

Appendix FEIR-3

Historic Memorandum

Memorandum

DATE June 30, 2020

TO Bill Delvac and Damon Mamalakis
Armbruster Goldsmith & Delvac LLP

CC: David Twerdun
LeFrak

FROM Jenna Snow

RE Hollywood & Wilcox Project, Response to Comments
6430-6440 Hollywood Boulevard, Los Angeles, CA
1624-1648 North Wilcox Avenue, Los Angeles, CA

I have reviewed the comments submitted by Hollywood Heritage, Inc., the Art Deco Society of Los Angeles, and the Los Angeles Conservancy on the Project Draft Environmental Impact Report (DEIR) for the Hollywood & Wilcox Project. The three comment letters, numbered 6, 7, and 8, primarily expressed concern regarding the following:

- Accurate restoration of the Attie Building storefronts
- Preparation of a historic preservation plan for the Attie Building
- Demolition of a non-contributing resource to the National Register of Historic Places (National Register) listed Hollywood Boulevard Commercial and Entertainment Historic District (Hollywood Boulevard Historic District)
- Design of the new building at 6430–6434 Hollywood Boulevard
- Indirect impacts of the proposed Project on the Hollywood Boulevard Historic District
- Impacts to the adjacent Hotel Mark Twain, located at 1622 Wilcox Avenue

While the proposed Project conforms with the *Secretary's Standards*, design refinements have been made based on concerns raised by commenters. Specifically, design refinements to the storefronts for the proposed building at 6430-6434 Hollywood Boulevard will reduce the amount of glazing. The storefronts will continue to be divided into three bays by simple pilasters with each bay separated by thin fins, following the pattern established at the Attie Building. However, the new design lowers the cornice line to align with the bottom rail of the windows at the Attie Building. Storefront windows are roughly bisected by a horizontal “eyebrow,” further breaking up the glazing. In addition, rather than finished with white marble, the building will be finished in smooth stucco. Design refinements to the storefronts of the proposed building at 6430-6434 Hollywood Boulevard increase the proportion of solid to void and continues to conform with *Secretary's Standards* 9 and 10. Specifically the new building will continue to be compatible in size, scale, proportion, and massing with the Attie building and surrounding retail buildings that contribute to the Hollywood Boulevard Commercial and Entertainment Historic District. Design refinements to the proposed building at 6430-6434 Hollywood Boulevard will not have a direct impact on the Hollywood Boulevard Historic District.

Design refinements have also been made to the proposed mixed-use building constructed along Wilcox Avenue. While the new building will continue to be 11-stories high with an additional four stories along the south elevation, the west elevation, facing Wilcox Avenue, has been broken into three distinct sections, breaking up the mass. Floors continue to be grouped into pairs in the north and south sections, although colored vertical bands spanning between paired floors have been replaced with a neutral colored bands. The center section, which steps in from the plane of the other two sections, presents a strong horizontal orientation. These design refinements will not have an indirect impact on the setting of the Attie Building or the Hollywood Boulevard Historic District. Like the earlier design, the proposed Project is compatible with proportions and design elements of the Attie Building.

I have prepared the following responses to comments that specifically address historical resources:

Response to Comment No. 6-2

The design for storefronts at the Attie Building was based on historic photographs, from the period of significance, 1931-1939, and physical evidence, in conformance with the *Secretary of the Interior's Standards for the Treatment of Historic Properties (Secretary's Standards)*. Specifically, as fully described in the Draft EIR and accompanying Cultural Resources Report (see Draft EIR, Section IV.B, Cultural Resources, page IV.B-34 and Draft EIR Appendix D.1, Cultural Resources Report, page 33), design of the storefronts conforms with Rehabilitation Standard 3, which states that: "Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken." The design does not incorporate features from different buildings or designs from different time periods, which would not be in conformance with Rehabilitation Standard 3. Furthermore, design of the storefronts conforms with Rehabilitation Standard 6, which states that "replacement of missing features will be substantiated by documentary and physical evidence."

Response to Comment No. 6-3

The Draft EIR and accompanying Cultural Resources Report (see Draft EIR, Section IV.B, Cultural Resources, pages IV.B-22-23, IV.B-27, and IV.B.34-35, and Draft EIR Appendix D.1, Cultural Resources Report, pages 19-22) provides an analysis of 6430–6434 Hollywood Boulevard and found it ineligible as a contributing resource to the Hollywood Boulevard Commercial and Entertainment Historic District (Hollywood Boulevard historic district). The Building was also determined to be a non-contributor by the Keeper of the National Register. Although initially constructed in 1931, due to multiple and substantial alterations, the building at 6430–6434 Hollywood Boulevard does not retain any semblance to how it looked when constructed, or from any other date during the period of significance for the Hollywood Boulevard historic district.

National Register Bulletin 15: *How to Apply the National Register Criteria for Evaluation* notes that "the majority of the components that add to the district's historic character, even if they are individually undistinguished, must possess integrity, as must the district as a whole." Even though 6430–6434 Hollywood Boulevard was initially constructed during the historic district's period of significance, it does not retain integrity and therefore does not add to the Hollywood Boulevard historic district's historic character. Demolition of a non-contributing resource is not an impact to a historic district. Replacement of an existing non-contributor with an infill non-contributor does not affect district composition or integrity per se. Guidance from the National Park Service states, "National Register listing does not mean that a building or district is frozen in time and that no change can be made

without compromising the historical significance.”¹

An evaluation of how the proposed new building on Hollywood Boulevard conforms with the *Secretary's Standards* is provided in Draft EIR and accompanying Cultural Resources Report (see Draft EIR, Section IV.B, Cultural Resources, pages IV.B-34-35 and Draft EIR Appendix D.1, Cultural Resources Report, pages 33-34). *Preservation Brief 14: New Exterior Additions to Historic Buildings: Preservation Concerns*, expands on Rehabilitation Standards 9 and 10, two of the 10 rehabilitation standards that deal specifically with additions. Revised in 2010, Preservation Brief 14 includes guidance for new additions in densely built urban environments, such as Hollywood Boulevard. The guidance states:

Treating the addition as a separate or infill building may be the best approach when designing an addition that will have the least impact on the historic building and the district. In these instances there may be no need for a direct visual link to the historic building. Height and setback from the street should generally be consistent with those of the historic building and other surrounding buildings in the district.

