



One Beverly Hills Overlay Specific Plan

Initial Study

prepared by

City of Beverly Hills

Planning Division, Department of Community Development

455 North Rexford Drive

Beverly Hills, California 90210

Contact: Masa Alkire, AICP, Principal Planner

prepared with the assistance of

Rincon Consultants, Inc.

250 East 1st Street, Suite 1400

Los Angeles, California 90012

September 2020

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RINCON CONSULTANTS, INC.

Environmental Scientists | Planners | Engineers

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Appendix

Appendix A – One Beverly Hills Shadow Studies

Initial Study

1. Project Title

One Beverly Hills Overlay Specific Plan

2. Lead Agency Name and Address

City of Beverly Hills
Planning Division, Department of Community Development
455 North Rexford Drive
Beverly Hills, California 90210

3. Contact Person

Masa Alkire, AICP, Principal Planner
malkire@beverlyhills.org
310-285-1135

4. Project Location

9850, 9876, 9900, and 9988 Wilshire Boulevard
Beverly Hills, California 90210

Assessor's Parcel Numbers (APNs): 4327-028-002 through -016

The 17.4-acre project site is located west of the intersection of Wilshire Boulevard and Santa Monica Boulevard at the western edge of the City of Beverly Hills. The project site is approximately seven miles west of the City of Los Angeles Civic Center and six miles northeast of the City of Santa Monica. Traveling along Santa Monica Boulevard, the project site is approximately 2.25 miles northeast of Interstate 405 (I-405). Figure 1 shows the project location on a regional scale.

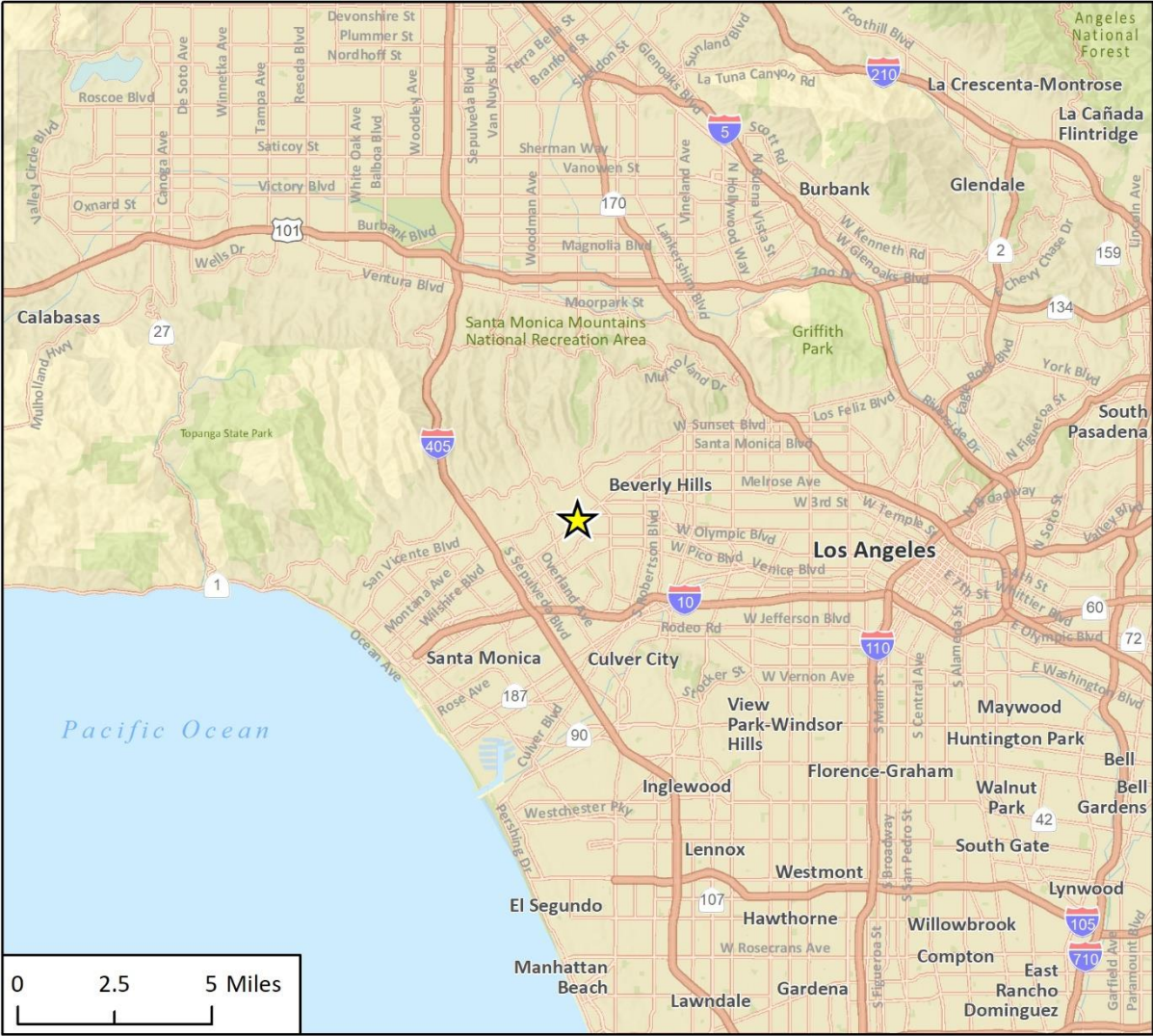
Approximately 54 percent of the project site is developed with existing structures and impervious surfaces, while 46 percent of the project site is graded and undeveloped. The project site currently contains existing hotels with related facilities (Beverly Hilton and Waldorf Astoria Beverly Hills) at 9850-9876 Wilshire Boulevard, a gas station with convenience store at 9988 Wilshire Boulevard, and a vacant, partially excavated property at 9900 Wilshire Boulevard. Merv Griffin Way, a four-lane, north-south, private access road that is, and historically has been, open to public use, traverses the project site. Figure 2 shows the project site on a local scale.

5. Project Sponsor's Name and Address

BH Luxury Residences, LLC
1800 Century Park East, Suite 500
Los Angeles, California 90067

Oasis West Realty, LLC
1800 Century Park East, Suite 500
Los Angeles, California 90067

Figure 1 Regional Location



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★ Project Location

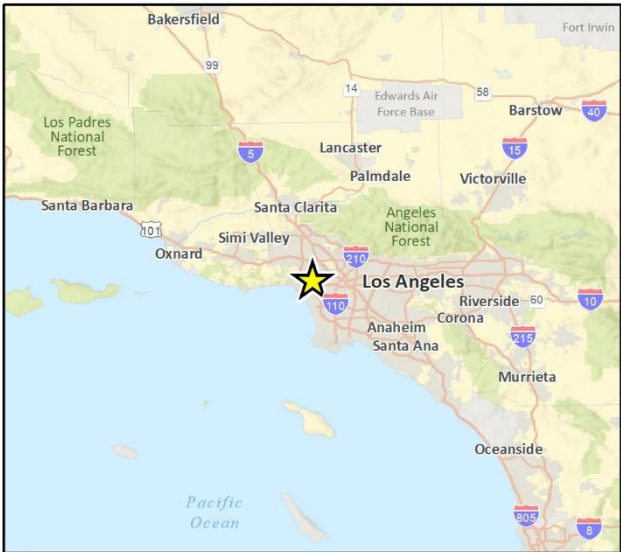


Fig. 1. Regional location

Figure 2 Project Location



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Fig. 2 Project Location

6. General Plan Designation

Current Designation

9850-9876 Wilshire Boulevard: Beverly Hilton Specific Plan
9900 Wilshire Boulevard: 9900 Wilshire Specific Plan
9988 Wilshire Boulevard: General Commercial, Low Density

Proposed Designation

A new general plan overlay designation, the “One Beverly Hills Specific Plan Overlay”, is proposed to be applied to the project site while retaining the existing underlying designations.

7. Zoning

Current Zoning

9850-9876 Wilshire Boulevard: Beverly Hilton Specific Plan
9900 Wilshire Boulevard: 9900 Wilshire Specific Plan
9988 Wilshire Boulevard: C-3 Commercial

Proposed Zoning

A new overlay zoning, the “One Beverly Hills Specific Plan Overlay” zoning designation, is proposed to be applied to the project site while retaining the existing underlying zoning designations.

8. Description of Project

The One Beverly Hills Overlay Specific Plan (herein referred to as “proposed project” or “project”) proposes to establish a new Overlay Specific Plan that would allow for the comprehensive and coordinated redevelopment of the project site. The Overlay Specific Plan would be a standalone planning document and would not affect or replace the two existing, previously approved Specific Plans that regulate a portion of the project site, or the current C-3 zoning on the gas station site. The Beverly Hilton Specific Plan was approved in 2008 and covers 9850-9876 Wilshire Boulevard, and the 9900 Wilshire Specific Plan was approved in 2008 and amended in 2016 and covers 9900 Wilshire Boulevard (collectively referred to as the “Existing Specific Plans”). Additionally, the project site includes the existing, currently closed gas station at 9988 Wilshire Boulevard, which is zoned C-3 commercial and is not included in the Existing Specific Plans. The currently proposed Overlay Specific Plan would overlay the three existing sites and, if enacted, regulate development of the project site upon collective approval of all property owners and lenders.

The proposed Overlay Specific Plan would regulate the future development of the project site. The applicant has proposed that the Floor Area Ratio (FAR)¹ and land uses within the Overlay Specific Plan area approximate the overall approved FAR and land uses authorized by the Existing Specific Plans, with the addition of allowable floor area assumed for the 9988 Wilshire site (identified in the project application as a ‘calculated entitlement’ of approximately 58,350 square feet [sf]). The

¹ Floor area ratio (FAR) is the measurement of a building’s floor area in relation to the size of the parcel on which the building is located. FAR is expressed as a decimal number and is derived by dividing the total area of the building by the total area of the parcel (building area ÷ parcel area).

proposed Overlay Specific Plan would redistribute the previously approved Existing Specific Plans floor areas and the ‘calculated entitlement’ floor area throughout the project site in a unified development plan and allow for increased building heights to provide approximately 10 acres of open space on the project site, including a publicly accessible botanical garden and a sculpture garden along Wilshire Boulevard.

Project Background – Existing Specific Plans

9900 Wilshire Specific Plan

The 9900 Wilshire Specific Plan applies to the portion of the project site located at 9900 Wilshire Boulevard, which is currently vacant and graded (see Figure 2). The City approved the 9900 Wilshire Specific Plan and certified its accompanying Environmental Impact Report (EIR) pursuant to the California Environmental Quality Act (CEQA) in 2008. In 2016, the City amended the 9900 Wilshire Specific Plan and certified a Supplemental EIR (SEIR) (“9900 Wilshire Specific Plan 2016 SEIR”). The 9900 Wilshire Specific Plan allows for the development of up to 193 condominium units and a 134-room luxury hotel in two buildings, along with an ancillary building for publicly accessible amenities including approximately 16,057 sf of hotel restaurant, 7,940 sf of meeting space, 14,435 sf of spa and fitness, and other guest amenities (City of Beverly Hills 2016).

Beverly Hilton Specific Plan

The City also adopted the Beverly Hilton Specific Plan and certified its accompanying EIR in 2008 (“Beverly Hilton Specific Plan 2008 EIR”), which apply to the portion of the project site located at 9850-9876 Wilshire Boulevard (Beverly Hilton Site) (see Figure 2). The Beverly Hilton Site currently contains the Beverly Hilton and the Waldorf Astoria Beverly Hills. The Beverly Hilton is a 569-room luxury hotel with approximately 14,600 sf of retail and restaurant space and 64,900 sf of banquet and meeting space. The Waldorf Astoria is a 170-room luxury hotel located on the east corner of the triangular Beverly Hilton Site, adjacent to the intersection of Santa Monica Boulevard North and Wilshire Boulevard. The Beverly Hilton site is being developed in phases under the Beverly Hilton Specific Plan. The Waldorf Astoria, which opened in 2017, was developed as the first phase of the Beverly Hilton Specific Plan. The Beverly Hilton Specific Plan also allows the development of 110 condominium units and includes a net reduction of 47 hotel rooms in comparison to conditions existing at the time the specific plan was adopted and the like-for-like demolition and reconstruction of approximately 51,600 sf of retail, restaurant, meeting, and office space.

Description of the Proposed Project

Implementation of the proposed Overlay Specific Plan would result in the development of two residential buildings, a hotel/residential building, some alterations to existing Beverly Hilton structures, a parking structure, and structures for supporting amenities and features. Approximately 10 acres of the project site would be open space. An elevated platform over Merv Griffin Way from the Beverly Hilton to the southwesterly property line would consist of an 8-acre botanical garden that would include native and cultured² California plant species, sculptures, water features, shaded seating areas, two miles of walking/running pathways, a restaurant, and other amenities. One mile of pathways within approximately 4.5 acres of the botanical gardens would be accessible to the public, and one mile of pathways within approximately 3.5 acres of the botanical gardens would be

² Cultured California plant species refers to drought-tolerant, non-invasive plants.

reserved for residents, the Amenities Access Program (AAP)³, and hotel guests. A conservancy would be established to manage, maintain, and coordinate educational programming for the gardens and board members would include residents of the proposed project, school and community representatives, and representatives of the hotels. The public portions of the botanical garden would be open from sunrise to sunset and security services would be provided through the conservancy or the homeowners association.

Primary access to the project site would be provided by a reconstructed Merv Griffin Way, which will include access points for the Beverly Hilton lobby entrance and the new below-ground parking structure. Merv Griffin Way would continue to function as a publicly accessible private road between Wilshire Boulevard and Santa Monica Boulevard. A new private road along the southwestern property line would provide access to the residential buildings, the new luxury hotel and residences building, and the below-ground parking structure. Figure 3 shows an illustrative version of the proposed site plan. Additional details of the proposed project are presented below.

