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Submitted electronically

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October 14, 2013

RE: Glendale Link Project - 3901-3915 San Fernando Road

Dear Mr. Duong:

On behalf of the Los Angeles Conservancy, thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Glendale Link Project, including the proposed demolition of the historic building located at 3901-3915 San Fernando Road. As detailed in our Notice of Preparation (NOP) comments on April 18, 2013, the Conservancy strongly feels the building located at 3901-3915 San Fernando Road qualifies as a historical resource as defined by a key policy under the California Environmental Quality Act (CEQA). The proposed project will result in a significant impact to a cultural resource.

We are disappointed that the DEIR fails to acknowledge this and instead relies on analysis that appears to draw conclusions and dismisses the building and its potential significance. To avoid the need for supplemental environmental review and delays, we urge the City to require full consideration of at least one bona fide preservation alternative and the associated thorough analysis before taking any action on the DEIR.¹

I. The building at 3901-3915 San Fernando Road should be treated as a significant historical resource

The analysis within the DEIR states the building at 3901-3915 San Fernando Road does not appear to meet the criteria for inclusion on either the national, state or

¹ A Subsequent EIR or Supplement to an EIR may be required when “substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.” CEQA Guidelines §§15162, 15163.



local historic registers. The Conservancy believes there is substantial evidence provided within the record that otherwise would support an alternative conclusion, one that clearly demonstrates the building at 3901-3915 San Fernando Road meets the minimum threshold for CEQA and consideration as an historical resource.

The City of Glendale's San Fernando Road Corridor Redevelopment Project² identified the building at 3901-3915 San Fernando Road as "the only example of a Moorish Revival-style commercial building extant within the San Fernando Road project area." At that time it was determined eligible for listing in the National Register of Historic Places and appearing eligible for the California Register. No evidence demonstrates that the building at 3901-3915 San Fernando Road has been significantly altered since the mid-1990s and the time of the redevelopment project. The DEIR assessment incorrectly states the building has had "major alterations" and therefore lacks significant integrity, rendering it ineligible for listing at the local, state and national levels. Material evidence does not support this claim, nor does the independent assessment performed on the building by Historic Resources Group (HRG).³

The HRG report and subsequent evidence demonstrate further errors in the DEIR analysis. For instance, the DEIR assessment states a subsequent one-story wing was added to the main two-story building in 1937. A November 19, 1930 article in the *Glendale News-Press* however demonstrates this to be inaccurate, showing an image of the building at 3901-3915 San Fernando Road as it largely appears today with both the one and two-story sections. This example illustrates a series of inaccuracies and statements within the DEIR that do not support the documentation. We believe the building at 3901-3915 San Fernando Road meets the basic criteria for significance through its association with important events, persons and architecture.

The Conservancy believes there is a substantial level of evidence now entered into the record to suggest the building meets, at a minimum, eligibility for the local City of Glendale Register of Historic Resources. As such the building at 3901-3915 San Fernando Road should be treated as an historical resource as part of the EIR process for the proposed project, and as required through CEQA.

II. The DEIR fails to acknowledge a significant impact, a range of preservation alternatives, and the environmentally superior alternative

A key policy under CEQA is the lead agency's duty to "take all action necessary to provide the people of this state with... historic environmental qualities...and preserve for future generations...examples of major periods of California history."⁴ To this end, CEQA "requires public agencies to deny approval of a project

² Harland Bartholomew & Associates, "Final Reconnaissance Survey, City of Glendale San Fernando Road Corridor Redevelopment Project," 1996.

³ Historic Resource Assessment, 3901 San Fernando Road, Glendale, CA. October 9, 2013.

