



DEPARTMENT OF CITY PLANNING RECOMMENDATION REPORT

City Planning Commission

Date: October 13, 2016
Time: 12:00 p.m.
Place: City Hall, Room 350
200 N. Spring Street,
Los Angeles, CA 90012

Public Hearing: August 20, 2016
Appeal Status: None

Case No.: CPC-2016-961-HPOZ
CEQA No.: ENV-2016-962-CE
Council No.: 4 – Ryu, 10 - Wesson
Plan Areas: Wilshire
Certified NC: Mid City West, P.I.C.O.
GPLU: Low II, Low Medium I, Low
Medium II, Medium
Residential
Zone: R1-1-O, RD1.5-1-O, R3-1-O,
R-4-1, [Q]C2-1-CDO
Applicant: City of Los Angeles

PROJECT LOCATION: Properties generally bounded by Wilshire Boulevard to the north, San Vicente Boulevard to the south, La Brea Avenue to the east, and Fairfax Avenue to the west.

PROPOSED PROJECT: Pursuant to LAMC Section 12.20.3.F, establishment of the Miracle Mile Historic Preservation Overlay Zone (HPOZ), and adoption of the Miracle Mile HPOZ Preservation Plan.

RECOMMENDED ACTION:

- 1) **Recommend** that the City Council approve the establishment of the proposed Miracle Mile Historic Preservation Overlay Zone (HPOZ);
- 2) **Find** that the proposed Miracle Mile HPOZ ordinance boundaries are appropriate;
- 3) **Adopt** the Miracle Mile HPOZ Preservation Plan;
- 4) **Adopt** the attached Findings; and
- 5) **Find** that the project is categorically exempt under the State CEQA Guidelines, Article 19, Section 15308, Class 8, and Article 19, Section 15331, Class 31 for the Miracle Mile HPOZ and Preservation Plan.

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EXHIBITS:

- A – Boundary/Contributor Status Map
- B – Historic Resources Survey – As approved by the Cultural Heritage Commission
on 9/15/16
- C – Proposed Miracle Mile HPOZ Preservation Plan
- D – Categorical Exemption
- E – Proposed Miracle Mile HPOZ Adopting Ordinance

PROJECT ANALYSIS

Project Summary

Adoption of the proposed Miracle Mile HPOZ would place the properties generally bounded Wilshire Boulevard to the north, San Vicente Boulevard to the south, La Brea Avenue to the east, and Fairfax Avenue to the west, under the regulations of Los Angeles Municipal Code (LAMC) Section 12.20.3, the HPOZ Ordinance. Adoption of the HPOZ includes the certification of a Historic Resources Survey and boundaries, and adoption of a Preservation Plan to accompany the ordinance.

The proposed Miracle Mile HPOZ comprises 1,347 properties and is located in the Mid-Wilshire community of central Los Angeles, approximately six-and-a-half miles west of downtown, immediately south of the segment of Wilshire Boulevard known as Miracle Mile. The proposed HPOZ is composed largely of one-story single-family residences in the portion north of Olympic Boulevard, one and two-story multi-family residences in portion south of Olympic Boulevard, in addition to commercial and religious institutions mainly along Olympic Boulevard. Construction dates for properties within the district range from 1921 to approximately 2015, although the dominant period of development is the 1920s, '30s, and '40s.

The district features excellent examples of early 20th century architectural styles especially associated with the Period Revival modes of architecture, including Spanish Colonial Revival, Tudor Revival, Mediterranean Revival, French Revival, and American Colonial Revival. Minimal Traditional-style buildings and Mid-Century Modern apartment buildings are present as well. The district is characterized by the consistency of building styles and massing, as well as its spatial and landscape features such as concrete sidewalks, mature trees, relatively consistent lot sizes, uniform setbacks, and a skewed orthogonal street pattern.

The district is also significant for its association as a streetcar suburb. The development of the district was directly related to the establishment of Wilshire Boulevard and its rise to a prominent commercial corridor, and the pervasive influence of the automobile on the growth of Los Angeles. The proposed Miracle Mile HPOZ area was a microcosm of the larger Wilshire area's residential development, developing as a series of adjacent automobile suburbs, with commercial and institutional properties lining the major streets binding the residential areas. Despite being primarily envisioned as automobile-centric community, the area was relatively well served by streetcar lines. Unlike the exclusively wealthy and primarily single-family neighborhoods of Windsor Square and Hancock Park, the proposed Miracle Mile HPOZ area contained a mix of both single-family and multi-family housing from its beginning. Miracle Mile was also known for its ethnic enclaves, including a large number of foreign-born residents, and also a strong presence of residents with traditionally Jewish surnames.

One building within the Miracle Mile area has been formally designated a Los Angeles Historic-Cultural Monument: the Buck House at 5950-5958 W. 8th Street (LA-122), designed by Rudolph Schindler and completed in 1934.

An HPOZ for Miracle Mile was initially proposed by local residents who became concerned with the increasing amount of out-of-scale and incompatible development that began to move into the neighborhood in the early 2010s. The Miracle Mile Residential Association (MMRA) together with other local residents worked to build support for the adoption of the Miracle Mile HPOZ.

On February 13, 2015, former City Councilmember Tom LaBonge introduced a Council Motion (CF 15-0183) that instructed the Department of City Planning to provide information and advice, and to assist the Miracle Mile Residential Association in its effort to develop an HPOZ for the

area as a way to protect its historic resources. On March 25, 2015, an Interim Control Ordinance (ICO) became effective under Ordinance No. 183497. The ICO established additional zoning regulations for the issuance of building permits for properties within fifteen Neighborhood Conservation Areas, including the proposed Miracle Mile HPOZ. On June 10, 2016, Vincent P. Bertoni, Director of Planning, formally initiated the establishment of the Miracle Mile HPOZ.

Historic Preservation Overlay Zones (HPOZs)

An HPOZ is an area of the city, which is designated as containing structures, landscaping, natural features or sites having historic, architectural, cultural or aesthetic significance. HPOZs, commonly known as historic districts, provide for review of proposed exterior alterations and additions to properties within designated districts.