Table 1 summarizes the characteristics of the proposed project. Table 2 presents the approved entitlements under the Existing Specific Plans and provides a comparison of the approved entitlements to those of the proposed Overlay Specific Plan. Table 3 summarizes the existing conditions of the project site and compares the existing conditions to those of the proposed entitlements.

³The AAP would allow 250 non-residents/non-hotel guests to access the residential and hotel amenity spaces subject to guidelines, bylaws, and rules established for the AAP.

Table 1 Characteristics of the Proposed Project

	Proposed Project Characteristics	
	On the Beverly Hilton Site	On the 9900 Wilshire Boulevard Site and Gas Station Site
Lot Area (sf)	389,597	368,467
Total Building Floor Area (sf)	Beverly Hilton Hotel (E): 350,789 Waldorf Astoria Hotel (E): 207,026 Conference Center (N): 37,562 Beverly Hilton Enhancement (N): 72,697	Santa Monica Residences (N): 499,806 Garden Residences (N): 424,266 Wilshire Building (N): 213,966 Promenade and Park Pavilion (N): 127,324 ²
Building Heights	Beverly Hilton Hotel (E): 79'-1" Waldorf Astoria Hotel (E): 124'-0" Conference Center (N): 31'-0" Beverly Hilton Enhancement (N): 19'-6"	Santa Monica Residences (N): 410'-0" Garden Residences (N): 369'-0" Wilshire Building (N): 124'-0" Park Pavilion (N): 20'-1" Promenade ³ (N): 5'-0"
Residential Use (units [sf])	0 [0]	340 [1,024,553]
Hotel Uses (rooms [sf])	558 [632,838]	42 [113,485]
Shared hotel/residential amenities ³ (sf)	0	117,232
Accessory Spaces (units [sf])	0 [0]	30 [10,092]
Retail (sf)	35,236	0
Parking Spaces		2,179 ^{4,5}
Private Open Space (sf) ¹		174,240 ⁴
Public Open Space (sf)		261,360 ⁴
Total Open Space area (sf)		435,600 ⁴

sf= square feet; (E)= existing; (N)= new

¹ Private open space would be reserved for hotel guests and residents.

² Accessory spaces located within the Promenade are accounted for in the square-footage reported below for "Accessory Spaces"

³ The Promenade is a shared hotel/residential amenity space that interconnects between the buildings and contains the Park Pavilion Building

⁴ Spans the three parcels of the project site

⁵ The project proposes 1,865 new parking spaces. In addition, there are a total of 314 existing parking spaces that would remain at the Waldorf Astoria Hotel.

Table 2 Comparison of Approved and Proposed Entitlements on the Project Site

	Currently Approved Entitlements ¹	Proposed Entitlements	Net Change (Proposed Entitlements – Currently Approved)
Residential Uses (units [sf])	303 [1,068,676]	340 [1,024,553]	+37 [-44,123]
Hotel Uses (units [sf])	656 [806,403]	600 [746,323]	-56 [-60,080]
Shared hotel/residential amenities ² (sf)	0	117,232	+117,232
Accessory Spaces (units [sf])	0 (0)	30 [10,092]	+30 [+10,092]
Retail Floor Area (sf)	58,357	35,236	-23,121
Total Floor Area Ratio	2.55 ³	2.55	0
Maximum Building Height	9900 Wilshire Boulevard Site: 185'-0" ⁴ Gas Station Site: 45'-0" ⁸ Beverly Hilton Site: 200'-0" ⁵	9900 Wilshire Boulevard Site: 410'-0" ⁶ Gas Station Site: 124'-0" ⁶ Beverly Hilton Site: 124'-0" ⁶	9900 Wilshire Boulevard Site: +236'-0" ⁷ Gas Station Site: +79'-0" Beverly Hilton Site: -60'-0" ⁷
Parking Spaces	3,323	2,179	-1,144

¹ Sources: City of Beverly Hills 2008a and 2016

² Shared amenity space includes the Promenade and a park pavilion building

³ The FAR used for the gas station site (9988 Wilshire Boulevard) is the 2.0 FAR allowable under C-3 zoning

⁴ Measured from +290 datum

⁵ Measured from +285 datum

⁶ Measured from +301 datum

⁷ Height difference measures physical difference (adjusted for datum difference)

⁸ Gas Station Site maximum height is the maximum height allowed under C-3 zoning

Table 3 Comparison of Existing Conditions and Proposed Entitlements on the Project Site

	Existing Conditions	Proposed Entitlements	Net Change (Proposed Entitlements – Currently Existing)
Residential Uses (units [sf])	0	340 [1,024,553]	+1,024,553
Hotel Uses (units [sf])	724,649	600 [746,323]	+21,674
Shared hotel/residential amenities ¹ (sf)	0	117,232	+117,232
Accessory Spaces (units [sf])	0 [0]	30 [10,092]	+30 [+10,092]
Retail Floor Area (sf)	0	35,236	+35,236
Gas Station Floor Area (sf)	3,521	0	-3,521
Total Floor Area Ratio	0.96	2.55	+1.59
Maximum Building Height	9900 Wilshire Boulevard Site: 0'-0" Gas Station Site: 21'-10" Beverly Hilton Site: 124'-0"	9900 Wilshire Boulevard Site: 410'-0" ² Beverly Hilton Site: 124'-0" ²	9900+ 9988 Wilshire Boulevard Site: +410'-0" Beverly Hilton Site: +0'-0"
Parking Spaces	1,239	2,179	+940

¹ Shared amenity space includes the Promenade and Park Pavilion Building.

² Measured from +301 datum

9900 Wilshire Boulevard Site and Gas Station Site (9988 Wilshire Boulevard)

The 9900 Wilshire Boulevard Site is a vacant, partially excavated property that is subject to the 9900 Wilshire Specific Plan (see above). The gas station site at 9988 Wilshire Boulevard currently contains a gas station with a convenience store and is subject to C-3 zoning and a low density commercial General Plan Designation; the gas station does not lie within the Existing Specific Plans. The gas station is currently closed and would be demolished as part of the construction phase of the proposed project. See Figure 2 for the locations of these sites on the project site and see Figure 4 for the proposed demolition plan associated with the proposed project.

A majority of the proposed project would occur on the 9900 and 9988 Wilshire Boulevard portion of the project site. On this portion of the project site, the proposed project would develop three new buildings, including two residential buildings and one mixed-use hotel and residential building. One proposed residential building (Garden Residences) would contain 141 residential units and the other proposed residential building (Santa Monica Residences) would contain 162 residential units. Garden Residences and Santa Monica Residences would be approximately 369 feet and 410 feet in height, respectively, and be located near the southwesterly project site boundary as shown in Figure 3. The taller of the two residential structures, Santa Monica Residences, would be located nearest to Century City in the project site's southwestern-most corner. Both residential buildings would have an oval footprint and be generally oriented in northeast-southwest direction so that the narrow elevation of the buildings face the existing single-family residential area north of the project

site. The proposed Wilshire Building would include a luxury 42-room hotel and 37 residential units and be located along Wilshire Boulevard near the project site's northwesterly corner. The Wilshire Building would be approximately 124 feet in height.

In addition to the proposed new buildings, a multi-level Promenade (including a below ground portion) would be constructed to provide connections between the Garden Residences, Santa Monica Residences, and Wilshire Building. The Promenade would also include various amenities for the project residents, 30 accessory spaces that could be used for various purposes (e.g., staff living quarters, rooms for offices, wine storage, or other ancillary storage), a spa, and support spaces. A three-level, below-grade parking structure would be added to the project site to provide parking for future residents, hotel guests and visitors, employees, and botanical garden visitors. The parking structure would be accessible from Santa Monica Boulevard and would accommodate approximately 1,865 parking spaces (Walker Consultants 2020). The parking structure would include designated areas for ride-sharing, electric vehicle charging, amenity areas, and support space including a centralized loading dock. Portions of the botanical gardens and walking paths would also be developed on the 9900 and 9988 Wilshire Boulevard Site.

Beverly Hilton Site (9850-9876 Wilshire Boulevard)

The Beverly Hilton Site is currently developed with two hotels (Beverly Hilton and Waldorf Astoria Beverly Hills), as described above.

The proposed project would include the following alterations to the existing Beverly Hilton structures:

- The existing Beverly Hilton conference center would be demolished and replaced with a proposed approximately 37,562-sf Beverly Hilton Conference Center that would include restaurants, retail, meeting space, and related support space.
- The existing 181-room Beverly Hilton's Oasis Building would be demolished.
- The existing Beverly Hilton parking structure adjacent to Santa Monica Boulevard would be demolished and replaced with approximately 35,236 sf of proposed commercial use, including a boutique food market, retail and dining uses (Beverly Hilton Enhancement), and 36 poolside hotel rooms adjacent to the Beverly Hilton pool and related support space.

The Beverly Hilton's Wilshire Tower would not be demolished or altered as part of the proposed project. Likewise, the existing Waldorf Astoria Beverly Hills, which provides 314 parking spots, would not be demolished or altered as part of the proposed project. Portions of the botanical garden and walking paths would also be added to the Beverly Hilton Site. Figure 4 illustrates the proposed demolition plan for the entire project site.

Sustainable Features

The proposed project would be designed to achieve a Leadership in Energy and Environmental Design⁴ (LEED) Gold rating and WELL⁵ Certification through environmentally-sensitive architecture and building systems. Specific sustainability features would include:

⁴ LEED is a widely used building sustainability rating system in which Gold is the second highest rating a building can receive for the green building features incorporated into the design (United States Green Business Council 2020).

⁵ WELL is a building certification focused on enhancing the health and wellbeing of building occupants through building design features and operational policies (WELL 2020).

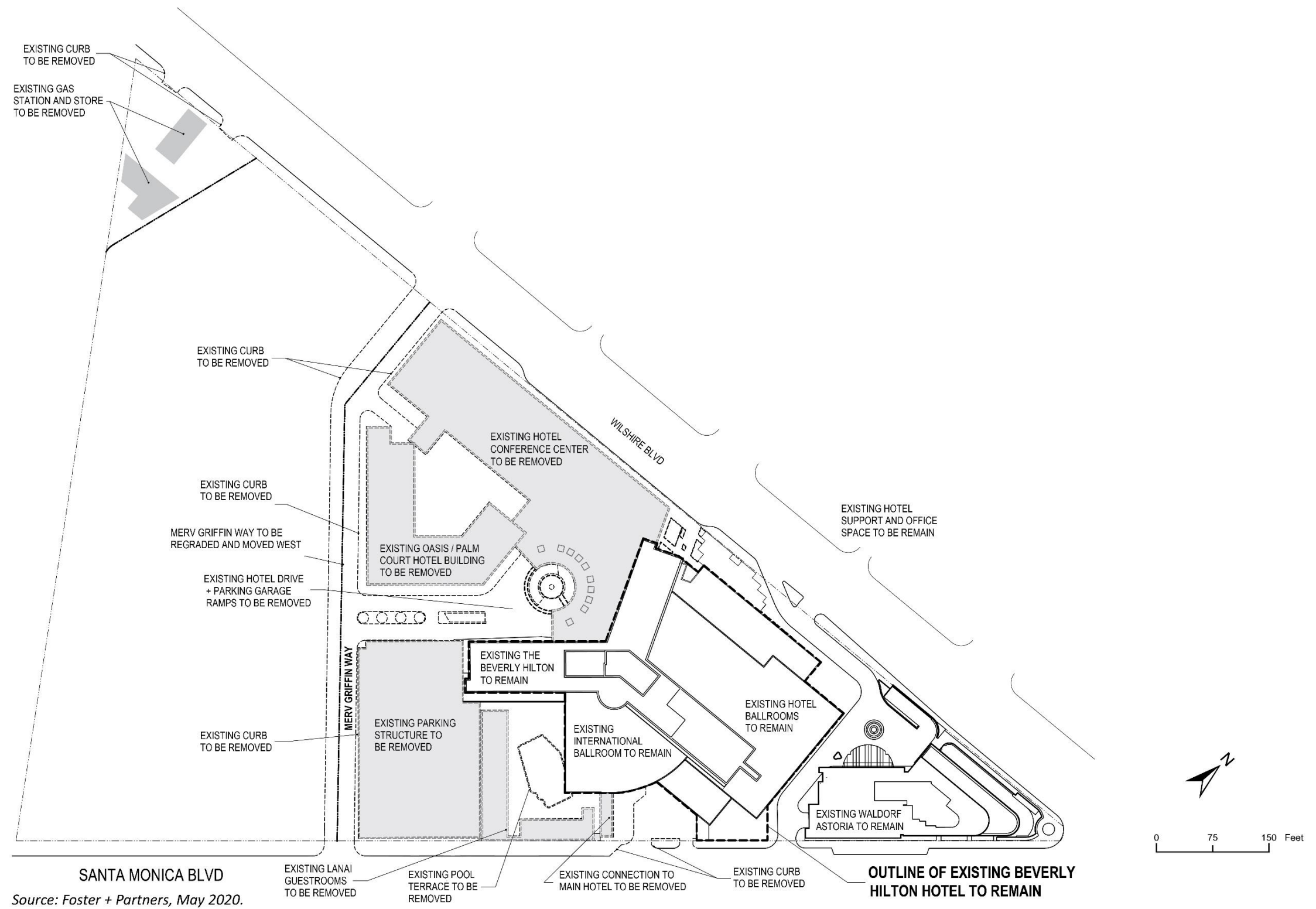
- Centralized mechanical, electrical, and plumbing (MEP) system, resulting in greater efficiency and minimal duplicity
- Low embodied carbon materials
- Rainwater management including collection, storage, filtration, distribution, and reuse to irrigate botanical gardens and landscaping
- Greywater collection, storage, treatment, and reuse to irrigate botanical gardens and landscaping
- Climate control irrigation
- Native and cultivated California landscape
- Minimize evaporation loss from water features and soil via landscape and structure shading
- Shading, natural ventilation, and thermal massing in façade design
- Energy-efficient heating, ventilation, and air conditioning (HVAC) systems
- Lighting and energy recovery
- Smart metering
- Green roofs on new buildings
- Electric vehicle (EV) parking
- Bicycle parking and storage
- Low toxicity materials

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Figure 3 Illustrative Site Plan



Figure 4 Proposed Demolition Plan



Project Construction Schedule

Construction of the proposed project is anticipated to commence in late 2021 and take approximately 50 months to complete. Occupancy/operation of the proposed project is expected to occur between 2026 and 2030.

