

II. Responses to Comments

A. Introduction

The CEQA review process provides opportunities for public participation, including periods for public review and comment on the adequacy of the Draft EIR prior to certification. Section 15088(a) of the CEQA Guidelines requires that the lead agency evaluate comments on environmental issues received from persons who reviewed the Draft EIR and prepare a written response to comments received during the comment period. Section 15204(a) of the CEQA Guidelines clarifies that the lead agency is not required to accept every suggestion it is given, provided that the lead agency explains why specific comments/suggestions were not accepted and responds to significant environmental issues with substantial evidence and makes a good faith effort at disclosure. Reviewers of the Draft EIR are encouraged to examine the sufficiency of the environmental document, particularly in regard to significant effects, and to suggest specific mitigation measures and project alternatives. Furthermore, Section 15204(c) of the CEQA Guidelines advises reviewers that comments should be accompanied by factual support.

Section II.B, Matrix of Comments Received on the Draft EIR, includes a table that summarizes the environmental issues raised by each commenter regarding the Draft EIR. The Department of City Planning received a total of two comment letters on the Draft EIR during the designated public review period (between January 4, 2024 and February 20, 2024). Each comment letter has been assigned a corresponding number, and comments within each comment letter are also numbered. The organizations/persons that provided written comments on the Draft EIR to the Department of City Planning are listed in the summary table below, which also indicates the issue areas on which each organization/person commented.

Section II.C, Comment Letters and Responses, provides detailed responses to all comments related to the environmental review and acknowledges comments and opinions relating to the support of or opposition to the Project. Copies of the original comment letters are provided in **Appendix FEIR-1** of this Final EIR.

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B. Matrix of Comments Received on the Draft EIR

Table II-1

Matrix of Comments Received on the Draft EIR

SUMMARY OF COMMENTS 1100 E. 5 th Street	Letter Number	Project Description	Impacts Less than Significant	Air Quality	Biological Resources	Cultural Resources	Geology and Soils	Greenhouse Emissions	Hazards and Hazardous Materials	Land Use and Planning	Noise	Population and Housing	Public Services	Transportation/Traffic	Tribal Cultural Resources	Utilities	Energy – CEQA Appendix F	Alternatives	Other	Explanation of “Other”
State Agencies and Departments																				
State of California Department of Transportation District 7 – Office of Regional Planning	1													•						
Organizations and Individuals																				
Lozeau Drury LLP Brian B. Flynn	2																	•		DEIR fails as an information document and fails to impose all feasible mitigation measures to reduce the Project's impacts.

II. Responses to Comments

C. Comment Letters and Responses

Comment Letter No. 1

State of California
Department of Transportation
District 7 – Office of Regional Planning
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Comment No. 1-1

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. The 1100 E. 5th Street Project proposes the demolition of three existing warehouse buildings and a surface parking lot, to allow for the construction of an eight-story, mixed-use building comprised of 220 live/work units of which 11 percent (25 units) would be deed-restricted for Very Low Income households, and up to 46,548 square feet of ground-floor commercial uses. The Project would include a total of 249,758 square feet of floor area, for a Floor Area Ratio (FAR) of 4.75:1, and a maximum building height of 116 feet to the top of the parapet. Vehicle parking would be provided within three subterranean parking levels.

The Project includes an increased commercial option that provides the flexibility to replace 20 live/work units with up to 64,313 square feet of commercial uses, with an increase of the commercial floor area by an additional 17,765 square feet. There would be no change to the proposed building envelope, residential open space, percentage of deed-restricted Very Low Income households, or the number of vehicle subterranean parking levels.

Response to Comment No. 1-1

The comment accurately describes the Project characteristics as an introduction to the comments on the Draft EIR that follow. As the comment does not raise any specific issues with respect to the content and adequacy of the Draft EIR, no further response is necessary.

Comment No. 1-2

The nearest State facility to the proposed project is Interstate 101. After reviewing the DEIR, Caltrans has the following comments:

The Project Site is located within a Transit Priority Area (TPA) and is currently served by many local lines and regional lines via stops within convenient walking distance along Alameda Street and Palmetto Street. The Project study area is located approximately 0.5 miles south of the Metro L Line (formerly Gold line) Little Tokyo/Arts District Station which is the closest transit station to

the Project Site. Three new transit stations will be developed in conjunction with the Metro Regional Connector.

