/28/27 **H. L. Black**, A. J. Kroeckel, Alan B. McGrew, H. A. Donaldson and Joel H. Baldwin purchase **land** from Chas. Mendenhall and Nellie G. Mendenhall for \$10. [*Grant Deed*]

Howard Black moves to Escondido from Los Angeles in 1927, to take over the dental practice of Dr. Neils Matzen. His second floor office is located at 145 E Grand (above what is now Drapers & Damons). [*Times-Advocate*]

8/23/27 Subdivision known as Del Diablo Acres planned by group of Escondido young men – Joel Baldwin, Howard Donaldson, A.L. Kroeckel, Alan McGrew, and **Howard L. Black**. [*Plot map #2079*]

Oct 1927 **Construction begins on the Black home**; foundation laid and work started. [*Cover page, Times-Advocate October 17, 1927*]

11/15/27 Nellie W. Crise sells **land** to Harry W. Crise for \$1. [*Quit Claim*]

11/23/27 Plot map #2079 filed, describing Del Diablo Acres and inclusive of Lot 12 and SW 26 feet of Lot 13 [begun 8/23/27]

Dec 1927 Del Diablo Acres subdivision undergoes grading work, removal of stumps and rocks, and when “the subdivision is completed, there will be sidewalks and curbs. All homes will be built in mission style, with suitable restrictions to make it one of the prettiest divisions of the city.” [*Cover page, Times-Advocate December 19, 1927*]

The home was built in February 1928:

- Feb 1928** **Construction on the Black home is completed; Dr. Howard L. Black and Geraldine Black move into their new home.** Address is known as 428 E Kansas. [*Times-Advocate February 8, 1928; city telephone directories*]
- 1930 Circa 1930, Kansas is renamed to 9th Avenue.
- Howard L. Black and Geraldine Black reside at 428 E 9th Avenue. They have a daughter, Barbara, who later moved to Connecticut.
- 1936 Howard L. Black marries Gloria Gould [DOB 5/10/1906] and they have two sons, Howard P. [aka "Patrick"] and Terry M. [DOB 5/12/37; deceased 9/3/00]. Gloria's brother Michael also lives with them. [*City telephone directories; 1940 census*]
- At some date after 1938 and before 1950, the street number changes from #428 to #538.
- 1936-1950 Howard L. Black and Gloria Gould Black reside at 428 E 9th Avenue. [*City telephone directories*]
- 3/7/50 Howard L. Black is murdered at his home by his wife, Mrs. Black, in the kitchen, with a knife. [*Times-Advocate*]
- 5/10/50 Gloria Gould Black stands trial for murder of her husband. Thomas Whelan was Gloria's attorney during the murder trial and appeal. [*Times-Advocate*]
- 5/31/50 Gloria Gould Black is convicted of manslaughter. [*Times-Advocate*]
- 6/12/50 Hearing on Motion for New Trial – denied. Gloria Gould Black is imprisoned at Tehachapi state prison. She is released from prison on May 13, 1952, and later dies in Los Angeles on October 31, 1960. [*Times-Advocate*]
- 8/14/52 Dr. Black's estate is distributed. Gloria Gould Black is bequeathed the residence; the remainder of the estate and business properties are set up as a trust for their two minor sons. [*Times-Advocate August 14, 1952*]
- 12/17/53 Thomas Whelan purchases lots 12, 13, and 14 in Del Diablo Acres from Gloria Gould Black for \$10. Real property further described as "upon which premises there is a residence known as and numbered 538 East 9th Street, Escondido, California." [*Grant Deed*]

12/27/54 Thomas Whelan cuts lot 13 and splits 26 feet to lot 12 and 23 feet to lot 14. At this juncture, the home at 538 E 9th is deeded to Harry H. **Stahl** and Doris Ruth Stahl. [*Assessor tax records*]

Despite numerous in-depth attempts, we were unable to locate the actual Grant Deed wherein Harry H. Stahl and Doris Ruth Stahl purchase from Thomas Whelan. Believed to be some time between 12/17/53 when Thomas Whelan purchased and 12/27/54, when tax records indicate that the Stahls are owners.

1955 Harry and Doris Stahl reside at 538 E 9th Avenue. Harry owns Townecraft Upholstery at 515 W Grand. [*Tax records; city telephone directories*]

3/12/57 Deward Curtis **Southwick** and Olive Doris Southwick purchase from Harry H. Stahl and Doris Ruth Stahl. [*Grant Deed*]

6/21/62 Dwight E. **Davis** and Shirley A. Davis purchase from Deward Curtis Southwick and Olive Doris Southwick. [*Grant Deed*]

11/24/71 Donald G. **Park** (unmarried man) purchase from Dwight E. Davis and Shirley A. Davis. [*Grant Deed*]

7/21/94 Rick D. **Sheresh** and Kathleen A. Sheresh purchase from Donald G. Park and Valerie R. Park. [*Grant Deed*]

11/20/03 Lisa M. **Jensen** purchase from Rick D. Sheresh and Kathleen A. Sheresh. [*Grant Deed*]

4/24/14 Keith C. **Moore** and Cecilia Moore purchase from Lisa M. Jensen. [*Grant Deed*]

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

City Clerk
City of Escondido
201 N. Broadway
Escondido, CA 92025

THIS SPACE FOR RECORDER'S USE ONLY

HISTORIC PROPERTY PRESERVATION AGREEMENT

This Agreement is made and entered into by and between the CITY OF ESCONDIDO, a municipal corporation (hereinafter referred to as "the CITY") and [Insert Owners' Names] (hereinafter referred to as "the OWNERS").

Keith C Moore & Cecilia Moore
Recitals

1. WHEREAS, the OWNERS possess and own real property located within the City of Escondido, which property is more fully described in Attachment "A" to this Agreement (hereinafter "the PROPERTY"); and
2. WHEREAS, the PROPERTY is a qualified historical property in that it is privately owned, it is not exempt from property taxation, and it is listed in the Local Register of Historic Places; and
3. WHEREAS, both the CITY and the OWNERS desire to carry out the purposes of Article 12 (commencing with section 50280) of Chapter 1 of Part 1 of Division 1 of Title 5 of the California Government Code and Article 1.9 (commencing with section 439) of Chapter 3 of Part 2 of Division 1 of the California Revenue and Taxation Code; and
4. WHEREAS, both the CITY and the OWNERS desire to limit the use of the PROPERTY to retain its characteristics as a property of historical significance.

Agreement

NOW THEREFORE, both the CITY and the OWNERS, in consideration of the mutual promises, covenants and conditions contained herein and the substantial public benefits to be derived therefrom, do hereby agree as follows:

1. Applicability of Government Code and Revenue and Taxation Code. This Agreement is made pursuant to Article 12 (commencing with section 50280) of Chapter 1 of Part 1 of Division 1 of Title 5 of the California Government Code and Article 1.9 (commencing with section 439) of Chapter 3 of Part 2 of Division 1 of the California Revenue and Taxation Code and is subject to all of the provisions of these statutes.

2. Preservation of Property. The OWNERS agree to the preserve the PROPERTY and, when necessary, to restore and rehabilitate the property to conform to the rules and regulations of the Office of Historic Preservation of the California Department of Parks and Recreation, the United States Secretary of the Interior's Standards for Rehabilitation, and the State Historical Building Code. In particular, the OWNERS agree to make all of the improvements identified in Attachment "B" during the initial term of this Agreement.

WJ OWNER'S INITIALS

3. Inspections. The OWNERS agree to permit the periodic examination of the interior and exterior of the PROPERTY by the CITY, the County Assessor, the Department of Parks and Recreation, and the State Board of Equalization as may be necessary to determine the OWNERS' compliance with this Agreement.

WJ OWNER'S INITIALS

4. Term of Agreement. This Agreement shall be effective and shall commence on the date this Agreement is approved by a resolution of the City Council and shall remain in effect for a period of ten (10) years thereafter.

5. Automatic Renewal. On the tenth (10th) anniversary of this Agreement and on each successive anniversary date (hereinafter referred to as "the RENEWAL DATE"), one (1) year shall automatically be added to the initial term of this Agreement unless notice of nonrenewal is given as provided in Paragraph 6 below.

6. Notice of Nonrenewal. If, in any year, either the CITY or the OWNERS desire not to renew this Agreement, that party shall serve written notice of nonrenewal on the other party. If the OWNERS elect to serve a notice of nonrenewal, the notice must be served on the CITY at least ninety (90) days prior to the RENEWAL DATE, otherwise one (1) additional year shall automatically be added to the term of this Agreement. Conversely, if the CITY elects to serve a notice of nonrenewal, the notice must be served on the OWNERS at least sixty (60) days prior to the RENEWAL DATE, otherwise one (1) additional year shall automatically be added to the term of this Agreement. Upon receipt by the OWNERS of a notice of nonrenewal from the CITY, the OWNERS

12. Remedy If Agreement Not An Enforceable Restriction. In the event it is finally determined by a court of competent jurisdiction that this Agreement does not constitute an enforceable restriction within the meaning of the applicable provisions of the California Government Code and the California Revenue and Taxation Code, except for an unenforceability arising from the cancellation or nonrenewal of this Agreement, for any tax year during the life of this Agreement, then this Agreement shall be null and void and without further effect and the PROPERTY shall from that time forward be free from any restriction whatsoever under this Agreement without any payment or further act by the parties.

13. Condemnation Proceedings. If condemnation proceedings are filed against the PROPERTY, or if the PROPERTY is acquired by a public agency in lieu of condemnation proceedings, this Agreement shall be null and void. If the condemnation proceedings are subsequently abandoned or the acquisition rescinded, this Agreement shall be reactivated retroactively and shall be in full force and effect without the need for any further act by the parties.

14. Entire Agreement. This instrument and its attachments constitute the entire agreement between the parties. The parties shall not be bound by any terms, conditions, statements, or representations, oral or written, not contained in this Agreement. Each party hereby acknowledges that in executing this Agreement, the party has not been induced, persuaded, or motivated by any promise or representation made by the other parties, unless expressly set forth in this Agreement. All previous negotiations, statements, and preliminary instruments by the parties or their representatives are merged in this instrument and are of no force and effect.

15. Modification. No modification of this Agreement shall be valid or binding unless the modification is in writing, signed by all parties, and recorded with the County Recorder for the County of San Diego.

16. Binding Effect. This Agreement shall be binding on and inure to the benefit of all successors-in-interest of the OWNERS. A successor-in-interest shall have the same rights and obligations under this Agreement as the OWNERS.

17. Choice of Law and Forum. This Agreement and the legal relations between the parties shall be governed by and construed in accordance with the laws of the State of California. Any action or proceeding to enforce any provision of this Agreement shall be brought in the San Diego Superior Court, North County Division.

18. Headings. The headings of the paragraphs of this Agreement are inserted for convenience only. They do not constitute part of this Agreement and shall not be used in its construction.

19. Waiver. The waiver by any party to this Agreement of a breach of any provision of this Agreement shall not be deemed a continuing waiver or a waiver of any subsequent breach of that or any other provision of this Agreement.

20. Severability. The invalidity in whole or in part of any provision of this Agreement will not void or affect the validity of any other provisions of this Agreement.

21. Notices. Any notice, delivery or other communication pursuant to this Agreement shall be in writing and shall be given to:

CITY: City Clerk
City of Escondido
201 N. Broadway
Escondido, CA 92025

OWNERS: [Insert Names and Mailing Address] Keith C Moore
Cecilia Moore

Any party may change his/her/its address by giving written notice to the other parties in the manner provided in this paragraph. Any notice, delivery, or other communication shall be effective and shall be deemed to be received by the other parties within five (5) business days after the notice has been deposited in the United States mail, duly registered or certified, with postage prepaid, and addressed as set forth above.

538 E 9th Ave
Escondido CA
92025

22. Notice to Office of Historic Preservation. The OWNERS or an agent of the OWNERS shall provide written notice of this Agreement to the Office of Historic Preservation within six months of entering into this Agreement. A copy of this notice shall also be provided to the CITY.

(Remainder of page left intentionally blank.)

23. Counterparts. This Agreement may be executed in any number of counterparts or by facsimile transmission, each of which will be deemed an original with the same effect as if all signatures were on the same instrument.

IN WITNESS WHEREOF, the CITY and the OWNERS have executed this Agreement as of the date set forth below.

CITY OF ESCONDIDO

Dated: _____

By: _____
Lori Holt Pfeiler, Mayor

Dated: _____

By: _____
Marsha Whalen, City Clerk

OWNERS

Dated: 5-18-14

By: _____
[Insert Name]
(This signature must be notarized.)

Dated: 5.18.14

By: _____
[Insert Name]
(This signature must be notarized.)

Dated: _____

By: _____
[Insert Name]
(This signature must be notarized.)

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY
JEFFREY R. EPP, City Attorney

By: _____



CITY OF ESCONDIDO
PLANNING DIVISION
201 NORTH BROADWAY
ESCONDIDO, CA 92025-2798
(760) 839-4671

Notice of Exemption

To: San Diego County Recorder's Office
Attn: Vanessa Esquivel
P.O. Box 121750
San Diego, CA 92112-1750

From: City of Escondido
201 North Broadway
Escondido, CA 92025

Project Title/Case No.: HP-14-0001

Project Locations - specific: On the north side of East Ninth Avenue between Hickory Street and Chestnut Street, addressed as 538 East Ninth Avenue (APN: 233-431-1000).

Project Location - City: Escondido, **Project Location - County:** San Diego

Description of Project:

To approve a Mills Act Contract for the subject property to assist the owners with future preservation in the R-1-6 (Single-Family Residential, 6,000 SF minimum lot size) zone, located in the U1 (Urban I) land use designation of the General Plan.

