

3. Response to Comments

This section of the Final Environmental Impact Report (FEIR) for The Market Place Rezone Project (Project) includes a copy of all comment letters that were submitted during the public review period for the DEIR, along with responses to comments in accordance with California Environmental Quality Act (CEQA) Guidelines Section 15088. The 45-day review period for the Draft Environmental Impact Report (DEIR) began on June 7, 2024, and ended on July 22, 2024. A total of four comment letters were received in response to the DEIR during the 45-day public review period, and one comment letter was received after the close of the public review period.

The responses amplify or clarify information provided in the DEIR and/or refer the reader to the appropriate place in the document where the requested information can be found. Comments that are not directly related to environmental issues (e.g., opinions on the merits of the Project unrelated to its environmental impacts) are noted for the record. Where text changes in the DEIR are warranted based on comments received, updated Project information, or other information provided by City staff, those changes are noted in the response to comment and the reader is directed to Chapter 2.0, *Errata*, of this FEIR.

These changes to the analysis contained in the DEIR represent only minor clarifications/amplifications and do not constitute significant new information. In accordance with CEQA Guidelines Section 15088.5, recirculation of the DEIR is not required.

All written comments on the DEIR are listed in Table 3-1. All comment letters received on the DEIR have been coded with a number to facilitate identification and tracking. The comment letters were reviewed and divided into individual comments, with each comment containing a single theme, issue, or concern. Individual comments and the responses to them were assigned corresponding numbers. To aid readers and commenters, electronically bracketed comment letters have been reproduced in this document with the corresponding responses provided immediately following each comment letter.

Table 3-1: Comments Received on the DEIR

Comment Letter	Commenter	Date
1	California Department of Transportation (Caltrans)	July 22, 2024
2	Orange County Transportation Authority (OCTA)	July 22, 2024
3	Vicki Tran	July 22, 2024
4	Ethan Kwong	July 22, 2024
5	City of Irvine	July 25, 2024

To finalize the EIR for the Project, the following responses were prepared to address comments that were received during the public review period.

Comment Letter 1: California Department of Transportation (Caltrans), dated July 22, 2024

CALIFORNIA STATE TRANSPORTATION AGENCY

GAVIN NEWSOM, GOVERNOR

California Department of Transportation

DISTRICT 12
1750 East 4th Street, Suite 100 | SANTA ANA, CA 92705
(657) 328-6000 | FAX (657) 328-6522 TTY 711
<https://dot.ca.gov/caltrans-near-me/district-12>



July 22, 2024

Samantha Beier
City of Tustin
300 Centennial Way
Tustin, CA 92780

File: LDR/CEQA
SCH#2024020969
LDR LOG #202402499
I-5

Dear Ms. Beier,

Thank you for including the California Department of Transportation (Caltrans) in the review of the Notice of Preparation of a Draft Environmental Impact Report for the Market Place project. The city is proposing to designate an 18-acre portion of the overall 76.9-acre Project site exclusively for residential development. The 18-acre site consists of seven parcels (full or partial APNs 500-291-06, -07, -11, -12, and -25 and 500-312-03 and -10), which are primarily used as surface parking lots.) This new High Density Residential designation would allow for the future development of up to 900 dwelling units on the Project site, consistent with the certified 2021-2029 Housing Element Update. The Project site is generally bounded by Myford Road to the northwest, Bryan Avenue to the northeast, Jamboree Road to the southeast and I-5 (Santa Ana Freeway) to the southwest.

1.1

The mission of Caltrans is to provide a safe and reliable transportation network that serves all people and respects the environment. Caltrans is a responsible agency on this project and has the following comments:

EIR Appendix D - VMT Analysis Methodology Comments:

1. Page 5 of Appendix D – VMT Analysis, it is stated that total population and employed population of the project was calculated using current household average occupancy in adjacent Traffic Analysis Zone (TAZ). Please include in the report the adjacent TAZ used in the TAZ 1126 calculation.
2. Page 5 of Appendix D – VMT Analysis, Please include the employment growth value in the report .
3. Page 5 of Appendix D – VMT Analysis, The OCTAM model was run base year and future year with and without project conditions. Please discuss why this is not included in Table 2 and show the data for base year and future year, with and without project conditions.

