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Submitted electronically

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Email: boyleheightsplan@lacity.org

RE: Draft EIR Comments for the Boyle Heights Community Plan Update, File number ENV-2016-2906-EIR

Dear Mr. Gonzalez:

On behalf of the Los Angeles Conservancy, I am writing to comment on the Draft Environmental Impact Report (EIR) for the Boyle Heights Community Plan Update (CPU). The CPU is the culmination of many years of outreach and will guide development in Boyle Heights for the next twenty years. Because of its long-term application, it is vital for the City to provide a considered and comprehensive Community Plan that successfully plans for and protects some of Los Angeles's most important historic resources.

Boyle Heights is among the oldest neighborhoods in Los Angeles and was developed as one of the city's first residential suburbs. Referred to as the "Ellis Island of the West Coast" by longtime residents and historians alike, Boyle Heights reflects Los Angeles' diverse history and built heritage. Historic properties in the Boyle Heights Community Plan Area (CPA) are particularly at risk given the low percentage of designated historic resources and the increased levels of new and proposed development. According to the DEIR for the Boyle Heights Community Plan Update, there are a total of 153 parcels in the CPA identified as historic properties either individually or as contributors in a historic district. At the time of this writing, only 19 Historic-Cultural Monuments (HCMs) and no Historic Preservation Overlay Zones (HPOZs) are located in the CPA. Eight properties have been listed in the National Register of Historic Places. The CPU offers a unique opportunity to incentivize and plan for more proactive, robust protections for historic resources.

The Conservancy commends the City for preparing a thoughtful plan that fosters sensitive growth while respecting historic properties and neighborhood identity. The Draft EIR proposes new zoning regulations for the Brooklyn Avenue Neighborhood Corridor (HCM #590), legacy corner stores in residential neighborhoods, and some SurveyLA residential historic districts in



the CPA. While we concur that these are significant historic resources and support the development of new zoning regulations and other planning tools to protect their historic character, we urge the City to analyze and plan for historic resources throughout the CPA.

We submit the following comments to further ensure the intent and goals associated with historic resources effectively avoid and mitigate against significant and harmful impacts.

I. Draft Boyle Heights Community Plan should balance need for new growth and development with retention of existing resources (both people and places) through expanded strategies and tools

A lot of thought has clearly gone into the development of this draft Plan, with strong goals identified to retain existing residents and discourage displacement. We strongly concur with these goals. As a neighborhood of seventy-four percent renters and a majority of housing stock that is older than fifty years of age, Boyle Heights is both serving a critical need, and contains a strong concentration of historic resources. In many cases, the physical older housing stock is providing this critical affordable housing, therefore historic preservation and affordable housing goals are directly aligned. The loss of the older housing stock will have a direct correlation to displacement and increased rents. The Conservancy believes we need to achieve a greater and more-carefully calibrated balance in this Plan, as preservation of some existing resources does not foreclose the opportunity to increase density and the number of affordable housing units through new development.

The Plan identifies twenty-nine separate goals, a majority focused on creating and promoting new development opportunities within the Boyle Heights community. While there are some goals focused on preservation and discouraging demolition of multi-unit housing stock, it is unclear how the existing tools and strategies will help achieve these desired outcomes. We believe there is a disparity between retention and new development within the Plan, with greater emphasis on the latter. While we appreciate proposed context-sensitive tools that will achieve sensitive infill design that responds to the existing look and feel of Boyle Heights, there are few tools that relate to or can address the need to retain existing buildings and community assets.

While the following goals are just some of those that emphasis preservation, retention and reuse of existing resources, we do not think the Plan goes far enough in offering strategies that actually help in these areas. Throughout our comments you will find specific recommendations to help align these goals with tangible tools that could be incorporated within the Plan, and prior to a revised Draft being presented to the City Planning Commission.

- LU 10.3 Promote efforts to safeguard legacy businesses and cultural institutions that reflect the history and character of Boyle Heights.
- LU 10.4 Develop programs and strategies that provide support to established commercial tenants facing closure due to rent increases.
- LU 1.4 Discourage permits from being issued for the demolition of multi-unit buildings until a project providing an equivalent or greater number of units is approved.
- LU 2.4 Prioritize preservation and maintenance of the existing multi-unit housing stock as the foundation of the community's affordable housing supply.
- LU 18.1 Prioritize the preservation and restoration of historic resources identified through the Los Angeles Historic Resources Survey (SurveyLA).



