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November 12, 2025

Board of Building and Safety Commissioners
201 North Figueroa Street
9th Floor, Room 900
Los Angeles, CA 90012

Re: 11973-11975 W. San Vicente Blvd., Barry Building Historic-Cultural Monument

To the Board of Building and Safety Commissioners,

On behalf of the Los Angeles Conservancy, I am writing to comment on the Draft Environmental Impact Report (EIR) and current project appeal for the 11973 San Vicente Boulevard Project (Project). The Conservancy is extremely concerned by the proposed demolition of the Barry Building, Historic-Cultural Monument (HCM) #887. If approved, the proposed Project would set a dangerous and harmful precedent for the City's historic preservation program and threaten the future of more than 1,300 designated HCM's.

Throughout the environmental review process, the Conservancy emphasized in our comments the issues with demolishing a designated HCM solely to clear the property, particularly when no replacement project has been identified. Such action incentivizes property owners of other HCMs to pursue similar outcomes, as well as encouraging and rewarding intentional demolition by neglect of a designated historic place. Should the City of Los Angeles approve the proposed demolition of this HCM without a replacement project, it will severely erode protections upheld by the City's long-held historic preservation program, and result in a clear circumvention and piecemeal approach of the California Environmental Quality Act (CEQA).

The Conservancy respectfully requests that you grant the appeal for the reasons outlined by the appellant and the Office of Historic Resources, which found that the project's purported benefits are not supported by



substantial evidence and that none of the stated considerations outweigh the significant environmental impacts of demolishing the Barry Building.

I. 11973 San Vicente Boulevard, known as the Barry Building, is a designated Historic-Cultural Monument (HCM)

Completed in 1951 and designed by local architect Milton Caughey for owner David Barry, the Barry Building is an excellent example of Mid-Century Modern commercial architecture. The building incorporates elements of the International Style, which include an elevated second story, clean lines, a horizontal orientation, and an interior courtyard with cantilevered stairways.

In 2007, the City of Los Angeles designated the Barry Building as Historic-Cultural Monument #887 because it is an excellent and intact example of Mid-Century Modern Architecture, and met the established criteria established by the City.

II. Demolition by neglect is being used as a tactic to circumvent and piecemeal historic preservation regulations and CEQA.

For over fifteen years the property owner has sought to demolish the historic Barry Building. Redevelopment plans have varied from condominiums to retail complexes, and each of these iterations have included the complete demolition of HCM #887. The current “project” is yet another attempt to demolish this historic landmark, without the benefit of analyzing a replacement project and consideration of viable and feasible alternatives.

Numerous community advocates opposed the 2012 project, prompting then-Councilmember Bill Rosendahl to do the same. At the time, the owner/applicant’s Green Hollow Square Project called for the demolition of the Barry Building as well as altering the Coral Tree Median (HCM #148). Throughout the EIR process a clear preservation alternative emerged that would have allowed for the retention and reuse of the Barry Building alongside proposed new development. The owner rejected this despite its meeting a majority of identified project objectives. Unwilling to compromise or explore alternatives, the owners withdrew their zoning entitlements request in 2013, effectively ending the proposed Green Hollow Square Project.

The property owners engaged in a deliberate pattern of tenant evictions and intentional neglect. In 2016, citing seismic concerns, they evicted the remaining commercial tenants and fenced off the site. Since then, the property has stayed boarded up and neglected, with character-defining features—such as metal window shutters—removed without approval or the required design



review from the City’s Office of Historic Resources. This unauthorized removal appears intended to make the building look like an “eyesore” in the community.

This culmination of actions reflect an orchestrated demolition by neglect approach, which occurs when property owners intentionally allow a historic property to suffer severe deterioration.. Property owners who take this approach often use it as a means to circumvent historic preservation regulations and to later justify total demolition of historic resources, following deferred or intentional actions that compromise a historic building. Should the City reward this behavior by granting the demolition of the Barry Building, other owners of designated Historic-Cultural Monuments will follow the same playbook to achieve demolition.

III. Consideration of future economic potential amounts to impermissible CEQA Piecemealing

The California Environmental Quality Act (CEQA) defines a “project” broadly to encompass “the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment”¹ and makes impermissible the practice of breaking a large project into smaller, separate parts. This practice of segmenting or piecemealing has in the past been used to demolish historic resources prior to the consideration of a larger project.