1.2

1.3

1.4

"Provide a safe and reliable transportation network that serves all people and respects the environment"

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4. Page 5 of Appendix D – VMT Analysis, the report states that it is infeasible to achieve a 15% VMT reduction below the citywide average for many areas in the city. The report states that by ensuring that land use development projects result in no net increase in VMT, a sustained reduction in city wide VMT and GHG emissions will occur, and the projects impact on VMT would be considered less than significant. Please explain what measures/strategies will be used to ensure there will be no net increase in VMT.

1.5

Traffic Impact Analysis Report Comments:

5. Page 6 – Please discuss why Walnut/Jamboree Intersection is not included in the analysis.
6. Page 15 and 16 – There are peak hour volumes where the approach volumes are 0 at an intersection, for Intersection. Please update the approach volumes and update the analysis to reflect on Table 3.2.
7. Page 17 – Discuss how traffic volumes were calculated and what growth factor was used to obtain 2030 volumes. Discuss why some volumes for 2030 were lower than existing volumes.
8. Page 18,26 - Intersection 6 has an unsatisfactory LOS and is in the proximity of Intersection 5 (SB I-5 on/off ramp). A discussion of potential mitigation measures is required for as the result of the proposed project,
9. Page 25 – Discuss how traffic volumes were calculated and what growth factor was used to obtain 2045 volumes. Discuss why some volumes for 2045 were lower than existing volumes.
10. The proposed project increases the capacity of allowable housing. With more residential units near commercial, there is opportunity to encourage multi-modal travel and reduce VMT. Short local car trips can potentially be replaced with walking and bicycling trips. Caltrans encourages the design of Complete Streets that include high-quality pedestrian and bicycle facilities that are safe and comfortable for users of all ages and abilities.
11. Consider complete street designs on streets surrounding the project area.
12. There are opportunities for connections to existing alternative modes of transportation near the project. These include the Tustin Metrolink Station, OCTA Bus Route 79, and Class II bike lanes on Bryan Avenue and Jamboree Road.

1.6

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- 13. Currently, there are no north-south OCTA bus routes connecting the Market Place. Consider coordinating with OCTA to expand bus service and include connections to the Tustin Metrolink Station, which is about 1.5 miles south. 1.6 cont.
- 14. To encourage alternative modes of transportation and reducing VMT, consider closing the bike lane facility gap on El Camino Real and the southern segments of Myford Road and Jamboree Road to connect the commercial and residential development.

Please consider the following recommendations from Caltrans March 18, 2024, letter:

- 15. Ensure that truck parking, ingress and egress, and staging will not interfere with vehicle parking, pedestrian paths, or bicycle lanes/bicycle parking. 1.7
- 16. Establish freight pick up & drop off times that do not coincide with peak commute hours to reduce passenger vehicle conflicts and congestion for freight. Consider designating on-street freight-only parking and delivery time windows so trucks will not resort to double parking, thus causing street traffic congestion. 1.8
- 17. For the multifamily residential units proposed, consider how many individual packages will be delivered daily to individual residences. Amazon lockers or an equivalent shared drop-off location can help reduce the amount of driving done by delivery trucks and can increase the efficiency of deliveries. 1.9
- 18. Work with local partners and community representatives to mitigate any truck traffic routing onto residential streets or conflicting with other road users, including and especially bicyclists and pedestrians. 1.10
- 19. In the event of any work performed within Caltrans right-of-way, an encroachment permit will be required prior to construction. Please submit all applications and associated documents/plans via online web portal base Caltrans Encroachment Permit System (CEPS) at <https://ceps.dot.ca.gov/> 1.11
- 20. Any work performed within Caltrans right of way (R/W) will require discretionary review and approval by Caltrans and an encroachment permit will be required for any work within the Caltrans R/W prior to construction. Prior to submitting to Caltrans Permit's branch, applicant should fill out Applicant's Checklist to Determine Applicable Review Process (QMAP List) Form TR-0416 to determine if project oversight/coordination with Caltrans Project Manager is needed. Applicant must submit a signed Standard Encroachment Permit application 1.12

