

A D H O C

ADAMS DOCKWEILER HERITAGE ORGANIZING COMMITTEE

Los Angeles City Council and the Planning and Land Use (PLUM) Committee
C/O City Clerk (Sharon Gin, sharon.gin@lacity.org)
City Hall, Room 395
200 North Spring Street
Los Angeles, CA 90012

August 20, 2013 / via: email & hand

RE: CITY COUNCIL CASE FILE NO. 13-0903
DIR-2012-3128-COA-SPP / ENV-2012-3129-CE
1342 WEST ADAMS BLVD., LOS ANGELES, CA 90007
NORTH UNIVERSITY PARK SPECIFIC PLAN / CD-8
(PLUM Public Hearing August 20 / 2:30 pm City Hall Room 350)

Honorable Councilmembers

I am writing on behalf of the Adams Dockweiler Heritage Organizing Committee (A.D.H.O.C.) and in support of the appeal (Case No. 13-0903) filed by the West Adams Heritage Association (WAHA) to request that you approve their appeal and reject the Director of Planning's approval (DIR-2012-3128-COA-SPP-1A) of the accompanying environmental document ENV-2012-3129-CE.

The WAHA appeal to the South Area Planning Commission, prepared by Ms. Laura Meyers documents with great clarity the numerous errors committed by Planning Department staff in their processing of this Case. The most shocking of these egregious blunders was staff's initial failing to review the Project in the context of its status as identified historic resources deemed eligible for listing on the National Register of Historic Places.

That the LA Department of City Planning issued a Categorical Exemption as an appropriate clearance under the California Environmental Quality Act (CEQA) for the alteration and demolition of elements of the historic resources deemed eligible for listing on the National Register of Historic Places is unfathomable. In our 25-years as a historic preservation advocacy organization we cannot recall a more onerous abuse of discretionary authority by a lead-agency.

A.D.H.O.C., along with our sister historic preservation advocates WAHA and NUPCA (the North University Park Community Association), have each spent more than a quarter-of-a-century identifying, researching, and listing historic properties throughout the West Adams

neighborhoods of South Central Los Angeles. These efforts were undertaken in part to help insure that our communities' recognized historic assets would not be abused or dismissed by callous decision-makers who all too often fail to appreciate the significance of our ethnically diverse neighborhoods.

We and many other colleagues have toiled selflessly to insure that our historic properties will have the protection of administrative process under CEQA that they are entitled to by law. We have never been able stop unscrupulous developers from alterations and demolitions without permits, which has occurred to the historic interiors in this Case. However, we need not allow the malfeasance of empowered administrators through their own incompetence and negligence, to compound an assault on our community's resources.

Since WAHA first appealed (02/14/13) the approval actions of the Director of Planning some voluntary and welcomed changes and alterations have been agreed to by the developers, Paras Bhakta, 1342 W Adams Holding, LLC, to their Project's plans regarding elements of the William T. Bishop Residence's historic exterior façade. Although these change have been accepted by the Departments of City Planning and approved as conditions by the South Area Planning Commission (07/10/13) they do NOT exempt the Project from full compliance with the California Environmental Quality Act (CEQA) and with the Secretary of the Interiors Standards and Guidelines (SISG).

The Roger Williams Baptist Church, the Cloister and the William T. Bishop Residence form a collective entity, which has been deemed eligible for listing on the National Register. This prominent communal façade along Adams Boulevard, which is a designated "Scenic Highway", has been a visual-cultural landmark for nine decades. It is an integral part of the evolutionary historic development pattern of our City's westward growth.

Our grand Adams Boulevard itself is a historic passageway lined with many of the most prominent examples of religious architecture in our city including Historic-Cultural Monuments: St. John's Episcopal Church (No.516), St. Vincent De Paul Church (No.90), Second Church of Christ Scientist (No.57), First A.M.E. Zion Cathedral (No.341), and the Church of the Advent (No.512). These institutional icons mark the route west and exemplify various cultural and ethnic transformations in our history.

To dismiss the proposed alterations of such an intrinsic part of our historic fabric through the issuance of a Categorical Exemption is more than a failing to see the context of the subject property but illustrates a bureaucratic culture that itself is blind, deaf, and dumb. It is our understanding that the staff-author of the Certificate of Appropriateness Ms. Lamesse Elqura has been transferred out of the Office of Historic Recourses' HPOZ Unit. This is too little and too late. That her senior administrators, Michelle Levy and Ken Bernstein who reviewed the document, have failed to act to rescind her senseless error is a tarnish on their credentials and reputations.

I ask that you reject the Project's CE and require that an Initial Study and Checklist be prepared with the goal of a full Environmental Impact Report to allow for public input, discussion, and review of Project Alternatives as the required CEQA document for this proposed Project would allow.

Respectfully yours,

Jim Childs, Chair A.D.H.O.C. / 213-747-2526
2326 Scarff Street / Suite No.1 / University Park, L.A. Calif. 90007

CC/ Laura Meyers, WAHA
Bernard Parks, CD-8
Jose Huizar / Gil Cedillo / Mitchell Englander , PLUM



Etta Armstrong <etta.armstrong@lacity.org>

Fwd: Council File No. 13-0903

1 message

Sharon Gin <sharon.gin@lacity.org>
To: Etta Armstrong <etta.armstrong@lacity.org>

Mon, Aug 19, 2013 at 2:02 PM

----- Forwarded message -----

From: **Richard Louie** <richardlouie@yahoo.com>
Date: Sat, Aug 17, 2013 at 9:57 PM
Subject: Council File No. 13-0903
To: "sharon.gin@lacity.org" <sharon.gin@lacity.org>

Dear Ms. Gin,

I recently heard that the City council is scheduled to hear the issue regarding Case No. DIR-2012-3128-COA-SPP-1A regarding an appeal of the categorical exemption for the property 1342 West Adams Blvd., Los Angeles CA 90007. The Council File No. is 13-0903.

I am writing to express that I support the appeal of the categorical exemption.

I live near the intersection of Adams and Western which is a 5 min drive away from the subject property. I am not an expert on categorical exemptions but the appeal submitted by the West Adams Heritage Association on July 19, 2013 seems to provide many reasons why a categorical exemption should not be granted in this case. I know that there are plans to perform a major development at the location of University Village. I hope that the City is not using the issue of the major development of the University Village to expedite approval of other developments without taking into consideration the impact they would have on our community. I understand that the owner of the subject property has already performed some construction work on the property without first obtaining proper permits. It seems like the owner is trying to go around the proper process in obtaining approvals for this development. Performing a study into the impact the development would have on the community protects the interest of the community. I urge City Council to uphold the appeal submitted by the West Adams Heritage Associate.

Sincerely,

Richard Louie

North University Park Community Association (NUPCA)

August 19, 2013

Los Angeles City Council and the Planning and Land Use (PLUM) Committee

C/O City Clerk (Sharon Gin, sharon.gin@lacity.org)

200 North Spring Street, Room 395

Los Angeles, CA 90012

RE: 1342 West Adams Blvd., Los Angeles CA 90007

Case No. DIR-2012-3128-COA-SPP-1A; ENV 2012-3129-CE, Council File No.
13-0903

Honorable Councilmembers Huizar, Cedillo and Englander :

The North University Park Community Association is a non-profit community organization active since 1979 which seeks to preserve and enhance the quality of life in the University Park area including protecting and enhancing its architectural and cultural resources. The proposed project falls within NUPCA's area of interest and concern. NUPCA offers the following comments on the above referenced Certificate of Appropriateness (COA) and Categorical Exemption (CE) and the approvals granted by these actions. We ask that the Commissioners support the appeal for the reasons stated in the appeal and also for the following reasons.

NUPCA finds the issuance of a Categorical Exemption (CE) arbitrary and capricious. Planning has set an arbitrary threshold to allow a CE when there is only one entitlement being asked for. This threshold is not found anywhere in CEQA, or in Article 13 (Categorical Exemptions) or in the State Public Resources Code. The proposed Categorical Exemption (CE) for the project at 1342 West Adams Boulevard is not legally sufficient to meet the requirements of CEQA in protection of our environment.

Categorical exemptions should never be used when there is a historic property involved, and particularly one whose use is being changed.

Title 14, California Code of Regulations, Chapter 3, Guidelines for Implementation of CEQA, states a categorical exemption should not be used *where the activity would cause a substantial adverse change*. Further Section 15300.2 (c), which the preparer cites as the basis for a Categorical Exemption, explains:

Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment.