Name of Public Agency Approving Project: City of Escondido

Name(s) of Person or Agency Carrying Out Project:

Names: Keith & Cecilia Moore
Address: 538 East Ninth Avenue, Escondido, CA 92025

Telephone: (858) 449-72509

Private entity School district Local public agency State agency Other special district

Exempt Status:

Categorical Exemption: Section 15331, Class 31. "Historic Resource Restoration/Rehabilitation"

Reasons why project is exempt:

1. The project is within the R-1-6 zone, UI General Plan land use designation and no variances are required.
2. The project will be consistent with the Secretary of Interior's Standards for the Treatment of Historic Properties with guidelines for preserving, rehabilitating, restoring and reconstructing historic buildings.
3. The project will not be limited by the factors in section 15300.2 and will not adversely change the significance of a historical resource.

Lead Agency Contact Person: Paul K. Bingham

Area Code/Telephone/Extension (760) 839-4306

Signature: Paul K. Bingham
Assistant Planner

7/31/14
Date

Signed by Lead Agency

Date received for filing at OPR:

Signed by Applicant

Item H.1



View of enclosed rear patio cover

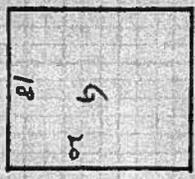
MISCELLANEOUS STRUCTURES

| Structure Found | Found | Cons. | Ext. | Roof | 1st Floor | Int. | Size, etc. |
|-----------------|----------|-------|----------|-------------|-------------|-------------|------------|
| Garage (A.D.) | Box | wood | concrete | corr. metal | corr. metal | corr. metal | 60' x 30' |
| Patio | concrete | wood | concrete | corr. metal | corr. metal | corr. metal | 60' x 30' |

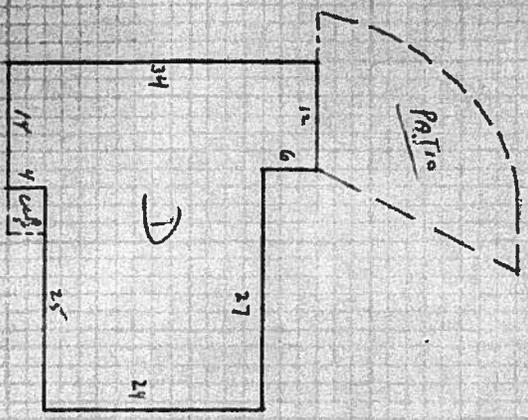
D.S.O.T.Y. COMPUTATIONS T = 146.
 4x14 = 56 B.F. = 240
 24x39 = 936 + 45000 CL. + .08
 6x12 = 72 + H.W.D. FL. = 225
 1064.

Remarks: ① Patio New Since last appraisal. J.D. S.K.

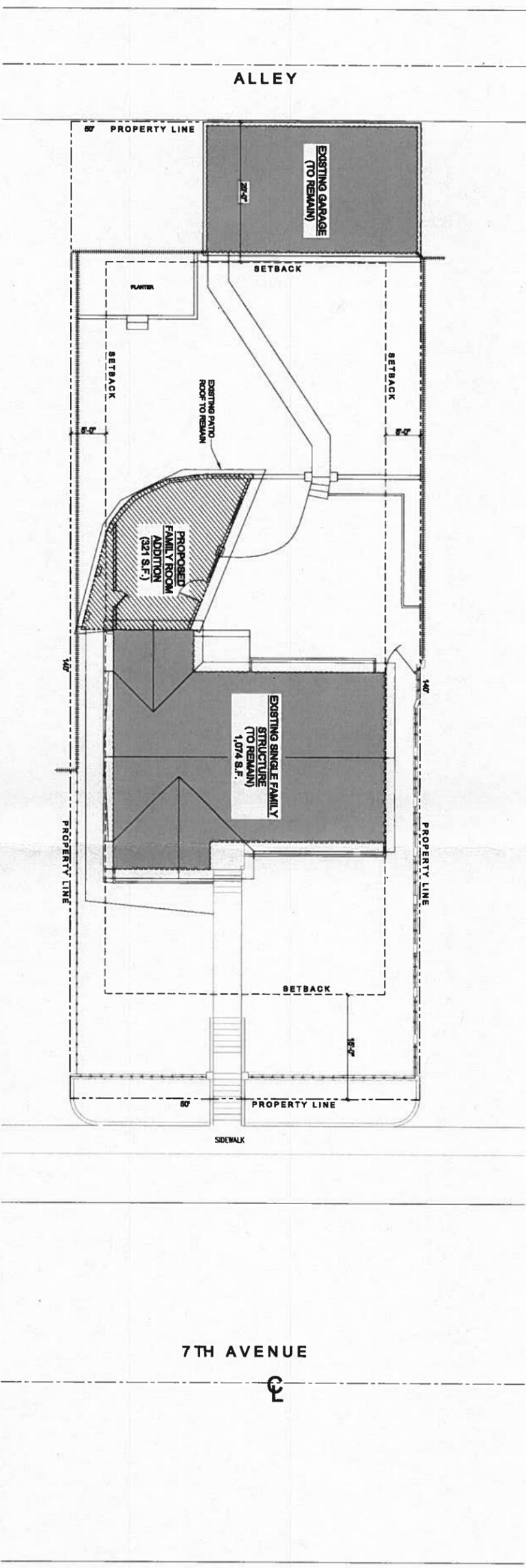
ALERT



Sketch #1



Item H.1



 NORTH
SITE PLAN
 SCALE : 1/8" = 1'-0"
 SCALE 1/8"=1'-0"

| REVISION | DATE |
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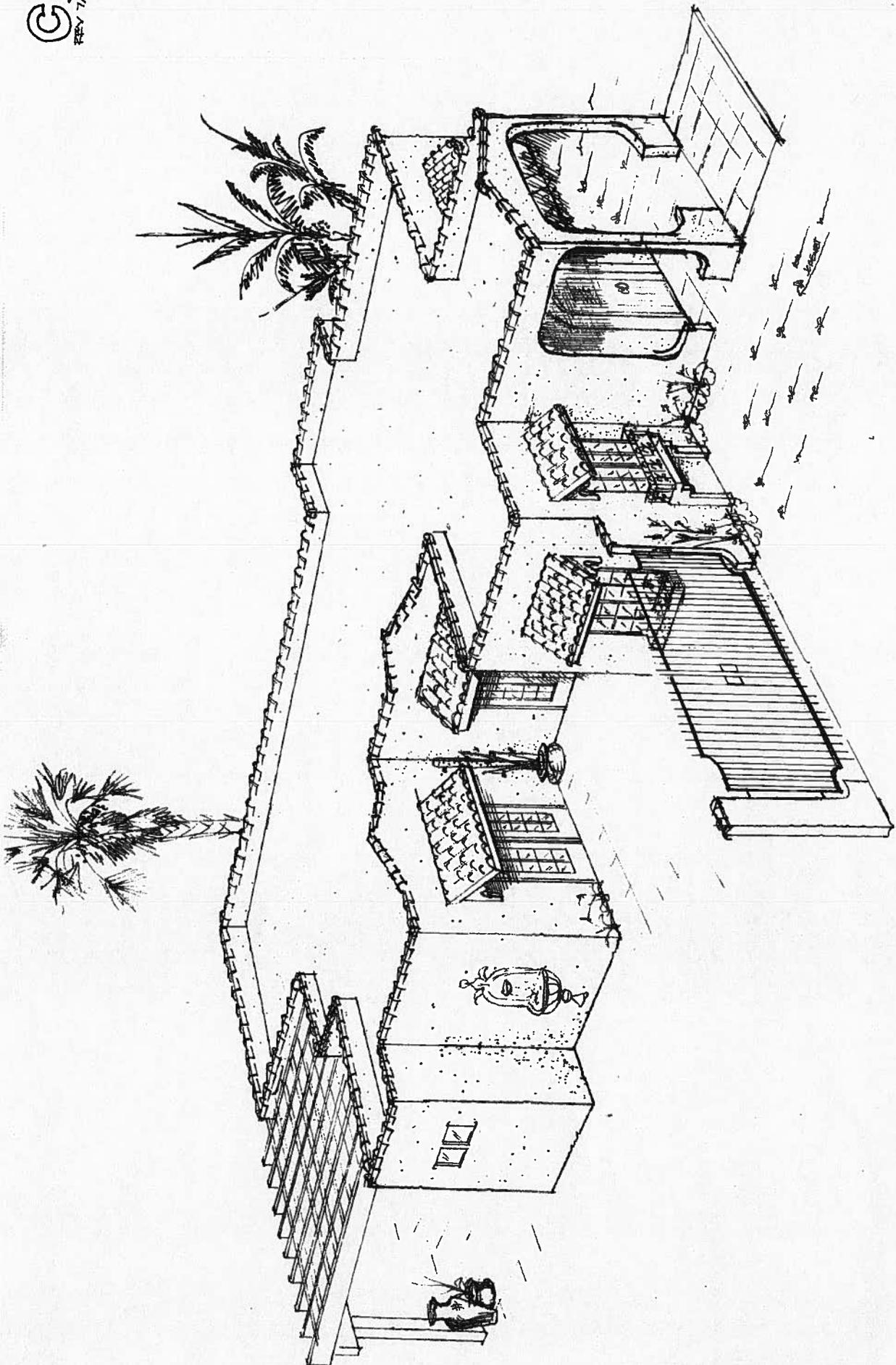

BISHOP DESIGNS
 • (760) 865-8000
 • carlos@bishopdesigns.us
 • Escondido, California

PATIO ENCLOSURE
 owner: SAMIR FALTAOUS
 119 w. 7th AVENUE
 ESCONDIDO, CA 92025

DRAWN BY: C BISHOP
 DATE: 07-28-14
 SCALE: AS NOTED
 DRAWING TITLE: SITE PLAN
 SHEET NUMBER: **A1.1**

Item H.2

61
REV 7/14





HISTORIC PRESERVATION COMMISSION

Agenda Item No.: H.3
Date: August 5, 2014

CASE NO: PHG14-0020

APPLICANT: Veterans Village of San Diego

REQUEST: Demolition and alteration of an adobe office, residence and multi-family residential structures.

LOCATION: 1556 S. Escondido Boulevard (APN 236-040-04, -05, -09 and -59)

RECOMMENDATION: Review the proposal and provide comment/recommendations regarding the appropriateness of the proposed demolition of the existing adobe structures on the site and preservation and integration of the adobe office into the project design.

PROJECT DESCRIPTION: Veterans Village of San Diego has submitted a request to develop a three-story mixed-use residential development consisting of 64 affordable apartment units and 1,690 SF ground-floor retail spaces on approximately 1.8 acres of land within the General Commercial Zone. The design consists of two, three-story buildings that would contain a mix of 1, 2 and 3-bedroom units ranging in size from 515 SF to 1,080 SF. The L-shaped site fronts onto and takes access from South Escondido Boulevard and 15th Avenue, and is developed with two adobe office structures constructed in 1957 and 1960, along with a single-family residence constructed in 1947. The property also contains a workshop building constructed in 1957; adobe perimeter walls constructed in 1959; a ten-unit, single-story adobe apartment structure constructed in 1962; and a carport. All of the on-site structures are proposed to be removed, except for the adobe office fronting onto South Escondido Boulevard, which would be integrated into the project and used for office and storage space to support the new project.

BACKGROUND: Veterans Village of San Diego has served veterans and their families since 1981 providing a range of housing and services at its five locations throughout the County of San Diego. Veterans Village has been in operation at the Escondido facility since 1995 providing a 44-bed veteran transitional housing facility. A portion of the 1.8-acre site also is used by the City of Escondido as a community garden. Prior to Veterans Village use of the site, the buildings have been used as offices for Weir Brothers Construction (who built the adobe structures) and also as a barber shop, single-family residence and apartments.

HISTORICAL RESOURCE ORDINANCE: The existing adobe structures located on the site are over 50 year old, which would classify them as potential historic resources. The City's Historic Resources Ordinance requires discretionary projects that involve impacts to historic resources to be reviewed by the Historic Preservation Commission prior to Planning Commission determination regarding the project. The proposed mixed-use planned development would be required to be considered by the Planning Commission and City Council at public hearings.

The applicant has prepared a Historic Evaluation Report to determine the level of historic significance for the existing structures on the site and assess potential eligibility for national, state or local historic registers. The report evaluates the potential status of the structures, but does not evaluate the potential effects of demolition or alteration of the structures, or contain recommended mitigation measures. This would be included in the appropriate environmental review/documents prepared for the project in accordance with the California Environmental Quality Act (CEQA).

DISCUSSION: The adobe structures (offices and apartment units) located on the site were constructed by the Weir brothers (Jack and Larry) who located their offices to Escondido in 1951 and set up shop as Weir Bros. Adobe Construction." The Weir brothers are noted for their use of adobe bricks and are regarded as a Master-Builder firm with over 200 custom built adobe homes constructed throughout San Diego from 1947 through the 1960s

Federal, State and local historic preservation programs provide specific criteria for evaluating the potential historic significance of a resource, which include the National Register of Historic Places, the California Register of Historical Resources, and the City of Escondido's Local Register of Historic Places. The Historic Evaluation Report prepared for the project concluded the existing Weir Bros. Construction company office building(s) appear to be eligible as a historic resource since they are directly associated with the "renowned" mid-century modern design-build form of Weir Bros. Construction and retains a high level of integrity for its architectural style, incorporating the company's signature use of modern adobe construction techniques and Custom Ranch style of architecture to the office building. It is the only known commercial building associated with Weir Bros. Construction. The existing adobe apartment units were not evaluated as part of this initial historic report, but additional analysis of that structure and the perimeter adobe walls also will be required as part of the CEQA review. Staff has provided initial comment to the applicant regarding the project design expressing noting the appropriateness of the modern architectural style; whether the proposed new buildings overcrowd the adobe office building that would be retained; whether the adobe office and architectural features could be further integrated into the project design; and could the existing perimeter walls be retained. Staff is seeking initial comment from the Historic Preservation Commission regarding the proposal impacts to the existing historic resources on the site in order to provide feedback to the project applicant at this early stage of the review process. The potential impacts to these resources will be a key component of the environmental review and issue for Planning Commission and City Council consideration.

