



Los Angeles
Department
of City Planning

OFFICE OF HISTORIC RESOURCES

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May 13, 2014

TO: Jose Huizar, Chair
Planning and Land Use Management Committee

FROM: Ken Bernstein, AICP *KB*
Manager, Office of Historic Resources

SUBJECT: CEQA Appeal of ENV-2012-83-MND-REC1

BACKGROUND

The proposed project is the construction of a 29-unit multi-family affordable housing development with underground parking, located at 2003 South Oak Street, in the University Park Historic Preservation Overlay Zone (HPOZ) neighborhood of the South Los Angeles Community Plan Area. The University Park HPOZ district was adopted in March 2000 and covers a community roughly bounded by the I-10 Freeway to the north, the 110 Freeway to the east, and Vermont Avenue to the west. The southern boundary of the district runs roughly along West Adams Boulevard to Hoover Street, north on Hoover to 24th Street, and then west along 24th Street to Vermont Ave. The National Register 20th Street Historic District is located immediately west of the subject property. In this HPOZ area, physical changes to the exterior of a property are required to be reviewed by Department of City Planning Staff and/or the appointed University Park HPOZ Board pursuant to the provisions of Los Angeles Municipal Code Section 12.20.3.

A Mitigated Negative Declaration (MND) was adopted for the project on October 18, 2012. Minor adjustments to the project were then proposed by the Applicant in March 2013 in response to a determination regarding setbacks by the Office of Zoning Administration. On April 10, 2013, it was found that the revised project created no additional impacts, and an MND Reconsideration determination was issued. A Certificate of Compatibility (CCMP) was approved by the Director of Planning on July 18, 2013 finding the project, as designed and conditioned, to be compatible with the University Park HPOZ. On November 22, 2013 the Associate Zoning Administrator approved a Zoning Administrator's Adjustment (ZAA) for reduced setbacks and a Site Plan Review (SPR) determination for a joint public-private development in a Public Facilities zone.

The current CEQA Appellant initially appealed the CCMP and ZAA/SPR case decisions to the South Area Planning Commission (APC). The South APC unanimously voted on January 21, 2014 to deny both appeals and uphold the Director's and Zoning Administrator Decisions, and the CEQA Determination for the project. The Appellant is now appealing the adoption of a Mitigated Negative Declaration as Environmental clearance for the project.

final design of central Building 3 minimizes the massing by placing only four units on the third floor, and uses sloping roof forms in a Dutch Colonial architecture style. The lot coverage guideline of 35 percent or less in the UPPP, intended to assure adequate open space and recreation areas on a site, is addressed within the final project design's use of common open space areas. To minimize changes to the historic character of the neighborhood, the project Applicant has voluntarily relocated 100 percent of the parking to an underground garage to further maximize opportunities for open space. The project Applicant's survey of prevailing setbacks on Oak Street and the neighboring streets including the 20th Street National Register District provides extensive evidence of the varied street setbacks found throughout the area. The Findings detail how the proposed design is an appropriate response by the project to adapt a multi-family multi-lot development to conform to the historic character of the area.

Appellant's contention 2: The Project poses a significant unmitigated impact because it does not meet the exact language of each guideline of the University Park Preservation Plan.

Staff response 2: The Appellant's contention is that any allowance for deviation from to the guidelines of the UPPP creates an unmitigated impact to the HPOZ and National Register historic districts. However, the UPPP recommendations are guidelines, and not standards which have the enforceability of an ordinance. The Guidelines of the University Park Preservation Plan (UPPP) serve as an elaboration of the Secretary of the Interior's Standards for the Treatment of Historic Properties as guidelines to provide design recommendations on rehabilitation work on historic structures and the design of new projects. A central contention of the Appellant's argument is that the Guidelines are immutable mandatory standards that require full adherence in all situations. The UPPP Guidelines have been adopted by the City Planning Commission to provide general direction and guidance to project applicants, the HPOZ Board, and City Staff.

HPOZ Ordinance Section 12.20.3.L defines the purpose of the Certificate of Compatibility (CCMP) for new development as a process "to assure that the construction work is undertaken in a manner that does not impair the essential form and integrity of the Historic character of its environment." Although the UPPP provides multiple instances of specific quantitative guidelines, interpreting whether the built form of a new development will "not impair the essential form and integrity of the Historic character" of a neighborhood also inherently involves qualitative analysis. The CCMP process is more than just a staff review to determine that a project meets all mathematical Zoning requirements. The CCMP process requires the consideration of qualitative, interpretive input through a public hearing process from the HPOZ Board, the Cultural Heritage Commission (CHC) staff architect, and any opinions and evidence provided by the public and the applicant. The extensive Findings included in the Director's Decision provide a detailed analysis of those factors and how, both for the specific guidelines and the Preservation Plan as a whole, the project meets the purpose of the CCMP process, and therefore does not constitute a significant unmitigated impact to the HPOZ district.

Appellant's contention 3: The application of the UPPP with respect to new infill development does not permit consideration of "the broader neighborhood context". The Plan requires in this case compatibility and conformance with the specific historic setting, and the project represents an out-of-scale extraneous development that presents a significant impact by being oversized versus the prevailing conditions.

Staff response 3: The UPPP was not created to address every potential land use possible within the Plan area. The Plan generally envisions small-scale development on a single lot or a small consolidation of lots. The Norwood project is the redevelopment of six lots that had been previously consolidated to one large, 0.73 acre surface parking lot. The multi-family typology of the Norwood project is not one contemplated by the UPPP. The plan provides guidance on

compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and the environment.”

Staff response 5: As the project site itself is a Non-Contributing parking lot, there are no existing historic resources on-site to be affected. In regards to the impact of the new development on the character of the surrounding HPOZ district, the CCMP findings extensively examine and analyze the existing condition of the built environment of the neighborhood, including the adjacent 20th Street National Register District, and conclude in all cases, both qualitatively and quantitatively, that the development is compatible.

CONCLUSION

Staff recommends that the PLUM Committee deny the appeal and sustain the Mitigated Environmental Declaration adopted for the project.