9. Surrounding Land Uses and Setting

The project site is located near the western City limit and is bounded on the north by Wilshire Boulevard, on the south by Santa Monica Boulevard, on the east by the intersection of Wilshire and Santa Monica Boulevards, and on the west by the Los Angeles Country Club's golf course.

Surrounding land uses include the following:

- **North.** Located to the north of the project site, immediately across Wilshire Boulevard, is Beverly Gardens Park, a single-family residential neighborhood, and El Rodeo School, a Beverly Hills Unified School District school for kindergarten through eighth grade.
- **East.** The intersection of Wilshire and Santa Monica Boulevards borders the project site to the east. The City's "Business Triangle" with low-rise retail buildings and mid-rise office buildings and medical facilities, bounded by Wilshire Boulevard, Santa Monica Boulevard, and North Crescent Drive, lies east of this intersection. The Business Triangle contains retail, restaurants, offices, a post office, and medical facilities.
- **South.** Located to the south of the project site, immediately across Santa Monica Boulevard, are commercial uses and South Santa Monica Boulevard (State Route 2 [SR 2]). The commercial uses include surface parking lots, 1- and 2-story retail shops, restaurants, high-rise office buildings and The Peninsula Hotel.
- **West.** Directly west of the project site is the Los Angeles Country Club (a golf course), and the community of Century City in the City of Los Angeles farther to the west. Century City is characterized by a concentration of high-rise residential towers along the Santa Monica Boulevard corridor and office towers farther west and south.

10. Other Public Agencies Whose Approval is Required

None

11. Tribal Consultation

The City has initiated the tribal consultation process, as required under Public Resources Code (PRC) Section 21080.3.1 and consistent with Assembly Bill (AB) 52 and Senate Bill (SB) 18.

Senate Bill 18 of 2004

California Government Code Section 65352.3 (adopted pursuant to the requirements of SB 18) requires local governments to contact, refer plans to, and consult with tribal organizations prior to making a decision to adopt or amend a general or specific plan. The tribal organizations eligible to consult have traditional lands in a local government's jurisdiction, and are identified, upon request, by the Native American Heritage Commission (NAHC). As noted in the California Office of Planning and Research's Tribal Consultation Guidelines (2005), "The intent of SB 18 is to provide California

Native American tribes an opportunity to participate in local land use decisions at an early planning stage, for the purpose of protecting, or mitigating impacts to, cultural places.”

As required by SB 18, the Native American Heritage Commission (NAHC) was contacted to request a Sacred Lands File (SLF) search of the project site and a 0.25-mile radius surrounding it. The purpose of the SLF search is to identify lands or resources important to Native Americans and to assess the potential for project-related development to impact Native American resources. A request for a list of California Native American Tribes traditionally affiliated with the project area was submitted to the NAHC on July 24, 2020. On July 27, 2020, the NAHC provided the contact information for six tribes culturally affiliated with the project area: Soboba Band of Luiseño Indians, Gabrielino-Tongva Tribe, Gabrielino Tongva Indians of California Tribal Council, Gabrielino/Tongva Nation, Gabrieleño/Tongva San Gabriel Band of Mission Indians, and Gabrieleño Band of Mission Indians – Kizh Nation. On August 21, 2020 the City mailed a notification letter to the six tribes requesting consultation.

Assembly Bill 52 of 2014

California Assembly Bill 52 of 2014 (AB 52) went into effect in July 2015, expanding CEQA by defining a new resource category, “tribal cultural resources.” AB 52 establishes that “a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment” (PRC Section 21084.2). It further states that the lead agency shall establish measures to avoid impacts that would alter the significant characteristics of a tribal cultural resource, when feasible (PRC Section 21084.3). PRC Section 21074 (a)(1)(A) and (B) defines tribal cultural resources as “sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe” that are either:

- Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC Section 5020.1(k), or
- A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1. In applying the criteria set forth in subdivision (c) of PRC Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

In recognition of California Native American tribal sovereignty and the unique relationship of California local governments and public agencies with California Native American tribal governments, and respecting the interests and roles of project proponents, it is the intent of AB 52 to accomplish the following:

1. Recognize that California Native American prehistoric, historic, archaeological, cultural, and sacred places are essential elements in tribal cultural traditions, heritages, and identities.
2. Establish a category of resources in CEQA called “tribal cultural resources” that considers the tribal cultural values in addition to the scientific and archaeological values when determining impacts and mitigation.
3. Establish examples of mitigation measures for tribal cultural resources that uphold the existing mitigation preference for historical and archaeological resources of preservation in place, if feasible.
4. Recognize that California Native American tribes may have expertise with regard to their tribal history and practices, which concern the tribal cultural resources with which they are traditionally and culturally affiliated. Because CEQA calls for a sufficient degree of analysis, tribal

knowledge about the land and tribal cultural resources at issue should be included in environmental assessments for projects that may have a significant impact on those resources.

5. In recognition of their governmental status, establish a meaningful consultation process between California Native American tribal governments and lead agencies, respecting the interests and roles of all California Native American tribes and project proponents, and the level of required confidentiality concerning tribal cultural resources, at the earliest possible point in CEQA environmental review process, so that tribal cultural resources can be identified, and culturally appropriate mitigation and mitigation monitoring programs can be considered by the decision making body of the lead agency.
6. Recognize the unique history of California Native American tribes and uphold existing rights of all California Native American tribes to participate in, and contribute their knowledge to, the environmental review process pursuant to CEQA.
7. Ensure that local and tribal governments, public agencies, and project proponents have information available, early in the CEQA environmental review process, for purposes of identifying and addressing potential adverse impacts to tribal cultural resources and to reduce the potential for delay and conflicts in the environmental review process.
8. Enable California Native American tribes to manage and accept conveyances of, and act as caretakers of, tribal cultural resources.
9. Establish that a substantial adverse change to a tribal cultural resource has a significant effect on the environment.

AB 52 also establishes a formal consultation process for California tribes regarding tribal cultural resources. AB 52 requires that lead agencies “begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project.” Native American tribes to be included in the process are those that have requested notice of projects proposed within the jurisdiction of the lead agency.

On August 21, 2020, the City initiated the Native American consultation process under AB 52 by sending letters to the NAHC identified Native American groups and individuals (Soboba Band of Luiseño Indians, Gabrielino-Tongva Tribe, Gabrielino Tongva Indians of California Tribal Council, Gabrielino/Tongva Nation, Gabrieleño/Tongva San Gabriel Band of Mission Indians, and Gabrieleño Band of Mission Indians – Kizh Nation) in an effort to identify any tribal cultural resources within the project site and/or its vicinity and to address any potential impacts to tribal cultural resources resulting from project-related development.

A summary of the SB 18 and AB 52 consultation will be included in the SEIR.

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Environmental Factors Potentially Affected

This project would potentially affect the environmental factors checked below, involving at least one impact that is due to a “Substantial Change in Project That May Require Major EIR Revisions,” “Substantial Change in Circumstances That May Require Major EIR Revisions,” or “New Information Showing Potentially New or Greater Significant Effects than Previous EIR” as indicated by the checklist on the following pages.

- | | | |
|---|--|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input checked="" type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input type="checkbox"/> Geology/Soils | <input checked="" type="checkbox"/> Greenhouse Gas Emissions | <input checked="" type="checkbox"/> Hazards and Hazardous Materials |
| <input type="checkbox"/> Hydrology/Water Quality | <input checked="" type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources |
| <input checked="" type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing | <input checked="" type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input checked="" type="checkbox"/> Transportation | <input checked="" type="checkbox"/> Tribal Cultural Resources |
| <input checked="" type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Wildfire | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

Determination

Based on this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions to the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☒ I find that the proposed project MAY have a “potentially significant impact” or “less than significant with mitigation incorporated” impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. A SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

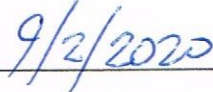
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potential significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Signature

Masa Alkire, AICP

Printed Name



Date

Principal Planner

Title

Environmental Checklist

The environmental analysis contained in this checklist assesses potential environmental impacts of the proposed project and compares the impacts of the currently proposed project to those previously analyzed in the environmental documentation for the Existing Specific Plans.

1 Aesthetics

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circum- stances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
--	---	--	--	--	-----------

Except as provided in Public Resources Code Section 21099, would the project:

- | | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a. Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circum- stances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
d. Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Existing Setting

The project site is located in an urban area immediately surrounded by one- and two-story commercial uses to the east and south across Santa Monica Boulevard, as well as one- and two-story single-family residences and a school (El Rodeo School) to the north across Wilshire Boulevard. Immediately to the west of the project site is the Los Angeles County Club golf course, and to the south of the project site's southern corner across Santa Monica Boulevard is a five-story commercial building and a 40-story residential building. The Beverly Hilton Site is developed with the Beverly Hilton, which currently includes the eight-story Wilshire Tower, the four-story Palm/Oasis Court Hotel, the 12-story Waldorf-Astoria, and ancillary hotel facilities. The 9900 Wilshire Boulevard Site is vacant, and the 9988 Wilshire Boulevard Site includes a gas station and convenience store.

Public Resources Code 21099(d)(1)

On January 1, 2014, Senate Bill (SB) 743 became effective, adding Section 21099 to the CEQA Statute in PRC Division 13 to streamline CEQA review for development projects located on urban infill sites within transit priority areas. PRC Division 13, Section 21099(d)(1) states, "Aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment." PRC Section 21099(d)(2)(A) states that this "does not affect, change, or modify the authority of a lead agency to consider aesthetic impacts pursuant to local design review ordinances or other discretionary powers provided by other laws or policies." In addition, PRC Section 21099(d)(2)(B) states that, "aesthetic impacts do not include impacts on historical or cultural resources" (e.g., impacts to historic viewsheds, which will be discussed in the SEIR under "Cultural Resources").

At the time of approval of the Beverly Hilton Specific Plan and certification of its EIR, SB 743 had not been enacted and was not in effect. As such, the Beverly Hilton Specific Plan 2008 EIR did not utilize this streamlining process. In addition, the 9900 Wilshire Specific Plan 2016 SEIR did not utilize this streamlining process. However, the proposed project would qualify for the streamlining process provided in PRC Section 21099(d)(1) based on the following criteria:

- The proposed project is located on an infill site, defined as a lot located within an urban area (i.e., the City of Beverly Hills) that has been previously developed (PRC Section 21099[a][4]). According to PRC Section 21071, although the City has a population of less than 100,000, the City of Beverly Hills qualifies as an urban area because the population of the City and two

contiguous incorporated cities (i.e., the City of Los Angeles and the City of West Hollywood) is at least 100,000 (California Department of Finance [CDOF] 2020).⁶

- The project site is located in a transit priority area, defined as an area within 0.5 mile of a major transit stop that is existing or planned (PRC Section 21099[a][7]). The definition of a major transit stop includes sites containing the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods (PRC Section 21064.3).⁷ The project site is immediately adjacent to the Wilshire Boulevard/Santa Monica Boulevard and Wilshire Boulevard/Whittier Drive bus stops that service several bus routes, including but not limited to LA Metro Lines 20 and 720, which run along Wilshire Boulevard, and Lines 4 and 704, which run along Santa Monica Boulevard. These bus routes have service intervals of 15 minutes or less during peak hours.

Therefore, the proposed project's aesthetic impacts are not considered significant due to the provisions of PRC Section 21099(d). Accordingly, the analysis of the proposed project's aesthetic impacts is provided for informational purposes only.

a. Would the project have a substantial adverse effect on a scenic vista?

The Beverly Hilton Specific Plan 2008 EIR (City of Beverly Hills 2008a) determined that the Beverly Hilton Specific Plan would have a significant and unavoidable impact due to the loss of one of three historically significant viewsheds of the Wilshire Tower from the intersection of Wilshire Boulevard and Santa Monica Boulevard. This historic viewshed of the Wilshire Tower was eliminated with the construction of the Waldorf-Astoria under the Beverly Hilton Specific Plan. The Beverly Hilton Specific Plan 2008 EIR also states that the Residences A building under the Beverly Hilton Specific Plan would obstruct existing uninterrupted panoramic west-facing views from the Wilshire Tower. This view obstruction would only affect on-site uses, specifically hotel guests. The Beverly Hilton Specific Plan 2008 EIR concludes that this impact would be significant with no feasible mitigation measures to reduce its significance. The original 9900 Wilshire Specific Plan 2008 EIR also found that the 2008 9900 Wilshire Specific Plan would adversely affect panoramic west-facing views from guestrooms in the Beverly Hilton Hotel's Wilshire Tower. Project impacts to historic viewsheds are not exempt pursuant to 21099(d) and, therefore, will be studied further in the SEIR, under "Cultural Resources."

With respect to non-historic scenic vistas, the Beverly Hilton Specific Plan 2008 EIR determined that no other valued views would be significantly obstructed or interrupted (City of Beverly Hills 2008a). The 9900 Wilshire Specific Plan 2016 SEIR (City of Beverly Hills 2016) states that the 9900 Wilshire Specific Plan would result in no new impacts to scenic views and vistas beyond those identified in the original 9900 Wilshire Specific Plan 2008 EIR, which concluded that significant and unavoidable impacts to scenic views and vistas would occur due to the increased development density and building heights on the project site.

