

## **4.0 Environmental Impact Analysis**

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### **4.3 Cultural Resources**

#### **4.3.1 Introduction**

This section of the Draft EIR provides an analysis of the Project's potential impacts on cultural resources, including historic resources and archaeological resources. The analysis of historical resources is based on four Historic Resource Assessment Reports completed by Architectural Resources Group in June 2020 for 449–453 North Beverly Drive, 461 North Beverly Drive, 456 North Rodeo Drive, and 468 North Rodeo Drive, which are included as Appendix D of this Draft EIR, and the Historic Resources Review Report prepared by Historic Resources Group, dated September 2021, and included in Appendix D of this Draft EIR. The analysis of potential impacts associated with archaeological resources is based on the results of an archaeological resources database search provided by the South Central Coastal Information Center (SCCIC), which is included as Appendix D of this Draft EIR.

As discussed in detail below, no historic resources or archaeological resources were identified at the Project Site and there are no direct impacts to historic or archaeological resources. The Historic Resources Review Report identified six properties located approximately within two blocks of the Project Site that have been listed as Landmarks by the City of Beverly Hills. The closest of these six properties is the Writers and Artists Building at 9507 S. Santa Monica Boulevard. Based on the analysis provided in the Historic Resources Review Report as well as in Section 4.8, Noise, of this Draft EIR (with regard to potential vibration impacts), the Project would not result in indirect impacts to historical resources located in the vicinity of the Project Site. Thus, no mitigation is required for historical resources. Although no archaeological resources have been identified, there is a possibility that archaeological resources may be encountered during construction activities and appropriate mitigation is included below to address those potential impacts.

The Project's potential impacts on human remains were evaluated in the Initial Study prepared for the Project, included in Appendix A of this Draft EIR. The Initial Study evaluation concluded that the Project would have a less than significant impact on human remains with compliance with existing applicable regulations. As such, no further evaluation of the Project's potential impacts to these resources is provided herein other than a summary of the analysis in the Initial Study.

## 4.3.2 Environmental Setting

### 4.3.2.1 Regulatory Framework

#### 4.3.2.1.1 Historic Resources

Historic resources fall within the jurisdiction of several levels of government. The framework for the identification and, in certain instances, protection of historic resources is established at the federal level, while the identification, documentation, and protection of such resources are often undertaken by state and local governments. Federal agencies must follow federal historic resource consultation requirements; however, since the Project is by a private developer, is not relying on federal funding, and does not require a federal permit, such federal historical consultation requirements are not applicable. The federal criteria for identifying historical resources are still relevant to the Project because they have been incorporated into applicable state law requirements. As described below, the principal federal, state, and local laws governing and influencing the preservation of historic resources of national, state, regional, and local significance include the National Historic Preservation Act (NHPA) of 1966, as amended; the California Register of Historical Resources (California Register); the California Environmental Quality Act (CEQA); and the City of Beverly Hills Historic Preservation Ordinance (Beverly Hills Municipal Code [BHMC] Title 10 Chapter 3 Article 32; BHMC 10-3-3212), all of which are summarized below.

##### 4.3.2.1.1.1 National Register of Historic Places

The National Register of Historic Places (National Register) was established by the NHPA as “an authoritative guide to be used by federal, state and local governments, private groups, and citizens to identify the nation’s cultural resources and to indicate what properties should be considered for protection from destruction or impairment.”<sup>1</sup> The National Park Service administers the National Register program. The National Register recognizes properties that are significant at the national, state, and/or local levels.

To be eligible for listing in the National Register, a property must be significant within a historic context. The significance of a historic property can be judged only when it is evaluated within its historic context. Historic contexts are “those patterns, themes, or trends in history by which a specific... property or site is understood and its meaning... is made clear.”<sup>2</sup> A property must represent an important aspect of the area’s history or prehistory and possess the requisite integrity to qualify for the National Register.

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<sup>1</sup> 36 Code of Federal Regulations (CFR) Section 60.2.

<sup>2</sup> U.S. Department of Interior, National Park Service, *National Register Bulletin #15: How to Apply the National Register Criteria for Evaluation*, 1997, p. 7.

Furthermore, to be eligible for listing in the National Register, a resource must be at least 50 years of age, unless it is of exceptional importance as defined in Title 36 Code of Federal Regulations (CFR), Part 60, Section 60.4(g).

According to National Register Criteria Consideration G, it is not enough for a resource to simply meet the conditions enumerated in the criterion to justify eligibility for the National Register if the resource being evaluated is less than 50 years of age. For resources that are not yet 50 years of age, it must be demonstrated that the resource is not merely significant, but exhibits exceptional importance within its requisite historic context(s). This consideration “guards against the listing of properties of passing contemporary interest” and ensures that enough time has elapsed to develop historical perspective. Determining whether a resource is exceptionally important for purposes of the National Register requires comparative analysis of the resource against contextually related properties. If, when the resource is compared to others, it becomes evident that: (1) it conveys unique extraordinary qualities that render it an extremely important example of its respective context; or (2) represents a type so rare or fragile that extant examples of any age are unusual, it is generally considered to meet Criteria Consideration G.<sup>3</sup> Conversely, resources that are more ordinary or representative of a given context are generally not considered to satisfy the “exceptional importance” benchmark.

Whatever its age, a resource must be significant in American history, architecture, archaeology, engineering, or culture. Four criteria for evaluation have been established to determine the significance of a resource:

- A. *It is associated with events that have made a significant contribution to the broad patterns of our history; or*
- B. *It is associated with the lives of persons significant in our past; or*
- C. *It embodies the distinctive characteristics of a type, period, or method of construction or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or*
- D. *It yields, or may be likely to yield, information important in prehistory or history.<sup>4</sup>*

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<sup>3</sup> U.S. Department of Interior, National Park Service, *National Register Bulletin #15: How to Apply the National Register Criteria for Evaluation*, 1997, pp. 44–45.

<sup>4</sup> 36 CFR 60, Section 60.4.

In addition to meeting one or more of the above criteria, district sites, buildings, structures, and objects that are at least 50 years of age must also retain enough historic integrity to be eligible for listing. According to National Register Bulletin #15: “to be eligible for listing in the National Register, a property must not only be shown to be significant under National Register criteria, but it also must have integrity.”<sup>5</sup> Historic integrity is defined in National Register Bulletin #15 as “the ability of a property to convey its significance” and “the authenticity of a property’s historic identity, evidenced by the survival of physical characteristics that existed during the property’s historic period.”<sup>6,7</sup> Within the concept of integrity, the National Register recognizes seven aspects or qualities that in various combinations define integrity. These include feeling, association, workmanship, location, design, setting, and materials, and they are defined by National Register Bulletin #15 as follows:<sup>8</sup>

- *Feeling* is a property’s expression of the aesthetic or historic sense of a particular period of time.
- *Association* is the direct link between an important historic event or person and an historic property.
- *Workmanship* is the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory.
- *Location* is the place where the historic property was constructed or the place where the historic event occurred.
- *Design* is the combination of elements that create the form, plan, space, structure, and style of a property.
- *Setting* is the physical environment of an historic property.
- *Materials* are the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property.

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<sup>5</sup> U.S. Department of Interior, National Park Service, *National Register Bulletin #15: How to Apply the National Register Criteria for Evaluation*, 1997, pp. 44–45.

<sup>6</sup> U.S. Department of Interior, National Park Service, *National Register Bulletin #15: How to Apply the National Register Criteria for Evaluation*, 1997, pp. 44–45.

<sup>7</sup> U.S. Department of the Interior, National Park Service, *National Register Bulletin #16A: How to Complete the National Register Registration Form*, 1995, p. 4.

<sup>8</sup> U.S. Department of Interior, National Park Service, *National Register Bulletin #15: How to Apply the National Register Criteria for Evaluation*, 1997, pp. 44–45.

To retain historic integrity, a property will always possess several, and usually most, of the seven aspects of integrity and depending upon its significance, retention of specific aspects of integrity may be paramount for a property to convey its significance. Determining which of these aspects are most important to a particular property requires knowing why, where, and when a property is significant.

The National Register includes significant properties, which are classified as buildings, sites, districts, structures, or objects. A historic district “derives its importance from being a unified entity, even though it is often composed of a variety of resources. The identity of a district results from the interrelationship of its resources, which can be an arrangement of historically or functionally related properties.”<sup>9</sup> A district is defined as a geographically definable area of land containing a significant concentration, linkage, or continuity of buildings, sites, structures, or objects united by past events or aesthetically by plan or physical development.<sup>10</sup> A district’s significance and historic integrity should help determine the boundaries. Other factors include:

- Visual barriers that mark a change in the historic character of the area or that break the continuity of the district, such as new construction, highways, or development of a different character;
- Visual changes in the character of the area due to different architectural styles, types, or periods, or to a decline in the concentration of contributing resources;
- Boundaries at a specific time in history, such as the original city limits or the legally recorded boundaries of a housing subdivision, estate, or ranch; and
- Clearly differentiated patterns of historical development, such as commercial versus residential or industrial.<sup>11</sup>

Within historic districts, properties are identified as contributing and noncontributing. A contributing building, site, structure, or object adds to the historic associations, historic architectural qualities, or archaeological values for which a district is significant because:

- It was present during the period of significance, relates to the significance of the district, and retains its physical integrity; or

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<sup>9</sup> U.S. Department of Interior, National Park Service, *National Register Bulletin #15: How to Apply the National Register Criteria for Evaluation*, 1995, p. 5.

<sup>10</sup> 36 CFR, Part 60.3(d). *Elements in a district can be “separated geographically but linked by association or history.” Id.*

<sup>11</sup> U.S. Department of Interior, National Park Service, *National Register Bulletin 21: Defining Boundaries for National Register Properties Form*, 1997, p. 12.

- It independently meets the criterion for listing in the National Register.<sup>12</sup>

#### 4.3.2.1.1.2 Secretary of the Interior's Standards for the Treatment of Historic Properties

The National Park Service issued the Secretary of the Interior's Standards with accompanied guidelines for four types of treatments for historic resources: Preservation, Rehabilitation, Restoration, and Reconstruction. These standards apply to all proposed grant-in-aid development projects assisted through the National Historic Preservation Fund. While these standards are not directly applicable to the Project, under CEQA Guidelines Section 15064.5(b)(3), potential impacts related to projects that may affect historic resources are considered to be mitigated to a less-than-significant level if they are consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties (Secretary of the Interior's Standards). Although there are no historical resources on the Project Site and none of the four treatments applies specifically to new construction in the vicinity of historical resources, Standards #9 and #10 of the Standards for Rehabilitation provide relevant, but not determinative, guidance for the potential of a project to impact historical resources. The Standards of Rehabilitation #9 and #10, which are included for guidance purposes and are not directly applicable to the Project, are as follows:

- 9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.*
- 10. New additions and adjacent or related new construction will be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.*

It is important to note that the Standards, even when they are directly applicable, are not intended to be prescriptive, but instead provide general guidance. They are intended to be flexible and adaptable to specific project conditions to balance continuity and change, while retaining materials and features to the maximum extent feasible. Their interpretation requires exercising professional judgment and balancing the various opportunities and

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<sup>12</sup> U.S. Department of Interior, National Park Service, National Register Bulletin 16A: How to Complete the National Register Registration Form, 1997, p. 16.

constraints of any given project. Not every Standard necessarily applies to every aspect of a project, nor is it necessary to comply with every Standard to achieve compliance.

#### 4.3.2.1.1.3 California Register of Historical Resources

The California Register is similar to the National Register program. The California Register was enacted in 1992, and its regulations became official on January 1, 1998. Administered by the California Office of Historic Preservation (OHP), the California Register is an “authoritative guide in California used by state and local agencies, private groups, and citizens to identify the state’s historic and archaeological resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change.”<sup>13</sup> State law provides that, in order for a property to be considered eligible for listing in the California Register, it must be found by the State Historical Resources Commission to be significant under any of the following four criteria identified by the OHP, which largely parallel National Register criteria.<sup>14</sup> The criteria for eligibility for listing in the California Register are:

1. *Associated with events that have made a significant contribution to the broad patterns of local or regulatory history or the cultural heritage of California or the United States.*
2. *Associated with the lives of persons important to local, California or national history.*
3. *Embodies the distinctive characteristics of a type, period, region or method of construction or represents the work of a master or possesses high artistic values.*
4. *Has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California or the nation.*

A historic resource eligible for listing in the California Register must meet one or more of the significance criteria described above and retain enough of its historic character or appearance to be recognizable as a historic resource and to convey the reasons for its significance. As described above, integrity is evaluated with regard to the retention of feeling, association, workmanship, location, design, setting, and materials. The resource must also be judged with reference to the particular criteria under which it is proposed for

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<sup>13</sup> California Public Resources Code Section 5024.1(a).

<sup>14</sup> California State Parks, Office of Historic Preservation, California Register of Historical Resources, [http://ohp.parks.ca.gov/?page\\_id=21238](http://ohp.parks.ca.gov/?page_id=21238), accessed April 30, 2021.

eligibility. California Register regulations contained in Title 14, Division 3, Chapter 11.5 of the California Code of Regulations (CCR) include Section 4852(c), which provides that “it is possible that historical resources may not retain sufficient integrity to meet the criteria for listing in the National Register, but they may still be eligible for listing in the California Register.” Unlike the National Register, the California Register does not exclude resources less than 50 years of age. According to Section 4852(d), a resource less than 50 years old may be considered for listing in the California Register if it can be demonstrated that sufficient time has passed to understand its historic importance.

The California Register consists of resources that are listed automatically and those that must be nominated through an application and public hearing process. The California Register includes the following:<sup>15</sup>

- California properties formally determined eligible for listing in, or that are listed in, the National Register.
- State Historical Landmarks No. 770 and all consecutively numbered state historical landmarks following No. 770. For state historical landmarks preceding No. 770, the OHP shall review their eligibility for the California Register in accordance with procedures to be adopted by the State Historical Resources Commission.
- Points of historical interest which have been reviewed by the OHP and recommended for listing by the State Historical Resources Commission for inclusion in the California Register in accordance with criteria adopted by the State Historical Resources Commission.

Other resources which may be nominated for listing in the California Register include: individual historical resources; historic resources contributing to the significance of an historic district; historic resources identified as significant in historical resources surveys; historic resources and historic districts designated or listed as city or county landmarks or historic properties or districts; and local landmarks.<sup>16</sup>

The primary difference between eligibility for listing in the National and California Registers is integrity. Properties eligible for listing in the National Register generally have a higher degree of integrity than those only eligible for listing in the California Register. There is, however, no difference with regard to significance for purposes of evaluating impacts.

