

August 5, 2003

Mr. Nicholas Hendricks  
Environmental Review Unit  
200 N. Spring St., Rm. 763  
Los Angeles, CA 90012

Dear Mr. Hendricks:

Thank you for the opportunity to comment on the Notice of Preparation (NOP) for the Draft Environmental Impact Report (DEIR) on the Chase Knolls property.

I am writing on behalf of the Los Angeles Conservancy, which is the historic preservation organization for Los Angeles and now the largest local historic preservation organization in the United States, with nearly 8,000 household members. The Conservancy was deeply involved with the difficult struggle to designate Chase Knolls as a City Historic-Cultural Monument in 2000, and we are very concerned that the current proposed project may undermine this designation.

Given that this property is a City Historic-Cultural Monument and given that it has now also been determined eligible for the National Register of Historic Places, the City should not be contemplating any project that would negatively affect this status. The only reason a DEIR will be required is that the project may have a significant adverse impact on this designated historic resource. If the developer can avoid this impact, by scaling back and redesigning the project, he can proceed with a much less stringent form of review: a Mitigated Negative Declaration or MND, which would likely save many months and tens of thousands of dollars.

The Conservancy is greatly concerned that the developer has not yet even met with the staff of the Cultural Heritage Commission, which oversees projects that would affect our city's designated landmarks. Nor has the developer met with the staff in the same department that oversee the Mills Act program, the property tax incentive program for owners of historic properties. This property has a ten-year contract with the City of Los Angeles, in which the owner agrees to maintain the property according to the Secretary of Interior's Standards for Rehabilitation. The City should not, with one hand (in City Planning) approve a project that would result in a violation of an iron-clad contract entered into with its other hand.

Indeed, the Mills Act contract on the Chase Knolls property was the largest ever entered into by the City of Los Angeles, and required a significant exemption from the City's property valuation

cap, an unusual exemption that both the Conservancy and the Cultural Heritage Commission only supported because of the positive historic preservation approach proposed for the site.

Despite the Mills Act contract, this project, as currently proposed, does not appear to meet the Secretary of Interior's Standards – the Standards which are used to analyze all proposed alterations to historic properties across the nation. The Conservancy therefore believes that the Initial Study should have identified potentially significant impacts in the cultural resources category, rather than asserting these impacts will be less than significant.

To comply with the Standards does not mean that the property needs to stay exactly as it is today. The designation and the Standards do allow for sensitive, compatible alterations and even new construction – they are, at their heart, a way of managing change, not freezing change in place.

It is important, however, for the DEIR to enumerate the “character-defining” features of the property and to evaluate how the project will affect these features. For example, it is clear that Chase Knolls is partially defined by its lush landscaping, full separation of the automobile from the pedestrian, pedestrian walkways, emphasis on common open space, integration of public and private space, wonderful Modernist architecture, and its sheer size and master plan built over a “superblock.” The seamless integration of Modernist architecture with a creative site plan of landscaped open spaces also helps define Chase Knolls. These characteristics exemplify the Garden City movement and clearly set Chase Knolls apart from other garden apartment complexes.

The Standards require that the character-defining elements of the site be retained to the greatest extent possible and that new site elements be compatible with the historic architecture and the historic site planning features. In this case, the scale and massing of the new buildings as three-story, block-like structures, larger than the scale of the historic buildings, makes the new development a dominant site feature, rather than remaining subordinate to the historic architecture. The new surface parking on the north edge of the site dramatically changes the relationship between the automobile and the site, as well as the relationship between the complex and the single-family community to the north.

We are also concerned about a pool being placed in the heart of one of the three character-defining spaces: the courtyard. We have already suggested to the developer that the pool should be relocated adjacent to one of the new buildings proposed for addition, at a central location on the property.

CEQA Code Section 21002 states that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects.”

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In this case, there are feasible alternatives to the proposed project: there are projects that have less impact in terms of scale and massing, projects that would meet the Secretary of Interior's Standards and therefore have no impacts on historic resources. As the EIR process continues, we will argue that the city therefore has an obligation under CEQA to adopt such an alternative.

For now, though, it is crucial that a full range of alternatives be analyzed in the Draft EIR. These alternatives should include at least one alternative that meets the Secretary of Interior's Standards and/or has a less significant impact. The project should also analyze a rehabilitation-only alternative – adding no units, but rehabilitating the existing units.

It is also critical in the EIR to analyze the feasibility of these more sensitive alternatives – physically and economically. Again, CEQA requires that the city adopt environmentally superior alternatives that are feasible. The DEIR's analysis of alternatives should also factor in the economic loss to the developer if he breaks his Mills Act contract with the City. If the property value is, as has been estimated, \$24 to \$28 million, that penalty (which amounts to 12.5% of the property's value), would exceed \$3 million. The alternatives analysis should also take into account the Federal Rehabilitation Tax Credits (equal to 20% of the cost of rehabilitation), as well as all other historic preservation incentives.

The Conservancy looks forward to working with the City and the new property owner to craft a project that will better retain the character-defining features of this oasis within the San Fernando Valley. Thank you for your consideration.

Sincerely,

Ken Bernstein  
Director of Preservation Issues