Respectfully Submitted,



Jay Paul
Associate Planner

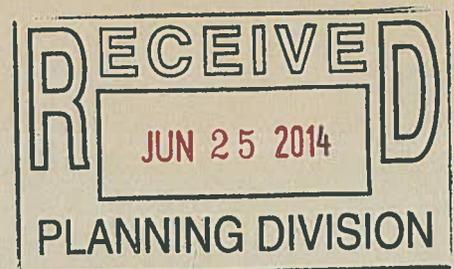
HISTORIC EVALUATION REPORT

Veterans Village San Diego
1534-1538 South Escondido Boulevard
Escondido, California



Prepared for
Veterans Village San Diego - Escondido
4141 Pacific Highway
San Diego, California 92110
&
Delawie
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San Diego, California 92101

Prepared by
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June 24, 2014

PHG 14-0020

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I. INTRODUCTION

A. REPORT PURPOSE AND ORGANIZATION

The purpose of this Historic Evaluation Report is to assess the potential eligibility for national, state, or local historic registers of the building resources located at 1534-1538 South Escondido Boulevard, Escondido, California. This report does not include evaluations of other resources located with the proposed project site including 1540 South Escondido Boulevard, a ten-unit one-story apartment complex. Per the owner, the building was previously determined as non-historic by the City of Escondido through a previous renovation project.

This report contains the following information:

- Review of the existing exterior conditions of the property.
- Review of the history of the property and its physical development.
- Review of the required consideration of historic resources under local, state, and national register criteria.

This Historic Evaluation Report has been prepared in compliance with the City of Escondido's Initial Study and environmental review process. As part of the Initial Study, a historic analysis of existing buildings over 50 years old and within the project study area needs to be evaluated to determine their level of historical significance. If determined potentially historic or eligible for listing on the local, state, or national registers, a separate technical report will need to be prepared to determine the effects that the proposed project has on the resource and if mitigation is required.

This report is organized into seven sections. The first section is the Introduction providing the purpose and overview of the report, resource location, and applicable regulatory information. The Introduction is followed by a discussion on Methodology, then the Overview of the Resource, which includes historic overview that provides a brief narrative of the patterns and trends by which the resource was constructed and a description of the resource. The Significance Evaluation assesses the resource using applicable local, state, and national register criteria as well as discussing whether or not the resource has retained its integrity over the years. The Findings and Conclusion includes a summary of the evaluation criteria used, and historical resource eligibility determination. A bibliography and completed DPR form is included at the end of this report.

B. RESOURCE INFORMATION AND LOCATION

The project study area is limited to the legal boundary for 1534-1538 South Escondido Boulevard property. The existing site is rectangular in shape located in the City of Escondido along South Escondido Boulevard between West 15th and West 17th Avenues.

Current Property Address: 1534-1538 So. Escondido Blvd.
Escondido, CA 92025
Assessor Parcel Number: 2362310400

Short Legal Description:

The southeasterly 60.00 feet of the northwesterly 273.75 feet (excepting the northeasterly 125.00 feet) Lot 9 in Block 256 of Rancho Rincon Del Diablo, City of Escondido, County of San Diego, State of California, according to the Map thereof No. 349 field in the office of the County Recorder of San Diego County, July 10, 1886, as further described.

The project study area is limited to the legal property boundary of the parcel.

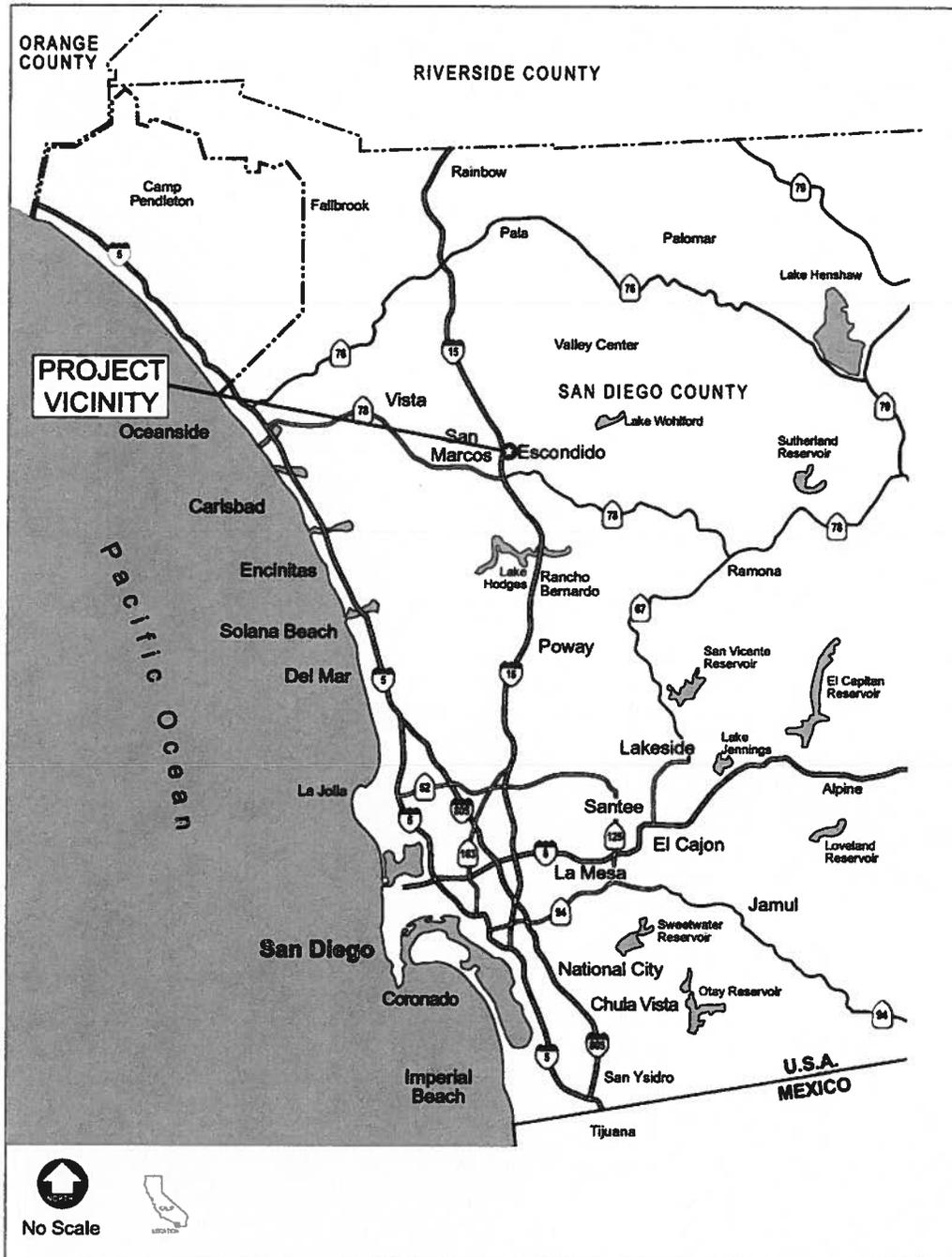


Figure 1-1: Project Vicinity Map.

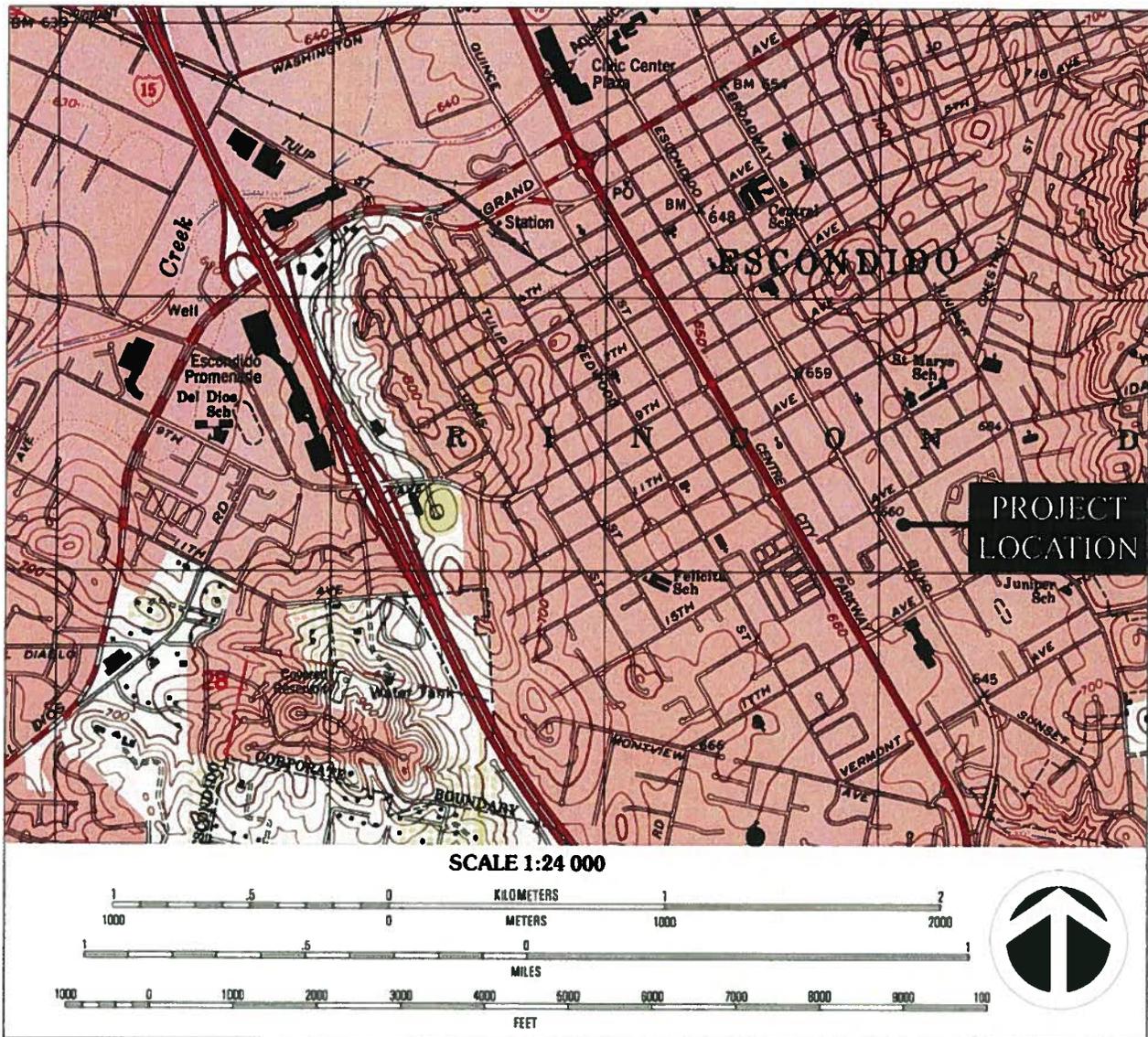


Figure 1-2: Project Location Map.

Source: U.S.G.S Map, Escondido, 1996.

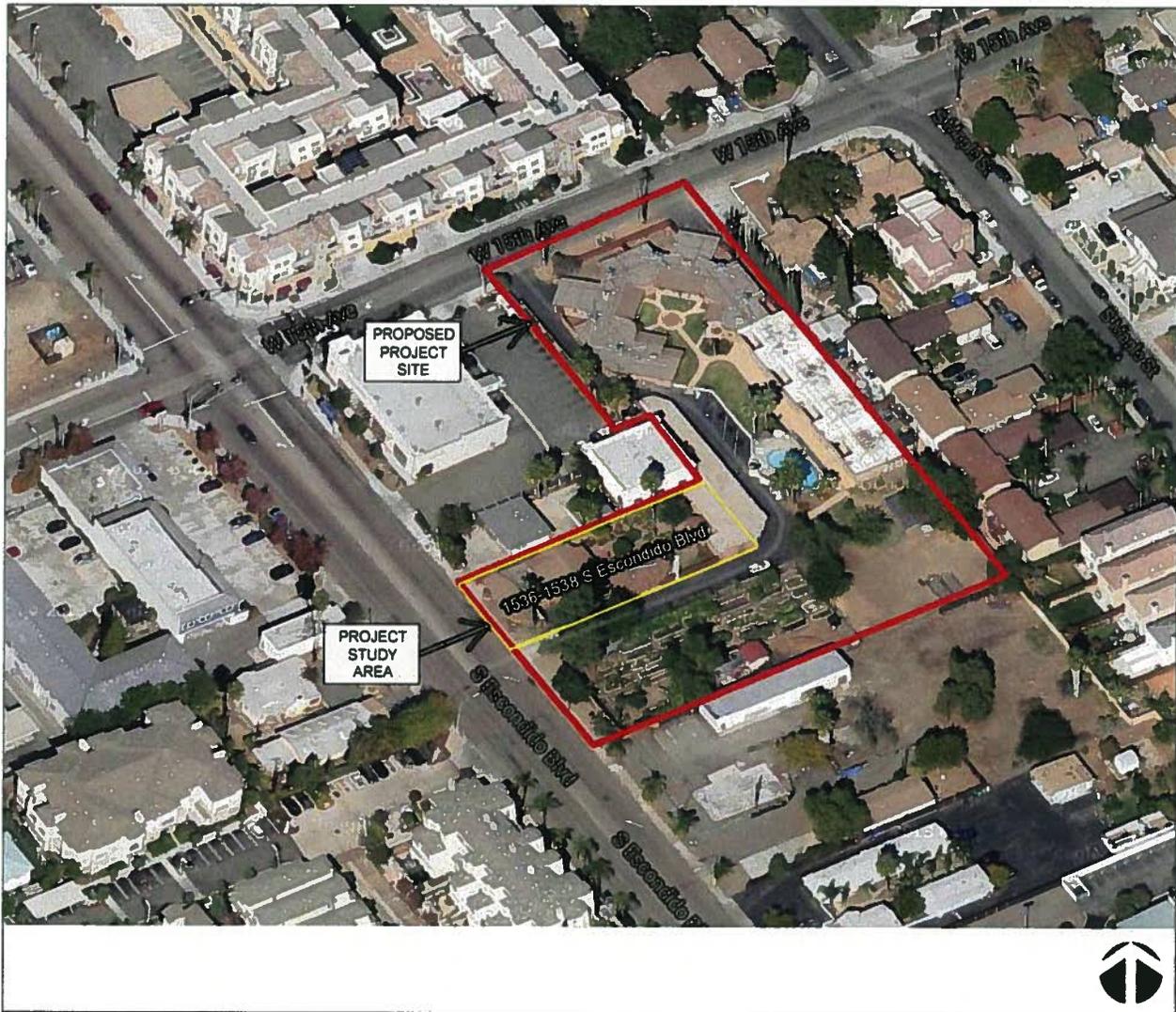


Figure 1-3: Project Study Area.

