

## Communication from Public

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**Comments for Public Posting:** Eyestone Environmental Response to Adams Broadwell Joseph & Cardozo on behalf of CREED LA dated May 12, 2025.



## MEMORANDUM

**TO:** More Song, Department of City Planning  
**FROM:** Eystone Environmental  
**SUBJECT:** Violet Street Creative Office Campus Project—VTT-83382  
ENV-2021-2232-EIR  
**DATE:** May 13, 2025

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This memorandum is being prepared in response to the letter submitted to the City Council's Planning and Land Use Management Committee (PLUM) by Adams Broadwell Joseph & Cardozo on behalf of CREED LA dated May 12, 2025.

In accordance with the California Environmental Quality Act (CEQA), a comprehensive Draft Environmental Impact Report (Draft EIR) was prepared for the Violet Street Creative Office Campus Project (Project). The Draft EIR was circulated for public review and comment from June 29, 2023, through August 14, 2023. Following public review of the Draft EIR, the City published a comprehensive Final EIR in June 2024, which included responses to each comment within the five written comment letters received on the Draft EIR during the public comment period, as well as a clarifying Erratum No. 1 dated August 2024. The Draft EIR and Final EIR and Erratum No. 1 are collectively referred to below as the EIR.

A public hearing for the Project with the Deputy Advisory Agency and Hearing Officer was opened on June 26, 2024. On June 25, 2024, less than 24 hours prior to the hearing, the City received an additional letter from Adams Broadwell Joseph & Cardozo on behalf of CREED LA with attachments (Appellant's June 2024 Letter). Responses to the Appellant's June 2024 Letter were submitted to the City on July 19, 2024 (July 2024 Eystone Environmental Memorandum).

Subsequent to the Deputy Advisory Agency and Hearing Officer hearing, a Letter of Determination was issued on August 29, 2024. On September 6, 2024, Adams Broadwell Joseph & Cardozo filed an appeal on behalf of CREED LA. The appeal includes an appeal justification letter dated September 6, 2024, with attachments (Appeal Justification). Responses to the Appeal Justification were provided to the City on October 1, 2024 (October 2024 Eystone Environmental Memorandum).



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On November 12, 2024, the Appellant filed additional comments with attachments on behalf of CREED LA regarding the Staff Report prepared for the November 14, 2024, City Planning Commission hearing and the EIR (November 12 Appeal Letter). Responses to this November 12 Appeal Letter were submitted to the City on November 13, 2024 (November 2024 Eyestone Environmental Memorandum).

At its November 14, 2024, meeting, the City Planning Commission considered the EIR together with written information and testimony provided by the Appellant, the applicant's representative, and other members of the public, as well as responsive information addressing the issues raised by the Appellant. The City Planning Commission then certified the EIR, adopted CEQA findings, a statement of overriding considerations, and a mitigation monitoring program, and denied the appeal and sustained the decision of the Deputy Advisory Agency. Letters of Determination were mailed on January 23, 2025, setting forth this appeal determination, as well as the City Planning Commission's approval, recommendation, and findings regarding the proposed general plan amendments, vesting zone change and height district change, vesting conditional use permit, zone variance, and site plan review.

On January 31, 2025, Adams Broadwell Joseph & Cardozo filed a second level appeal on behalf of CREED LA. The 2nd Level Appeal Justification did not raise new issues related to the adequacy of the EIR. Instead, the 2nd Level Appeal Justification repeated claims related to air quality and health risk which were addressed in the EIR, as well as the July 2024, October 2024, and November 2024 Eyestone Environmental Memoranda, and claims related to fire flow that were addressed in the November 2024 Eyestone Environmental Memorandum. Responses to the 2nd Level Appeal Justification were submitted to the City on March 31, 2025 (March 2025 Eyestone Environmental Memorandum).

The July 2024, October 2024, November 2024, and March 2025 Eyestone Environmental Memoranda clarify and amplify analysis included in the EIR, are included in the Council File, and are hereby incorporated by reference. These memoranda, together with the information, analysis, and supporting documentation included in the EIR, demonstrate that: the analysis and impact conclusions in the EIR are accurate and fully satisfy the requirements of CEQA; the findings of the Advisory Agency's and the City Planning Commission's Letters of Determination are correct; and, none of the comments in the Appellant's June 2024 Letter,



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Appeal Justification, November 12 Appeal Letter, or 2nd Level Appeal Justification are supported by substantial evidence, nor do they constitute significant new information warranting recirculation of the Draft EIR as set forth in CEQA Guidelines Section 15088.5.