Recognizing the need to identify and protect neighborhoods with distinct architectural and cultural resources, the City Council adopted the ordinance enabling the creation of HPOZs in 1979 and Angelino Heights became Los Angeles' first HPOZ in 1983. Today, the City of Los Angeles has 30 designated HPOZs, with more than 10 additional districts under consideration. HPOZ areas range in size from neighborhoods of approximately 50 parcels to more than 4,000 properties. While most districts are primarily residential, many have a mix of single-family and multi-family housing, and some include commercial and industrial properties. HPOZs are established and administered by the Los Angeles Department of City Planning (in concert with the City Council). Individual buildings in an HPOZ need not be of landmark quality on their own: it is the collection of cohesive, unique, and intact historic resources that qualifies a neighborhood for HPOZ status.

An HPOZ is a zoning overlay that is identified through the addition of the HPOZ suffix to the existing zone. The underlying zoning is not changed when the HPOZ is established. The HPOZ Ordinance regulates the exterior of properties within the district, reviews new construction, and prohibits demolition of identified historic resources unless hardship can be proven. Projects are reviewed by the Department of City Planning and often the HPOZ Board (for larger projects) before work can be approved. Interior work, with no changes to the exterior, is exempt from review. The HPOZ Ordinance is one of the most successful tools for the preservation and conservation of historic neighborhoods.

Miracle Mile Historic Resources Survey

LAMC Section 12.20.3 (the HPOZ Ordinance) requires that a Historic Resources Survey be prepared as part of the HPOZ establishment process. A Historic Resources Survey (Survey) determines the eligibility of an HPOZ and delineates its boundaries with a Survey Map. It also includes a Historic Context Statement that identifies a Period of Significance for the HPOZ and relates the history of the area by theme, place, and time. The Cultural Heritage Commission certified the Miracle Mile Survey as to its accuracy and completeness on September 15, 2016. It is attached as Exhibit B.

The Survey also identifies all potential Contributing and Non-Contributing Elements in the proposed zone. Contributing and Altered Contributing Structures date from the HPOZ's Period of Significance and retain a high level of architectural integrity with some reversible alterations. Contributing and Altered Contributing properties are eligible for local financial incentives such as the Mills Act, a property tax reduction program which incentivizes rehabilitation of locally designated historic properties. Non-Contributing Structures include properties that date from the

HPOZ's Period of Significance, but have irreversible alterations, are structures built outside of the Period of Significance, or are vacant lots.

In March of 2015, the Miracle Mile Residential Association (MMRA) contracted with Architectural Resources Group, Inc. (ARG) to assist with the completion of a Historic Resources Survey for the proposed Miracle Mile HPOZ. The survey area is located in the central portion of Los Angeles adjacent to the stretch of Wilshire Boulevard known as "Miracle Mile," about six-and-a-half miles west of downtown; it contains both single-family and multi-family residences, as well as institutional and small-scale commercial properties.

Between April 2015 and July 2015, an intensive field survey of Miracle Mile was performed by ARG. The Miracle Mile HPOZ Historic Resources Survey prepared by ARG evaluated 1,347 parcels, of which 1,076 were originally identified as Contributing (80%) and 271 as Non-Contributing (20%). Of the 1,076 Contributors, 794 were given the status of Altered Contributors due to the presence of minor, reversible alterations that were identified at the properties.

Based on feedback from the community and additional staff review from site visits, the Survey was modified, with approval from the Cultural Heritage Commission, by reclassifying ten (10) properties formerly identified as Non-Contributing in the original Survey to Contributor or Altered Contributor status, which include:

- 5124 W. 12th Street;
- 1051 S. Burnside Avenue;
- 1117 S. Dunsmuir Avenue;
- 859 S. Hauser Boulevard;
- 907 S. Hauser Boulevard;
- 1125 S. Hauser Boulevard;
- 841 S. Masselin Avenue;
- 848 S. Sierra Bonita Avenue;
- 906 S. Sierra Bonita Avenue;
- 821 S. Spaulding Avenue.

In addition, one (1) Altered Contributor was reclassified to Non-Contributor status because the structure was demolished after the completion of the Historic Resources Survey, and a new structure is being built:

- 909 S. Curson Avenue

The reclassification of these properties brought the number of Contributing properties to 1,085 and the Non-Contributing properties to 262, maintaining the ratio of Contributor to Non-Contributor of 80% to 20%. The total number of properties within the proposed HPOZ and the boundaries of the proposed HPOZ remain unchanged. The Survey results for each parcel are contained in Exhibit B, attached.

The Survey identified the architectural Period of Significance to be from 1921 to 1953, the time when major development occurred and most of the Contributing buildings were constructed. The Historic Context Statement describes in detail the history of the area, the integrity of the architecture, and the cultural significance of its development as a streetcar suburb. The Historic Resources Survey, including the Historic Context Statement, can be found in Exhibit B attached.

Miracle Mile HPOZ Preservation Plan

The Preservation Plan provides clear preservation goals and guidelines, sets expectations for high quality design, and applies review procedures equitably and consistently to all affected properties. The Preservation Plan also includes a discussion of the history of the neighborhood. Department of City Planning Staff proposes simultaneous adoption of a Preservation Plan with the proposed HPOZ district because having a Preservation Plan in place at the time the HPOZ goes into effect provides for much more efficient implementation of the HPOZ

Guidelines

A Preservation Plan is a document intended by LAMC Section 12.20.3.E to be used by the Director, HPOZ Board, property owners and residents in the application of preservation principles within an HPOZ. The Preservation Plan is the guiding document used to review projects within the HPOZ and is based upon the Secretary of the Interior's Standards for Rehabilitation, national guidelines used to review projects involving historic resources. Derived from the Standards, the Preservation Plan Guidelines set clear and predictable expectations as to the design and review of proposed projects within an HPOZ. Specifically, the guidelines address rehabilitation, additions, new construction, front yard landscapes, and streetscapes.