Source: Google Maps

II. METHODOLOGY

The architectural investigation is a critical first step in assessing potential historical resources. The following steps were taken in the documentation process:

1. Preliminary Walk Through and Existing Conditions Survey

A site walk through and existing conditions survey was conducted by Eileen Magno, Historian. The survey was conducted to understand the existing condition of the site and assess its integrity. Analysis focused on the building's exterior and did not include detailed assessments of the landscape, archaeological, structural, electrical, mechanical systems, or building interiors.

2. Background Information

This report was prepared using primary and secondary sources related to the resource's site development history. Research was conducted at the following depositories: City of Escondido, City of Escondido Public Library Pioneer Room, Escondido Historical Society, County of San Diego Assessor's Office, San Diego History Center, and the San Diego Public Library California Room. Materials included previous documentation of historic status, photographs, architectural drawings, news articles, City/County directories, title information, and maps. Published sources focusing on local history were consulted, as well as material relating to federal, state, and local designation requirements. Research for the report was not intended to produce a large compendium of historical and genealogical material, but rather to provide selected information necessary for understanding the evolution of the site and its significance.

3. Drawings and Photographs

Drawings were provided by the Veterans Village of San Diego. Photographic documentation was conducted by Heritage during the site visit and is noted throughout this report.

4. Evaluation

The process of evaluation occurs throughout the study as information is gathered, compared, and reviewed. Typically, historical data and physical evidence are reviewed to help evaluate the historical, architectural, engineering, and cultural significance of a property, its surrounding context, its construction and use, and occupants or other persons associated with its history and development. Evaluations were completed by a team made up of Secretary of the Interior's Qualified Historic Architect, Architect, and Historian.

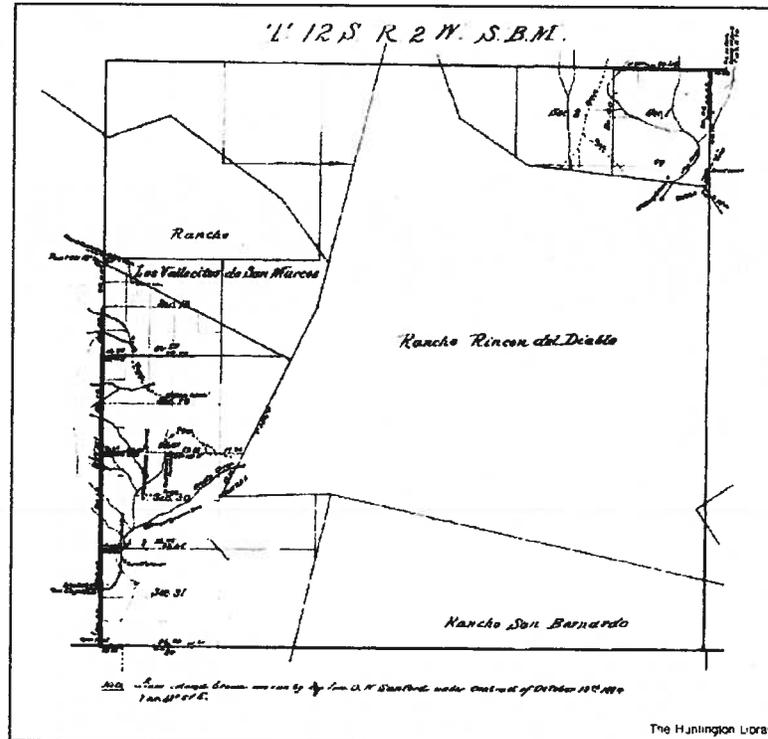
5. Project Personnel

The primary investigators from Heritage Architecture & Planning are Eileen Magno, Historian/Architectural Historian and David Marshall, AIA, Senior Principal Architect. All staff members meet or exceed *The Secretary of the Interior's Qualification Standards*.

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II. OVERVIEW OF THE RESOURCE

A. HISTORIC OVERVIEW



H1: 1884 survey map of the Rancho Rincon del Diablo.

Source: San Diego History Center.

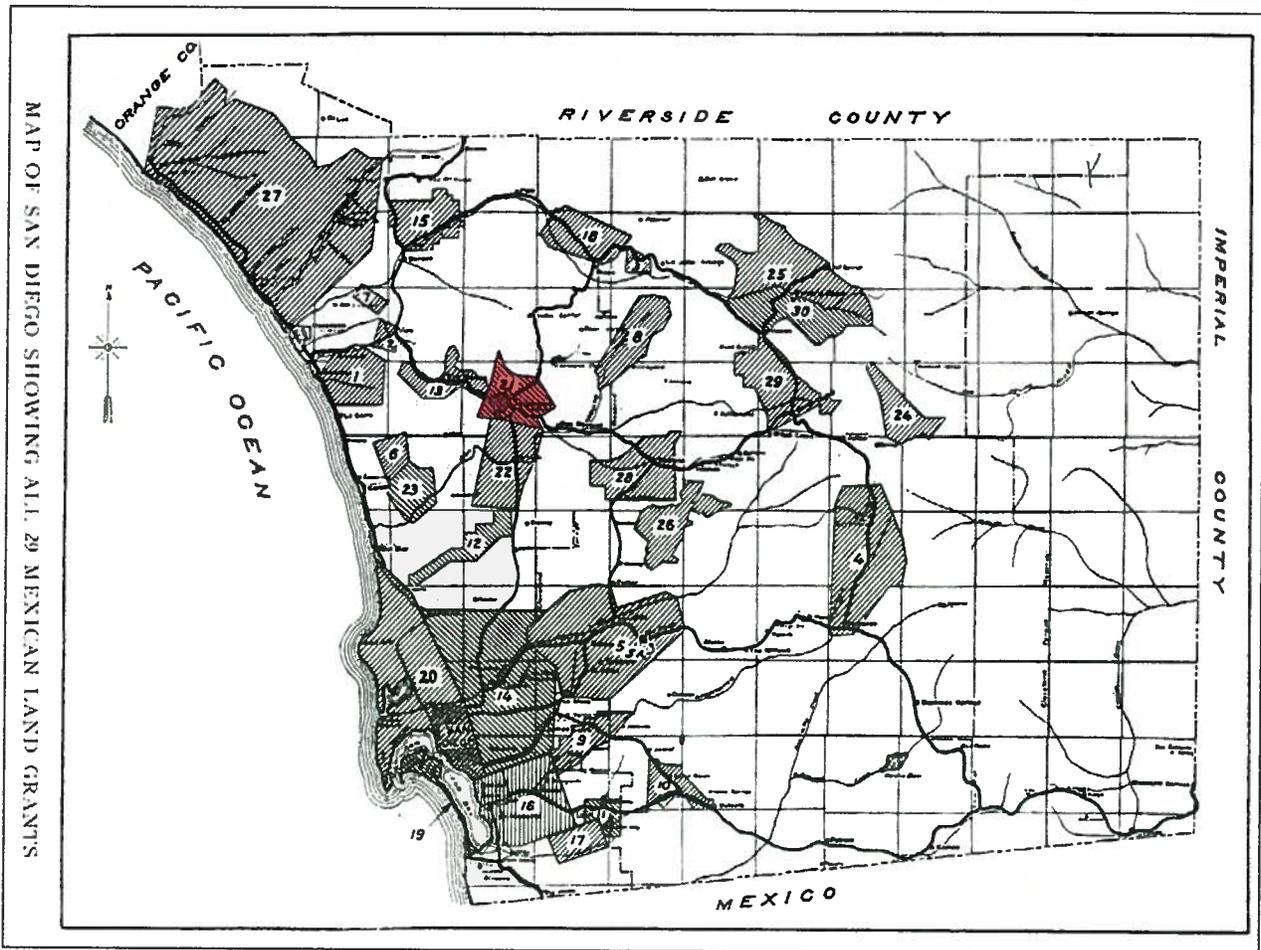
Originally part of the Rancho Rincon del Diablo (the devil's corner), the City of Escondido is rich in history. The area fell into the hands of the Spanish in the mid-1700s and the location of Escondido was first identified and discovered by Juan Bautista de Anza, a Spanish explorer in 1776.¹ These conquered lands were deeded to the Catholic Church, and later the King of Spain awarded land grants to various individuals. The Escondido valley was not under the jurisdiction of either the San Diego (Diegueños) or the San Luis Rey (Luiseños) missions so when scouting parties from the San Diego Mission found Indians living in the area, they pressed them into service as shepherds and caretakers of the Mission flocks.² The Mexican government eventually came into possession of large parcels of land in the area and in 1843, the last Mexican Governor of California granted Juan Bautista Alvarado, a native of San Diego, a 12,633 acres of land known as the Rancho Rincon del Diablo.³

¹ <http://www.escondido.org/history.aspx>. "History." Accessed April 10, 2014.

² Bill Fark, "A Brief History of Escondido." www.escondidohistory.org/brief_escondido_history.pdf. Accessed May 2, 2014.

³ Margie L. Whetstone, "The Escondido Story." *The Journal of San Diego History* vol. 9, no. 3 (July 1963).

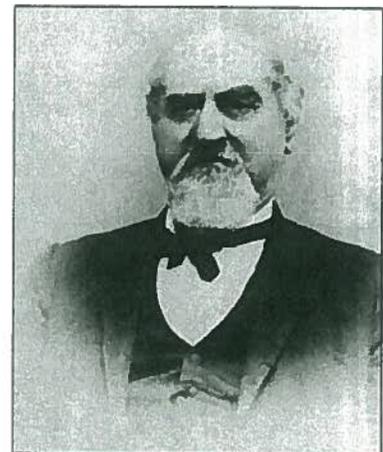
www.sandiegohistory.org/journal/63july/escondido.htm. Accessed May 14, 2014. Juan Bautista Alvarado had been *regidor* of tiny Los Angeles pueblo and of San Diego. Also, although it has not been unconfirmed as to how the site was



H2: San Diego Mexican Land Grants with the Rancho Rincon del Diablo noted in red.

Source: San Diego History Center.

Señor Alvarado built a large six-room adobe on a knoll in Dead Horse Canyon where he lived with his wife and their six children. Alvarado raised cattle on his land and transported and sold the hides in San Diego. Not too long after living at the Rancho, both Alvarado and his wife died in early 1850s. In ca. 1853, Judge Oliver S. Witherby began to purchase the various parcels owned by the remaining Alvarado heirs. He paid a total of \$2,216.66 to obtain full ownership of the 13,000 acres. By 1856, the Judge acquired an additional 2,200+ acres of the adjoining Rancho San Marcos on the west.⁴ In 1868, the property was deeded to Edward McGeary and the Wolfskill brothers, John, Matthew, and Josiah for \$8,000.⁵ For many years following, the area was known as the Wolfskill Plains. The 1880s land boom



H3: Judge Oliver S. Witherby.

Source: San Diego History Center.

named, legend notes, however, that since the area was not under any church jurisdiction and since anything that was not held by the church belonged to the devil, thus, the rancho was named the "devil's corner."

⁴ Leland G. Stanford, "Devil's Corner and Oliver S. Witherby." *The Journal of San Diego History*, vol. 24, no. 2 (Spring 1978). www.sandiegohistory.org/journal/78spring/corner.htm. Accessed May 13, 2014.

⁵ Fark, "A Brief History of Escondido."

permeated through the valley and the first settlement was noted as the McDougall ranch.⁶

A group of investors from San Diego and Los Angeles formed The Stockton Company and purchased the site in 1883 for \$128,138.70.⁷ A year later the owners transferred their interest in the valley to the Escondido Company that started a large vineyard of Muscat grapes that required little irrigation. On March 1, 1886, the Escondido Company granted the land to the Escondido Land & Town Company, which proceeded to subdivide the valley into small farm parcels and lay out for the town site. They even constructed houses in town in order for prospective residents to have a temporary place to stay while they were looking for property to buy. With the growing population, an increase need for water was urgent. The Escondido Land & Town Company installed the first city wells and pipe systems.⁸ Not only was the Escondido Land & Town Company responsible for city infrastructure, but they also began drilling several wells to provide irrigation for several groves they developed.