- LU 18.2 Protect individually significant historic resources and districts in Boyle Heights from demolition or adverse alteration.
- LU 18.5 Promote the restoration and reuse of vacant and/ or deteriorating historic buildings for new uses that benefit the community and reinforce the site’s historic and cultural legacy.
- LU 18.6 Promote the preservation of remaining examples of bungalow courtyard and garden apartment architecture.
- LU 18.7 Protect legacy businesses and cultural institutions from displacement.
- LU 19.1 Uphold the historic and cultural integrity of Cesar E. Chavez Avenue, also known as the historic “Brooklyn Avenue Neighborhood Corridor,” by promoting restoration and reuse of existing early 20th Century brick buildings.
- LU 20.2 Encourage the restoration and adaptive reuse of distinctive industrial architecture dating from the first half of the 20th century.
- LU 20.3 Support the adaptive reuse of the historic Sears building in a manner that preserves the architectural integrity of the structure as a landmark while incorporating uses that provide employment and economic benefits to Boyle Heights.
- LU 22.1 Support efforts to preserve and restore the rich inventory of murals found throughout Boyle Heights.

II. Draft EIR should clearly identify and map surveyed historic resources and analysis of potential conflicts in the Boyle Heights Community Plan Update

Identifying eligible and known historic resources in the CPA is a crucial step in determining any potential conflicts with what is being proposed. The Draft EIR should include resources identified in the SurveyLA report for Boyle Heights, the Adelante Eastside Redevelopment Project Area Survey, and resources identified in the City’s Ethnic/Cultural Context Statements that are located within the Plan boundaries.

We strongly encourage the inclusion of maps illustrating the locations of all identified historic resources, including existing and eligible HCMs, properties listed in or eligible for the National and California Registers, and potential historic districts. These should be overlaid with any proposed land use changes or any Floor Area Ratio (FAR) Incentive Area(s) put forth in the proposed Plan. Inclusion of such data in a user-friendly format will be useful for long-term planning purposes and balancing preservation and development priorities.

We request corrections to information contained in Table 4.4-1 “Historic Cultural Monuments (HCMs) within the Boyle Heights CPA.” This table includes three current “sites of” respective demolished historic properties, the 6th Street Wooden Bridge across Hollenbeck Park Lake, Residence at 1620 Pleasant Avenue, and the Sixth Street Bridge. The list should identify these properties as “sites of” demolished historic properties. The National Register-listed buildings in the CPA does not currently include the Japanese Hospital at 101 S. Fickett Street, and National Register district contributor Five Points Memorial, which consists of Morin Memorial Square and the Mexican American All Wars Memorial, located at the intersections of East Cesar E. Chavez Avenue, North Indiana Street, and North Lorena Street. Additionally, Wyvernwood Garden Apartments is not identified as a historic district listed on the California Register of Historic Resources.

Recommendation: Survey findings should be included, expanded and fully articulated in a revised Boyle Heights Community Plan document, including detailed analysis that discusses potential



conflicts. We would like to see this prior to the plan's introduction and review at the City Planning Commission.

III. Expand Community Plan Implementation Overlay (CPIO) district, to broaden its effectiveness as a strong model for conserving historic residential neighborhoods

The Conservancy greatly appreciates the inclusion of policies and regulations aimed at protecting historic resources that have not been designated. The creation of a new CPIO District and incorporating findings from SurveyLA would strengthen protections for individual properties and neighborhoods under the California Environmental Quality Act (CEQA) by treating the demolition of eligible historic resources in certain subareas as a discretionary action.

In particular, the proposed CPIO Historic Preservation Subarea B in CPU creates a new set of tools for managing change in historic neighborhoods. The Subarea B - Historic Resources Subarea includes the 2nd Street Residential Historic District, Boyle Avenue Residential Historic District, Mount Pleasant Residential Historic District, St. Louis-Chicago Residential Historic District, and the Brooklyn Heights Residential Planning District, all determined eligible through SurveyLA. The CPIO Subarea B introduces new design review to guide the ongoing maintenance and rehabilitation of historic resources. Projects involving residential district contributors will be subject to additional design review by the Office of Historic Resources for compliance with the Secretary of the Interior's Standards for Rehabilitation, in keeping with best practices for preservation. We recommend that commercial and institutional district contributors also be subject to additional design review to ensure that the comprehensive history of these districts is recognized. Policies outlined for CPIO Subarea B paves the way for HPOZ designation in the future, should residents desire additional guidelines and review. We are encouraged by the framework defined in the CPIO Historic Preservation Subarea B which we believe offers viable policies for neighborhood conservation. We recommend additional recommendations to ensure that historic multi-family residential, commercial, and industrial neighborhoods benefit from similar regulations.