Although the proposed project's aesthetic impacts are not considered significant due to the provisions of PRC Section 21099(d), the following discussion considers the project's impact to four public viewsheds of the project site and is provided for informational purposes only. Figure 5 shows the location of these viewsheds, and existing views plus conceptual simulations of the proposed

⁶ The population of the City of Beverly Hills is approximately 33,775. The combined population of the cities of Beverly Hills, West Hollywood, and Los Angeles is approximately 4,080,662 (CDOF 2020).

⁷ The morning peak commute period is generally from 7:00 a.m. to 9:00 a.m., and the afternoon peak commute period is generally from 4:00 p.m. to 6:00 p.m.

project from the four public viewsheds are shown in Figure 6 through Figure 9. Each public vantage point is discussed below.

Viewshed A (9900 Wilshire Boulevard)

As shown in Figure 6, the vantage point associated with Viewshed A is north of Wilshire Boulevard near the Beverly Hills-Los Angeles city boundary and adjacent to the northwest corner of the project site. The Wilshire Tower is visible in the distance and grows more prominent as motorists travel east on Wilshire Boulevard towards the project site. The Union 76 service station is visible in front of the Beverly Hilton, and the Waldorf-Astoria, constructed as part of the Beverly Hilton Specific Plan, is visible behind the Wilshire Tower.

The proposed project would replace the existing gas station with the 124-foot tall Wilshire Building as the prominent feature in this viewshed. The proposed Garden Residences and Santa Monica Residences would also be visible from this vantage point. The Wilshire Building would be similar in height to development allowed under the Existing Specific Plans, but would shift building massing closer to Wilshire Boulevard in the northeast corner of the project site, in comparison to buildings approved under the Existing Specific Plans. Although building heights under the proposed project would be greater than those allowed under the Existing Specific Plans and building massing would be more prominent in foreground views, no valued focal or panoramic views would be obstructed from this vantage point by the proposed project. Therefore, the proposed project would not result in new or more severe impacts to Viewshed A beyond those identified in the Beverly Hilton Specific Plan 2008 EIR and 9900 Wilshire Specific Plan 2016 SEIR (hereafter referred to collectively as “previous environmental documentation”).

Viewshed B (Wilshire Boulevard and Santa Monica Boulevard)

As shown in Figure 7, Viewshed B encompasses the view from a vantage point near the intersection of Wilshire Boulevard and Santa Monica Boulevard, near the northeast corner of the project site. This viewshed is currently dominated by the Waldorf-Astoria in the foreground. The proposed Garden Residences, Santa Monica Residences, and Wilshire Building would be visible from this vantage point in the background of the Waldorf-Astoria and Wilshire Tower. Although building heights under the proposed project would be greater than those allowed under the Existing Specific Plans, no valued focal or panoramic views would be obstructed from this vantage point by the proposed project. Therefore, the proposed project would not result in new or more severe impacts to Viewshed B beyond those identified in the previous environmental documentation.

Viewshed C (Santa Monica Boulevard Split)

Figure 8 shows the view from Viewshed C, which is located at the Santa Monica Boulevard split near the southwest corner of the project site. The foreground is currently dominated by street trees along Santa Monica Boulevard with distant views of the Waldorf-Astoria. Under the proposed project, the Santa Monica Residences and Garden Residences would be the predominant features in this viewshed and would be greater in height than development allowed under the Existing Specific Plans. Although building heights under the proposed project would be greater than those allowed under the Existing Specific Plans, no valued focal or panoramic views would be obstructed from this vantage point by the proposed project. Therefore, the proposed project would not result in new or more severe impacts to Viewshed C beyond those identified in the previous environmental documentation.

Viewshed D (Charleville Boulevard and Durant Drive)

Figure 9 shows the existing view from Viewshed D, which is located at the intersection of Charleville Boulevard and Durant Drive. The foreground is currently dominated by existing low-rise residential development. The Ten Thousand, a 40-story residential building located at 10000 Santa Monica Boulevard, is visible in the distance. Under the proposed project, the Santa Monica Residences and Garden Residences would be visible in the background and would appear similar in scale to Ten Thousand. Although building heights under the proposed project would be greater than those allowed under the Existing Specific Plans, no valued focal or panoramic views would be obstructed from this vantage point by the proposed project. Therefore, the proposed project would not result in new or more severe impacts to Viewshed D beyond those identified in the previous environmental documentation.

Summary

With respect to non-historic scenic vistas, although the proposed project would result in an increase in overall building height on the project site and would shift residential building massing to the west as compared to the Existing Specific Plans, the project would not result in new or more severe impacts to valued focal or panoramic views beyond those identified in the previous environmental documentation. The proposed Garden Residence and Santa Monica Residences would obstruct more views of the sky from the surrounding areas as compared to the shorter development allowed under the Existing Specific Plans. However, the increased obstruction of a portion of the sky would be incremental, compared to the overall viewshed, and the sky is not considered a scenic resource.

The proposed project would have less than significant impacts to scenic vistas, and in any event, PRC Section 21099(d) precludes the City from finding that the proposed project would have a significant impact to scenic vistas. Therefore, the proposed project would not result in new or more severe impacts to scenic vistas beyond those identified in the previous environmental documentation. Further analysis of this issue is not warranted. Project impacts to historic viewsheds are not exempt pursuant to 21099(d) and, therefore, will be studied further in the SEIR, under "Cultural Resources."

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

Figure 5 Viewshed Location Map

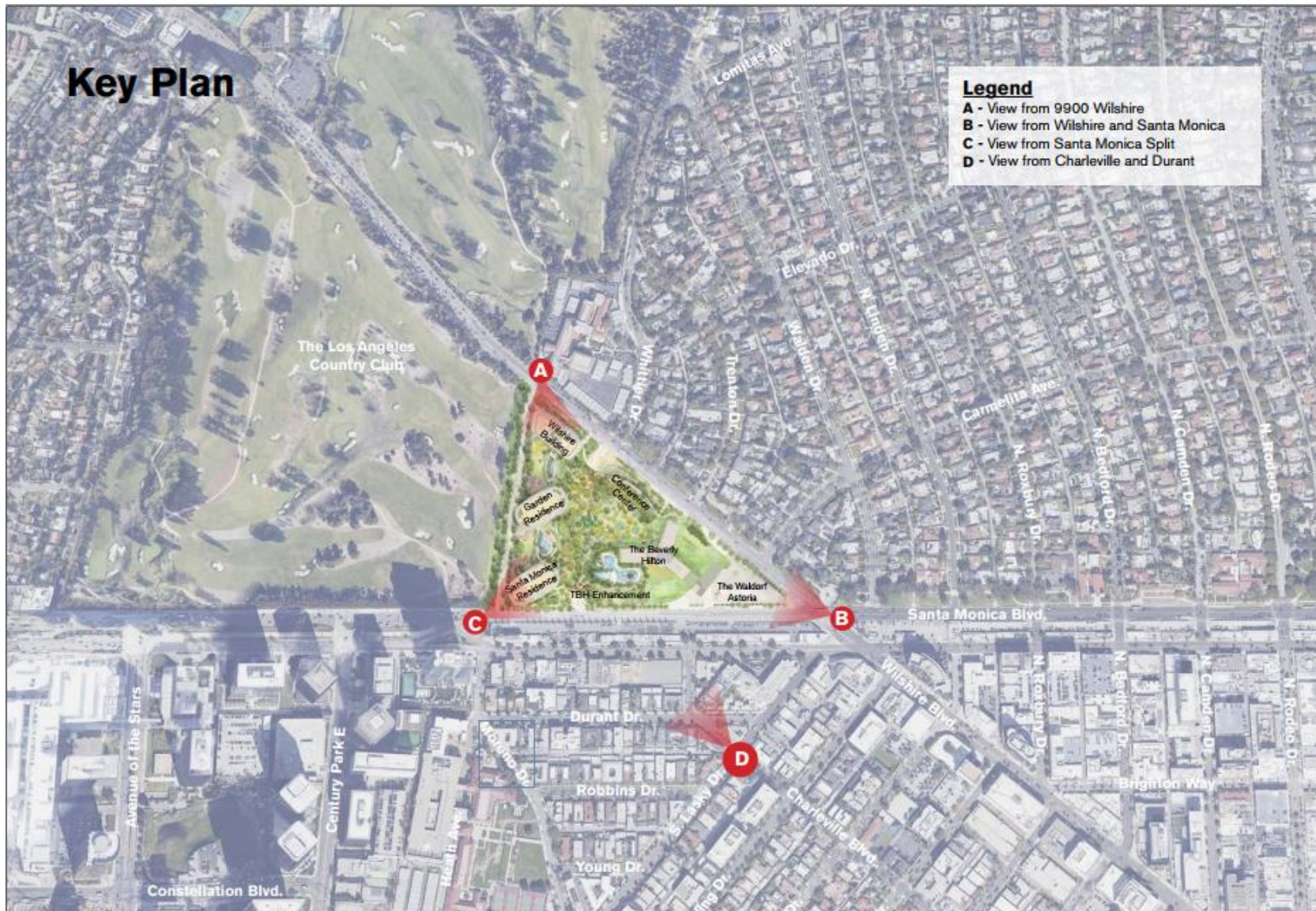


Figure 6 Viewshed A: 9900 Wilshire Boulevard



Existing View



Proposed Project View

Source: Gensler August 2020. Note looking south into project site.

Figure 7 Viewshed B: Wilshire Boulevard and Santa Monica Boulevard



Existing View



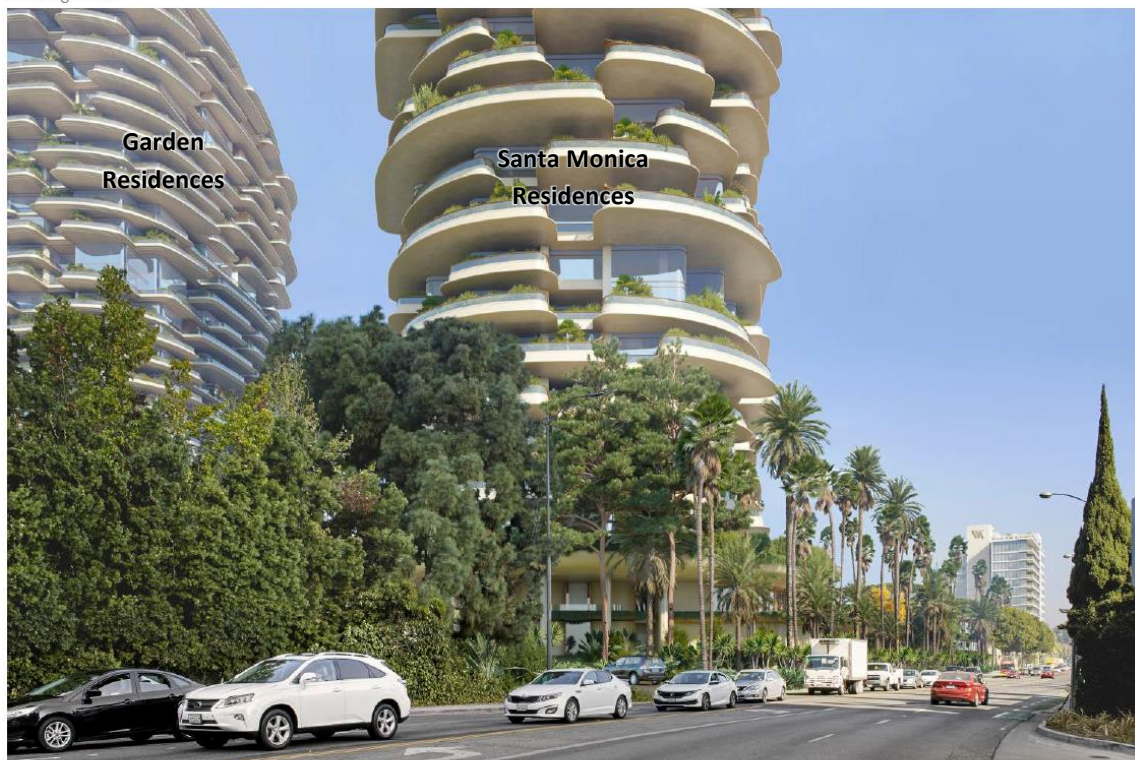
Proposed Project View

Source: Gensler, August 2020. Note looking west towards project site.

Figure 8 Viewshed C: Santa Monica Boulevard Split



Existing View



Proposed Project View

Source: Gensler, August 2020. Note looking northeast towards project site.

Figure 9 Viewshed D: View from Charleville Boulevard and Durant Drive



Existing View



Proposed View

Source: Gensler, August 2020. Note looking northwest towards project site.

- b. *Would the project substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

The project site is developed and located within an urban setting. As discussed in the previous environmental documentation, there would be no impact to scenic resources, noting the absence of state-designated scenic highways within or adjacent to the project site (California Department of Transportation n.d.; City of Beverly Hills 2008a, 2010, and 2016). The project site is only briefly visible from the scenic segment of Wilshire Boulevard⁸ because of its angle relative to the project site and intervening development. Although the proposed project would involve a site plan with building heights up to 410 feet, compared to the Existing Specific Plans (with heights up to 200 feet, measured from a datum of 285 feet), the project would not damage trees, rock outcroppings, or historic buildings within view of a state scenic highway as there are no state designated scenic highways in the vicinity of the project site. Because the project site is not located along a state scenic highway and would not damage scenic resources within view of a state scenic highway, no impact would occur. Further analysis of this issue is not warranted.