The proposed new building at 6430–6434 Hollywood Boulevard meets guidance in Preservation Brief 14. As described in the DEIR and accompanying Cultural Resources Report (see Draft EIR pages IV.B-34-35 and Appendix D.1, pages 33-34), the new building is proposed to be compatible with surrounding retail buildings, specifically the adjacent Attie Building, in size, scale, proportion, and massing. As the proposed new building conforms with the *Secretary's Standards*, including additional guidance provided in Preservation Brief 14, it does not result in material impairment to the Hollywood Boulevard historic district, the identified historical resource.

Response to Comment No. 6-4

The Draft EIR and accompanying Cultural Resources Report assesses potential indirect impacts to the setting of the Hollywood Boulevard historic district (see Draft EIR, Section IV.B, Cultural Resources, pages IV.B-35-37 and Appendix D.1, Cultural Resources Report, pages 34-35). CEQA describes an *indirect* impact as one that results from the “...alteration of the resource or *its immediate surroundings* such that the significance of an historical resource would be materially impaired” (emphasis added - CEQA Guidelines §15064.5(b)(1)).

As thoroughly described in the Draft EIR and accompanying Cultural Resources Report (see Draft EIR, Section IV.B, Cultural Resources, pages IV.B-35-37 and Appendix D.1, Cultural Resources Report, pages 34-35), the proposed new building does not “loom over the National Register Historic District.” Hollywood Boulevard predominately consists of commercial buildings that vary greatly in height, from one to 12-stories. As a result of the slope of the topography down to the south, the proposed new building will not appear taller than surrounding buildings and will not alter the varied pattern of building heights in the area. Given the variations in height, as well as the presence of taller buildings within and adjacent to the Hollywood Boulevard historic district, the proposed new building will not materially impair the setting of the Hollywood Boulevard historic district.

Response to Comment No. 6-5

¹ Anne E. Grimmer and Kay D. Weeks, *Preservation Brief 14: New Exterior Additions to Historic Buildings: Preservation Concerns*, (Washington, DC: U.S. Department of the Interior, National Park Service, 2010), 1.

Hotel Mark Twain² was identified as appearing eligible for designation in the California Register of Historical Resources (California Register), as well as locally as a potential Historic Cultural Monument, in a survey published at the end of January 2020, right before publication of the Draft EIR. Hotel Mark Twain had not previously been identified as appearing eligible for designation in any of the previous surveys of Hollywood, which were undertaken in 1986, 1997, 2003, and 2010. The January 2020 survey provided new information on Hotel Mark Twain linking it with the African American community. Specifically, the survey found Hotel Mark Twain a:

[S]ignificant example of a property associated with Los Angeles's African American community. Listed in the Green Book, an African American travel guide, between 1949 and 1961, this property was one of relatively few hotels where African American travelers were welcome prior to the Civil Rights movement. Building is accompanied by a rooftop sign with neon illumination. Due to alterations, including door replacement, window replacement, and modification of the entrance, the building may not retain sufficient integrity for listing in the National Register.

As noted directly above, the significance of Hotel Mark Twain is derived from its association with the African American community. Based on the statement of significance above, important aspects of the setting, which is defined as “the physical environment of a historic property,”³ is the character of the dense, urban environment, surrounded by other buildings. Indeed, Hotel Mark Twain is constructed flush with the sidewalk line with a one-story commercial building located immediately adjacent to the north. The north elevation of Hotel Mark Twain, visible only over other properties, is secondary and does not have any decorative features. Similarly, the south elevation is also secondary and lacks decorative features. The only elevation with distinct decorative features is the west façade, indicating the historic pattern of development typical in Hollywood of other buildings constructed immediately adjacent. The proposed new, adjacent building does not have an indirect impact on the important characteristics of the setting. In contrast, the Project contributes to the context of a dense, urban environment.

Response to Comment No. 6-16

CEQA Guidelines Section 15064.5(b)(3) states, “[g]enerally, a project that follows the *Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings or the Secretary of the Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* (1995), Weeks and Grimmer, shall be considered as mitigated to a level of less than a significant impact on the historical resource. As detailed in the Draft EIR and accompanying Cultural Resources Report (see Draft EIR, Section IV.B, Cultural Resources, pages IV.B-33 through IV.B-37 and Draft EIR, Appendix D.1, pages 30-37), the Project conforms with the *Secretary’s Standards*. Therefore, the Project is considered mitigated to a level of less than a significant impact on historical resources and mitigation is not required.

Response to Comment No. 6-17

As noted above in Response to Comment No. 6-16, the Project conforms with the *Secretary’s*

² While the commenter uses the name “Mark Twain Hotel” the Historic Resources Survey Report prepared for CRA/LA, a Designated Local Authority in January 2020 uses the name “Hotel Mark Twain.” Hotel Mark Twain is therefore used throughout this Final EIR.

