

I. Introduction

This Draft Environmental Impact Report (Draft EIR) has been prepared for the Project located at 1100 E. 5th Street and 506-530 S. Seaton Street (Project Site) in the City of Los Angeles (City). The Project Site consists of approximately 54,009 square feet (1.2 acres), and is bounded by industrial warehousing that has been converted to commercial, non-industrial uses to the north across 5th Street; a paved surface parking lot and Palmetto Street to the south; industrial warehousing, a surface parking lot, and Colyton Street to the east; commercial uses and industrial warehousing to the west across Seaton Street.

The Project would involve the demolition of the existing warehouses and surface parking lot, and the construction of an up to 249,758-square-foot mixed-use building including up to 220 live/work units, 22,725 square feet of open space for residents, up to 46,548 square feet of commercial uses, and associated parking facilities, resulting in a 4.75:1 FAR. Eleven percent of the units (25 live/work units) would be deed-restricted for Very Low Income households. The proposed building would be up to 116' – 0" to the top of the parapet (8 above-ground levels), plus three levels of subterranean parking. The Project has been designed to incorporate specific design standards the City has developed to address the Arts District's unique urban form and architectural characteristics.

The Project also proposes the ability to implement a Flexibility Option. The Flexibility Option would provide the Project the flexibility to replace a certain number of live-work units with an increased commercial square footage provided by the Project within the same building parameters (i.e., 249,758-square-foot, 116' – 0" tall building) with eight above-ground levels achieving a 4.75:1 FAR and a three-level subterranean parking structure) and, in turn, reduce the overall amount of live/work units from 220 live/work units to 200 live/work units. More specifically, under the Flexibility Option, 20 units plus 150 square feet of the total office space within the 27 live/work units on the third floor would be replaced with 17,765 square feet of commercial space for a total of 64,313 square feet of commercial space. The increased commercial space would consist of office and art production-related uses. The average live/work unit size would be approximately 792 square feet. The amount of open space provided under the Flexibility Option would remain the same as the Project without the Flexibility Option. Therefore, within the same building parameters (FAR, height, massing, etc), the Project proposes 220 live/work units and 46,548 square feet of commercial space, and the Flexibility Option proposes 200 live/work units and 64,313 square feet of commercial space. A detailed description of the Project is provided in **Section II, Project Description**, of this Draft EIR.

The Project will require certain discretionary approvals by the City and other governmental agencies. Therefore, the Project is subject to environmental review requirements under the

California Environmental Quality Act (CEQA).¹ The City of Los Angeles is the Lead Agency under CEQA for the Project.

1. Purpose of the Draft EIR

The purpose of this Draft EIR is to inform decision-makers and the general public of the potential environmental impacts resulting from the proposed development of the 1100 E. 5th Street Project (Project).

The City of Los Angeles (the City) is the Lead Agency under the CEQA that is responsible for preparing this Draft EIR. This Draft EIR has been prepared in conformance with CEQA (California Public Resources Code Section 21000 et seq.), and the State CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.). The City is responsible for processing and approving the Project pursuant to CEQA Section 21067. Before, deciding whether to approve or deny the Project, the City will consider the information in this Draft EIR, along with other information that may be presented during the CEQA process, including, without limitation, the Initial Study and the Final EIR. The EIR will be used in connection with all other permits and all other approvals necessary for the construction and operation of the Project.

As described in Section 15121(a) and 15362 of the *State CEQA Guidelines*,² an EIR is an informational document that informs public agency decision-makers and the public of any potential significant environmental effects of a project, identifies possible ways to minimize the significant effects, and describes reasonable alternatives to the project. Thus, the purpose of this Draft EIR is to focus the discussion on those potential environmental effects of the Project that the City, as the Lead Agency, has determined could be significant. In addition, where applicable, feasible mitigation measures are recommended that could reduce or avoid the significant environmental impacts of the Project.

This Draft EIR was prepared in accordance with Section 15151 of the *State CEQA Guidelines*, which defines the standards for EIR adequacy as follows:

An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts

¹ Public Resources Code Sections 21000-21177, website: <https://codes.findlaw.com/ca/public-resources-code/prc-sect-21000.html>, Accessed August 19, 2022.