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form TR-0100 along with a deposit payable to Caltrans. Deposit amount will be dependent on when the application is submitted. Public corporations are legally exempt from encroachment permit fees. Please note that all utility work should be disclosed prior to permit submittal, and utility companies are to apply for separate permits for their corresponding work.

1.12
cont.

Please continue to coordinate with Caltrans for any future developments that could potentially impact State transportation facilities. If you have any questions, please do not hesitate to contact Maryam Molavi, at Maryam.Molavi@dot.ca.gov.

1.13

Sincerely,



Scott Shelley
Branch Chief – Local Development Review/Climate Change/Transit
District 12

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Response to Comment Letter 1: California Department of Transportation (Caltrans), dated July 22, 2024

Response to Comment 1.1: This comment summarizes project understanding and provides an introduction to the comment letter. This comment is introductory in nature and does not raise a specific issue with the adequacy of the Draft EIR or raise any other CEQA issue. Therefore, no further response is required or provided.

Response to Comment 1.2: The commenter requests that DEIR Appendix D, VMT Analysis, be updated to include the adjacent TAZ number that was used in total population and employed population calculations for TAZ 1126.

The VMT Analysis Methodology section has been updated to include revised information regarding the household occupancy factors (see Appendix A). The total population (3.05 persons per household) and employed population (1.56 workers per household) of the Project TAZ was calculated using the OCTAM Base Year 2016 citywide average household occupancy for the City of Tustin. An anticipated Project employment growth of 28 employees (based on SCAG's SF/Employee factor of 475 urban restaurant SF/employee) was already accounted for by the OCTAM employment growth of 250 employees in TAZ 1126 from Base Year 2016 to Future Year 2045.

Based on OCTAM Base Year 2016 citywide average household occupancy for the City of Tustin and the 900 households proposed for future development by the Project, a population of 2,745 and an employed population of 1,404 was entered into TAZ 1126. The Model was run for the Base Year 2016 and Future Year 2045 without and with-project conditions (i.e. four full Model runs).

Response to Comment 1.3: The commenter requests that the DEIR Appendix D, VMT Analysis, be updated to include the employment growth factor used.

The VMT Analysis Methodology section has been updated to include information regarding the employment growth in the TAZ (see Appendix A). An anticipated Project employment growth of 28 employees (based on SCAG's SF/Employee factor of 475 urban restaurant SF/employee) was already accounted for by the OCTAM employment growth of 250 employees in TAZ 1126 from Base Year 2016 to Future Year 2045.

Response to Comment 1.4: The commenter requests that Table 2 of the DEIR Appendix D, VMT Analysis, be updated to include OCTAM data for base year and future year with and without project conditions. Alternatively, the commenter requests an explanation why this data was not included.

Per the City of Tustin *Vehicle Miles Traveled Analysis Guidelines*, March 2024, a significant transportation impact occurs if the project's homebased VMT per capita exceeds the OCTAM base model year citywide average VMT per capita for the City of Tustin. Therefore, the future year without project conditions data is not necessary for purposes of this study.

Response to Comment 1.5: The commenter summarizes analysis from DEIR Appendix D, VMT Analysis, that describes a 15 percent reduction in VMT as infeasible for several areas of the city, and further, so long as land use development projects result in no net increase in VMT, citywide VMT and greenhouse gas emissions (GHG) would be reduced. The commenter requests that the VMT Analysis explain what measures/strategies would be used to ensure there would be no net increase in VMT for future projects.