### **PLUM Letter**

On May 12, 2025, again less than 24 hours prior to the scheduled hearing, Adams Broadwell Joseph & Cardozo submitted yet another letter on behalf of CREED LA (the PLUM Letter). As with the 2nd Level Appeal Justification, the PLUM Letter did not raise new issues related to the adequacy of the EIR, but instead repeated claims that had been previously addressed. Brief responses to the issues raised therein are nevertheless provided again below. In all cases, and after careful consideration of the information provided by the Appellant, Eystone concludes that the prior conclusions and analysis set forth in the EIR remain accurate.

#### *Air Quality*

The PLUM Letter repeats the Appellant's previous claims made in their November 12 Appeal Letter and 2nd Level Appeal Justification that the EIR's analysis did not demonstrate consistency with General Plan Air Quality Element Policy 1.3.1 which requires the City to "[m]inimize particulate emissions from construction sites."

As demonstrated by the information and analysis included in the EIR and further detailed in both the November 2024 and March 2025 Eystone Environmental Memoranda, the Appellant's claims are incorrect. As stated therein, the General Plan policy the Appellant cites is specific to particulate matter emanating from unpaved areas, parking lots, and construction sites. The previous Eystone Memoranda and the City's summaries of the appeal responses do not contend, as inaccurately suggested by the Appellant and their consultant (Dr. James Clark), that diesel particulate matter (DPM) from tailpipes and fugitive dust are the same thing, or that DPM would somehow be subject to South Coast Air Quality Management District (SCAQMD) Rule 403 (Fugitive Dust). Instead, each issue (DPM on the one hand and fugitive dust on the other) was accurately addressed.

The Appellant's claims regarding fugitive dust have been previously addressed in detail. For example, as summarized in the October 2024 Eystone Environmental Memorandum

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(Response to Appeal Comment 3), page IV.A-52 of the Draft EIR documents that the Project would comply with SCAQMD Rule 403, which requires dust control measures during construction activities. In addition, the Project would not have large areas of unpaved surfaces and would remove existing surface parking uses. Parking areas would be maintained with good housekeeping practices.

Further, the Project would require the construction contractor(s) to comply with the applicable provisions of the California Air Resources Board In-Use Off-Road Diesel Vehicle Regulation, which aims to reduce emissions through the installation of filters, and encouraging the retirement, replacement, or repower of older, dirtier engines with newer emission-controlled models. The Appellant is also referred to Table IV.A-6 on page IV.A-57 of the Draft EIR which provides that the highest daily emissions projected to occur during each year of construction.

As presented in Table IV.A-6, construction-related daily maximum regional construction emissions would not exceed any of the SCAQMD daily significance thresholds and Project-related PM<sub>10</sub> and PM<sub>2.5</sub> resulted in approximately 10 percent of the corresponding SCAQMD regional significance threshold. The maximum daily localized emissions from Project construction and LSTs were presented in Table IV.A-8 on page IV.A-61 of the Draft EIR, which showed that maximum construction emissions would not exceed the SCAQMD-recommended localized screening thresholds and Project-related PM<sub>10</sub> and PM<sub>2.5</sub> resulted in approximately 32 and 38 percent of the corresponding SCAQMD localized significance threshold, respectively.

The Appellant's assertions are accordingly without merit.