From April 2016 through June 2016, through a series of neighborhood meetings and focus groups, staff worked with stakeholders to prepare a Draft Preservation Plan that meets the historic preservation goals of the community, while upholding the Secretary of the Interior's Standards for the Rehabilitation of Historic Properties. As such, the Preservation Plan focuses most review and strict conformance with preservation standards on the primary facade, and allows for more flexibility on side and non-visible facades. In adopting a historic district, it is important that a Preservation Plan reflects the needs and desires of the community in which it is applied. For example, the Miracle Mile community requested that the Preservation Plan's guidelines provide flexibility to accommodate second-story additions under certain circumstances. Guideline 8.2.4 states: "Additions that include a new floor (for instance a new second floor on a single story house) are discouraged. Where additions that comprise a new floor can be found appropriate, such additions should be located to the rear of the structure.", and Guideline 8.2.5 states: "Second story additions are appropriate on blocks where the majority of contributing homes are two stories. When found to be appropriate, the second story should be significantly set back from the primary architectural façade." A copy of the Proposed Preservation Plan is included as Exhibit C of this packet.

Review Procedures

The Preservation Plan defines the scope of projects reviewed under the HPOZ Ordinance and identifies the type of work that would be delegated to Planning staff for review without requiring review by the HPOZ Board. For example, the Preservation Plan exempts some types of non-visible projects from HPOZ review, while focusing guidelines on character-defining features located on street facing facades that will have the greatest impact.

The review and approval of paint colors were originally delegated to staff. However, after careful consideration by staff, because of the expansion of the HPOZ program, and community input that expressed a preference that the review process for paint be exempt instead of delegated to staff, the draft Preservation Plan has been revised to reflect this change. The draft Preservation Plan now states the following as exempt: "Exterior painting or staining involving new colors that are appropriate for the architectural style of the structure, as identified in the Historic Resources Survey (consult Chapter 3: Architectural Styles for appropriate colors), not including paint applied to previously unpainted surfaces such as stone, masonry or stained wood". The intent of this change was to give applicants more flexibility in selecting paint colors while still adhering

to the Secretary of the Interior's Standards for the Rehabilitation of Historic Properties. Staff determined paint to be an easily reversible alteration that does not significantly detract from the historic character of structures. Moreover, exempting paint from staff review will help to streamline the HPOZ review process especially as the HPOZ Program continues to expand.

Conclusion

Miracle Mile has been identified as a neighborhood with both architectural and cultural significance in the City of Los Angeles. The Context Statement carefully and accurately explains the neighborhood's history and evolution over the past century, while the Survey demonstrates that Miracle Mile retains a high degree of architectural integrity. Based on the attached Findings, it is the recommendation of the Department of City Planning and the Cultural Heritage Commission that the City Planning Commission adopt the Miracle Mile HPOZ Preservation Plan and recommend the adoption of the HPOZ, based on the attached Findings, to the City Council.

FINDINGS

A. 12.20.3.F – Procedures for Establishment, Boundary Change or Repeal of Preservation Zone

The processing of an initiation or an application to establish, change the boundaries of or repeal a Preservation Zone shall conform with all the requirements of LAMC Section 12.32 A-D and the following additional requirements:

12.20.3.F.2 – Initiation of Preservation Zone

a) By the City Council, the City Planning Commission, the Director of Planning, or the Cultural Heritage Commission.

On November 4, 2014, Council Motions (CF 14-0656, 14-0519, 14-1135, 14-0625, 14-0343, 14-0344, 14-1262) directed the Department of City Planning to study nine areas for the possibility of establishing new single-family zones, including the Miracle Mile area, were adopted. On February 13, 2015, former City Councilmember Tom LaBonge introduced a Council Motion (CF 15-0183) that instructed the Department of City Planning to provide information and advice, and to assist the Miracle Mile Residential Association in its effort to develop an HPOZ for the area as a way to protect its historic resources. On March 25, 2015, an Interim Control Ordinance (ICO) became effective under Ordinance No. 183497. The ICO established additional zoning regulations for the issuance of building permits for properties within fifteen Neighborhood Conservation Areas, including the proposed Miracle Mile HPOZ. On June 10, 2016, Vincent P. Berton, Director of Planning, formally initiated the establishment of the Miracle Mile HPOZ.

12.20.3.F.3 – Historic Resources Survey

a) Purpose. Each Preservation Zone shall have a Historic Resources Survey, which identifies all Contributing and Non-Contributing Elements and is certified by the Cultural Heritage Commission to its accuracy and completeness.

At its meeting on September 15, 2016, the Cultural Heritage Commission certified the Historic Resources Survey for its accuracy and completeness. The Commission certified the Historic Resources Survey with the modifications proposed by Department of City Planning staff. Ten (10) properties - 5124 W. 12th Street, 1051 S. Burnside Avenue, 1117 S. Dunsmuir Avenue, 859 S. Hauser Boulevard, 907 S. Hauser Boulevard, 1125 S. Hauser Boulevard, 841 S. Masselin Avenue, 848 S. Sierra Bonita Avenue, 906 S. Sierra Bonita Avenue, and 821 S. Spaulding Avenue - were reclassified from Non-Contributing to Contributing or Altered Contributing status; and one (1) property - 909 S. Curson Avenue - was reclassified from Altered Contributor to Non-Contributor status. No changes or modifications were made to the proposed Survey boundaries.

712 S. Stanley Avenue

This property is the northernmost parcel within the proposed boundaries on S. Stanley Ave. Despite its commercial zoning designation, [Q]C2-1-CDO, it is developed as a two-story fourplex built in the Spanish Colonial Revival architectural style, and has been identified a Contributor in the proposed district. Unlike all other properties north of W. 8th Street that are included in the proposed boundaries for the Miracle Mile HPOZ, this property is also included in the existing Miracle Mile Community Design Overlay (CDO). Additionally, this property has a [Q] condition that relates to design guidelines and standards of the CDO that aim to preserve the Art Deco character of buildings on Wilshire Boulevard, promote pedestrian oriented commercial development, improve the appearance and enhance the identity of the district.

Staff recommends that this property be maintained in the proposed boundaries of the HPOZ, because it is developed as a residential fourplex, retains character defining elements that reflect the period in which it was built and meets the criteria for contribution to the proposed HPOZ.

