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December 15, 2016

Members of the Design Review Board  
City of Glendale  
633 East Broadway  
Glendale, CA 91206

**RE: PDR 1329554, 510 - 512 West Doran Street**

Dear Members of the Design Review Board:

The Glendale Historical Society is grateful for the opportunity to comment again on the proposed project at 510 – 512 W. Doran. Our non-profit organization has almost 700 members and works to preserve and celebrate Glendale’s rich history and remaining architectural heritage.

When TGHS first learned of a proposed project at 512 W. Doran a few years ago, we supported the idea of relocating the historic resource—a 1910 Transitional Craftsman—on the property to allow for development. We continue to do so. As you know, however, we have objected to the demolition of one-third of the building to accomplish this as well as to the size, scale, and proximity of the proposed new construction.

We were pleased that the City agreed that a categorical exemption for the project was inappropriate and prepared a Mitigated Negative Declaration; we read it with care and submitted comments on November 18. In our comments then, in our letters dated June 22 and July 13, and in the letter we submit today, we have presented substantial evidence and expert opinion supported by facts that the proposed Mitigated Negative Declaration is not the appropriate clearance document for a project that is expected to cause substantial adverse change in a historical resource, and that the mitigation measures, as proposed, do not reduce expected impacts to a less-than-significant level. Staff has rejected our request for a focused EIR, and so we make our case to you.

The Staff Report does not address our concerns that the MND fails to require fully enforceable mitigation measures, defers mitigation, and inappropriately relies on an economic feasibility argument in analyzing the project. In addition, the proposed mitigation measures do not avoid or reduce expected project impacts to a less-than-significant level. Thus the MND thus does not meet the requirements of CEQA. We further note that when a City has found that a resource is historic, and is trying to determine whether a project will have a significant adverse impact on a historic

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.

resource, the fair argument standard applies. The Staff Response misunderstands the nature of an MND when it suggests that the City is not “trying to determine whether the project would have a significant impact[;] rather the MND determined that there is an historic resource” (Response 1-9 December 2016). The purpose of an MND is to determine whether an impact is significant; it fulfills CEQA’s basic intent to inform the public and decision makers about the potential significant environmental effects of a project (CEQA Guidelines 15002(a)). If a project could cause impact on a historic resource (thus preventing the use of a categorical exemption from review under CEQA), the MND must demonstrate that those impacts would be avoided or reduced to a less-than-significant level with the implementation of prescribed mitigation measures. Now two experts, a qualified architectural historian and a qualified historic architect, have found that the project would cause a significant adverse impact on a historic resource even with mitigation, which triggers preparation of an EIR.

### **The Project Would Cause Substantial Adverse Change to a Historic Resource**

TGHS concurs with staff’s finding that 512 W. Doran is a historic resource under CEQA. The Transitional Craftsman subtype is a rare resource in Glendale. Based on the 2006-2007 Craftsman Survey, which found all six high-integrity Transitional Craftsman houses to be eligible for designation on the Glendale Register, the subject property would almost certainly have been found eligible had it been evaluated. Please see our analysis in the attached DPR 523 form, which discusses character-defining features in detail, and finds that the property is eligible for the Glendale Register under Criteria 3 and 5 and for the California Register under Criterion 3. It was submitted to the state in November.

We continue to assert that the project as proposed would result in “substantial adverse change” in the significance of a historic resource, which is considered a significant effect on the environment (*California Public Resources Code* or *PRC* Section 21084.1). This is the identified CEQA issue relative to the Final MND that staff failed to understand (Response 1-1, Dec. 2016). The thresholds of substantial adverse change are established in *PRC* Section 5020.1 as *demolition*, destruction, *relocation*, or “alteration activities that would impair the significance of the historic resource” (emphasis added). Material impairment occurs when a project results in demolition, or materially alters in an adverse manner, the physical characteristics that convey a property’s historic significance, or is the reason for that property’s inclusion in an official register of historic resources (emphasis added again, *PRC* Section 15064.5(b)(2.)).

Our experts note that the proposed project would relocate the existing residence from its historic setting to a crowded location at the front of the lot, with a minimal side yard, paved driveway and out-of-scale, new buildings placed too close and sharing the street-facing side. It would demolish approximately one-third of the original building in order to accomplish the lot-crowding project, which necessitates removal of a large portion of the roof, changing its configuration and removing siding and numerous windows and doors, all of which are character-defining features of the landmark-eligible residence. Lastly, by allowing the described relocation and alterations, the setting of the historical resource would be irretrievably lost. Both our experts have determined that such a change would render the subject property ineligible for designation, which is by definition a substantial adverse impact on the significance of a historic resource.

We have already laid out in detail why we believe the proposed project does not comply with the Secretary of the Interior's Standards for Rehabilitation in our letters of June 22 and July 13. We will not reiterate them in detail here but only note that the analysis of the proposed project in relation to the Standards has not materially changed in the MND, with one exception. Standard 10 requires that: "New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired." Although nothing about the project has changed, the final MND eliminates staff's acknowledgment that "The removal of the rear portion of the house and its relocation toward the northeast corner of the lot make it difficult to meet this standard as they are for all practical purposes non-reversible." It is not only difficult but impossible to meet Standard 10, whether the MND states it or not, as both the form and the integrity of the historic resource would be materially impaired by the demolition of a full one-third and reconfiguration of the rest, and its open setting, which contributes to the significance, would be lost to out-of-scale new development.