Response to Comment No. 1-2

The comment identifies existing transit and pedestrian services and facilities in the Project area. While it is worth noting that the Metro Regional Connector is now complete, the comment does not raise any specific issues with respect to the content and adequacy of the Draft EIR, and no further response is necessary.

Comment No. 1-3

Caltrans acknowledges and supports infill development that helps California to meet its climate, transportation, and livability goals. However, due to the amount of car parking being built, 381 car parking spaces total, the 1100 E. 5th Street Project unnecessarily induces demand for vehicle trips. For California to achieve its goals, this demand should be addressed with appropriate design and management principles. Caltrans recommends the following:

- Reducing the amount of parking whenever possible. This project is not required to include parking due to AB 2097, but the resulting design suggests that the City should seriously consider adopting parking maximums. This project's location is an excellent candidate for reduced car parking due to its infill location and proximity to high-quality transit infrastructure. Research looking at the relationship between land-use, parking, and transportation indicates that the amount of car parking supplied can undermine a project's ability to encourage public transit and active modes of transportation.
- Rates of car ownership and vehicle miles traveled (VMT) are significantly lower for low-income households than they are for high-income households. Seeing as this project included deed-restricted very low-income affordable housing, this should be taken into serious consideration. There is sufficient justification to consider reducing the amount of parking required for affordable housing projects, like the one proposed, in order to promote affordability and achieve the project's goals.
- If the car parking must be built, the spaces should be fully unbundled from residential units to promote affordability and expand mode choice.

Response to Comment No. 1-3

As discussed **Section III, Environmental Setting** of the Draft EIR, on page III-2, the Project Site is located within a Transit Priority Area (TPA) as defined by Senate Bill (SB) 743. Therefore, parking for the Project shall not be considered a significant impact on the environment and is therefore not required to be addressed specifically in the Transportation Assessment Report for the 1100 East 5th Street Project (Traffic Study). The Traffic Study, including the required VMT analysis, is provided within **Appendix L.1** of the Draft EIR, and was prepared in accordance with the City of Los Angeles Department of Transportation's (LADOT's) July 2019 *CEQA Transportation Analysis Guidelines Update*. The Traffic Study utilized the City of Los Angeles VMT Calculator estimate the Project VMT considering multi-family residential, retail, restaurant, and office land uses. Parking, although ancillary to these land uses, is not considered a separate

land use in the VMT calculation process.¹ LADOT concurred with the findings of the September 2020 Traffic Study in an inter-departmental correspondence, which is provided in **Appendix L.2** of the Draft EIR, thus confirming that the Traffic Study satisfies both State and LADOT requirements for VMT analysis.

