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May 7, 2025

Los Angeles City Council
c/o Office of the City Clerk
City Hall, Room 395
Los Angeles, California 90012

Attention: PLUM Committee

Dear Honorable Members:

**APPEAL RESPONSES AND TECHNICAL MODIFICATIONS FOR THE VIOLET STREET
CREATIVE OFFICE CAMPUS PROJECT; CASE NO. VTT-83382-2A; CF 25-0159-S1**

On August 29, 2024, the Deputy Advisory Agency (DAA) approved Vesting Tentative Tract Map (VTTM) 83382 for the vacation and merger of portions of 7th Place and the Easterly Public Alley into the site; re-subdivision of the subject property into four ground lots; and a Haul Route for the export of up to 144,000 cubic yards of soil, and certified the Project's Environmental Impact Report (EIR) for the Violet Street Creative Office Campus Project (Project), which proposes the demolition of approximately 35,738 square feet of existing warehouse and office uses and associated surface parking for the construction of a new 13-story, 450,599 square-foot commercial building with four subterranean and two above-grade levels of parking, all located on the southwest portion of the 6.3-acre subject property (Project Site). In addition, a Future Campus Expansion Phase could allow for the demolition of another existing 21,880 square-foot office building on the southeastern portion of the Project Site and the development of up to 211,201 square feet of additional office and restaurant uses. The existing 244,795 square-foot Warner Music Group building (originally the Ford Factory building, a designated historic resource) and a five-story parking garage would be retained as part of the Project.

An appeal of the VTTM was filed on September 6, 2024 (First Level VTTM Appeal) by Adams Broadwell Joseph & Cardozo on behalf of the Coalition for Responsible Equitable Economic Development Los Angeles (CREED LA), alleging deficiencies in the Project's EIR and analysis. The Department of City Planning (Planning) evaluated the appeal, and responded to the appeal in the Staff Recommendation Report, dated November 14, 2024 (First Level VTTM Appeal Report), which included detailed responses to the appeal points prepared by Eyestone Environmental dated October 1, 2024 (First Level VTTM Appeal Response), and concluded that there was no merit to the appeal.

On November 14, 2024, the City Planning Commission (CPC) denied the First Level VTTM Appeal and recommended approval of the related Case No. CPC-2021-2231-GPA-VZC-HD-VZC-VZV-SPR. On January 23, 2025, the CPC issued a Letter of Determination (LOD) certifying

the Project's EIR and approving the Project entitlements and the VTTM. On January 31, 2025, a second-level appeal of the VTTM was filed again by CREED LA (Second Level VTTM Appeal), which fully incorporates by reference the same appeal points from the First Level VTTM Appeal, and therefore does not raise any significant new issues regarding the adequacy of the EIR; nevertheless, the appeal points are summarized and responded to in further detail below. The Project's environmental consultant, Eyestone Environmental, has also provided additional appeal responses dated March 31, 2025 (Second Level VTTM Appeal Response) further explaining why there is no merit to this Second Level VTTM Appeal.

APPEAL POINTS AND STAFF RESPONSES

Appeal Point 1

The VTTM is not consistent with the General Plan or the Subdivision Map Act because the Project's construction-related diesel particulate emissions will result in a significant public health risk.

Staff Response 1

The Appellant claims that the VTTM is not consistent with various policies and objectives of the General Plan which aim to minimize diesel particulate matter (DPM) emissions associated with the Project. In addition, the Appellant argues that the Project presents significant health risks, specifically cancer risk to infants, because the Health Risk Assessment (HRA) performed as part of the Project's EIR lacked Age Sensitivity Factors (ASF) when analyzing DPM and did not treat DPMs as mutagenic.