NO IMPACT

- c. *Would the project, in non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?*

Under the Existing Specific Plans, allowed development ranges in height from 17 to 200 feet. The Beverly Hilton Specific Plan 2008 EIR concludes that, although allowed development would alter the visual character of the project site and surroundings primarily by increasing the intensity of development on the project site with residential buildings along Santa Monica Boulevard North and Wilshire Boulevard, impacts to visual character and quality would be less than significant because the Residences A building was shorter in height than the Wilshire Tower and allowed development included building setbacks and open space along Wilshire Boulevard and Merv Griffin Way that provided a better visual transition between surrounding land uses (City of Beverly Hills 2008a). The 9900 Wilshire Specific Plan 2016 SEIR states that significant and unavoidable impacts to visual character would occur due to the proposed change in character of the 9900 Wilshire Boulevard site to residential and commercial land uses as well as increasing development density and building heights on this portion of the site.

The proposed project would increase the allowed height on the project site to 410 feet. Increased development intensity and building heights under the proposed project would not conflict with Objective 3, Areas of Transitional Conflict, and Objective 4, Scale of the City, of the Land Use Element of the City's 1977 General Plan because the project would be consistent with and implement the provisions of Section 2.2 of the Land Use Element, as amended in conjunction with the 2008 Wilshire Specific Plan (City of Beverly Hills 2008a). Section 2.2 of the amended 1977 General Plan designates anchor locations that serve as gateway locations to be appropriate for higher-intensity development and greater building heights. In 2010, the City updated the General Plan, including the Land Use Element. The current (2010) General Plan continues to designate the project site as the "Beverly Hilton Specific Plan," "9900 Wilshire Specific Plan," and low-density general commercial. The Land Use Element sets goals for maintaining the existing scale, character,

⁸ This segment of Wilshire Boulevard is considered scenic due to the landscaped parkways and street trees.

built form, and aesthetic qualities of the city (Policies LU 1.1 and 2.1); requiring high-quality architecture that complements existing development (Policy LU 2.4); allowing renovations of historic sites and buildings provided that new construction contextually fits and complements the site or building (Policy LU 2.6); assuring functional and visual transitions between areas of differing uses (Policy LU 2.10); and allowing for higher-intensity development and greater building heights at anchor locations near city gateways (Policy LU 9.3).

The scale and massing of the proposed project would be generally compatible with other urban development on Santa Monica Boulevard in Century City located approximately 0.1 mile southwest of the project site, where buildings of similar scale are located. The 124-foot tall Wilshire Building would be similar in height to the existing 150-foot tall Waldorf-Astoria building. However, the 369-foot tall Garden Residences and 410-foot tall Santa Monica Residences contemplated by the proposed project would exceed the height of the existing Beverly Hilton (95 feet) and Waldorf-Astoria and the maximum building heights outlined in the Existing Specific Plans (97 and 200 feet for Residences A and Residences B, respectively, in the Beverly Hilton Specific Plan and 161 and 185 feet for North Building and South Building, respectively, in the 9900 Wilshire Specific Plan). The Garden Residences and Santa Monica Residences would be substantially taller than existing surrounding development in the city and would be visible from the surrounding streets and nearby open space and residential uses, as shown in Figure 6 through Figure 9. Nonetheless, as shown in Figure 7 and Figure 9, the proposed project would contribute to a gradual increase in building heights along Santa Monica Boulevard beginning with the 12-story Waldorf-Astoria on the eastern portion of the project site and moving west to the high-rise development within Century City, including Ten Thousand, a 40-story residential building located at 10000 Santa Monica Boulevard. In addition, the project would be consistent with Policy LU 9.3, which allows higher-intensity development at anchor locations, including the project site.

The proposed project would have less of a visual character impact related to transitional areas, when compared to the Existing Specific Plans. The proposed project would set back the high-density residential development on the western portion of the project site and place the 31-foot tall new conference center and 124-foot Wilshire Building along Wilshire Boulevard with landscaped gardens in between, which would act as a visual buffer between the proposed high-density residential development on-site and nearby low-density residential and school areas to the north of the project site. In addition, the proposed project's gardens would enhance visual quality of the project site and would be designed to enhance the garden quality of the City, as required by the Beverly Hilton Specific Plan. Therefore, the proposed project would be more consistent with the visual character goals set forth by the City's General Plan Land Use Element Policies LU 2.6 and LU 2.10, when compared with the Existing Specific Plans. Nonetheless, the proposed project would still introduce an abrupt change in development intensity by constructing high-density residential development near low-density residential land uses.

The proposed buildings would reflect modern architecture design principles. Similar to the Existing Specific Plans, the architectural design of the proposed buildings would also honor the original Welton Becket architecture of the Wilshire Tower. Therefore, the proposed project would be consistent in visual character and quality with existing on-site development.

The proposed project would alter the visual character of the project site and surroundings primarily by increasing maximum building height on the western portion of the project site. Nonetheless, the proposed project would not result in a new significant impact nor increase the severity of the previously identified less than significant impact for the Beverly Hilton Specific Plan or the significant and unavoidable impact for the 9900 Wilshire Specific Plan. In any event, PRC Section 21099(d)

precludes the City from finding that the proposed project would have a significant impact to visual character and quality. Therefore, the proposed project would not result in new or more severe significant impacts to visual character and quality above those identified in the certified EIRs, and further analysis of this issue is not warranted.

- d. *Would the project create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?*

Light

The previous environmental documentation concluded that the allowed development would increase ambient nighttime light levels on the project site and illuminated buildings and outdoor areas would be visible from some off-site vantages (City of Beverly Hills 2008a and 2016). Per the previous environmental documentation, the potential for unshielded or misdirected light sources to adversely affect nighttime views is identified as a significant, but mitigable, impact. The Beverly Hilton Specific Plan 2008 EIR and the 9900 Wilshire Specific Plan 2016 SEIR incorporated Mitigation Measure MM-LG-1, which would also apply to the proposed project, requiring lights to be shielded and directed downwards to reduce light spillover to reduce light impacts to nighttime views to less-than-significant levels.

BHMC Section 5-6-1101 prohibits the installation, use, or maintenance of any lighting that creates an intensity of light on residential property that is greater than one foot-candle above ambient light level. On-site lighting plans would be reviewed by the Community Development Department as part of the plan check prior to the issuance of building permits to enforce this requirement. Furthermore, pursuant to PRC Section 21099(d), the proposed project's light impacts would not be considered significant impacts, although the proposed project would still be required to implement Mitigation Measure MM-LG-1 as required by the previous environmental documentation.

Glare

The intensity of daytime or nighttime glare⁹ and reflectivity is dependent on the types of building materials used. The potential for thermal glare is dependent on the presence of concave surfaces as well as the types of building materials used. The previous environmental documentation concluded that operational glare impacts would be less than significant based on the building siting and use of low-reflectivity building materials (City of Beverly Hills 2008a and 2016). The proposed buildings would not include concave surfaces; therefore, the potential for thermal glare is low. In addition, the development standards under Section 10-3-1955, *Commercial-Residential Transition; General Development Requirements*, of the BHMC would apply to the proposed project. These standards prohibit mirrored or reflective glass or material used on the façades of buildings, structures, and improvements that face any residential use.

The proposed project would shift residential building massing to the west, in comparison to buildings approved under the Existing Specific Plans and would introduce a building on a portion of the site (9988 Wilshire Boulevard) not previously considered. In addition, the 369-foot tall Garden Residences and 410-foot tall Santa Monica Residences would be taller than the allowed development under the Existing Specific Plans, which allows for heights up to 200 feet (measured

⁹ Daytime glare is typically caused by the reflection of sunlight from highly reflective surfaces such as buildings clad with broad expanses of highly polished surfaces or with broad, light-colored areas of paving. Nighttime glare refers to direct, intense, focused light, as well as reflected light, and hampers visibility. Nighttime glare generally originates from mobile, and therefore transitory, sources, such as automobiles, and from particularly intense, stationary sources, such as floodlights.

from a datum of 285 feet). The additional floors could incrementally increase reflected sunlight from windows and light-colored exterior surfaces during certain times of the day and could potentially increase the glare associated with the project site as compared to the Existing Specific Plans. Specifically, during the afternoons, when the sun is to the west of the project site, the increased height of the buildings could incrementally increase the amount of reflectivity of the sun on the western side of the proposed buildings, which could result in an incremental increase in glare to viewers along Santa Monica Boulevard located west of the project site who are looking eastward. Overall, the increased height of the buildings under the proposed project would only incrementally increase glare from the project site because building materials facing residential uses would be required to be low in reflectivity under BHMC Section 10-3-1955, *Commercial-Residential Transition; General Development Requirements*. In addition, the proposed buildings include landscaped terraces and balconies, reducing the glazed exterior that would be directly exposed to sunlight in comparison to buildings approved under the 9900 Wilshire Specific Plan. Both proposed buildings would have an oval footprint and are generally oriented in a northeast-southwest direction so that the narrow elevation of the buildings face the existing Beverly Hills residential areas north of the project site, reducing glare impacts to potentially sensitive uses. Impacts related to glare would be less than significant, and in any event, PRC Section 21099(d) precludes the City from finding that the proposed project would have a significant impact related to glare.

Shade and Shadow

The City of Beverly Hills has not adopted specific thresholds to assess project-related shade and shadow nor light and glare impacts, but as a matter of standard practice, has utilized the applicable thresholds from the City of Los Angeles' CEQA Thresholds Guide. For shade and shadow, a project may have a significant impact if shadow-sensitive uses would be shaded by project-related structures for more than:

- Three hours between the hours of 9:00 a.m. and 3:00 p.m. Pacific Standard Time between late October and early April, or
- Four hours between the hours of 9:00 a.m. and 5:00 p.m. Pacific Daylight Time between early April and late October.

The previous environmental documentation (City of Beverly Hills 2008a and 2016) states that the allowed development would cast shadows from its buildings to the north, east, and west, but that shadow impacts would be less than significant. A shadow analysis was performed by Foster and Partners (2020; see Appendix A) to determine how the proposed project would affect nearby outdoor uses (Figure 10 through Figure 19; see Appendix A for all shadow studies). The shadow models show shadows cast by on-site buildings and buildings in the immediate vicinity. However, the models do not account for shadows cast by trees. The north and south sides of Wilshire Boulevard along the project site are lined with tall palm trees with relatively small trunk diameters. In addition, the Wilshire Gardens Park on the north side of Wilshire Boulevard is heavily lined with dense-canopied trees. These existing trees would also cast shadows on nearby sensitive receptors.

Prolonged periods of shade and shadow can negatively affect the character of certain land uses. Shadow-sensitive uses near enough to the project site to potentially be impacted include the schoolyard of El Rodeo School to the northwest, the Los Angeles Country Club to the west and north, Beverly Gardens Park along Wilshire Boulevard to the north, single-family residential uses north of Beverly Gardens Park, and residences south of the project site along Durant Drive and Charleville Boulevard. El Rodeo School is currently undergoing construction, which would include

removal of the mobile classrooms adjacent to Wilshire Boulevard and Whittier Drive, and expansion of the school yard in their place to include an artificial turf field and more basketball courts (Beverly Hills Unified School District 2018). Construction at El Rodeo School is expected to be completed by the 2021-2022 school year, prior to completion of proposed project construction. For the purposes of this analysis, impacts to the expanded school yard at El Rodeo School are considered as it would be operational at the time the project is constructed.

Summer Solstice Analysis

The estimated summer solstice (June 21) shadows generated by the proposed project are illustrated in Figure 10 through Figure 13. As detailed above, a project may have a significant impact if shadow-sensitive uses would be shaded by project-related structures for more than four hours between the hours of 9:00 a.m. and 5:00 p.m. Pacific Daylight Time between early April and late October. The approved buildings under the Existing Specific Plans would shade the Los Angeles Country Club's South Golf Course in the morning hours (from at least 7:30 a.m. to noon). The proposed buildings would cast longer and larger shadows than the Existing Specific Plan buildings, and would also shade the Los Angeles Country Club's South Golf Course from at least 7:30 a.m. to noon. Therefore, while the proposed project would shade a larger area than the Existing Specific Plan, it would not increase the amount of time that Los Angeles Country Club's South Golf Course, a shadow-sensitive use, is in shade, in comparison to the Existing Specific Plan, and would not shade the property for more than four hours between 9:00 a.m. and 5:00 p.m. from early April to late October. In the evening, the approved buildings under the Existing Specific Plans would shade residences south of the project site along Durant Drive from after 6:00 p.m. to 8:00 p.m., when shadows become indistinguishable from general darkness because of the setting sun. The proposed buildings would cast shade on these residences south of the project site sooner than the approved buildings under the Existing Specific Plans, starting at approximately 5:00 p.m. and ending by 8:00 p.m. (when shadows become indistinguishable), and would cast longer shadows than the approved buildings under the Existing Specific Plans. However, the proposed project would not shade shadow-sensitive uses south of the project site for any time between 9:00 a.m. and 5:00 p.m. from early April to late October. Shadows would not be cast onto any other shadow-sensitive uses. Therefore, shadow impacts from the proposed project would be less than significant during that part of the year.

Winter Solstice Analysis

The estimated winter solstice (December 21) shadows generated by the proposed project are illustrated in Figure 14 through Figure 19. As detailed above, a project may have a significant impact if shadow-sensitive uses would be shaded by project-related structures for more than three hours between the hours of 9:00 a.m. and 3:00 p.m. Pacific Standard Time between late October and early April. The approved buildings under the Existing Specific Plans would shade the expanded schoolyard of El Rodeo School to the northwest from at least 7:30 a.m. to 3:00 p.m., the Los Angeles Country Club's South and North Golf Course in the morning hours (from at least 7:30 a.m. to 8:30 a.m.), Beverly Gardens Park to the north from 2:30 p.m. to 4:00 p.m. (when shadows become indistinguishable from general darkness because of the setting sun), and residences north of Beverly Gardens Park from 3:00 p.m. to 4:00 p.m. The proposed buildings would cast longer shadows than the Existing Specific Plan buildings and would shade the expanded schoolyard of El Rodeo School from 7:30 a.m. to 4:00 p.m., the Los Angeles Country Club's South and North Golf Course in the morning hours (from at least 7:30 a.m. to 9:30 a.m.), and Beverly Gardens Park to the north and residences north of Beverly Gardens Park from 11:30 a.m. to 4:00 p.m. The proposed buildings would cast shadows on shadow-sensitive uses for longer than the approved buildings under the

Existing Specific Plans, and would cast longer shadows. In addition, the proposed buildings would shade shadow-sensitive uses north of the project site for more than three hours between the hours of 9:00 a.m. and 3:00 p.m. Pacific Standard Time between late October and early April. Accordingly, shade/shadow impacts associated with the proposed project would be potentially significant during that part of the year.