³U.S. Department of the Interior, National Park Service, “National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation” (1998), 45.

Standards, therefore mitigation is not required. Additionally, the City Office of Historic Resources reviewed the historic resource issues prior to circulation of the Draft EIR. Further, the Applicant has modified the rehabilitation plan, as described above.

Response to Comment No. 6-18

As noted above in Response to Comment No. 6-16, the Project conforms with the *Secretary's Standards*, therefore mitigation is not required.

To the extent the commenter is suggesting that the Draft EIR should have included an additional alternative that presented a design alternative, such an additional alternative is not required. CEQA Guidelines Section 15126.6(a) states that “an EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparable merits of the alternatives.” CEQA does not require the Draft EIR to consider every conceivable alternative to a project that would achieve the same purpose in order to provide the City’s decision-makers with the information they need to compare the merits of the alternatives to the Project and allow for a reasoned choice. The Draft EIR need only to “consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation” as selected by the lead agency (CEQA Guidelines Section 15124 [“A clearly written statement of objectives will help the lead agency develop a reasonable range of alternatives to evaluate in the EIR”]). In conformance with CEQA Guidelines Section 15126.6(a), five alternatives were identified and analyzed in Section V, Alternatives. These alternatives constitute a range of reasonable alternatives to the Project that would avoid or substantially lessen the Project’s significant environmental effects. Further, the Draft EIR correctly concludes that the Project does not involve significant adverse impacts to historical or cultural resources. Therefore, mitigation is not required.

Response to Comment No. 6-19

The commenter suggests the proposed Project’s south façade design will have an indirect impact on the Hotel Mark Twain. It is assumed that the comment refers to an indirect impact to the setting of a historical resource. As described in Response to Comment 6-5, important aspects of the setting include its dense, urban environment. The Project contributes to the context of a dense, urban environment and, does not have an indirect impact to the important characteristics of the setting.

Response to Comment No. 6-28

The commenter agrees with the Historic Consultant’s determination of no adverse effect of the Attie Building via restoration in compliance with the *Secretary's Standards* and the analysis provided in the Draft EIR at page IV.B-32.

Response to Comment No. 6-29

The commenter asserts that the Draft EIR does not provide a comprehensive investigation of all areas and surfaces of the identified historic resource that removal of non-historic materials obscuring interior walls and exterior façades be undertaken. The Cultural Resources Report identifies character-defining features of the Attie Building (see Draft EIR Appendix D.1, Cultural Resources Report, page 18). “Preservation Brief 17: Architectural Character—Identifying the Visual Aspects of Historic Buildings as an Aid to Preserving their Character” defines “character” as “all

those visual aspects and physical feature that comprise the appearance of every historic building.”⁴ As delineated in Preservation Brief 17, character-defining features were based on a an understanding of the significance of the Attie Building to the Hollywood Boulevard historic district, as well as a review of alterations over time. Existing storefronts, which are contemporary, were not identified as character-defining features as they have been extensively altered several times since the Attie Building was constructed.

The Project involves restoration of the Attie Building storefronts to the period of significance, 1931-1939. The *Secretary's Standards* define restoration as “the act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period.” The proposed restoration is based on examination of historic photographs. Evidence of extant historic fabric was extensively studied through visual inspection, review of alteration permits, and non-destructive testing. While it is possible small vestiges of historic material is buried deep in a wall, it will not further the understanding of historic conditions, historic construction, or historic materials, and thus further investigation is not necessary or required. Restoration of any historic materials will be in conformance with the Secretary's Standards, specifically guidance provided by the National Park Service's Technical Preservation Services outlined in their Preservation Briefs and Preservation Tech notes, available on-line (<https://www.nps.gov/tps/how-to-preserve/by-topic.htm>) and compiled in the publication *The Preservation of Historic Architecture*.⁵

Response to Comment No. 6-30

The Project does not involve a significant adverse impact on the Attie Building. The Attie Building will be restored. As detailed in the Draft EIR and accompanying Cultural Resources Report (see Draft EIR, Section IV.B, Cultural Resources, pages IV.B-33 through IV.B-37 and Draft EIR, Appendix D.1, Cultural Resources Report, pages 30-37), the treatment of the Attie Building proposed by the Project conforms with the *Secretary's Standards*. Nonetheless, the Applicant has proposed design refinements in response to concerns stated by commenters, as described below.

Response to Comment No. 6-32

Restoration of the Attie Building storefronts is based on examination of historic photographs. In conformance with Restoration Standard 4, “restoration will be based on the accurate duplication of historic features and elements substantiated by documentary or physical evidence rather than on conjectural designs or the availability of different features from other historic properties.” While historic photographs from the period 1931-1939 indeed show a sign band and awning along the one-story portion on Wilcox Avenue, it is not definitively conclusive that a storefront was present. For example, it is possible the awning protected an exterior news stand or other informal business. Furthermore, Sanborn Fire Insurance maps do not indicate a separate retail space in this one-story portion, rather it shows an extension of one of the retail spaces along Hollywood Boulevard (see map 5 included with Draft EIR Appendix D.1, Cultural Resources Report). Documentary and physical evidence does not convincingly substantiate storefront windows along the one-story portion

⁴ Nelson, Lee H., FAIA, “Preservation Brief 17: Architectural Character—Identifying the Visual Aspects of Historic Buildings as an Aid to Preserving their Character,” (Washington, DC: U.S. Department of the Interior, National Park Service, 1988), www.nps.gov/tps/how-to-preserve/briefs/17-architectural-character.htm, accessed May 29, 2020.