CEQA sets a very low threshold for not permitting a CE, namely that it should not be used where there is a **reasonable possibility of the activity having a significant effect**. The appeal by WAHA has met that bar and made a more than reasonable argument that the current plans will have a significant effect with:

- a.) Numerous experts have shown that the project involves changes that are not compliant with Secretary of Interior Standards.
- b.) The development plans have demonstrated significant impacts on the historic resources and the record meets the standard of a reasonable argument that there are significant impacts.
- c.) The project involves multiple historic structures which apparently are being redeveloped over time without disclosing the entirety of the project.
- d.) The project introduces windows and doors where previously there were none, completely altering the rhythm of the building's very visible facades.
- e.) The project significantly alters the spatial relationships of the buildings and its presence on the Adams Boulevard block face.
- f.) The project site involves an area that has undergone significant cumulative impacts including the demolition of the Holterhoff Mansion on the adjacent southwest corner of Adams and Menlo, the relocation of the Jesuit Houses on Menlo as part of redevelopment of the Ralphs Market, and the adoption of an NSO.

The project is hardly a minimal change to the defining characteristics of the building and its site and environment.

The restoration of the Roger Williams Baptist Church compound must be done in the context of Adams Boulevard as a scenic highway and in the context of Adams Boulevard as a Boulevard of churches and mansions. It also should be understood as a property certified as individually eligible to be listed on the National Register of Historic Places, the interior of the property is also protected from incompatible change. One of the character defining elements of the William Bishop Residence is its interior entryway which extended in an open manner to the second floor which has a balcony. **This is a significant interior element yet, the developer, without permits, gutted the interior of the Bishop mansion.** The South Community Plan calls for development to *complement any unique existing development/uses to reinforce desirable characteristics and uses* (I-6, South Community Plan). Yet the proposed project undermines both the existing characteristics and uses.

The project as proposed fails to preserve or rehabilitate the existing historic place, i.e., the compound which includes the William T. Bishop Residence, its cloisters, and the Roger Williams Baptist Church. It fails to *Preserve and enhance the positive characteristics of existing uses which provide the foundation for community identity, such as scale, height bulk setbacks and appearance* (II-3, South Community Plan.). Instead the stately buildings are cut up into a rabbit warren of student rental units in an effort to squeeze every bit of rented space including the attic and basement. An adaptive reuse is possible, and we can support adaptive reuse, but such use must respect the exterior and interior character defining features of the compound. Destroying major interior open spaces, such as the Bishop Residence entryway, does not comply with the Secretary of the Interior's Standards nor with the stated goals of the South Community Plan.

The Categorical Exemption is built on a premise that is false, and therefore the decisions that follow are insupportable. The major assumption that the project meets the Secretary of Interiors Standards and does no significant harm to cultural resources is a false and misleading construct. If you buy this concept you will be lead down a path of faulty logic. The developer pushed ahead

destroying historic fabric with no permits and now is asking to be rewarded by approving the project plans and the CE.

In addition, the developer is being allowed to piecemeal elements of the project which hide subsequent discretionary actions, such as lot line adjustments. The whole of a project must be reviewed in order for the decision maker to understand the true impacts of what is being proposed.

The purpose of the environmental quality act includes the establishment of a low threshold for the preparation of an EIR, and the act must be interpreted liberally "to afford the fullest only possible protection of the environment within the reasonable scope of the statutory language." (Friends of Mammoth v. Board of Supervisors, 8 Cal 3d 247, 29 (1972) guidelines Section 15003 (f). The potential significant environmental effects of the proposed project which alters the spatial relationships of the built form, removes historic fabric with the gutting of the Bishop Residence grand hall entry way, "piece meals" the development of the site, along with numerous other changes, demonstrates a significant environmental impact. The California Supreme Court in No Oil v. City of Los Angeles concluded that the interpretation of CEQA, which affords the fullest possible environmental protection, is **"one which will impose a low threshold for the preparation of an EIR."**

We ask that the Councilmembers support WAHA's Appeal, not certify the environmental clearance rescind the categorical exemption, and direct the Planning Department to initiate legally sufficient environmental review. To allow a categorical exemption to stand will result in serious and irreparable harm to our historic environment. Planning must undertake fact based environmental review beginning with an initial study and checklist, which would then determine whether an ND, MND or EIR is required.

Sincerely,

Jean Frost
North University Park Community Association
c/o 2341 Scarff Street
Los Angeles, CA 90007
213 840-5998
indiejean@att.net



Etta Armstrong <etta.armstrong@lacity.org>

13-0903

5 messages

Sharon Gin <sharon.gin@lacity.org>

Mon, Aug 19, 2013 at 2:02 PM

To: Etta Armstrong <etta.armstrong@lacity.org>

----- Forwarded message -----

From: **orinio opinaldo** <oopinaldo@yahoo.com>

Date: Sat, Aug 17, 2013 at 11:29 AM

Subject: Roger Williams Baptist Church

To: "**SHARON.GIN@LACITY.ORG**" <SHARON.GIN@lacity.org>

Cc: Richard Parks <richard@redeemercp.org>

Sharon Gin, legislative assistant
Los Angeles City Clerk
RE Case No. DIR-2012-3128-COA-SPA-1A
Dear Council members,

I have lived here in the historic West Adams since 1950 and I am appalled how you in the city give everything to USC at the disadvantage of the rest of the community and of the deceit that USC does to get all our property.

I knew of the 1960's Master Plan of USC to own almost everything up to Arlington. Even though, after a private institution by eminent domain moved to Vermont Avenue destroying many historical homes and businesses an agreement was made they were not going to extend any further, they are extending with this stipulation to others connected to USC: USC will give anyone \$50,000 dollars as a down payment on any property with the agreement if one plans to move from the property, it is to be sold back to USC.

I dialog with many and all complain how people come once a week to their homes personally or by mail, or telephone calls trying to buy their homes. They feel so harassed. Strange though, I have heard no Caucasian mention that to me, just Filipinos, African Americans, Hispanics and other brown people.

I was so happy that the West Adams Historic foundation fought to preserve this community in the past because I knew that with its elitist attitude USC thinks it can do anything at the disadvantage to the rest in this community. I further know it has made sure it displaced several thousand people in the community by not building any student beds on campus and again it averts that by taking a historical mansion of Roger William Baptist Church for student housing. I stand with the West Adams Area on preservation of that beautiful place. I constantly get evidence of promises made by USC to build 5000 student beds on campus within the next few years and then continue to take over the community with the assistance of the city council and no care for the people who live and work in the community.

I hope you will not let USC destroy this historical district for their benefit at the cost of our goals of a true community.

Thanks,
Orinio G. Opinaldo

Sharon Gin <sharon.gin@lacity.org>
To: Etta Armstrong <etta.armstrong@lacity.org>

Mon, Aug 19, 2013 at 2:02 PM

----- Forwarded message -----

From: **Anna Bendewald** <anna@bendewald.com>
Date: Sun, Aug 18, 2013 at 1:40 PM
Subject: 1342 West Adams Blvd Los Angeles APPEAL SUPPORT
To: sharon.gin@lacity.org

TO:
LA City Council Planning and Land Use Committee
C/O City Clerk SHARON GIN

DATE:
8/18/2013

RE:
1342 West Adams Blvd LA, CA 90007
CASE NO. DIR-2012-3128-COA-SPP-1A
Council File No. 13-0903

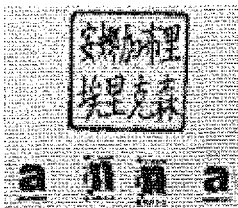
Dear Council Members,

I am adding my name in **SUPPORT of the West Adams Heritage Assoc. appeal that categorical exemptions not be applied when an historic property is involved.** This is most critical when any changes are being proposed. The above case is particularly important to our neighborhood because several historic structures are threatened.

Being a long-time resident and home-owner in West Adams, I urge the immediate review of the entire project so that the 7-parcel property impacted by the illegally claimed exemptions can be brought into sound alignment with legal and environmental guidelines. I believe that this can be done by refusal of environmental clearance and rescinding any categorical exemption.

Thank you for your assistance in this matter,

Anna E. Bendewald
1659 S. Hobart Blvd.



Sharon Gin <sharon.gin@lacity.org>
To: Etta Armstrong <etta.armstrong@lacity.org>

Mon, Aug 19, 2013 at 2:03 PM

----- Forwarded message -----

From: **Richard Schave** <schavester@gmail.com>
Date: Mon, Aug 19, 2013 at 8:41 AM
Subject: plum & bishop's mansion
To: sharon.gin@lacity.org

Sharon:

I have read the appeal by WAHA about the Bishop's Mansion project-a building I am very familiar with, and I agree with their stance. Please pass my concerns about the "exemption" and my support of the appeal on to members of PLUM.

