

August 16, 2013

Sharon Gin, legislative assistant
Los Angeles City Clerk
Room 395
City Hall, 200 North Spring Street
Los Angeles, CA 90012

Re: Case No. DIR-2012-3128-COA-SPP-1A (Property at 1342 West Adams Boulevard)

Dear Ms. Gin,

I am respectfully requesting that the Los Angeles City Council reject the categorical exemption from the California Environmental Quality Act (CEQA) (Title 14, California Code of Regulations Chapter 3: Guidelines for Implementation of the California Environmental Quality Act, hereinafter referred to as the CEQA Guidelines) for the above identified proposed project for the following reasons.

The determination that the proposed is exempt from CEQA pursuant to CEQA Guidelines §15331 is flawed because the staff ignored relevant CEQA Guidelines sections for the protection of historic resources as defined by CEQA. For example, CEQA Guidelines §15064.5 defines an historical resource as:

- (a) For the purposes of this section the term “historical resources” shall include the following:
- (1) A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Pub. Res. Code §5024.1, Title 14 CCR, §4850 et seq.).

CEQA Guidelines §15064.5 (a)(3) states further that, in addition to being eligible for listing in the California Register of Historical Resources, a resource may be historically significant if it meets the following criteria:

- (A) Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;*
(B) Is associated with the lives of persons important in our past;
(C) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
(D) Has yielded, or may be likely to yield information important in prehistory or history.

The Bishop Residence portion of the proposed project qualifies as an historical resource based on at least two of the above four criteria. First, it is associated with the lives of persons important in our past and represents the work of an important creative individual. The structure was designed by Sumner Hunt, a prominent architect in the southern California region who, in addition to designing the Bishop Residence, was responsible, along with Silas Reese Burns, for designing

such regional landmarks as the original building of the Southwest Museum, the Casa de Rosas, Ebell of Los Angeles, the Bradbury Building, the Los Angeles Country Club, the Vermont Square Branch library, the Pierpont Inn, LA headquarters building of the Automobile Club of Southern California, and the *Janet Jacks Balch Hall* for Scripps College, a liberal arts women's college in Claremont, California. It is a member of the Claremont Colleges.

Second, the Bishop residence embodies the distinctive characteristics of a type, period, region, or method of construction. In 1933, the structure was remodeled to be compatible with the Gothic Revival Roger Williams Sanctuary erected that same year. The popularity of Gothic Revival (also referred to as Victorian Gothic or Neo-Gothic) grew rapidly in the late 19th Century. Therefore, the architectural style of the Bishop Residence provides an important contribution to the cultural history of the City of Los Angeles.

Although the Bishop Residence may not necessarily be listed on the California Register of Historical Resources, this fact is irrelevant. CEQA Guidelines §15064.5(a)(4) states:

The Fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to §5020.1(k) of the Public Resources Code), or identified in an historical resources survey (meeting the criteria in §5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining the resource may be an historical resource as defined in Public Resources Code §§5020.1(j) or 5024.1.

As demonstrated above, however, the Bishop Residence qualifies for listing on the California Register of Historical Resources.

CEQA Guidelines §15064.5 states further:

- (b) A project with an effect that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment.*
- (1) A Substantial adverse change in the significance of an historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired. (See also CEQA Guidelines §15064.5 (b)(2) for additional information on what actions may materially impair the significance of an historical resource.)*

I understand that the project proponent has already completely gutted the interior of the Bishop Residence without permits and plans some modifications to the exterior. CEQA makes no distinction between actions that could impair the interior or exterior of the historical resource. Any actions that damage the historical significance of a resource may be considered a significant adverse impact.

Indeed, the Los Angeles City Council of the South Area Planning Commission's (SAPC) certification of the Class 31 categorical exemption for the proposed project ignores the City's own *Los Angeles CEQA Thresholds Guide* (LACTG). The LACTG acknowledges that:

Significant historical resources include those designated or eligible for designation in the National Register of Historic Places (National Register); the California Register of Historical Resources (California Register) or other state program; as a City of Los Angeles Historic Cultural Monument; or in a City of Los Angeles Historic Preservation Overlay Zone (HPOZ). Historical resources may also include resources listed in the State Historic resources Inventory as significant at the local level or higher and those evaluated as potentially significant in a survey or other professional evaluation (page D.3-1).