In the proposed CPIO Subareas A and B, we recommend adding demolition and permit delays for projects where an existing structure is 45 years of age or older. This proposed change addresses community concerns related to the affordable housing shortage and displacement and is currently being considered as part of the South Los Angeles CPIO Amendment. Another anti-displacement policy that should be considered for CPIO Subareas A and B is if a Project will replace protected units, it must be replaced with units at a comparable, affordable rate. If no income documentation is available, extremely low-income level will be the default. This, too, is being considered as part of the South Los Angeles CPIO Amendment. Additionally, we support the proposed future implementation of Program 16 – No Net Loss Program to minimize the displacement of residents and ensure that there is no loss of affordable housing. This can be primarily achieved through the preservation and retention of existing affordable housing, and rent-stabilized (RSO) and covenanted units.

Recommendation: CPIO Historic Preservation Subarea B should be expanded to include the Stone Street Residential Historic District and Estrada Courts, which were identified in SurveyLA. Additionally, Hostetter Industrial District and 500-600 South Anderson Street Industrial Business District, both identified in the Adelante Eastside Redevelopment Project Area Survey, and identified California Register and National Register historic districts, including but not limited to Sears,



Roebuck, and Company Mail Order Building, Wyvernwood Garden Apartments, Santa Fe Hospital, and Five Points Memorial should be included.

To prioritize preservation and maintenance of the existing multi-family housing stock as the foundation of community's affordable housing, we further ask that existing Bungalow Court and older and historic multi-family properties be considered for inclusion.

To ensure that the history of neighborhoods of Boyle Heights identified as historic or potentially historic in the City's SurveyLA and Adelante Survey are recognized, we recommend that new zoning regulations, applied through character frontages of residential buildings in the area, also be applied to the respective district's commercial and institutional contributors. In these instances, "Character Commercial 1" Frontage should be applied to historic commercial properties.

To address the affordable housing shortage and displacement concerns, add demolition and permit delays for projects where an existing structure is 45 years of age or older in CPIO Subareas A and B. Additionally, in these areas, if a Project will replace protected units, it must be replaced with units at a comparable, affordable cost. If no income documentation is available, extremely low-income level will be the default.

IV. Ensure Adequate Height, Setback, and Character Frontage within the Brooklyn Avenue Neighborhood Corridor (HCM #590)

Context-sensitive growth occurs when there is a priority placed on maintaining the existing qualities and assets while also outlining where future compatible new development can occur. We believe the Boyle Heights Community Plan attempts to do this, especially within the Brooklyn Avenue Neighborhood Corridor (HCM #590). This is fundamental to the work of the Conservancy as we always strive to achieve a balance and "win-win" outcomes whenever possible.

Like other historic neighborhoods throughout the city, the Brooklyn Avenue Neighborhood Corridor is increasingly under pressure by new development. Often this development is out-of-scale with its historic environment and chips away at the district's integrity overtime. Further, this type of development places pressure on existing historic assets, and this will likely only escalate over time and within the "life" of the Boyle Heights Community plan if there are not tools put in place to help. Outside of the California Environmental Quality Act (CEQA) process, while noting its inherent limitations, we would not be able to prevent this from occurring.

It is important to preserve the historic neighborhoods of Boyle Heights and maintain a balance between existing and new development in certain areas of the CPA, therefore we support a two-story height limit and application of "Character Commercial 1" Frontage in this area. Maximum height building limitations offer a much-needed tool and mechanism to balance growth pressures. It is one tool to ensure the City is meeting its stated priority of preservation, by maintaining the existing and valued character that is provided through these historic districts. Further, requiring that compatible infill development employs façade elements such as vertical and horizontal banding, recessed windows, frequent entrances, and high transparency for ground floors will compliment other zoning regulations intended to preserve neighborhood identity and associated historic street frontage.

