

#334
6/29/21

(R-2022-1)

RESOLUTION NUMBER R- 313640

DATE OF FINAL PASSAGE JUN 29 2021

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO GRANTING THE APPEAL OF THE HISTORICAL DESIGNATION OF THE WHITSON COMPANY MEDICAL OFFICE BUILDING LOCATED AT 550 WASHINGTON STREET, AND REVERSING THE DECISION OF THE HISTORICAL RESOURCES BOARD TO DESIGNATE THE PROPERTY AS A HISTORICAL RESOURCE.

WHEREAS, on February 25, 2021, the San Diego Historical Resources Board (HRB) designated the Whitson Company Medical Office Building, located at 550 Washington Street (Property), as a historical resource under HRB Criterion A as a special element of San Diego's architectural development with a 1964 period of significance; and

WHEREAS, on March 9, 2021, Nexus Planning & Research, on behalf of Scripps Health, the owner of the Property, filed an appeal with the City Clerk, with additional materials in support of the appeal filed by Robin Madaffer of San Diego Land Lawyers, the owner's attorney, on April 16, 2021; and

WHEREAS, on appeal, the City Council may by resolution affirm, reverse, or modify the determination of the HRB; and

WHEREAS, on appeal, the City Council may reject the HRB's designation of a property as a historical resource on the basis of factual errors in materials or information presented to the HRB, violations of bylaws or hearing procedures by the HRB or individual member, or presentation of new information; and

WHEREAS, the matter was set for public hearing on June 29, 2021, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; and

WHEREAS, under San Diego Charter section 280(a)(2), this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the City Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that the City Council adopts the following findings with respect to the HRB designation of the Whitson Company Medical Office Building as a historical resource:

1. Factual Errors – The HRB erred in designating the Property as a historical resource due to factual errors in the materials and information presented to the HRB. Specifically, there was a factual error in the materials and information presented to the HRB regarding the Property being “nationally awarded and recognized.” Evidence presented to the HRB supported that the Property was awarded two regional awards, which are not on the national level. The HRB did rely upon this factual error in materials and information in making its determination to designate.

BE IT FURTHER RESOLVED, by the City Council of San Diego, that the appeal of the Whitson Company Medical Office Building, located at 550 Washington Street, is granted, the decision of the Historical Resources Board designating the Whitson Company Medical Office

Building as a historical resource is reversed, and that the Whitson Company Medical Office
Building is not designated as a historical resource.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Lindsey H. Sebastian
Lindsey H. Sebastian
Deputy City Attorney

LJS:nja
06/29/21
Or. Dept: DSD
Doc. No.: 2699745

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this
meeting of 06/29/2021.

ELIZABETH S. MALAND
City Clerk

By /s/Linda Irvin
Deputy City Clerk

Passed by the Council of The City of San Diego on JUN 29 2021, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUN 29 2021.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

TODD GLORIA
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By Linda Irwin, Deputy

Office of the City Clerk, San Diego, California

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