As discussed in the First Level VTTM Appeal Report, the Project complies with dust control regulations and emission reduction measures by reducing particulate pollutants from unpaved areas and construction sites. In addition, the HRA confirmed that the Project-related cancer risk is well below the South Coast Air Quality Management District (SCAQMD) significance threshold. As previously documented extensively in the First Appeal Response, the methodology the HRA prepared for the Project is supported by substantial evidence and guidance provided by the SCAQMD and the United States Environmental Protection Agency (USEPA). The analysis was not required to adjust for ASFs as there is no established uniform requirement or guidance to do so with regards to diesel exhaust, which is not officially designated as mutagenic as a whole. Overall, the Appellant's reference to another agency's use of ASFs does not establish a legal obligation for the current Project, and the City as the Lead Agency has the discretion to select the appropriate methodology for evaluating the Project's impacts. In this case, the HRA and the Project's EIR demonstrate that the Project will not have significant unavoidable health risk impacts. Therefore, the VTTM is consistent with the General Plan and Subdivision Map Act and will not result in significant environmental and public health risk.

Appeal Point 2

The Project does not have sufficient water supply and infrastructure to achieve the necessary fire flow to protect public safety.

Staff Response 2

The Appellant argues that the Project's fire flow impacts were not adequately analyzed in the Project EIR, that necessary improvements have not been conditioned, and that the Project would have significant impacts due to construction work and associated infrastructure improvements.

However, as discussed in Eyestone Environmental's CPC Appeal Response and Planning's CPC Staff Recommendation Report, the Project EIR acknowledges and analyzes the need for water infrastructure upgrades in the surrounding area, as well as the Project's overall construction timeline with general infrastructure improvements, including off-site infrastructure improvements. Furthermore, the Project would continue to be subject to all applicable regulatory requirements, including those of the Los Angeles Fire Department (LAFD) which oversees fire flow requirements. As the Project continues through the permitting process, such agencies will prescribe more detailed infrastructure improvements beyond the speculative improvements the Appellant alleges. The Project has also been conditioned to install two new fire hydrants; therefore, the Project has been conditioned appropriately to comply with the code and meet all LAFD requirements. As such, the Appellant does not provide any substantial evidence indicating new, more significant, or unanalyzed impacts to water supply and infrastructure, and the Project will provide sufficient water supply and infrastructure.

Conclusion

As discussed above, no new substantial evidence was presented to dispute the findings of the EIR, or relative to the VTTM. The EIR is comprehensive and has been completed in full compliance with CEQA, and no new or more significant impacts have been identified resulting from the Appellants' comments. In addition, the VTTM made the prescribed findings demonstrating that the proposed map complies with the Subdivision Map Act, including consistency with the applicable general and specific plans and that the Project is not likely to cause serious public health problems. Therefore, in consideration of all of the facts, Planning recommends that the Planning and Land Use Committee deny the appeal and sustain the decision of the City Planning Commission to certify the EIR and approve the tract map.

TECHNICAL MODIFICATIONS TO THE VTTM FINDINGS AND CONDITIONS OF APPROVAL

The Project, which includes General Plan Amendments to change the land use designation on a portion of the Project Site and to reclassify 7th Place abutting the Project Site from a Collector to a Standard Local Street, as well as a Zone Change and Height District Change to change the zoning on a portion of the Project Site from M3-1-RIO to C2-2-RIO under related Case No. CPC-2021-2231-GPA-VZC-HD-VCU-ZV-SPR-1A, was filed on March 8, 2021, and is, therefore, vested under the provisions of the zoning regulations in effect at that time. On January 23, 2025, the City Planning Commission issued a Letter of Determination (LOD), recommending approval for the legislative actions requested as part of the subject entitlements, and on January 27, 2025, the Downtown Community Plan became effective, which established new land use and zoning designations for the Project Site. The Downtown Community Plan also reclassified 7th Place abutting the Project Site from a Collector to a Standard Local Street.

