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June 10, 2019

The Honorable Mayor Ara Najarian and Members of City Council
City of Glendale
613 E. Broadway
Glendale, CA 91206

RE: City Council Agenda Item 9a, Appeal of Decision on 1642 S. Central Ave.

Dear Mayor Najarian and Members of City Council:

On behalf of the Board of Directors of The Glendale Historical Society and its more than eight hundred members, I would like to thank you for the opportunity to provide comments on the appeal of the Director of Community Development's decision that an Environmental Impact Report (EIR) would be required before a demolition permit can be issued for the buildings at 1642 S. Central Avenue.

We ask that you support the finding of the City's consultant who prepared the South Glendale Historic Resources Survey, the City's Historic Preservation Planner, and the Director of Community Development that the property at the above-listed address appears eligible for the Glendale Register of Historic Resources and as such that its proposed demolition would cause a substantial adverse change in the significance of a historic resource under the California Environmental Quality Act (CEQA), triggering preparation of a focused Environmental Impact Report (EIR). Francesca Smith, a qualified Architectural Historian with more than thirty years experience, also evaluated the property and finds it to be a historic resource. We therefore request that you reject the appeal; the analysis of the property owner's consultant does not meet the burden of evidence required to find the property not to be historic.

The Decision to Require an EIR is Neither Arbitrary Nor Capricious

We are bewildered by the appellant's claim that the Director of Community Development acted arbitrarily in denying a demolition permit. The property at 1642 S. Central had been identified in the draft Survey as "historically significant" in July 2017, a few months before the property changed owners. Although ownership is irrelevant to findings of a property's significance, the draft Survey and the information on the property's status were publicly available, and it is now

The Glendale Historical Society (TGHS) advocates for the preservation of important Glendale landmarks, supports maintaining the historic character of Glendale's neighborhoods, educates the public about and engages the community in celebrating and preserving Glendale's history and architectural heritage, and operates the Doctors House Museum. TGHS is a tax-exempt, not-for-profit 501(c)(3) organization, and donations to TGHS are tax-deductible to the extent permitted by law.

rather well known in Glendale that a Craftsman from 1913, which possesses striking character-defining features and retains integrity, is highly likely to be considered historic (indeed, so well known that TGHS was contacted about its status during the sale period). The Director has found that there is substantial evidence, based on the expert opinion not only of the consultant who prepared the Survey but also the City's Historic Preservation Planner, that the property is indeed a historic resource. Furthermore, the entire Survey was reviewed by the Historic Preservation Commission, and Ms. Smith has independently found the property to be a historic resource. A trove of expert opinion has arrived at the same conclusion. The Director is not only entirely within his authority but was acting in the City's best interests when he denied the demolition permit.

The Consultant's Historic Resource Evaluation is Fatally Flawed

The consultant hired by the owner has found the property not to be historically significant, which should come as no surprise. At the September 20, 2016 City Council meeting, Council unanimously acknowledged the inherent conflict of interest that exists when a property owner selects the consultant to prepare the project EIR. The Council voted to end the practice of allowing property owners to select their own EIR consultants. This conflict is no less obvious and inherent when the document is a historic resource evaluation, which is a technical component of environmental review.

Regardless, the consultant's evaluation is riddled with errors and omissions, as pointed out by City staff and by Ms. Smith in the attached Department of Parks and Recreation (DPR) 523A form for the property. The consultant thus failed to provide adequate evidence that the property is not a historic resource. We agree with City staff about the numerous errors regarding the consultant's interpretation of the Glendale Register criteria established in the Glendale Municipal Code, and the clear failure to examine the property in light of the specific Registration Requirements of the South Glendale Historic Resources Survey for properties constructed before 1919. The Survey Methodology likewise makes crystal clear that a property of this early vintage needs to "retain *most* of the character-defining features" of its style, in particular "the primary façade should be largely intact" (Staff Report, p. 11). The subject property clearly meets the standards laid out in the Methodology and Registration Requirements.