² California Code of Regulations, Title 14, Chapter 3, Sections 15000-15387, website: <https://casetext.com/regulation/california-code-of-regulations/title-14-natural-resources/division-6-resources-agency/chapter-3-guidelines-for-implementation-of-the-california-environmental-quality-act>. Accessed August 19, 2022.

have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure.

This Draft EIR serves as the environmental document for all actions associated with the Project, analyzing the environmental effects of the Project to the degree of specificity appropriate to the actions by the Project, as required under Section 15146 of the *State CEQA Guidelines*. This is a “Project EIR” as defined by CEQA Guidelines Section 15161. Furthermore, this Draft EIR complies with CEQA Guidelines Section 15064, which addresses the significance determinations of the environmental effects caused by the Project. The analysis in this Draft EIR considers the actions associated with the Project to determine the short-term and long-term effects associated with their implementation. CEQA requires the preparation of an objective, full disclosure document to inform agency decision-makers and the general public of the direct and indirect environmental effects of the proposed action, including mitigation measures and reasonable alternatives that can reduce or eliminate any identified significant adverse effects. The analysis also includes approved, under construction, proposed, or reasonably foreseeable projects within the vicinity of the Project (see **Table III-1, List of Related Projects**) that could produce a cumulative impact on the local environment when considered in conjunction with the Project. The list of Related Projects is based on information provided by the Department of City Planning and City of Los Angeles Department of Transportation, and includes all projects identified within a 0.5-mile radius of the Project Site.

2. EIR Scoping Process

In compliance with the *State CEQA Guidelines*, the City has taken steps to provide opportunities for public participation in the environmental process. During the preparation of the Draft EIR, the City contacted various federal, State, regional, and local government agencies and other interested parties to inform the public of the Project and to solicit comments on the scope of environmental review. The City prepared an Initial Study and circulated a Notice of Preparation of a Draft Environmental Impact Report (NOP) for public comment to the State Clearinghouse, Office of Planning and Research, responsible agencies, and other interested parties on February 23, 2018, for a 30-day public review period. The Initial Study, NOP, and NOP comment letters are included in **Appendix A** of this Draft EIR. Attachment A, Project Description,³ of the Initial Study provides a detailed description of the Project, including its location and architectural renderings of the proposed 1100 E. 5th Street Project, and Attachment B, Explanation of Checklist Determinations, of the Initial Study evaluated each potential environmental effect of the Project in accordance with the Environmental Impact Questions included in Appendix G of the *State CEQA Guidelines*. A public Scoping Meeting was held on March 27, 2018.

The Initial Study concluded that the Project may result in potentially significant impacts associated with several environmental issues and therefore, would require further evaluation in an EIR. The Initial Study analysis is based on the Appendix G questions that were used by the City at the time the Project’s NOP was distributed in February of 2018. On December 28, 2018, the update approved to CEQA by the Governor’s Office of Planning and Research and the California Natural

³ At the time of NOP publication, the Project did not include a Flexibility Option.

Resources Agency was formally approved by the Office of Administrative Law. This update resulted in changes or additions to nearly 30 different sections of the *State CEQA Guidelines*, added two sections, and amended several appendices including Appendix G, which includes the Initial Study “checklist.” This Draft EIR incorporates the CEQA updates, as applicable, in the analysis of Project impacts. Based on the Initial Study, this Draft EIR includes analyses of the following environmental impact areas:

- Air Quality
- Cultural Resources (Historic, Archaeological, Paleontological)
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Population and Housing
- Public Services
- Transportation
- Tribal Cultural Resources
- Utility and Service Systems
- Energy Conservation
- Wildfire⁴

Based on the Initial Study, issues for which no significant impacts are anticipated as a result of Project implementation include aesthetics; agriculture and forestry; air quality (odors); biological resources; geology and soils (rupture of an earthquake fault line, landslides, erosion/loss of topsoil, and septic tanks); hazards (routine transport/use/disposal of hazardous materials, proximity to schools/airports/airstrips); hydrology and water quality (flooding and seiche/tsunami/mudflow); land use and planning (community division, and conflict with habitat/natural community conservation plans); mineral resources; noise (airport/airstrip); population and housing (displacement); transportation/traffic (air traffic patterns, and design features); and utilities/service systems (wastewater treatment). These environmental topics are