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<sup>15</sup> *California Public Resources Code Section 5024.1(a).*

<sup>16</sup> *California Public Resources Code Section 5024.1(e).*

#### 4.3.2.1.1.4 California Environmental Quality Act

CEQA offers protection for identified historic resources. In general, for purposes of CEQA and environmental review, a “historical resource” is that which has been determined eligible for listing in the California Register, or one that is designated at the local level. For purposes of CEQA, Public Resources Code Section 21084.1 defines a historic resource as:

*[A] resource listed in, or determined to be eligible for listing in, the California Register of Historical Resources. Historical resources included in a local register of historical resources as defined in subdivision (k) of [PRC] Section 5020.1, or deemed significant pursuant to criteria set forth in subdivision (g) of Section 5024.1, are presumed to be historically or culturally significant for purposes of this section, unless the preponderance of the evidence demonstrates that the resource is not historically or culturally significant. The fact that a resource is not listed in, or determined to be eligible for listing in, the California Register of Historical Resources, not included in a local register of historical resources, or not deemed significant pursuant to criteria set forth in subdivision (g) of Section 5024.1 shall not preclude a lead agency from determining whether the resource may be an historical resource.*

The criteria for eligibility under the California Register of Historical Resources are discussed above. One avenue for listing under the California Register is by meeting the criteria for listing under the National Register of Historic Places (also discussed further above).

CEQA Guidelines Section 15064.5(a)(3) also provides additional guidance on what constitutes an historic property for the purpose of CEQA analysis:

*[A]ny object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military or cultural annals of California may be considered to be an historical resource, provided the lead agency’s determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be “historically significant” if the resource meets the criteria for listing on the California Register of Historical Resources.*

CEQA Guidelines Section 15064.5(b) provides that a project “with an effect that may cause substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment.” A substantial adverse change

includes the demolition, destruction, relocation or alteration of the resource or its immediate surroundings.<sup>17</sup> CEQA also requires that the lead agency identify potentially feasible mitigation measures to address significant adverse changes in the significance of historical resources.<sup>18</sup>

#### 4.3.2.1.1.5 Beverly Hills Historic Preservation Ordinance

The Beverly Hills City Council adopted the Historic Preservation Ordinance<sup>19</sup> in 2012; it was comprehensively updated in 2015 and most recently amended in 2016 (Ordinance No. 15-O-2682). Ordinance No. 15-O-2682 created a Cultural Heritage Commission (Commission) and established criteria for designating historic landmarks. The Commission comprises five citizens, appointed by the City Council, who have exhibited a demonstrated interest in, competence in, or knowledge of historic preservation. As codified in Beverly Hills Municipal Code (BHMC) Article 32, a proposed landmark may be designated by the City Council upon the recommendation of the Commission if it satisfies all of the following criteria:

1. It is at least forty five (45) years of age, or is a property of extraordinary significance;
2. It possesses high artistic or aesthetic value, and embodies the distinctive characteristics of an architectural style or architectural type or architectural period;
3. It retains substantial integrity from its period of significance; and
4. It has continued historic value to the community such that its designation as a landmark is reasonable and necessary to promote and further the purposes of BHMC Article 32.

In addition to satisfying all of the above criteria, a landmark must satisfy at least one of the following requirements:

1. It is listed on the national register of historic places;
2. It is an exceptional work by a master architect;

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<sup>17</sup> CEQA Guidelines Section 15064.5(b).

<sup>18</sup> CEQA Guidelines Section 15064.5(b)(4).

<sup>19</sup> Beverly Hills Municipal Code Title 10, Chapter 3, Article 32 and 32.5.

3. It is an exceptional work that was owned and occupied by a person of great importance, and was directly connected to a momentous event in the person's endeavors or the history of the nation. For purposes of this subsection B3, personal events such as birth, death, marriage, social interaction, and the like shall not be deemed to be momentous;
4. It is an exceptional property that was owned and occupied by a person of great local prominence;
5. It is an iconic property; or
6. The landmark designation procedure is initiated, or expressly agreed to, by the owner(s) of the property.<sup>20</sup>

The City of Beverly Hills also recognizes historic districts. As with landmarks, historic districts add a level of protection to an area by giving authority to the Cultural Heritage Commission to evaluate development entitlement applications for projects in their entirety. An historic district is intended to include a significant concentration, linkage, or continuity of sites, buildings, structures, objects, or character defining features united historically or aesthetically by plan or physical development that has been designated pursuant to this article and is listed on the local register. A geographic area may be nominated and designated as a historic district if the district satisfies all of the following requirements:<sup>21</sup>

1. The district is comprised of contributing properties that are contiguous or grouped in close proximity, and that are located in a definable area and are unified by theme, plan, or physical development;
2. The district reflects significant development patterns, including those associated with different eras of urban growth, particular transportation modes, or distinctive examples of community planning;
3. No part of the district, and no property in the district, is located in an area of the city zoned for one-family development, including, but not limited to, any area zoned R-1;
4. At least seventy percent (70%) of the properties in the district are contributing properties;

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<sup>20</sup> *Beverly Hills Municipal Code Title 10, Chapter 3, Article 32, Section 3212.*

<sup>21</sup> *Beverly Hills Municipal Code Title 10, Chapter 3, Article 32, Section 3213.*

5. All of the contributing properties predominantly embody the distinctive elements of a single architectural style or architectural type or architectural period;
6. Each contributing property retains substantial integrity from the district's period of significance; and
7. The district as a whole has continued historic value to the community such that its designation as a district is reasonable and necessary to promote and further the goals of BHMC Article 32.

#### **4.3.2.1.1.6 City of Beverly Hills General Plan Historic Preservation Element**

The City of Beverly Hills General Plan includes a Historic Preservation Element (Historic Preservation Element). The Historic Preservation Element establishes Policies HP-1.4 (Develop Incentives to Protect Significant Historic Resources), HP-1.5 (Tiered Regulations for Residential and Non-Residential Historic Resources), and HP-1.6 (Penalties for Illegal Demolition of Historic Structures) to continue to protect historical and cultural sites and resources potentially affected by proposed land development, demolition, or property modification activities, including the use of incentives and potential penalties, with the related Goal HP-1 to value and preserve significant cultural resources.<sup>22</sup>

#### **4.3.2.1.2 Archaeological Resources**

Federal, state, and local governments have adopted laws and regulations to protect significant cultural resources that may be affected by actions that they undertake or regulate. The National Environmental Policy Act (NEPA), NHPA and CEQA are the basic federal and state laws governing the preservation of historical and archaeological resources of national, regional, state, and local significance. As archaeological resources are also considered historical resources, regulations applicable to historical resources are also applicable to archaeological resources. Whereas federal agencies must comply with federal archaeological regulations, most projects by private developers and landowners do not require this level of compliance. Thus, as the Project would not require a federal permit and would not use federal money, federal archaeological regulations are not applicable to the Project. The CEQA requirements for archaeological resources are applicable to the Project.

##### **4.3.2.1.2.1 California Environmental Quality Act**

State archaeological regulations affecting the Project include the statutes and guidelines contained in CEQA (Public Resources Code Section 21083.2 and Section

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<sup>22</sup> *City of Beverly Hills General Plan, 2010, Historic Preservation Element, pp. 61-62.*

21084.1) and the CEQA Guidelines (California Code of Regulations, Title 14, Section 15064.5). CEQA requires lead agencies to carefully consider the potential effects of a project on archaeological resources. Several agency publications, such as the technical assistance bulletins produced by the State OHP, provide guidance regarding procedures to identify such resources, evaluate their importance, and estimate potential effects.

CEQA recognizes that archaeological resources are part of the environment, and a project that “may cause a substantial adverse change in the significance of an historical resource [including archaeological resources] is a project that may have a significant effect on the environment” (PRC Section 21084.1). Archaeological resources meeting the applicable CEQA criteria are evaluated as archaeological resources, but if an archeological resource qualifies as an historical resource the CEQA Guidelines require that resource to be evaluated as an historical resource.<sup>23</sup> For purposes of CEQA, an historical resource includes any object, building, structure, site, area, place, record, or manuscript listed in or eligible for listing in the California Register (PRC Section 21084.1). Refer to the previous discussion in this section regarding the California Register for a list of the criteria used to determine whether a resource is eligible for listing in the California Register.

Archaeologists assess sites based on all four California Register criteria, but for archaeological resources usually focus on the fourth criterion, which is whether the resource “[h]as yielded, or may be likely to yield, information important in prehistory or history.” The California Code of Regulations also provides that cultural resources of local significance are eligible for listing in the California Register (CCR, Title 14, Section 4852).

Archaeological resources that do not qualify as historical resources, but meet the definition of a unique archaeological resource are evaluated under California Public Resource Code Section 21083.2. Unique archaeological resources are defined as “an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

- Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information;
- Has a special and particular quality such as being the oldest of its type or the best available example of its type; or

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<sup>23</sup> CEQA Guidelines Section 15064.5(c).

- Is directly associated with a scientifically recognized important prehistoric or historic event or person.”<sup>24</sup>

In addition to having significance in accordance with the applicable criteria, resources must have integrity for the period of significance. The period of significance is the date or span of time within which notable events transpired at a site, or the period that notable individuals made their important contributions to a site. Integrity is the authenticity of an archaeological resource’s physical identity evidenced by the survival of characteristics that existed during the resource’s period of significance.<sup>25</sup>

#### **4.3.2.1.2.2 Beverly Hills General Plan Historic Preservation Element**

The Beverly Hills General Plan Historic Preservation Element, adopted in January 2010, includes Policy HP-1.8 for the protection of archaeological resources and Policy HP-2.1 to support partnerships for public education on local historic resources. As stated in Policy HP-1.8, it is the City’s policy to temporarily suspend all earth disturbing activity within 100 feet of a potential resource, if any such resources are discovered during construction-related earth-moving activities, to assess the significance of the find, and require appropriate mitigation before work resumes. This policy furthers the associated Goal HP-1 to foster a community with well-preserved and maintained historic and cultural resources that provide a sense of permanence, foster civic pride and stewardship, and contribute to the unique identity and charm of the City. Additionally, Goal HP-2 and Policy HP-2.1 recognize the City’s responsibility for acknowledging the City’s wealth of historic resources by developing educational programs in partnership with local private and nonprofit historic preservation groups to sponsor walking tours, self-guided tours, promotional brochures, historic fairs and festivals, plaques, awards and similar recognition programs sponsored by the City, private organizations, or partnerships.<sup>26</sup>

### **4.3.2.2 Existing Conditions**

#### **4.3.2.2.1 Historical Resources**

##### **4.3.2.2.1.1 Historical Background of the Project Site and Surrounding Area**

The Historic Resource Assessment Reports included in Appendix D of this Draft EIR include a detailed description of the historical background of the Project Site and

<sup>24</sup> *California Public Resources Code Section 210832(g).*

<sup>25</sup> *California Office of Historic Preservation, Technical Assistance Bulletin 7: How to Nominate A Property to the California Register of Historical Resources, p.11.*

<sup>26</sup> *City of Beverly Hills General Plan, Conservation Element, January 2010, p. 63.*

surrounding area. Below is a summary of the discussion included in the Historic Resource Assessment Reports.

As discussed in the Historic Resource Assessment Reports, the Project Site is located in an area of Beverly Hills that is known as the Business Triangle (and at times, colloquially, as the Golden Triangle) so named because of its distinctive, triangular form. Located near the center of Beverly Hills and generally bounded by North Santa Monica Boulevard, Wilshire Boulevard and Canon Drive, the area is densely developed with various commercial and institutional uses. The Business Triangle serves as the City's central business district and civic center.

Beverly Hills formally incorporated as an independent city in 1914, but development—and particularly commercial development—remained sluggish. Aside from the Beverly Hills Hotel constructed between 1911–1912, the City's only commercial buildings were clustered near the intersection of Beverly Drive and Burton Way (now South Santa Monica Boulevard). At this time, the business district consisted of a small handful of one- and two-story business blocks that were occupied by grocers, barbers, hardware stores, a bank, a post office, and other enterprises that served residents' day-to-day needs. A Pacific Electric Railway station was located just to the north, on North Santa Monica Boulevard. Elsewhere within the Business Triangle, the blocks were sparsely developed with a smattering of small, humble bungalows for those of more modest means.

Like most communities in Southern California, Beverly Hills witnessed an unprecedented amount of growth and development in the 1920s. It was during this time that the community truly came of age, shedding its roots as a small, peripheral outpost and asserting itself as one of Southern California's premier residential communities. As Beverly Hills's population grew, its small commercial node evolved into a discernible central business district. Buildings like the exotic Beverly Theatre (1925, L.A. Smith, not extant) and the posh, Renaissance Revival style Beverly Wilshire Apartment Hotel (1928, Walker and Eisen) attested to the quality of architecture in the City of Beverly Hills at this time.

In the early 1930s, two resplendent civic buildings were constructed at the northeast corner of the triangular-shaped business district: the Spanish Renaissance style Beverly Hills City Hall (1932, William J. Gage and Harry G. Koerner), and the Italian Renaissance style Beverly Hills Post Office (1934, Ralph Flewelling and Allison and Allison). These buildings denoted the civic and political heart of the burgeoning city, and represented significant new additions to its commercial and institutional core.

Beverly Hills entered into another period of remarkable growth after World War II. Parcels that had remained undeveloped prior to the war were swiftly purchased and improved, and the City also expanded its physical reach by annexing a large tract of hillside

land that became the Trousdale Estates. The character of commercial development also began to visibly transform at this time, with Rodeo Drive as its focus. Historically a “fairly quiet suburban street with beauty shops, hardware stores, gas stations and bookstores,” Rodeo Drive began to evolve into an internationally renowned locus of the cultural elite. In 1967, fashion retailer Fred Hayman opened Giorgio Beverly Hills, the first high-end boutique to open on the street. Other luxury retailers and service providers including Parisian jeweler Van Cleef & Arpels (1969) and coiffeur Vidal Sassoon (1970) followed suit.

#### **4.3.2.2.1.2 Historical Context of Buildings on the Project Site**

The Project Site is currently developed with several buildings located at 456 North Rodeo Drive, 468 North Rodeo Drive, 461–465 North Beverly Drive, and 449, 451, and 453 North Beverly Drive. The existing structure at 456 North Rodeo Drive was constructed in 1948 while the existing structure at 449, 451, and 453 North Beverly Drive was constructed in 1921. Although the buildings at 468 North Rodeo Drive and at 461–465 North Beverly Drive were constructed or rebuilt within the past fifty years, they were designed by prominent architects and hence evaluated for eligibility on that basis. The building at 468 North Rodeo Drive was constructed in 1997 and is a representative work of architect Allan Greenberg, embodying characteristics of the New Classicism style, while the building at 461–465 North Beverly Drive was constructed between 1994–1996 and is a representative work of architect Richard Meier and Partners, embodying characteristics of the Modern/Neo-Corbusian style. Provided below is a summary of the detailed discussion included in the Historic Resource Assessment Reports regarding the individual buildings that comprise the Project Site.

