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Edward J. Casey

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April 17, 2026

Los Angeles City Council
Los Angeles City Hall
200 North Spring Street, Rm 340
Los Angeles, CA 90012
Attn: City Clerk

Re: Council File No.: 25-1518 - Appeal of Building and Safety Commission's Approval of Demolition Permit for Barry Building Located at 11973 San Vicente Boulevard

Dear City Council Members:

As land use counsel for the owner of the subject property located at 11973 San Vicente Boulevard ("Subject Property") and applicant ("Applicant") for a permit to demolish (the "Demo Permit") the two-story former commercial building on the Subject Property commonly referred to as the "Barry Building." I am sending this letter to respond to recent letters submitted by the legal counsel for the appellant Angelenos for Historic Preservation ("Appellant") made in support of Appellants' appeal ("Appeal") from the Board of Building and Safety Commissioners' denial of Appellant's appeal from the Department of Building & Safety ("LADBS") certification of the Environmental Impact Report ("EIR") and adoption of a Statement of Overriding Considerations ("SOC") in connection with the approval of the Demo Permit.

Specifically, I am sending this letter in response to the letters dated April 13 and 14, 2026 submitted by legal counsel for the Appellant. Under the City's lawful procedures provided in its Municipal Code, those letters were deemed to be late submittals because they were not submitted by the deadline governing submittals by any appellant for a PLUM Committee meeting. That code provision is both legally valid and grounded in practical common sense because the Committee and City staff need time to evaluate the factual and legal arguments made by an Appellant before conducting the hearing on its appeal. However, if the Appellant's late submittals are considered by City Council, the Applicant/Owner submits this letter solely to rebut the Appellant's untrue claim that technical reports and other documents had not been previously submitted by the Applicant to the City or made available to the public.

For example, the Appellant claims that the two expert reports dated November 2024 that I enclosed with my April 10, 2026 letter to the City (which responded to Appellant's April 7, 2026 letter), were "new" reports. However, the Applicant submitted those reports to the City under cover of its letter dated November 14, 2024. Those reports were expressly identified in LADBS' Letter of Determination letter certifying the EIR and adopting the SOC dated June 6, 2025. (Refer to pages 21-27 of that determination letter.) That determination letter was available to the public, including the Appellant, who filed an appeal on July 8, 2025. Further, in response to the letter dated July 8, 2025 from the Appellant's former attorney, the Applicant submitted a letter to the City dated July 22, 2025, which enclosed these same November 2024 reports. (Refer to Attachment 1 hereto that provides a list of all the documents submitted with that July 22nd letter.) That July 22nd letter and all of its enclosures were uploaded to the City Council file in this matter, which made the documents available to the public.

Appellant also claims that the details of the HVAC upgrade and abatement details for rehabilitation of the Barry Building were not previously provided to the public. However, as noted in my April 10th letter, that information was provided in Hill International's report dated November 2022. That report was sent to the City under cover of my letter dated April 20, 2023. All of the reports sent with my April 2023 letter were also identified in the LADBS determination letter (refer to pages 21-27). and also included again with my July 22, 2025 letter to the City.

Appellant next claims that the City failed to address information provided by the Appellant concerning the involvement of David Barry with respect to the development of the coral trees along San Vicente Boulevard. near the subject property, which, according to the Appellant, could be affected by the demolition of the Barry Building. However, Mr. Barry's association with the development of the coral trees was expressly recognized in the City's Responses to Comments in the Final EIR and addressed by the City's expert historic resources consultant. (Refer to Response to Comment No. B1-5 and the technical expert report provided at Appendix D to the Final EIR.) The Appellant has never addressed that expert report, let alone submit an expert's opinion to the contrary.

Finally, Appellant repeatedly claims that the structural engineering technical reports prepared by the Englekirk company never addressed whether performing the seismic upgrade for only the south wing of the building (which would comply with the Soft Story Ordinance), would adequately address the public health and safety risk associated with all of the seismic deficiencies in the Barry Building. Similarly, Appellant claims that Englekirk's report never addressed the issue of whether performing seismic upgrades in accordance with the California Historic Building Code would render the building safe for human occupancy. However, both of those issues were addressed in Englekirk's reports.