### *Health Risk*

The PLUM Letter similarly repeats the Appellant's previous claims made in their November 12 Appeal Letter and 2nd Level Appeal Justification that the EIR's analysis of health risk impacts is inadequate since it purportedly did not disclose that diesel exhaust is a mutagenic compound and the health risk assessment (HRA) did not incorporate age sensitive factors (ASFs). As more fully explained in Response to Comment No. 8 of the July 2024 Eystone Environmental Memorandum (among other places), the Appellant's comment is an



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inaccurate characterization of the discussion in the HRA. In addition, the City as the Lead Agency has the discretion to select the appropriate thresholds of significance and methodologies for evaluating a project's impacts, including potential impacts related to health risk, based on substantial evidence, including the expert opinions of its EIR preparers and City staff. As documented extensively in Response to Comment No. 9 of the July 2024 Eystone Environmental Memorandum, the City respectfully disagrees with the commenter's preferred methodology for the reasons stated therein. Dr. Clark's opinion regarding the use of ASFs is noted for the record and will be made available to the decision-makers for their review and consideration.

### *Fire Flow*

The PLUM Letter repeats the Appellant's previous claims made in their November 12 Appeal Letter and 2nd Level Appeal Justification that the EIR's analysis of fire flow was inadequate. These letters continue to acknowledge the EIR's disclosure of fire flow rates under existing conditions, the fact that the Project would result in water main upgrades, and that the work involved in this upgrade of infrastructure has been disclosed and analyzed in the EIR. With respect to the Appellant and Mr. Burt's repeated claim that supporting evidence for the 400-foot water main upgrade has not been provided, this is incorrect. The Appellant and Mr. Burt are referred to Appendix E of the Water Utility Technical Report included as Appendix K of the Draft EIR which is a letter from the Los Angeles Department of Water and Power (LADWP) providing a cost estimate for the 400-foot water main upgrade. As further explained in the Errata to Communication dated 5-08-25-Eystone Environmental Memorandum prepared by KHR Associates (KHR Memorandum), which is included in the Council File and hereby incorporated by reference, this letter from LADWP (which informed the EIR's analysis) is the result of a months-long coordination process between KHR and LADWP to determine the scope of work for required water system improvements and their associated costs. As detailed in the KHR Memorandum, this is the standard professional practice which has been used on dozens of similar projects in the City to accurately assess infrastructure requirements.

Second, the PLUM Letter and its attachment from Mr. Burt incorrectly assume that because the Project will provide a combination of (1) upgrades and relocations to existing hydrants, and (2) the addition of new hydrants, that all of the referenced number of hydrant



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improvements will constitute a net addition of hydrants. This incorrect assumption by the Appellant appears to give rise to the Appellant's related assertion that a slightly greater length of water infrastructure would be required than has been previously and properly assessed by the LADWP and the expert civil engineers at KHR who are familiar with the City's process and who assisted with the development of Appendix K of the Draft EIR.

Nevertheless, even assuming for the sake of argument that the Appellant's speculative statements were true and additional upgrades were required to meet Fire Code requirements, as discussed in detail in both the November 2024 and March 2025 Eyestone Environmental Memoranda, the Appellant has not identified any new or more severe impacts than those impacts already addressed in the EIR.

Moreover, based on Eyestone's analysis, no additional impacts would result from the slightly longer length of water main improvements speculated by the Appellant. Therefore, the EIR's analysis of impacts with respect to water main improvements would remain valid even if the Appellant's speculative assertions about slightly longer water main improvements were true.

This existing analysis regarding fire flow and water infrastructure requirements is further detailed in the written response to Mr. Burt's letter from Nathan B. Wittasek, P.E., CFEI, CASp, a principal at Simpson Gumpertz & Heger included as Attachment 5 to March 2025 Eyestone Environmental Memorandum. As stated by Mr. Wittasek therein, "the Violet Street project enhances fire safety in the area by introducing a noncombustible, fully sprinklered structure, improving local water infrastructure, and increasing hydrant capacity. These improvements will provide substantial fire protection benefits for both the development and the surrounding community."

### *Conclusion*

In summary, none of the comments made by the Appellant's June 2024 Letter, Appeal Justification, November 12 Appeal Letter, 2nd Level Appeal Justification, nor the PLUM Letter alter the conclusions or analysis that was set forth in the EIR, the August 29, 2024, Letter of Determination and the City's findings set forth therein, nor in the City Planning Commission's determination of November 14, 2024, and the corresponding findings and Letters of Determination. Each of the EIR and the City's determinations are supported by



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substantial evidence. Additionally, none of the comments that have been received constitute significant new information warranting recirculation of the Draft EIR as set forth in CEQA Guidelines Section 15088.5.