Cheers

Richard Schave

Sharon Gin <sharon.gin@lacity.org>
To: Etta Armstrong <etta.armstrong@lacity.org>

Mon, Aug 19, 2013 at 2:49 PM

----- Forwarded message -----

From: **Richard Reinhardt** <richard@hilburglaw.com>

Date: Mon, Aug 19, 2013 at 2:46 PM

Subject: 1342 West Adams Blvd., Los Angeles, CA 90007 / Case No. DIR-2012-3128-COA-SPP-1A; Council File No. 13-0903

To: sharon.gin@lacity.org

Cc: councilmember.cedillo@lacity.org, councilmember.huizar@lacity.org, councilmember.englander@lacity.org, councilmember.parks@lacity.org, councilmember.wesson@lacity.org

VIA U.S. MAIL AND E-MAIL

August 19, 2013

Los Angeles City Council and the Planning and Land Use (PLUM) Committee

C/O City Clerk (Sharon Gin, *sharon.gin@lacity.org*)

200 North Spring Street, Room 395

Los Angeles, CA 90012

RE: 1342 West Adams Blvd., Los Angeles CA 90007

Case No. DIR-2012-3128-COA-SPP-1A; Council File No. 13-0903

Dear Honorable Council Members:

I am writing you today to express my SUPPORT for West Adams Heritage Association's Appeal in the above referenced matter. I am now, and have been for the last eight years, a member of the Board of West Adams Heritage Association. I moved to the Historic West Adam's district in 2004 because I wanted to live in a neighborhood with historic structures and enjoy the community that those historic structures provide.

The case involves a highly visible, historical Adams Boulevard mansion and church on a scenic highway in a historic district and which together serve as a gateway to North University Park. The project and its environmental clearance should not be approved without a true, full evaluation.

It is imperative that you be aware that this project is NOT "categorically exempt." Categorical exemptions

should never be used when there is a historic property involved, and particularly one whose use is being changed. In this case, the development plans also have significant impacts on the historic resources. Under state law, categorical exemptions are reserved for use in small projects, such as the removal of a shed, the change of a fence, or in some instances, the construction of a single family home (but not one involving historic resources.)

In any case, this project involves multiple historic structures which apparently are being redeveloped over time; changes that are not compliant with Secretary of Interior Standards; and a significant change of use that may permanently change the historic nature of at least one of the structures on the property, that is, the Bishop Mansion. Therefore, it is not legally exempt from review.

WAHA has explained that, when there is a dispute among experts, the California Environmental Quality Act (CEQA) requires a cautious path to be followed. The Planning Department needs to do an Initial Study, which then determines if an ND, MND or an EIR would be required. I agree with this position.

The whole of the project needs to be reviewed, not just the housing portion. In this case we don't even know for sure what the owner is planning to do with 17,000 square feet of existing other buildings on the same property.)

I was frankly surprised that the planning department did not take unilateral, and immediate action in response to the unpermitted demolition of the interior of this national monument property. In particular, it was tragic to lose the grand two-story entry/reception area.

I urge the PLUM Committee to support WAHA's Appeal, not certify the environmental clearance and, rather, rescind the categorical exemption, and further, direct the Planning Department to initiate legally-sufficient environmental review that includes the Applicant's full description of their plans for the entire seven-parcel property, including the historic Roger Williams Baptist Church and the Bekins Hall structures.

Thank you for considering my input.

Respectfully,

Lore Hilburg, Esq.

cc: Gil Cedillo, CD1 and member of PLUM Committee: councilmember.cedillo@lacity.org
Jose Huizar, chair of PLUM: councilmember.huizar@lacity.org
Mitchell Englander, member of PLUM: councilmember.englander@lacity.org
Bernard Parks, CD8 (property is within his district): councilmember.parks@lacity.org
Herb Wesson, CD10 and Council President; councilmember.wesson@lacity.org

Sharon Gin <sharon.gin@lacity.org>
To: Etta Armstrong <etta.armstrong@lacity.org>

Mon, Aug 19, 2013 at 3:25 PM

----- Forwarded message -----

From: **jean** <jeanjim@earthlink.net>
Date: Mon, Aug 19, 2013 at 4:29 PM
Subject: 1342AdamsPLUMcase13-0903
To: sharon.gin@lacity.org, councilmember.huizar@lacity.org, councilmember.cedillo@lacity.org,
councilmember.englander@lacity.org
Cc: councilmember.parks@lacity.org, lauramink@aol.com, indiejean@att.net, mogulink@sbcglobal.net

Los Angeles City Council and the Planning and Land Use (PLUM) Committee

C/O City Clerk (Sharon Gin, sharon.gin@lacity.org)

RE: CITY COUNCIL CASE FILE NO. 13-0903
DIR-2012-3128-COA-SPP / ENV-2012-3129-CE
1342 WEST ADAMS BLVD., LOS ANGELES, CA 90007
NORTH UNIVERSITY PARK SPECIFIC PLAN / CD-8
(PLUM Public Hearing August 20 / 2:30 pm City Hall Room 350)

Please accept the following comments on behalf of the Adams Dockweiler Heritage Organizing Committee (ADHOC) in support of WAHA's appeal to be heard tomorrow at the Planning Committee meeting on August 20. I plan on attending in person to speak on the issues and will also hand-in a hard copy of this letter.



1A1342adamsPLUMadhoc.doc

27K

To: South Area City Planning Commission

From: Peyton Hall, FAIA

Date: June 14, 2013

Introduction

These comments are addressed to your Case No. DIR-2013-3128-COA-SPP-A1. We have reviewed the proposed work as described in your documents (Department of City Planning Recommendation Report, June 18, 2013), and found that it may not meet the Secretary of the Interior's Standards for Rehabilitation (hereafter, "Standards"), associated Guidelines, and available Preservation Briefs that assist in interpreting the Standards for the Treatment of Historic Properties (36 CFR 68). Therefore, a decision that relies on a finding of meeting the "Standards" may not be sound, since further study and possibly modifications to the analysis and findings, and to the project, could be necessary in order to make that finding.

We meet the Secretary of the Interior's Professional Qualifications Standards (36 CFR 61) for History, Architectural History, Architecture, and Historic Architecture.

Comments on Meeting the Standards for Rehabilitation

The ten Standards for Rehabilitation are listed below in italics, with comments about the project work, exterior only, following each standard.

In general, the substantial alteration of the building interiors does not meet the Standards for Rehabilitation. The staff report states that the building interiors are not regulated. A CEQA finding would not necessarily exclude the impacts on interiors when evaluating potential impacts on a historic resource. We recommend that the issue of evaluation of impacts on interiors and meeting the Standards for Rehabilitation be reviewed by the Commission. For example, the proposed removal of chimneys and fireplaces is a clear loss of historic character and fabric. The gutting of the entry hall of the Bishop Residence without discretionary review or a building permit is a substantial change that would not meet Standard No. 2.

MEMO

1342 W. Adams Blvd.

HISTORIC RESOURCES GROUP

12 S. Fair Oaks Avenue, Suite 200, Pasadena, CA 91105-1915
Telephone 626 793 2400, Facsimile 626 793 2401
historica.com

In general, the staff report's analysis of the project with respect to meeting the Standards for Rehabilitation requires careful reading because in some cases the comments do not align with the particular Standard that is reviewed. We acknowledge that the Standards are related to one-another and are in practice interactive.

In general, meeting the Standards is a finding that is made after reviewing all of the project work and all ten of the Standards. One change may be minor, but an accumulation of project work items can, as in this case, result in a project that is a potentially major change to exteriors. When the potential impact on interiors is added, there is no question that the accumulation of proposed changes is not minor.

1. ***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.***

We concur that a property can be adaptively reused for a different use, and that the proposed project meets Standard 1. However, take note that change of use to multi-family residential is not more in line with the historic use as a single-family residence than the current church-related use because the current church-related use is also a historic use. The fact that current zoning allows an R4 use by-right is not relevant to meeting the Standards for Rehabilitation and any potential impacts on historic resources.

2. ***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.***

The statement that the skylight that will be replaced by a new dormer is not original to the structure does not provide the necessary basis for evaluating the impact of the removal of the skylight. The important issue is whether or not the skylight is a significant character-defining feature, from the period of significance, and not whether or not it is "original." The use of the term "original" is confusing in this context without further explanation.

The change of the porch with glazed enclosures to solid walls represents a substantial loss of spatial, material, and visual character. This potential impact is amplified by the location of the porch space and its features on a street corner. The character of a porch is as an exterior covered space that may have permanent, reversible, openable, or removable glazed enclosures that retain the light, open, semi-transparent visual character of the space, when viewed and experienced from the exterior or the interior. This is a particular example of how thoughtful design

MEMO

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might achieve the adaptive reuse goals of the applicant while retaining historic character.

3

3. ***Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.***

No comments.

4. ***Changes to a property that have acquired historic significance in their own right will be retained and preserved.***

No comments.

5. ***Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.***

No comments.

6. ***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.***

There is cause for concern because it is stated that "only windows on the second floor will have replaced upper window sashes with true divided light muntins." It is unclear to what extent the remaining of the seventy-seven historic windows will be restored or repaired, if "only" five openings are receiving true divided lights. Repair, rather than replacement of windows is an important standard of practice in historic preservation; assurance of precise replication of missing components, much less whole sash, is important in the actions of the Commission.

The standard of practice for historic preservation is to provide a window survey that details the existing conditions and proposed work (repair, replacement, replication) for all windows. A window survey should be provided in order to be able to evaluate whether or not this Standard is met.