That same year, a branch of the Santa Fe Railway was extended to Escondido. The railway was a great boost to the community in terms of transportation and freight with daily passenger service starting in 1890.⁹ With the railroad bringing in visitors into the city, the Escondido Land & Town Company also constructed the Escondido Hotel to accommodate travelers. It boasted 100-room capacity at the eastern end of Grand Avenue and was described as one of the finest and best equipped in Southern California. For years thereafter, it served as the social center of the area.¹⁰

The community was booming and by October 8, 1888, Escondido was incorporated as a city and included 1,854 acres with a population of 249.¹¹ Government officials included five trustees elected by the people with A.K. Crovath as the first appointed president.¹²

In 1890, the Escondido Irrigation District was organized. A bond issue was created and sold to Henry W. Putnam of San Diego for the construction of the Escondido Reservoir. Although construction continued, the irrigation taxes were unable to be paid due to a period of depression. After a compromise was reached where indebtedness was released upon payment of only 43% of the amount due. The percentage was finally reached and a celebration of the burning of the bonds took place in 1905.¹³ The event was attended by three thousand at the Lime Street School, now Grape Day Park.

By 1908, an annual event celebrating the burning of the bonds began. The event was named “Grape Day” also accrediting the grape harvest, one of the most important agricultural products in the valley and was organized by W.L. Ramey of the Escondido Lumber Hay and Grain Company and Sig Steiner, early merchant and civic leader.¹⁴ Visitors from all over the county attended arriving on the

⁶ Mr. McDougall served as postmaster for the Apex post office.

⁷ Fark, “A Brief History of Escondido.”

⁸ Whetstone, “The Escondido Story.”

⁹ Ibid.

¹⁰ Ibid.

¹¹ Fark, “A Brief History of Escondido.”

¹² Whetstone, “The Escondido Story.”

¹³ Fark, “A Brief History of Escondido.”

¹⁴ Whetstone, “The Escondido Story.”

train and staying overnight at the Escondido Hotel to view and participate in the festivities including a parade down Grand Avenue and prizes for the best grown citrus, vegetables, and poultry. A Grape Day Queen was chosen and reigned each year. The celebration continued until 1950 due to a lack of grapes in the valley that year.¹⁵



H4: Historic postcard of Grape Day celebrations, ca. 1915.

Source: www.visitescondido.com

By 1950, Highway 395 was completed linking San Diego to Escondido. The opening of the highway contributed to a building boom in the 1950s. The influx of housing during this period was also due to the increase of defense contracts in San Diego and the highway made it easier for residents to commute. Many of the vineyards and citrus groves located at the east end of town had been turned into home sites to meet housing needs.

This period also revealed a resurgence of the use of adobe in more artful and custom residential construction from the 1950 until the mid-1980s when changes in the building codes made the use of adobe all but obsolete. Although adobe building techniques long predate the 1888 incorporation of Escondido as a city, adobe was an easily accessible material due to Escondido's abundant natural resources. Soon Escondido became the site of two major adobe block manufacturers around that time. One of these companies, the Adobe Block Company, was formed by L.R. Green in 1949 after he was inspired by a visit to a 1930s construction of an adobe home. The materials used to make the adobe blocks were sourced directly from the company's 100 acres of land, located at present-day Kit Carson Park."¹⁶

One company in particular moved their offices to Escondido solely to be in close proximity to this readily available product as they utilized the adobe blocks as their signature building material on

¹⁵ Fark, "A Brief History of Escondido."

¹⁶ Jule Drexler Desmarais, "Mud is Thicker than Water: The Brothers Who Left an Adobe Legacy." *Escondido*. Winter 2012/2013.

many of their custom made homes.¹⁷ This company was Weir Bros. Construction. In 1951, brothers Jack and Larry Weir relocated their offices to Escondido located at 134 West 6th Avenue and set up shop as “Weir Bros. Adobe Construction.” In 1954, Jack and Larry purchased an existing residence along South Escondido Boulevard from U.S. Army officer and 1932 U.S. Olympic Bronze Medalist Hiram Tuttle. According to 1956 City Directories, Larry resided on the property at 1538 South Escondido Boulevard. Building permits were filed at the City on March 6, 1956 for an adobe office and completed about a year later. The office was located in front of the existing residential building and listed as 1536 South Escondido Boulevard in the City Directory. It had rooftop signage and included two separate offices complete with their own entry and restroom. That same year a separate flat roof adobe workshop building, located to the southeast portion of the parcel, was built. A six foot adobe site wall was constructed in 1959 and permits were filed in 1960 for a 700sf office wing to the rear of the building. The Weir Bros. continued to work from this office until the early 1970s even when the property was sold to Roberta Steinbaum in 1966.



H15: Early photograph of the Weir Bros. Construction Company offices located at 1534 South Escondido Boulevard, ca. 1957. Note the rooftop signage. Source: Escondido History Center.

¹⁷ The adobe supplier was Weir’s primary source until 1975 when the business closed down.

Weir Bros. Construction¹⁸

“People either love adobe or they wouldn’t even stable their horses in it.” ---Jack Weir

Weir Bros. Construction was established in Encinitas in 1947 by brothers Jack and Larry Weir. The company specialized in custom adobe structures; some designed in-house by Larry, others were designed by local architects such as Sim Bruce Richards. Weir Bros. Construction achieved prominence for creating residences for high-profile clients such as former San Diego Chargers owner Gene Klein, Rancho Bernardo founding father Harry Summers, industrialist Allen Paulson, and Hall of Fame quarterback Dan Fouts.¹⁹

Weir Bros. Construction, noted for their use of adobe bricks, also incorporated recycled lumber, such as old train trestles, wooden piers and wagon wheels. Both brothers had distinct styles; Jack’s were mostly square, while Larry’s depended on rounded circular patterns like turrets. The Weir Brothers firm is regarded as a Master Design-Builder firm with over 200 custom built adobe homes constructed throughout San Diego from 1947 through the 1960s when Larry separated and established his own firm, Larry Weir Adobe. Both Weir brothers continued to build custom adobe homes in San Diego County well into the 1970s, and additional timber frame homes through the 1980s.²⁰



H6: Jack and Larry Weir of Weir Bros. Construction. This 1956 photo shows the brothers in front of one of the adobe homes they designed and built. Note the sprawling floor plan and traditional detailing typical of Ranch style homes.

Source: Weir Bros. Construction

¹⁸ Primarily excerpted from Keith York’s “Weir Brothers, Weir Bros. and Larry Weir Adobe.” www.modernsandiego.com/WeirBrothers.html. Accessed April 10, 2014 unless otherwise noted.

¹⁹ Gary Hyvonen, “Remembering Jack Weir: With Hard Work, Moxie Man Created Successful Construction Company.” *North County Times*, March 23, 2009.

²⁰ Urbana Preservation & Planning. “RE: Memorandum on NRHP Section 106 + CEQA Historical Resource Review of the Property at 1560-1574 S. Escondido Boulevard, Escondido, CA.” January 21, 2014.

John Edward Weir (June 5, 1923-February 27, 2009)

John Edward “Jack” Weir was born June 5, 1923, in Chicago. He was 12 when his mother passed away while giving birth to her sixth child. Growing up motherless during the Great Depression shaped his independent nature that would serve him well in life, according to his family. As a teen he worked for a traveling summer carnival. At age 18, he joined the Navy and was assigned to a select group of skilled pilots that trained to land on aircraft carriers.

It was while on military duty in San Diego that he met his future wife, Carnella Hall, at a dance at the Hotel Del Coronado. She moved from Arkansas to work for a munitions factory during the war. They were married on January 19, 1946, and had six children together.

After the war, Weir and his wife settled in Encinitas, where he ran a gas station and auto body shop with his brother Larry. He lived in the apartment above the shop in a small wood building that still exists across the street from Swami's sandwich shop.

His daughters, “...particularly enjoyed hearing his stories about growing up during the Depression, when he would jump onto slow-moving trains and kick off enough coal to his waiting brothers to keep the family warm during those frigid Chicago winters. Later in life, Weir would make ends meet during the post-World War II economic slump by trading his auto body work for produce and other necessities. It was a combination of barter deals, in fact, that led to him establishing one of North County's most successful home-building companies.”

In 1947, after a large debt was paid with an acre of land on Idaho Street, Weir decided to build a home for his family on it. With a \$3,000 loan and some old adobe bricks he acquired in another trade, he erected his first “mud” house. Weir quickly sold the home for several thousand dollars, which he and his brother used to build six more homes on Windsor Avenue. Each was built with bricks made of sand and clay, mixed with water, and dried under the sun. By 1948 Weir Bros. Construction was up and running with Jack serving as contractor, Larry as the designer. In 1951, Weir moved to Escondido. There, he had access to a large supply of adobe at what is now Kit Carson Park. His company grew to 80 employees.

The brothers worked long hours building adobe homes. They started with small, inexpensive two-bedroom units and then expanded into Rancho Santa Fe by building high-end masterpieces. Either way, it was an acquired taste. “People either love adobe or they wouldn't even stable their horses in it,” Weir said in a 1989 interview with the *Los Angeles Times*.

In 1988, Weir retired and turned the business over to his only son, Robert. The company now goes by the name of Weir Bros. Custom Homes Inc. and is located in Rancho Santa Fe.

Lawrence Weir (November 5, 1924-July 11, 2012)

Lawrence “Larry” Weir, a designer of numerous adobe houses in San Diego County and helped restore the Mission San Antonio de Pala in 1958, died on July 11, 2012 of heart failure. He was 87.

Son of Patrick Weir and Stella Bourgeois, Larry was born in Chicago on November 5, 1924. He served in the Navy from 1939 to 1946, where, during World War II he delivered supplies and briefly served as an aircraft gunner in the South Pacific. Following military service he moved to San Diego

and with his three older brothers started Weir Bros. Construction, quickly establishing themselves as pioneers in adobe construction. In 1964 he started his own company Larry Weir Adobe.

Larry and Maria Ravettino were married on June 23, 1951. They had nine children: Larry Weir, Maria Werth, Estelle Harrison, Thomas Weir, Christine Herms, Catherine Le Bell, Theresa Moller, Michael Damian, and Joani Weir.

In 1964, Weir left the business to begin his own company, Larry Weir Adobe. That firm operated for about four decades and built homes across the county, including Rancho Santa Fe, Escondido, Encinitas, and Poway. Weir’s designs were rarely conventional. Weir drew inspiration from his time in the Navy by using rope to frame windows. He also built houses around the site, incorporating boulders and tree limbs into the structure’s design. On occasion he would visit a train yard and buy old parts for use in the construction of the homes.

While certainly adobe walls were their signature early on, passersby may also look for a signature placement of an old wagon wheel often embedded in a wall or a fence as well as round and large arched windows. Weir Bros. homes were often built of recycled lumber – decades before it was fashionable they would buy old piers and train trestles for the large beams used in their home designs. It has been said that Jack’s designs were square, while Larry’s depended on circles, turrets, and more rounded, creative patterns.

B. BUILDING HISTORY

Designer/Builder: Residential building unknown.
Office and workshop by Weir Bros.
Construction

Original Address: 1536 South Escondido Boulevard (office)
1538 South Escondido Boulevard
(residence)

Current Address: 1534-1538 South Escondido Boulevard

Original Use: Single family residence with later office additions.

Current Use: Storage and meeting room.

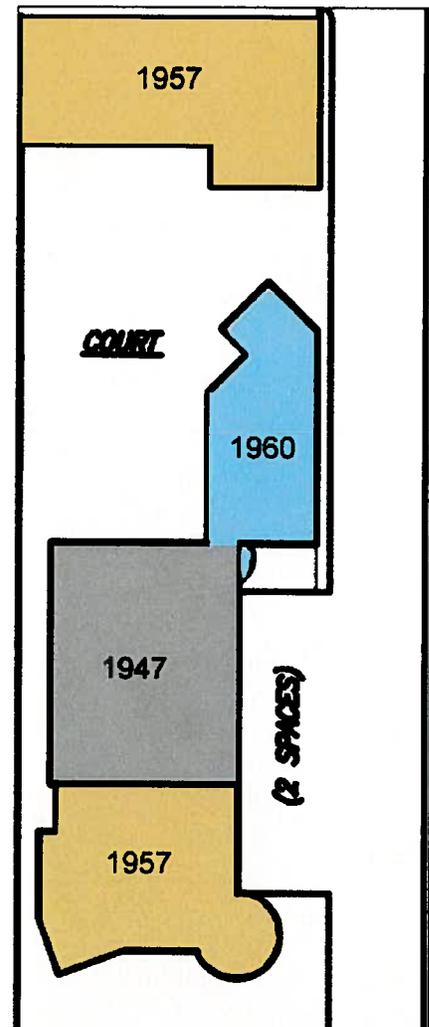
Chronology:

1947 Residential building constructed.

1957 Adobe office addition to the primary west façade of the residence.
Workshop building addition at the rear of the parcel.

1959 6’ adobe site wall addition.

1960 Adobe office wing addition to the rear of the residence.



C. RESOURCE DESCRIPTION

The Custom Ranch Style²¹

The Mid-Century Modern Custom Ranch construction is differentiated from Tract Ranch because these properties were typically custom-designed with a specific client in mind. Designers of these custom resources include noted San Diego County designers such as Cliff May, Richard Wheeler, CJ Paderewski, and Weir Bros. Construction. Cliff May was instrumental in popularizing the Ranch style in California with his book and articles published by *Sunset Magazine*. The Ranch style became the era's most prevalent type of residential construction in San Diego County. Custom Ranch buildings, typically residential buildings, are generally much more lavish than their tract counterparts; they frequently included a large landscaped property, with a deep street setback creating a generous front yard. These homes may also feature larger garages, motor courts, servant's quarters, expanded kitchens, and generous living spaces.

Like Tract Ranch housing, materials and detailing are generally traditional. Typical exterior materials include wood siding, stone, concrete block, brick, and even adobe. Detailing may include paneled wood doors, divided lite windows, wood shutters, and prominent chimneys.

Primary character defining features include horizontal massing, wide to the street; usually single story; custom details such as wood shutters, large wood windows, or large brick or stone chimneys; prominent low-sloped gabled or hipped roofs with deep overhangs; and use of natural building materials such as wood shingle roofing, wood siding, brick, stone, and adobe.