The consultant's protests about the property's integrity are overstated, misleading, or erroneous. The problems are too numerous to reiterate here; we refer you to pages 4-8 of the DPR Form 523A that Ms. Smith prepared and that is attached, and to the Staff Report, pp. 9-11. We will only observe that it is assumed that historic properties can change over time. According to Ms. Smith, even National Register guidance "affirms that 'All properties change over time. It is not necessary for a property to retain all of its physical features or characteristics'" (Smith, F. DPR Form 523A, 1642 S. Central Ave., 2019, p. 7). The consultant's nit-picking over trivial changes does not negate the fact that this property possesses numerous exemplary character-defining features and retains sufficient integrity—of location, design, materials, workmanship, feeling and association—which qualify it as a local historic resource. The consultant inexplicably treats the separate Craftsman residential unit, which was built in 1922 (Ms. Smith located evidence in the city directory, but the consultant erroneously dates it at 1934), and the conversion of the initial single-family house to a duplex in 1923, as impermissible changes, even though such a change in

use is in no way disqualifying, and the early addition of a Craftsman house, within the first decade of construction, should be considered a feature of the property that gained historic significance in its own right.

The evidence offered by the owner's consultant is wholly inadequate to make a finding that the property is not a historic resource.

1642 S. Central is a Presumptive Historic Resource under CEQA

We would like to provide clarification about the status of the property at 1642 S. Central Ave. In the South Glendale Historic Resources Survey, which Council adopted in July 2018, HRG assigned the property at 1642 S. Central a Status Code of 5S3; the category "5" denotes "Properties Recognized as Historically Significant by Local Governments." The June 11, 2019 Staff Report suggests that the Survey finding "makes the property a discretionary resource" under CEQA. The Staff Report continues: "If the Survey is filed with the State Office of Historic Preservation the property's status as a historic resource will be presumptive" (p. 3), which creates a higher evidentiary burden for the City to find the property *not* to be a historic resource (*Friends of the Willow Glen Trestle v. City of San Jose* (2016) 2 Cal.App.5th).

We remind the City that the Survey indeed *will be filed* with the State Office of Historic Preservation (OHP), because doing so is not optional. Glendale is a Certified Local Government (CLG), a program that enables it, for example, to apply for State grants for projects, including surveys, related to historic preservation. The CLG report the City files every year with the State says quite clearly that "California CLG procedures require CLGs to submit survey results, including historic context statements, to OHP" (2017-2018 Annual Report, City of Glendale, III A, p. 8). Moreover, the State requires that CLG "Survey activities shall be coordinated with and complementary to the state program to ensure that survey results produced by the CLG will be readily integrated into the statewide comprehensive historic preservation planning process"; "The OHP's 'Instructions for Recording Historical Resources' shall be used to facilitate integration into the state electronic data system and for statewide comprehensive historic preservation planning purposes" (Requirements, excerpt from Appendix G, Certified Local Government Application and Procedures, August 1999, III A 1 and 3, p. 3).

There is no question that the City is obligated to share its survey results with the State and that they will be added to the statewide database. Therefore under the California Public Resources Code, which only requires that the results *will be* filed, not that they have already been filed, 1642 S. Central Ave., as a property identified as 5S3 in a CLG city-adopted Survey is a presumptive rather than a discretionary historic resource (Public Resources Code 5024.1(g)).

Conclusion

There is a high threshold of evidence that must be met for a lead agency to conclude that a presumptive historic resource is not historic. The error-ridden historic resource evaluation, prepared by a consultant chosen by the owner, virtually concurrently with the application to demolish the buildings on the property, does not come close to meeting the evidentiary standard necessary to find that this property is not a historic resource. The property has been identified by

multiple qualified professionals as historically significant; it was identified as locally significant in a city-adopted Survey. Its demolition would therefore cause a substantial adverse impact in the significance of a historic resource. We therefore ask you to deny the appeal and insist that the owner prepare an EIR before any project at this site that includes demolition can move forward.

Thank you for your consideration.

Sincerely,

Steve Hunt

President
The Glendale Historical Society

Attachment: DPR series 523 form for 1642 S. Central Avenue

CC: Jay Platt, Senior Urban Designer
Phil Lanzafame, Director of Community Development
Michael Garcia, City Attorney
Yasmin Beers, City Manager