The commenter acknowledges and supports infill development that is located near transit service, that promotes active transportation, and livability goals. The commenter states that the rates of car ownership and vehicle miles traveled (VMT) are significantly lower for low-income households compared to high-income households and recommends reducing the amount of car parking to the smallest number of spaces possible, including implementing reduced parking due to AB 2097, which states that projects located within a half-mile of a major transit stop, such as the Project, are generally eligible for the automobile parking reduction. AB 2097 does not prohibit applicants from building on-site parking. Instead, it grants them the flexibility to determine the amount of parking to offer, rather than mandating adherence to a uniform requirement. To the extent that the following limits would otherwise apply, as described in **Section II, Project Description** of the Draft EIR, on page II-37, the Project complies with the City's Density Bonus Ordinance through the provision of affordable housing and is entitled to reduced residential parking requirements (Parking Option 1), which would require one on-site parking space for each proposed studio and one-bedroom unit and two on-site parking spaces for each proposed two- and three-bedroom units. Moreover, as the Project Site is located within the East Los Angeles State Enterprise Zone, the commercial parking ratio of two parking spaces per 1,000 square feet as permitted within the enterprise zone would apply. The Project is proposing parking supply below these limits in an amount the Applicant considers to be the minimum parking supply required to efficiently and effectively operate the Project. Furthermore, as described in **Section IV.K, Transportation** of the Draft EIR, on page IV.K-26, 30 percent of the Project's parking spaces would be electric-vehicle ready, and 10 percent of its parking spaces would provide chargers for electric vehicles within the parking structure on the Project Site, thereby reducing consumption of petroleum-based fuels. The Project is also proposing to implement a modified street classification, the Living Streets initiative, which is Green LA's effort to create safe streets for all uses through increased sidewalk widths, adding sidewalk bump-outs, landscaping, and street furniture, and narrowed travel lanes to slow vehicles. In addition, the Project would contribute to the City's policy to provide safe and convenient bicycle facilities by providing on-site short-term and long-term bicycle spaces. Additionally, given the location of the Project Site along and in close proximity to transit, including the Metro L Line (formerly Gold Line) Little Tokyo/Arts District Station located approximately 0.5 mile north, the Project would provide residents, visitors, patrons, and employees convenient access to transit services. In addition, parking associated with the residential component of the Project would be unbundled and separate from the rental of units within the Project. All of the above would serve to reduce automobile trips and associated parking demand.

Comment No. 1-4

Refer to EIA, Section K. Transportation, p. 28, it stated that the Project would provide 180 bicycle spaces. 17 short-term bicycle parking spaces for the commercial uses and 14 short-term spaces

¹ LADOT VMT Calculator User Guide Version 1.3. May 2020.

for the live/work uses would be located near the eastern perimeter on the ground floor of the Project. 129 long-term bicycle parking spaces for the commercial uses and 130 long-term bicycle parking spaces for live/work uses would be located within the first subterranean level of the parking garage. Please verify the number of bicycle spaces, as the numbers provided do not add up correctly.

Response to Comment No. 1-4

The commenter indicates that there is a typo in **Section K. Transportation** of the Draft EIR, in regard to the allocation of bicycle spaces proposed for the Project. The commenter is correct and the **Section K. Transportation** of the Draft EIR, has been revised.

The reader is referred to **Section III. Revisions, Clarifications, and Corrections to the Draft EIR**, of this Final EIR for the following revision:

- **Section IV.K. Transportation**, page IV.K-28, under (c) Los Angeles Municipal Code, revise the last sentence of the first paragraph as follows:

~~429~~ 19 long-term bicycle parking spaces for the commercial uses and 130 long-term bicycle parking spaces for live/work uses would be located within the first subterranean level of the parking garage.

Comment No. 1-5

As mentioned in the Environmental Impact Analysis (EIA), Section K. Transportation, the Project will implement the project design features (PDF) TR-1 and TR-2 to avoid or minimize adverse construction and operational related impacts.

PDF TR-1: Prior to the issuance of a building permit for the Project, a detailed Construction Staging and Traffic Management Plan (CSTMP) will be submitted to LADOT's Citywide Temporary Traffic Control Section or Permit Plan Review Section for review and approval prior to the start of any construction work. Project would support the City's policy to provide for safe passage of all modes of travel during construction by preparing a construction management plan that would identify the location of any temporary lane and sidewalk closures and provide for measures to maintain both directions of travel. Caltrans requests advance notification be provided to adjacent property owners and occupants, as well as nearby schools, of upcoming construction activities, including durations and daily hours of construction.

PDF TR-2: Transportation Demand Management Program. A preliminary TDM program will be prepared and provided for DOT review prior to the issuance of the first building permit for this project and a final TDM program approved by DOT is required prior to the issuance of the first certificate of occupancy for the Project.

Caltrans recommends a post-development VMT analysis (after one year of project operation) for monitoring/validation purposes and for future project thresholds in the area. Additional TDM mitigation measures should be implemented if the post-development VMT analysis discloses any significant VMT impacts.

Response to Comment No. 1-5

The comment does not state a concern specific to the adequacy or conclusions of the Draft EIR. However, for informational purposes the following response is provided.