##### **4.3.2.2.1.2.1 456 North Rodeo Drive**

456 North Rodeo Drive occupies a flat commercial parcel that is located on the east side of Rodeo Drive, between South Santa Monica Boulevard and Brighton Way. The southeast and northwest property lines abut adjacent buildings. The northeast property line abuts a service alley. The 456 North Rodeo Drive building is associated with the latter period of commercial growth described above. Completed in 1948, its construction is associated with the wave of commercial development that took place in the early postwar period to serve the area’s growing population, and culminated in an increasingly dense commercial streetscape along Rodeo Drive and other major streets within the City’s business district.

Sanborn maps, permit records, historic aerial images, and other source materials indicate that prior to the construction of the building, its parcel was undeveloped. Original permit records indicate that the building was erected by building contractor Bernard Lindberg, and that its original owners were Mrs. Maude Lloyd and A. Miller; no architect is identified on the permit. In 1952, the property was sold to Karl Schurz, a prominent Beverly

Hills real estate developer and commercial landlord. Schurz owned a number of commercial properties within the Business Triangle.

The building's first known commercial tenant was a retail store called Crawford's, which sold an array of consumer electronics including televisions, transistor radios, stereo equipment, musical instruments, telephones, and vinyl records. Crawford's closed in 1960. The next tenant was a retail store called the Beverly Hills Music Company which, despite its name, also appears to have sold a similar variety of consumer electronics. The Beverly Hills Music Company remained in business until 1961. In September 1961, a permit was issued to renovate the store into an art gallery. Known as the Raymond Burr Galleries, it appears to have opened by late 1961 and, as its name suggests, was operated by Raymond Burr, a noted Canadian–American actor best known for his title roles in the television dramas *Perry Mason* and *Ironside*.

By 1967, the building had been reverted back into a store and was now occupied by a clothing retailer called Eres Couture, which remained in operation at this location until the early 1980s. Operated by Sam and Helene Rosenblatt, both from Paris, Eres Couture sold high-end women's apparel, much of which was custom made by Sam Rosenblatt himself. Between late 1982 and early 1983, multiple permits were issued for tasks related to tenant improvements, connoting a change in tenancy at this time. Thereafter, the building was occupied by the Mila Schon boutique, a women's clothing and accessories store operated by Giuseppe and Kay Battaglia. Other tenants who are known to have occupied the building in subsequent years include the Tamara Bane Art Gallery, a walk-in gallery that exhibited erotic paintings (1980s–1990s); Banrie of Italy (women and men's apparel, 1990s); Point Carrè of Beverly Hills (men's apparel, 1990s); Juicy Couture (women's apparel, 2000s), and a temporary store for Ralph Lauren (women's and men's apparel, 2010s). By the 1990s, the building had been divided into three separate storefronts, which were joined back together with the arrival of Juicy Couture in 2007. Since 2019, the building has been occupied by a flagship store of French luxury brand Celine, which sells apparel, handbags and other accessories.

In 2018, the property was sold by its longtime owner, the Karl B. Schurz Trust, to the Sterling Organization, a Florida-based private equity group that “obtained control of the property via a highly-structured, off-market deal first made public through the recording of a long-term ground lease with rights to purchase.” The next day, the property was sold to LVMH Moët Hennessy Louis Vuitton Inc.

The single-most significant individual associated with the building was Raymond Burr, an acclaimed television actor who operated an art gallery in this space between circa 1961 and circa 1964. Raymond William Stacy Burr (1917–1993) was born in British Columbia. Burr began his acting career on the Broadway theater circuit in the early 1940s,

though he had picked up some occasional acting work during his youth. In 1941, he made his theater debut in the musical *Crazy With the Heart*, and appeared in various other live productions before enlisting in the Navy at the onset of World War II. After he was discharged from the Navy in 1946, he returned to acting, and his burly, imposing appearance led to numerous casting opportunities in motion pictures, typically as a villain. He began starring in films during the late 1940 and early 1950s. By the end of his acting career, Burr had starred in some 90 motion pictures.

Based upon descriptions of the 456 North Rodeo Drive building in permit records, newspaper articles, and other source materials the building appears to have originally been a vernacular commercial structure that was designed to be consistent with the scale and character of other commercial buildings in the vicinity but lacked the distinctive characteristics of a particular architectural style. Alterations have been made to the building over time to accommodate changes in tenancy; the building was extensively modified in 2007 to accommodate then-tenant Juicy Couture, which resulted in the building's present-day appearance. The building, in its present state, exudes a contemporary appearance but lacks the characteristics of a style.

A number of architects and builders are linked to the design and construction of the building over its history. Building contractor Bernard Lindberg (1893–1982) presided over its original construction. Building permits indicate that architects Claude Coyne, Jorge Newbery, Twen Ma, Ward Jewell, Albert Gregor, and Gruen Associates were involved in various remodeling projects at the building over the years. Generally, there is very little information about the lives, careers, and legacies of these practitioners. Gruen Associates is notable as one of Southern California's most prolific architectural firms, but its association with this building is nominal—the firm was retained to design minor tenant improvements in 2015 and 2018, more than 30 years after the death of its founder and namesake, Victor Gruen, who is included on the City of Beverly Hills List of Local Master Architects. Coyne—another of the better-known architects listed above—was a longtime associate of trailblazing architect Paul R. Williams, but does not appear to have made notable contributions in his own right.

#### **4.3.2.2.1.2.2 468 North Rodeo Drive**

468 North Rodeo Drive sits on a flat, compact commercial parcel that is located at the southeast corner of Rodeo Drive and South Santa Monica Boulevard. The southeast property line abuts an adjacent commercial building. The northeast property line abuts a service alley that runs parallel to, and is equidistant from, Beverly Drive and Rodeo Drive. Construction of the 468 North Rodeo Drive building in 1997 corresponded with the trend toward luxury retail development within the Business Triangle. 468 North Rodeo Drive has been occupied by two commercial tenants since its construction in 1997, both eminent American clothiers: Tommy Hilfiger Corp. (1997–2000) and Brooks Brothers (2003–2018).

#### 4.3.2.2.1.2.2.1 Tommy Hilfiger Corp.

The 468 North Rodeo Drive building was purpose-built as the first flagship store for the apparel brand Tommy Hilfiger Corp. (now known as Tommy Hilfiger). Founded in the 1980s, Hilfiger's eponymous line of casual clothing and accessories swiftly grew into one of the nation's most popular apparel brands, hitting its peak in the 1990s. The brand is often considered to be an icon of late twentieth century popular culture.

Thomas "Tommy" Hilfiger (born 1951) entered into the world of fashion design in the late 1960s. He jumpstarted his fashion career by buying jeans in Manhattan, repurposing them, and selling them at a markup out of a basement in Elmira. In 1971, he and two friends pooled their resources and opened a store called People's Place. However, the company went out of business in 1977.

Hilfiger thereafter moved to Manhattan to find work as a fashion designer. He initially worked as a freelancer for a variety of clothing companies, and eventually landed a job designing jeans for Jordache. In 1984, Mohan Murjani, an Indian textile magnate and clothing manufacturer, approached Hilfiger about designing a new line of casual menswear akin to Calvin Klein and Ralph Lauren. In 1985, the Tommy Hilfiger brand was formally unveiled to the public. Hilfiger's modern interpretation of the classic, American preppy look, with its trademark red, white, and blue logo, resonated with consumers and became an extraordinary commercial success. By the late 1980s, the Tommy Hilfiger brand had morphed into a multi-million dollar enterprise; in 1992, the company was taken public; and by the 1990s sales had ballooned to \$500 million.

Initially, Tommy Hilfiger-branded apparel was predominantly sold in major department stores. However, as the company grew, it incrementally opened freestanding retail stores. By 1995, the company operated six full-price and 16 discount outlet stores in addition to its lucrative license agreements with department store chains. Also in 1995, Hilfiger dabbled in the possibility of opening a series of flagship stores that would carry higher-end lines, showcase the brand, and serve as an incubator where new concepts and products could be tested with consumers.

In 1996, Tommy Hilfiger Corp. signed a ground lease agreement with the owners of the property at the southeast corner of Rodeo Drive and South Santa Monica Boulevard. Per the terms of the lease, the company demolished an existing commercial building on the site—which had been the longtime location of local haberdasher Carroll and Co.—and began construction of its first-ever flagship store. Noted architect Allan Greenberg of New York, a leading exponent of classically derived architecture, was commissioned to design the new store.

Compared to other stores within the Hilfiger portfolio, most of which were smaller in size and were curated toward a middle-income clientele, the new Greenberg-designed flagship on Rodeo Drive was a behemoth. The store opened in November 1997 amid a star-studded backdrop. The Rodeo Drive flagship store was a testament to the company's remarkable ascent from a diminutive start-up fashion label to one of the world's most iconic apparel brands. The store was constructed at a time when the company was riding high on the wave of cultural relevance and economic success. However, the constantly evolving and relentlessly competitive nature of the fashion industry eventually caught up with the company. By 2000, sales had declined as image conscious consumers turned their attention away from Hilfiger's red, white, and blue garb and toward the latest and greatest trends in popular fashion. In February 2000, just two years after opening, Tommy Hilfiger Corp. announced that it planned to permanently close the Rodeo Drive flagship store. The decision was part of a company-wide restructuring plan that aimed to eliminate glitzy flagship stores and replace them with smaller, less-costly specialty stores.

#### **4.3.2.2.1.2.2 Brooks Brothers**

The 468 North Rode Drive building sat vacant between 2000 and 2003. In April 2003, it was announced that Brooks Brothers, a prominent New York-based clothier best known as a purveyor of classic, buttoned-down shirts and suits, would open a flagship store in the former Hilfiger store at 468 North Rodeo Drive.

Founded in 1818 in New York City by Henry Sands Brooks, the company was conceived as H. Brooks and Company. It made a name for itself by offering mass-produced, reasonably priced men's clothing that appealed to an extraordinarily broad cross-section of the American male population. Brooks' four sons inherited the business upon their father's death and re-named it Brooks Brothers in 1850.

Over the next 150 years, the company would finesse its product line to keep pace with advances in industrial production and evolutions in consumer taste, but would never stray from its conservative, buttoned-down aesthetic. To this day, it remains a very traditional clothier. The company was headquartered in New York City, but later expanded its reach to cities across the nation. Brooks Brothers arrived in Southern California in 1939 when it opened a shop in the Pacific Mutual Building in Downtown Los Angeles. Though its location has changed several times, the company has maintained a presence downtown to this day. The Rodeo Drive store, which opened in 2003, was one of several flagships within the company's portfolio. It remained in continuous operation at this location, and functioned as an important northern anchor to the Rodeo Drive commercial district, until it permanently closed its doors in August 2018.

#### 4.3.2.2.1.2.2.3 Architecture

The 468 North Rodeo Drive building embodies characteristics that are associated with a contemporary architectural movement known as New Classicism. New Classicism, which is also sometimes referred to as Traditionalism, Neo-Traditionalism, or Neo-Historicism, is a historically derived idiom that emerged as one of several reactions against the ubiquity of post–World War II Modern architecture. New Classicism remained popular in the 1980s and 1990s, and early 2000s; it continues to exert influence over the design of buildings into the present day. Beginning in the 1990s, the aesthetic and philosophical principles associated with the style were also applied on a broader scale with the ascent of the New Urbanism movement. Among the American architects who are generally considered to be exponents of New Classicism are Thomas Beeby, Robert A.M. Stern, and Allan Greenberg.

The 468 North Rodeo Drive building was designed by Allan Greenberg in 1997, and exhibits the balance between historical precedents and contemporary massing, proportions, and materiality that characterize New Classicism. Greenberg is a leading exponent of New Classicism and has helped to promote and disseminate this movement since establishing his eponymous architectural practice in the early 1970s. Greenberg (1938–) was born and reared in Johannesburg, South Africa. He matriculated at the University of Witwatersrand, located in Johannesburg, where he studied architecture and was trained in both classical and modern design. In 1963, Greenberg came to the United States to pursue a Master of Architecture degree at Yale University. There, he studied under Paul Rudolph, another prominent figure in the modern movement, and graduated from the program in 1965. Upon graduating, he worked in civil service and also taught architecture at Yale before founding his own architectural firm, Allan Greenberg Architect LLC, in 1972. His firm developed a reputation for skillfully combining classical architecture with contemporary construction technologies.

Greenberg is known first and foremost as a designer of high style custom dwellings. However, he has also been awarded a number of institutional commissions, typically by university campuses or government agencies that aspire to project a sense of endurance and formality. Commercial architecture constitutes a smaller component of Greenberg’s work, but on occasion the architect has been tapped by commercial clients. In 1983, he was asked to design a new, yet contextual, storefront system for the historic Bergdorf Goodman department store in Manhattan. He later designed the Simon and Shuster offices in Rockefeller Center and the D&D Annex, also in Manhattan. In 1996, Greenberg was selected to design the 468 North Rodeo Drive building.

For the Hilfiger store, Greenberg utilized architectural elements such as pediments, columns, and rotundas that were unequivocally classical, but elected to render the façade in fiber-reinforced concrete, a contemporary material. He “experimented with 22 shades of

white before arriving at a cream-colored aggregate with blue and black stone, to complement yet contrast with the adjacent Museum of Television and Radio.”

In 2006, Greenberg was the first American architect to be awarded the Driehaus Prize for Classical Architecture, a prestigious prize bestowed upon practitioners who make notable contributions within the context of contemporary classical or vernacular design. He maintains an active architectural practice, with offices in Alexandria, Virginia, and New York City, and is a prolific author and educator.

#### **4.3.2.2.1.2.3 461–465 North Beverly Drive**

The Project Site includes the building at 461–465 North Beverly Drive, which consists of a flat, compact commercial parcel that sits at the southwest corner of Beverly Drive and South Santa Monica Boulevard. The southeast property line abuts an adjacent commercial building. The southwest property line abuts a small service alley that is equidistant from Beverly Drive and Rodeo Drive. When the building was constructed between 1994 and 1996, the Business Triangle was well established as an upscale shopping district. Its construction entailed the remodel of two existing commercial edifices: one was occupied by a Bank of America branch, and the other by a restaurant.

##### **4.3.2.2.1.2.3.1 Cultural Institutional Development in Southern California**

461–465 North Beverly Drive was constructed as the West Coast branch of the Museum of Television and Radio (now called the Paley Center for Media), a cultural institution that explores the social and cultural contributions of television, radio, and other contemporary modes of popular media, as described in the Historic Resource Assessment Report for the building. The relevant context of cultural institutional development in Southern California is reviewed below.