⁴ Public Resources Code §21001 (b), (c).



with significant adverse effects when feasible alternatives or feasible mitigation measures can substantially lessen such effects.”⁵

Courts often refer to the EIR as “the heart” of CEQA, providing decision makers with an in-depth review of projects with potentially significant environmental impacts and analyzing alternatives that would reduce or avoid those impacts.⁶ The CEQA Guidelines require a range of alternatives to be considered in the EIR that would feasibly attain most of basic project objectives but would avoid or “substantially lessen” the project’s significant adverse environmental effects. The lead agency cannot merely adopt a statement of overriding considerations and approve a project with significant impacts; it must first adopt feasible alternatives and mitigation measures.⁷

The project’s alternative analysis incorrectly states, “[N]either the proposed project nor Alternative 2 would result in significant impacts; therefore impacts related to cultural resources would be similar to the proposed project.”⁸ The Conservancy disagrees and believes there is a significant impact to a known cultural resource. The DEIR all but acknowledges this by providing Alternative 2 -- a reuse/reduced density alternative -- yet fails to state the purpose of this alternative or the importance of the building at 3901-3915 San Fernando Road. Other alternatives may be available but have not been analyzed within the DEIR. Once acknowledged as a historical resource, we believe there needs to be a broader range of reuse/preservation alternatives.

Alternative 2 meets “most of the project objectives” and is considered the “environmentally superior” alternative.⁹ However, the DEIR concludes Alternative 2 “would not be sufficient to offset the cost of the land and would not be economically feasible for the applicant for this reason.” While generally economic analysis within a DEIR is not considered paramount under CEQA, the applicant relies on this argument to demonstrate why Alternative 2 is infeasible. CEQA defines feasibility as “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social and technological factors.”¹⁰ In order to prove economic infeasibility the applicant must provide specific “evidence that the additional costs or lost profitability are sufficiently severe as to render it impractical to proceed with the project.”¹¹

⁵ *Sierra Club v. Gilroy City Council* (1990) 222 Cal. App.3d 30, 41; also see PRC §§ 21002, 21002.1.

⁶ *County of Inyo v. Yorty* (1973) 32 Cal.App.3d 795; *Laurel Heights Improvement Association v. Regents of the University of California* (1993) 6 Cal.4th 1112, 1123.

⁷ PRC §§ 21081; *Friends of Sierra Madre v. City of Sierra Madre* (2001) 25 Cal.4th 165, 185.

⁸ Alternatives Analysis, Glendale Link Project Draft EIR, page 7.0-6. September 2013.

⁹ Alternatives Analysis, Glendale Link Project Draft EIR, pages 7.0-12 and 7.0-19. September 2013.

¹⁰ CEQA Guidelines, § 15364

¹¹ *Citizens of Goleta Valley v. Board of Supervisors*, (1988) 197 Cal. App. 3d 1167, 1181



Despite the applicant's claim, there is no economic analysis provided that supports this within the DEIR. The DEIR's one-sentence rejection of a reuse alternative is imprecise, incomplete and largely unsubstantiated, ultimately failing to establish the infeasibility of retaining the building at 3901-3915 San Fernando Road.

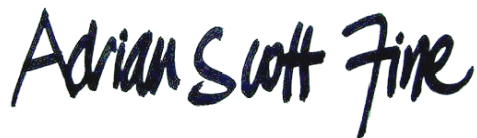
We feel that creative reuse options exist for the building at 3901-3915 San Fernando Road while meeting most of the project objectives. As demonstrated in Alternative 2, the project site allows for a lot of flexibility. The historic building can remain and be adaptively reused while still allowing for sensitively-designed infill construction.

About the Conservancy

The Los Angeles Conservancy is the largest local historic preservation organization in the United States, established in 1978 to preserve and revitalize the significant architectural and cultural heritage of Los Angeles through advocacy and education.

Thank you for the opportunity to comment of the DEIR for the Glendale Link Project. We urge the City of Glendale to acknowledge the building at 3901-3915 San Fernando Road as an historic resource and require thoughtful consideration of preservation alternatives that would retain and incorporate this building into the project. Please feel free to contact me at 213-430-4203 or afine@laconservancy.org should you have any questions.

Sincerely,



Adrian Scott Fine
Director of Advocacy

cc: Jay Platt, City of Glendale
The Glendale Historical Society