Refer to their June 2021 reports attached as Appendices H-2, and H-3 and their June 2022 report attached as Appendices G in the Draft EIR, as well as the report dated May 2023 attached as Appendix I in the Final EIR. (Note that copies of Englekirk's June 2021 and 2022 reports were attached to my letter to the City dated January 14, 2026, which provided in additional technical letter report from a structural expert that rebutted the Appellant's structural engineers report.) In its expert opinion, Englekirk concluded that those more limited seismic upgrades would not make the building safe for human occupancy.¹

As stated in my many letters, the Appellant's CEQA repeal is governed by the substantial evidence test. The evidence in this case more than satisfies that substantial evidence test. Accordingly, the City Council should adopt the recommendation of the PLUM Committee to deny the Appellant's appeal.

Sincerely,



Edward J. Casey

cc: Craig Bullock, Planning Director, Council District 11
(craig.bullock@lacity.org) - via email only
Jason McCrea, City Planner, Department of City Planning
(jason.mccrea@lacity.org) – via email only
Kathryn C. Phelan, Supervising Assistant City Attorney
(Kathryn.phelan@lacity.org) - via email only

¹ While the Appellant's recent letters once again assert their claim that the evaluation in the EIR of the potential impact to tribal and archaeological resources was legally inadequate, this letter will not respond to those claims since I responded to those claims in detail in my letters dated January 20, 2026 and February 13, 2026. Moreover, the Applicant has voluntarily agreed to additional measures concerning a tribal monitor at the subject property during ground disturbance activities in order to resolve, in good faith, this issue. (The tribe concurs with this approach. Refer to Attachment 2 to this letter.) Given the Applicant's voluntary agreement to those measures, the City properly imposed these additional measures in the revised monitoring program.

ATTACHMENT 1

Enclosures (provided via email)

The enclosures to this letter are identified in the manner in which they were originally provided to the City, including the transmitting letter or email were applicable. The enclosures are organized by transmittal package, containing all attachments for completeness, including those not referenced herein. The list below includes all of the technical reports addressing the economic infeasibility of the preservation alternatives referenced at pages 3 to 4 of our July 22, 2025 letter as well as all of the technical reports addressing the seismic instability of the Barry Building discussed at pages 6 to 7 of our July 22nd letter. Finally, Enclosure 5 does not include a transmittal, rather it contains the seismic reports included in the EIR. The enclosures and their attachments are as follows:

Enclosure 1: 4/20/2023 Letter to Los Angeles City Planning regarding Cost Analyses for 11973 San Vicente Boulevard Project

- a. Attachment A: *11971 San Vicente Boulevard – Retrofit Schemes* by Englekirk Structural Engineers (June 2021) (Soft Story Retrofit Letter Report)
- b. Attachment B: *11971 San Vicente Boulevard – Retrofit Schemes* by Englekirk Structural Engineers (June 2022)
- a. Attachment C: *11973 San Vicente Boulevard, ASCE 41-13 Seismic Assessment* by Englekirk Structural Engineers (June 2022)
- b. Attachment D: *Project Impacts Assessment, 11973 San Vicente Boulevard* by Historic Resources Group (October 2022)
- c. Attachment E: *Barry Building ADA Upgrade Requirements* by Gruen Associates (June 2021)
- d. Attachment F: *Barry Building Renovations* by Hill International (November 2022)
- e. Attachment G1 and G2: *Barry Building Land Residual Analysis* by CBRE, Inc. (March 2023) (Pro formas)

Enclosure 2: 7/15/2024 Letter to Office of Historic Resources, regarding Updated Cost Analyses for 11973 San Vicente Boulevard Project

