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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. CPC-2021-2231-GPA-VZC-HD-VCU-ZC-
SPR-1A, CFs 25-0159, 25-0159-S2**

On January 23, 2025, the City Planning Commission (CPC) issued a Letter of Determination recommending that the City Council approve General Plan Amendments to the Central City North Community Plan to change the land use designation for Lot 1 of the Project Site from Heavy Industrial to Regional Commercial and to the Transportation Element of the General Plan (Mobility Plan 2035) to reclassify 7th Place along the Project Site frontage from a Collector Street to a Standard Local Street, as well as a Vesting Zone Change and Height District Change for Lot 1 of the Project Site from the M3-1-RIO Zone to the (T)(Q)C2-2-RIO Zone, and approved a Vesting Conditional Use to allow floor area averaging in a Unified Mixed-Use Development within a C or M Zone, a Zone Variance to permit vehicular access to a loading zone from a public street and not the adjacent alley way, and a Site Plan Review for a development that results in an increase of more than 50,000 gross square feet of non-residential floor area, 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. The CPC also denied an appeal of and approved Vesting Tentative Tract Map (VTTM) 83382-1A 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).

An appeal of the CPC's decision was filed on January 31, 2025 (CPC 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, and that the entitlement findings cannot be made. The CPC Appeal fully incorporates by reference the same points that the Appellant previously submitted to the CPC in a letter dated September 6, 2024 and which have been previously responded to in the Department of City Planning's (Planning's) CPC Staff Recommendation Report dated November 14, 2024 (CPC Staff Recommendation Report). Planning evaluated the CPC Appeal, and has determined that the CPC Appeal does not raise any significant new issues regarding the adequacy of the EIR; nevertheless, the appeal points are summarized and responded to below. In addition, more detailed responses to the appeal points, prepared by Eyestone Environmental dated March 31, 2025 (CPC Appeal Response) are incorporated as an attachment to this report.

APPEAL POINTS AND STAFF RESPONSES

Appeal Point 1

The findings for the Conditional Use, Zone Variance, and Site Plan Review cannot be made because the Project will be detrimental to the public welfare and inconsistent with the General Plan, due to the Project's construction-related diesel particulate emissions resulting in a significant public health risk.

Staff Response 1

The Appellant claims that the findings for the Project's entitlements cannot be made because the Project would adversely affect the welfare of the community due to health risks associated with the Project's construction-related diesel particulate matter (DPM) emissions, and that the Project would be inconsistent with various policies and objectives of the General Plan which aim to minimize DPM emissions associated with the Project. Additionally, the Appellant argues that 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 CPC Staff Recommendation 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 documented in Eyestone Environmental's CPC 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 Project is consistent with the General Plan and will not result in significant impacts to the public welfare.

Thus, there is substantial evidence supporting the CPC's conclusion that the Project does not have significant health risks, and the findings for the Project's entitlements including the Vesting Conditional Use Permit, the Zone Variance, and Site Plan Review can be made in the affirmative.

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 Project entitlements. 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 CPC Staff Recommendation Report made the prescribed findings demonstrating that the Project complies with the General Plan and that the Project will not detrimentally affect the public welfare. 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 requested entitlements.

TECHNICAL MODIFICATIONS TO THE CPC FINDINGS, CONDITIONS OF APPROVAL, AND ZONE CHANGE ORDINANCE

On January 23, 2025, the City Planning Commission issued a Letter of Determination (LOD), recommending approval for 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 Case No. CPC-2021-2231-GPA-VZC-HD-VCU-ZV-SPR-1A. 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.

The subject case was filed on March 8, 2021, and is, therefore, vested under the provisions of the zoning regulations in effect at that time; however, the land use designation does not directly prescribe zoning regulations. As such, the new Hybrid Industrial land use designation now applies to the Project.

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. No changes are proposed for the remaining entitlements.

Therefore, Planning recommends various modifications to the Findings in the CPC's LOD to reflect the dismissal of the General Plan Amendment requests, and 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 in the CPC Findings shall be updated for clarity.

In addition, Condition No. 32 of the CPC LOD may be removed as it is an inadvertent duplicate of Condition No. 30. and all subsequent Conditions shall be renumbered accordingly.

Below is a summary of the proposed modifications to the CPC LOD as it relates to the Downtown Community Plan.

- The General Plan/Charter Findings (Finding Nos. 1, 2, and 3) shall be removed in their entirety as these findings are for General Plan Amendment requests only and are therefore unnecessary as the requests shall be dismissed.
- A new Finding No. 1 shall be added to Entitlement Findings (Vesting Zone Change, Height District Change, and "T" and "Q" Classification Findings) to demonstrate that these requests are in conformance with the General Plan, as such language in the General Plan/Charter Findings are to be removed. All subsequent findings shall be renumbered as appropriate.
- All references to the General Plan Amendment requests shall be removed or updated where appropriate to clarify that the requests are no longer necessary and shall be dismissed.
- All references to the Project Site's location within the former Central City North Community Plan and former land use designation of Heavy Manufacturing shall be removed or updated where appropriate to clarify that the Project Site is now located within the Downtown Community Plan which assigns a new land use designation of Hybrid Industrial.

The above revisions are captured in the attached Modified CPC Findings.

Zoning Ordinance Map

While the Project is vested in the provisions of the M3-1-RIO and (T)(Q)C2-2-RIO Zones, these zoning designations would be superseded by the new zone designated by the Downtown Community Plan should the entitlement grants herein expire in the future. As such, the permanent amendment to the Zoning Map in the Zone Change Draft Ordinance submitted to the Council File shall be removed, with the inclusion of clarifying language in the ordinance instead to specify that the Project is vested in the provisions of the M3-1-RIO and (T)(Q)C2-2-RIO Zones, with an expiration date of six years, or as may be extended by the LAMC or State Law. Proposed changes are reflected in the attached Modified Zone Change Ordinance.

Conclusion

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 delete Condition No. 32 of the CPC LOD as well as modify the CPC Findings and Zone Change Ordinance as documented above and in the attached Modified CPC Findings and Modified Zone Change Ordinance.

Sincerely,

VINCENT P. BERTONI, AICP
Director of Planning

A handwritten signature in black ink, appearing to read 'V. Bertoni', with a stylized flourish at the end.

More Song
City Planner

VPB:MZ:MN:MS:RF

Enclosures

Eyestone Environmental Correspondence dated March 31, 2025 (CPC Appeal Response)
Modified CPC Findings
Modified Zone Change Ordinance