During the Gilded Age (ca. 1870–1900), the amalgamation of large collections of monumental art became symbols of class, status, and wealth. Capitalists and others of extraordinary personal wealth began the tradition of opening art museums, in part to showcase their collections to the public and also “to shape and fix an image that history would have of them, as enlightened power brokers of the day and benefactors to the future.” The act of collecting art was an activity that became inextricably linked with the genteel class. By proxy, the act of visiting museums, and viewing and appreciating art and other relics on display at these institutions, became popular among the middle and upper classes.

The Los Angeles region was coming of age at the same time that museums were emerging as popular cultural attractions. At around the turn of the twentieth century, Los

Angeles was witnessing a period of steady growth that was transforming the once-peripheral outpost into a populous urban environment. As the City grew, there was a desire on the part of its residents to project a sense of sophistication to the rest of the nation, to prove that Los Angeles was on par with other world-class American cities like New York, Chicago, and San Francisco.

Southern California's first proper museum opened in 1913. Called the Los Angeles County Museum of History, Science and Art, it was located in Exposition Park and was housed in a resplendent, Beaux Arts style building that was befitting of the City's urbane ambitions. For decades, the Museum of History, Science and Art was the sole repository of most of Los Angeles County's scientific and artistic treasures, where historical relics and artistic works were housed together under one roof. The following year, in 1914, the Southwest Museum of the American Indian opened in the Mount Washington neighborhood. This museum was a pet project of Charles Fletcher Lummis, a journalist who arrived in Los Angeles in the 1880s and became enthralled with Southern California history and especially with its pre-Columbian and Native American past. Like the Museum of History, Science and Art, the Southwest Museum signified Los Angeles's coming of age as a harbinger of culture, and the dedication of its Mount Washington campus was met with a tremendous amount of fanfare and marked a momentous occasion in the region's cultural institutional history.

Another notable addition to Southern California's cultural institutional landscape was the Griffith Observatory, which opened in 1935. The observatory featured a unique combination of exhibits related to astronomy including a planetarium, a refracting telescope and observation deck, and an exhibition hall that featured various exhibits related to the physical sciences. Its planetarium was notable as the third to be constructed in the United States. At the behest of its benefactor, Colonel Griffith J. Griffith, the observatory was bequeathed to the City of Los Angeles upon its completion for use as a public facility. Admission to the observatory was—and continues to be—free of charge to the general public, reflecting Griffith's desire to make the observatory and its programmatic offerings available to all.

Los Angeles's burgeoning reputation as a bastion of arts and culture was cemented after World War II. Unprecedented development at this time attracted scores of newcomers to the region and resulted in commensurate additions to its cultural institutional landscape. Perhaps no institution expressed this phenomenon more strongly than the Los Angeles County Museum of Art (LACMA), which was originally a part of the County Museum of History, Science and Art. In 1961, the museum was split into two, with one branch dedicated to science and history (and now known as the Natural History Museum in Exposition Park) and the second dedicated to the visual arts (and now known as LACMA). In 1965, the newly founded LACMA, including the old museum's art collection, moved to a

new campus on Wilshire Boulevard in Los Angeles. The new LACMA facility was “the largest new art museum the country had seen in a quarter century,” not to mention one of the region’s most popular attractions.

At about the same time that LACMA opened, County officials were also embarking upon an equally influential development project in Downtown Los Angeles that was wholly dedicated to the performing arts: the Music Center of Los Angeles County. Development of the monumental complex commenced in the 1960s and comprised three main buildings: the Dorothy Chandler Pavilion (1964), the Mark Taper Forum (1967), and the Ahmanson Theatre (1967). In 2003, the iconic Walt Disney Concert Hall was added to the complex, rounding out its development.

Some of the region’s foremost cultural institutions were operated by government entities, either in full or in part, but others were affiliated with private interests. Chief among them was oil magnate and philanthropist J. Paul Getty, an avid collector of arts and antiquities who had amassed a substantial horde of paintings, sculptures, and other artistic works. Throughout his life, Getty worked to make his art collection accessible to the public, establishing a trust in 1953 and opening a museum in his Malibu ranch house that same year. In 1974, Getty opened a larger museum (now known as the Getty Villa), also on a portion of his Malibu property, in which to display his ever-growing art collection. Getty left a substantial sum of his vast fortune to the trust upon his death in 1976, allowing his collection to grow. In the 1980s, as the museum began to outgrow its Malibu facility, the Getty Trust sought to construct a new, 24-acre campus in the Brentwood neighborhood of Los Angeles. Noted architect Richard Meier was commissioned to design the new hilltop campus, which he did in his signature Neo-Corbusian style.

In 1997, when the complex opened to the public, it instantly became an iconic architectural landmark and one of the boldest new additions to the Los Angeles region’s cultural institutional landscape. The Getty Center was considered to be one of the finest new art museums in the nation and was extensively written about upon opening, both for its architectural and institutional merit.

Over time, hundreds of other, smaller museums have opened across the greater Los Angeles region, each with a specific program geared toward a certain niche of art and culture. This includes the Paley Center, which opened a West Coast branch location in 1996.

#### **4.3.2.2.1.2.3.2 Museum of Broadcasting**

The 461–465 North Beverly Drive building was constructed as the Paley Center for the Media (originally called the Museum of Broadcasting), as the West Coast counterpart to

the Museum of Broadcasting's main branch in New York City. The Museum of Broadcasting was conceived in 1975 by the longtime CBS chief executive William S. Paley (1901–1990). Paley, who “cultivated CBS from a handful of struggling radio stations in 1928 into the most powerful communications company in the world,” expressed a need to pay homage to the sights and sounds of radio and television programming.

The Museum of Broadcasting opened its doors in Midtown Manhattan, at 1 East 53rd Street, in 1976. When it opened, the museum was notable as the only institution of its kind in the United States. Between its opening in 1976 and the early 1990s, its permanent collection expanded from several hundred archives to tens of thousands of television and video programs spanning 70 years. Popular media continued to morph and evolve at this time, and so too did the scope and breadth of the museum's collections. In 1991, the Board of Trustees voted to change the name of the institution from the Museum of Broadcasting to the Museum of Television and Radio. Also in 1991, the museum moved into a new building on West 52nd Street designed by John Burgee and Philip Johnson.

#### **4.3.2.2.1.2.3.3 Museum of Television and Radio**

Though it was based in New York, the Museum of Television and Radio also maintained a visible presence in Los Angeles. Each year, the museum hosted a well-attended, multi-week Television Festival at which members of the public were invited to interact with the cast and creative teams of popular television shows. In 1994, it was announced that the museum was planning to open a sister location in Beverly Hills, which through digital technology would contain the exact same collection of archived radio and television programs that was featured at its New York City location. Presiding over the move to open a new West Coast branch was Robert M. Batscha (1945–2003), who served as president of the Museum of Broadcasting/Paley Center for more than twenty years.

#### **4.3.2.2.1.2.3.4 Architecture**

To design the new Beverly Hills branch, the museum retained Richard Meier and Partners, a renowned New York City architectural firm that was also working on the sprawling Getty Center complex in the Brentwood hills at that time (the Getty Center was constructed between 1987 and 1996, with its doors opening to the public in December 1997). Like its New York City counterpart, the Beverly Hills museum would be organized around a series of interior spaces that accommodated its interactive programming and its prevailing emphasis on digital media. Meier's design included “a theater, a broadcast studio, a computerized library, a gallery, educational facilities and scores of individual viewing consoles where the public can listen to and watch programs chosen for artistic, cultural and historical significance.”

The museum represented a notable new addition to Southern California's rich body of cultural institutions, but it was not the first collection of its kind in Los Angeles. The Academy of Television Arts and Sciences maintained an archive of film and television programming at UCLA. However, that collection was reserved primarily for researchers and industry professionals, and did not have the same emphasis on public access that was such a driving force behind William Paley's vision for his museum.

The Beverly Hills location of the Museum of Television and Radio opened to the public in March 1996. The advent of the Internet, cellular devices, podcasts, and other contemporary modes of communication once again led the museum to critically evaluate its name and its remit. In 2007, it was announced that the name of the institution would be changed from the Museum of Television and Radio to the Paley Center for Media, part of a larger overhaul that was intended to bring the museum into the thrust of the 21st century. The Paley Center vacated its Beverly Hills location in February 2020, and is reported to have set up new offices in Century City and transferred much of its television and radio archives to the Beverly Hills Public Library. The New York location remains open to the public.

The 461–465 North Beverly Drive building exhibits characteristics of Late Modern architecture, and specifically a derivative of Late Modernism that is at times referred to as Neo-Corbusian. The Late Modern movement first emerged in the 1960s as a reaction against the orthodoxy and ubiquity of post–World War II Modernism, and exerted considerable influence on American architecture for the duration of the twentieth century. Modernism is a broad term that is used to define an array of architectural styles and city planning principles that were conceived in the early twentieth century, honed after World War I, and became a dominant element of American architecture after World War II. The tenets of Modernism are extraordinarily broad and diverse, but in the most general sense the movement eschewed past traditions and called for an approach to design that embraced progress and technology.

Five architects in particular became closely associated with the Neo-Corbusian aesthetic: Peter Eisenman, John Hejduk, Charles Gwathmey, Michael Graves, and Richard Meier. These architects were collectively known as The New York Five, and later as “the Whites,” a reference to the relative starkness and lack of color that characterized their bodies of work. The Neo-Corbusian derivative of Late Modernism remained popular for the duration of the twentieth century. The fundamental characteristics of the style

continued to define the work of Richard Meier, who founded Richard Meier & Partners Architects in New York in 1963.<sup>27</sup>

As previously discussed, the 461–465 North Beverly Drive building was designed by the architectural firm Richard Meier and Partners. Meier is a highly acclaimed architect and abstract artist who designed a number of high profile residential and institutional commissions—and particularly museums—in the latter decades of the twentieth century. Richard Alan Meier (1934–) was born into a Jewish family in Newark, New Jersey. After matriculating at Cornell University and earning his Bachelor of Architecture degree in 1957, he travelled abroad to network with architects whose work he admired.

Meier opened his own architectural practice in 1963. His early commissions consisted primarily of custom single-family residences. Meier continued to design residential commissions, but his repertoire became increasingly defined by a series of high profile, critically acclaimed institutional projects that he designed in subsequent years. Two of his most significant early institutional commissions in the United States include the New Harmony Athenaeum in New Harmony, Indiana (1979) and the High Museum of Art in Atlanta, Georgia (1983). Notable institutional commissions continued to pour in for Meier during the late 1970s and early 1980s. In 1984, Meier was awarded the Pritzker Architecture Prize, considered to be the profession’s highest and most prestigious accolade. Meier is included on the City of Beverly Hills List of Local Master Architects.

Meier’s institutional work continued to increase in size, scope and complexity. One of his most influential institutional commissions was the J. Paul Getty Center in the Brentwood community of Los Angeles, which took more than a decade to construct (1987–1996) and earned widespread acclaim. The Getty Center commission expanded Meier’s reach into the Western United States and, in doing so, cemented his reputation as a master architect of national acclaim. In 1985, Meier, who was then based in New York, opened a second office in Los Angeles to manage the design and construction of the Getty Center.

The Museum of Television and Radio (later the Paley Center for Media) in Beverly Hills was among the collection of smaller-scale projects that came out of Meier’s Los Angeles office. Meier’s firm continued to turn out noteworthy commissions in subsequent years, both domestically and abroad. Meier took a leave of absence from the firm in March 2018 and officially retired June 2021, as previously noted. Upon Meier’s retirement, the

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<sup>27</sup> *Richard Meier & Partners Architects announced the retirement of its founder, Richard Meier in June 2021. The announcement also revealed an internal reorganization of the company, specifically the renaming of its New York office to Meier Partners. The Los Angeles-based office is now an independent firm under the name of STUDIOpractice.*

New York office was renamed to Meier Partners. The Los Angeles-based office is now an independent firm under the name of STUDIOpractice.

#### **4.3.2.2.1.2.4 449, 451, and 453 North Beverly Drive**

449, 451, and 453 North Beverly Drive occupies a flat commercial parcel that is located on the west side of Beverly Drive, between South Santa Monica Boulevard and Brighton Way. The southeast and northwest property lines abut adjacent buildings. The southwest property line abuts a service alley. The building was constructed in 1921 and appears to have been significantly expanded in 1926, amid a period marked by considerable growth in Beverly Hills and elsewhere throughout the greater Los Angeles region. It was one of many new commercial buildings that were constructed in the up-and-coming business district of Beverly Hills during this time, and were primarily used as retail storefronts by a variety of neighborhood-oriented businesses.

Research indicates that originally, the building consisted of only the brick warehouse volume at the rear of the parcel. In the mid-1920s, Helen Hudson, the wife of prominent local architect W. Asa Hudson, purchased the property, and “the store building was rebuilt as to its front and generally improved.” Sanborn maps of Beverly Hills that were published in 1926 show that by this time, the building had the same basic configuration as it does today, with three retail stores at the front of the lot and a single unit at the rear of the lot that appears to have been used for light industrial purposes. This map shows that the south and center storefronts (449 and 451 North Beverly Drive) were jointly occupied by a single store, and that the north storefront (453 North Beverly Drive) was occupied by a restaurant. The rear unit (then listed as 449C North Beverly Drive) was occupied by an upholstering company.

In 1928, the 449, 451, and 453 North Beverly Drive property was sold to Ruth Law. Law had made a name for herself in the field of aviation, and was notably “the first woman to achieve fame as an aviator in the United States.” In 1929, less than a year after she purchased it, Law sold the property to another individual of high acclaim: Jack L. Warner, the renowned film executive who headed the Warner Brothers studios. While his name appears on building permits issued throughout the 1930s and early 1940s, he does not appear to have played a role in the building aside from owning it—there is no evidence that he established offices here, or used the building for purposes related to his role in the motion picture industry. The last reference to Warner with respect to the property is a building permit issued in 1945; subsequent building permits issued in the 1950s do not reference Warner, indicating that he sold the property at some point prior to this time. The building’s individual tenant spaces were occupied by a succession of tenants in subsequent years. All of the tenant spaces are currently vacant aside from the rear warehouse unit (451½ Beverly Drive), which appears to still be occupied by a warehouse for an art gallery.

#### 4.3.2.2.1.2.4.1 Ruth Law

As noted above, the 449, 451, and 453 North Beverly Drive property was owned by Ruth Law for a brief period in the late 1920s. Law was a pioneering female aviator who pivoted to real estate investment after retiring from aeronautics. Ruth Bancroft Law (1887–1970), born in Massachusetts, first developed an interest in flight from her brother Rodman Law, a parachutist and movie stuntman who was known as something of a daredevil.