The statement "it is infeasible to achieve a 15% VMT reduction below the citywide average for many areas in the city" is a direct excerpt from the City of Tustin *Vehicle Miles Traveled Analysis Guidelines*, March 2024.

"Given that the City of Tustin is primarily located within a suburban setting, the amount of VMT reduction from an individual land use project is limited, and it is likely infeasible to achieve a 15% reduction below the citywide average for many areas in the City."

Measures/strategies in the form of mitigation, such as a monitoring program to ensure there will be no net increase in VMT, are not required by CEQA for projects that are identified to have a less than significant impact. A full VMT analysis was conducted for the Project. The results conclude that the Project-generated VMT per capita is below the City's significance threshold established through their VMT guidelines. Further, the addition of 900 units, and VMT study prepared to analyze such development, represents a maximum buildout. No development is proposed as part of the Project. Any future project that is developed within the maximum of 900 units would be consistent with the VMT analysis prepared and the findings that impacts would be less than significant. Any future project that exceeds the 900 dwelling unit-maximum would be required to prepare independent traffic and CEQA studies to analyze potential impacts. Therefore, the Project, and future projects developed in consistency with the project, would have a less than significant VMT impact.

Response to Comment 1.6: The commenter provides comments and questions related to the Traffic Impact Analysis Report (TIA) that was prepared for the Project. The TIA was provided to the Caltrans per their request submitted to the City of Tustin on March 18, 2024, in response to the Notice of Preparation they received for the Project.

The transportation analysis within the DEIR was prepared pursuant to SB 743, which requires that VMT thresholds be utilized for traffic analysis, and State CEQA Guidelines Section 15064.3 that states that a project's effect on automobile delay shall not constitute a significant environmental impact. As such, the TIA is not considered part of the DEIR or supporting CEQA documentation since it is an analysis of automobile delay. Further, the comments and questions provided by the commenter do not raise a specific issue with the adequacy of the Draft EIR or raise any other CEQA issue. However, the City will coordinate with Caltrans to address their concerns regarding the TIA and will continue to communicate with Caltrans as future development is proposed. Therefore, no further response is required or provided.

Response to Comment 1.7: The commenter recommends that the City to ensure proposed truck parking, circulation, and construction staging would not interfere with vehicle, bicycle, or pedestrian circulation and parking.

As noted by the commenter in their summary of project understanding, the Project being considered includes a General Plan Amendment (GPA) and a Specific Plan Amendment (SPA) to the East Tustin Specific Plan (ETSP) to accommodate potential future development of 900 dwelling units in consistency with the City's approved Housing Element. No actual development is proposed as part of this project. All future development projects would be required to undergo plan check review with the City and project-specific traffic studies would be required as determined appropriate by the City's traffic guidelines.

Further, while the Draft EIR analysis considers future buildout of the remaining 13,032 SF of nonresidential use currently allocated to the Project site by the City's General Plan, the Project does not propose an increase in allowed nonresidential uses, nor does the Project propose development of any nonresidential projects at this time. Future residential construction could require a temporary increase in truck traffic and staging; however, each project would be required to prepare a project-specific Stormwater Pollution Prevention Plan (SWPPP) in compliance with the Construction General Permit (CGP), which would include proposed construction staging areas and would be reviewed and approved by a City Engineer. Additionally, any required detour for pedestrian or bicycle paths would be outlined in a traffic control plan prepared pursuant to the City's *Standard Plans and Design Standards*. Therefore, the Project would not result in direct increase in truck traffic or staging. Future indirect truck traffic and staging would be coordinated on a project-by-project basis in the future. This comment does not raise a specific issue with the adequacy of the Draft EIR or raise any other CEQA issue. Therefore, no further response is required or provided.