⁵ Department of the Interior, *The Preservation of Historic Architecture*, (Guilford, CT: The Lyons Press, 2004).

of the Attie Building on Wilcox Avenue. See also Response to Comment No. 6-30, above.

Response to Comment No. 6-33

Design of the storefronts along the north façade of the Attie Building is based on close examination of historic photos, in conformance with Restoration Standard 4. The clearest historic photograph of the Attie Building during the period of significance, 1931-1939, was provided by Hollywood Heritage, the commenter (see Historic Photograph 5 in Draft EIR Appendix D.1, Cultural Resources Report). The photograph clearly shows configuration of the storefronts on Hollywood Boulevard not aligned with second floor pilasters.

The eastern retail space retains a row of support columns running perpendicular to Hollywood Boulevard. However, these support columns step back some distance from the storefront windows. See also Response to Comment No. 6-30, above.

Response to Comment No. 6-34

As noted in Response to Comment No. 6-33, above, design of the storefronts along the north façade of the Attie Building is based on close examination of historic photos, in conformance with Restoration Standard 4. Photographic evidence does not show columns 16-feet on center along the front of the building, clad in terra cotta or any other material. Furthermore, photograph evidence clearly shows configuration of the storefronts on Hollywood Boulevard not aligned with second floor pilasters. The design of the storefronts conforms with Rehabilitation Standard 3, which states that: “Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.” Furthermore, design of the storefronts conforms with Rehabilitation Standard 6, which states that “replacement of missing features will be substantiated by documentary and physical evidence.”

Response to Comment No. 6-38

The Project does not involve demolition, relocation or alteration of a significant resources. Therefore, it is assumed that the commenter is incorrectly asserting that reduction of integrity is the threshold of significance under CEQA. Under the CEQA Guidelines, a reduction in integrity is not the threshold for a significant impact. Rather, a project may cause a substantial adverse change in the significance of a resource when the significance is materially impaired (CEQA Guidelines Section 15064.5(b)). CEQA Guidelines Section 10564.5(b)(2) defines material impairment as “Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register.” As the Project conforms with the *Secretary’s Standards* it does not result in material impairment to the Hollywood Boulevard historic district (see CEQA Guidelines Section 10564.5(b)(3)). Furthermore, as discussed below in response to comment 6-44, National Register guidance defines integrity as binary; a property either retains sufficient integrity to convey its significance or it does not. As discussed in the Draft EIR and Appendix D.1 (see Draft EIR, Section IV.B, Cultural Resources, pages IV.B-35-36 and Draft EIR, Appendix D.1, Cultural Resources Report, pages 34-35), the Project will not impact the integrity of the Hollywood Boulevard historic district.

Response to Comment No. 6-39

As noted in Response to Comment No. 6-3, above, even though 6430–6434 Hollywood Boulevard was initially constructed during the historic district’s period of significance, it does not retain

integrity and therefore does not add to the Hollywood Boulevard historic district's historic character. Demolition of a non-contributing building does not constitute a material effect on the Hollywood Boulevard historic district.

The CEQA Guidelines clearly address the issue of the impact of new infill construction by requiring an analysis of whether the significance of the Hollywood Boulevard historic district is materially impaired, including the setting of the immediate surrounding area. (CEQA Guidelines Section 15064.5(b)). CEQA Guidelines and Thresholds specifically reference the Secretary's Standards. The Standards for Rehabilitation, one of the four treatments, is intended to be flexible and adaptable to specific project conditions to balance change while retaining historic building fabric. Preservation Brief 15: New Exterior Additions to Historic Buildings, provides additional guidance on infill buildings in historic district by applying the Secretary's Standards.

Potential impacts of new construction on Hollywood Boulevard is addressed in the DEIR and Cultural Resources Report (see Draft EIR, Section IV.B, Cultural Resources, page IV.B-35 and Draft EIR Appendix D.1, Cultural Resources Report, page 34). As described in Response to Comment No. 6-3, the proposed new building is compatible with surrounding buildings in terms of in size, scale, proportion, and massing, and conforms with *Secretary's Standards* 9 and 10. As such the Project does not materially impair the significance of the Hollywood Boulevard historic district.

Response to Comment No. 6-40

As noted by the commenter, two windows are located in the east elevation of the Attie Building, adjacent to the north façade. These two windows, located on the property line, are proposed to be obscured by the new building. As stated in the Draft EIR and accompanying Cultural Resources Report (see Draft EIR, Section IV.B, Cultural Resources, page IV.B-37 and Draft EIR Appendix D.1, Cultural Resources Report, page 34), new construction conforms with Standard 10, as the new building can be removed in the future without destroying the essential form and integrity of the Attie Building. Should the new building be removed in the future, those two windows would again become visible.

Proposed construction to the property line of the new building retains the historic character and pattern of development of Hollywood Boulevard in conformance with Standard 2. Historic buildings along Hollywood Boulevard are constructed to east and west property lines and many share a party wall with adjacent buildings. Given the variety of building heights and dates of construction, openings along secondary, side elevations are not generally visible where they are extant.

Response to Comment No. 6-42

As detailed in Response to Comment No. 6-3, above, National Register Bulletin 15: *How to Apply the National Register Criteria for Evaluation* notes that "the majority of the components that add to the district's historic character, even if they are individually undistinguished, must possess integrity, as must the district as a whole." Even though 6430–6434 Hollywood Boulevard was initially constructed during the historic district's period of significance, it does not retain integrity and therefore it was determined by the Keeper of the National Register that it does not contribute to significance of the Hollywood Boulevard historic district. As 6430–6434 Hollywood Boulevard does not retain sufficient integrity to contribute to the significance of the historic district, its demolition would not materially alter in an adverse manner the physical characteristics of the historic district

that convey historical significance. Therefore, demolition would not cause a substantial change in the significance of the historic district.