What is regarded as Law's single greatest accomplishment took place in 1916 when she flew from Chicago to New York—a distance of 884 miles—in record time, breaking records and shattering barriers in the process. Law continued to set records after her remarkable 1916 flight. She taught herself about war planes and attempted to contribute to the United States' military efforts during World War I—but her offer of assistance was rebuffed by the United States Army, which would not let a woman fly in combat. Instead, she was enlisted to perform other tasks related to the wartime effort: dropping Liberty Bond pamphlets from planes, raising money for the Red Cross, and other tasks that were less risky and were seen at the time as better suited to women. Law again broke a record and made headlines when in 1917, she became “the first woman to wear a non-commissioned officer's military uniform.” After the war, she starred in a production called Ruth Law's Flying Circus, a three-plane troupe that appeared at state and county fairs and amazed spectators with derring-do stunts including cartwheels, wing-walking, “racing against cars, flying through fireworks, and setting altitude and distance records.”

Following her retirement, Law and her husband Oliver moved to California and settled in Beverly Hills, where they invested in local real estate. The 449, 451, and 453 North Beverly Drive property appears to have been one of many investment properties in the business district of Beverly Hills that were owned by the duo in the 1920s. Law kept a detailed scrapbook about her career and accomplishments, which is kept at the archives of the Smithsonian's National Air and Space Museum.

#### 4.3.2.2.1.2.4.2 Jack L. Warner

Another significant individual associated with the 449, 451, and 453 North Beverly Drive property was Jack Warner, an entertainment executive who is best known for co-founding and heading the Warner Brothers Studio. Jack Leonard Warner (1892–1978), the co-founder and decades-long head of Warner Brothers Studio, was born in London, Ontario. In 1905, his older brothers Harry, Sam, and Albert made a foray into the nascent world of cinematic entertainment, buying a projector and a print of the early Western film *The Great Train Robbery* and screening it around town. Finding success, the brothers purchased a store in a neighboring town and converted it into an ad hoc theatre called the Bijou.

By 1917, Jack and his brothers moved into film production and established their presence in Los Angeles. The following year, Warner Brothers studio produced its first blockbuster film, *My Four Years in Germany*, a tale that gripped audiences with its innovation of mixing newsreel footage of the First World War into the filmed narrative. Jack and Sam became heads of production, and the brothers set up a new studio in Hollywood, at the corner of Sunset Boulevard and Bronson Avenue, in 1919. Initially associated with lowbrow comedies and thrillers, Warner Brothers Studio became a major industry player when it acquired the newly developed Vitaphone technology and produced the first feature-length talking picture, *The Jazz Singer*, in 1927. When Sam Warner died of pneumonia shortly before the film's premiere, Jack became the sole executive of Warner Brothers, a role he would retain until retiring in 1966. Though he gained a reputation for recalcitrance and bigotry, Warner's foresight as a producer of cinema was widely lauded; he was one of the first to encourage the use of color film and helped invent the musical comedy genre.

Jack Warner became a resident of Beverly Hills in the early 1920s, when it was rapidly gaining a reputation as a bastion of the rich and famous following the construction of Mary Pickford and Douglas Fairbanks' Pickfair estate in 1919. Warner became active in Beverly Hills civic life, financing and constructing the first Beverly Hills Chamber of Commerce (474 North Beverly Drive) in 1928, before the City had a post office or dedicated City Hall. In 1931, he opened Warner Brothers' Theatre on Wilshire Boulevard, just east of Beverly Drive (not extant, demolished 1988). The 449, 451, and 453 North Beverly Drive property, which Warner bought in 1929 and retained ownership of through the 1940s, was one of many real estate investments he made at a time when the value of the City's commercial land was rising precipitously. Warner lived in Beverly Hills, in a palatial 1938 estate by Roland Coate, up until his death in 1978 at the age of 86.

#### **4.3.2.2.1.2.4.3 Architecture**

As discussed in the Historic Resource Assessment Report for the 449, 451, and 453 North Beverly Drive property, based upon descriptions of the building in permit records, newspaper articles, and other source materials, the building appears to have originally been a vernacular commercial structure that was designed to be consistent with the scale and character of other commercial buildings in the vicinity but lacked the distinctive characteristics of a particular architectural style. Alterations have been made to the building over time to accommodate changes in tenancy. The present-day appearance of the building is generally lacking in architectural distinction and does not have the characteristics of a style.

Since an original permit was not available, it could not be determined whether the building was architect-designed, and the original contractor also could not be identified. In the mid-1920s, the property was purchased by Helen Hudson, the wife of local architect

W. Asa Hudson, and as noted she appears to have presided over the construction of the three storefront units at the front of the property at this time. As she was married to an architect, W. Asa Hudson, and given that he was a locally prominent architect who designed many buildings in Beverly Hills, it seems quite likely that Hudson was the architect of this improvement project; however, absent permit records or other source materials the association between Hudson and the design of the subject building could not be corroborated.

Building permits indicate that a number of other contractors—and, on occasion, architects and engineers—were retained to complete subsequent renovations and tenant improvements. None of these practitioners are identified on the City of Beverly Hills’s List of Master Architects.

#### **4.3.2.2.1.3 Historical Resources in the Vicinity of the Project Site**

As discussed in the Historic Resources Review Report included as Appendix D of this Draft EIR, a review of the City of Beverly Hills Local Register of Historic Properties and previous survey evaluations did not reveal any listed historical resources or resources identified as eligible for historic listing through survey evaluation immediately adjacent to the Project Site. A review of the Local Register of Historic Properties, however, does indicate a number of properties located approximately within two blocks of the Project Site. All of these resources are separated from the Project Site by streets, other buildings, and distance. The closest identified historical resource to the Project Site is the Writers and Artists Building (Landmark No. 24) at 9507 South Santa Monica Boulevard. Located on the northwest corner of South Santa Monica Boulevard and Rodeo Drive, this three-story Spanish Colonial Revival style commercial building sits directly across the South Santa Monica Boulevard/Rodeo Drive intersection on a diagonal from the Project Site. Other City landmarks in the near vicinity of the Project Site include the following:

- Beverly Gardens Park (Landmark No. 20): Constructed in 1906 and 1930, this linear park is located north of the Project Site on the north side of North Santa Monica Boulevard. The park begins at the intersection of Santa Monica Boulevard and North Doheny Drive and continues southwest to Wilshire Boulevard where it continues along Wilshire Boulevard to Whittier Drive. It is separated from the Project Site by North Santa Monica Boulevard, the properties between North Santa Monica Boulevard and South Santa Monica Boulevard, and South Santa Monica Boulevard.
- Union 76 Service Station at 427 North Crescent Dr (Landmark No. 37): This service station was constructed in 1965. Designed by Gin D. Wong, a partner with the Los Angeles architectural firm of William L. Pereira and Associates, the station is distinguished by a free-standing triangular concrete canopy supported on three integrated piers. It is located on the southwest corner at the intersection

of South Santa Monica Boulevard and North Crescent Drive and is located a block and a half east of the Project Site.

- Beverly Hills City Hall at 450 North Crescent Dr (Landmark No. 12): Constructed in 1932, this H-shaped, Spanish Renaissance style building is distinguished by a central tower rising five stories above a three-story central volume with one- and two-story flanking wings. Located in the center of a block bounded by North Santa Monica Boulevard, South Santa Monica Boulevard, North Rexford Drive and North Crescent Drive, it is separated from the Project Site by two city blocks.
- The Beverly Hills Post Office at 469 North Crescent Drive (Landmark No. 5): This Renaissance Revival post office building was constructed in 1933. It is located northeast of the Project Site on an irregularly-shaped block bounded by North Santa Monica Boulevard, South Santa Monica Boulevard, North Crescent Drive, and North Canon Drive. A full city block separates the Post Office building from the Project Site. Today, the Post Office building is part of the Wallis Annenberg Center for the Performing Arts.
- Anderton Court at 332 North Rodeo Dr (Landmark No. 6): This three-story plus penthouse commercial building was constructed in 1954. Designed by master architect Frank Lloyd Wright, the building features glazed exterior storefronts, cantilevered walkways, and a central spire. The building is listed in the National Register of Historic Places. Anderton Court is located a block and a half south of the Project Site, on the east side of Rodeo Drive between Brighton Way and Dayton Way.

The Writers and Artists Building, Beverly Gardens Park, the Union 76 station, Beverly Hills City Hall, Beverly Hills Post Office building, and the Anderton Court retail building have all been listed as historic resources by the City and are considered historical resources for the purposes of CEQA.

#### 4.3.2.2.2 Archaeological Resources

Archaeology is the recovery and study of material evidence of human life and the culture of past ages. On December 8, 2020, a cultural resources records search was conducted through the South Central Coastal Information Center (SCCIC) located at the California State University, Fullerton. The results of the records search, which are included as Appendix D of this Draft EIR, indicate that no archaeological resources have been found within the Project Site or within 0.5-mile of the Project Site. In addition, the Project Site is located within an urbanized area of the City of Beverly Hills and has been subject to grading and development in the past, and there is no record of the discovery of archaeological resources on the Project Site. Therefore, any surficial archaeological resources that may have existed at one time have likely been previously disturbed. Notwithstanding, construction of the Project would require ground disturbance and

excavation to a depth of approximately 44 feet to accommodate three subterranean parking levels, which would extend below the existing maximum depth of disturbance at the Project Site associated with one subterranean level at 461 N. Beverly Drive. As such, the Project could potentially uncover undiscovered significant archaeological resources.

### 4.3.3 Project Impacts

#### 4.3.3.1 Thresholds of Significance

The Project would have a significant impact related to cultural resources if it would:

***Threshold (a): Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5.***

***Threshold (b): Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5.***

***Threshold (c): Disturb any human remains, including those interred outside of formal cemeteries.***

As previously noted above, the Project's potential impacts on human remains (Threshold (c)) were evaluated in the Initial Study prepared for the Project, included in Appendix A of this Draft EIR. The Initial Study evaluation concluded that the Project would have a less than significant impact on human remains with compliance with existing applicable regulations. As such, no further evaluation of the Project's potential impacts to these resources is provided herein other than a summary of the analysis in the Initial Study.

Specifically, as evaluated in the Initial Study, the Project Site is located within an urbanized area and has been subject to previous grading and development. Therefore, the potential for uncovering human remains on the Project Site is considered low. Nevertheless, the Project would require grading, excavation, and other construction activities that could have the potential to disturb existing but undiscovered human remains. If human remains were discovered during construction of the Project, work in the immediate vicinity of the construction area would be halted, the County Coroner, construction manager, and other entities would be notified per California Health and Safety Code Section 7050.5. In addition, disposition of the human remains and any associated grave goods would occur in accordance with PRC Section 5097.98 and CEQA Guidelines Section 15064.5(e), which requires that work stop near the find until a coroner can determine that no investigation into the cause of death is required and whether the remains are Native American. Therefore, due to the low potential that any human remains are located on the Project Site, and because compliance with regulatory standards would ensure appropriate treatment of any potential human remains unexpectedly encountered during grading and excavation activities, the Initial Study determined that the Project's

impact related to human remains would be less than significant, and no mitigation measures are required.

### **4.3.3.2 Methodology**

Under CEQA, the evaluation of impacts to historical resources consists of a two-part inquiry: (1) a determination of whether the Project Site contains or is adjacent to a historically significant resource or resources, and if so; (2) a determination of whether the Project would result in a “substantial adverse change” in the significance of the resource or resources.<sup>28</sup>

To address potential impacts to archaeological resources, formal records searches were conducted by the SCCIC, included in Appendix D of this Draft EIR, to assess the archaeological sensitivity of the Project Site and vicinity. These record searches covered a 0.5-mile radius around the Project Site, within the Beverly Hills USGS 7.5-minute quadrangle and included reviews of all recorded archaeological and built-environment resources, as well as a review of cultural resource reports on file. Databases reviewed included the California Points of Historical Interest, California Historical Landmarks, California Register, National Register, and the California State Built Environment Resources Directory. In addition, an evaluation of existing conditions and previous disturbances within the Project Site, and the anticipated depths of grading were undertaken to determine the potential for uncovering archaeological resources.

### **4.3.3.3 Project Design Features**

No specific project design features are proposed with regards to cultural resources.

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<sup>28</sup> *Association of Environmental Professionals, 2021 CEQA Statute & Guidelines, Section 15064.5, pp. 176–179.*

#### 4.3.3.4 Analysis of Project Impacts

***Threshold (a): Would the Project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?***

##### 4.3.3.4.1 Impact Analysis

##### 4.3.3.4.1.1 Evaluation of Historic Significance

##### 4.3.3.4.1.1.1 Project Site

##### 4.3.3.4.1.1.1.1 456 North Rodeo Drive

As discussed in the Historical Assessment Report for the building, 456 North Rodeo Drive is not currently designated, and it does not appear to have been previously evaluated for historical significance. The property is not listed in the California Historical Resources Inventory (HRI) database for Los Angeles County (last updated 2012), and was not identified in any of the City's historic resource survey efforts (1985/86, 2004, 2006, 2013).

With regard to the National Register and California Register, the Historical Assessment Report concludes that 456 North Rodeo Drive is not eligible for listing in the National Register of Historic Places or the California Register of Historical Resources. Specifically, the building at 456 North Rodeo Drive is loosely associated with broad patterns of commercial development that characterized Beverly Hills in the early postwar era and there is insufficient evidence demonstrating that the building is associated with an event that is singularly significant to history. When the building was occupied by Raymond Burr Galleries from circa 1961 to circa 1964, it was often used as a venue for receptions, fashion shows, and other events. Given the gallery's association with Burr, a noted television star, these events were typically exclusive affairs that were attended by a cadre of celebrities. However, events of this nature are not atypical of galleries, and especially those with a celebrity affiliation. While the events that took place at the gallery appear to have been well attended by Burr's celebrity friends, there is insufficient evidence to demonstrate that any one of these events contributed to an understanding of history in the spirit of this criterion. Furthermore, the building has been significantly altered since the mid-1960s, and no longer bears any visual association with the period during which Raymond Burr housed his gallery at this location. The building's current appearance largely dates to an extensive remodel that dates to 2007. For these reasons, the subject building is not associated with events that have made a significant contribution to broad patterns of history, and does not satisfy National Register Criterion A/California Register Criterion 1.

Additionally, with the exception of Raymond Burr, there is insufficient evidence to demonstrate that any one of the individuals associated with the building is historically significant in the spirit of National Register Criterion B/California Register Criterion 2. As

noted above, the building has also been significantly altered since the mid-1960s, and no longer bears any visual association with the period during which Raymond Burr housed his gallery here. For these reasons, the building is not associated with the lives of persons important to local, state, or national history, and does not satisfy National Register Criterion B/California Register Criterion 2.