Response to Comment 1.8: The commenter recommends that the City coordinate freight pickup and drop off times around peak commute times to reduce freight and vehicle conflicts. The commenter also suggests

that the City consider designated on-street freight-only parking and delivery windows to avoid truck double parking and traffic congestion.

As discussed above in Response to Comment 1.7, the Project would allow for future development of up to 900 dwelling units within the Project site. The Project does not propose development, therefore at this time it is too speculative to determine specific level of service patterns. All future development projects would be required to undergo plan check review with the City and project-specific traffic studies would be required as determined appropriate by the City's traffic guidelines.

Further, as discussed in Response to Comment 1.6, circulation and level of service are analyzed in the Project TIA, which is not part of the EIR. However, the City will continue to coordinate with Caltrans regarding their TIA comments and address any other level of service-related concerns. Therefore, this comment does not raise a specific issue with the adequacy of the Draft EIR or raise any other CEQA issue. No further response is required or provided.

Response to Comment 1.9: The commenter recommends the City determine how many individual packages will be delivered daily to individual residences and consider the implementation of Amazon lockers or drop-off locations to reduce the amount of delivery driving needed.

As discussed above in Response to Comment 1.8, the Project does not propose development, therefore at this time it is too speculative to determine specific level of service patterns. Project-specific traffic studies would be prepared as necessary for all future development pursuant to the requirements of the City traffic guidelines.

Further, as discussed in Response to Comment 1.6, circulation and level of service are analyzed in the Project TIA, which is not part of the EIR. However, the City will continue to coordinate with Caltrans regarding their TIA comments and address any other level of service-related concerns. Therefore, this comment does not raise a specific issue with the adequacy of the Draft EIR or raise any other CEQA issue. No further response is required or provided.

Response to Comment 1.10: The commenter recommends the City coordinate with local partners and community representatives to mitigate truck traffic on residential streets or other conflicts with road users, including bicyclists and pedestrians.

As discussed above in Response to Comment 1.8, the Project does not propose development, therefore at this time it is too speculative to determine specific level of service patterns. Project-specific traffic studies would be prepared as necessary for all future development pursuant to the requirements of the City traffic guidelines.

Further, as discussed in Response to Comment 1.6, circulation and level of service are analyzed in the Project TIA, which is not part of the EIR. However, the City will continue to coordinate with Caltrans regarding their TIA comments and address any other level of service-related concerns. Additionally, as discussed under Draft EIR Section 5.4, *Land Use*, future projects would be required to analyze, and incorporate as feasible, access to alternative modes of transportation and collaborate with applicable regional, state, and federal parties during the development process (see General Plan Circulation Element Policies 1.3, 1.10, 1.11, 6.2, and 6.14). Therefore, the Project would not result in conflict with road users and no further response is required or provided.

Response to Comment 1.11: The commenter notifies the City that any work performed within Caltrans right-of-way would require an encroachment permit prior to construction. The commenter provides the link to the Caltrans Encroachment Permit System.

As discussed above in Response to Comment 1.8, the Project does not propose development, therefore at this time it is too speculative to determine specific level of service patterns. Future development projects

would follow the appropriate Caltrans encroachment permit process as necessary. This comment has been noted for the record and no further response is required or provided.

Response to Comment 1.12: This comment states that any work performed within Caltrans right of way would require discretionary review and approval by Caltrans to obtain an encroachment permit prior to construction. The commenter notes that prior to initiating the encroachment permit process, the applicant should fill out the Applicant's Checklist to Determine Applicable Review Process (QMAP List) Form TR-0416 to determine if project oversight/coordination with Caltrans Project Manager is needed. The commenter provides additional encroachment permit application instructions.

As discussed above in Response to Comment 1.8, the Project does not propose development, therefore at this time it is too speculative to determine specific level of service patterns. Future development projects would follow the appropriate Caltrans encroachment permit process as necessary. This comment has been noted for the record and no further response is required or provided.