Response to Comment No. 6-43

The Hollywood Boulevard historic district is a long, 12-block linear historic district that generally runs along Hollywood Boulevard. The district is significant for its association with the “Golden Age of Hollywood” as well as for its “eclectic and flamboyant architectural mix.” Of the 102 buildings, 56 percent contribute to the significance.⁶ The building located at 6430–6434 Hollywood Boulevard is one of the 44 percent of the buildings that do not contribute to the significance of the historic district. In fact, the National Register nomination includes the property in the list of “buildings which do not contribute to the character of the district.” While the original date of construction is during the historic district’s period of significance, there is no integrity left from that period. Based on review of current conditions and historic photographs (see Draft EIR Appendix D.1, Cultural Resources Report, Attachment D, Historic Photographs 1, 4, 7, 8, 10, and 14), there are no physical features remaining from the historic district’s period of significance. The building located at 6430–6434 Hollywood Boulevard does not contribute to the historic district’s significance as a commercial corridor associated with the “Golden Era of Hollywood” or for its “eclectic and flamboyant architectural mix.” The historic district’s character of “high-rise buildings at major intersections, flanked by one and two-story retail structures” will be retained with the new, two-story retail store at 6430–6434 Hollywood Boulevard.

The block of Hollywood Boulevard on which the Attie Building and 6430–6434 Hollywood Boulevard are located is bracketed by two contributing resources, the Attie Building at 6436 Hollywood Boulevard and the Creque Building at 6400 Hollywood Boulevard, the northwest corner of Cahuenga and Hollywood Boulevards. Based on examination of a map of the historic district, included in Draft EIR Appendix D.1, Cultural Resources Report, Map 3, it appears boundaries were drawn to maximize the proportion of contributing resources while maintaining continuity along Hollywood Boulevard. Map 3 reveals city blocks that do not have any contributing resources to the historic district and were not bookended by contributing resources which were excluded in full or in part from within the boundaries of the historic district. Because the block of Hollywood Boulevard on which the Attie Building and 6430–6434 Hollywood Boulevard are located is bracketed by two contributing resources, it appears the entire block was included within the boundaries of the historic district. There does not appear to be any other reason 6430–6434 Hollywood Boulevard was included within the boundaries and the commenter did not provide additional justification.

Response to Comment No. 6-44

Integrity considerations have not changed since 1985 such that properties included in the Hollywood Boulevard historic district as non-contributing resources would now be considered contributing resources. The National Park Service first published National Register Bulletin 15 *How to Apply the National Register Criteria for Evaluation* in 1990, codifying prevailing practice. National Register guidance defines integrity as “the ability of a property to convey its significance” and identifies seven aspects of integrity: location, design, setting, materials, workmanship, feeling, and association. After passage of the National Historic Preservation Act of 1966, the concept of integrity

⁶ McAvoy, Christy Johnson, Hollywood Heritage, “Hollywood Commercial and Entertainment District,” National Register of Historic Places Nomination Form, listed January 2, 1985.

became binary, either a property retains sufficient integrity to convey its significance or it does not.⁷

A discussion of integrity for 6430–6434 Hollywood Boulevard is included in Draft Appendix D.1, Cultural Resources Report, page 22. The National Register nomination for the Hollywood Boulevard historic district states, regarding the historic district as a whole, “Integrity is fair; the major landmark buildings still retain their distinctive identities, while many of the smaller buildings have been altered, remodeled, or covered with modern signage.”⁸ The National Register nomination further expands on the types and degree of integrity and determines that, despite the fact that “many one and two-story commercial vernacular structures are supportive in size, scale and construction period to the surrounding buildings... their primary facades have been repeatedly remodeled and they have become visually noncontributing.”

While it is true that new understanding of history comes with passage of time, it is well established that Hollywood in general, and Hollywood Boulevard specifically, experienced a period of decline in the 1950s (see Draft EIR Appendix D.1, Cultural Resources Report, page 10). The commenter has presented no evidence nor has there been substantive research into how the historic district may continue its significance through the 1940s.

Significant alterations were made to the building at 6430–6434 Hollywood Boulevard in 1948, as specified in the Cultural Resources Report (see Draft EIR, Appendix D.1, Cultural Resources Report, pages 19-20). Based on review of current conditions and historic photographs, the building has been substantially altered since the late 1940s. The commenter has not provided any evidence that the alterations contribute to the historic district’s importance in the “Golden Age of Hollywood.” As integrity is based on significance, per National Register Guidance (see *National Register Bulletin #15: How to Apply the National Register Criteria for Evaluation*), additional, substantive information supported by scholarly research would be required to identify an expanded historic context for Hollywood Boulevard.

Even if an amendment to the National Register nomination were to be prepared to include additional resources, district contributors would still be required to meet guidance outlined in National Register Bulletin 15: *How to Apply the National Register Criteria for Evaluation*. Specifically, “components that add to the district’s historic character... must possess integrity.” As the building at 6430–6434 Hollywood Boulevard does not retain integrity, a theoretical amendment would still classify the building as noncontributing.