The 456 North Rodeo Drive building also does not meet National Register Criterion C/California Register Criterion 3, which is a resource that embodies the distinctive characteristics of a type, period, or method of construction, or that represents the work of a master, or that possesses high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction. As detailed in the Historic Resource Assessment Report, the building at 456 North Rodeo Drive is vernacular and lacks the distinctive characteristics of a particular architectural style. The building is also not notable on account of its method of construction. Permits indicate that it was constructed of brick and featured a trussed wood roof—a common construction method for small-scale commercial buildings of its era. In addition, the building does not represent the notable work of a master. The original permit identifies the builder as Bernard Lindberg, a contractor who was based in Los Angeles; no architect was identified on the permit. There is insufficient evidence to demonstrate that Lindberg made notable contributions to his craft in the spirit of this criterion. Lindberg is not mentioned in any of the standard literature about locally significant practitioners of his respective era. The building also does not appear in any architectural books, journals, or periodicals from its time of construction, indicating that it was not seen as a notable architectural work.

Other architects associated with alterations made to the building after its original construction include Claude Coyne, Jorge Newbery, Twen Ma, Ward Jewell, Albert Gregor, and Gruen Associates, all of whom were retained to complete various remodeling projects and tenant improvements over the years. Aside from Gruen Associates, there is very little information about the lives, careers, and legacies of these practitioners. Gruen Associates is notable as one of Southern California's largest and most prolific architectural firms, but its association with this building is nominal and part of recent history—the firm was retained to design minor tenant improvements in 2015 and 2018, which were generally confined to interior spaces and did not significantly alter the appearance of the building. These minor alterations were completed more than 30 years after the death of the firm's founder and namesake, Victor Gruen, who died in 1980. With the exception of Gruen, none of the above-listed practitioners is included on the City of Beverly Hills's List of Master Architects; Gruen Associates' involvement in the design of this building is so nominal that it does not appear to merit any additional discussion for purposes of this evaluation. Therefore, the building is not significant for reasons related to its architecture and physical design, and does not satisfy National Register Criterion C/California Register Criterion 3.

As an archaeological assessment was not conducted, the property's potential for containing subsurface archaeological resources is unknown. However, prior construction has not yielded information important to the prehistory or history of the local area, California, or the nation, as indicated in National Register Criterion D/California Register Criterion 4.

Regarding local eligibility, the Historic Resource Assessment Report for the building concludes that 456 North Rodeo Drive is not eligible for local listing as a Beverly Hills Landmark. Resource eligibility includes meeting all four criteria under Part A and at least one of the six criteria under Part B. As discussed in detail in the Historic Resource Assessment Report for the building, while the building meets Criterion A.1 in that the building surpasses the City's 45-year age threshold, the building is a vernacular edifice that has been extensively altered over time and does not embody the distinctive characteristics of a particular architectural style, type, or period, and does not possess high aesthetic or artistic value. As such, the building does not meet local Criterion A.2. Additionally, the building has been extensively altered, to the extent that it retains very little historic fabric and no longer retains the distinctive look and feel of a 1940s-era commercial building. The building, then, does not retain integrity from its 1948 date of construction, and does not meet local Criterion A.3. The building also does not satisfy Criterion A.4 as there is nothing particularly remarkable about this building that would suggest that it has continued historic value to the community.

The 456 North Rodeo Drive building also does not meet any of the Part B Eligibility Criteria. Specifically, the building would not meet local Criterion B.1 as it is not a building listed on the National Register of Historic Places. The building was also not designed by a master architect and would not meet local Criterion B.2. In addition, the building is not an exceptional work that was owned and occupied by a person of great importance and that was directly connected to a momentous event in a person's endeavors or the history of the nation and the building would not meet Criterion B.3. The building also does not appear to have been associated with persons of great local importance in a manner that would merit consideration under Criterion B.4. As such, the building does not meet local Criterion B.4. Furthermore, the building is not considered an iconic property. It is a ubiquitous commercial building that complements the streetscape of Rodeo Drive but does not possess any architectural or contextual qualities that would render it iconic. The building therefore does not meet local Criterion B.5. Lastly, Criterion B.6 identifies the initiation of the landmark designation procedure. The Landmark designation procedure is not known to have been initiated by any parties, and the owner(s) of the property have not expressly agreed to the initiation of such a procedure. As a result, the building does not meet Criterion B.6.

In summary, the building does not meet local Criterion A.2, A.3, and A.4, as required, and does not meet any of the Part B requirements. Therefore, the building does not meet local eligibility criteria.

For a property to be eligible for listing in the National and California Registers, or as a Beverly Hills Landmark, it must meet eligibility criteria and must also retain sufficient integrity to convey its historic significance. Because the building does not meet the criteria for federal, state, or local listing, an assessment of integrity is not necessary.

Overall, the building at 456 North Rodeo Drive does not meet any of the criteria for federal, state, or local listing and there is not substantial evidence for finding the property to be a historical resource.<sup>29</sup> Therefore, the building is not considered to be a “historical resource” for purposes of CEQA.

#### **4.3.3.4.1.1.1.2 468 North Rodeo Drive**

As discussed in the Historic Resource Assessment Report for the building, 468 North Rodeo Drive does not appear to have been previously evaluated for historical significance. It is not listed in the California Historical Resources Inventory (HRI) database, and was also not identified in any of the City’s historic resource survey efforts (1985/86, 2004, 2006, 2013).

At approximately 23 years of age, the 468 North Rodeo building is generally too young to be considered a historical resource. Federal, state, and local eligibility criteria all have age requirements that safeguard against the designation of properties of “passing contemporary interest,” ensuring these designation programs remain lists of truly historical resources.

Federal law requires that properties fewer than 50 years of age have exceptional importance. As the 468 North Rodeo building was designed by an acclaimed architect, it is evaluated for its potential to have exceptional importance such that it meets eligibility criteria despite its very young age.

As previously described above in the Regulatory Framework subsection, California Register criteria were modeled on those of the National Register, and therefore they are essentially identical in their language and the ways in which they are used to evaluate potential significance. It is in the application of an age requirement that the two programs differ. For listing in the National Register, resources fewer than 50 years of age are

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<sup>29</sup> *California Public Resources Code Section 15064.5(a).*

generally not eligible for listing unless they meet the requirements of Criterion Consideration G, whereas for listing in the California Register, regulations state that “sufficient time must have passed to obtain a scholarly perspective on the events or individuals associated with a resource.”

For a Local landmark designation, the City of Beverly Hills Historic Preservation Ordinance requires a building to satisfy the time based criteria of being at least 45 years of age, or that the property be of extraordinary significance.

As concluded in the Historic Resource Assessment for the building, the 468 North Rodeo Drive building is not eligible for listing in the National Register of Historic Places or the California Register of Historical Resources. Specifically, with regard to National Register Criterion A/California Register Criterion 1, the building was constructed in 1997 and is associated with a relatively contemporary period of development in the Business Triangle district of Beverly Hills. On its own, the building does not signify important trends in the development of Beverly Hills that are not expressed in the many other commercial and institutional buildings that were constructed in this area of the City in the latter decades of the twentieth century. The building has hosted a number of special events over the course of its history, most notably a celebrity-studded gala that marked the grand opening of the Tommy Hilfiger flagship store in November 1997. However, these types of high profile events are fairly typical advertising tactics employed by retailers, particularly those associated with the fashion industry. There is insufficient evidence to demonstrate that any event that has taken place within the building has, or will be considered to be, singularly significant to history. For these reasons, the 468 North Rodeo building is not associated with events that have made a significant contribution to broad patterns of history, and does not satisfy National Register Criterion A/California Register Criterion 1.

Additionally, while Tommy Hilfiger was deeply invested in the building’s construction and operation, and visited the building when it operated as a Tommy Hilfiger store between 1997 and 2000, there is insufficient evidence to demonstrate that it is the property best associated with the fashion mogul. The building bears a stronger association with the Hilfiger brand than with Hilfiger himself. There is also insufficient evidence to demonstrate that the building bears a direct association with the productive period of any one individual in a manner that would merit consideration under National Register Criterion B/California Register Criterion 2. For these reasons, the building is not associated with the lives of persons important to local, state, or national history, and does not satisfy National Register Criterion B/California Register Criterion 2.

The 468 North Rodeo Drive building also does not appear to meet National Register Criterion C/California Register Criterion 3. While the building embodies distinguishing characteristics of New Classical architecture and is representative of the work produced by

architect Allan Greenberg and his eponymous firm, it does not stand out as an exceptionally important example of either context. Greenberg is widely recognized as a leader of the New Classical movement, and has designed an array of notable and highly articulated residential, institutional, and commercial buildings across the nation. His myriad contributions have helped to steer the direction of contemporary architecture toward a more traditional aesthetic, and arguably elevate him to the status of a master architect. This particular building, while not especially transformative in the arc of his career to date, nonetheless exemplifies the careful balance between classical derivatives and modern technologies that so strongly characterize Greenberg and his work, and have provided him with international acclaim.

According to National Register Criteria Consideration G, it is not enough for a resource to simply meet the conditions enumerated in the criterion to justify eligibility for the National Register if the resource being evaluated is less than 50 years of age. For resources that are not yet 50 years of age, it must be demonstrated that the resource is not merely significant, but exhibits exceptional importance within its requisite historic context(s). This consideration “guards against the listing of properties of passing contemporary interest” and ensures that enough time has elapsed to develop historical perspective. Determining whether a resource is exceptionally important for purposes of the National Register requires comparative analysis of the resource against contextually related properties. If, when the resource is compared to others, it becomes evident that: (1) it conveys unique extraordinary qualities that render it an extremely important example of its respective context; or (2) represents a type so rare or fragile that extant examples of any age are unusual, it is generally considered to meet Criteria Consideration G.<sup>30</sup> Conversely, resources that are more ordinary or representative of a given context are generally not considered to satisfy the “exceptional importance” benchmark.

When the 468 North Rodeo Drive building is compared to other examples of New Classicism, and particularly with other projects in Greenberg’s portfolio using the above-listed benchmark criteria, it does not appear to meet the definition of “exceptional importance.” Greenberg is best associated with residential and, to a lesser extent, institutional commissions, and it is through these types of residential and institutional projects that his skill and prowess are arguably best expressed. Greenberg is not especially well known for his body of commercial work, largely because the ephemeral nature of consumer culture is usually better suited to bold, unabashed modern architectural idioms.

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<sup>30</sup> U.S. Department of Interior, National Park Service, *National Register Bulletin #15: How to Apply the National Register Criteria for Evaluation*, 1997, pp. 44–45.

There is insufficient evidence to demonstrate that the building is an exceptionally rare example of its type. Contemporary interpretations of Classical architecture and other historically idioms can be found in abundance across Southern California. In addition, Greenberg continues to operate active practices in New York City and Alexandria, Virginia, so that the complete breadth of his legacy is not yet known. It will likely take time for the significance of Greenberg's arc of work to be fully grasped. For this reason, it seems somewhat premature to evaluate the building through the lens of history at this moment in time.

The California Register does not enumerate a minimum age requirement for listing, as does the National Register, but stipulates that sufficient time has to have elapsed to have a scholarly perspective on the historical significance of a resource to be eligible for listing. As stated above, the building's relatively recent construction date (1997), coupled with the fact that Allan Greenberg continues to operate an active architectural practice, hinder the ability to thoroughly and objectively evaluate its historical significance.

In conclusion, while the building represents the tenets underpinning New Classicism and the work of architect Allan Greenberg, it does not stand out as an exceptionally important example of either context. Compounding this is the fact that an insufficient amount of time has elapsed to truly understand the building through the lens of history. Taking into account the high eligibility thresholds associated with resources of the recent past, the building does not satisfy National Register Criterion C/California Register Criterion 3.

As an archaeological assessment was not conducted, the property's potential for containing subsurface archaeological resources is unknown. However, prior construction has not yielded information important to the prehistory or history of the local area, California, or the nation, as indicated in National Register Criterion D/California Register Criterion 4.

Regarding local eligibility, the Historic Resource Assessment Report for the building concludes that 468 North Rodeo Drive does not appear eligible for local listing as a Beverly Hills Landmark. As previously noted above, resource eligibility includes meeting all four criteria under Part A and at least one of the six criteria under Part B. The building would not satisfy Criterion A.1 as the building was constructed in 1997 and is not yet 45 years of age. In addition, as discussed above in relation to Criterion G, it is not a property of extraordinary significance. The building would meet Criterion A.2 as the building embodies the distinctive characteristics of New Classicism. The building would also meet Criterion A.3 as the building has been minimally altered since its construction in 1997. The building appears almost exactly as it did when it was built, and continues to express the aesthetic and architectural principles that influenced its original design. However, the building would

not satisfy Criterion A.4 as not enough time has elapsed to fully understand the significance of the building through the lens of history. The building is of relatively recent construction (1997), and when compared to other works of Greenberg it does not appear to be an exceptional property. It is also not a rare example of a contemporary interpretation of a historical architectural style. Absent these qualities, there is insufficient evidence to conclude that the building has historic value to the community.

As detailed in the Historic Resource Assessment Report, the 468 North Rodeo Drive building also does not meet any of the Part B eligibility criteria. Specifically, the building is not listed in the National Register of Historic Places, and therefore does not meet Criterion B.1. In addition, while the building was a notable commission for Greenberg and subject of press and recognition at the time of its design and construction, the building's relatively recent construction date (1997), coupled with the fact that the importance of Allan Greenberg's work in the overall context of late 20th century architecture is yet to be fully understood, hinder the ability to thoroughly and objectively evaluate its historical significance as an exceptional work by a master architect. For these reasons, the building does not meet Criterion B.2. There is also insufficient evidence demonstrating that the building bears a meaningful association with the productive lives of historically significant individuals. Thus, the building does not meet Criterion B.3. Additionally, the building does not appear to have been associated with persons of great local importance in a manner that would merit consideration. Thus, the building does not meet Criterion B.4. Furthermore, the building is not an iconic property as defined by the Ordinance. Although, because of its location and use it has been visited by many, the building does not appear to have become inextricably associated with Beverly Hills's identity in a manner that would merit further consideration under this criterion. For this reason, the building does not meet Criterion B.5. Lastly, the Landmark designation procedure is not known to have been initiated by any parties, and the owner(s) of the property have not expressly agreed to the initiation of such a procedure. As a result, the building does not meet Criterion B.6.

Overall, the building does not meet Criterion A.1 and A.4, as required, and does not meet any of the Part B requirements. Therefore, the 468 North Rodeo Drive building does not meet local eligibility criteria.

For a property to be eligible for listing in the National and California Registers, or as a Beverly Hills Landmark, it must meet eligibility criteria and retain sufficient integrity to convey its historic significance. Because the building does not meet the criteria for federal, state, or local listing, an assessment of integrity is not necessary.

As concluded in the Historic Resource Assessment Report for the building, the 468 North Rodeo Drive building does not exhibit the exceptional level of historical and/or architectural significance needed to substantiate its eligibility for federal, state, or local

listing. Therefore, the building is not eligible for listing in the National Register, California Register, or as a Beverly Hills Landmark at this time, and is not considered to be a “historical resource” for purposes of CEQA.