MEMO

1342 W. Adams Blvd.

HISTORIC RESOURCES GROUP

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- 7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.**

There should be concern that this Standard is not addressed. Uninformed application of materials and methods that damage historic materials and finishes is a frequent problem, and the reason for Standard 7.

- 8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.**

No comment.

- 9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.**

The extension of the existing dormer on the south (rear) elevation with three windows, where all materials and features match the historic dormer, except for the fact that there would be a separate group of windows, is compatible, but does not adequately differentiate the addition.

Addition of a tall hedge at the street frontages of the property will change the character of the site and setting for the historic buildings, and the physical and visual relationship of this property to the neighborhood.

Detailing the new stairs and railing on the east (side) elevation to "match the architectural style of the building" diminishes the integrity of the property by failing to differentiate an addition from significant features. These details are not well defined in the documents that are available.

- 10. New additions and adjacent or related new construction will be undertaken in a such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.**

No comments.

MEMO

1342 W. Adams Blvd.

HISTORIC RESOURCES GROUP

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August 19, 2013

Via Email and Hand Delivery

Los Angeles City Council and Planning & Land Use Management Committee
c/o City Clerk (Sharon Gin, sharon.gin@lacity.org)
City Hall, Room 395
200 N. Spring Street, Rm
Los Angeles, CA 90012

Re: Impacts to Bishop Mansion; 1342 West Adams Blvd.; ENV-2012-3129-CE; DIR-2012-3128-COA-SPP

Dear Committee Members:

We write on behalf of the West Adams Heritage Association to object to the proposed reliance on a categorical exemption for Certificate of Appropriateness and Project Permit Compliance to change the use of the historic Bishop Mansion at 1342 West Adams Boulevard from church-related uses to multi-family student housing and to remodel this historic building ("Project"). Reliance on a Class 31 categorical exemption is improper because this Project does not comply with the Secretary of the Interior's Standards for the Treatment of Historic Properties. Additionally, because the proposed Project would adversely impact an historic resource, would result in cumulatively considerable impacts, and cause potentially significant traffic, noise, urban decay and land use compatibility impacts, use of any categorical exemption is prohibited by the California Environmental Quality Act ("CEQA"). Further, consideration of this Project has been improperly segmented by failing to consider the potential impacts of the Property Line Adjustment and reuse of the connected Roger Williams Baptist Church and Bekins Hall. By relying on a categorical exemption, the City would improperly avoid the careful analysis of impacts to this historic resource that is required by CEQA.

I. The Project Does Not Fit Within a Class 31 Exemption.

The City has proposed to approve the Project without environmental review, claiming a Class 31 categorical exemption is applicable. A Class 31 exemption is applicable to "projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties." (CEQA Guidelines § 15331.)

It is the City's burden to prove that the proposed Project fits within this class of categorical exemption. (*California Farm Bureau Fed'n v. California Wildlife Conservation Bd.*, (2006) 143 Cal. App. 4th 173, 186.) The City has failed to meet this burden. Historic Resources

Group, a firm specializing in historic preservation and rehabilitation, prepared a June 14, 2013 memorandum analyzing whether this Project would meet the Secretary of Interior's Standards for Treatment of Historic Properties. (Attachment 1.) Historic Resources Group meets the Secretary of Interior's Professional Qualifications Standards for history, architectural history, architecture, and historic architecture, qualifying them as experts in determining whether a project meets the Standards for Treatment of Historic Properties.

Their expert analysis found the proposed Project would, or could without mitigation, fail to meet five of the ten Standards for the work to be done to the exterior of the Bishop Mansion.

- The Project fails to meet Standard 1 because it would change the use of the site from church-related to multi-family residential. While both church-related uses and single family residential uses are historic uses of this site, the Bishop Mansion has never before been used for multi-family residential uses.
- Standard 2 would not be met because the remodeling would alter the historic character of the site by removing the existing skylight and by replacing the existing semi-transparent walls on the visually prominent porch with solid walls.
- Consistency with Standard 6 cannot be found because the Project as described would only replace the secondary windows with windows that replicate the historic windows. It is unclear how the remaining 77 windows would be repaired or replaced.
- The Project may also run afoul of Standard 7 as there is no condition of approval requiring the gentlest use chemical and physical treatments possible to minimize damage to historic materials.
- Standard 9 would also not be met due to the proposed addition of a tall hedge at the street frontage, which would eliminate existing views of this historic building. The proposed new stairs and railing may also violate this standard as the new work would not be differentiated from the old.

Because the Project would not meet the Secretary of the Interior's Standards for the Treatment of Historic Properties, a Class 31 categorical exemption cannot be used to avoid environmental review for the Project.

Further, Historic Resources Group's expert analysis identified a serious flaw with the staff analysis of this Project—that it fails to consider whether the remodeling of the interior of the Bishop Mansion would comply with the Secretary of Interior's standards. There is no basis for the staff report's claim that impacts to the interior should not be analyzed for compliance with Secretary of Interior Standards. First, the Standards apply to impacts to interiors of buildings. Second, the Class 31 exemption does not limit compliance with the Standards to impacts to the exterior of the building.

The staff report claim may be relying upon an inaccurate analysis of the case *Martin v. City and County of San Francisco* (2005) 135 Cal.App.4th 392. In *Martin*, the court found impacts to the interior of a private single family home that had never been publically accessible or visible were not impacts to the environment, and thus CEQA did not apply. In contrast, here

portions of the interior that would be impacted are visible from the public street and the adjacent Roger Williams Baptist Church. Additionally, these areas were previously publically accessible and would be visible by the proposed residents.

Further, CEQA requires analysis of the whole of a project. Even if the interior remodeling required only ministerial permits, it is part of the whole remodeling project and must be reviewed with the permits required for the exterior remodeling. If "a project involves an approval that contains elements of both a ministerial action and a discretionary action, the project will be deemed to be discretionary and will be subject to the requirements of CEQA." (CEQA Guidelines § 15268.)

Historic Resources Group found that the work in the interior of the building clearly would not be consistent with the Standards. Several character-defining features would be adversely impacted. The entry hall would be gutted and several fireplaces would be removed. The Project would be inconsistent with the Secretary of Interior's Standards both in the exterior and interior work. Thus, the City has failed to meet its burden of establishing the Class 31 exemption is applicable and cannot rely upon a categorical exemption for the Project.

II. Even if a Categorical Exemption Were Applicable, Exceptions to the Exemption Apply.

Even if the Project did fit within the Class 31 exemption, the exemption would be inapplicable because several exceptions to categorical exemptions apply (CEQA Guidelines § 15300.2.)

First, a categorical exemption is "inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant." (CEQA Guidelines § 15300.2(b).) The change in use and alteration of yet another historical mansion on Adams Boulevard is a cumulative impact that must be analyzed. Numerous historical mansions along this "Street of Dreams" have been lost over the years or altered such that they are no longer historically significant. Altering the Bishop Mansion without compliance with the Secretary of Interior Standards for both the exterior *and interior* of the building would be the downfall of another historic mansion. Additionally, the spread of student housing into residential neighborhoods creates cumulative traffic, noise and other impacts. The City has acknowledged these impacts in the Neighborhood Stabilization Ordinance and USC Specific Plan (incorporated by reference). Environmental review must be prepared to analyze the impacts of converting the use of the Bishop Mansion into student housing in an area where single family uses are being forced out by student housing and its impacts.

A categorical exemption is also inapplicable when "there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances." (CEQA Guidelines § 15300.2(c).) The Project is not just to restore an historic building, the type of project contemplated by Class 31. The unusual circumstance is that this Project also changing

the use of the building into student housing. This change in use may result in significant impacts and as set forth above, these impacts must be analyzed.

Further, "[a] categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource." (CEQA Guidelines § 15300.2(f).) While there is uncertainty whether the Bishop Residence was listed on the National Register, the site has been deemed eligible for listing on the National Register by a City survey and is thus a historical resource as defined by CEQA. (Public Resources Code § 21084.1; see also *League for Protection. of Oakland's Architectural and Historic Resources v. City of Oakland* (1997) 52 Cal. App. 4th 896.) The Project is not consistent with several of the Secretary of Interior Standards, in both the exterior and interior alterations proposed, and thus it may cause a substantial adverse change in the historic significance of the Bishop Mansion. (See Attachment 1.) Due to these impacts to this historic resource, a categorical exemption is not allowed.

It is also our understanding that West Adams Boulevard is a designated scenic highway. A categorical exemption shall not be used for a project which may result in damage to ... historic buildings... within a highway officially designated as a state scenic highway." (CEQA Guidelines § 15300.2(d).) Because the Project may result in damage to the historically significant Bishop Residence, which is located along a scenic highway, the Project is not exempt from environment review.

III. CEQA Requires Analysis of the Whole of the Project

Analysis of the impacts of the Property Line Adjustment and the future use of Bekins Hall and the Roger Williams Baptist Church have been improperly segmented from the review of the Certificate of Appropriateness and Project Permit Compliance. "A public agency is not permitted to subdivide a single project into smaller individual subprojects in order to avoid the responsibility of considering the environmental impact of the project as a whole." (*Orinda Assn v. Board of Supervisors* (1986) 182 Cal.App.3d 1145, 1171.)