The Project includes a VMT analysis consistent with the CEQA statute and Senate Bill 743 in **Section IV.K., Transportation**, of the Draft EIR, which determined the Project's VMT impacts would be less than significant. As discussed in **Section IV.K., Transportation**, of the Draft EIR, the Project includes a TDM program that would be implemented by the Project and which would reduce Project-generated VMT and greenhouse gas (GHG) emissions. The Project would locate residential and commercial uses in a developed area proximate to transit as well, which would help reduce GHG emissions and air quality pollutant emissions. Furthermore, the Project is consistent with the City's TDM Ordinance (LAMC Section 12.26 J). Therefore, no post-development VMT analysis is required by CEQA. Nonetheless, the commenter's recommendation of a post-development VMT analysis for monitoring purposes for future thresholds in the area will be forwarded to decision-makers for their review and consideration.

Comment No. 1-6

Finally, The Project area is located approximately 1 mile south, and approximately 1 mile west, of the US-101. Caltrans has the jurisdiction for review and approval of any work that would affect the freeways and its facilities. Any transportation of heavy construction equipment and/or materials which requires use of oversized-transport vehicles on State highways will require a Caltrans transportation permit. We recommend large size truck trips be limited to off-peak commute periods.

Response to Comment No. 1-6

The commenter states that transportation of heavy construction equipment and/or materials on State transportation facilities requires a permit from Caltrans and further recommends construction related traffic to be limited to off-peak hours. The Project would comply with Caltrans permit requirements regarding transportation of heavy construction equipment and/or materials. In addition, Project Design Feature **PDF TR-1 (Construction Staging and Traffic Management Plan)** includes a provision that construction related deliveries, haul trips, etc. shall be scheduled so as to occur outside commuter peak hours (Draft EIR, **Section IV.K, Transportation**, page IV.K-23). As the comment does not raise any specific issues with respect to the content and adequacy of the Draft EIR, no further response is necessary.

Comment Letter No. 2

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Comment No. 2-1

This comment is submitted on behalf of Supporters Alliance for Environmental Responsibility (“SAFER”) regarding the Draft Environmental Impact Report (“DEIR”) prepared for 1100 E. 5th Street Mixed Use (ENV-2016-3727-EIR; SCH# 2018021069), which proposes the construction of an eight-story mixed-use building comprised of 220 live/work units, up to 46,548 square feet of commercial uses, 22,725 square feet of open space, and three subterranean parking levels located at 1100 E. 5th Street and 506-530 S. Seaton Street in the City of Los Angeles. (“Project”).

Response to Comment No. 2-1

The comment accurately describes the Project characteristics as an introduction to the comments on the Draft EIR that follow. As the comment does not raise any specific issues with respect to the content and adequacy of the Draft EIR, no further response is necessary.

Comment No. 2-2

SAFER is concerned that the DEIR fails as an informational document and fails to impose all feasible mitigation measures to reduce the Project’s impacts. SAFER requests that the City of Los Angeles Planning Department address these shortcomings in a revised draft environmental impact report (“RDEIR”) and recirculate the RDEIR prior to considering approvals for the Project.

Response to Comment No. 2-2

The commenter states that the Draft EIR fails to impose all feasible mitigation measures to reduce the Project’s impacts and that the Draft EIR should be recirculated. This general comment does not include specific evidence to substantiate claims with respect to the adequacy or content of the Draft EIR. CEQA requires recirculation of a Draft EIR only when “significant new information” is added to a Draft EIR after public notice of the availability of the Draft EIR has occurred (see California Public Resources Code Section 21092.1 and CEQA Guidelines Section 15088.5), but before the EIR is certified. As no specific facts are alleged nor evidence submitted in this comment to support the contention that the Project fails as an informational document, no further response is required.

Comment No. 2-3

SAFER reserves the right to supplement these comments during the administrative process. *Galante Vineyards v. Monterey Peninsula Water Management Dist.*, 60 Cal. App. 4th 1109, 1121 (1997).

Response to Comment No. 2-3

This comment is a statement that SAFER reserves the right to supplement the above comments during the administrative process. It does not state any specific issue or substantial evidence regarding the adequacy of the Draft EIR. No further response is necessary.