- a. Attachment A: Draft Statement of Overriding Considerations
- b. Attachment B: Planning Department Statement of Overriding Considerations Template
- c. Attachment C: March 21, 2024, Letter from M. Zasadzien (City Planner) to Department of Building and Safety recommending EIR certification Letter from Planning to DBS
- d. Attachment D: Photographs of May 2024 break-in at site
- e. Attachment E: April 20, 2023, Letter to J. Harris (Planning Dept.) regarding Cost Analysis a. Note: Attachments A-E to this letter are not included here for brevity as they are also Appendices included in the DEIR. We are happy to provide these reports separately if desired
- f. Attachment F: *Barry Building Renovations* by Hill International, November 2022 (Attachment F to the Cost Analysis letter above)
- g. Attachment G: *Barry Building Land Residual Analysis* by CBRE Brokerage, March 2023 (Pro forma) (Attachment G to the Cost Analysis letter above).
- h. Attachment H: Revised Cost Estimate, Hill International, June 27, 2024
- i. Attachment I: Revised Revenue Analysis, CBRE Valuation, July 2024

Enclosure 3: 10/30/2024 Email to City

- a. Attached BARRY BUILDING RETROFIT spreadsheet, dated 10/3/2024

Enclosure 4: 11/14/2024 Email to City including additional evidence and technical analysis

- a. A letter report dated November 2024 from Hill International that addresses the cost to rehabilitate the subject building accounting for the California Historic Building Code (CHBC)
- b. An email from the Historic Resources Group confirming that the analysis in the attached letter from Hill International is consistent with the CHBC
- c. An updated valuation analysis from CBRE that accounts for the Hill International analysis provided in the attached letter report
- d. Photographs of a recent break-in

Enclosure 5: Seismic Reports contained in the Draft EIR

- a. Seismic Assessment, Englekirk Structural Engineers, June 6, 2022 (DEIR Appendix G)
- b. Letter from Englekirk Structural Engineers regarding Two Phases of Structural Work Required by Barry Building June 1 2021 (DEIR Appendix H-2)
- c. Letter from Englekirk Structural Engineers clarifying Application of Soft Story Ordinance to Barry Building Wings June 3 2022 (DEIR Appendix H-3)
- d. Barry Building ADA Upgrade Requirements Gruen Associates June 2021 (DEIR Appendix H-5)

ATTACHMENT 2



Jason McCrea <jason.mccrea@lacity.org>

11973 San Vicente Boulevard - ENV-2019-6645-EIR

Andy Salas <admin@gabrielenoindians.org>
To: Jason McCrea <jason.mccrea@lacity.org>
Cc: Sophia Pina <sophia_pina@gabrielenokizh.org>

Mon, Apr 13, 2026 at 11:27 AM

Dear Jason McCrea,

On behalf of the Kizh Nation (Gabrieleño Band of Mission Indians), we acknowledge receipt of the proposed mitigation measures associated with the project and confirm that we are in agreement with the outlined mitigation framework.

Our participation and engagement throughout this process have been carried out in good faith and with the primary purpose of ensuring the protection, preservation, and respectful treatment of our Tribal Cultural Resources within our ancestral territory. These efforts are rooted in our responsibility as lineal descendants and traditional stewards of this land. We would also like to clarify that, while we understand and respect that elements of the project (such as existing structures) may be considered historic, our consultation is specifically centered on the protection of our last remaining Tribal Cultural Resources, including our heritage, culture, and history tied to this land. These resources hold irreplaceable cultural and spiritual significance to our people and must remain the priority within this process.

At the same time, we respectfully request that it be formally acknowledged that the Kizh Nation is the ancestral tribal community of this specific project area. In recognition of this, we request the inclusion of a permanent cultural acknowledgment in the form of a plaque or interpretive feature to be placed at an appropriate location within or near the project site. This acknowledgment should honor our ancestors and recognize the deep cultural and historical significance of this land to our people. Such recognition is an important component of meaningful consultation and reflects a commitment not only to compliance but also to respect, truth, and the enduring presence of our people on this landscape.

We appreciate the coordination and communication to date and look forward to continued collaboration to ensure these measures are implemented appropriately and respectfully. Please feel free to contact us should you require any additional information or clarification.

Respectfully,

On Tue, Apr 7, 2026 at 1:45 PM Jason McCrea <jason.mccrea@lacity.org> wrote:
Chairman Salas,

I wanted to follow up on this email to see if you had any further comments or would like to discuss anything further. The Project will go before the PLUM Committee next week, so we do have limited time remaining for the Project.