700 blocks of S. Orange Grove Avenue and Ogden Drive

During the workshop and public hearing process, Staff received correspondence from nine (9) individuals representing seven (7) properties on the 700 block of S. Orange Grove Avenue and Ogden Drive. The individuals request a change to the proposed District boundaries to remove the properties along the 700 block of S. Orange Grove Avenue and Ogden Drive - a total of fourteen (14) properties on the northeastern border of the district - from the HPOZ. The properties along this portion of S. Orange Grove Avenue are located on the east side of the street and consist of seven (7) properties in total, five (5) of which are designated Contributors or Altered Contributors, and two (2) that are designated Non-Contributors because they are developed with a four-story multi-family residential building that occupies both parcels. The properties along this portion of Ogden Drive consist of three (3) Contributing structures on the west and four (4) Non-Contributors on the east side. The eight (8) Contributing properties along the 700 block of S. Orange Grove Avenue and Ogden Drive consist of two-story multi-family residences and represent highly intact examples of Spanish Colonial Revival, Monterey Revival, Tudor Revival, and Minimal Traditional architectural styles. The property owners mentioned the area's proximity to the future transit line and its potential for high-density development that would be prevented if the properties are included in the boundaries of the proposed HPOZ.

Properties north of West 8th Street

Similarly, staff received correspondence and comments from eight (8) property owners concerning four (4) properties - one not included in the proposed boundaries of the HPOZ -, regarding the exclusion of properties north of W. 8th Street. Staff also received comments from two (2) residents requesting the inclusion of these properties in the district. According to ARG, properties north of W. 8th Street were specifically requested to be surveyed by the Miracle Mile Residential Association because of the consistent pattern of development and its architectural and historic significance. The properties in this area were included in the boundaries of the proposed historic district because they are an integral part of the Miracle Mile neighborhood, were mostly developed in the period of significance in one of the identified architectural styles, and retain architectural integrity. This area is also the most threatened by redevelopment due to its proximity to Wilshire Boulevard commercial corridor, and the future transit line.

Staff recommends, that the properties north of W. 8th Street, including the 700 block of S. Orange Grove Avenue and Ogden Drive, remain in the HPOZ. Of the 69 properties included in the proposed boundaries of the Miracle Mile HPOZ and located north of W. 8th street, 55 are Contributors and 14 are Non-Contributors, a ratio of 80%, which is consistent with the overall ratio of Contributors in the proposed district. The Contributors consist of two-story multi-family buildings and include highly intact examples of multi-family structures in the Monterey Revival, Spanish Colonial Revival, Tudor Revival, Art Deco, French Revival, Minimal Traditional architectural styles. These properties north of W. 8th Street are also significant contributors to the Automobile Suburbanization and Multi-Family Residential themes of the overall HPOZ district.

Staff also notes that retaining the properties north of W. 8th Street in the HPOZ could actually help incentivize a reversal of alterations and lead to rehabilitation of the historic properties on that street. As Contributors to an HPOZ district, the properties would be eligible for local financial incentives such as the Mills Act, a property tax reduction program, which incentivizes rehabilitation of locally designated historic properties. Contributor and Altered Contributor status

would protect the buildings from incompatible alterations and demolition, while excluding those sites would leave a significant and highly visible area of that community vulnerable to alteration or demolition, potentially creating significant changes to the existing pattern of building forms in the area.

Conclusion

There were forty-five (45) speakers at the meeting at the September 15, 2016 Cultural Heritage Commission public hearing: thirty (30) spoke in support, thirteen (13) spoke in opposition, and two (2) provided general comments regarding the proposed Miracle Mile HPOZ. Two (2) of the thirteen (13) speakers in opposition, requested the Commission to exclude the properties on the 700 blocks of Orange Grove Avenue and Ogden Drive from the boundaries of the proposed HPOZ. A strong majority of speakers and written comments received also supported the adoption of the HPOZ with the proposed boundaries. Council District 4 staff member Julia Duncan spoke in support of the HPOZ and the proposed boundaries. Many of the speakers also spoke at the public hearing on August 11, 2016.

The Cultural Heritage Commission unanimously recommended to the City Planning Commission the adoption of the HPOZ, and voted 3-1 to approve the boundaries as proposed, retaining the properties north of 8th Street including those on the 700 block of S. Orange Grove Avenue and Ogden Drive as part of the HPOZ.

b) Context Statement. The Survey shall be accompanied by a Context Statement establishing the relation between the physical environment of the proposed HPOZ and its history, thereby allowing the identification of historic features in the area as Contributing or Non-Contributing. The Context Statement shall represent the history of the area by theme, place, and time. It must also define the various historical factors that shaped the development of the area and define a period of significance for the Preservation Zone.

Architectural Resources Group Inc. developed a comprehensive Historic Resources Survey for the proposed Miracle Mile HPOZ. In line with the requirements, the Survey contained a history of the neighborhood and identified every property in the neighborhood as either Contributing or Non-Contributing.

The Miracle Mile HPOZ represents a specific period of development, and the Context Statement establishes the relationship between the physical environment and its place in history. The Survey determined that the proposed Miracle Mile HPOZ is significant for its relationship to the early phases of residential development in Los Angeles historically located adjacent to streetcar lines and for displaying characteristics that are emblematic of early Los Angeles subdivisions and home building. The Historic Resources Survey, including the full Historic Context Statement, can be found in Exhibit B, attached.

The Period of Significance for the area was determined to be 1921-1953, which captures the tract's period of development. Four Contexts/Themes that pertain to the Miracle Mile HPOZ are called out in the Context Statement: *Automobile Suburbanization, Ethnic Enclaves, Multi-Family Residential, and Period Revival Architecture Styles.*

c) Findings of Contribution. No building, structure, Landscaping, or Natural Feature shall be considered a Contributing Element unless it is identified as a Contributing Element in the Historic Resources survey for the applicable Preservation Zone. Features designated as Contributing shall meet one of more of the following criteria:

- (1) adds to the historic architectural qualities or historic associations for which a property is significant because it was present during the period of significance, and possesses historic integrity reflecting its character at that time;**
- (2) owing to its unique location or singular physical characteristics, represents an established feature of the neighborhood, community or city; or**
- (3) retaining the structure would help preserve and protect an historic place or area of historic interest in the City.**

In addition to these criteria, Architectural Resources Group, Inc. used National Register Bulletin 24 to inform the evaluation process for properties that were built during the Period of Significance (1921-1953) but had suffered some alterations. The Survey area comprises 1,347 parcels, of which 1,076 were originally identified as Contributing (80%) and 271 as Non-Contributing (20%). Following the Survey modification and approval by the Cultural Heritage Commission, the proposed Miracle Mile HPOZ consists of 1,085 Contributing properties and 262 Non-Contributing properties, maintaining the ratio of Contributor to Non-Contributor of 80% to 20%.