The California Office of Historic Preservation (OHP) released guidance on this specific issue, noting “several missteps have become common,” and recommending to Lead Agencies:

Demolition of a building or structure needs to also evaluate the future use of the site. The goal of CEQA is to provide decision-makers with enough information about the environmental impacts of a proposed project to make an informed decision. OHP encourages Lead Agencies to insist project applicants describe the future use of the site when proposing to demolish a historic resource.²

Despite knowledge of the owner’s previous project at this site, LADBS states in the staff report that “there is no evidence in the record of piecemealing or that there is a proposed development project for the site.” Yet multiple public speakers at the Cultural Heritage Commission allude to

¹ California Code of Regulations, Title 14, § 15378.

²“ Consider the Whole Action: How to Avoid Segmenting,” *CEQA Case Studies* Volume II, March 2015, <https://ohp.parks.ca.gov/pages/1071/files/ceqa-how-to-avoid-segmenting-ii.pdf>.



a proposed project at the site. Pamela Brown of the Brentwood Community Council contended that “future development is necessary and important. And the city needs to support the demolition, so that mixed use and housing can be created.” Caller Michael Freeman remarked, “We are tired of having developments like this be derailed due to these very thin reasons like cultural heritage... I urge you to allow development.” Jake Pierce of Abundant Housing LA, “I also think that this is an opportunity to imagine something that would be much better for the community, that would make it more walkable and more affordable.” All three speakers allude to a future project at the site, with Mr. Freeman’s comments most directly implicating an already defined project in “developments like this.”

Elsewhere in the staff report, LADBS reverses their justification that no piecemealing is taking place and suggests:

The removal would result in an additional vacant site that could accommodate housing or other commercially viable development in the future, built to more energy-efficient and structurally safer modern building codes, contributing to the City’s Regional Housing Needs Assessment (RHNA) allocations and the City’s critical housing need, or providing new commercial uses in line with smart growth policies and transit-oriented development.

Both of these assertions are in conflict. Either the building is being demolished for an unimproved vacant lot or it is part of new housing project. The Conservancy would welcome a project that adds much-needed housing to the site, but we urge LADBS to follow OHP’s guidance and insist the future project be disclosed and adhere to CEQA. We note that significant incentives are available if a larger project is proposed, including the recently approved Citywide Adaptive Reuse Ordinance (which allows generous infill incentives for “Unified Developments,” the Federal Historic Tax Credit, the Mills Act, and the State Historic Building Code.

IV. Refusal to comply with City’s mandatory soft-story seismic retrofit ordinance(s) is no excuse for approval to demolish

On May 1, 2016, the owners of the Barry Building decided to vacate the Barry Building. The excuse stated then was the City’s notice to comply with the mandatory soft-story seismic retrofit. The Draft EIR states this order was first issued in March, 2018³. Now, seven years later and near the end of the time to comply, it appears the owner is intentionally “running the clock” on this

³ DEIR, Alternatives, Page V-1.



order as a deliberate means to attempt to receive approval to demolish a designated Historic-Cultural Monument (HCM).

Throughout Los Angeles are buildings built before current building code standards that are classified as soft-story construction. Without strengthening, these types of structures are vulnerable during earthquakes and possible structural failure. This includes the Barry Building, however these deficiencies do not call for or warrant demolition, only retrofit. Per the City's analysis and records, and provided through April 1, 2023⁴, 12,433 total soft-story buildings exist across Los Angeles. To date, seventy percent (8,722) of these buildings have now complied with the mandatory requirements and city's ordinances for structural retrofits. Another fifteen percent of soft-story buildings have permits issued already and are awaiting for the retrofit work to be completed. Overall, ninety-five percent (11,820) of soft-story buildings and their owners have either initiated plans, have permits issued, or completed the work. Slightly less than five percent (633) of owners of soft-story buildings have done nothing to comply, which presumably includes the owners of the Barry Building. This is substantial evidence that demonstrates how similar buildings are able to be retrofitted. How is it that ninety-five percent of soft-story buildings have complied with this mandatory requirement, yet the Barry Building and its owners have not?

City ordinance 183893 (approved November 15, 2015) and 184081 (approved February 1, 2016) that outline the City's mandatory soft-story seismic retrofit requirements allow for flexibility and specifically call out "qualified historic buildings" and state they "shall comply with requirements of the California Historical Building Code established under Part 8, Title 24 of the California Code of Regulations." This provides additional flexibility should owners pursue this option.

