

Case No. CHC-2018-5803-HCM; ENV-2018-2847-CE/840 S. Fairfax Ave. (Tom Bergins), Council File 19-0293/PETITION OPPOSING HISTORIC CULTURAL MONUMENT DESIGNATION/HEARING DATE: June 11, 2019

1 message

Ibaraki, Kathlyn S. <ki2@jmbm.com>
To: "clerk.plumcommittee@lacity.org" <clerk.plumcommittee@lacity.org>

Fri, Jun 7, 2019 at 9:14 AM

Chair Harris-Dawson and Honorable PLUM Committee Members:

The attached letter from one of our city's most renowned and respected architectural and cultural historian, Dr. Margarita Jerabek, of Environmental Science Associates, brings to your attention an additional important criteria for cultural designation that is missing from the proposed Tom Bergins nomination: the period of significance. Dr. Jerabek explains that Tom Bergins was never owned and operated by the same family, i.e. Bergins, and therefore cannot possibly qualify as a "legacy business" as the Bergins sold it in 1973.

The City has not adopted nor established guidelines or criteria for what constitutes a "legacy business." You must reject this nomination.

Benjamin M. Reznik | Chairman of Government, Land Use, Environment & Energy Department
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June 6, 2019

BY EMAIL ONLY (clerk.plumcommittee@lacity.org)

Honorable Marqueece Harris-Dawson, Chair
Planning Land Use Management Committee
Los Angeles City Council
200 N Spring Street
Los Angeles, CA 90012
Attn: Rita Moreno, Legislative Assistant

Subject: Objection to Proposed Historic-Cultural Monument Designation, 840 South Fairfax Avenue (“Tom Bergin’s”), Case No. CHC-2018-5803-HCM; ENV-2018-2847-CE; Council File No. 19-0293

Dear Chair Harris-Dawson and Honorable Members of the PLUM Committee:

ESA previously prepared a detailed Historic Resources Assessment Report in accordance with City standards and guidelines. I am a qualified architectural historian with 30 years of experience and all our ESA historic group staff meet the Secretary of the Interior’s Professional Qualifications Standards (36 CFR Part 61) in History and Architectural History. Based upon in-depth research and survey, we did not find any evidence in the record that the subject property is associated with any significant events or patterns in history under Criterion 1 of the Cultural Heritage Ordinance. Furthermore, our peer review found that the nomination’s evaluation methods are flawed and the nomination findings are inaccurate and unsubstantiated.

ESA did not find any evidence that the property could be significant under Criterion 1. Commercial development on Fairfax Avenue in the Mid-Wilshire area was not spurred by Tom Bergin’s. After it was opened in 1949, Tom Bergin’s stood alone on Fairfax Avenue in the middle of the block until 1952 when apartment buildings in-filled the block to the north, and 1964 when the south end of the block was finally developed (currently a High School and apartments). Other than St. Patrick’s Day festivities of the type generally found throughout the City, we did not uncover any cultural events associated with the property. No significant cultural events associated with the Irish-American community occurred at the subject property that changed the patterns or trends of history. In contrast, good examples of other properties that are designated for significant events include the Idle Hour Café (HCM No. 977), originally a tavern, significant as a performing arts venue and center of social life for the Beat Generation; and the Black Cat Tavern, site of a 1966 police raid significant in the early evolution of the LGBTQ civil rights movement, designated a HCM in 2008.

The City currently has no established guidelines or standards for evaluating a property as a legacy business. Tom Bergin’s is not a long-term business owned and operated by the same family; Tom Bergin owned and operated his *restaurant and supper club* at 840 S. Fairfax until 1973 when he sold the property--his family did not continue to operate the business. The property is not a long-term business in the same use such as Philippe’s Home of the Original French Dipped Sandwich (110 years in the same business). Under different ownership, the property was later *changed in use* to an Irish Bar and substantially altered.

The period of significance identified in the designation for the property, from 1949 to the present day, is unreasonable. Under the National Register, the period of significance for this property would be 1949-1969, beginning with the date of construction and ending 50 years ago. The National Register defines period of significance as, “the span of time during which significant events and activities occurred. Events and associations

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with historic properties are finite; most properties have a clearly definable period of significance.”¹ While the National Register has a 50-year age requirement before a resource can be considered to have achieved significance; the City’s preservation ordinance does not have an age requirement. Under the National Register, a property achieving significance within the past 50 years is eligible only if it is of exceptional importance. “Fifty years is a general estimate of the time needed to develop historical perspective and to evaluate significance. This consideration guards against the listing of properties of passing contemporary interest and ensures that the National Register is a list of truly historic places.”² Under the City’s ordinance, the period of significance can be extended, but the methodology for assigning the period of significance should follow established industry practice. The period of significance for the subject property should logically be from its date of construction in 1949 until 1973 when its namesake, Tom Bergin, sold the property.

Sincerely,



Margarita Jerabek, Ph.D.

Director of Historic Resources

¹ U.S. Department of the Interior, National Park Service, National Register Bulletin 39: Researching a Historic Property, “II. Research and the National Register Form” (1991; Revised 1998), page 2 (<https://www.nps.gov/nr/publications/bulletins/pdfs/nrb39.pdf>, accessed June 6, 2019).

² U.S. Department of the Interior, National Park Service, National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation, VII. How to Apply the Criteria Considerations, Criteria Consideration G: Properties That Have Achieved Significance Within the Past Fifty Years (1990; revised 1995), page 42 (<https://www.nps.gov/nr/publications/bulletins/pdfs/nrb15.pdf>, accessed June 6, 2019).