Recommendation: Support two-story height limit and application of "Character Commercial 1" Frontage in the Brooklyn Avenue Neighborhood Corridor. Beyond what is currently proposed for this



commercial corridor, we recommend the City consider additional tools to encourage the preservation and integration of existing historic resources in any proposed new infill development strategy. To this end, the Transfer Development Rights program discussed below may encourage preservation of existing historic resources.

V. Continue to accommodate neighborhood amenities in residential zones, and encourage retention of longtime existing small businesses that strengthen the local economic base of the CPA

It is important to note that landmarking and historic district designation alone cannot ensure a preservation-based outcome or compatible development, as it is extremely limited in scope. As the neighborhoods of Boyle Heights contain a number of non-residential uses today, including many corner stores, or “tienditas,” we support the establishment of the “RX2” Use District, which allows limited introduction of non-residential uses into the residential neighborhoods.

We also support the creation of the “CX5” Use District, which is intended to retain and support small businesses, namely along Cesar Chavez Avenue, but also in other areas throughout the CPA. We recommend this use district include a portion of First Street between Mathews and Fickett Streets where there is a concentration of small legacy businesses.

To enhance these retention strategies, we recommend a “Character Commercial I” Frontage be applied to commercial parcels in the “RX2” and “CX5” Use Districts.

Recommendation: Support the retention of existing longtime small businesses in the CPA through new zoning regulations and use districts. Additionally, the Conservancy recommends applying “Character Commercial I” Frontage to commercial properties in the RX2 and CX5 use districts.

VI. Balance transit corridor development through introduction of Transfer of Development Rights (TDR) tool

Transfer Development Rights (TDR) has been included in the Downtown Community Plan to promote the preservation of historic resources. Under the new TDR program in Downtown, donor sites would be allowed to sell unused floor area, up to a maximum Bonus FAR permitted in the From District to a receiver site within the Downtown Los Angeles CPA. City Planning should consider this tool in the Boyle Heights Community Plan, particularly as an incentive for reuse of eligible and designated properties along transit corridors, which are most vulnerable for redevelopment.

Recommendation: The TDR program has been a successful tool for preservation in the past and the Conservancy recommends the City consider its implementation for individually eligible or district contributors along transit corridors in the Boyle Heights Community Plan. There should be flexibility embedded within the plan to adapt to changing market conditions, including applying the TDR program to other areas.

Conclusion:

As one of the City’s earliest suburbs, Boyle Heights has a long history of welcoming immigrants and providing a sense of place, belonging, and opportunity. Today, twenty-three percent of residents are



homeowners, while the majority are renters and most vulnerable to rising rents, gentrification, and displacement. The Plan offers a number of new provisions as part of the re:code LA zoning and more contextual-based guidance.

With respect to preserving and celebrating Boyle Heights' cultural heritage, a strong emphasis has been placed on ensuring new development is compatible with existing eligible residential historic districts and the designated Brooklyn Avenue Neighborhood Corridor (HCM #590) on Cesar Chavez Boulevard. While this approach is appreciated, it is limiting in its ability to preserve existing older and historic housing stock.

The Boyle Heights Community Plan also offers new zoning regulations, which allow limited introduction of non-residential uses into residential neighborhoods and new use districts intended to retain and support small businesses in the plan area. These retention strategies complement citywide efforts to preserve and maintain longtime businesses through the recently approved legacy business program.

The Conservancy is pressing for ways to strengthen these proposed provisions and additional aspects of the Boyle Heights Community Plan to support preservation. We strongly welcome the opportunity to continue working with City Planning to strengthen the Boyle Heights Community Plan, and prior to its review by the City Planning Commission. Thank you for all your hard work in crafting this plan and for your consideration of our recommendations.

About the Los Angeles Conservancy:

The Los Angeles Conservancy is the largest local historic preservation organization in the United States, with nearly 5,000 members throughout the Los Angeles area. Established in 1978, the Conservancy works to preserve and revitalize the significant architectural and cultural heritage of Los Angeles County through advocacy and education.

Please do not hesitate to contact me at (213) 430-4203 or afine@laconservancy.org should you have any questions or concerns.

Sincerely,



Adrian Scott Fine
Senior Director of Advocacy

cc: Council District 14, Kevin de León
Office of Historic Resources
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