⁴ This resource category was added with the comprehensive CEQA update in December 2018, and thus, was added subsequent to the publication of the Project’s Initial Study (February 2018). Therefore, as the resource category could not be vetted out during the Initial Study analysis, it is analyzed in this Draft EIR.

discussed in Chapter V, Other CEQA Considerations, of this Draft EIR. See also the Initial Study in **Appendix A** of this Draft EIR.

a) **Notice of Preparation**

Pursuant to Section 15082 of the State CEQA Guidelines, the City circulated a NOP to the State Clearinghouse, Office of Planning and Research, responsible agencies, and other interested parties including owners and occupants of properties within a 500-foot radius of the Project Site boundaries on February 23, 2018 for a 30-day review period, which ended on March 27, 2018. The purpose of the NOP was to formally convey that the City was preparing a Draft EIR for the Project and to solicit comments from agencies and the public regarding the scope and content of the environmental information to be included in the Draft EIR. Comments received in response to the NOP and Scoping Meeting have been taken into consideration in the preparation of the Draft EIR. A copy of the NOP is provided in **Appendix A** of this Draft EIR.

b) **Public Scoping Meeting**

The Scoping Meeting was held on March 15, 2018, from 5:00 p.m. to 7:00 p.m. at the Art Share L.A., Theater Room (801 E. 4th Place) in Los Angeles. The meeting allowed interested individuals, groups, and public agencies an opportunity to provide written and oral comments to the Lead Agency regarding the scope and focus of the Draft EIR.

c) **Comments Received**

Two comment forms were received. Written comment letters and emails responding to the NOP were submitted to the City by State of California, Native American Heritage Commission, South Coast Air Quality Management District, City of Los Angeles Bureau of Sanitation Wastewater Engineering Services Division and other individuals/other interested parties. Public comments received during the NOP circulation period are provided in **Appendix A** of this Draft EIR and are summarized in the **Executive Summary**, Section 4, Areas of Controversy/Issues to be Resolved.

3. Format of the Draft EIR

This Draft EIR is organized into 10 sections as follows:

- **Executive Summary:** This portion of the Draft EIR provides an overview of the entire document in a concise, summarized format. It briefly describes the Project (location and key project features), the CEQA review process and focus, identifies effects found to be significant and unavoidable, identifies areas of controversy, provides a summary of the Project alternatives (descriptions and conclusions regarding comparative impacts), and provides a table summarizing Project impacts, Project Design Features and mitigation measures, and the level of impact significance following implementation of mitigation measures.
- **Section I, Introduction:** This section describes the purpose of the Draft EIR, including CEQA compliance requirements, steps undertaken to date regarding implementation of the CEQA process, and also summarizes the Draft EIR's organization and important comment period dates.

- Section II, Project Description: This section provides a complete detailed description of the Project including the Project location, objectives, characteristics, and anticipated public agency actions.
- Section III, Environmental Setting: This section provides an overview of the study area's environmental setting including a description of existing and surrounding land uses, and a list of the Related Projects in the Project area that form the basis of the cumulative impact analysis in Section IV.
- Section IV, Environmental Impact Analysis: This section is the primary focus of this Draft EIR. Each environmental issue area contains a discussion of existing conditions for the Project area, an assessment and discussion of the significance of impacts associated with the Project, an assessment of cumulative impacts, an identification of project design features and mitigation measures (where applicable), and a discussion of level of impact significance after mitigation.
- Section V, Other CEQA Considerations: This section provides a summary of significant and unavoidable impacts of the Project, reasons why the Project is being proposed, a discussion of potential growth inducing effects of the Project, significant irreversible environmental changes, potentially secondary effects of mitigation measures, and effects found not to be significant.
- Section VI, Alternatives to the Project: This section includes an assessment of a reasonable range of alternatives to the Project. The range of alternatives selected is based on their ability to feasibly attain most of the basic objectives of the Project and to avoid or substantially lessen any of the significant effects of the Project.
- Section VII, Preparers of the EIR and Persons Consulted: This section presents a list of City agencies and other agencies and consultant team members that contributed to the preparation of this Draft EIR.
- Section VIII, Acronyms and Abbreviations: This section provides definitions for all of the acronyms and abbreviations used in this Draft EIR.
- Section IX, References: This section provides a list of references used in this Draft EIR.