The Historic Resources Survey concluded that Miracle Mile HPOZ meets the criteria for a Historic Preservation Overlay Zone, because of the high concentration of Contributing structures exemplified by the collection of Period Revival architecture in a cohesive neighborhood setting that retains much of its original, historic character. The Contributing buildings are the original structures from the period of development which occurred from 1921 through 1953. The Contributing properties add to the historic architectural qualities or historic associations for which they are significant because they were present during the Period of Significance, and possess historic integrity reflecting their character at that time. The proposed Miracle Mile HPOZ meets the criteria for HPOZ designation because the district as a whole contains residences of high architectural quality that effectively represent the development history of this portion of Los Angeles.

B. 12.32 A-D – Land Use Legislative Actions

The HPOZ Ordinance requires that, in addition to specific requirements for the establishment of an HPOZ, that the proposed HPOZ shall conform to the requirements of LAMC Section 12.32 A – D for Land Use Legislation Actions. The Code section authorizes the Director of Planning to make a recommendation for action on the matter, before which the Director may direct a Hearing Officer to hold a public hearing and make a report and recommendation. The official public hearing must be properly noticed at least 24 days in advance in at least one general circulation newspaper in the City and by mailing written notice to the owners of all property within and outside the City that is within 500 feet of the area proposed to be changed.

A) Notice

The Department of City Planning held a public hearing on the proposed Miracle Mile HPOZ and Preservation Plan on August 20, 2016, at Candela Taco Bar & Lounge, 831 S. La Brea Avenue, Los Angeles, CA. On July 21, 2016, more than 24 days in advance of the meeting, a notice of this public hearing was mailed to all owners and occupants within the proposed HPOZ boundaries and within a 500 foot radius of the HPOZ. Prior to the public hearing, an open house and public workshop took place in the community on August 11, 2016, which was announced by the same notice as the Public Hearing. Notice for the public hearing before the Planning and Land Use Management Committee will be published in *Los Angeles Daily Journal* by the City Clerk 24 days in advance.

B) General Plan/Charter Findings

LAMC 12.32.C.2 requires that “after receipt of the Director’s recommendation, the Planning Commission shall hold a public hearing and make a report and recommendation to the Council regarding the relation of the proposed land use ordinance to the General Plan and whether adoption of the proposed land use ordinance will be in conformity with public necessity, convenience, general welfare and good zoning practice.”

The establishment of the Miracle Mile HPOZ, and the adoption of its Preservation Plan is in substantial conformance with the purposes, intent, and provisions of the General Plan, and will be in conformity with public necessity, convenience, general welfare and good zoning practice in that it implements the following objectives of the 1) Wilshire Community Plan, which is the land use element of the General Plan, as well as the 2) Conservation Element and 3) Housing Element of the General Plan:

1) 2001 Wilshire Community Plan Land Use Policies and Programs

Objective 1-1: Provide for the preservation of existing quality housing, and for the development of new housing to meet the diverse economic and physical needs of the existing residents and expected new residents in the Wilshire Community Plan Area to the year 2010.

Policy 1-1.1: Protect existing stable single family and low density residential neighborhoods from encroachment by higher density residential uses and other uses that are incompatible as to scale and character, or would otherwise diminish quality of life.

Policy 1-1.2: Promote neighborhood preservation in all stable residential neighborhoods.

Policy 1-1.3: Provide for adequate Multiple Family residential development.

Policy 1-1.4: Provide for housing along mixed-use boulevards where appropriate.

The proposed Miracle Mile HPOZ would help protect existing single and multi-family, low and medium density residential neighborhoods by preserving existing historic structures and requiring that new infill development be built in a manner that is compatible with the historic character of the neighborhood. Contributing and Altered Contributing properties within the proposed Miracle Mile HPOZ boundaries are eligible for the City’s Mills Act program, which offers a financial incentive for property owners to restore, maintain, and rehabilitate historic properties in exchange for substantial reductions in property taxes

Objective 1-3: Preserve and enhance the varied and distinct residential character and integrity of existing residential neighborhoods.

Policy 1-3.1: Promote architectural compatibility and landscaping for new Multiple Family residential development to protect the character and scale of existing residential neighborhoods.

Policy 1-3.2: Support historic preservation goals in neighborhoods of architectural merit and/or historic significance.

Policy 1-3.3: Promote the preservation and rehabilitation of individual residential buildings of historic significance.

The proposed Miracle Mile HPOZ and Preservation Plan clearly meet the intent of these preservation related objectives and policies because the Miracle Mile HPOZ Survey has identified and documented the subject area's historic resources on detailed survey pages. The adoption of the Miracle Mile HPOZ will help the district's identified resources be preserved, rehabilitated, and restored in the coming years.

Miracle Mile's unique and historic neighborhood character will be protected by HPOZ zoning and all rehabilitation projects and new infill projects will be required to follow the guidelines of the Miracle Mile Preservation Plan. Guidelines for preserving and renovating existing residential building address design issues including doors, windows, roofs, additions, accessory buildings, architectural details, building materials and finishes, mechanical equipment such as air conditioning units, and porches and balconies. For example, Section 7.4.2, Arcades, Patios, Porches & Balconies states that "decorative details that help to define a historic porch should be preserved. These include balusters, balustrades, walls, columns, brackets, pedestals, roofs and eaves..." For new construction, the Guidelines address issues including massing and orientation, building openings, architectural styles and details, roof forms, and materials. These guidelines are intended to protect the quality and scale of the residential environment through their recommendations for the appearance of new construction, including site planning compatible building design.

Historic and Cultural Resources

Goal 17: Preserve and restore cultural resources, neighborhoods and landmarks which have historical and/or cultural significance

Objective 17-2: Preserve and enhance neighborhoods having a distinctive and significant historical character.