Please let me know.

Thank you.

On Thu, Apr 2, 2026 at 12:48 PM Jason McCrea <jason.mccrea@lacity.org> wrote:
Chairman Salas,

As discussed on our call, attached are the files we have documentation consultation. They include emails to the Tribe, a response requesting consultation, files provided by the Tribe, and closure letters summarizing these files.

There were a number of attachments provided by the Tribe during consultation that may not be attached to the below emails, I can provide those as well or you can find them in the Draft EIR on our website if needed. <https://planning.lacity.gov/development-services/eir/11973-san-vicente-boulevard-project-0>

Also find attached a draft of the measures we discussed during our call.

Please let me know if you'd like to discuss anything further, I am happy to meet to hear more from your team.

Thank you again.

On Thu, Apr 2, 2026 at 9:57 AM Jason McCrea <jason.mccrea@lacity.org> wrote:
Chairman Salas,

I wanted to thank you and your team again for taking the time to meet with me this week.

I wanted to first say that I discussed the request you made to speak with staff with my supervisor and they elevated the issue and I will be reaching out separately from this email chain to arrange a meeting with Jane and our Deputy Director Lisa Weber. So please look out for that email so that the City can connect with you and your team to discuss some of the more general issues we discussed on our call.

With respect to the Project we discussed, I am still compiling the information so I will reply to this email chain shortly with the information we discussed and I hope we can discuss this Project further.

Please keep an eye out for both emails.

Thank you again for your time and the wealth of knowledge and information you provide the City.

On Tue, Mar 31, 2026 at 1:45 PM Jason McCrea <jason.mccrea@lacity.org> wrote:
That works for me, I'll call in at 2:30pm.

Thanks.

On Tue, Mar 31, 2026 at 1:43 PM Sophia Pina <sophia_pina@gabrielenokizh.org> wrote:
Hi Jason,

Chief Salas is asking if we can push for 2:30pm because he's out in the field and needs some traveling time to the next location. We're still available to speak however we need additional time.

Warm regards,
Sophia Pina

Executive Assistant to Hereditary Chief and Chairman Andrew Salas
Gabrieleño Band of Mission Indians- Kizh Nation
PO Box 393
Covina, CA 91723
Office: (844) 390-0787
Direct Line: (626) 210-2651
www.gabrielenoindians.org

From: Jason McCrea <jason.mccrea@lacity.org>
Sent: Tuesday, March 31, 2026 9:43 AM
To: Andy Salas <admin@gabrielenoindians.org>
Cc: Andy Salas <chairman@gabrielenoindians.org>; Sophia Pina <sophia_pina@gabrielenokizh.org>
Subject: Re: 11973 San Vicente Boulevard - ENV-2019-6645-EIR

Looking forward to speaking with you then.

Thanks.

On Tue, Mar 31, 2026 at 9:42 AM Andy Salas <admin@gabrielenoindians.org> wrote:
Hi Jason,

That works on our end. Please utilize the conference line at (626) 343-5588 with passcode 1234#.

Best regards,
Sophia Pina

On Tue, Mar 31, 2026 at 9:38 AM Jason McCrea <jason.mccrea@lacity.org> wrote:
Hello,

I am free from 2-3pm.

Please let me know if that time works.

Thanks.

On Tue, Mar 31, 2026 at 8:11 AM Sophia Pina <sophia_pina@gabrielenokizh.org> wrote:

Hi Jason,

We have an overlapping meeting today at 11 am. Are you free sometime after 2 pm?

Warm regards,
Sophia Pina

Executive Assistant to Hereditary Chief and Chairman Andrew Salas
Gabrieleño Band of Mission Indians- Kizh Nation
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Covina, CA 91723
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www.gabrielenoindians.org

From: Jason McCrea <jason.mccrea@lacity.org>
Sent: Friday, March 20, 2026 1:56 PM
To: Andy Salas <admin@gabrielenoindians.org>
Cc: Sophia Pina <sophia_pina@gabrielenokizh.org>
Subject: Re: [11973 San Vicente Boulevard](#) - ENV-2019-6645-EIR

Great, looking forward to speaking with you then.

