

(R-91-1465)

RESOLUTION NUMBER R-277361

ADOPTED ON FEBRUARY 12, 1991

WHEREAS, on February 12, 1991, the Council of The City of San Diego (the "Council") considered the appeal of Fourth and C Corporation, by Lynne L. Heidel, Attorney, from the decision of the Historical Site Board in designating the California Theater (Theater) as a historical site, Grade 1. The Theater is located at the corner of 4th and C Street, in the Centre City Community Plan area; and

WHEREAS, in arriving at its decision, the Council considered the staff report, the decision of the Historical Site Board, the materials submitted prior to and at the public hearing and heard public testimony presented at the hearing; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the appeal of Fourth and C Corporation, by Lynne L. Heidel, Attorney, from the decision of the Historical Site Board in designating the California Theater is hereby denied, but the decision of the Historical Site Board is modified to change the grade of designation from Grade 1 to Grade 4.

BE IT FURTHER RESOLVED, that by reducing the grade of designation, the property owner shall be required to document and photograph the California Theater from "start to finish" prior to its demolition.

BE IT FURTHER RESOLVED, that by reducing the grade of designation, the property owner shall make a contribution to an endowment fund for the benefit of a Historic Preservation Trust

to be established by the City in cooperation with the San Diego Community Foundation consistent with the parameters set forth in the letter from the appellant filed in the office of the City Clerk as Document Number RR-277361.

BE IT FURTHER RESOLVED, that demolition of the property shall not occur until such time as the fund has been established and documentation necessary to establish the contribution has been completed. Said documentation shall be provided within sixty (60) days in a form acceptable to the City Attorney or this issue shall return to the City Council for further review and action.

BE IT FURTHER RESOLVED, that the City Council finds that given the reduction of the grade of designation, and demolition and redevelopment of this particular site, as described in Centre City Application No. 90-0765, the project shall not require a Resource Protection Permit as set out in Municipal Code section 101.0462, and the Council hereby waives any such requirement that a Resource Protection Permit be obtained.

BE IT FURTHER RESOLVED, that the action of the City Council is final.

APPROVED: JOHN W. WITT, City Attorney

By

  
Allisyn L. Thomas  
Deputy City Attorney

ALT:pev  
02/27/91  
Or.Dept:Clerk  
R-91-draft  
Form=r-t

Passed and adopted by the Council of The City of San Diego on..... **FEB 12 1991** .....  
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Linda Bernhardt	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

**MAUREEN O'CONNOR**  
Mayor of The City of San Diego, California.

(Seal)

**CHARLES G. ABDELNOUR**  
City Clerk of The City of San Diego, California.

By *Ellen Boward* Deputy.

Office of the City Clerk, San Diego, California

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