In conclusion, shade/shadow impacts under the proposed project would be greater than shade/shadow impacts identified in the previous environmental documentation. The proposed project would result in greater shading of the expanded El Rodeo schoolyard, Los Angeles Country Club's South and North Golf Course, Beverly Gardens Park, and residences north of Beverly Gardens Park from late October through early April. Moreover, the proposed project would exceed the City's typically used significance thresholds for shade/shadow impacts between late October and early April. However, PRC Section 21099(d) precludes the City from finding that the proposed project would have a significant impact related to shade and shadow. Therefore, impacts would not be significant.

**LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING
PREPARATION OF AN EIR**

Figure 10 Shadow Analysis – Summer Solstice (June 21) at 7:30 AM



Source: Foster and Partners 2020

Figure 11 Shadow Analysis – Summer Solstice (June 21) at 9:00 AM



Source: Foster and Partners 2020

Figure 12 Shadow Analysis – Summer Solstice (June 21) at 12:00 PM



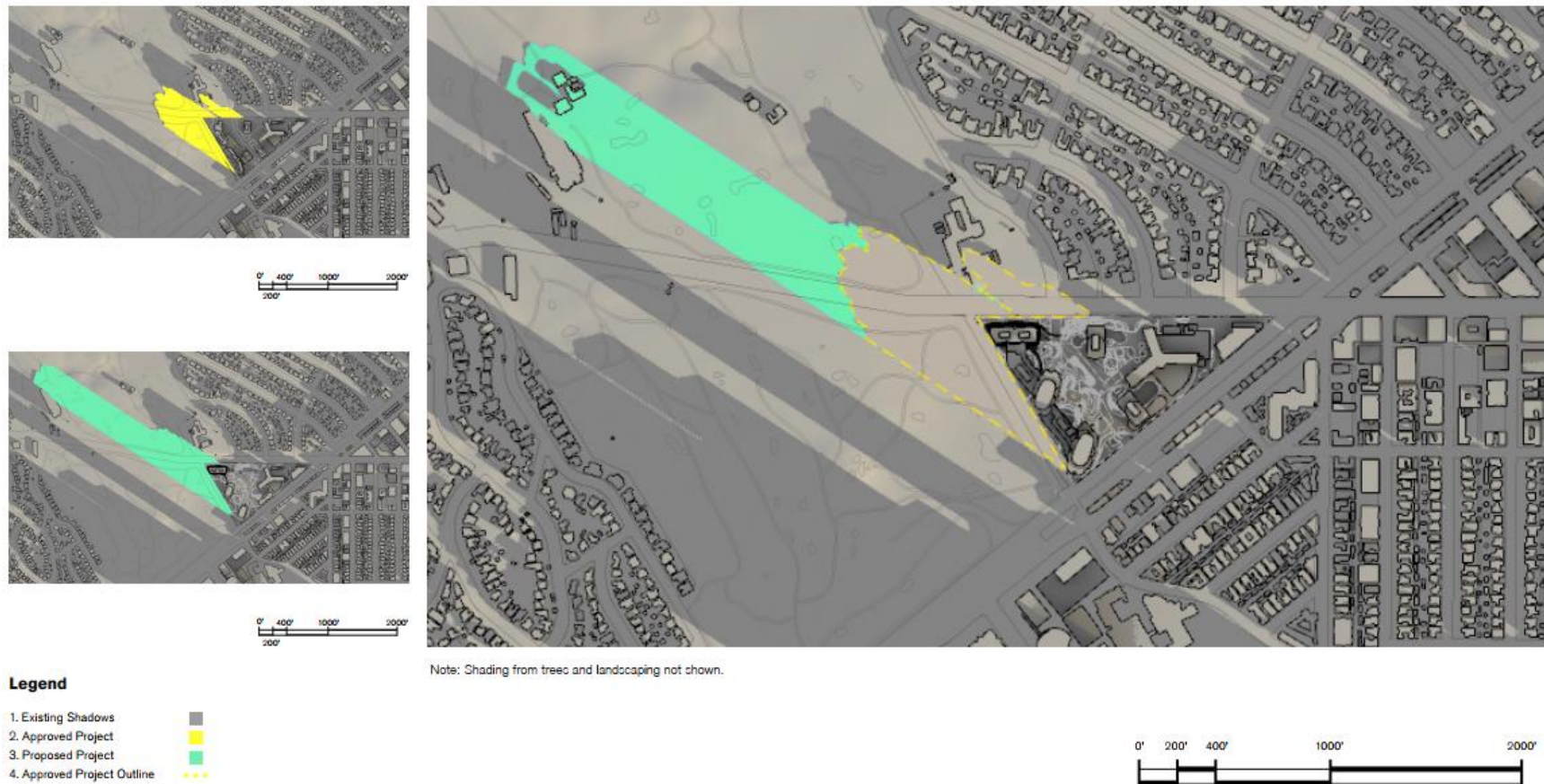
Source: Foster and Partners 2020

Figure 13 Shadow Analysis – Summer Solstice (June 21) at 5:00 PM



Source: Foster and Partners 2020

Figure 14 Shadow Analysis – Winter Solstice (December 21) at 7:30 AM



Source: Foster and Partners 2020

Figure 15 Shadow Analysis – Winter Solstice (December 21) at 9:00 AM



Source: Foster and Partners 2020

Figure 16 Shadow Analysis – Winter Solstice (December 21) at 9:30 AM



Figure 17 Shadow Analysis – Winter Solstice (December 21) at 11:30 AM



Figure 18 Shadow Analysis - Winter Solstice (December 21) at 12:00 PM



Source: Foster and Partners 2020

Figure 19 Shadow Analysis – Winter Solstice (December 21) at 3:00 PM



Source: Foster and Partners 2020

2 Agriculture and Forestry Resources

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circum- stances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
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Would the project:

- a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?
- b. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?
- c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)); timberland

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	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circum- stances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
(as defined by Public Resources Code Section 12220(g)); timberland (as defined by Public Resources Code Section 4526); or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	■
d. Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	■
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	■

a. *Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

b. *Would the project conflict with existing zoning for agricultural use or a Williamson Act contract?*

The project site is developed and located within an urban setting. As discussed in the previous environmental documentation, no Farmland, agricultural use, areas zoned for agricultural use, or land subject to a Williamson Act contract exists on the project site, including 9988 Wilshire Boulevard, or its vicinity (City of Beverly Hills 2008a and 2016). Therefore, the proposed project

would not result in impacts to agricultural resources and further analysis of this issue is not warranted.

NO IMPACT

- c. *Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)); timberland (as defined by Public Resources Code Section 4526); or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?*
- d. *Would the project result in the loss of forest land or conversion of forest land to non-forest use?*

The project site is developed and located within an urban setting. As discussed in the previous environmental documentation, no forest land or timberland exists on or is zoned for the project site or its vicinity (City of Beverly Hills 2008a and 2016). The gas station site also is not located on or near forest land or timberland (City of Beverly Hills 2008b). Therefore, the proposed project would not result in impacts to forest or timberland resources and further analysis of this issue is not warranted.

NO IMPACT

- e. *Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?*

The project site is developed and located within an urban setting. As discussed in the previous environmental documentation, no agricultural land uses exist on the project site or its vicinity (City of Beverly Hills 2008a and 2016). The gas station site also is not located on or near agricultural land uses (City of Beverly Hills 2008b). Furthermore, there is no land within the City zoned for forest land or timber production (City of Beverly Hills 2008b). Accordingly, the proposed project would not result in changes in the existing environment that would convert Farmland to non-agricultural use or forest land to non-forest use. Further analysis of this issue is not warranted.

NO IMPACT

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3 Air Quality

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circum- stances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
Would the project:					
a. Conflict with or obstruct implementation of the applicable air quality plan?	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Expose sensitive receptors to substantial pollutant concentrations?	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	■

- a. *Would the project conflict with or obstruct implementation of the applicable air quality plan?*
- b. *Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?*
- c. *Would the project expose sensitive receptors to substantial pollutant concentrations?*

Previous environmental documentation concluded during the construction under the Existing Specific Plans, oxides of nitrogen (NO_x) emissions would exceed established thresholds of significance, even with compliance with South Coast Air Quality Management District (SCAQMD) Rule 403 – Fugitive Dust, and that such an impact would be potentially significant (City of Beverly

Hills 2008a and 2016). The Beverly Hilton Specific Plan 2008 EIR and 9900 Wilshire Specific Plan 2016 SEIR included Mitigation Measures MM-AQ-1 through MM-AQ-14 and MM-AQ-1 through MM-AQ-13, respectively, to reduce air quality impacts associated with construction of the Existing Specific Plans (City of Beverly Hills 2008a and 2016). However, the previous environmental documents concluded potential impacts associated with the short-term pollutant emissions during construction of the Existing Specific Plans would remain significant and unavoidable after implementation of mitigation measures. The previous environmental documentation concluded operation of the Existing Specific Plans would not result in criteria air pollutant emissions that would exceed SCAQMD thresholds (City of Beverly Hills 2008a and 2016).

The proposed project would involve alterations to the grading and development plans for the project site as well as changes to the layout of the site. As such, the proposed project may alter temporary construction-related and long-term operational emissions that could expose sensitive receptors to pollutants and/or conflict with the applicable air quality plan. Therefore, these issues will be studied further in the SEIR. In addition, the SEIR will consider the mitigation measures included in the previous environmental documentation and incorporate and/or revise them as applicable based on new information and project features.

SUBSTANTIAL CHANGE IN PROJECT THAT MAY REQUIRE MAJOR EIR REVISIONS

- d. *Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?*

A project-related significant adverse effect could occur if construction or operation of the proposed project would result in generation of odors that would be perceptible in adjacent sensitive areas. According to the SCAQMD *CEQA Air Quality Handbook*, land uses that are associated with odor complaints include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding (SCAQMD 1993). The construction and operation of the proposed hotel/commercial and residential components would not introduce any land uses or industrial operations that are associated with odor complaints on the project site. The proposed project would also comply with SCAQMD Rule 402, which prohibits the discharge of air contaminants that would cause injury, detriment, nuisance, or annoyance to the public.

The proposed project would not alter the types of uses permitted under the Existing Specific Plans. Previous environmental documentation concluded odors from construction would occur primarily from the use of construction equipment on the project site and would be temporary and less than significant (City of Beverly Hills 2008a and 2016). Odors from hotel/commercial and residential uses during project operation would occur primarily from food preparation activities and disposal of refuse. Odors from food preparation on the project site would be similar to odors from existing commercial and residential uses surrounding the project site. In addition, the SCAQMD controls emissions from restaurant operations under Rule 1138, thus preventing objectionable odors from affecting surrounding land uses. With regard to refuse disposal, the residential and commercial components of the proposed project would dispose of waste in appropriate trash containers, which would be covered and closed as required by the Beverly Hills Municipal Code.

Therefore, no impact associated with odors would result and further analysis of this issue is not warranted.

NO IMPACT

4 Biological Resources

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circum- stances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
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Would the project:

- a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

☐ ☐ ☐ ☒ ☐

- b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

☐ ☐ ☐ ☐ ☒

- c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh,

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circum- stances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	■
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	■
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	■
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	■
<hr/>					
a. <i>Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?</i>					
b. <i>Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?</i>					

- c. *Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*
- d. *Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*
- e. *Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*
- f. *Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

The project site and vicinity are developed, located within an urban setting, and void of any endangered, threatened, or special-status species or their habitats; locally designated species (including protected oak trees); riparian habitat or other sensitive natural community; state or federally protected wetlands; or wildlife corridors or nursery sites. The site and its vicinity are also not within the area of any adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan (City of Beverly Hills 2008a and 2016).

Previous environmental documentation concluded the Existing Specific Plans would not have any significant impacts on biological resources (City of Beverly Hills 2008a and 2016). The proposed project would include approximately 10 acres of open space, eight of which is landscaped space, not contemplated in the Existing Specific Plans.

Although birds protected by the California Fish and Game (CFG) Code and federal Migratory Bird Treaty Act (MBTA) may nest in adjacent properties, no special-status bird species are expected to nest in the project site due to the absence of suitable nesting habitat for avian species. Depending on the distance from construction activities, nesting bird species could be impacted by project construction noise. However, the project would comply with the MBTA and CFG Codes 3503, 3503.3, 3511, and 3513, which protect nesting birds. In compliance with these regulations, the project applicant would be required to conduct pre-construction surveys for nesting birds. The following measures would be incorporated into the project as Conditions of Approval:

- The project applicant/contractor would conduct all demolition, construction, ground disturbance, and vegetation clearing activities (collectively referred to as “construction activities”) in such a way as to avoid protected nesting birds. To that end, no construction activities would occur during the avian breeding and nesting season (February 1 – August 31).
- If, however, construction activities must occur during the nesting season, a pre-construction survey shall be conducted by a qualified biologist for active bird nests (those containing eggs or nestlings, or with juvenile birds still dependent on the nest). The survey shall be conducted by a qualified biologist no more than seven days prior to the initiation of construction activities. The nesting bird survey shall cover the construction footprint plus a buffer of 500 feet, as feasible. In the event access to private, off-site areas is denied, areas can be surveyed from the project site with binoculars or other means.
- Any active nests that are present during the pre-construction survey shall be avoided until determined by the biologist to no longer be active. The biologist shall determine appropriate

avoidance buffers for each nest based on species, nest location, and types of disturbance proposed in the vicinity of the nest.