Policy 17-2.1: Continue to identify and document Wilshire Community Plan Area Cultural and Historical Monuments.

Program: Continue to apply the City's zoning regulations which provide for the documentation and establishment of Historic Preservation Overlay Zones (HPOZ).

Objective 17-3: Encourage private owners of historic resources to maintain and enhance their properties in a manner that will preserve the integrity of such resources.

Policy 17-3.1: Assist private owners of historic resources to maintain and enhance their properties in a manner that will preserve the integrity of such resources.

Program: Support the creation and implementation of Hancock Park, Windsor Square, and other areas of architectural or historical significance as historic districts under the Planning Department's HPOZ program

Program: Continue to adhere to the City's historic properties preservation ordinances and Cultural Heritage Commission requirements for preservation and implementation of design standards.

Program: Utilize City historic properties restoration programs which provide funding for renovating and/or reusing historic structures.

The Wilshire Community Plan Area contains eight existing HPOZs, with three additional HPOZs - this proposed Miracle Mile HPOZ, Carthay Square, and Oxford Square - currently in the adoption process. The establishment of the Miracle Mile HPOZ will further protect and enhance the use of historic structures in the neighborhood by encouraging rehabilitation, providing design review and preventing incompatible alterations. The rehabilitation guidelines in the Preservation Plan, derived from the Secretary of the Interior's Standards for the Rehabilitation of Historic Properties, outline how to properly maintain and sensitively make additions to historic properties. The Mills Act Program gives property owners the opportunity to apply for a reduction in property taxes and use the savings as a funding source for rehabilitation. Additionally, the HPOZ Board, experts in the fields of architecture, real estate, construction, and the local community, will provide volunteer design review and share successful rehabilitation methods.

2) 2001 Conservation Element of the General Plan

Section 5 Cultural and Historical Objective: Protect important cultural and historical sites and resources for historical, cultural, research, and community education purposes.

Policy: Continue to protect historic and cultural sites and/or resources potentially affected by proposed land development, demolition or property modification activities.

Adoption of the Miracle Mile HPOZ and Preservation Plan will require that the Director of Planning or local HPOZ Board review all modifications, additions and infill development on properties within the district. The Central Area Planning Commission has the authority to approve demolitions to Contributing structures in very limited circumstances. The HPOZ and its Preservation Plan will ensure that maintenance, repair, rehabilitation, restoration, additions, relocations and new infill construction is conducted in a historically appropriate manner that is consistent with the character of the neighborhood, the Period of Significance (1921-1953), and the identified architectural styles. Moreover, the HPOZ will protect historic resources from demolition and potentially irreversible alterations that are incompatible with the neighborhood, and thereby protect the historic resources and their character defining features.

3) 2013-2021 Housing Element of the General Plan

Objective 1.2: Preserve quality rental and ownership housing for households of all income levels and special needs.

Policy 1.2.6: Provide incentives for the preservation of historic residential structures.

Program # 46: Historic Preservation

Designate historic and culturally significant neighborhoods as Historic Preservation Overlay Zones (HPOZs) and individual buildings as Historic-Cultural Monuments (HCMs). Such designations allow historic residential buildings to qualify for tax incentives and other incentives for their rehabilitation and adaptive reuse. Explore the provision of additional incentives for the rehabilitation of affordable housing and for low-income homeowners of historic properties in HPOZs. Facilitate the removal of barriers to accessibility in historic buildings.

Program # 47: Mills Act Implementation

The Mills Act is a statewide program implemented at the local level. It allows qualifying owners of historic properties to receive a potential property tax reduction and use the savings to help rehabilitate, restore and maintain their homes. The Office of Historic Resources at the Department of City Planning oversees the project work for the

substantial rehabilitation of homes. This program ensures adequate maintenance of housing stock in economically diverse neighborhoods.

The establishment of the Miracle Mile HPOZ will provide property owners of Contributing and Altered Contributing properties the opportunity to apply for the Mills Act, a property tax reduction program that incentivizes the rehabilitation and maintenance of locally designated historic properties. Properties must have official designation as a local historic resource in order to apply and participate in the program. As such, the Mills Act Program incentivizes historic designation and preservation of historic resources.

Objective 2.4: Promote livable neighborhoods with a mix of housing types, quality design, and a scale and character that respects unique residential neighborhoods in the City.

Policy 2.4.1: Promote preservation of neighborhood character in balance with facilitating new development.

Policy 2.4.2: Develop and implement design standards that promote quality residential development.

Program # 92: Planning for Neighborhood Character

Conduct regular updates of Community Plans in order to address changing local needs. Adopt implementation tools, such as overlay zones and design guidelines to guide new development and protect existing neighborhood character. Explore mechanisms to address better transitions between single family and multi-family development, between commercial and residential development, and between industrial and residential development. Enforce the Baseline Mansionization Ordinance, which limits the size of homes in proportion to lot size throughout the City. Create new Residential Floor Area districts to protect neighborhood character. Utilize the Community Plan Implementation Overlay districts as another neighborhood character tool.

The adoption of the Miracle Mile HPOZ and its Preservation Plan will preserve historically significant housing and will ensure that new infill construction be compatible with the area's architectural and historic character. Through the HPOZ process, all major exterior modifications, new construction, and demolitions must comply with the Miracle Mile Preservation Plan, which serves as the district's design standards. Rehabilitation and repair is normally the preferred approach in HPOZs, though new construction is possible on vacant or Non-Contributing lots. HPOZ staff and the HPOZ Board, which will be composed of historic preservation professionals, contractors, and architects, can assist property owners by offering guidance on how to rehabilitate their properties in a cost-effective and historically appropriate manner. The intent of the Miracle Mile HPOZ is to preserve neighborhood character and guide new development to be compatible in scale and massing with the historic properties.

C. California Environmental Quality Act (CEQA)

Department of City Planning staff concludes that Categorical Exemptions Class 8 and 31 of the State CEQA Guidelines are appropriate and that the exceptions to these two categorical exemptions do not apply. Categorical Exemption, Article 19, Section 15308, Class 8 "consists of actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment." Categorical Exemption, Article 19, Section 15331, Class 31 "consists of projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, or reconstruction of historical resources in a manner

consistent with the Secretary of the Interior's Standards for the Treatment of Historic Buildings (1995), Weeks and Grimmer."