#### **4.3.3.4.1.1.3 461–465 North Beverly Drive**

As discussed in the Historic Resource Assessment for the 461–465 North Beverly Drive building, the building does not appear to have been previously evaluated for historical significance. It is not listed in the California Historical Resources Inventory (HRI) database, and was also not identified in any of the City’s historic resource survey efforts (1985/86, 2004, 2006, 2013). By comparison, six properties in Beverly Hills are listed on the National Register including one residence, two public parks, two commercial properties, and one government property. Specifically, these include Harold Lloyd’s Estate, Greenacres; Greystone Mansion and Park, Doheny Estate; Virginia Robinson Gardens; Regent Beverly Wilshire Hotel; Anderton Court Shops; and Beverly Hills Post Office. Additionally, Beverly Gardens Park is eligible but not listed on the National Register.<sup>31</sup>

The existing building at 461–465 North Beverly Drive that is the subject of this analysis was constructed in 1994–1996 as a comprehensive alteration of two pre-existing buildings including the replacement in their entirety of the exteriors of the two previously existing structures. At approximately 25 years of age, the building is generally too young to be considered a historical resource. As previously discussed, federal eligibility criteria include an age requirement that safeguard against the designation of properties of “passing contemporary interest,” ensuring these designation programs remain lists of truly historical resources, by requiring—for properties fewer than 50 years of age—that individual properties have exceptional importance. In the same vein, California state law requires that sufficient time must have passed to obtain a scholarly perspective on the events or individuals associated with a resource and Beverly Hills requirements for designation as a local landmark require the property be “at least forty-five (45) years of age, or be a property of extraordinary significance.”

Nevertheless, as the existing building at 461–465 was designed by an internationally acclaimed architectural partnership, it is evaluated for its potential to have exceptional importance such that it meets eligibility criteria despite its very young age.

As concluded in the Historic Resource Assessment Report for the building, 461–465 North Beverly Drive is not eligible for listing in the National Register of Historic Places or the California Register of Historical Resources. Specifically, with regard to National

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<sup>31</sup> *City of Beverly Hills General Plan, 2010, Historic Preservation Element, pp. 53-54.*

Register Criteria A/California Register Criterion 1, the building was built between 1994–1996 and is associated with a relatively contemporary period of development in the Business Triangle district of Beverly Hills. It was one of many commercial and institutional buildings that were constructed in this area at this time. On its own, the building does not signify important trends in the development of Beverly Hills that are not expressed in the many other commercial and institutional buildings that were constructed in this area of the City or in the Los Angeles region in the latter decades of the twentieth century. As the longtime location of the Paley Center for Media, the building is associated with broad patterns of cultural institutional development in the Southern California region. The museum is known among media aficionados and others with an interest in the entertainment industry, but when compared against the broader pool of cultural institutions in greater Los Angeles, this particular institution appears to be more representative of these patterns than exemplary. Its presence in Beverly Hills has contributed to the rich cultural fabric of Southern California, but does not appear to have directly influenced arts and culture in the same vein as other locally renowned institutions. As a much smaller institution with a more specialized program, the Paley Center lacks the gravitas of other institutions that would render it historically significant under this criterion. There is also not sufficient evidence to demonstrate that any event that has taken place within the building is, or will be, considered to be singularly significant in the annals of history. For these reasons, the building is not associated with events that have made a significant contribution to broad patterns of history, and does not satisfy National Register Criterion A/California Register Criterion 1.

With regard to National Register Criterion B/California Register Criterion 2, it is noted that the Paley Center for Media is named for William S. Paley (1901–1999), the former chief executive of CBS and the driving force behind the institution’s inception in the 1970s. The 461–465 North Beverly Drive building—which is the sister location of the institution’s counterpart in New York City—is named the Leonard Goldenson Building. Goldenson (1905–1999) was the former chief executive of ABC and played an influential role in the dissemination of television and radio programming. Both Paley and Goldenson are unquestionably significant because of their contributions to entertainment and broadcasting, but their association with the property is nominal at best. Paley died several years before the decision was announced to construct a sister location in Beverly Hills. Goldenson’s association with the building is commemorative only. Robert Batscha was president of the Museum of Television and Radio/Paley Center when the institution expanded beyond its original location in New York City and opened a branch location in Beverly Hills. While Batscha is most certainly significant to the institutional development of the Paley Center, there is insufficient evidence to demonstrate that he should be considered a historically significant individual for purposes of this criterion. There is also insufficient evidence to demonstrate that the building bears a direct association with the productive period of any one individual in a manner that would merit consideration under this criterion. For these reasons, the building is not associated with the lives of persons

important to local, state, or national history, and does not satisfy National Register Criterion A/California Register Criterion 2.

With regard to National Register Criterion C/California Register Criterion 3, the building embodies characteristics of Neo-Corbusian architecture. In general, the building possesses features that stylistically align it with the work of Richard Meier and Partners. The building is also representative of the institutional work of architectural firm Richard Meier and Partners, whose myriad accomplishments between its inception in 1963 and the present day most certainly merit recognition of the firm as a master architect. It specifically relates to the reputation that Meier and his firm developed as a leading designer of museums. The building exhibits several of the features—geometric planes, white enameled exterior panels with warm stone accents, an entrance rotunda, and obfuscation of the line between interior and exterior spaces—that played such a definitive role in establishing Meier and Partners’ aesthetic and repertoire.

According to National Register Criteria Consideration G, it is not enough for a resource to simply meet the conditions enumerated in the criterion to justify eligibility for the National Register if the resource being evaluated is less than 50 years of age. For resources that are not yet 50 years of age, it must be demonstrated that the resource is not merely significant, but exhibits exceptional importance within its requisite historic context(s). Illustrative of these guidelines, as per the Historic Resources Assessment Report, only an extremely small handful of properties younger than 30 years old have been successfully listed in the National Register of Historic Places as individual properties of exceptional importance. Among these are Michael Graves’s Portland Public Service Building (Portland Building), which was listed at 29 years of age; and E. Fay Jones’s Thorncrown Chapel, which was listed at only 20 years of age. Both of these resources were determined to possess exceptional importance because they were the best-known and most pivotal buildings of their respective architects’ careers. In an evaluation of Meier and Partners’ institutional work in Los Angeles, the Getty Center is the most exceptional example within this context. When the existing building is evaluated in the context of institutional projects in Richard Meier and Partners’ portfolio, it does not meet the definition of exceptional significance. Overall, the building lacks the exceptional articulation, exaggerated sense of isolation, and degree of spatial complexity that called international attention to some of their other institutional works. Notably, the building fails to exhibit any distinctive relationship to its surroundings, as do more notable buildings produced by Richard Meier and Partners. Furthermore, the building is not a rare example of its type. It is noted that as of June 23, 2021, Richard Meier is officially retired and Richard Meier and Partners’ New York office has been renamed to Meier Partners while the Los Angeles office is an independent firm under the name of STUDIOpractice.

The California Register does not enumerate a minimum age requirement for listing, as does the National Register, but stipulates that sufficient time has to have elapsed to have a scholarly perspective on the historical significance of a resource to be eligible for listing. As stated above, the building's relatively recent construction date (1994–1996) hinder the ability to thoroughly and objectively evaluate its historical significance within a scholarly perspective. A review of monographs, articles and other materials related to Meier's built projects does not suggest that the building is considered by critics, scholars, or the architectural community as a seminal work. In fact, the scholarly perspective on the building is that it is one of many museum projects to come out of Meier's office from the late 1970s to the present day, and that there is nothing groundbreaking or pivotal about its design. Overall, while the building generally represents the Neo-Corbusian derivative of the Late Modern style and the institutional work of architectural firm Richard Meier and Partners, it is not an exceptionally important example in either category. As such, the building does not satisfy National Register Criterion C/California Register Criterion 3 at this time.

As an archaeological assessment was not conducted, the property's potential for containing subsurface archaeological resources is unknown. However, prior construction has not yielded information important to the prehistory or history of the local area, California, or the nation, as indicated in National Register Criterion D/California Register Criterion 4.

Regarding local eligibility, the Historic Resource Assessment Report for the building concludes that 461 North Beverly Drive does not appear eligible for local listing as a Beverly Hills Landmark. As previously noted above, resource eligibility includes meeting all four criteria under Part A and at least one of the six criteria under Part B. The building would not meet Criterion A.1 as the building was constructed in 1996 and is not yet 45 years of age. As discussed above in relation to National Register Criterion G, it is also not a property of extraordinary significance. The building embodies the distinctive characteristics of the Late Modern style, and specifically of the Neo-Corbusian derivative of the style and would therefore meet Criterion A.2. The building would also meet Criterion A.3 as the building has been minimally altered since its construction between 1994–1996 and appears almost exactly as it did when it was built, and continues to express the aesthetic and architectural principles that influenced its original design. However, the 461–465 North Beverly Drive building would not meet Criterion A.4 as not enough time has elapsed to fully understand the significance of the building through the lens of history. The building is of relatively recent construction (1996), and compared to other works of Meier, it is not an exceptional property. It is also not a rare example of a Meier and Partners building in Beverly Hills. Absent these qualities, there is insufficient evidence to conclude that the building has historic value to the community. Thus, it does not satisfy Criterion A.4.

As detailed in the Historic Resource Assessment Report for the building, 461–465 North Beverly Drive would not meet any of the eligibility criteria under Part B. Specifically, the building is not listed in the National Register of Historic Places, and therefore does not meet Criterion B.1. In addition, while the building was designed by a master architect, it does not meet the Beverly Hills Municipal Code’s definition of “exceptional work.” A 2016 amendment to BHMC 10-3-32 in Ord. 15-O-2700 defines “exceptional work” as “a remarkably superior example of architectural work that has been recognized as such by members of the architectural community.” The absence of any deep discussion in reviewed sources about the building’s design and contribution to an understanding of architecture and the overall arc of Meier’s body of work suggest that it is not considered to be a “remarkably superior example of architectural work that has been recognized as such by members of the architectural community.” For these reasons, the building does not meet the definition of an “exceptional work” per the Beverly Hills Historic Preservation Ordinance and thus does not meet Criterion B.2. There is also insufficient evidence demonstrating that the building bears a meaningful association with the productive lives of historically significant individuals. Thus, the building does not meet Criterion B.3. In addition, the building does not appear to have been associated with persons of great local importance in a manner that would merit consideration under Criterion B.4. Thus, the building does not meet Criterion B.4. Furthermore, the building is not an iconic property as defined by the Ordinance. Though as a cultural institution it has very likely been visited and photographed by many visitors to the City, the building does not appear to have become inextricably associated with Beverly Hills’s identity in a manner that would merit further consideration under Criterion B.5. For this reason, the building does not meet Criterion B.5. Lastly, the Landmark designation procedure is not known to have been initiated by any parties, and the owner(s) of the property have not expressly agreed to the initiation of such a procedure. As a result, the building does not meet Criterion B.6.

In summary, the building does not meet Criterion A.1 and A.4, as required, and also does not meet any of the Part B requirements. As such, the building does not meet local eligibility criteria.

For a property to be eligible for listing in the National and California Registers, or as a Beverly Hills Landmark, it must meet eligibility criteria and also retain sufficient integrity to convey its historic significance. Because the building does not meet the criteria for federal, state, or local listing, an assessment of integrity is not necessary.

Overall, while the building is a representative work of Richard Meier and Partners, it does not appear to exhibit the exceptional level of historical and/or architectural significance needed to substantiate its eligibility for federal, state, or local listing. Therefore, the building is not eligible for listing in the National Register, California Register,

or as a Beverly Hills Landmark, and is not considered to be a “historical resource” for purposes of CEQA.

#### **4.3.3.4.1.1.4 449, 451, and 453 North Beverly Drive**

As discussed in the Historic Resource Assessment Report for the building, 449, 451, and 453 North Beverly Drive is not currently designated, and it does not appear to have been previously evaluated for historical significance. The property is not listed in the California Historical Resources Inventory (HRI) database for Los Angeles County (last updated 2012) and was not identified in any of the City’s historic resource survey efforts (1985/86, 2004, 2006, 2013).

As concluded in the Historic Resource Assessment Report, 449, 451, and 453 North Beverly Drive is not eligible for listing in the National Register of Historic Places or the California Register of Historical Resources. Specifically, with regard to National Register Criterion A/California Register Criterion 1, constructed in 1921 and expanded circa 1926, the building at 449, 451, and 453 North Beverly Drive is loosely associated with broad patterns of commercial development that are linked to the growth and development of Beverly Hills in the 1920s. The building is more representative of broad patterns of commercial history than it is exemplary. There are a number of examples of 1920s-era commercial buildings in this area of Beverly Hills, many of which retain integrity and are much stronger representations of the broad patterns of commercial history associated with this period. Moreover, the building has been extensively altered. Collectively, these alterations have substantially changed the appearance of the building. There is also insufficient evidence to demonstrate that the building is associated with an event that is singularly significant to history. For these reasons, the building is not associated with events that have made a significant contribution to broad patterns of history, and does not satisfy National Register Criterion A/California Register Criterion 1.

The building would also not meet National Register Criterion B/California Register Criterion 2 as a building associated with the lives of persons significant in our past. As discussed in the Historic Resource Assessment Report, the building is typical for buildings housing businesses loosely associated with a number of people, as these buildings are generally intended to be accessible to the public and are frequented by staff members. Many customers have patronized the various businesses that have operated out of this building over time; many business owners and shopkeepers have presided over these businesses. However, with the exceptions of Ruth Law and Jack Warner, who both owned the property for a period of time, there is insufficient evidence to demonstrate that any one of the individuals associated with the building is historically significant in the spirit of this criterion. As previously discussed, Ruth Law (1887–1970) briefly owned the property between 1928 and 1929 and Jack Warner (1892–1978) purchased the property from Law in 1929 and is believed to have owned it through the mid-1940s. Both are historically

significant individuals: Law is notable as one of the earliest and most accomplished female aviators; Warner is notable for his contributions to the motion picture industry by virtue of his role as co-founder and president of Warner Brothers Studios. However, as detailed in the Historic Resource Assessment Report, there is insufficient evidence to substantiate that this building somehow bears a meaningful association with Law's and Warner's productive lives. Both appear to have purchased the property for the purposes of investment and generating supplemental income. Dabbling in real estate was a common practice in this era among individuals of wealth and stature, and typically had little to do with the reason(s) for their significance. This is true of both Law and Warner. Furthermore, the building has been significantly altered since the period during which it was owned by Law (1928–1929) and Warner (1929–ca. 1940s), and no longer bears any visual association with this period. For these reasons, the building is not associated with the lives of persons important to local, state, or national history, and does not satisfy National Register Criterion B/California Register Criterion 2.