Within the Draft EIR and Alternatives section, statements are made that the soft-story seismic retrofit requirements only applies to the south wing on the building, and does not affect the east, north or west wings of the building. While additional structural deficiencies may be needed to be addressed, there is no limitation to completing this scope. This demonstrates the required work is isolated and therefore can be effectively addressed to meet the City's order to comply without calling for the demolition of the Barry Building.

⁴ City of Los Angeles, Department of Building and Safety, https://www.ladbs.org/docs/default-source/publications/misc-publications/soft-story-compliance-report.pdf?sfvrsn=bbe9f553_144



V. Retrofit Strategies Presented Appear Inflated and No Economic Analysis of the Phase I Minimum Required Retrofit is Presented

A critical aspect in the Statement of Overriding Consideration pertains to the economic feasibility of the project. The determination relies on a CBRE pro forma analysis of Alternative 2, which assigned a market value of \$11,361,308 but an anticipated construction cost of \$17,024,961, resulting in a negative value of \$5,663,653⁵. The detailed cost estimate contains work items that go above and beyond most typical retrofit and tenant improvement projects, and inflate the overall costs beyond reasonable expectations or similarly-scoped projects and comparable buildings.

Due to the Barry Building's status as a Historic-Cultural Monument, the building is eligible to use the State Historic Building Code, which allows considerable flexibility for many of these items through alternative compliance. The majority of the costs in the estimate are *elective* costs that go above and beyond what would be required. These costs include \$646,827 for an accessible path, \$216,390 for stain and balcony railings, \$1,086,133 for elevators, and \$209,302 to widen all tenant doorways.⁶ These added items appear to be used to "pad" the overall costs to attempt to demonstrate infeasibility.

These estimates were duly scrutinized by members of the Cultural Heritage Commission at the September 5, 2024 review of the project. Two of the Commissioners who are licensed architects spoke about the inflated costs, with Commissioner Richard Barron initiating the discussion:

Hi, Richard Barron. I'm an architect. And during my practice I retrofitted at least three buildings similar to this. This is a two story wood frame building. It's not complicated. It's relatively easy to put in some sheer walls, put in a steel frame, and there you go.

So I don't know where you're getting all your information. I think your sort of overkill in terms of the dramatics of it. But my experience has been that this is not a difficult building to retrofit. It's rather easy. We're not talking about an unreinforced masonry building. We're talking about a wood stud and stucco box. It's extremely easy to retrofit.⁷

⁵ Barry Building Land Residual Analysis, CBRE Brokerage, March 2023.

⁶ Revised Cost Estimate, Hill International, June 27, 2024.

⁷ Cultural Heritage Commission, Agenda Item 4, September 5, 2024.



Commission Chair Barry Milofsky echoed this concerns shortly after, remarking, “But I think my first response when you discuss the extent of seismic work required was to turn to Richard and go, it's just some sheer walls.”

The Cultural Heritage Commission comments are accurate, whereby focusing on the necessary retrofits significantly reduces the cost of the project. As noted previously, only the southern wing of the building must be retrofitted to meet the Los Angeles City Soft Story Ordinance (Ordinance No. 183893). This limited scope requires only the addition of two two-story shear walls (\$391,911), steel moment frames (\$575,592), and roof replacement above the southern wing (\$464,134). This cost of \$1,431,631, or slightly over \$1.6 million with a 15% contingency, and is the only required work to obtain compliance.⁸

CBRE’s pro forma did not evaluate this Phase I Soft Story Retrofit, also included as Alternative 1 in the EIR. Failing to do so does not give LADBS enough information to deem this approach and the Project infeasible. There is not substantial evidence in the EIR record for LADBS to make this finding.

VI. Identified alternatives to the proposed demolition of the Barry Building must be selected, including Alternative 2, the environmentally superior alternative

Demolition of the Barry Building without a replacement project is a blatant violation of CEQA. The proposed project is unnecessary and used as an effort to circumvent historic preservation regulation for its future development. It is the City’s duty, as the lead agency, to deny the proposed project as stated by CEQA law, when an environmentally superior alternative is viable and available. As with the previous project proposed through the Green Hollow Square Project, a preservation alternative remains feasible for the applicant. Such an alternative works in tandem with new development. Historic Preservation and new development are not mutually exclusive. Successful preservation for the Barry Building is a “win-win” solution whereby the historic building can be rehabilitated and sensitive new development may occur on the vacant portion of the parcel.