Individual construction projects that are subject to the HPOZ and the Preservation Plan will be required to go through project specific environmental review if required under CEQA. Thus, the establishment of an HPOZ does not supersede the California Environmental Quality Act, or other Los Angeles Municipal Code requirements.

State of California CEQA Guidelines, Article 19, Section 15308, Class 8 *"consists of actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment. Construction activities and relaxation of standards allowing environmental degradation are not included in this exemption."*

The certification of the Miracle Mile Historic Resources Survey in conjunction with the establishment of a Historic Preservation Overlay Zone and Preservation Plan regulates construction activities to ensure the protection of a City historic resource: the Miracle Mile neighborhood. In fact, the purpose of the proposed HPOZ is to prevent significant environmental impacts to a historic and cultural resource identified in the Wilshire Community Plan. Without regulation of construction activities in Miracle Mile, the historic integrity of the neighborhood could be lost through incompatible alterations and new construction and the demolition of irreplaceable historic structures. The design guidelines in the Miracle Mile Preservation Plan are based upon the Secretary of the Interior's Standards for Rehabilitation and provide guidance on the historically appropriate construction activities in order to ensure the continued preservation of the Miracle Mile neighborhood. The use of Categorical Exemption Class 8 from the State CEQA Guidelines is consistent with other California jurisdictions, which find that the regulations placed upon historic districts is necessary for the protection of the environment and will make sure that maintenance, repair, restoration, and rehabilitation does not degrade the historic resource.

State of California CEQA Guidelines, Article 19, Section 15331, Class 31 *"consists of projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, 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."*

The establishment of the Miracle Mile HPOZ and Preservation Plan falls under Categorical Exemption Class 31 for historic resource restoration and rehabilitation. Construction projects within the HPOZ would be reviewed for conformity with the Miracle Mile Preservation Plan, which implements the Secretary of the Interior's Standards for Rehabilitation. The Preservation Plan explicitly draws from the Secretary of the Interior's Standards for Rehabilitation by calling for the preservation and repair of historic features and materials, before replacement. Whenever replacement of historic features is necessary due to deterioration, the Plan requires that new features match the original in size, shape, appearance, and material. For example, Section 7.4.4, Arcades, Patios, Porches & Balconies states that "If elements of the porch, such as decorative brackets or columns, must be replaced, replacement materials should match the originals in design and materials." This guideline conforms to the Secretary of the Interior's Standards in that replacement features are to match the original in size, appearance, and whenever possible materials. The proposed HPOZ would effectively require projects to adhere to the Miracle Mile Preservation Plan, which elaborates and clarifies the Secretary of the Interior's Standards for Rehabilitation as it relates to the unique conditions of the Miracle Mile neighborhood. This will protect Miracle Mile from construction activities that could damage its

historic integrity and ensure that maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction is conducted in a historically appropriate manner.

Exceptions to the Use of Categorical Exemptions

Planning staff evaluated all the potential exceptions to the use of Categorical Exemptions for the proposed project and determined that none of these exceptions apply as explained below:

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 exception applies when, although a particular project may not have a significant impact, the impact of successive projects, of the same type, in the same place, over time is significant.

There are currently eight HPOZs within the Wilshire Community Plan area. The parcels of the pending Miracle Mile HPOZ, in the Wilshire Community Plan, have generally been developed to the maximum zoning capacity. The parcels in the pending Miracle Mile HPOZ are located in a Low II Residential, Low Medium I Residential, and Medium Residential land use designation, which is a mix single-family and multi-family zones. It is the intent of the HPOZ program to ensure that proposed projects and new development are compatible in overall scale, size, massing, bulk, setback, and design with the surrounding HPOZ neighborhood and Community Plan areas. Adoption of the pending Miracle Mile HPOZ and Preservation Plan will not alter the environment, but will address development within the HPOZ boundaries to ensure that future projects and development are compatible with the HPOZ and Wilshire Community Plan area; therefore protecting the historic resources within the HPOZ. Consequently, there is no cumulative impact on the environment from previous HPOZ adoptions, current HPOZ adoptions, or future HPOZ adoptions.

Significant Effect - "A categorical exemption shall not be used for any activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances." This exception applies when, although the project may otherwise be exempt, there is a reasonable possibility that the project will have a significant effect due to unusual circumstances. Examples include projects, which may affect scenic or historical resources.

Like the other thirty HPOZs in the City, the proposed Miracle Mile HPOZ and Preservation Plan would, through its design regulations, protect identified historic resources. There are no unusual circumstances that would have a significant impact on the environment due to the adoption of the Miracle Mile HPOZ and Preservation Plan. Therefore, there is no possibility of significant effects on the environment.

Scenic Highway - "A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR." This exception applies when a project may result in damage to scenic resources within a duly designated scenic highway.

The proposed Miracle Mile HPOZ does not contain any State or City designated scenic highway or parkway. Thus, the proposed Miracle Mile HPOZ and Preservation Plan would not negatively impact scenic resources within a duly designated scenic highway. Rather, the proposed HPOZ and Preservation Plan would protect the unique character of the neighborhood, which retains much of its original design, street grid pattern, and generous building setbacks.

Hazardous Waste Site - "A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code." This exception applies when a project is located on a site or facility listed pursuant to California Government Code 65962.5.

The Department of Toxic Substances Control (DTSC) has not listed any parcel in Miracle Mile as a hazardous material site.

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 resources." This exception applies when a project may cause a substantial adverse change in the significance of an historical resource.

The proposed project would not cause an adverse change in the significance of a historical resource as defined in State CEQA 15064.5; rather, the proposed project would protect identified historic structures through the Historic Preservation Overlay Zone (HPOZ). The proposed HPOZ would ensure that exterior work on properties within the proposed Miracle Mile HPOZ area is consistent with the Secretary of the Interior's Standards for Rehabilitation as clarified and elaborated in the proposed Preservation Plan and would require an additional level of review (prior to obtaining other Planning entitlements and building permits), so that new additions or alterations are conducted in a historically appropriate manner, preserving the historic integrity of the property and its environment.