As it pertains to National Register Criterion C/California Register Criterion 3, the building at 449, 451, and 453 North Beverly Drive is vernacular and lacks the distinctive characteristics of a particular architectural style. Its present-day appearance is the result of a succession of remodeling projects that have been completed over time, none of which appear to have ascribed to a certain style. The building is not notable on account of its method of construction. It is constructed of brick, a common construction method for small-scale commercial buildings of its era. Therefore, there is insufficient evidence to demonstrate that there is anything unusual, innovative, or otherwise noteworthy about the manner in which it was constructed. The building does not represent the notable work of a master. It also does not appear in any architectural books, journals, or periodicals from its time of construction, indicating that it was not seen as a notable architectural work. None of the other architects, engineers, or contractors who have completed remodels and tenant improvement projects at the building over the years appears to rise to a level of individual significance that would render them masters. None of these practitioners are included on the City of Beverly Hills's List of Master Architects. Given its vernacular and heavily altered appearance, the building does not possess high artistic value, and given its status as a single property with no meaningful visual or associative relationship with its environs, the building does not represent a significant entity whose components have individual distinction. For these reasons, the building is not significant for reasons related to its architecture and physical design, and does not satisfy National Register Criterion C/California Register Criterion 3.

As an archaeological assessment was not conducted, the property's potential for containing subsurface archaeological resources is unknown. However, prior construction has not yielded information important to the prehistory or history of the local area,

California, or the nation, as indicated in National Register Criterion D/California Register Criterion 4.

With regard to local eligibility, the Historic Resource Assessment Report for the building concludes that 449, 451, and 453 North Beverly Drive is not eligible for local listing as a Beverly Hills Landmark. Specifically, while the building meets Criterion A.1 as a building older than 45 years of age (construction in 1921), it does not meet Criterion A.2 as it does not embody the distinctive characteristics of a particular architectural style, type, or period, and does not possess high aesthetic or artistic value. Additionally, the building has been extensively altered, to the extent that it retains very little historic fabric and no longer retains the distinctive look and feel of a 1920s-era commercial building. Collectively, these alterations have substantially changed the appearance of the building. The building, then, does not retain integrity from its 1920s period of construction, and does not meet local Criterion A.3. The building is also a typical example of a commercial building from the 1920s that was constructed in a vernacular architectural style using common methods and materials and has been occupied by a typical succession of commercial tenants. There is nothing particularly remarkable about this building that would suggest that it has continued historic value to the community. For these reasons, the building does not satisfy local Criterion A.4.

The 449, 451, and 453 North Beverly Drive building also would not meet any of the Part B eligibility criteria. Specifically, the building is not listed in the National Register of Historic Places, and therefore does not meet local Criterion B.1. As discussed above and detailed in the Historic Resource Assessment Report for the building, the building also does not reflect an exceptional work by a master architect and would not meet local Criterion B.2. There is also insufficient evidence demonstrating that the building bears a meaningful association with the productive lives of historically significant individuals. For these reasons, the building does not meet local Criterion B.3. In addition, the building does not appear to have been associated with persons of great local importance in a manner that would merit consideration under Criterion B.4. As such, the building does not meet local Criterion B.4. Furthermore, the building is not an iconic property as defined by the Ordinance. It is a ubiquitous commercial building that complements the streetscape of North Beverly Drive but does not possess any architectural or contextual qualities that would render it iconic. The building therefore does not meet local Criterion B.5. Lastly, the Landmark designation procedure is not known to have been initiated by any parties, and the owner(s) of the property have not expressly agreed to the initiation of such a procedure. As a result, the building does not meet Criterion B.6.

As addressed above, the building does not meet Criterion A.2, A.3, and A.4, as required, and does not meet any of the Part B requirements. Therefore, the building does not meet local eligibility criteria.

For a property to be eligible for listing in the National and California Registers, or as a Beverly Hills Landmark, it must meet eligibility criteria and must also retain sufficient integrity to convey its historic significance. Because the building does not meet the criteria for federal, state, or local listing, an assessment of integrity is not necessary.

Overall, as concluded in the Historic Resource Assessment Report, the building at 449, 451, and 453 North Beverly Drive does not meet any of the criteria for federal, state, or local listing. Therefore, the building is not considered to be a “historical resource” for purposes of CEQA.

#### **4.3.3.4.1.1.2 Surrounding Area**

As discussed in the Historic Resources Review Report included as Appendix D to this Draft EIR, and as summarized above, a review of the City of Beverly Hills Local Register of Historic Properties and previous survey evaluations did not reveal any listed historical resources or resources identified as eligible for historic listing through survey evaluation immediately adjacent to the Project Site. A review of the Local Register of Historic Properties, however, does indicate a number of properties located approximately within two blocks of the Project Site. All of these resources are separated from the Project Site by streets, other buildings, and distance. The closest identified historical resource to the Project Site is the Writers and Artists Building (Landmark No. 24) at 9507 South Santa Monica Boulevard. Located on the northwest corner of South Santa Monica Boulevard and Rodeo Drive, this three-story Spanish Colonial Revival style commercial building sits directly across the South Santa Monica Boulevard/Rodeo Drive intersection on a diagonal from the Project Site. Other landmarks in the near vicinity of the Project Site include Beverly Gardens Park (Landmark No. 20), Union 76 Service Station at 427 North Crescent Dr (Landmark No. 37), Beverly Hills City Hall at 450 North Crescent Dr (Landmark No. 12), The Beverly Hills Post Office at 469 North Crescent Drive (Landmark No. 5), and Anderton Court at 332 N Rodeo Dr (Landmark No. 6).

The Writers and Artists Building, Beverly Gardens Park, the Union 76 station, Beverly Hills City Hall, Beverly Hills Post Office building, and the Anderton Court retail building have all been listed as historic resources by the City and are considered historical resources for the purposes of CEQA.

#### **4.3.3.4.1.2 Potential Direct Impacts to Historical Resources**

As discussed in the Historic Resource Assessment Reports for the buildings on the Project Site, the buildings were evaluated for historic and architectural significance. As detailed in the Historic Resource Assessment Reports, the Project Site buildings do not exhibit the exceptional level of historical and/or architectural significance needed to substantiate their eligibility for federal, state, or local listing. For example, the buildings

were not the subject of a major architectural award, exceptional examples within their respective architect's body of work, or rare examples for their style of architecture. As such, they are not eligible for listing in the National Register, California Register, or as Beverly Hills Landmarks.

As described in Section 2.0, Project Description, of this Draft EIR, the Project would require the demolition of all existing buildings on the Project Site and associated parking. As detailed in the Historic Resource Assessment Reports and summarized above, the existing buildings on the Project Site do not qualify as historical resources. Therefore, there are no historical resources on the Project Site that would be demolished, destroyed, relocated, or altered as a result of the Project. As such, demolition of the existing buildings on the Project Site would not result in a direct impact to an historical resource. **Therefore, potential direct impacts to historical resources as a result of development of the Project would be less than significant.**

#### 4.3.3.4.1.3 Potential Indirect Impacts to Historical Resources

As discussed in the Historic Resources Review Report, historical resources located outside of, but immediately adjacent to, the Project Site can be adversely impacted because they border the affected area. As previously described, no historical resources have been identified that immediately border the Project Site. Because no historical resources are located on the Project Site or immediately adjacent to the Project Site, the analysis of potential indirect impacts to historical resources considers other resources located in the near vicinity of the Project Site, which includes those properties identified above that are generally located within two blocks of the Project Site. These resources are physically separated from the Project Site by other buildings, streets and distance and are, therefore, less likely to be adversely impacted due to their spatial separation from the affected area.

As noted above, the Project Site is located across the intersection of South Santa Monica Boulevard and Rodeo Drive from the Writers and Artists Building at 9507 South Santa Monica Boulevard. The Writers and Artists Building has been designated Landmark No. 24 by the City of Beverly Hills and is the closest identified historical resource to the Project Site. The intersection of the two streets separates the Writers and Artists Building from the Project Site. The Project does not include the demolition, relocation, rehabilitation, alteration, or conversion of the Writers and Artists Building. The Writers and Artists Building will remain unchanged and in its original location after implementation of the Project and continue to convey its historic significance.

New construction associated with the Project would include substantial foundation work and the construction of subterranean parking. There is potential for these activities to

cause damage to the Writers and Artists Building due to vibration or settlement given the building's proximity to the Project Site. Noise and vibration have been analyzed as part of environmental review for the Project (refer to Section 4.8, Noise, of this Draft EIR) and the estimated vibration velocity levels from all construction equipment would be well below the building damage significance threshold for the Writers and Artists Building. Therefore, the Project would not result in a substantial adverse change in the significance of the Writers and Artists Building as defined by CEQA, and therefore would not result in a significant effect on the environment.

The remaining historic resources identified in the vicinity of the Project Site, including the Beverly Gardens Park north of the Project Site, the Union 76 Service Station at 427 North Crescent Drive, Beverly Hills City Hall at 450 North Crescent Drive, the Beverly Hills Post Office building (now known as the Wallis Annenberg Center for the Performing Arts) at 469 North Crescent Drive, and the Anderton Court retail building at 332 North Rodeo Drive are located at sufficient distances from the Project Site so that they would not be impacted by Project construction. None of these resources would be demolished, altered, rehabilitated, converted, or relocated by the Project. These resources would remain unchanged and in their original locations after implementation of the Project and would continue to convey their historic significance.

**Based on the above, the Project would not cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5, and potential indirect impacts to historical resources located in the vicinity of the Project Site would be less than significant.**

#### **4.3.3.4.2 Mitigation Measures**

Project-level impacts to historical resources would be less than significant. Therefore, no mitigation measures are required.

#### **4.3.3.4.3 Level of Significance After Mitigation**

Project-level impacts to historical resources were determined to be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level would remain less than significant.

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***Threshold (b): Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?***

#### **4.3.3.4.4 Impact Analysis**

As previously discussed, a cultural resources records search was conducted through the South Central Coastal Information Center (SCCIC) located at the California State University, Fullerton. The results of the records search, which are included as Appendix D of this Draft EIR, indicate that no archaeological resources have been found within the Project Site or within 0.5-mile of the Project Site. In addition, the Project Site is located within an urbanized area of the City of Beverly Hills and has been subject to grading and development in the past, and there is no record of the discovery of archaeological resources on the Project Site. Therefore, any surficial archaeological resources that may have existed at one time have likely been previously disturbed. Notwithstanding, it is always possible that unknown and unanticipated intact archaeological deposits and/or features could be present at subsurface levels. In addition, as discussed in Section 2.0, Project Description, of this Draft EIR, excavations on the Project Site would extend to a depth of approximately 44 feet below the ground surface. **Therefore, Project excavations could potentially encounter unknown and unanticipated archaeological resources.** As provided above in the Regulatory Framework subsection, the Beverly Hills General Plan Historic Preservation Element, adopted in January 2010, includes Policy HP-1.8 for the protection of archaeological resources. As stated in Policy HP-1.8, it is the City's policy to temporarily suspend all earth disturbing activity within 100-feet of a potential resource, if any such resources are discovered during construction-related earth-moving activities, to assess the significance of the find, and require appropriate mitigation before work resumes. In accordance with this City policy, the Project includes Mitigation Measure CUL-MM-1, discussed further below, to address any potentially significant impacts to archaeological resources.

#### **4.3.3.4.5 Mitigation Measures**

While the Project would not be anticipated to result in significant adverse impacts to archaeological resources, the following mitigation measure is included to ensure that potential impacts to archaeological resources would be reduced to a less than significant level in the event of inadvertent discovery during construction:

**Mitigation Measure CUL-MM-1:** A qualified archaeologist shall be retained to perform periodic inspections of excavation and grading activities at the Project Site. The frequency of inspections shall be based on consultation with the archaeologist and the City and shall depend on the rate of excavation and grading activities and the materials being excavated. If archaeological materials are encountered, the archaeologist shall temporarily divert or redirect grading and

excavation activities within 100-feet of the exposed material to facilitate evaluation and, if necessary, salvage. The archaeologist shall then assess the discovered material(s) and prepare a survey, study or report evaluating the impact. The Applicant shall then comply with the recommendations of the evaluating archaeologist, and a copy of the archaeological survey report shall be submitted to the City Planning Division. Ground-disturbing activities may resume once the archaeologist's recommendations have been implemented to the satisfaction of the archaeologist.

#### 4.3.3.4.6 Level of Significance After Mitigation

The Project-level impact with regard to archaeological resources would be less than significant with implementation of Mitigation Measure CUL-MM-1.

#### 4.3.3.5 Cumulative Impacts

As indicated in Section 3.0, Environmental Setting, of this Draft EIR, there are a total of 24 related projects identified within the City of Beverly Hills, 6 related projects identified within the City of Los Angeles, and 17 related projects identified within the City of West Hollywood. While the majority of the related projects are located a substantial distance from the Project Site, as shown in Figure 3-1 in Section 3.0, Environmental Setting, of this Draft EIR, several related projects are located in close proximity to the Project Site (e.g., Related Project Nos. 1, 2, 5, 12, and 13). Collectively, the related projects near the Project Site involve a mix of commercial, institutional, and residential uses, consistent with existing uses in the vicinity of the Project Site.

##### 4.3.3.5.1 Impact Analysis

###### 4.3.3.5.1.1 Historical Resources

As noted above, several other developments are proposed in the vicinity of the Project Site and the closest related projects are Related Project Nos. 12 and 13. Each of these Related Projects are located 0.1 mile southeast of the Project Site on North Rodeo Drive and are comprised of new commercial retail stores, including Cartier at 370 North Rodeo Drive and Chanel at 400-408 North Rodeo Drive. The Project has not been shown to have either a direct or an indirect impact on historical resources; nor were any historical resources impacts identified at either of the two closest related projects. **Therefore, the Project would not result in a cumulative impact to any historical resources and cumulative impacts to historical resources would be less than significant.**

#### 4.3.3.5.1.2 Archaeological Resources

With regard to potential cumulative impacts related to archaeological resources, such potential impacts are generally site specific as they relate to the particular underlying conditions of a site. Notwithstanding, the vicinity of the Project Site is highly urbanized and has been disturbed and developed over time. As indicated above, no known archaeological resources are located within the Project Site and implementation of Mitigation Measure CUL-MM-1 would address potential impacts associated with inadvertent discovery of archaeological resources. Each related project would be required to comply with applicable regulatory requirements that address archaeological resources, including CEQA Guidelines Section 15064.5, Public Resources Code Section 21083.2, Health and Safety Code Section 7050.5, and Public Resources Code Section 5097.9, as well as any site-specific mitigation identified for that related project. **Therefore, Project impacts to archaeological resources would not be cumulatively considerable, and cumulative impacts would be less than significant.**

#### 4.3.3.5.2 Mitigation Measures

Cumulative impacts to historical and archaeological resources and those related to the disturbance of human remains would be less than significant. Therefore, no mitigation measures are required.

#### 4.3.3.5.3 Level of Significance After Mitigation

Cumulative impacts to historical and archaeological resources and those related to the disturbance of human remains would be less than significant without mitigation.