Response to Comment 1.13: The commenter requests that the City continues to coordination with Caltrans for any future developments that could potentially impact State transportation facilities and provides a contact. This comment is conclusory in nature and does not raise a specific issue with the adequacy of the Draft EIR or raise any other CEQA issue. Therefore, no further response is required or provided.

Comment Letter 2: Orange County Transportation Authority (OCTA), dated July 22, 2024



July 22, 2024

AFFILIATED AGENCIES

- Orange County Transit District
- Local Transportation Authority
- Service Authority for Freeway Emergencies
- Consolidated Transportation Service Agency
- Congestion Management Agency

Ms. Samantha Beier
 Senior Planner
 Community Development Department
 300 Centennial Way
 Tustin, CA 92780

Via email: HousingElementRezone@tustinca.org

Subject: Notice of Availability of a Draft Environmental Impact Report for the Market Place Rezone Project

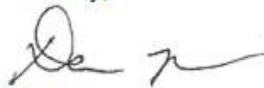
Dear Ms. Beier:

The Orange County Transportation Authority (OCTA) appreciates the opportunity to review the Notice of Availability of a Draft Environmental Impact Report (EIR) for the Market Place Rezone Project. OCTA has the following comments for your consideration: 2.1

- In the Draft EIR on page 4-9, in Section 4.5.9 Transportation, Existing Transit Service mentions that there is one bus stop at the intersection of Bryan Avenue and Myford Road. There are two stops at this intersection, one located at the southwest corner and one at the northwest corner. 2.2
- In Appendix D VMT Analysis on page 9, Figure 2, please include the sections of McFadden Avenue and Walnut Avenue as being served by Route 66, as shown in Attachment A. The short version of Route 66 serving the City of Tustin has peak weekday frequencies of 15 minutes. 2.3

We encourage open communication with OCTA on any matters discussed herein. Should you have any comments or questions, please contact me at (714) 560-5907 or at dphu@octa.net. 2.4

Sincerely,


 Dan Phu
 Manager, Environmental Programs

DP:tc

Attachments: Attachment A - Tustin HQTC Map

Orange County Transportation Authority
 550 South Main Street / P.O. Box 14184 / Orange / California 92863-1584 / (714) 560-OCTA (6282)

Response to Comment Letter 2: Orange County Transportation Authority (OCTA), dated July 22, 2024

Response to Comment 2.1: This comment provides an introduction to the comment letter. This comment is introductory in nature and does not raise a specific issue with the adequacy of the Draft EIR or raise any other CEQA issue. Therefore, no further response is required or provided.

Response to Comment 2.2: This comment states that DEIR Section 5.9, *Transportation*, specifically the discussion of *Existing Transit Service* (DEIR page 5.9-6) erroneously left an existing bus station at the intersection of Bryan Avenue and Myford Road out the environmental setting discussion. The discussion has been revised to include the additional bus stop as shown below and added under Section 2.0, *Errata*.

Section 5.9 Transportation, page 5.9-6

Public transit bus service for the City is provided by the Orange County Transportation Authority (OCTA). The Project site includes ~~a~~ **two** bus stops at the intersection of Bryan Avenue and Myford Road for Route 79, with bus service every 30 minutes. Route 79 (Larwin Square) provides service from Newport Transportation Center, along Culver Boulevard, to Bryan Avenue, finally terminating at the commercial center located at East 1ST Street and Newport Avenue (Larwin Square).

Response to Comment 2.3: This comment states that the Vehicle Miles Traveled (VMT) Analysis, included as Appendix D to the DEIR, references an outdated figure illustrating the High Quality Transit Corridors (HQTC) in the City of Tustin. The comment states that sections of McFadden Avenue and Walnut Avenue are served by Route 66 and the figure included in the VMT Analysis needs to be updated to reflect this.