Thank you for finding the time.

On Fri, Mar 20, 2026 at 12:48 PM Andy Salas <admin@gabrielenoindians.org> wrote:
Dear Jason,

Thank you for your response.

We would like to confirm the meeting regarding the [11973 San Vicente Boulevard](#) Project for March 31st at 11:00 AM. Please call into our conference line at (626) 353-5588 and use the passcode 1234#.

Best regards,
Sophia Pina

On Fri, Mar 20, 2026 at 12:13 PM Andy Salas <admin@gabrielenoindians.org> wrote:
Dear Jason,

Thank you for the information. I will confirm the scheduling details on our end and follow up with you shortly to finalize the meeting time.

Best regards,
Sophia Pina

On Fri, Mar 20, 2026 at 10:57 AM Jason McCrea <jason.mccrea@lacity.org> wrote:
Hi Sophia,

Both days work for me, ideally the morning on the 31st and the afternoon on the 1st, but I am flexible for Chairman Salas's schedule.

The hearing I believe has just been officially scheduled for April 14.

Please let me know.

Thanks.

On Fri, Mar 20, 2026 at 10:42 AM Andy Salas <admin@gabrielenoindians.org> wrote:

Dear Jason,

Thank you for your email.

We can schedule a time to discuss the [11973 San Vicente Boulevard](#) Project further. However, due to a fully booked schedule, Chairman Salas's earliest availability is March 31 or April 1.

Could you please provide the official date for the upcoming City Council hearing?

Best regards,
Sophia Pina

On Fri, Mar 20, 2026 at 9:13 AM Jason McCrea <jason.mccrea@lacity.org> wrote:

Honorable Tribal Representatives,

I am reaching out about the [11973 San Vicente Boulevard](#) Project, also known as the Barry Building or ENV-2019-6645-EIR.

The City conducted consultation with the Tribe in 2020.

The Project is currently under appeal before City Council and will be before council in April. I was hoping I could speak with Chairman Salas about the Project within the next two weeks, prior to the hearing. This conversation would not be part of consultation, but the City would greatly benefit from further discussion about the Project with the Tribe.

Would this be possible?

Please let me know.

Thank you.

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Jason McCrea

City Planner

Major Projects

Los Angeles City Planning

[221 N. Figueroa St., Room 1350](#)

[Los Angeles, CA 90012](#)

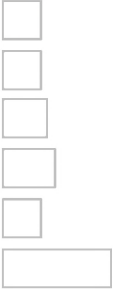
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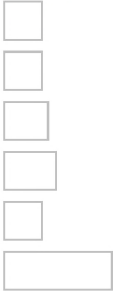
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Best regards,
Sophia Pina

Executive Assistant to Hereditary Chief and Chairman Andrew Salas

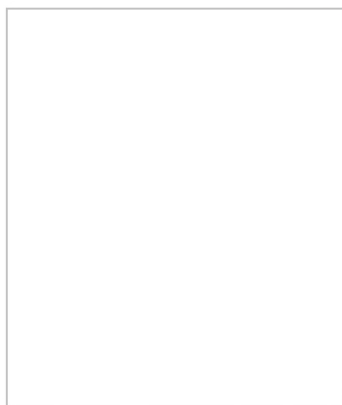
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Office: 844-390-0787

website: www.gabrielenoindians.org



The region where Gabrieleño culture thrived for more than twelve thousand years encompassed most of Los Angeles County, more than half of Orange County and portions of Riverside and San Bernardino counties. It was the labor of the Gabrieleño who built the missions, ranchos and the pueblos of Los Angeles. They were trained in the trades, and they did the construction and maintenance, as well as the farming and managing herds of livestock. The Gabrieleño are the ones who did all this work, and they really are the foundation of the early economy of the Los Angeles area. That's a contribution that Los Angeles has not recognized--the fact that in its early decades, without the Gabrieleño, the community simply would not have survived.