Categorical Exemption ENV-2016-962-CE was prepared on July 11, 2016 and is included as Exhibit D.

PUBLIC HEARING AND COMMUNICATIONS

Summary of the Required Public Hearing held August 20, 2016

A public hearing regarding the proposed Miracle Mile Historic Preservation Overlay Zone (HPOZ) was conducted by Hearing Officer Mindy Nguyen on August 20, 2016 at the Candela Taco Bar & Lounge located at 831 S. La Brea Avenue, Los Angeles, CA 90036. On June 21, 2016, more than 24 days in advance of the hearing, a public hearing notice was mailed to all owners and occupants within the proposed HPOZ boundaries and within a 500 foot radius of the proposed HPOZ.

A total of 43 people signed in at the public hearing. At the start of the public hearing, approximately 100 people were in attendance. Reactions to the HPOZ from residents and property owners were mixed, although a strong majority was in support of the HPOZ. Representatives from the Miracle Mile Residential Association, as well as the Mid-City West Certified Neighborhood Council spoke in support of the HPOZ. Summaries of public testimony from the August 20, 2016 public hearing are included below:

Speaker Cards: Thirty-three (33) in support; nine (9) in opposition; one (1) neutral and/or general comments.

Organizations testifying in Support:

Miracle Mile Residential Association, Mid-City West Certified Neighborhood Council

Organizations testifying in Opposition:

None

Summary of Public Hearing Testimony:

The comments received at the Public Hearing were predominantly in favor of the establishment of the Miracle Mile HPOZ. Those in support, including many current residents, expressed that the HPOZ not only preserves the architecture and character of the neighborhood, but is a way to impart knowledge of the historic community within the City as a whole. Without preservation, the unique character of the community could be lost and the HPOZ can serve as motivation to keep history and the corresponding built environment alive. Representatives of the Miracle Mile Residential Association (MMRA), including its President, strongly support the HPOZ. The MMRA representatives emphasized the importance of the establishment of a historic district to avoid out of scale and out of character development, and to protect the integrity and character of the neighborhood. Two members of the Mid-City West Certified Neighborhood Council spoke in support of the proposed HPOZ, its importance in preserving the sense of scale and place of the area, and mentioned a Neighborhood Council motion for a vote in regards to the proposed Miracle Mile HPOZ that had at least twenty (20) members in support, and three (3) in opposition or abstention. Members of the working group for the Draft Preservation Plan noted that the Preservation Plan Guidelines were designed to be flexible and unique to the Miracle Mile neighborhood. Other longtime residents spoke in support of the HPOZ and gave personal accounts of growing up in the neighborhood and the need to preserve the special sense of community that exists in Miracle Mile. Nine members of the community spoke in opposition to the HPOZ adoption, citing overly restrictive rules, and stating that an HPOZ represented an over-reaching approach to combat mansionization. Several speakers noted concerns about property rights and an additional layer of City review. Two out of the nine speakers in opposition requested that the properties on the 700 block of Orange Grove Avenue be excluded from the boundaries of the proposed HPOZ. Additional speakers, including non-residents of the proposed district, provided general comments.

Summary of Correspondence Received Forty-three (43) people signed in at the public hearing. Thirty-three (33) people spoke in support of the proposed Miracle Mile HPOZ; nine (9) in opposition; and one (1) neutral and/or general comments.

The Department of City Planning has received eighty-four (84) written comments including: forty-two (42) in support, two (2) general comments, and forty (40) in opposition to the establishment of the proposed HPOZ. The comments in opposition include two (2) petitions, each signed by nine (9) individuals.

In total, the Department of City Planning has received written, emailed, and spoken comments from 103 individuals, with sixty-one (61) in support, seven (7) neutral and/or with general comments, and thirty-five (35) in opposition.

Summary of the Cultural Heritage Commission Meeting held September 15, 2016

The proposed Miracle Mile Historic Preservation Overlay Zone (HPOZ) went before the Cultural Heritage Commission on September 15, 2016 at City Hall, 200 N. Spring Street, Rm. 1010, Los Angeles, CA 90012. There were forty-five (45) speakers at the meeting: thirty (30) in support; thirteen (13) in opposition; two (2) neutral and/or general comments regarding the proposed Miracle Mile HPOZ. Two (2) of the thirteen (13) speakers in opposition, requested the Commission to exclude the properties on the 700 blocks of Orange Grove Avenue and Ogden Drive from the boundaries of the proposed HPOZ. Council District 4 staff member Julia Duncan spoke in support of the HPOZ and the proposed boundaries. Many of the speakers also spoke at the public hearing on August 11, 2016.

Action of the Cultural Heritage Commission

The Cultural Heritage Commission, with a four-member quorum, moved to:

- 1) **Certify** the Historic Resources Survey, with the recommended changes, as to its accuracy and completeness;
- 2) **Recommend** that the City Planning Commission approve the establishment of the boundaries for the proposed Miracle Mile HPOZ;
- 3) **Recommend** that the City Planning Commission adopt the Miracle Mile HPOZ Preservation Plan;
- 4) **Find** that the structures, landscaping and natural features within the proposed Miracle Mile HPOZ meet the following criteria:
 - add to the historic architectural qualities or historic associations for which a property is significant because it was present during the period of significance, and possesses historic integrity reflecting its character at that time; or
 - owing to its unique location or singular physical characteristics, represents an established feature of the neighborhood, community or city; or
 - retaining the building, structure, landscaping, or natural feature, would contribute to the preservation and protection of an historic place or area of historic interest in the city.
- 5) **Find** that the project is categorically exempt under the State CEQA Guidelines, Article 19, Section 15308, Class 8 and Article 19, Section 15331, Class 31.

Summary of Correspondence Received

The Department of City Planning has received one (1) petition submitted to the Cultural Heritage Commission. The petition was signed by 98 individuals in opposition to the proposed Miracle Mile HPOZ, mentioning violation of property rights, additional regulations, and overly restrictive guidelines. Additionally, since the Cultural Heritage Commission hearing on September 15, 2016, one (1) petition and two (2) letters of support, and one (1) letter in opposition were submitted in regards to the proposed historic district. One of the letters in support was submitted on behalf of the Greater Miracle Mile Chamber of Commerce and its more than 120 members.