Architectural Description

Originally built in 1947 as a one story single family residence, the building is of standard wood frame construction on a concrete foundation.²² The cross gabled roofs contain composition shingles and a brick chimney was formally located at the rear. The original exterior walls have a smooth stucco finish still visible along portions of the north and south façades. The central portion of the building was infilled and includes a flat roof and rough vertically scored stucco siding. Vinyl replacement sliding windows are located at the central portion of the building's north and south facades including a sliding glass door that accesses the inner courtyard at the north façade.

In 1957, a Custom Ranch style two-office adobe addition was constructed to the primary west façade facing South Escondido Boulevard. The addition includes a gabled roof with deep overhanging eaves and painted adobe exterior finish. It features a central full height turret. A metal framed angled bay window is located along the southwest corner and a curved wing wall at the northwest corner of the office building. Fenestration also includes metal sliders at the northwest façade facing South Escondido Boulevard. There are two entry doors both with heavy timber wood surrounds. The south entry (1536 unit) includes a crossbuck door with diamond lites above and a

²¹ City of San Diego and Heritage Architecture & Planning. *San Diego Modernism Historic Context Statement*. October 17, 2007.

²² It appears from the historic photograph, that the original residence may have been an Early Ranch style.

mail slot. The north entry (1534 unit) was not visible due to a metal security screen door. Landscaping includes square clay pavers, low adobe planters, six foot adobe site wall extending to the south with square pillars and decorated period sconce and light fixtures.

A rear office wing, also constructed of adobe, was completed in 1960. The wing includes a flat roofed turret with parapet that is located along the southeast corner which connects to the original residential building. The turret has a textured colored glass window inset at the center. The entry faces west and includes a shed roof with square posts and Mexican pavers below. The door is flush with a recessed colored textured side lite. A large chimney is located at the rear east façade.

A separate L-shaped workshop building was added in 1957 to the southeast portion of the property. The flat roof building is of adobe construction and has a flush wood door with fixed window.

Both the office building and separate workshop building are in good condition.

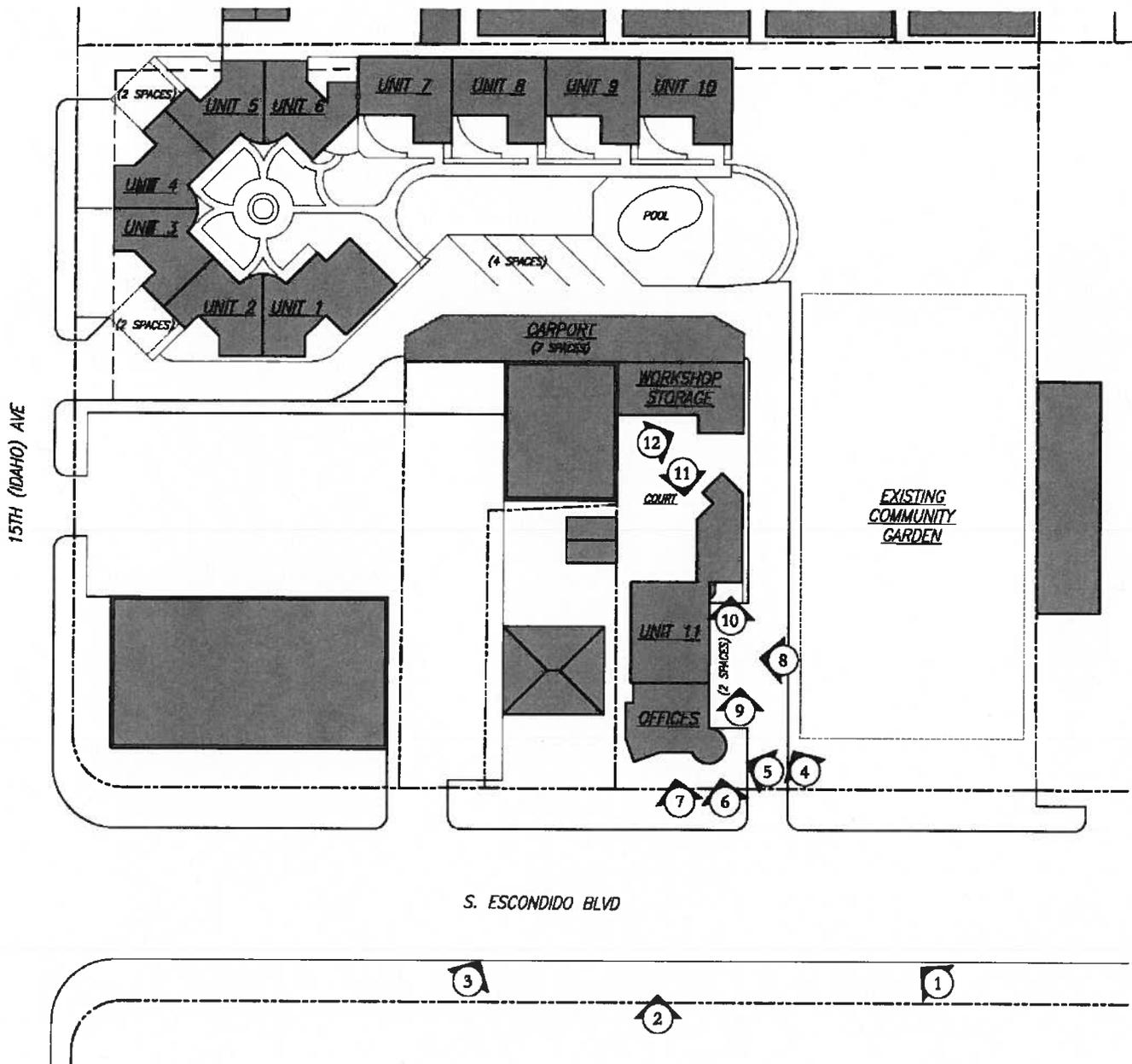


PHOTO KEY



Figure 3-1: Photo key plan.

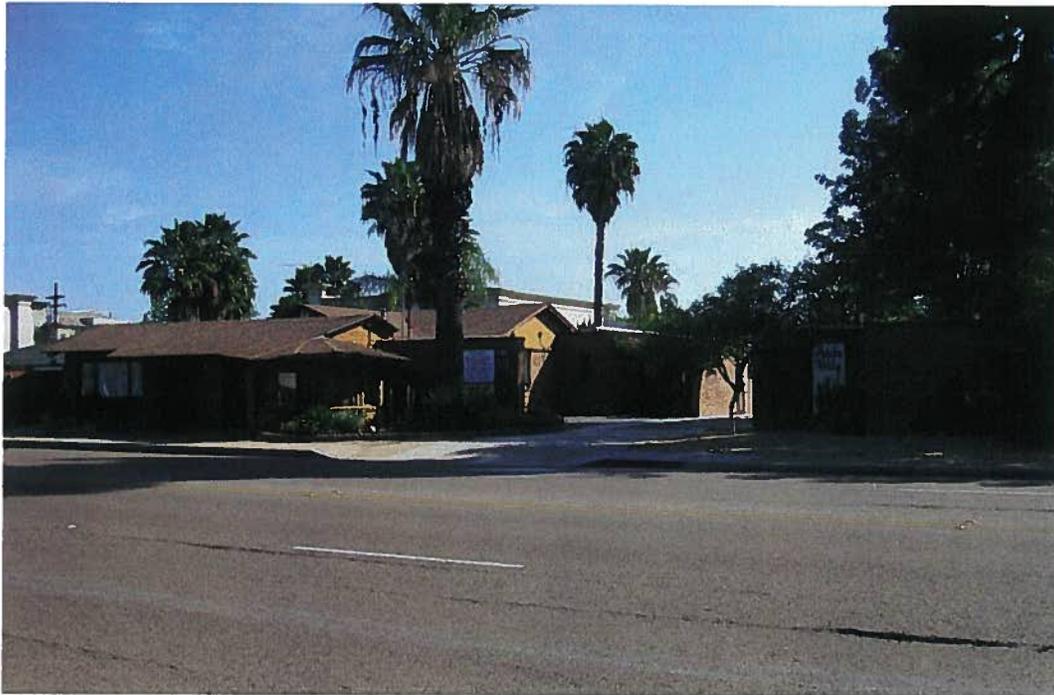


Image 1: Looking northeast at the building and driveway entry.



Image 2: Looking east at the primary west façade.

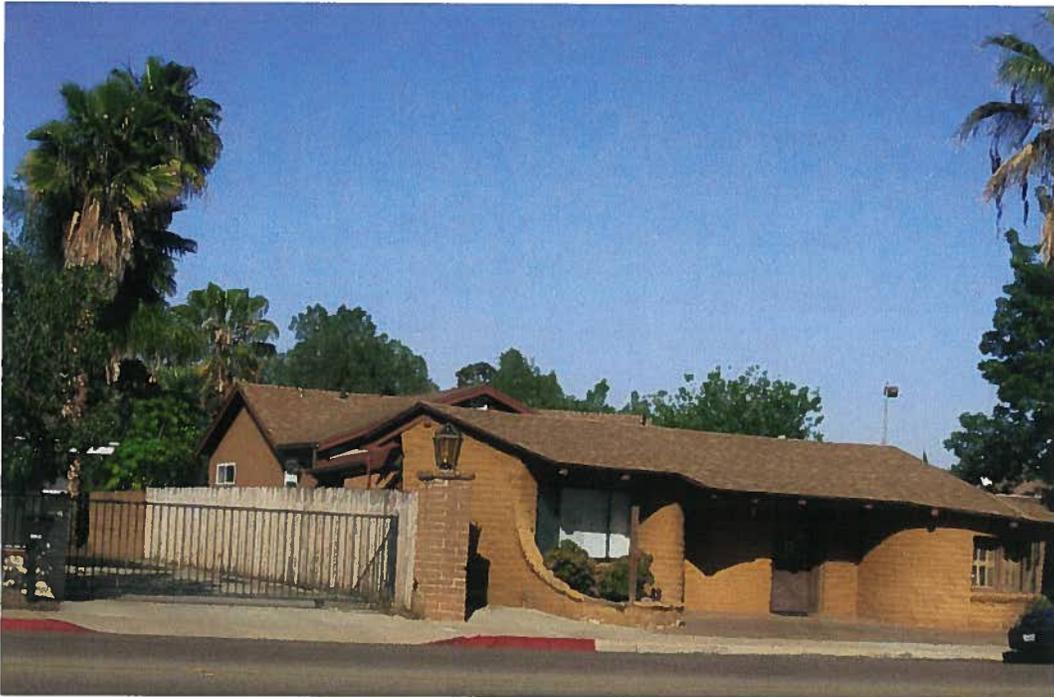


Image 3: Looking southeast at portions of north and west facades.

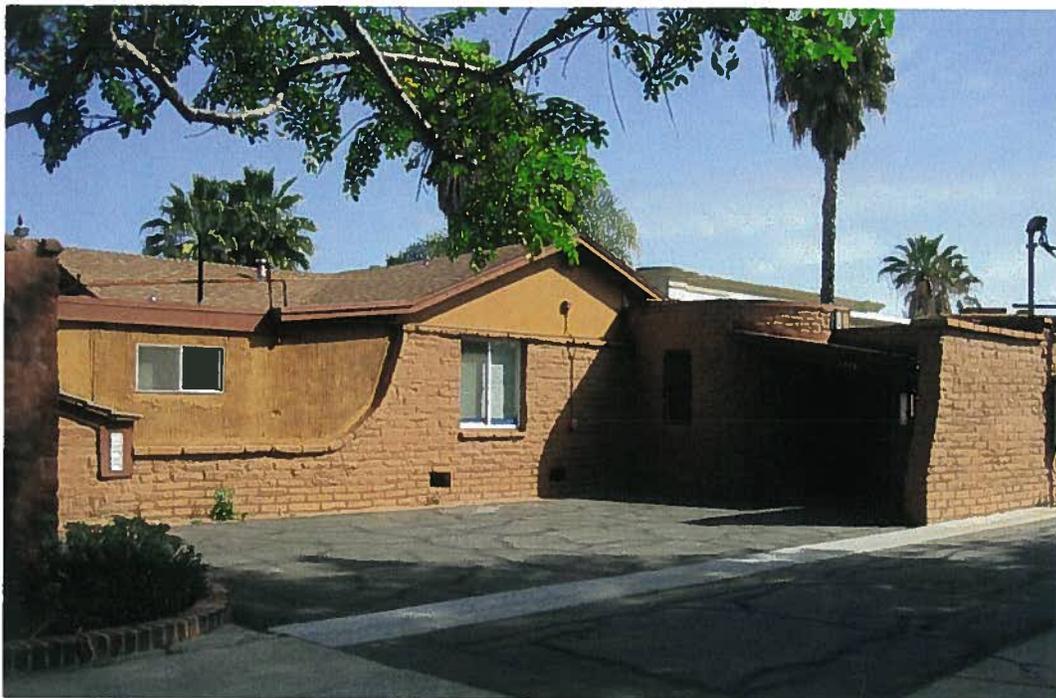


Image 4: Looking northeast at the south facade.



Image 5: Looking northeast. Note the period landscaping and six foot adobe site wall and sconce.



Image 6: Detail of the metal framed angled bay window at the primary facade.

