

604
05/23/2022

(R-2022-524)

RESOLUTION NUMBER R- 314122

DATE OF FINAL PASSAGE MAY 23 2022

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO GRANTING THE APPEAL OF THE HISTORICAL DESIGNATION OF THE DR. ROY AND HERMA LEDFORD BUILDING LOCATED AT 2851-2881 4TH AVENUE AND REVERSING THE DECISION OF THE HISTORICAL RESOURCES BOARD TO DESIGNATE THE PROPERTY AS A HISTORICAL RESOURCE.

WHEREAS, on January 28, 2021, the San Diego Historical Resources Board (HRB) designated the Dr. Roy and Herma Ledford Building, located 2851-2881 4th Avenue (Property), as a historical resource under HRB Criterion C as a good example of the Streamline Moderne style with a period of significance of 1936-1949, and under HRB Criterion D as a notable work of Master Architect Charles Salyers with a period of significance of 1936; and

WHEREAS, on February 9, 2021, Dakota Fitch, the project applicant, filed an appeal with the City Clerk, with additional materials in support of the appeal filed by Streamline Development Group, representing the applicants Dakota Fitch and Olga Doykhen, on October 19, 2021 (Fitch Appeal); and

WHEREAS, on February 10, 2021, Dr. Michael Lerner, a representative of the property owner, filed an appeal with the City Clerk, with additional materials in support of the appeal filed by Scott Moomjian, representing property owner Michael Rush, LLC, on October 5, 2021 (Rush Appeal); 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 April 5, 2022 and was continued to May 23, 2022; and

WHEREAS, on May 23, 2022, a public hearing was held before the City Council, 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 Dr. Roy and Herma Ledford Building, located at 2851-2881 4th Avenue, as a historical resource:

1. New Information – New information concerning the Dr. Roy and Herma Ledford Building, located at 2851-2881 4th Avenue, and its designation has been presented as set forth in the additional materials filed in support of the Rush Appeal by Scott Moomjian, dated October 5, 2021, and his oral presentation at the hearing on May 23, 2022 to reverse the HRB determination. Specifically, new information was presented that provides evidence the Property has been altered substantially and no longer maintains its original integrity. Given the substantial

alterations, the Property is not a notable work by a master architect as a large portion of the building consists of additions not designed by Master Architect Charles Salyers. Additionally, the Property does not retain enough integrity to be designated as a good example of the Streamline Moderne Style.

BE IT FURTHER RESOLVED, that the Rush Appeal of the Dr. Roy and Herma Ledford Building, located at 2851-2881 4th Avenue, is granted, the decision of the Historical Resources Board designating the Dr. Roy and Herma Ledford Building as a historical resource is reversed, and that the Dr. Roy and Herma Ledford Building is not designated as a historical resource.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Lauren N. Hendrickson
Lauren N. Hendrickson
Deputy City Attorney

LNH:
May 23, 2022
Or.Dept: DSD
Doc. No. 2988270

Passed by the Council of The City of San Diego on MAY 23 2022, by the following vote:

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

Date of final passage MAY 23 2022.

(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 Connie Patterson Deputy

Office of the City Clerk, San Diego, California

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