Furthermore, as noted above in Response to Comment No. 6-3, a “National Register listing does not mean that a building or district is frozen in time and that no change can be made without compromising the historical significance.”⁹ Prohibiting demolition of noncontributing building would, in effect, be freezing the historic district in time. However, because there have been so many alterations to the building at 6430–6434 Hollywood Boulevard, it would be freezing the historic district from when the National Register nomination was prepared and not the period of

⁷ Sprinkle, John H. Jr., *Crafting Preservation Criteria; The National Register of Historic Places and American Historic Preservation* (New York: Routledge, 2014), 61.

⁸ McAvoy, Christy Johnson, Hollywood Heritage, “Hollywood Commercial and Entertainment District,” National Register of Historic Places Nomination Form, listed January 2, 1985.

⁹ Grimmer, Anne E. and Kay D. Weeks, *Preservation Brief 14: New Exterior Additions to Historic Buildings: Preservation Concerns*, (Washington, DC: U.S. Department of the Interior, National Park Service, 2010), p. 1.

significance.

The commenter asserts that “this is the oldest section of the Boulevard.” Although the parameters of what is meant by “section” is not defined, buildings on this block of Hollywood Boulevard were primarily constructed in the 1930s and are not the oldest within the Hollywood Boulevard historic district. In contrast, the north side of Hollywood Boulevard between Whitley and Hudson Avenues, a few blocks to the west, buildings were constructed a few decades earlier. Given the lack of integrity of the building at 6430–6434 Hollywood Boulevard, it is not able to provide any information on the development of Hollywood Boulevard.

Response to Comment No. 6-45

The commenter does not define the “pattern” that will be altered and provides no substantial evidence or new information to corroborate a claim that the proposed new building at 6430-6434 Hollywood Boulevard will destroy a pattern of development. The proposed new building at 6430-6434 Hollywood Boulevard will not destroy a system of alleys. While there may be a system of alleys behind some buildings along Hollywood Boulevard, there is no cohesive, unifying element. The National Register nomination for the Hollywood Boulevard historic district does not identify a system of alleys as a character-defining feature. Historic Sanborn Fire Insurance maps, updated to 1951, show a limited number of alleys behind buildings fronting Hollywood Boulevard, many of which access theater loading docks. There is no alley along the rear, south elevation of 6430–6434 Hollywood Boulevard. The new construction will not destroy a character-defining feature for the historic district.

Response to Comment No. 6-46

Here, the “resources” in question are the district, nearby contributors and other historic properties in the vicinity of the Project. The CEQA Guidelines are explicit that a project may cause a substantial adverse effect if a project would materially impair the significance of a historic resource or those in the immediate vicinity. See CEQA Guidelines Section 15064.5(b). In addition to direct impacts to historical resources, specifically the Attie Building, the Cultural Resources Report also studied indirect impacts to the setting of the historic district, as well as cumulative impacts of the Project combined with related projects in the vicinity of Hollywood Boulevard (see Draft EIR, Section IV.B, Cultural Resources, pages IV.B-35-37 and Draft EIR Appendix D.1, Cultural Resources Report, pages 34-36). Neither indirect nor cumulative impacts to the Hollywood Boulevard historic district were identified.

Response to Comment No. 6-47

According to CEQA Guidelines Section 15064.5(4)(b), the threshold for a significant impact to a historical resource is if a proposed project were to cause a substantial adverse change in the significance of an historical resource. A substantial adverse change is defined as “physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired.” Impacts to the setting of the historic district were studied in the Draft EIR and accompanying Cultural Resources Report (see Draft EIR, Section IV.B, Cultural Resources, pages IV.B-35 and Draft EIR, Appendix D.1, Cultural Resources Report, pages 34-35) and none were identified as causing material impairment to the significance of the historic district.

National Register Bulletin #15, *How to Apply the National Register Criteria for Evaluation* refers to

integrity as the ability of a property to convey its significance (see also Appendix D-1, page 4). Evaluation of integrity is based on “an understanding of a property’s physical features and how they relate to its significance.” The National Register recognizes seven aspects or qualities of integrity: location, design, setting, materials, workmanship, feeling, and association. To retain integrity, a property must possess several, and usually most, of these aspects.

The new building at 6430–34 Hollywood Boulevard will not impact the integrity of the Hollywood Boulevard historic district. Specifically, the new building will not change the *location* of the historic district nor will it change the *design*, which is characterized by high-rise buildings at major intersections with one- and two-story retail buildings mid-block. The proposed new building at 6430–34 Hollywood Boulevard will be two-stories in height and will be compatible with surrounding buildings in size, scale, proportion, and massing. The new building will not change the *setting* of the historic district, which is defined as the “relationship between building and other features.” The new building will infill a parcel that currently contains a one-story building and will not change relationships between buildings. As the proposed new building will replace a non-contributing resource, it will not destroy integrity of *materials* or *workmanship*. Integrity of *feeling*, or “the [historic district’s] expression of the aesthetic or historic sense of a particular period of time,” will be retained. As the new building at 6430–34 Hollywood Boulevard will replace a non-contributing resource to the historic district, it will not change the overall historic district’s expression of an aesthetic or historic sense. Finally, the historic district will continue to convey its significant *association* with the “Golden Age of Hollywood” through the contributing resources along Hollywood Boulevard.

Response to Comment No. 6-48

An evaluation of how the proposed new building at 6430–6434 Hollywood Boulevard conforms with *Secretary’s Standards* 9 and 10 is included in the Draft EIR and accompanying Cultural Resources Report (see Draft EIR Section IV.B, Cultural Resources page IV.B-35 and Draft EIR Appendix D.1, Cultural Resources Report, page 34). The new building was found to be compatible under the Standards.