- If construction activities are delayed after the survey has been conducted, the qualified biologist shall conduct an additional nesting bird survey such that no more than seven days have elapsed between the last survey and the commencement of construction activities.

With regulatory compliance, impacts to nesting birds would be less than significant. Therefore, the proposed project would not result in impacts to other biological resources. Further analysis of this issue is not warranted.

**LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING
PREPARATION OF AN EIR**

5 Cultural Resources

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circumstances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
Would the project:					
a. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	■	<input type="checkbox"/>
c. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	■	<input type="checkbox"/>

a. Would the project cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?

Previous environmental documentation concluded the project site includes resources potentially eligible for listing on the National Register of Historic Places and California Register of Historic Resources, including the Wilshire Edge building, Wilshire Boulevard pedestrian entrance, pool, former Trader Vic's restaurant, the Robinsons-May Building, and 16 streetlights and three street signs (City of Beverly Hills 2008a, 2008c, and 2016). Some of these potentially historic resources would be demolished as part of the Existing Specific Plans (City of Beverly Hills 2008a, 2008c, and 2016). Demolition is considered a substantial adverse change of the significance of a historical resource under Section 15064.5(b)(1) of the CEQA Guidelines, which would be a significant impact.

The Beverly Hilton Specific Plan 2008 EIR included Mitigation Measures MM-CR-1 through MM-CR-3 to reduce potential impacts to historic resources. The Beverly Hilton Specific Plan 2008 EIR concluded demolition of portions of the Beverly Hilton, including the Wilshire Edge building, Wilshire Boulevard pedestrian entrance, pool, and now demolished Trader Vic's restaurant, would result in a significant and unavoidable impact to historic resources, even with the inclusion of mitigation (City of Beverly Hills 2008a). Between 2016 and 2017, the eastern wing of the Wilshire Edge and former Trader Vic's buildings was demolished consistent with the Beverly Hilton Specific Plan. The Beverly Hilton Specific Plan 2008 EIR concluded that impacts to potentially historic

streetlights and street signs would be reduced to a less than significant level with implementation of Mitigation Measures MM-CR-2 and MM-CR-3, which provided for the preservation of these features (City of Beverly Hills 2008a).

The 9900 Wilshire Specific Plan 2016 SEIR concluded four streetlights located on or adjacent to the project site may be eligible for listing as historic resources (City of Beverly Hill 2016). In addition, the Robinsons-May building, which was demolished in 2014, was identified as a historic resource in the original 9900 Wilshire Specific Plan 2008 EIR, the demolition of which was considered a significant and unavoidable impact (City of Beverly Hills 2008c). The original 9900 Wilshire Specific Plan 2008 EIR included Mitigation Measures MM-CR-1 and MM-CR-2 for Historic American Buildings Survey and video documentation of the Robinsons-May building and MM-CR-3 for the preservation of potentially historic streetlights (City of Beverly Hills 2008c). As the Robinsons-May building was demolished in accordance with the original 9900 Wilshire Specific Plan 2008 EIR and Mitigation Measure MM-CR-3 would reduce impacts to historic streetlights to a less than significant level, the 9900 Wilshire Specific Plan 2016 SEIR concluded that impacts related to historic resources would be less than significant (City of Beverly Hills 2016).

Conditions on-site and in the site vicinity have changed (e.g., increased development of nearby properties such as the Ten Thousand, an apartment complex located at 10000 Santa Monica Boulevard, west of the project site) and the proposed increased heights of residential towers on the project site could potentially alter the historic setting for previously identified historic resources on and in the vicinity of the project site. In addition, subsequent to certification of the Beverly Hilton Specific Plan 2008 EIR, the City adopted a new General Plan that includes new policies related to the preservation of historic resources. Therefore, this issue will be studied further in the SEIR. In addition, the SEIR will consider the mitigation measures included in the previous environmental documentation and incorporate and/or revise them as applicable based on new information and project features.

SUBSTANTIAL CHANGE IN PROJECT THAT MAY REQUIRE MAJOR EIR REVISIONS

- b. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?*
- c. Would the project disturb any human remains, including those interred outside of formal cemeteries?*

Previous environmental documentation concluded that no known archaeological resources or human remains exist on the project site or its vicinity but excavation of the project site could potentially disturb unknown archaeological resources and/or human remains, resulting in a potentially significant impact to such resources (City of Beverly Hills 2008a and 2016). The Beverly Hilton Specific Plan 2008 EIR incorporated Mitigation Measure MM-CR-4 to reduce potential impacts to archaeological resources to a less than significant level (City of Beverly Hills 2008a). This mitigation measure would also apply to the proposed project, with minor modifications as shown below to reflect current best practices regarding treatment of archaeological resources, to reduce such impacts to a less than significant:

MM-CR-4¹⁰ *If buried cultural resources are encountered ~~In the event a previously unknown artifact is uncovered~~ during construction, all work shall be halted in the vicinity of*

¹⁰ Mitigation Measure MM-CR-4 from the Beverly Hilton Specific Plan 2008 EIR, as revised, would apply to the proposed project. Additions and revisions are shown as italicized, underlined text. Deletions are shown as strikethrough text.

the archaeological discovery cease until a qualified certified archaeologist can assess the nature and significance of the archaeological discovery, per CEQA Guidelines Section 15064.5(f) investigate the finds and make appropriate recommendations. Recovery of significant archaeological deposits, if necessary, shall include but not be limited to, manual or mechanical excavations, monitoring, soils testing, photography, mapping, or drawing to adequately recover the scientifically consequential information from and about the archaeological resource. Further treatment may be required, including site recordation, excavation, site evaluation, and data recovery. Any artifacts uncovered shall be recorded and removed for storage at a location to be determined by the archaeologist ~~monitor~~.

Additional revisions to Mitigation Measure MM-CR-4 may be required depending on the results of Tribal consultation proceedings. In addition, the Beverly Hilton Specific Plan 2008 EIR and the 9900 Wilshire Specific Plan 2008 EIR both included Mitigation Measure MM-CR-5 requiring compliance with Public Resources Code Section 5097.98, Health and Safety Code Section 7050.5, and Section 15064.5(d) of the CEQA Guidelines. State Health and Safety Code Section 7050.5 states that if human remains are unearthed during construction, no further disturbance shall occur until the county coroner has made the necessary findings as to the origin and disposition of the remains pursuant to Public Resources Code Section 5097.98. In accordance with applicable regulations, Mitigation Measure MM-CR-5 requires construction activities to halt in the event of discovery of human remains, and consultation and treatment to occur as prescribed by law.

The proposed project would include excavation of the project site up to 48 feet below ground surface, with an average excavation depth of 31 feet below ground surface. In comparison, the maximum depth of excavation under the Existing Specific Plans would be up to 42 feet below ground surface. The increase in maximum excavation depth from the Existing Specific Plans (42 feet) to the proposed project (48 feet) would not increase the potential severity of the significance of impacts to unknown archaeological resources and/or human remains. Because the overall extent and depth of grading associated with the proposed project would not substantially differ from that of the Existing Specific Plans and because potential impacts to unknown archaeological resources and/or human remains would be adequately mitigated to less than significant levels by implementation of mitigation measures included in previous environmental documentation, the proposed project would not result in any new significant archaeological impacts or increase the severity of significant impacts related to archaeological resources and human remains beyond those identified in previous environmental documentation (City of Beverly Hills 2008a and 2016). Therefore, further analysis of these issues is not warranted.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

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6 Energy

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circum- stances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
Would the project:					
a. Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

California is one of the lowest per capita energy users in the United States, ranked 48th in the nation, due to its energy efficiency programs and mild climate. In 2018, California consumed 681 million barrels of petroleum, 2,137 billion cubic feet of natural gas, and one million short tons of coal in 2018 (United States Energy Information Administration [EIA] 2020). The single largest end-use sector for energy consumption in California is transportation (39.8 percent), followed by industry (23.7 percent), commercial (18.9 percent), and residential (17.7 percent) (EIA 2020).

Most of California's electricity is generated in-state with approximately 30 percent imported from the Northwest and Southwest in 2018. In addition, approximately 30 percent of California's electricity supply comes from renewable energy sources, such as wind, solar photovoltaic, geothermal, and biomass (California Energy Commission 2019). Adopted on September 10, 2018, Senate Bill (SB) 100 accelerates the State's Renewables Portfolio Standards Program by requiring electricity providers to increase procurement from eligible renewable energy resources to 33 percent of total retail sales by 2020, 60 percent by 2030, and 100 percent by 2045.

To reduce statewide vehicle emissions, California requires all motorists use California Reformulated Gasoline, which is sourced almost exclusively from in-state refineries. Gasoline is the most used transportation fuel in California with 15.6 billion gallons sold in 2018 and is used by light-duty cars, pickup trucks, and sport utility vehicles (California Department of Tax and Fee Administration 2019). Diesel is the second most used fuel in California with 4.2 billion gallons sold in 2015 and is used

primarily by heavy duty-trucks, delivery vehicles, buses, trains, ships, boats and barges, farm equipment, and heavy-duty construction and military vehicles (California Energy Commission 2016).

In December 2017, the City of Beverly Hills joined the Clean Power Alliance (CPA), a Los Angeles and Ventura County community choice aggregation program. One of the goals of the CPA is to purchase cleaner and more renewable electricity for the same or lesser price than the existing utility, Southern California Edison (SCE). SCE has continued to manage the transmission and distribution of power purchased through the CPA through the existing power grid and power lines. Customers are able to choose between three tiers of CPA participation: 36 percent, 50 percent, or 100 percent. To make the selection easier for all Beverly Hills customers, the City Council selected the 50 percent tier as the community's default tier (City of Beverly Hills 2020b).

- a. *Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?*

Previous environmental documentation determined buildout under the Existing Specific Plans would make a minimal contribution to statewide energy consumption and would not be expected to adversely affect energy supplies (City of Beverly Hills 2008a and 2016). Similar to buildout under the Existing Specific Plans, the proposed project would involve the use of energy during construction and operational phases.

Construction

Energy use during the construction phase would be in the form of fuel consumption (e.g., gasoline and diesel fuel) to operate heavy equipment, light-duty vehicles, machinery, and generators for lighting. In addition, temporary grid power may also be provided to any temporary construction trailers or electric construction equipment.

Energy use during construction would be temporary in nature, and construction equipment used would be typical of similar-sized construction projects in the region. In addition, the project would utilize construction contractors who demonstrate compliance with applicable California Air Resources Board regulations that restrict the idling of heavy-duty diesel motor vehicles and govern the accelerated retrofitting, repowering, or replacement of heavy-duty diesel on- and off-road equipment. Electrical power would be consumed to construct the project, and the demand, to the extent required, would be supplied from existing electrical infrastructure in the area. Overall, demolition and construction activities would require minimal electricity consumption and would not be expected to have any adverse impact on available electricity supplies or infrastructure. Construction activities would utilize fuel-efficient equipment consistent with state and federal regulations and would comply with state measures to reduce the inefficient, wasteful, or unnecessary consumption of energy. In addition, per applicable regulatory requirements, the project would comply with construction waste management practices to divert construction and demolition debris. These practices would result in efficient use of energy necessary to construct the project. Furthermore, in the interest of both environmental awareness and cost efficiency, construction contractors would not utilize fuel in a manner that is wasteful or unnecessary. Therefore, project construction would not result in potentially significant environmental effects due to the wasteful, inefficient, or unnecessary consumption of energy, and impacts would be less than significant.

Operation

Long-term operation of the proposed project would require permanent grid connections for electricity and natural gas service to power internal and exterior building lighting, and heating and cooling systems. Gas service would be provided by Southern California Gas Company (SoCal Gas). Electricity service for the proposed project would be provided by SCE and the CPA. As previously described, the City of Beverly Hills chose 50 percent CPA renewable energy product as the community's default CPA tier. Therefore, 50 percent of the proposed project's energy consumption would be provided by renewable sources.

The proposed project would include construction of a total of 340 residential units and up to 30 accessory spaces that could be used for various purposes (e.g., staff living quarters, rooms for offices, wine storage, or other ancillary storage). In addition, the proposed project would result in a net reduction of hotel rooms and retail/commercial square footage on the project site compared to the Existing Specific Plans; hotel rooms would be reduced by 56 rooms (9 percent) and commercial/retail uses would be reduced by 23,121 sf (40 percent) (City of Beverly Hills 2008a and 2016). Therefore, the proposed project would demand less energy than the Existing Specific Plans.

The proposed project would also be subject to the energy conservation requirements of the California Energy Code (Title 24, Part 6 of the California Code of Regulations, California's Energy Efficiency Standards for Residential and Nonresidential Buildings) and the California Green Building Standards Code (Title 24, Part 11 of the California Code of Regulations). The California Energy Code provides energy conservation standards for all new and renovated commercial and residential buildings constructed in California. The Code applies to the building envelope, space-conditioning systems, and water-heating and lighting systems of buildings and appliances. The Code provides guidance on construction techniques to maximize energy conservation. Minimum efficiency standards are given for a variety of building elements, including appliances; water and space heating and cooling equipment; and insulation for doors, pipes, walls, and ceilings. The Code emphasizes saving energy at peak periods and seasons and improving the quality of installation of energy efficiency measures. The California Green Building Standards Code sets targets for energy efficiency; water consumption; dual plumbing systems for potable and recyclable water; diversion of construction waste from landfills; and use of environmentally sensitive materials in construction and design, including ecofriendly flooring, carpeting, paint, coatings, thermal insulation, and acoustical wall and ceiling panels.

The proposed project would be required to comply with the most current version of the Title 24 standards, which have been updated since certification of previous environmental documentation. As discussed under *Project Description*, the proposed project would be designed to achieve a LEED Gold rating through environmentally-sensitive architecture and building systems.