The environmental impact analyses in this Draft EIR are supported by the following technical appendices:

- Appendix A NOP, Initial Study, NOP Comments Received
 - Appendix A.1 Notice of Preparation
 - Appendix A.2 Initial Study
 - Appendix A.3 NOP Public Comments
- Appendix B Air Quality Calculations
- Appendix C Cultural Resources
 - Appendix C.1 Historic Resources Report

- Appendix C.2 Archaeological Assessment
- Appendix D Geology and Soils/Paleontological Resources
 - Appendix D.1 Geotechnical Report
 - Appendix D.2 Paleontological Assessment
- Appendix E Greenhouse Gas Calculations
- Appendix F Hazardous Materials Resources
 - Appendix F.1 Phase I Environmental Site Assessment
 - Appendix F.2 Methane Report
- Appendix G Water Resource Report
- Appendix H Land Use Tables
- Appendix I Noise Calculations
- Appendix J Population, Housing, and Employment Calculations
- Appendix K Services Agency Letters
- Appendix L Transportation and Traffic
 - Appendix L.1 Transportation Assessment Report
 - Appendix L.2 LADOT Traffic Study Assessment Letter
 - Appendix L.3 Traffic Alternatives Memo
 - Appendix L.4 Transportation Land Use Table
- Appendix M AB 52 Consultation Summary Report
- Appendix N Utilities and Service Systems
 - Appendix N.1 Water Infrastructure Technical Report
 - Appendix N.2 Wastewater Infrastructure Technical Report
- Appendix O Energy Calculations

4. Public Review of the Draft EIR

This Draft EIR will be circulated for review and comment by the public and other interested parties, agencies, and organizations for 45 calendar days. In compliance with the provision of Sections 15085(a) and 15087(a)(1) of the *State CEQA Guidelines*, the City, serving as the Lead Agency:

(1) published a Notice of Completion and Availability (NOCA) of a Draft EIR which indicated that the Draft EIR was available for review at the City's Planning Department (Environmental Analysis Section, 221 N. Figueroa Street, Room 1350, Los Angeles, CA 90012); (2) posted the NOCA and the Draft EIR on the City's website (<https://planning.lacity.org/development-services/eir>); (3) prepared and transmitted a Notice of Completion (NOC) to the State Clearinghouse; (4) sent a NOC to all property owners and occupants within 500 feet of the Project Site; and (5) sent a NOC to the last known name and address of all organizations and individuals who previously requested such notice in writing or attended public meetings about the Project. Proof of publication is available at the City. The public review period commenced on January 4, 2024 and will end on February 20, 2024 for a total of 48 days.

Any public agency or members of the public desiring to comment on the Draft EIR must submit their comments in writing, by U.S. mail and/or email, to the following address prior to the end of the public review period:

Mail: Kathleen King
City of Los Angeles
Department of City Planning
221 N. Figueroa Street, Suite 1350
Los Angeles, CA 90012

Email: Kathleen.king@lacity.org

Case Number: ENV-2016-3727-EIR

5. Final EIR

Upon the close of the public review period, the City will proceed to evaluate and prepare responses to all relevant oral and written comments received from public agencies and other interested parties during the public review period. The Final EIR will then be prepared. In compliance with Section 15132 of the State CEQA Guidelines, the Final EIR will consist of: (1) the Draft EIR or a possible revision of it; (2) comments received on the Draft EIR during the public circulation period; (3) a list of persons, organizations, and public agencies that commented; (4) City responses to significant environmental points raised in the review and consultation process; and (5) any other information added by the Lead Agency. Pursuant to Public Resources Code Section 21092.5 and State CEQA Guidelines Section 15088(b), the City shall provide a written response to a public agency on comments made by that public agency.