



DLA Piper LLP (US)
2000 Avenue of the Stars
Suite 400 North Tower
Los Angeles, California 90067-4735
www.dlapiper.com

Kyndra Joy Casper
kyndra.casper@us.dlapiper.com
T 310.595.3241
F 310.595.3437

May 25, 2026

VIA COUNCILFILE AND EMAIL

Planning and Land Use Management Committee
City Council of the City of Los Angeles
200 N. Spring Street
Los Angeles, California 90012

**Re: Response to SAFER May 22, 2026 Letter Regarding Comment on Decision to Exempt the ROW DTLA Project from Environmental Review Under the California Environmental Quality Act
ROW Multifamily Project Council File No. 26-0340
May 26, 2026, Planning and Land Use Management Committee ("PLUM") Hearing**

Honorable Chair and Members of the PLUM Committee:

We write on behalf of Alameda Square Owner, LLC ("Applicant"), applicant for the ROW Multifamily Project, a proposed mixed-use development ("Project"). The overall approximately 30.65-acre site ("Project Site") is located at 747–787 S. Alameda Street, 1312–1396 E. 7th Street, 136-196 S. Central Avenue, 1301–1327 E. 8th Street, 700–760 S. Market Court, 720–746 S. Terminal Street, and 747 and 760 S. Warehouse St. in the City of Los Angeles ("City"), known as ROW DTLA. The proposed Development Area is approximately 4.84 gross acres and is located within the eastern portion of the Project Site along Alameda Street and is currently developed with surface parking and limited ornamental vegetation. The Project proposes 1,000 residential units including 11% Very Low Income units (VLI) (114 VLI units) and 6,547 square feet of commercial space (retail/restaurant) within the Development Area of the Project Site.

On May 22, 2026, we submitted a letter responding to the Appeal and the February 11 Objection Letter filed by SAFER ("First Response Letter"). Capitalized terms defined in the First Response Letter are also used herein. Also on May 22, 2026, SAFER submitted another letter objecting to the "decision to exempt" the Project from review under CEQA ("May 22 Objection Letter" and together with the February 11 Objection Letter, the "Objections"). This letter mainly addresses the May 22 Objection Letter.

For all of the reasons set forth in the First Response Letter and additional reasons discussed below, the Appeal is procedurally invalid, and the Appeal and Objections are meritless, and should be rejected in full.

First, the May 22 Objection Letter and the historic analysis by Michael Corbett attached thereto ("Corbett Historic Analysis") are based on false premises. SAFER again purports that the Project was determined to be exempt from CEQA. As discussed in the First Response Letter, the Project was not determined to be exempt from CEQA but rather within the scope of the previously certified HE EIR pursuant to CEQA



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Guidelines Section 15168(c) and (d). As such, SAFER's objection is based on a flawed foundation and should be disregarded.

The Corbett Historic Analysis suffers from the same issue. It is based on the idea that circulation routes and spaces of rail and truck transportation should be added to the list of character defining features for the Los Angeles Union Warehouse Terminal District (the "District"). And, because the Project is proposed to be built on such character defining feature, the Project would impact the District and would materially affect its eligibility as a historic resource. The cornerstone of the argument is faulty. As set forth in the historic resources report prepared for the Project and included as Appendix D.3 to the HE Checklist ("ROW HRTR"), "[t]he east portion of the Site (facing S. Alameda Street and the location of the proposed new construction) was historically developed with railroad spur lines, storage/train sheds, and other ancillary structures (demolished in the 1980s, per aerial photographs). It currently holds two non-historic, paved surface parking lots....." As the transportation related attributes, including ancillary structures and tracks were removed in the 1980s and the area now consists of paved surface parking and no other features, there would be nothing to consider as a character defining feature in the Development Area where the Project is proposed to be constructed. Accordingly, the Project would not be built on a character defining feature, and as concluded in the HRTR, "the Project would not materially impair the significance of the District...would not demolish, destroy, relocate, or alter any of the contributing buildings in the District, and the District and its contributing buildings would retain all of their character-defining features and would continue to have sufficient integrity to convey their significance following completion of the Project."

Second, the City's CEQA determination is supported by substantial evidence on the record. Pursuant to CEQA Guidelines Section 15168(c), "whether a later activity is within the scope of a program EIR is a factual question that the lead agency determines based on substantial evidence in the record." Under the substantial evidence standard of review, which is highly deferential to the City's decision-making authority, a court must "presume the agency's findings are correct and resolve all conflicts and reasonable doubts in favor of the findings."¹ "[A]fter resolving all evidentiary conflicts in the agency's favor and indulging in all legitimate and reasonable inferences to uphold the agency's finding, [the court] must affirm that finding if there is any substantial evidence, contradicted or uncontradicted, to support it."²

Thus, if two or more inferences can reasonably be deduced from the evidence, a court "cannot substitute [its] deductions for those of the agency."³ In other words, where there are two conflicting expert opinions on a topic, an agency such as the City has the discretion to decide what expert it will rely on and a court cannot second guess that decision. So, even if the Corbett Historic Analysis was substantial evidence, which it is not, the City has the discretion to rely on its own expert report and staff analysis, which are in the record and provide valid substantial evidence in support of the City's use of the HE Checklist for the Project. As a result, SAFER's Appeal and Objections fail and should be rejected.

¹ Citizens for Positive Growth & Preservation v. City of Sacramento (2019) 43 Cal.App.5th 609, 629.

² Berkeley Hillside Preservation v. City of Berkeley (2015) 60 Cal.4th 1086, 1114.

³ Holden v. City of San Diego (2019) 43 Cal.App.5th 404, 410.



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To carry its burden under the substantial evidence test, SAFER must set forth “all of the evidence material to the City’s finding, then show that the evidence could not reasonably support the finding.”⁴ “Failure to do so is fatal” to SAFER’s Appeal and Objections.⁵ SAFER has comprehensively failed to carry its burden by failing to address the substantial evidence relied on by the City in utilizing the HE Checklist. The City’s decision is supported by substantial evidence, including multiple technical studies specific to the Project, as set forth in detail in the First Response Letter and this letter and no further analysis is required for CEQA compliance.

Lastly, as set forth in the First Response Letter, the HE Checklist is not even appealable to the City Council.

SAFER’s Appeal and Objections should be rejected in full.

Very truly yours,

A handwritten signature in black ink, appearing to read 'K. Casper', written over a horizontal line.

Kyndra Joy Casper

cc: Heather Bleemers (via email: heather.bleemers@lacity.org)
Esther Ahn (via email: esther.ahn@lacity.org)

⁴ California Native Plant Society v. City of Rancho Cordova (2009) 172 Cal.App.4th 603, 626.

⁵ Defend the Bay v. City of Irvine (2004) 119 Cal.App.4th 1261, 1266.