After applying for a Certificate of Appropriateness and Project Permit Compliance, the site owner applied for a Property Line Adjustment. The purpose of this Property Line Adjustment was to separate the Bishop Mansion and adjoining parking lot from the Roger Williams Baptist Church so that the parking lot could be used solely for the new student housing at the Bishop Mansion. This parking lot is the only off-street parking for the Church and if the Property Line Adjustment were approved, it would result in significant traffic impacts and could adversely impact the Church's continued viability. The site owner subsequently withdrew the application for the Property Line Adjustment with the apparent intention of proceeding with the Project by way of a categorical exemption, instead of preparing an initial study to analyze all of the Project's impacts. This segmentation of portion of a project is specifically prohibited by CEQA; the whole of the project must be considered. (CEQA Guidelines § 15378.) Providing parking to the new student housing is clearly part of the Project to convert the Bishop Mansion to a multi-family residential use and must be analyzed at the same time as the conversion.

Additionally, the site owner has failed to disclose plans for the currently unoccupied Bekins Hall adjacent to the Project site. The intended use of this building must be disclosed so that all of the Project's impacts can be analyzed.

Conclusion

The Class 31 categorical exemption is not applicable because the proposed Project is inconsistent with the Secretary of Interior's Standards. Additionally, several exemptions prohibit the use of a categorical exemption for this Project. We urge you to deny approval of the proposed Project until an initial study and appropriate environmental review document have been prepared to analyze the impacts of the whole of this Project.

Thank you for your time and consideration in this matter.

Sincerely,



Amy Minter

Enclosure

cc: West Adams Heritage Association
Councilmember.Huizar@lacity.org
Councilmember.Cedillo@lacity.org
Councilmember.Englander@lacity.org
Councilmember.Wesson@lacity.org
Councilmember.Parks@lacity.org
Gerald.Gubatan@lacity.org
Jane.Usher@lacity.org

To; The Planning and Land use Committee of the Los Angeles City Council.

From: Art Curtis, Chairman of the North University Park Design Review Board.

Case No. DIR-2012-3128-COA-SPP-1A. My commentary on 1342 West Adams Certificate of Appropriateness issue.

My decision in this case is to support the segment of the plan that we as a board have a legitimate right to comment on. Specifically I support the exterior changes that have been presented to the board and then revised by the developer to accommodate community input. This building is part of a compound that has become an eyesore do to the fact that no one has up until now approached the owners with any creative solutions. The current exterior proposal involves a restoration process that will restore the look of the original architectural details with some minor additions. Landscaping was the second segment of this project. The proposal for the landscaping went far beyond the typical lawn and shrub solution. Altogether this project will enhance the surrounding quality of the area and its almost three quarters of the entire block will have a dramatic and positive effect on Adams.

My regret is that the developer in his enthusiasm to move ahead proceeded to start interior demolition without a building permit and placed the board in a difficult position. Even though we have no control of the interior restoration I felt the board had been compromised and historic community activist begin to challenge our decision.

I do think that the developer and the NUPDRB were not aware or were not advised that 1342 might be a designated NHM. In the end the planning department found that there was no historic monument status.

Currently North University park and the Specific Plan find that the change of occupancy from owner occupant to renter occupant has become a problem for the board and the stability of the architecturally historic neighborhood. We cannot fill the vacancies on the board from the local community to represent local homeowners. That trend is accelerating as prices for individual homes rise above the market average and rental cost rise with them making owning these homes more lucrative to rent then to be an owner occupant single family residence in North University Park. Even though I may not support the amount of rooms being proposed by this plan I do think the exterior restoration and maintenance will be worth the trade off.

Thank you,

Art Curtis – Chairman of the North University Park DRB

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Thank you,

Art Curtis – Chairman of the North University Park DRB



Etta Armstrong <etta.armstrong@lacity.org>

CF 13-0903, Case No. ENV 2012-3129-CE

1 message

Sharon Gin <sharon.gin@lacity.org>
To: Etta Armstrong <etta.armstrong@lacity.org>

Tue, Aug 20, 2013 at 11:55 AM

----- Forwarded message -----

From: **Terry Kaufmann-Macias** <terry.kaufmann-macias@lacity.org>
Date: Tue, Aug 20, 2013 at 11:01 AM
Subject: Fwd: 1342 West Adams: CF 13-0903, Case No. ENV 2012-3129-CE
To: Sharon Gin <sharon.gin@lacity.org>, Michelle Levy <michelle.levy@lacity.org>

Hi, Sharon and Michelle, I need an answer to Laura's claims. Can you let me know what's up? Thanks, Terry

----- Forwarded message -----

From: **Laura Meyers** <lauramink@aol.com>
Date: Tue, Aug 20, 2013 at 10:49 AM
Subject: Fwd: 1342 West Adams: CF 13-0903, Case No. ENV 2012-3129-CE
To: terry.kaufmann-macias@lacity.org

Good morning, Terry. Regarding today's PLUM agenda item, CF 13-0903, Case No. #AOLMsgPart_2_d594034b-028b-45a7-951e-bd084f6cc3b5 td{color: black;} @font-face { font-family: "Calibri"; }.aolReplacedBody p.MsoNormal,.aolReplacedBody li.MsoNormal,.aolReplacedBody div.MsoNormal { margin: 0in 0in 8pt; line-height: 107%; font-size: 11pt; font-family: "Times New Roman"; }.aolReplacedBody div.Section1 { page: Section1; } ENV 2012-3129-CE and #AOLMsgPart_2_d594034b-028b-45a7-951e-bd084f6cc3b5 td{color: black;} @font-face { font-family: "Calibri"; }.aolReplacedBody p.MsoNormal,.aolReplacedBody li.MsoNormal,.aolReplacedBody div.MsoNormal { margin: 0in 0in 8pt; line-height: 107%; font-size: 11pt; font-family: "Times New Roman"; }.aolReplacedBody div.Section1 { page: Section1; } DIR-2012-3128-COA-SPP-1A:

You may or may not be aware that ALL the prior written submissions in this case were shredded or otherwise disposed of; the master case file is not currently lodged at the Planning Department's Automated Records Section nor at the Commission Secretariat NOR was the full case file transmitted to the Clerk for the City Council's review. I have tried to emphasize the importance (to Ms. Gin and others) of the numerous expert opinions as well as the material in the letter submitted by West Adams Heritage Association's attorney relative to an environmental case, and have attached some of the pertinent submissions for your review – since I am not sure if you received any of this previously. I have also added my actual CEQA appeal narrative, in case even that was not transmitted.

Thank you, Laura Meyers
Appellant on behalf of West Adams Heritage Association (WAHA)

-----Original Message-----

From: Laura Meyers <lauramink@aol.com>
To: sharon.gin <sharon.gin@lacity.org>
Sent: Tue, Aug 20, 2013 8:12 am
Subject: Fwd: 1342 West Adams: CF 13-0903

Good morning, Ms. Gin. All of the attached letters were copied to me. I have forwarded them to CD8 (only). I do NOT see these posted in the Council File Management section of your website, under public communications. Perhaps I am missing something or my browser won't

refresh. But please do be sure the publicly-visible portion of this file is complete. And that all of these communications are forwarded not just to each PLUM Committee member for today's session, but also to all the other elected Council members. I appreciate your help in this matter. You apparently are now the only keeper of a semi-complete file; the Planning Department's Automated Records Section has no documents and their records show that the entire case file was "checked out" by a planner who says she does NOT have the contents of the file. So please let's make sure YOUR file does not suffer the same fate.

Thank you, Laura Meyers (Appellant on behalf of West Adams Heritage Association, WAHA)

-----Original Message-----

From: Laura Meyers <lauramink@aol.com>
To: sharon.gin <sharon.gin@lacity.org>

to: noel.palais <noel.palais@lacity.org>
Sent: Tue, Aug 20, 2013 7:56 am
Subject: 1342 West Adams: Additional letters, inc. legal representation

Good morning, Noel. Welcome back -- it was nice talking with you yesterday.

Regarding 1324 West Adams, I've attached several letters which were forwarded to the clerk and also the three councilmembers who sit on the PLUM committee, but I have no idea if they have also landed with you.

I only reviewed the letter from the Chatten-Brown law firm. The other letters were copied to me after they were sent in. The file may well include additional letters at this point.

What the City Council now has before it, in addition to my Appeal (on behalf of WAHA) is a letter from a well respected environmental law firm stating that a categorical exemption is inappropriate in this instance and not legally defensible; a letter from an equally well-respected historic consultant stating that the project does not meet Secretary of Interior standards and therefore does not qualify for a Class 31 categorical exemption; a letter from someone who apparently (judging from the content) is an expert in the application of the City's own written policies on categorical exemptions; and several letters from Qualified Historians (including myself but I am the named appellant) also explaining why this project cannot be deemed categorically exempt.