As previously discussed the Bishop Residence qualifies for listing as a historic resource on the California Register and, therefore, by the City's own definition is an historic resource. The LACTG includes seven criteria for identifying an historic resource. When evaluating these seven criteria, a yes to any criterion identifies a resource as historically significant. The Bishop Residence qualifies as an historic resource based on the following criteria established by the City:

6. *Does the resource have known associations with an architect, master builder or person or event important in history such that the resource may be of exceptional importance (page D.3-3)?* **Yes. As previously indicated, the Bishop Residence was designed by Sumner Hunt, a prominent architect in the southern California region in the late 19th and early 20th centuries.**
7. *Is the resource over 50-years-old and a substantially intact example of an architectural style significant in Los Angeles? (Age is calculated from an original building permit or the Land Use Planning and Mapping System (LUPAMS) maintained by the City Planning Department. See Exhibit D.3-5 for significant architectural styles.)* **Yes, the structure was originally built in 1896 and remodeled in 1933. Even though the remodeling occurred 80 years ago, it still qualifies as an historic resource by the City's criterion #7.** (It should be noted that Gothic Revival is listed in Exhibit D.3-5, although the period listed is 1870 – 1900.)

The LACTG (page D.3-3 and D.3-4) goes on to say, “A project would normally have a significant impact on historical resources if it would result in a substantial adverse change in the significance of an historical resource.”

A substantial adverse change in significance occurs if the project involves:

- *Demolition of a significant resource;*
- *Relocation that does not maintain the integrity and significance of a significant resource;*
- *Conversion, rehabilitation, or alteration of a significant resource which does not conform to the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings; or*
- *Construction that reduces the integrity or significance of important resources on the site or in the vicinity.*

Therefore, according to City's own significance thresholds, the proposed project has the potential to create significant adverse impacts to a cultural/historical resource because: it involves demolition of a significant resource; conversion, rehabilitation, or alteration of a significant

resource which does not conform to the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (see discussion below); and construction that reduces the integrity or significance of important resources on the site or in the vicinity.

Based upon the above information, the proposed project does not qualify for the Class 31 categorical exemption because it has the potential to create significant adverse cultural/historical resources impacts. CEQA Guidelines §15300.2 (f) specifically states, "*Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.*"

Apparently, staff concluded that the proposed project qualified for the CEQA Guidelines §15331 Class 31 categorical exemption because they felt that it meets the Secretary of the Interior Standards for Rehabilitation (Standards). It is unclear what this determination is based on; however, review of the Standards indicates that the proposed project does not meet all applicable Standards as required by §15331 for many of the same reasons stated above. For example, the proposed project is inconsistent with Standard #1, which states, "*A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.*" Completely gutting the interior of the structure, removing a two-story grand entry reception hall, potentially adding additional windows, etc., of a resource eligible for listing on California Register of Historical Resources and certified as individually eligible to be listed on the National Register of Historic Places (Level 3S) does not comply with Standard #1.

Similarly, the same reasons given for why the proposed project does not comply with Standard #1 apply to Standard #2, which states, "*The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.*" As indicated above, distinctive features of the interior of the Bishop Residence have already been demolished and removed. It should be noted that, like the CEQA Guidelines, the Standards make no distinction between the interior and exterior of the historical resource.

Standard #6 states, "*Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.*" No attempt has been made to repair interior features, rather the entire interior has been gutted without permits to be replaced by eight apartments. It is unlikely that installing eight apartments into the single family structure will result in installing distinctive features that match the old in design, color, texture, and, where possible, materials. Consequently, the proposed project does not comply with Standard #6.

As demonstrated in the above discussion, the proposed project, at a minimum, does not comply with three of the 10 Secretary of the Interior Standards for Rehabilitation and, therefore, does not currently qualify for the CEQA Guidelines §15331 Class 31 categorical exemption.

Based on the above information substantial evidence exists that a fair argument can be made that the proposed project (Case No. DIR-2012-3128-COA-SPP-1A (Property at 1342 West Adams

Boulevard)) would generate significant adverse cultural/historical resources impacts and potentially other environmental impacts (e.g., cumulative impacts on historical resources), requiring preparation of an initial study to determine the appropriate CEQA document, i.e., negative declaration (ND), mitigated ND, or environmental impact report (EIR). Preparation of a ND, mitigated ND, or EIR, as appropriate, provides disclosure to the public of a project with potentially significant adverse environmental impacts, allows input on the project by the public, and requires measures to mitigation potentially significant adverse environmental impacts generated by the proposed project. Again, I respectfully request that the Los Angeles City Council reject the categorical exemption, CEQA Guidelines 15331, and prepare an appropriate environmental analysis made available to the public for review and comment.

Sincerely,

Kenneth Smith, Ph.D. – Resident in the West Adams Area of Los Angeles
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