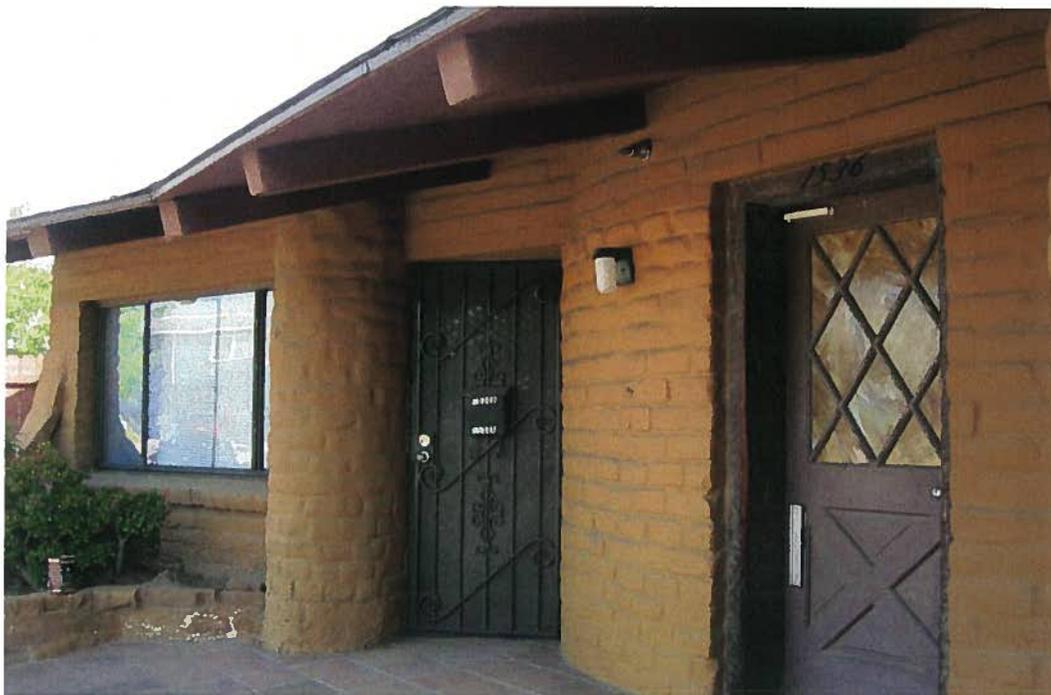


Image 7: Detail of turret feature, deep overhanging eaves, and original front entry doors with heavy timbered door surrounds.

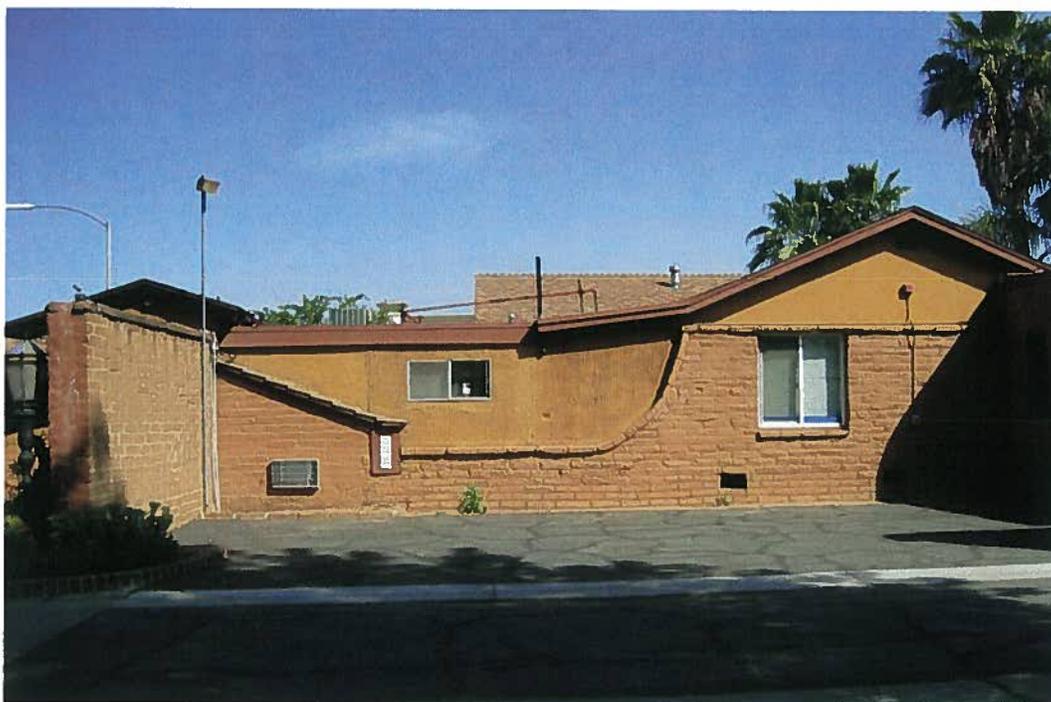


Image 8: Portion of the original residence at the south façade with vinyl replacement windows. The center was infilled and differentiated with a vertical textured stucco exterior finish. The adobe cladding along the original smooth exterior may have been added with the 1960 rear office addition.

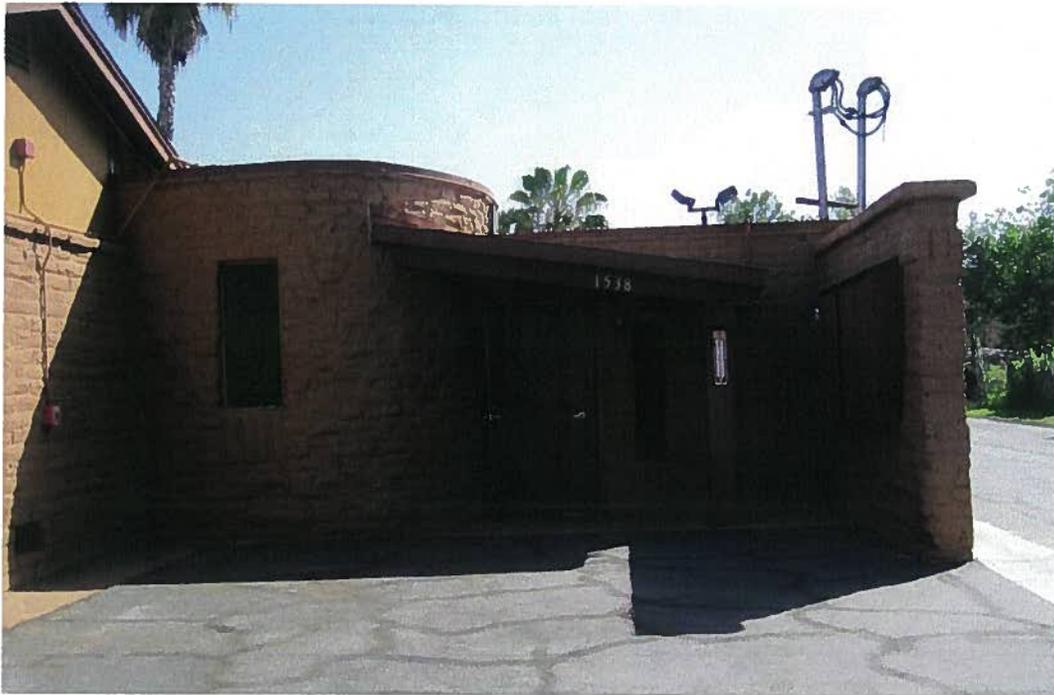


Image 9: Looking east at the 1960 rear office addition and six foot adobe site wall. The turret has a textured colored glass window feature.



Image 10: Detail of the 1960 office entry with shed porch roof, heavy timbered square posts, and Mexican pavers. The original flush door is extant with recessed colored textured side lite.



Image 11: Looking west from the inner court at portions of the east façade and porch. Note the windows have been replaced with vinyl sliders.



Image 12: Looking southeast at the 1957 adobe workshop (storage) building. The flush door and fixed window appear to be original.

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IV. SIGNIFICANCE EVALUATION

Federal, state, and local governments all have regulatory programs providing for the identification, and, in certain instances, protection, of historic resources. Part A of this section reviews relevant federal, state, and local regulatory provisions. Part B of this section applies those provisions to the specific resource.

A. EVALUATION CRITERIA

Federal, state, and local historic preservation programs provide specific criteria for evaluating the potential historic significance of a resource. Although the criteria used by the different programs (as relevant here, the National Register of Historic Places, the California Register of Historical Resources, and the City of Escondido's Local Register of Historical Places) vary in their specifics, they focus on many of the same general themes. In general, a resource need only meet one criterion in order to be considered historically significant.

Another area of similarity is the concept of integrity — generally defined as the survival of physical characteristics that existed during the resource's period of significance. Federal, state, and local historic preservation programs require that resources maintain integrity in order to be identified as eligible for listing as historic.

1. NATIONAL DESIGNATION: THE NATIONAL REGISTER OF HISTORIC PLACES

The National Register of Historic Places (commonly referred to as the "National Register" or "NRHP") is a Congressionally-authorized inventory of "districts, sites, building, structures, and objects significant in American history..." (16 U.S.C. § 470a). To be eligible for listing in the National Register, a resource must meet three requirements.

First, the resource must either be at least 50 years old or meet one of seven "criteria considerations." Second, the resource must "possess integrity of location, design, setting, materials, workmanship, feeling, and association." (36 C.F.R. § 60.4). Third, the resource must meet at least one of four "evaluation criteria" for determining the quality of "significance in American history, architecture, archeology, engineering, and culture":

Criterion (a): associated with events that have made a significant contribution to the broad patterns of our history

Criterion (b): associated with the lives of persons significant in our past

Criterion (c): embody the distinctive characteristics of a type, period, or method of construction; represent the work of a master; possess high artistic values; *or* represent a significant and distinguishable entity whose components may lack individual foundation

Criterion (d): has yielded or is likely to yield information important in prehistory or history.

(36 C.F.R. § 60.4).

2. STATE CRITERIA EVALUATION: CALIFORNIA REGISTER OF HISTORICAL RESOURCES

The California Register of Historical Resources (“California Register” or “CRHR”) identifies historical and archeological resources significant to the state. The eligibility requirements for listing in the California Register are very similar to the eligibility requirements for listing in the National Register, though they have a somewhat stronger focus on California-specific issues.

More specifically, to qualify as an historical resource for purposes of the California Register, a resource must meet at least one of four criteria:

Criterion 1: Associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage

Criterion 2: Associated with the lives of persons important to local, California, or national history

Criterion 3: Embodies the distinctive characteristics of a type, period, region or method of construction or represents the work of a master or possesses high artistic value

Criterion 4: Has yielded or has the potential to yield information important to the prehistory or history of the local area, California, or the nation.

(Cal. Pub. Res. Code § 5024.1).

In order to be eligible for listing in the California Register, an historical resource must have integrity. (Cal. Code Regs. tit. 14, § 4851). Integrity is “evaluated with regard to the retention of location, design, setting, materials, workmanship, feeling, and association” and it “must [] be judged with reference to the particular criteria under which a resource is proposed for eligibility.”

3. LOCAL CRITERIA EVALUATION: CITY OF ESCONDIDO LOCAL REGISTER OR LOCAL LANDMARK DESIGNATION

The City of Escondido established Procedure and Criteria for Local Register Listing or Local Landmark Designation (Escondido Municipal Code, chapter 33, article 40, §33-794(d)). Per the City of Escondido, a structural resource proposed for the local register shall be evaluated against criteria number one (1) through seven (7) and must meet at least two (2) of the criteria. The criteria are as follows:

- (1) Escondido historical resources that are strongly identified with a person or persons who significantly contributed to the culture, history, prehistory, or development of the City of Escondido, region, state or nation;
- (2) Escondido building or buildings that embody distinguishing characteristics of an architectural type, specimen, or are representative of a recognized architect’s work and are not substantially altered;
- (3) Escondido historical resources that are connected with a business or use that was once common but is now rare;
- (4) Escondido historical resources that are the sites of significant historic events;
- (5) Escondido historical resources that are fifty (50) years old or have achieved historical significance within the past fifty (50) years;

- (6) Escondido historical resources that are an important key focal point in the visual quality or character of a neighborhood, street, area or district;
- (7) Escondido historical building that is one of the few remaining examples in the city possessing distinguishing characteristics of an architectural type.

4. INTEGRITY

The concept and aspects of integrity are defined in National Register Bulletin 15: *How to Apply the National Register Criteria for Evaluation Section VIII. How to Evaluate the Integrity of a Property Historical Resource* (Andrus 1997). The Bulletin also establishes how to evaluate the integrity of a property: “Integrity is the ability of a property to convey its significance.” The evaluation of integrity must be grounded in an understanding of a property’s physical features, and how they relate to the concept of integrity. Determining which of these aspects are most important to a property requires knowing why, where, and when a property is significant. To retain historic integrity, a property must possess several, and usually most, aspects of integrity which are location, design, setting, materials, workmanship, feeling, and association.

B. RESOURCE EVALUATION

The following evaluation is based on Heritage’s site visit, research, and review of the sources cited in this report.

Federal and State Level Evaluation

- Criterion A/1: Event

The events or trends must clearly be important within the associated context. Mere association with historic events or trends is not enough, in and of itself, to qualify under Criterion A. The property’s specific association must be considered important as well.

At the federal and state register level, the resource located at 1534-1538 South Escondido Boulevard does not qualify under National Register/California Register for Event at either the local, state, or national levels. Historical research did not identify any important events associated with the building over the course of its existence.

- Criterion B/2: Person

Criterion B/2 applies to properties associated with individuals whose specific contributions to history can be identified and documented. Persons “significant in our past” refers to individuals whose activities are demonstrably important within a local, state, or national historic context. The criterion is generally restricted to those properties that illustrate (rather than commemorate) a person’s important achievements. The persons associated with the property must be individually significant within a historic context. Properties eligible under Criterion B are usually those associated with a person’s productive life, reflecting the time period when he or she achieved significance. Speculative associates are not acceptable.

The 1534-1538 South Escondido Boulevard property is significant under Criterion B as the Weir Bros. Construction company’s office and the site of some of their most accomplished work throughout San Diego County. The property is noteworthy at the local level of significance.