In summary, for today's session in particular, WAHA (and also these letter writers) are asking the City Council to NOT certify the Categorical Exemption; AND to send the environmental clearance back to the Planning Department for an Initial Study/evaluation (including a full description of the entire contemplated project, specifically related to the sanctuary and Bekins Hall buildings), and decision (hopefully by the somewhat independent Environmental Section) as to whether to require an ND, MND or full EIR. This action would therefore also uphold WAHA's appeal relative to the project as a whole (because a project cannot be approved without an environmental clearance.)

Thank you very much.

Laura Meyers

--
Terry Kaufmann Macias, Dep. City Attorney
Managing Assistant
Land Use Division
Los Angeles City Attorney's Office
200 North Main Street, 7th Floor, MS 140
Los Angeles, California 90012
(213) 978-8233
(213) 978-8214 (fax)
Terry.Kaufmann-Macias@lacity.org

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7 attachments

 **WAHA_letter_re_Bishop_Mansion.pdf**
64K


 **1342_Adams_Ken-Smith_ltr.pdf**
221K


 **1A1342adamsPLUMnupca.doc**
32K

1342_West-Adams_Hilburg
45K

1A1342adamsPLUMadhes.doc

 1A13428021MSFL0M2a0100.000
27K

 Hist_Res_Group_Comment_Memo_1342_Adams_Blvd_June_17_2013.pdf
55K

 CEQA_Appeal.doc
62K

CHATTEN-BROWN & CARSTENS LLP

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Because the Project would not meet the Secretary of the Interior's Standards for the Treatment of Historic Properties, a Class 31 categorical exemption cannot be used to avoid environmental review for the Project.

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Planning and Land Use Committee
August 19, 2013
Page 5 of 5

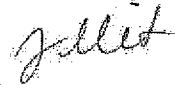
Additionally, the site owner has failed to disclose plans for the currently unoccupied Bekins Hall adjacent to the Project site. The intended use of this building must be disclosed so that all of the Project's impacts can be analyzed.

Conclusion

The Class 31 categorical exemption is not applicable because the proposed Project is inconsistent with the Secretary of Interior's Standards. Additionally, several exemptions prohibit the use of a categorical exemption for this Project. We urge you to deny approval of the proposed Project until an initial study and appropriate environmental review document have been prepared to analyze the impacts of the whole of this Project.

Thank you for your time and consideration in this matter.

Sincerely,



Amy Minter

Enclosure

cc: West Adams Heritage Association
Councilmember.Huizar@lacity.org
Councilmember.Cedillo@lacity.org
Councilmember.Englander@lacity.org
Councilmember.Wesson@lacity.org
Councilmember.Parks@lacity.org
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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
1644 Westmoreland Blvd.
Los Angeles, CA. 90006
Mobile phone: 213.304.1800

August 16, 2013

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

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Sincerely,

Kenneth Smith, Ph.D. – Resident in the West Adams Area of Los Angeles
1644 Westmoreland Blvd.
Los Angeles, CA. 90006
Mobile phone: 213.304.1800

North University Park Community Association (NUPCA)

August 19, 2013

Los Angeles City Council and the Planning and Land Use (PLUM) Committee

C/O City Clerk (Sharon Gin, sharon.gin@lacity.org)

200 North Spring Street, Room 395

Los Angeles, CA 90012

RE: 1342 West Adams Blvd., Los Angeles CA 90007

Case No. DIR-2012-3128-COA-SPP-1A; ENV 2012-3129-CE, Council File No.
13-0903

Honorable Councilmembers Huizar, Cedillo and Englander :

The North University Park Community Association is a non-profit community organization active since 1979 which seeks to preserve and enhance the quality of life in the University Park area including protecting and enhancing its architectural and cultural resources. The proposed project falls within NUPCA's area of interest and concern. NUPCA offers the following comments on the above referenced Certificate of Appropriateness (COA) and Categorical Exemption (CE) and the approvals granted by these actions. We ask that the Commissioners support the appeal for the reasons stated in the appeal and also for the following reasons.

NUPCA finds the issuance of a Categorical Exemption (CE) arbitrary and capricious. Planning has set an arbitrary threshold to allow a CE when there is only one entitlement being asked for. This threshold is not found anywhere in CEQA, or in Article 13 (Categorical Exemptions) or in the State Public Resources Code. The proposed Categorical Exemption (CE) for the project at 1342 West Adams Boulevard is not legally sufficient to meet the requirements of CEQA in protection of our environment.

Categorical exemptions should never be used when there is a historic property involved, and particularly one whose use is being changed.

Title 14, California Code of Regulations, Chapter 3, Guidelines for Implementation of CEQA, states a categorical exemption should not be used *where the activity would cause a substantial adverse change*. Further Section 15300.2 (c), which the preparer cites as the basis for a Categorical Exemption, explains:

Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment.

CEQA sets a very low threshold for not permitting a CE, namely that it should not be used where there is a **reasonable possibility of the activity having a significant effect**. The appeal by WAHA has met that bar and made a more than reasonable argument that the current plans will have a significant effect with:

- a.) Numerous experts have shown that the project involves changes that are not compliant with Secretary of Interior Standards.
- b.) The development plans have demonstrated significant impacts on the historic resources and the record meets the standard of a reasonable argument that there are significant impacts.
- c.) The project involves multiple historic structures which apparently are being redeveloped over time without disclosing the entirety of the project.
- d.) The project introduces windows and doors where previously there were none, completely altering the rhythm of the building's very visible facades.
- e.) The project significantly alters the spatial relationships of the buildings and its presence on the Adams Boulevard block face.
- f.) The project site involves an area that has undergone significant cumulative impacts including the demolition of the Holterhoff Mansion on the adjacent southwest corner of Adams and Menlo, the relocation of the Jesuit Houses on Menlo as part of redevelopment of the Ralphs Market, and the adoption of an NSO.

The project is hardly a minimal change to the defining characteristics of the building and its site and environment.

The restoration of the Roger Williams Baptist Church compound must be done in the context of Adams Boulevard as a scenic highway and in the context of Adams Boulevard as a Boulevard of churches and mansions. It also should be understood as a property certified as individually eligible to be listed on the National Register of Historic Places, the interior of the property is also protected from incompatible change. One of the character defining elements of the William Bishop Residence is its interior entryway which extended in an open manner to the second floor which has a balcony. **This is a significant interior element yet, the developer, without permits, gutted the interior of the Bishop mansion.** The South Community Plan calls for development to *complement any unique existing development/uses to reinforce desirable characteristics and uses* (I-6, South Community Plan). Yet the proposed project undermines both the existing characteristics and uses.

The project as proposed fails to preserve or rehabilitate the existing historic place, i.e., the compound which includes the William T. Bishop Residence, its cloisters, and the Roger Williams Baptist Church. It fails to *Preserve and enhance the positive characteristics of existing uses which provide the foundation for community identity, such as scale, height bulk setbacks and appearance* (II-3, South Community Plan.). Instead the stately buildings are cut up into a rabbit warren of student rental units in an effort to squeeze every bit of rented space including the attic and basement. An adaptive reuse is possible, and we can support adaptive reuse, but such use must respect the exterior and interior character defining features of the compound. Destroying major interior open spaces, such as the Bishop Residence entryway, does not comply with the Secretary of the Interior's Standards nor with the stated goals of the South Community Plan.

The Categorical Exemption is built on a premise that is false, and therefore the decisions that follow are insupportable. The major assumption that the project meets the Secretary of Interiors Standards and does no significant harm to cultural resources is a false and misleading construct. If you buy this concept you will be lead down a path of faulty logic. The developer pushed ahead

destroying historic fabric with no permits and now is asking to be rewarded by approving the project plans and the CE.

In addition, the developer is being allowed to piecemeal elements of the project which hide subsequent discretionary actions, such as lot line adjustments. The whole of a project must be reviewed in order for the decision maker to understand the true impacts of what is being proposed.

The purpose of the environmental quality act includes the establishment of a low threshold for the preparation of an EIR, and the act must be interpreted liberally "to afford the fullest only possible protection of the environment within the reasonable scope of the statutory language." (Friends of Mammoth v. Board of Supervisors, 8 Cal 3d 247, 29 (1972) guidelines Section 15003 (f). The potential significant environmental effects of the proposed project which alters the spatial relationships of the built form, removes historic fabric with the gutting of the Bishop Residence grand hall entry way, "piece meals" the development of the site, along with numerous other changes, demonstrates a significant environmental impact. The California Supreme Court in No Oil v. City of Los Angeles concluded that the interpretation of CEQA, which affords the fullest possible environmental protection, is **"one which will impose a low threshold for the preparation of an EIR."**

We ask that the Councilmembers support WAHA's Appeal, not certify the environmental clearance, rescind the categorical exemption, and direct the Planning Department to initiate legally sufficient environmental review. To allow a categorical exemption to stand will result in serious and irreparable harm to our historic environment. Planning must undertake fact based environmental review beginning with an initial study and checklist, which would then determine whether an ND, MND or EIR is required.