The VMT Analysis was prepared using the *City of Tustin Vehicle Miles Traveled Analysis Guidelines* (VMT Guidelines), dated March 2024. While the City appreciates that OCTA identifies sections of McFadden Avenue and Walnut Avenue as a HQTC, the City's adopted guidelines are based on the Southern California Association of Government's (SCAG) definition and determination of HQTC's in the area. SCAG defines a HQTC as being within one half-mile of a well-served transit stop or a transit corridor with 15-minute or less service frequency during peak commute hours. The City's adopted 2024 VMT Guidelines were in effect at the time of the DEIR's preparation, and revisions to the Guidelines are not a part of the proposed Project; therefore, the City does not intend to revise the approved VMT Guidelines at this time and the description of HQTCs within Section 5.9, *Transportation*, is maintained. Regardless, City staff will continue to coordinate with OCTA on policy matters. This comment does not raise a specific issue with the adequacy of the Draft EIR or raise any other CEQA issue. Therefore, no further response is required or provided.

Response to Comment 2.4: This comment provides contact information for who to reach out to with any questions about the comment letter. The comment is conclusionary in nature and does not raise any specific concerns with the adequacy of the Draft EIR or raise any other specific CEQA issue. As substantiated by the responses above, none of the conditions arise which would require recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5. No revisions per this comment are required and no further response is required or provided.

Comment Letter 3: Vicki Tran, dated July 22, 2024

From: Vicki Tran <vickitran86@gmail.com>
Sent: Monday, July 22, 2024 9:27 AM
To: Housing Element Rezone
Subject: Tustin Housing Element Rezone - Resident Comment

Hello,

Although I am not part of an organization, I wanted to write as a nearby resident of the Tustin Marketplace (I live near Jamboree and Portola) that additional housing in this part of town is not welcomed.

Over the last 10 years, we have already experienced a crunch of residents with a fuller development of Orchard Hills homes. And, they have already approved more housing on the Irvine side of the Marketplace. Why would we want to add even more congestion to the area by adding additional homes to the Tustin Marketplace when there are plenty of other underdeveloped areas in Tustin like near the hanger or even on Newport? There are already plenty of homes; there's no need for hotels or apartments as there are no companies, just standard shopping areas!

3.1

Traffic is already terrible around the Jamboree freeway entrances and exits, so much so that there was already a debate on whether to add a gas station to the North Tustin Costco because of it.

Street construction to accommodate all this predicted extra incoming traffic doesn't help either. Making lanes smaller to also add room for bike lanes or additional lanes make no sense because cars have recently started to get bigger because of newer standards. We don't need more residents or cars, we need more space!

Thanks,
Vicki Shih

Response to Comment Letter 3: Vicki Tran, dated July 22, 2024

Response to Comment 3.1: This comment expresses concern about increasing traffic as a result of future residential uses as allowed by the proposed Project. The comment states that the area around The Market Place is already congested and does not need additional housing. This comment does not raise a specific issue with the adequacy of the Draft EIR or raise any other CEQA issue. Therefore, no further response is required or provided.

Comment Letter 4: Ethan Kwong, dated July 22, 2024

From: Ethan Kwong <ethanm.kwong@gmail.com>
Sent: Monday, July 22, 2024 1:27 AM
To: Housing Element Rezone
Subject: Commentary and Questions

Hi Tustin City Planners,

My name is Ethan Kwong and I am a high school student at Arnold O. Beckman High School. I have recently done a mini-documentary about zoning in OC and have strong opinions about this draft. Regarding the rezoning draft, I am in full support of rezoning the Tustin Legacy area, as much of it is not used currently and has potential to be a future urban spot of Tustin which could prop up the local economy.