The Weir Bros. Construction was the most prominent post-modern commercial adobe home builder in Southern California and is renowned for reviving the art and science of traditional adobe construction. The 1534-1538 South Escondido Boulevard property served as the central location to which much of their collaborative design and construction management took place and is most associated with their significant contribution of work in Escondido as well as throughout San Diego County.

While retaining their offices here, many custom residences were designed and completed such as Jack Weir's private residence at 738 Idaho Street (1958), the Reuben H. Fleet Residence at 3118 Quiet Hills Drive in Escondido (1959), as well as the 1960 Beebe Residence in Escondido. Other private residences during this period include: a private residence at 16630 Avenida Florencia in Poway (1958), the Homer J. Morehouse Spec House #1 in La Mesa (1959), 3188 Quiet Hills Drive in Escondido (1959), Montesano Road in Escondido (1959), 738 Idaho Street 3215 Bernardo Lane in Escondido (1961), 2705 Ross Lane in Escondido (1961), the Home J. Morehouse Spec House #2 in La Mesa (1962), Home J. Morehouse Spec House #3 in La Mesa (1963), Walseth Residence at 705 Idaho Avenue in Escondido (1964), the Joseph & Genevieve Thunder Residence at 2195 East Madison Avenue in El Cajon (1964), 3125 Robert Weir Sr. Residence at 1914 Summit Ridge Drive in Escondido (1966), William Barend Residence on Verda Avenue in Escondido (1967), two private residences on Acorn Patch Road in Poway (1969) the Pala Mesa Village Tract in Fallbrook (1971), as well as a private residence at 1317 Windsor Road in Cardiff (1972).

- Criterion C/3: Design/Construction

Properties may be eligible under Criterion C if they embody the distinctive characteristics of a type, period, or method of construction, or represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction. Properties which embody the distinctive characteristics of a type, period, or method of construction refer to the way in which a property was conceived, designed, or fabricated by a people or culture in past periods of history. Distinctive characteristics are the physical features or traits that commonly recur in individual types, periods, or methods of construction. To be eligible, a property must clearly contain enough of those characteristics to be considered a true representative of a particular type, period, or method of construction.

A master is a figure of generally recognized greatness in a field, a known craftsman of consummate skill, or an anonymous craftsman whose work is distinguishable from others by its characteristic style and quality. The property must express a particular phase in the development of the master's career, an aspect of his or her work, or a particular theme in his or her craft. A property is not eligible as the work of a master, however, simply because it was designed by a prominent architect.

The 1534-1538 South Escondido Boulevard property is significant for its association with Weir Bros. Construction as the firm's office and as an example of the company's signature work in adobe for a commercial application. It is the only commercial office building associated with the company as most of their work was custom residential. The building itself exemplifies the Weir Bros. Construction use of adobe construction techniques and Custom Ranch style of architecture. The use of their signature circular patterns such as the turrets located at the west

front office wing and the rear wing, prominent chimney, and low-sloped gabled roof with deep overhangs are still evident.

The firm is regarded as a Master Design-Builder with over 200 custom built adobe homes constructed throughout San Diego from 1947 into the 1960s when Larry Weir established his firm Larry Weir Adobe. Both Weir brothers continued to build custom adobe homes throughout San Diego in the 1970s, and additional timber frame homes into the late 1980s.

The building is noteworthy at the local level of significance and is the only known commercial building designed and constructed by the company.

- Criterion D/4: Information Potential

Properties may be eligible under Criterion D if they have yielded, or may likely to yield, information important in prehistory or history.

The resource at 1534-1536 South Escondido Boulevard does not qualify under Criterion D: Information Potential as a property which is likely to yield information important in terms of history and prehistory.

Local Level Evaluation

The Weir Bros. Construction company offices at 1534-1538 South Escondido Boulevard meets the following City of Escondido criteria for potential historic buildings:

- (1) *Escondido historical resources that are strongly identified with a person or persons who significantly contributed to the culture, history, prehistory, or development of the City of Escondido, region, state or nation;*

As noted above, the building located at 1534-1538 South Escondido Boulevard is strongly identified with Weir Bros. Construction as their main office in the City of Escondido throughout the late 1950s-1970s. Many of the over 200 custom built adobe residences were designed and built while the company housed their offices here. Many of these custom residences were also located within the City of Escondido.

- (2) *Escondido building or buildings that embody distinguishing characteristics of an architectural type, specimen, or are representative of a recognized architect's work and are not substantially altered;*

As noted above, the 1534-1538 South Escondido Boulevard property is significant for its association with Weir Bros. Construction as the firm's office and as an example of the company's signature work in adobe. It is the only commercial office building associated with the company as most of their work was custom residential. The building itself exemplifies Weir Bros. Construction use of adobe construction techniques and Custom Ranch style of architecture. The use of their signature circular design such as the turrets located at the west front office wing and the rear wing, prominent chimney, and low-sloped gabled roof with deep overhangs are extant.

- (3) *Escondido historical resources that are connected with a business or use that was once common but is now rare;*

The building represents a time in Escondido's history when mid-century modern adobe construction was popular due to the abundant amount of local resources. With the mid-1980s changes in the building codes that made the use of adobe all but obsolete, the closure of local supplier L.R. Green's Adobe Block Company, and the later deaths of the Weir brothers, the use of adobe construction in Escondido has now become rare.

- (5) *Escondido historical resources that are fifty (50) years old or have achieved historical significance within the past fifty (50) years;*

The original residence was constructed in 1947 and the office additions by Weir Bros. Construction in 1957 and 1960 make the property more than 50 years in age.

Integrity Evaluation

- *Location - Location is the place where the historic property was constructed or the place where the historic event took place.*
The original 1947 residence and the later 1957 and 1960 office additions located at 1534-1538 South Escondido Boulevard have remained in the same location over the course of their existence, and thus retain their location integrity.
- *Design - Design is the composition of elements that constitute the form, plan, space, structure, and style of a property.*
Although the resource was constructed in 1947, the subsequent additions designed and constructed by the Weir Bros. Construction company for their offices has remained, with the exception of some vinyl replacement windows along the central north and south facades. Their signature circular designs such as the turrets located at the west front office wing and the rear wing, prominent chimney, and low-sloped gabled roof with deep overhangs are extant. Therefore, the property has retained a high degree of its design integrity.
- *Setting - Setting is the physical environment of a historic property that illustrates the character of the place.*
The overall street setting around the property has changed gradually since its initial construction in 1947 and the office additions in 1957 and 1960. Changes are mostly from residential to mixed use along South Escondido Boulevard. Therefore, the property retains a moderate degree of its setting integrity.
- *Materials - Materials are the physical elements combined in a particular pattern or configuration to form the aid during a period in the past.*
The materials that have gone into the construction of the 1534-1538 South Escondido Boulevard building are mostly original with the exception of the wood shake roof which is now composition and some vinyl replacement windows along at the central north and south facades. The vinyl windows located at the north façade are not visible from the public right of way.

Classic Weir Bros. Construction utilizing adobe blocks and reclaimed building materials in their designs are evident, so integrity of materials is retained.

- *Workmanship - Workmanship is the physical evidence of the crafts of a particular culture or people during any given period of history.*

As with the materials noted above, the workmanship is classic Weir Bros. Construction with its low-sloped gabled roof with deep overhangs, turrets, and a bay window, and large adobe chimney at the prominent facades are focal points. Therefore, the property has retained its workmanship integrity.

- *Feeling - Feeling is the quality that a historic property has in evoking the aesthetic or historic sense of a past period of time.*

The building in its current condition still imparts an aesthetic or historic sense of a Weir Bros. Construction project during the 1950s-1960s. As a result, the building retains its feeling element for integrity purposes.

- *Association - Association is the direct link between a property and the event or person for which the property is significant.*

The building continues to be linked to Weir Bros. Construction as their primary offices during the most significant period of their construction careers prior to Larry Weir separating from the company. Therefore, the property retains its association integrity.

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V. FINDINGS AND CONCLUSIONS

The property at 1534-1538 South Escondido Boulevard in the City of Escondido, also known as the Weir Bros. Construction company office, has been evaluated for potential listing on the local, state, and national registers. Historical research and site evaluation reveal that the Weir Bros. Construction company office building appears to be eligible as a historic resource at the local level of significance under the Criterion B and C for the National Register of Historic Places, under Criterion 1 and 3 for the California Register of Historical Resources, and under Criterion 1, 2, 3, and 5 for the City of Escondido. The resource is directly associated with the renowned mid-century modern design-build firm of Weir Bros. Construction and retains a high level of integrity for its architectural style, incorporating the company's signature use of modern adobe construction techniques and Custom Ranch style of architecture to their office building. It is also the only known commercial building associated with Weir Bros. Construction.

**HISTORIC PRESERVATION
COMMISSION**

**Agenda Item No.: H.4
Date: August 5, 2014**

TO: Historic Preservation Commissioners

FROM: Rozanne Cherry, Principal Planner

SUBJECT: HPC Goals and Work Groups

At the last meeting, the following HPC goals were identified:

1. Visit with owners of Mills Act properties to discuss accomplishments and future projects, answer questions, and provide information on available resources.
2. Pursue grants or other funding for a commercial district context statement and/or survey of Escondido's historic downtown.
3. Promote Escondido's cultural assets.
4. Identify emerging historic districts.

With these goals in mind, identify ad hoc work groups to determine options for implementing the goals. The Commission may provide direction to the work groups regarding priorities, suggest options, etc.

Work groups would bring back recommendations to the full HPC for discussion. Work groups would need to notify staff 10-14 days in advance of the meeting, of the topic to place on the agenda and provide an email summary and any materials to be distributed in the agenda packet.



HISTORIC PRESERVATION COMMISSION

**Agenda Item No.: H.5
Date: August 5, 2014**

TO: Historic Preservation Commissioners

FROM: Rozanne Cherry, Principal Planner

SUBJECT: Fees Related to Historic Districts and Properties

At the request of Deputy Mayor Diaz and Council Member Morasco, the Director of Community Development prepared the attached memo regarding application fees for Certificates of Appropriateness, Local Register listings and Mills Act contracts. The memo has been distributed to the City Council. As of this date, staff has not received comments or direction from the Council regarding these fees.

Pursuant to EZC Article 40, the HPC may investigate mechanisms to promote historic resource preservation and make advisory recommendations to the Council. This could include providing Council with specific information regarding the possible impacts of the current application fees on preservation efforts and/or a proposal for an alternative fee structure.

July 7, 2014

TO: Clay Philips, City Manager
VIA: Charles Grimm, Assistant City Manager
FROM: Barbara Redlitz, Director of Community Development *BR*
SUBJECT: Fees Related to Historic Resources

This memo responds to direction from the June 11, 2014 City Council meeting to provide information regarding the application fees related to historic resources. Objections have been raised by the Historic Preservation Commission (HPC) members who feel the new fees are a disincentive to historic preservation; the HPC has requested the new fees be rescinded.

Background:

The City Council adopted a Historic Preservation Incentives Program in 1992 (Resolution 92-409). The program granted waivers for specific Building and Plot Plan fees, reimbursement for improvements and parking incentives to encourage preservation efforts. Historic preservation processing fees were first adopted by Resolution 2004-132 effective May 12, 2004, including fees for Certificate of Appropriateness (\$35), Local Register (\$240) and Mills Act (\$345). These fees were subsequently rescinded by Resolution 2005-30 effective February 2, 2005 in response to concern that the fees could create a disincentive for preservation efforts.

Based on Council's direction in 2013 to move towards full cost recovery, staff proposed reinstating the historic preservation fees as part of the annual City fee update. The City Council adopted an updated fee schedule effective September 30, 2013, which included reinstatement of the three fees pertaining to historic resources as described below:

1. Certificate of Appropriateness fee (\$104) - When a property owner wants to make improvements to a historic property, the code requires a Certificate of Appropriateness (an administrative review of the improvements, to make sure they are consistent with the historic character and design guidelines). The fee is intended to cover staff time (estimated at one to two hours per application) to cover meetings with the applicant, site visit, evaluation of the request, preparation of the certificate, and records management. In reality, staff probably spends more than two hours per case, but feels the current fee is reasonable.
2. Local Register fee (\$312 plus \$300 noticing fees) - A Local Register listing is a voluntary measure initiated by the property owner, recognizing a resource that warrants protection due to its outstanding historic, cultural, architectural, archaeological or cultural value. The process involves public hearings before the

HPC and City Council. The fee is intended to partially offset staff time associated with the tasks described above, plus staff report preparation, public hearing and noticing costs for two hearings.

- 3. Mills Act Contract (\$312)** – A Mills Act contract is a voluntary contract initiated by the property owner whereby the owner is given a reduction in property tax assessment based on an agreement to provide regular maintenance and make improvements to the structure and the site. A contract also requires review by the HPC and City Council, which involves preparation of a staff report but does not include any public noticing requirements, so noticing costs are excluded.

The volume of historic preservation applications has remained steady and actually has increased since the reinstatement of the fee effective on September 30, 2013, although the increase may be attributable in part to the improved economic conditions. The number of applications processed by the Planning Division is summarized below:

| Application Type | 2012 | 2013 | 2014 (Jan.- June) |
|--------------------------------|-------------|-------------|------------------------------|
| Certificate of Appropriateness | 37 | 45 | 31 |
| Local Register | 1 | 1 | 0 |
| Mills Act | 1 | 1 | 1 |

The HPC indicates that property owners in the Old Escondido Neighborhood do not understand why they are required to pay a fee to improve their property. Some HPC members state that many owners are opting to make improvements without getting a Certificate of Appropriateness, which they feel causes serious consequences as far as maintaining the historical integrity of the Historic District.

Options:

The City Council could rescind the fees as an incentive to historic preservation efforts; modify the fees based on further study; or retain the fees. The annual fee update (currently scheduled for January 2015) would be an appropriate time to consider any revisions unless Council determined that more immediate action was warranted.