Response to Comment No. 6-49

As noted in Response to Comment No. 6-3, above, an evaluation of how the proposed new building on Hollywood Boulevard conforms with the *Secretary’s Standards* 9 and 10 is provided in Draft EIR and Cultural Resources Report (see Draft EIR Section IV.B, Cultural Resources page IV.B-35 and Draft EIR Appendix D.1, Cultural Resources Report, page 34). *Preservation Brief 14: New Exterior Additions to Historic Buildings: Preservation Concerns*, expands on Rehabilitation Standards 9 and 10, two of the 10 rehabilitation standards that deal specifically with additions. If a new infill building could be confused as a contributing resource to a historic district, this design would be in direct opposition to Standard 9, which requires “the new work will be differentiated from the old.” The comment suggests an analysis that is not required and would only be conjecture. However, the historic district is a mix of simpler buildings and larger more iconic structures such as the 7-story Security Trust Building at the northeast corner of Hollywood and Cahuenga Boulevards, and the 12-story Guaranty Building, located a short distance away from the Attie Building at the northeast corner of Hollywood Boulevard and Ivar Avenue as well as a mix of design and styles, including a Beaux Arts style at the Security Trust Building and Spanish Renaissance Revival at the Warner Theater at the northeast corner of Hollywood Boulevard and Wilcox Avenue. If by “present at the time of the district boundaries,” the commenter means built in 1935 and still retaining integrity in 1985, it is possible

that it would have been a contributor. Otherwise, it would likely have not been a contributor, just as the existing building and 44 percent of the other buildings were not contributors in 1985. Those non-contributors did not sufficiently impair the significance of the district to prevent the Keeper of the National Register from listing the historic district in the National Register. Therefore, it would appear that even if the new building had been present at the time of the determination of the boundaries of the historic district and was determined to be a non-contributor, the Keeper would have nonetheless listed the historic district.

Response to Comment No. 6-50

Characteristics of the Hollywood Boulevard historic district are described in the Cultural Resources Report (see Draft EIR, Appendix D.1, Cultural Resources Report, pages 8, 11, and 34). Specifically, page 8 of the Cultural Resources Report quotes directly from the National Register nomination for the Hollywood Boulevard historic district. As gathered from the National Register nomination, character-defining features of the Hollywood Boulevard historic district include long linearity, excellent examples of popular architectural styles, high-rise buildings at major intersections, one and two-story retail structures mid-block, construction between 1915 and 1939, and features such as “colored terrazo [sic] entryways, neon signage, and the Hollywood Walk of Fame,”¹⁰

Response to Comment No. 6-51

The commenter’s characterization of Preservation Brief #14 is incorrect. Preservation Brief #14 mentions that height is one consideration of compatibility. Specifically, “[h]eight and setback from the street should generally be consistent with those of the historic building and other surrounding buildings in the district.”¹¹ The new building at 6430–6434 Hollywood Boulevard is proposed to be two stories. As described in the Cultural Resources Report, Hollywood Boulevard consists of commercial buildings that vary greatly in height, from one to 12-stories (see Draft EIR Appendix D.1, Cultural Resources Report, page 34). As correctly noted by the commenter, the height of the proposed new building at 6430–6434 Hollywood Boulevard is consistent with the adjacent Attie Building, and compatible with building heights in the Hollywood Boulevard historic district.

Response to Comment No. 6-52

The commenter’s opinion as to the approach to compatibility of the proposed new building will be forwarded to the decision makers for their review and consideration. The Draft EIR analyzed the proposed new building at 6430–6434 Hollywood Boulevard and found it to conform with the *Secretary’s Standards*, specifically Standards 9 and 10, as the new building is compatible in size, scale, proportion, and massing with the adjacent Attie Building. (See Draft EIR Section IV.B, Cultural Resources, page IV.B-35 and Draft EIR Appendix D.1, Cultural Resources Report, page 34). As observed in Preservation Brief #14, “[t]he vast amount of literature on the subject of additions to historic buildings reflects widespread interest as well as divergence of opinions.”¹² Steven W. Semes, in his oft quoted article from the Summer 2007 *National Trust for Historic Preservation Forum Journal*, entitled “Differentiated and Compatible: Four Strategies for Additions in Historic Settings,” lays out four approaches of compatibility that meet the *Secretary’s Standards*: 1) literal replication, 2) invention

¹⁰ McAvoy, Christy Johnson, Hollywood Heritage, “Hollywood Commercial and Entertainment District,” National Register of Historic Places Nomination Form, listed January 2, 1985.

¹¹ Grimmer, Anne E. and Kay D. Weeks, Preservation Brief 14: New Exterior Additions to Historic Buildings: Preservation Concerns, (Washington, DC: U.S. Department of the Interior, National Park Service, 2010), p. 11.

¹² Grimmer, Anne E. and Kay D. Weeks, Preservation Brief 14: New Exterior Additions to Historic Buildings: Preservation Concerns, (Washington, DC: U.S. Department of the Interior, National Park Service, 2010), p. 1.

within the same or a related style, 3) abstract reference, and 4) intentional opposition.

Response to Comment No. 6-57

The commenter cites Federal guidelines implementing Section 106 of the Historic Preservation Act which requires Federal agencies to take into account the effects of their undertakings on historic properties. As there is no Federal undertaking – the property is not owned in part or whole by a Federal Agency and no Federal funds are proposed to be used in development of the project these guidelines are not applicable.