4.1

While I do think mixed-use zoning is needed, I am not sure the marketplace is the right place for that. Firstly, an urbanist mixed-use area would need a multitude of transportation forms in order to make the community walkable. Currently, the bicycle infrastructure in the Tustin parts which surround the marketplace are neither bikable nor walkable, including the El Modena Tustin Channel which could be used as a bikeway, but is closed off. Secondly, though the bus passed through the area, stops are infrequent, making traveling by car the only sensible option. Then comes another issue: increasing traffic in the area. Critics on NextDoor argue that the marketplace has enough traffic, but I would also like to ask: does this really create a more urban neighborhood and is this only going to overcrowd the city? Back to my original point about there needing to be multiple forms of transportation for a successful urban mixed-use area, will this only contribute to an overpopulation in the area or actually make the city more livable? I know that many people in the area think low of urbanization due to the housing prices which would fall (many are homeowners), and increases in traffic. I think that this could be extremely successful, but only if improving current bicycle and transportation infrastructure to accommodate for such a large rezoning measure are done. Again, the legacy rezoning measures are good for that area, however the marketplace rezoning needs to be much more thorough and should be postponed until Tustin residents can bike and walk safely to the marketplace without crossing through bikeways or protected bike lanes. Additionally, the marketplace is generally a crowded place, and this would probably be a very unpopular place to promote rezoning.

4.2

Thank you for your time,
 Ethan Kwong
 Grade 12
 Arnold O. Beckman High School
 949-524-6105
ethanm.kwong@gmail.com

Response to Comment Letter 4: Ethan Kwong, dated July 22, 2024

Response to Comment 4.1: This comment provides an introduction to the comment letter. This comment is introductory in nature and does not raise a specific issue with the adequacy of the Draft EIR or raise any other CEQA issue. Therefore, no further response is required or provided.

Response to Comment Letter 4.2: This comment states that the Project site would require a multitude of transportation forms in order to make a walkable, mixed-use community possible. Additionally, the comment states that neighbors around the Project site have existing complaints about traffic, and the commenter argues the proposed Project would increase traffic. The commenter continues to state that the proposed rezoning of the Project site should be postponed until the residents of Tustin can utilize safe, multimodal transport to access the area. This comment does not raise a specific issue with the adequacy of the Draft EIR or raise any other CEQA issue. Therefore, no further response is required or provided.

Comment Letter 5: City of Irvine, dated July 25, 2024



Community Development

cityofirvine.org

City of Irvine, One Civic Center Plaza, P.O. Box 19575, Irvine, California 92623-9575 949-724-6000

July 25, 2024

Samantha Beier
Senior Planner
City of Tustin
300 Centennial Way
Tustin, CA 92780

Email: HousingElementRezone@tustinca.org

Subject: Notice of Availability (NOA) of a Draft Environmental Impact Report (EIR) in Compliance with Title 14 Section 15087(a) of the California Code of Regulations for the Marketplace Rezone Project

Samantha Beier:

The City of Irvine is in receipt of the NOA of a Draft EIR for the Marketplace Rezone Project in the City of Tustin. The City of Tustin is proposing to designate an 18-acre portion of the overall 76.9-acre project site exclusively for residential development. The City of Tustin is also proposing a General Plan Amendment to establish higher density residential within the PCCB land use designation through either a Housing Overlay district or a Specific Plan. This new designation would allow the future development of up to 900 dwelling units on the project site, consistent with the certified 2021-2029 Housing Element Update.

5.1

Staff has reviewed the project and has no comments. If you have any questions, please contact Senior Planner Justin Equina at jequina@cityofirvine.org or at 949-724-6364.

Thank you for the opportunity to review the project.

Sincerely,

A handwritten signature in black ink, appearing to read "Justin Equina".

Justin Equina
Senior Planner

Response to Comment Letter 5: City of Irvine, dated July 25, 2024

Response to Comment 5.1: This comment provides a brief summary of the Project description and states that the City of Irvine has reviewed the Project and has no comments. This comment does not raise a specific issue with the adequacy of the Draft EIR or raise any other CEQA issue. Therefore, no further response is required or provided. This comment is noted for the record.