The Draft EIR identifies Preservation Alternative 2 as the environmentally superior alternative. It would meet both of the project objectives and comply with the City’s soft-story seismic retrofit ordinance(s), which includes complying with the requirements under LAMC Section 91.9305.2

⁸ Revised Cost Estimate, Hill International, June 27, 2024.



and abate fire, loitering, vandalism, and other public safety hazards associated with structural defects and current vacancy of the Barry Building. The Draft EIR specifically states:

Alternative 2 would not conflict with policies related to historic preservation, as Alternative 2 involves the preservation of the existing building and would not affect the historic significance of this building with the recommendations provided by Historic Resources Group (in the memo contained in Appendix H-7 of this Draft EIR). Therefore, Alternative 2's impacts with respect to land use and planning would be less than significant, and less than the Project's significant and unavoidable land use impact.

The Draft EIR also explicitly states it is not analyzing the economic feasibility of Alternative 2, therefore any claims by the owners and their representatives of infeasibility are not a part of this environmental review process. Any findings of infeasibility, and reliance of by the LADBS in its decision-making process must be verified by substantial evidence and made available to the public.

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."⁹ To this end, 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."¹⁰ The fact that an environmentally superior alternative may be more costly or fails to meet all project objectives does not necessarily render it infeasible under CEQA.¹¹ Reasonable alternatives must be considered "even if they substantially impede the project or are more costly."¹² Likewise, findings of alternative feasibility or infeasibility must be supported by substantial evidence.¹³

⁹ Public Resource Code, Sec. 21001 (b), (c).

¹⁰ Sierra Club v. Gilroy City Council (1990) 222 Cal.App.3d 30, 41; also see Public Resources Code §§ 21002, 21002.1.

¹¹ Guideline § 15126.6(a).

¹² San Bernardino Valley Audubon Soc'y v. County of San Bernardino (1984), 155 Cal.App.3d 738, 750; Guideline § 15126(d)(1).

¹³ Public Resources Code § 21081.5.



VII. Conclusion

As we have consistently stated throughout the environmental review process, the Conservancy strongly opposes the demolition of the historic Barry Building HCM #887. The proposed demolition with no replacement project is an attempt to circumvent CEQA law and therefore must be denied by the lead agency. The owners and representatives have stated in public meetings that they intend to market the property for redevelopment once the Barry Building is demolished, again demonstrating a piecemeal approach that requires environmental review and necessary efforts to lesson impacts. For nearly fifteen years the Conservancy has advocated for “win-win” solutions for the Barry Building and we remain committed to this outcome.

Preservation Alternative 2 is the environmentally superior alternative and the City, as the lead agency, must select this as it meets project objectives and overall impacts would be less than significant, and less than the project’s significant and unavoidable land use impact. Preservation Alternative 1 also appears viable as the most cost effective approach, and would address the noncompliance with the soft story ordinance. The proposed demolition of the Barry Building is unnecessary and unwarranted, as demonstrated in the Draft EIR, and will create a harmful precedent for historic buildings in Los Angeles. Further, there is substantive evidence in the record that calls into question the accuracy of cost estimates and their reliance by the applicant/owner seeking approval to demolish a designated historic building.

Otherwise such a precedent undermines all efforts of the Office of Historic Resources and the City’s historic preservation program, and actually reward owners that intentionally neglect their properties (demolition by neglect) and make them a nuisance to adjacent neighbors and the entire community. This action also appears to be also in conflict with Council File No: 17-0226-S1 regarding "Unpermitted Remodels, Additions and Demolitions of Buildings / Monetary Penalties" which is pressing for stronger demolition deterrents and greatly needed. The City should also not be approving demolitions until an approved and proposed project is ready to proceed; otherwise we will likely be left with empty lots citywide where nothing occurs, creating a new type of nuisance.

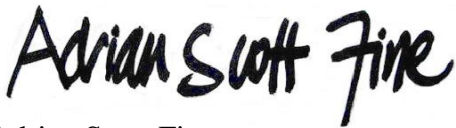
The Conservancy respectfully asks that the Board of Building and Safety Commissioners to uphold Angelenos for Historic Preservation’s appeal, sets aside the Statement of Overriding Considerations, and follow the recommendations of the Office of Historic Resources staff and the Cultural Heritage Commission.



About the Los Angeles Conservancy:

The Los Angeles Conservancy is the largest local historic preservation organization in the United States, with nearly 5,000 member households 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.

Sincerely,



Adrian Scott Fine
President & CEO

cc: Councilmember Traci Park
Jeff Khau, AICP, Council District 11
Sean Silva, Council District 11
Ken Bernstein, Office of Historic Resources