As the project was not analyzed under Section 106 of the National Historic Preservation Act, no Area of Potential Effects (APE) was explicitly identified. However, Map 4 of Draft EIR Appendix D.1, Cultural Resources Report, identifies a portion of the Hollywood Boulevard historic district, identifying contributing resources. The smaller area roughly covers one city block to the east and west of the Attie Building. Potential direct and indirect impacts to the setting of nearby contributing resources to the historic district, as well as the U.S. Post Office located at 1615 Wilcox Avenue and separately listed in the National Register, is discussed in Draft EIR, Appendix D.1, Cultural Resource Report, pages 34-35. Had the Project been subject to Section 106, effects on historical resources within a theoretical APE would have been considered.

Response to Comment No. 6-58

It appears that the commenter is referring to Standard 9. See Response to Comment No. 6-51 above.

Response to Comment No. 6-59

The commenter does not include a citation for their “generally recognized principles.” These principles are not included within any National Park Service guidance associated with application of the *Secretary’s Standards*.

The CEQA threshold for determining a significant impact to historic resources is whether a project would cause a substantial adverse change in the significance of an historical resource. A substantial adverse change is defined in CEQA Guidelines Section 15064.5(4)(b)(1), as “physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired.” Indirect impacts of the new building on the setting of the adjacent to the Hollywood Boulevard historic district were analyzed in the Draft EIR and Cultural Resources Report (see Draft EIR, Section IV.B, Cultural Resources, pages IV.B-35-36 and Draft EIR, Appendix D.1, Cultural Resources Report, pages 34-35). No indirect impacts were identified.

Even if the factors referenced by the commenter were thresholds for determining significant impacts, the Project does not meet them. The Project includes construction of a new building within the Hollywood Boulevard historic district that is compatible in size, scale, proportion, and massing, and construction of a new building outside the boundaries of the historic district. Neither would cut the historic district in half, either visually or physically. The Hollywood Boulevard historic district is a long, linear historic district. It does not have one principal building. Rather, as noted previously, it is characterized by high-rise buildings at major intersections with one and two-story retail structures mid-block. The Hollywood Boulevard historic district has no related features with a New England town square. As noted in Draft EIR Appendix D.1, Cultural Resources Report, page 34, given the

variety of heights of contributing buildings on Hollywood Boulevard, it will not overshadow or lopsided the historic district. Located outside the boundaries of the historic district, it is not out of scale with the varied heights along Hollywood Boulevard. Finally, the Project will not “create such an offence...that the continuity and features of a District are obscured.” The Project does not include any of the offensive examples cited; there are no proposed new billboards, no wild colors, no large expanses of uninterrupted glass, no above grade parking garages, and no unadorned walls. Located outside the boundaries of the historic district, the Project will not obscure any significant features.

As described in Response to Comment No. 6-47, the Project does not compromise the integrity of the Hollywood Boulevard historic district.

Response to Comment No. 6-61

See Response to Comment No. 6-5, above.

Response to Comment No. 7-2

Regarding restoration of the storefronts, refer to Response to Comment Nos. 6-2, 6-16, 6-29, 6-30, 6-32, 6-33, 6-34, 6-50, and 6-52, above.

Response to Comment No. 7-3

See Response to Comment No. 6-30, above.

Response to Comment No. 7-4

The Project conforms with the *Secretary's Standards*, therefore mitigation is not required. See Response to Comment Nos. 6-16, 6-17, 6-30, and 6-52, above.

Response to Comment No. 7-5

The Draft EIR was reviewed by the Office of Historic Resources prior to its release and their comments were incorporated. Additionally, as noted above in Response to Comment No. 7-4, the Project conforms with the *Secretary's Standards*, therefore mitigation is not required. Further, the nomination of the Attie Building is not required under CEQA. See Response to Comment Nos. 6-16, 6-17, 6-30, 6-52, and 7-4.

Response to Comment No. 7-7

As discussed above in Response to Comment No. 6-27, the Attie Building is a contributing resource to the National Register listed Hollywood Boulevard Commercial and Entertainment Historic District. Because the historic district is listed in the National Register, it was automatically listed in the California Register. In general, CEQA Guidelines define “historical resource” that which has been determined eligible for listing in the California Register, or one that is designated at the local level (§15964.5). As the Attie Building is listed in the California Register, it was identified as a historical resource under CEQA. An evaluation of eligibility as a Historic Cultural Monument is not required to identify a historical resource.

Response to Comment No. 7-8

See Response to Comment Nos. 6-2 and 6-30, above.

Response to Comment No. 7-9

See Response to Comments Nos. 6-2 and 6-32, above.

Response to Comment No. 8-3

CEQA Guidelines Section 15064.5(b)(3) states, “[g]enerally, a project that follows the Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings or the Secretary of the Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (1995), Weeks and Grimmer, shall be considered as mitigated to a level of less than a significant impact on the historical resource.” As detailed in the Draft EIR, the Project conforms with the *Secretary’s Standards* (see Draft EIR Section IV.B, Cultural Resources, pages IV.B-33-37 and Draft EIR Appendix D.1, Cultural Resources Report, pages 30-37). The Draft EIR analyzed the proposed new building at 6430–6434 Hollywood Boulevard and found it to conform with the *Secretary’s Standards*, specifically Standards 9 and 10, as the new building is compatible in size, scale, proportion, and massing with the adjacent Attie Building. (See Draft EIR Section IV.B, Cultural Resources, page IV.B-35 and Draft EIR Appendix D.1, Cultural Resources Report, page 34.) While the rehabilitation of the Attie Building proposed by the Project conforms with the *Secretary’s Standards*, the Applicant nonetheless has proposed design refinements in response to concerns stated by commenters.