Sincerely,

Jean Frost
North University Park Community Association
c/o 2341 Scarff Street
Los Angeles, CA 90007
213 840-5998
indiejean@att.net

July 19, 2013

MASTER APPEAL FORM CONTINUATION SHEET:

Case No. ENV-2012-3129-CE

Case No. DIR-2012-3128-COA-SPP

1342 West Adams Blvd., Los Angeles CA 90007

PROJECT DESCRIPTION -- Director's approval of a Certificate of Appropriateness and a Project Compliance Permit; and a Categorical Exemption from CEQA (California Environmental Quality Act), for:

"The conversion of two structures from office and Sunday School use to residential use; rehabilitation and restoration of exterior of both structures; addition of new dormers and exterior deck/stairs to primary structure; addition of 184 square feet to second story of accessory structure; and landscaping, gate and other site work on the property."

This is an appeal to the Los Angeles City Council of the South Area Planning Commission's (SAPC) certification of ENV-2012-3129-CE. A Categorical Exemption for this project is insufficient and not legally defensible, for reasons outlined in detail below. I am appealing the Determination on behalf of myself and West Adams Heritage Association (WAHA), the original Appellants. After working for 30 years to conserve and protect the designated and identified historic resources in the West Adams District – including quite specifically the subject site – West Adams Heritage Association and I, personally, are aggrieved parties in this case, which if not appealed would permit the permanent alteration and demolition of designated historic resources. This justification letter will describe the points at issue and why we believe the decision-maker erred or abused discretion in this matter.

In January, Planning Staff issued a Categorical Exemption tied to its original Certificate of Appropriateness, which WAHA appealed. In April, Planning Staff stated that the categorical exemption process is insufficient and not permissible under CEQA, and that a more complete analysis of the entire project "in its totality" is mandated. In June, Staff changed its mind again, and recommended that the SAPC certify the Categorical Exemption. Fickle decision-making aside, the use of a Categorical Exemption is essentially "unreasonable," as it was not based on an evaluation of the totality of the project (which at minimum now involves a mixed use of religious facilities and housing that spans seven contiguous lots and two separate Assessor Parcel Numbers [APNs], with no information as to the final use of two of the four extant historic buildings on the site; and would seem to still need an entitlement process to either permit the mixed use on the site OR a ZAA to permit the zero-foot setback between the housing use and the religious use, AND/OR a variance to permit zero parking for a new use for the Bekins Hall; AND/OR some other entitlement that we cannot envision because the plans for the entire complex of four extant historical has not been described.)

Moreover, the use of the Categorical Exemption was predicated on Staff's assumption that this project meets Secretary of Interior Guidelines. It does not.

If the CEQA clearance is defective, then the entire Determination is as well. As a result, we hereby also appeal the case in whole, and request that this appeal be heard by the Los Angeles City Council.

Furthermore, the South Area Planning Commission abused discretion when it chose to not have any substantive discussion of facts raised by Appellant, its consultant or members of the public. The Planning Commission staff also erred when it did not provide the Planning Commission copies of the many letters and other materials provided to the Commission staff, in a timely manner, between March and June, 2013. The SAPC hearing in this matter was postponed several times, and each time additional comments were submitted to the record. Rather than making additional copies (or requesting additional copies from each of the original public commentators' respective materials), and then re-distributing said materials to each Commissioner, Commission staff chose instead to dispose of the materials. As a result, as one Commissioner stated, Commission members did not have the full case to evaluate in advance.

The Categorical Exemption cannot be properly utilized for this project, for the following reasons (discussed in more detail below the list of bullet points):

- This project does not meet Secretary of Interior Standards
- The project has been split.
- Staff's *jurisdiction* over the exterior only does not excuse Staff from a proper CEQA *evaluation*; if Staff is using Class 31 of CEQA Exemptions as its basis, conformance with the Standards requires evaluation of interior changes as well as exterior changes.
- The project creates cumulatively considerable impacts; a Categorical Exemption is not permitted in cases of cumulative impacts.
- The change of use to multiple units is not exempt under CEQA (e.g., this action does not appear on the list of categorically exempt activities).
- The SAPC abused its discretion when it chose to not have any substantive discussion of facts raised by Appellant, its consultant or members of the public. Indeed, there was literally no discussion at all.
- Planning Staff abused its discretion by reviewing and continuing to review the Bishop Residence solely as a contributor to the North University Park Specific Plan and ignoring completely its individual eligibility for National Register Listing.
- Staff has indicated that it uses informal, in-house private checklists to determine whether or not to utilize a C.E. versus utilizing the publicly-transparent Initial Study process to determine the level of environmental clearance, a further abuse of discretion.
- Moreover, Staff now also indicates that the Department has an internal guideline that a project is exempt if it only has a single entitlement but not exempt if it needs two or more entitlements. That threshold does not appear in either the California Environmental Quality Act's Article 19 (Categorical Exemptions) nor in the State's Public Resources Code.
- CEQA establishes a low threshold for the preparation of an EIR, and in particular sets a bar that when experts (Qualified Historians) disagree, then the fullest possible evaluation shall take place. Several Qualified Historians stated that the project does not meet Secretary of Interior Guidelines.

The proposed Categorical Exemption (CE) for the project at 1342 West Adams Boulevard is not legally sufficient to meet the requirements of CEQA in protection of our environment. *Title 14, California Code of Regulations, Chapter 3, Guidelines for Implementation of CEQA*, states a categorical exemption should not be used *where the activity would cause a substantial adverse*

change. Furthermore, Section 15300.2 (c), explains: Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment.

CEQA sets a very low threshold for not permitting a Categorical Exemption, namely that it should not be used where there is a reasonable possibility of the activity having a significant effect. The appeal by WAHA has met this bar for the following reasons:

The project has been split. Applicant has never explained how the church sanctuary building will be given back to the Roger Williams Baptist Church congregation, nor exactly what the future use will be for the Bekins Hall building (e.g., will it also become student housing? Or what other use?) The California Environmental requires that the entire foreseeable project be described, even if the implementation may be phased in.

The use of a Categorical Exemption is impermissible when a project cumulatively adds to the significant impacts of projects that have preceded it, even if those projects were initiated by other owners/developers/applicants.

[Citation: Title 14. California Code of Regulations, Chapter 3. Guidelines for Implementation of the California Environmental Quality Act; Article 19. Categorical Exemptions, Section 15300.2. Exceptions: (b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.]

The City has already acknowledged that the cumulative impact of student housing has harmed the residential neighborhoods surrounding USC, including North University Park. That is why it has previously adopted the USC Specific Plan and the Neighborhood Stabilization Ordinance with its associated overlay zone. WAHA is not requesting that this project be evaluated within the prism of the NSO. However, for purposes of CEQA, it should be evaluated as to whether or not this project would add to the significant impacts already identified (e.g., a categorical exemption is insufficient, and an Initial Study is required to determine if there are impacts and, if so, can they be mitigated?)

In addition, Staff and the SAPC failed to consider the cumulative impacts on the loss of historic mansions on Adams Boulevard. Although Owner/Applicant proposes to retain the façade of the Bishop Mansion (with both historical and proposed new alterations), its use as either a single family home or adaptive reuse as any number of uses compatible with its original interior configuration (e.g., current use as an accessory religious facility/offices or new use as congregant housing, or similar) is precluded by the complete gutting of the interior. The "shell" of the mansion is also being altered. West Adams Boulevard, a scenic highway, was once home to dozens of imposing mansions. Today, in the University Park/North University Park neighborhoods, fewer than a dozen still remain. It is foreseeable, if this proposed new use as eight apartments fails, that then there would be no good future use – adaptive or otherwise – for a no-longer-original historic resource, potentially leading to its demolition/loss.

The project was given a Categorical Exemption pursuant to Section 15300, Class 31 of the California Environmental Quality Act. However, Section 15300, Class 31 would not include the change of use to eight (8) housing units; the creation of eight units is not exempt from

CEQA (although it may have easily mitigated impacts, or none at all; it would still require a ND or MND.) Moreover, Applicant has apparently made it clear that the owners intend to re-subdivide the multiple parcels so as to separate the Bishop Residence from the Roger Williams Baptist Church to the east, which is an entitlement project that does not permit the phasing in of environmental assessments and/or clearances (one project, one review).

Staff incorrectly made Findings that the project as presented meets Secretary of Interior Standards for Rehabilitation, and therefore Staff recommended and the SAPC certified an inappropriate Categorical Exemption that neither complies with Class 31/Section 15331 nor any other Class/Section in the list of Categorical Exemptions. Class 31 requires that a project be fully compliant with Secretary of Interior Standards and that there shall be no adverse effect on a historic resource. However, in the instant case, the complete gutting of the historic building is an adverse effect and in and of itself is not compliant with the Guidelines. And, as was made evident by numerous Qualified Historians in their comment letters, the specifics of the adaptive reuse project – such as the addition and alteration of numerous windows and doors – does not meet the Standards.