While the Project is vested in the applicable zoning regulations in effect on the filing date, the land use designation does not directly prescribe zoning regulations; as such, the new Hybrid Industrial land use designation now applies to the Project. Therefore, Planning recommends various modifications to the VTTM Findings and Conditions of Approval in the CPC's LOD to reflect updates to the Project Site's land use and zoning designations. Specifically, any references to the Central City North Community Plan, former Heavy Manufacturing land use designation, and street classification for 7th Place in the VTTM Findings and Conditions of Approval shall be updated for clarity.

The Project substantially conforms with the goals and policies of the Downtown Community Plan and the Hybrid Industrial land use designation, as it supports Downtown Community Plan goals and objectives to provide additional employment opportunities and commercial development in

this location while preserving and adapting historic industrial structures. As the Project's proposed uses are entirely permissible under the Downtown Community Plan, and 7th Place abutting the Project Site has been reclassified to the designation requested by the Applicant, the requested General Plan Amendments may now be dismissed as not necessary for the Project. The reasoning for this is explained in greater detail in a Planning Letter to PLUM for related Case No. CPC-2021-2231-GPA-VZC-HD-VCU-ZV-SPR-1A.

Accordingly, the following modifications to the VTTM LOD are proposed (~~bold strikethrough~~ to remove):

Conditions of Approval

- Condition No. 6 shall be revised to remove outdated references to the future adoption of the (as of now effective) Downtown Community Plan, as follows:
 6. That, the Department of City Planning in a letter to the City Engineer determine that the proposed merger areas are consistent with all applicable General Plan Elements of Highway and Circulation Elements for LA Mobility Plan 2035 and ~~future~~ Downtown Community Plan ~~Update (DTLA 2040 to be adopted by the City Council)~~.

Additionally, below is a summary of the proposed modifications to the VTTM LOD as it relates to the Downtown Community Plan.

California Environmental Quality Act (CEQA) Findings

- All general references to the Central City North Community Plan and/or DTLA 2040 Community Plan shall be replaced with the Downtown Community Plan.
- References throughout to a Project Objective to promote Objective 2.1 of the Central City North Community Plan shall be revised to illustrate the Project's conformance with similar objectives and policies of the Downtown Community Plan. The Project continues to be consistent with land use goals and policies in the Downtown Community Plan which prioritize space for jobs and employment activity, promote the provision of new commercial services, and encourage the development of new productive uses while preserving existing unique developments and form.

VTTM (Subdivision Map Act) Findings

- All general references in Findings (a), (b), and (d) to the Central City North Community Plan shall be replaced with the Downtown Community Plan.
- References in Findings (a) and (d) to Footnote 6 of the Central City North Community Plan shall be removed.
- Additional language shall be added in Findings (a) and (b) with regards to the requested General Plan Amendment to change the land use designation on the Project Site under the related Case No. CPC-2021-2231-GPA-VZC-HD-VCU-ZV-SPR-1A, to clarify that this request may be dismissed under the separate case as it is no longer necessary.
- References in Finding (d) to the existing land use designations of nearby properties shall be updated to those of the Downtown Community Plan.

The above revisions are captured in the attached Modified VTTM and CEQA Findings.

The Project substantially complies with the associated development goals and policies of the new Hybrid Industrial land use designation, and therefore the revisions herein are primarily for clarification purposes and do not materially change any Conditions of Approval or Findings, nor do they alter any portion of the Project. In addition, the revisions do not constitute new information for CEQA purposes and do not materially affect any environmental analysis in the Project EIR. As such, Planning recommends that the City Council modify Condition No. 6 of the VTTM as well as the VTTM Findings, including the Project's CEQA Findings, as documented above and in the attached Modified VTTM and CEQA Findings.

Sincerely,

VINCENT P. BERTONI, AICP
Director of Planning



More Song
City Planner

VPB:MZ:MN:MS:RF

Enclosures

Eyestone Environmental Correspondence dated March 31, 2025 (Second Level VTTM
Appeal Response)
Modified VTTM and CEQA Findings