



523 West Sixth Street, Suite 826
Los Angeles, CA 90014

213 623 2489 OFFICE
213 623 3909 FAX
laconservancy.org

March 30, 2020

Submitted electronically

Johnny Le
City of Los Angeles, Department of City Planning
221 North Figueroa Street, Room 1350
Los Angeles, CA 90012
Email: johnny.le@lacity.org

Re: The Albany Project, 1330 West Pico Boulevard, 1308-1348 South Albany Street, Los Angeles, CA 90015, Notice of Preparation, ENV-2018-3456-EIR

Dear Mr. Le,

On behalf of the Los Angeles Conservancy, thank you for the opportunity to comment on The Albany Notice of Preparation & Initial Study (Project). Given the proposed Project's proximity to the Pico-Union Historic Preservation Overlay Zone (HPOZ), it is of the upmost importance for the Project to be sensitive to its surrounding historic built environment. New construction that is not compatible with its environment will have adverse effects on the neighboring historic resources.

The proposed Project is located on the southeast corner of West Pico Boulevard and Albany Street. The southern two-thirds of the Project site sits within the Pico-Union Historic Preservation Overlay Zone (HPOZ). The Pico-Union HPOZ is made up of 798 structures making it one of the larger historic districts in the City. Of the 798 structures, 528 are "contributing" giving the HPOZ a contribution rate of 66%. Pico-Union is significant for its development as one of Los Angeles's earliest streetcar suburbs, construction began in late nineteenth-century continuing until early 1930s. Along Albany Street, where the Project site is located, there are twelve structures. These structures are primarily single-family residences in the craftsman style. Of these twelve structures, ten are "contributors" to the HPOZ.

I. Proposed New Construction Within and Immediately Adjacent to The Pico-Union HPOZ Should Be Compatible.



Compatibility within a historic context should allow for dynamic new ideas and modern design concepts without being overly constricting. It's important to recognize the effects of massing and scale within the HPOZ context. The National Park Service offers some guidance with the use and application of the *Secretary of the Interior's Standards* in a district or neighborhood setting. The Park Service advises against any introduction of a new building or landscape features that are out of scale or otherwise inappropriate to the setting's historic character. We believe the current plans for the proposed Project are just that.

Construction of a new high-rise is inherently at odds with the low-rise HPOZ that surrounds it. However, it is possible to minimize negative impacts through creative solutions that address the Project's scale, massing, and materiality. These solutions should be presented as Project Alternatives in the Draft Environmental Impact Report (DEIR). The Conservancy recommends the applicant analyze reduced height Project alternatives and a range of designs that explore different massing options.

II. Draft EIR Must Evaluate a Range of Potentially Feasible Alternatives.

The DEIR shall describe a range of reasonable alternatives to the project as chosen by the Lead Agency. These may include the "No Project Alternative" and several "Reduced Height Alternatives." 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."¹ If less harmful alternatives are identified that meet most project objectives, the lead agency should not approve the proposed project.² To ensure fair consideration of environmentally superior alternatives, the DEIR should also examine the feasibility of the proposed project in terms of the current capacity of existing infrastructure, cumulative impacts in conjunction with sustainability goals, and overall objectives for the Westlake Community Plan.

- **No Project Alternative:** As required under CEQA, the DEIR must include a "no project" alternative that considers the possibility of no new construction. This alternative shall discuss the existing conditions to establish a baseline for the Project.
- **Standards-Compliant Project:** As required under CEQA, the DEIR must include an alternative that complies with the Secretary of the Interior's Standards for Rehabilitation. This option may require a reduction in overall size, massing and scale. In assessing the viability of a Standards-compliant alternative, the DEIR should include a full historic resource assessment and analyze the impacts of new construction within the HPOZ context.

¹ *Sierra Club v. Gilroy City Council* (1990) 222 Cal.App.3d 30, 41 italics added; *also see* Public Resources Code §§ 21002,21002.1

² The fact that an alternative may be more expensive or less profitable is not sufficient to show that alternative is financially infeasible. What is required is evidence that the additional costs or lost profitability are sufficiently severe as to render it impractical to proceed with the project." *Citizens of Goleta Valley v. Board of Supervisors* (1998) 197 Cal.App.3d 1167, 1181.



III. Proposed Boundary Adjustment to Pico-Union HPOZ Sets A Dangerous Precedent

The Conservancy is concerned by the proposed alteration of the Pico-Union HPOZ boundary. We understand there was a city council motion made in 2018 to recommend the boundary adjustment as the HPOZ boundary may have been made in error in 2004. However, removal of the Project site from the HPOZ will result in less oversight, diminishing community design review, and input from the departments such as the Office of Historic Resources. The Conservancy is concerned by actions to reduce the size of any HPOZ to accommodate inappropriately-scaled new construction. This also potentially sets a problematic and dangerous precedent, in this case and other projects that may follow in the future. A robust discussion with all relevant parties will undoubtedly result in a project that is better able to achieve a win-win solution. Additionally, greater input from community members may lead to better awareness of unintended adverse effects that are otherwise unknown. The DEIR should fully explore all considerations and broader implications to this and all HPOZs citywide, citing how and when a HPOZ boundary adjustment is to occur and under what conditions. This should include full consultation with the Pico-Union HPOZ Board.

IV. Conclusion

Thank you again for the opportunity to provide comments on The Albany Project NOP and Initial Study. As development continues in and around downtown Los Angeles, it is vital to protect the character of the City's earliest neighborhoods. It is essential to address these issues as early as possible to find the appropriate balance between new construction and our historic built environment. The Conservancy encourages the applicant to contact us so that we may work together to achieve a project outcome that is sensitive to the surrounding historic environment.



About the Los Angeles Conservancy:

The Los Angeles Conservancy is the largest local historic preservation organization in the United States, with nearly 6,000 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
Director of Advocacy