[Citation: Title 14. California Code of Regulations, Chapter 3. Guidelines for Implementation of the California Environmental Quality Act; Article 19. Categorical Exemptions, Section 15331. Historical Resource Restoration/Rehabilitation. Class 31 consists of projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (1995), Weeks and Grimmer.

Note: Authority cited: Section 21083, Public Resources Code. Reference: Section 21084, Public Resources Code.

Discussion: This section establishes an exemption for projects involving the maintenance, rehabilitation, restoration, preservation, or reconstruction of historical resources, provided that the activity meets published federal standards for the treatment of historic properties. These federal standards describe means of preserving, rehabilitating, restoring, and reconstructing historic buildings without adversely affecting their historic significance. Use of this exemption, like all categorical exemptions, is limited by the factors described in section 15300.2 (Exceptions) and is not to be used where the activity would cause a substantial adverse change in the significance of a historical resource.

SOURCE: <http://ceres.ca.gov/ceqa/guidelines/art19.html>

Title 14. California Code of Regulations, Chapter 3. Guidelines for Implementation of the California Environmental Quality Act, Article 19. Categorical Exemptions]

The project has already gutted the interior without permits (a substantial adverse change.) On this basis alone the project does not qualify for a Categorical Exemption.

The project as proposed fails to preserve or rehabilitate the existing historic place, i.e., the compound which includes the William T. Bishop Residence, its cloisters, and the Roger Williams Baptist Church. It fails to *Preserve and enhance the positive characteristics of existing uses which provide the foundation for community identity, such as scale, height, bulk, setbacks and appearance*

(II-3, South Community Plan.). Instead the stately buildings are cut up into a rabbit warren of units in an effort to squeeze every bit of rented space including the attic and basement. An adaptive reuse is possible, and we can support adaptive reuse, but such use must respect the exterior and interior character defining features of the compound. Destroying major interior open spaces, such as the Bishop Residence entryway, which is visible from the street and has been in use as a public gathering space and for religious services since the 1930s, does not comply with the Secretary of the Interior's Standards nor with the stated goals of the South Community Plan.

There are many other additions and changes to the original exterior shown in the provided architectural plans, enough so that these changes are neither minor nor fully compliant with the Standards.

**** Standard No. 1: "A property shall be used for its historic purpose, or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment." However, this Project proposes many changes (not minimal changes) to the defining characteristics of the building.***

The Applicant proposes putting eight (8) apartments into an original 2-story house. To do so, Applicant will be removing the two-story grand entry reception hall (visible to passersby on the street), adding a floor, and putting housing units in the attic and the basement, triggering the necessity to add MANY windows and dormers on the (visible) rear of the house. Note that the Bishop Residence is on a corner and thus its "rear" is highly visible from Menlo Avenue, and its eastern elevation is visible from Adams Boulevard. Staff writes that the change of use "does not result in a significant impact to the character-defining features."

It also should be understood that as a property certified as individually eligible to be listed on the National Register of Historic Places (Level 3S), the interior of the property is also protected from incompatible change. One of the character defining elements of the William Bishop Residence is its interior entryway that extends in an open manner to the second floor, which has an open balcony surrounding the space. This is a significant interior element, yet the developer, without permits, gutted the interior of the Bishop Mansion. The South Los Angeles Community Plan calls for development to *complement any unique existing development/uses to reinforce desirable characteristics and uses* (I-6, South Community Plan). Yet the proposed project undermines both the existing characteristics and uses.

Additionally, a Qualified Historian has rendered an opinion that the project currently does not fully meet the Secretary's Standards. Peyton Hall, FAIA, of Historic Resources Group, who meets the Secretary of the Interior's Professional Qualifications Standards (36 CFR Part 61) for History, Architectural History, Architecture, and Historic Architecture, stated in part (full memo attached):

"We have reviewed the proposed work as described in your documents (Department of City Planning Recommendation Report, June 18, 2013), and found that it may not meet the Secretary of the Interior's Standards for Rehabilitation, associated Guidelines, and available Preservation Briefs that assist in interpreting the Standards for the Treatment of Historic Properties (36 CFR 68). Therefore, a decision that relies on a finding of meeting the "Standards" may not be sound, since further study and possibly modifications to the analysis and findings, and to the project, could be necessary in order to make that finding.

"1. 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.

"We concur that a property can be adaptively reused for a different use, and that the proposed project meets Standard 1. However, take note that change of use to multi-family residential is not more in line with the historic use as a single-family residence than the current church-related use because the current church-related use is also a historic use. The fact that current zoning allows an R4 use by-right is not relevant to meeting the Standards for Rehabilitation and any potential impacts on a historic resources.

"....6. 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.

"There is cause for concern because it is stated that "only windows on the second floor will have replaced upper window sashes with true divided light muntins." It is unclear to what extent the remaining of the seventy-seven historic windows will be restored or repaired, if "only" five openings are receiving true divided lights. Repair, rather than replacement of windows is an important standard of practice in historic preservation; assurance of precise replication of missing components, much less whole sash, is important in the actions of the Commission."

WAHA acknowledges that the project has been adjusted to address many of our concerns about changes to the exterior. However, in addition to concerns that were addressed (such as the Cloister is no longer proposed for removal, which we appreciate), and the aforementioned issues, there remains an open issue relative to the enclosed porch/sunroom on the northeast corner of the Bishop Mansion. Plans call for the multiple windows to be changed (smaller openings) or removed entirely, apparently in an effort to provide more privacy to future occupants who will be utilizing that space as a living/dining area. This is a major alteration of the building, and completely unnecessary – privacy can be afforded in a reversible manner, utilizing window coverings.

At the same time, a foreseeable adverse change to the Roger Williams Baptist Church itself, the related historic resource, has not been evaluated. Applicant is removing 100% of parking from the existing church sanctuary building (circa 40 parking spaces) by utilizing them for the new apartments use. WAHA understands that LADBS has indicated that at this point no parking is technically required for the religious/Sunday worship use in the Rogers Williams Baptist Church sanctuary building (that is, the original building permit approval in 1933-1934 apparently didn't specify a number of parking spaces, although the permit did indicate that the church would comply with all parking regulations.) However, from the point of view of a CEQA clearance and compliance with the Secretary of Interior Standards, the project cannot be categorically exempt if it has an adverse effect on the environment (cars circulating through the North University Park neighborhood seeking parking on Sundays would constitute a potentially significant traffic/circulation impact) and/or an adverse effect on a historic resources (the church sanctuary) -- of course, without any parking the Roger Williams Baptist Church itself would be less viable and is unlikely to be able to survive. A church building without a congregation is at risk (e.g., a foreseeable adverse effect.)

Further, there has been no discussion of the use(s) of the associated Bekins Hall building, itself also

a local and identified federal historic resource. We do not know what impacts, if any, this project may have on that building, or, conversely, what impacts a new use of that building may have on this project or the adjacent neighborhood. Owner is a developer and manager of student housing. What is the proposed use of the large social hall structure? If it shall be vacant, that in and of itself is an adverse effect on a historic building, and thus a Categorical Exemption shall not be used for this project.

WAHA is well aware that Staff's position is that if the Owner has not yet applied for a building permit or entitlement, then Staff need not concern itself with the over-arching plans. We respectfully disagree with this position.

In this project, the developer is being allowed to piecemeal elements of the total project, which potentially hides subsequent discretionary actions and prevents a true evaluation of the whole picture. The whole of a project must be reviewed in order for the decision maker to understand the true impacts of what is being proposed. The purpose of the California Environmental Quality Act includes the establishment of a low threshold for the preparation of an EIR, and the act must be interpreted liberally "to afford the fullest only possible protection of the environment within the reasonable scope of the statutory language." (*Friends of Mammoth v. Board of Supervisors*, 8 Cal 3d 247, 29 (1972) guidelines Section 15003 (f). The potential significant environmental effects of the proposed project which alters the spatial relationships of the built form, removes historic fabric with the gutting of the Bishop Residence (especially its grand hall entry way), removal of parking for the church itself (creating traffic and circulation impacts in the adjacent neighborhood), and numerous other changes, demonstrates a significant environmental impact. The California Supreme Court in *No Oil v. City of Los Angeles* concluded that the interpretation of CEQA, which affords the fullest possible environmental protection, is **"one which will impose a low threshold for the preparation of an EIR."**

For these reasons and those stated in our earlier appeal and responses to Staff Reports, I ask that you reject the project's Categorical Exemption and require that an Initial Study and Checklist be prepared with the goal of a more complete environmental review to allow for public input, discussion, evaluation of the total project on the entire complex of several lots, and review of Project Alternatives as the legally-mandated CEQA clearance for the project requires. If the Categorical Exemption is allowed to stand the community and the environment will suffer significant and irreparable damage

Respectfully submitted,

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