### **The MND Improperly Relies on Economic Feasibility in Analyzing the Project**

There is another important change to Staff's Response on Standard 10 in the Final MND. A key sentence has been eliminated: "As noted in National Park Service documents, economic feasibility can be considered when assessing a project against the Standards, which appears to be appropriate given the project goals and the various zoning code restraints on the site." Such language has been part of staff's formal comments on the project since July, and its sudden disappearance from the discussion of Standard 10 in the final MND does nothing to allay concerns that the inappropriate consideration of economic feasibility is driving the recommendation of this project, despite its substantial adverse impact on a historic resource and disagreement with fundamental principles of the Standards. We note that the final MND continues to rely on economic feasibility to support the project elsewhere in the document, when it dismisses the Standards as "a set of federal guidelines for the treatment of historic properties that the National Park Service indicates should be applied to projects in a reasonable manner, taking into consideration economic and technical feasibility." The Standards are in fact codified in the Glendale Municipal Code and clearly referenced in CEQA. The Standards are used to analyze alterations to historic resources and in this case are not optional. The Staff Response to our comments likewise repeats the assertion that the Standards "take into consideration economic and technical feasibility. This means that if it is not feasible to retain and repair all the existing windows, whatever rehabilitation required must comply with the Secretary's standards" (Response 1-7).

That's not what it means, but it doesn't matter. Although the Secretary of the Interior's Standards for Rehabilitation may allow *consideration* of economic feasibility in their application, that does not alter the requirements of CEQA. CEQA only allows the consideration of the economic feasibility of a mitigation measure *after preparation of an EIR and Statement of Overriding Considerations*. And economic infeasibility must be clearly demonstrated rather than hinted at or asserted.

### **The MND Improperly Relies on Unenforceable and Deferred Mitigation Measures**

The Staff Response claims that because significant impacts will be mitigated, preparation of an EIR is not required. This misses the point. If the wood siding from the façade is retained and

reused, and if the existing windows are preserved, the impacts to those character-defining features would be reduced. However, by including the qualifier “to the greatest extent possible,” particularly with no set definition of that term, mitigation of these impacts is not guaranteed. That is what it means for the mitigation measures not to be fully enforceable as required by CEQA Guidelines Section 15126.4(a)(2). If it is not possible to save these features, the project *could have* a significant adverse impact that requires analysis in an EIR. Mitigation measures for a significant adverse impact can only be rejected if the City makes findings, supported by substantial evidence, that the measure is economically infeasible and prepares a statement of overriding considerations.

By failing to define “to the greatest extent possible,” or to determine what that is prior to project approval, the MND improperly defers analysis of impacts to this historic resource. It does not matter when the building permits will be issued, because at the time of project approval, it will be unknown to what extent the identified character-defining features can and would be preserved. This is improperly deferred mitigation, which is disallowed under CEQA.

In general, it is inappropriate, albeit not necessarily a violation of CEQA, for the City to defer the preparation of drawings accurately depicting existing conditions. This should have been a requirement in the original application before it was deemed complete. We recommend these drawings be prepared with the added condition that each ordinal side of the building be accurately depicted (including the roof and dimensions) with the proposed project at the same scale, side-by-side, for this review. Without that basic review tool, the City cannot ensure the results, nor can it adequately analyze the impacts. Any such drawings should be subject to review and approval by Glendale’s Historic Preservation Planner. Those plans would demonstrate the size, height, materials, and finishes of the existing and proposed foundations as well. In addition, a detailed moving plan should likewise have been prepared for review before project approvals are issued. Perhaps the City will not issue building permits down the line, but the purpose of a public hearing is to give the public a chance to weigh in on the proposed project and the methods by which the historic resource will be preserved and protected; deferring such important documents until after the public hearing is closed withholds from the public—as well as the Design Review Board—critical information it should have in order to understand the project and its impacts as fully as possible.

## **Conclusion**

We assert again that the proposed mitigation measures would not reduce project-related impacts to an insignificant level, and for the reasons we have laid out in our previous letters, as well as those raised here—that mitigation measures are improperly deferred and not fully enforceable as required under CEQA, and thus may not prevent significant adverse impacts, and that economic feasibility cannot be considered in decisions regarding mitigation measures in an MND—we respectfully request that you instruct City staff to prepare a focused EIR for the proposed project. We note, finally, that because the City is trying to determine whether the project would have a significant adverse impact on a property it has found to be a historic resource, the fair argument standard applies. Both Francesca Smith, a qualified architectural historian with thirty years’ experience, who meets and exceeds the Secretary of the Interior’s Professional Qualification Standards in history and architectural history, and Virginia Paca, a qualified historic architect who has been involved in historic projects in southern California for more than thirty years, including serving as project architect for the restoration of Glendale’s Southern Pacific Railroad Depot

(listed in the National Register of Historic Places), independently found that the demolition of one-third of the identified historic resource, reconfiguring the rest, and relocating and crowding it with much larger new buildings would cause a significant adverse impact.

We offer four distinct arguments in this document, amplifying previous letters and comments, each one of which the City must refute to prevail in its assertion that the project would not cause a substantial adverse impact to a historic resource and that an EIR is not required. The City has not refuted them. Therefore we again assert that a focused EIR should be prepared to fully analyze alternatives to the proposed project as well as the impacts of the project on the historic resource.

Thank you for your time and consideration.

Sincerely,

*Greg Grammer*

Greg Grammer, President  
The Glendale Historical Society

cc: Jay Platt, Senior Urban Designer, City of Glendale  
Vista Ezzati, Planning Assistant, City of Glendale