



May 17, 2010

Submitted electronically

Mr. David J. Somers, Environmental Review Coordinator
Department of City Planning
Los Angeles City Hall
200 North Spring Street, Room 750
Los Angeles, CA 90012
Email: david.somers@lacity.org

Re: Brentwood Town Green – ENV-2009-1065-EIR – Notice of Preparation

Dear Mr. Somers:

On behalf of the Los Angeles Conservancy, we submit these comments on the latest version of the proposed Brentwood Town Green project and the need to consider preservation alternatives for the Barry Building, City of Los Angeles Historic-Cultural Monument #887, as part of the ongoing environmental review process.

The Los Angeles Conservancy is the largest local preservation organization in the United States, with over 6,000 members throughout the Los Angeles area. Established in 1978, the Conservancy works to preserve and revitalize the significant architectural heritage of Los Angeles through advocacy and education. Since 1984, the Conservancy's all-volunteer Modern Committee was worked to raise awareness about Los Angeles' unique collection of mid-twentieth century modernist structures that shaped the tastes and architectural trends of the entire nation.

In 2007, the Conservancy worked closely with the Brentwood community to support designation of the Barry Building as a Historic-Cultural Monument (HCM), having repeatedly met with Friends of the Barry Building, the City Council's office, and representatives of the owners. In addition to its architectural significance, the Barry Building is a beloved community and cultural landmark as evidenced by the hundreds of residents who voiced their support for the nomination. By formally recognizing the significance of the Barry Building, HCM designation defined clear parameters under which project planning can proceed.

In 2009, the Conservancy submitted comments on the Notice of Preparation for the first version of the Brentwood Town Green project, which called for the demolition of the Barry Building. Although the project sought to destroy a designated historic landmark – *as it still does* – the applicants boldly claimed at the time that it would result in “hugely expanded preservation” and further stated they were “unable to recall any greater victory

for historic preservation in the entire history of the City.”¹ In addition to the Conservancy’s comments, which stressed the need to consider an alternative which would adaptively reuse the Barry Building, letters were submitted by more than twenty local residents strongly urging the applicant to retain the landmark Barry Building.

I. The Barry Building could easily be adapted to meet project objectives

With such overwhelming public sentiment in favor of preservation, we are extremely disappointed that the latest iteration of the project once again calls for demolition of the Barry Building. Although no project objectives are explicitly stated in the Notice of Preparation or accompanying Initial Study, the project description contemplates demolition of the Barry Building for construction of “three new two-story commercial buildings consisting of several tenant spaces for retail, restaurant, office, storage, and other local services, in an open-air setting containing several courtyards connected by pedestrian pathways.”² The proposed project also includes 427 parking spaces – about 100 more than are required by code – occupying one level of underground parking under the entire site with the remaining spaces located on a surface parking lot spanning the rear of the project site.

The Barry Building is a two-story commercial building with retail spaces on both levels arranged around a central courtyard. It has always been used for retail and office space – most recently anchored by Duttons Bookstore – and could easily be reconfigured to provide some of the “approximately 25 tenant spaces, ranging from 500 to 5,000 square feet [that] would be oriented around open courtyards” in the proposed project.³

II. The EIR should evaluate a range of reasonable alternatives that retain the Barry Building

A key policy under the California Environmental Quality Act (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 CEQA “requires public agencies to deny approval of a project 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 because it provides decision makers with an in-depth review of projects with potentially significant environmental impacts and analyzes a range of alternatives that reduce those impacts.⁶

¹ Project Description and Owners’ Statement of Intent, Brentwood Town Green, pp.24-25.

² Initial Study for Brentwood Town Green Project (February 2010), Sec. I-1.

³ *Id.*

⁴ Public Resource Code, Sec. 21001 (b), (c).

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

It is undisputed that the proposed project, including demolition of a qualified historical resource, would cause significant and irreversible adverse impacts to cultural resources. Accordingly, the EIR must evaluate at least one potentially feasible alternative that incorporates the Barry Building into the project and retains its eligibility as a historical resource. The EIR should consider a range of options that reuse the Barry Building for retail space or other uses consistent with the project objectives, combined with in-fill construction elsewhere on the site to provide the desired aggregate square footage. Under this alternative, the proposed underground parking level could be built around the perimeter or placed beneath the Barry Building. Because the proposed project seeks to exceed city parking requirements, preservation options should not be considered infeasible simply by failing to provide the total desired number of spaces.

The Conservancy remains committed to working with the applicants, members of the community, and the City Council office to develop a plan that both meets the project objectives and respects community priorities. Thank you for the opportunity to comment on the Notice of Preparation for the Brentwood Town Green project. Please feel free to contact me at (213) 430-4203 or mbuhler@laconservancy.org should you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Buhler". The signature is fluid and cursive, with the first name "Mike" and last name "Buhler" clearly distinguishable.

Mike Buhler
Director of Advocacy

cc: Councilmember Bill Rosendahl, Council District 11