In addition, the proposed project would be located in close proximity to existing commercial/retail, recreational, and institutional land uses, which would reduce trip distances and encourage the use of alternative modes of transportation such as bicycling and walking. These factors would minimize the potential of the project to result in the wasteful or unnecessary consumption of vehicle fuels.

Meeting Title 24 energy conservation requirements in combination with the project components described above would ensure that energy is not used in an inefficient, wasteful, or unnecessary manner.

In addition to complying with the abovementioned standards and requirements, and being designed to achieve a LEED Gold rating and WELL Certification, implementation of Mitigation Measures

MM-ENG-1 and MM-ENG-2 from the Beverly Hilton Specific Plan 2008 EIR, with minor modifications as shown below, would further reduce energy-related impacts (City of Beverly Hills 2008a).

MM-ENG-1 Prior to issuance of building permits ~~submittal of final plans~~, the applicant shall make necessary alterations to the generation or distribution system as required by SCE. The applicant shall then provide to the Beverly Hills Community Development Department a letter from SCE that states that electricity will be provided to the proposed project and that all applicable energy conservation features have been incorporated into the project design.

MM-ENG-2 Prior to issuance of building permits ~~submittal of final plans~~, the applicant shall complete a load survey in accordance with the Gas Company procedures and make any necessary alterations to the distribution system as required by the Gas Company. The applicant shall then provide to the Beverly Hills Community Development Department a letter from the Gas Company, which states that natural gas will be provided to the proposed project and that all applicable energy conservation features have been incorporated into the project design.

As a result, operation of the proposed project would not result in potentially significant environmental effects due to the wasteful, inefficient, or unnecessary consumption of energy, and impacts would be less than significant and further analysis of these issues is not warranted.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

b. *Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?*

In February 2009, the City adopted the Beverly Hills Sustainable City Plan (2009), which includes the following goal related to energy consumption:

Goal: Encourage the use of energy in a clean and efficient manner and the use of renewable energy sources.

As discussed above, the proposed project would be required to comply with the most current version of the Title 24 standards, which have been updated since certification of previous environmental documentation. As discussed under *Project Description*, the proposed project would be designed to achieve a LEED Gold rating through environmentally-sensitive architecture and building systems, and would incorporate energy-efficient design features such as efficient HVAC and MEP systems, smart metering, and water-efficient landscaping. Therefore, the project would be consistent with the applicable Sustainable City Plan goal related to renewable energy and energy efficiency and would not conflict with or obstruct state or local plans for renewable energy and energy efficiency, so no impact would occur and further analysis of these issues is not warranted.

NO IMPACT

7 Geology and Soils

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circum- stances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
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Would the project:

- a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

☐ ☐ ☐ ☒ ☐

2. Strong seismic ground shaking?

☐ ☐ ☐ ☒ ☐

3. Seismic-related ground failure, including liquefaction?

☐ ☐ ☐ ☒ ☐

4. Landslides?

☐ ☐ ☐ ☐ ☒

- b. Result in substantial soil erosion or the loss of topsoil?

☐ ☐ ☐ ☒ ☐

- c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circum- stances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	■	<input type="checkbox"/>
d. Be located on expansive soil, as defined in Table 1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	■	<input type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	■
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	■	<input type="checkbox"/>

a.1. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

The Alquist-Priolo Earthquake Fault Zoning Map for the Beverly Hills Quadrangle was revised in January 2018 to include an extension of the Santa Monica Fault Zone (SMFZ) northeast into portions of the City. The project site is located approximately 60 feet north at its closest point to the

delineated Alquist-Priolo Special Study Zone for the SMFZ (City of Beverly Hills 2018; California Geological Survey [CGS] 2018). In 2014, Geocon published *Phase II Site-Specific Fault Rupture Investigation – 9900 Wilshire Boulevard, Beverly Hills, California*, which evaluated the potential for active faults that may impact the 9900 Wilshire Boulevard Site. Geocon collected subsurface geologic information and reviewed available documents on specific faults in the area. Geocon concluded with a high degree of certainty that active faults would not impact the 9900 Wilshire Boulevard site. In addition, Geocon determined that previously inferred splays of the West Beverly Hills Lineament (WBHL) and the SMFZ that projected toward or into the 9900 Wilshire Boulevard Site were at least 27,000 years old and were therefore not active. In 2015, Leighton Consulting, Inc. (Leighton) published *Fault Hazard Assessment – El Rodeo K8 School, 655 Whittier Drive, Beverly Hills, California*, which analyzed the potential for faults at El Rodeo School, located approximately 100 feet north of the project site. Leighton determined that although four stratigraphic anomalies in older deposits indicated possible faults, relative dating indicated that the interpreted faults were at least 100,000 years old. These possible faults are therefore substantially older than 11,000 years, which is the defining age of an active fault hazard in California (Leighton 2015).

Other active faults in the project site vicinity include the Hollywood Fault (approximately 1.4 miles northeast), the Newport-Inglewood Fault Zone (approximately 3.1 miles southeast), the Raymond Fault (approximately 10.3 miles northeast), and the Verdugo Fault (approximately 10.5 miles northeast). The San Andreas Fault Zone is located approximately 36 miles northeast of the project site (Geocon West, Inc. [Geocon] 2016). The closest potentially active faults to the project site are the Overland Fault (approximately 2.5 miles south), the Charnock Fault (approximately 3.9 miles south), the MacArthur Park Fault (approximately 6 miles east), and the Coyote Hills Fault (approximately 12 miles east) (Geocon 2016). Therefore, the proposed project would not construct habitable structures within 50 feet of a designated fault zone and no active faults exist on-site.

Therefore, similar to the Existing Specific Plans, the proposed project would not increase geologic hazards related to surface rupture, and impacts would be less than significant. Further analysis of this issue is not warranted.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

a.2. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?

The project site is located within 300 feet of the SMFZ. As a result, the site is expected to experience moderate to severe ground shaking from both near and distant earthquake sources during the life of the proposed structures. Moderate to severe ground shaking would be experienced on the project site if a large magnitude earthquake occurs on one of the nearby faults and may cause structural damage to the on-site development. Based on the observable effects from several more recent seismic events, including the Northridge (1994), San Fernando Earthquake (1971), Loma Prieta Earthquake (1989), and Alaska Earthquake (1964), under-designed building foundations may fail, potentially resulting in excessive building settlement or collapse; underground tanks or buried utilities may be prone to uplift or failure; and access roadways may become blocked or impassable, preventing emergency vehicles from accessing the sites. In addition, broken utility lines could result in fires, inhibit or contaminate water supplies, and cut off services to the residences and structures.

Regardless of the increased height of the proposed buildings, compared to the Existing Specific Plans, construction of the proposed project in conformance with the California Building Code is intended to prevent the catastrophic collapse of structures during a seismic event. Specifically, as

stated in the Report of Geotechnical Consultation for the Beverly Hills Specific Plan Draft SEIR (Wood Environment & Infrastructure Solutions, Inc. 2018), the increased height of the proposed buildings would not increase the seismic risk under the proposed project when compared to the Existing Specific Plans, provided the project is designed and constructed in conformance with current building codes and engineering practices. The performance of structures during recent seismic events indicates that the newer buildings and structures perform as intended, and catastrophic failure is more associated with antiquated designs and the secondary effects of ground shaking (i.e., liquefaction or tsunamis). The Beverly Hilton Specific Plan 2008 EIR concluded site-specific geologic and soils conditions may be encountered during project construction that are not addressed by the California Building Code or City building standards and that would expose people to potentially significant impacts related to ground shaking (City of Beverly Hills 2008b). The proposed project is located on the same site as the Existing Specific Plans; therefore, impacts related to seismic ground shaking are considered potentially significant. Although the proposed buildings would be structurally designed in accordance with the most current California Building Code design requirements prior to issuance of permits for the construction, the proposed project would be required to implement Mitigation Measure MM-GEO-1 from the Beverly Hilton 2008 Specific Plan EIR, as revised below, in order to reduce impacts related to the risk of substantial loss, injury, or death during a seismic event to a less than significant level. Therefore, impacts related to ground shaking would be less than significant with mitigation. Further analysis of this issue is not warranted.

MM-GEO-1¹¹ *A Registered Civil Engineer and Certified Engineering Geologist shall complete a final geotechnical investigation specific to the proposed project. The geotechnical evaluation shall include, but not be limited to, an estimation of both vertical and horizontal anticipated peak ground accelerations and seismic design parameters. The ~~Approved-proposed~~ project shall be designed and constructed in accordance with recommendations contained in the site-specific geotechnical investigation Report of Geotechnical Investigation prepared by Mactec Engineering and Consulting, Inc. and in accordance with all applicable local, state, and federal regulations, such as the California Building Code (CBC) and Title 9 of the Beverly Hills Municipal Code. All buildings shall be engineered to withstand the expected ground acceleration that may occur at the project site to the maximum extent practicable. The building designs shall take into consideration the most current and applicable seismic attenuation methods that are available. Recommendations contained in the site-specific geotechnical investigation shall be reviewed and approved by the Building Official and incorporated into final grading and structural design plans, as deemed appropriate by the Community Development Director. Compliance with these requirements shall be verified by the City of Beverly Hills prior to the issuance of a building permit.*

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

¹¹ Mitigation Measure MM-GEO-1 from the Beverly Hilton Specific Plan 2008 EIR, as revised, would apply to the proposed project. Additions and revisions are shown as italicized, underlined text. Deletions are shown as strikethrough text.

a.3. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?

Previous environmental documentation concluded that the project site is not within a designated Liquefaction Hazard Zone and the updated CGS earthquake hazard map confirms that the project site is not subject to liquefaction (City of Beverly Hills 2008a and 2016; CGS 2018). In addition, density and laboratory testing of the subsurface materials at the site indicates the liquefaction potential on the project site is low. Therefore, previous environmental documentation determined the potential for seismic-related ground failure would be less than significant under the Existing Specific Plans (City of Beverly Hills 2008a and 2016). The project does not include any proposed changes or new information that would result in new or substantially more severe significant impacts identified in previous environmental documentation. Accordingly, impacts associated with liquefaction under the proposed project would be less than significant. Further analysis of this issue is not warranted.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

a.4. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?

Previous environmental documentation concluded the Existing Specific Plans would not result in impacts involving landslides (City of Beverly Hills 2008a and 2016). The topography of the project site and its immediate vicinity are relatively flat and devoid of any distinctive landforms. According to CGS, the project site is not susceptible to seismically induced landslides (CGS 2018). Given the relatively flat nature of the project site and its vicinity, no potential for landslides exists, and the proposed project would not result in impacts related to landslides. Further analysis of this issue is not warranted.

NO IMPACT

b. Would the project result in substantial soil erosion or the loss of topsoil?

Previous environmental documentation concluded implementation of a Storm Water Pollution Prevention Plan (SWPPP) and the use of best management practices during project demolition and construction would result in less than significant impacts involving loss of topsoil (City of Beverly Hills 2008a and 2016). Demolition and construction activities for the proposed project would be similar to those analyzed for the Existing Specific Plans, and the proposed project would be subject to current regulations regarding control of stormwater runoff and erosion control. The project does not include any proposed changes or new information that would result in any new significant impacts beyond those identified in the previous environmental documentation. Further analysis of this issue is not warranted.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

- c. *Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?*

Previous environmental documentation determined that while the project site is not located within a designated Liquefaction Hazard Zone, due to the shallow depth of groundwater and required excavation activities, there is the potential for the project site to be underlain by a geologic unit or soil that is unstable or could become unstable as a result of construction-related activities (City of Beverly Hills 2008a and 2016). Previous environmental documentation determined this impact to be potentially significant but was reduced to a less than significant level with the implementation of Mitigation Measure MM-GEO-1 (see above) (City of Beverly Hills 2008a and 2016). Therefore, potential project impacts from unstable geologic units or soil would also be reduced to a less than significant level by implementation of Mitigation Measure MM-GEO-1 under the proposed project. Given that Mitigation Measure MM-GEO-1 would apply and the project does not include any proposed changes or new information that would result in any new impacts related to unstable geologic units or soil or increase the severity of impacts identified in previous environmental documentation, impacts would continue to be less than significant with mitigation. Further analysis of this issue is not warranted.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

- d. *Would the project be located on expansive soil, as defined in Table 1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?*

According to previous environmental documentation, upper soils on the project site have medium expansive potential (City of Beverly Hills 2008a and 2016). Excavation under the Existing Specific Plans reached a depth of approximately 42 feet below grade; the proposed project would include similar excavation that would reach up to 48 feet below grade. Additionally, based on the fluctuation of the depth of groundwater to up to 28 feet below grade, the likelihood of expansive soils impacting structures on the project site in the future was found to be probable. Previous environmental documentation found impacts related to expansive soils would be reduced to less than significant levels with the implementation of Mitigation Measure MM-GEO-1 (see above), which requires the implementation of all recommendations contained in the Geotechnical Investigation for the project and compliance with applicable local, state, and federal regulations (City of Beverly Hills 2008a and 2016). Likewise, previous environmental documentation determined that impacts would be less than significant with conformance with recommendations made in the geotechnical reports for the project, as well as all applicable local, state, and federal regulations, such as the Uniform Building Code. Therefore, potential impacts related to expansive soils for the proposed project would also be reduced to a less than significant level with implementation of Mitigation Measure MM-GEO-1. Given that Mitigation Measure MM-GEO-1 would apply and the project does not include any proposed changes or new information that would result in any new impacts related to expansive soils or increase the severity of impacts identified in previous environmental documentation impacts would continue to be less than significant with mitigation. Further analysis of this issue is not warranted.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

- e. *Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?*

As stated in previous environmental documentation, the Existing Specific Plans would connect to the City's existing sewer lines that serve the project site and would not use septic tanks or alternative wastewater disposal systems (City of Beverly Hills 2008a and 2016). Likewise, the proposed project would connect to the existing sewer system and would not use septic tanks or alternative wastewater disposal systems. Therefore, no impact related to the use of septic tanks or alternative wastewater disposal systems would occur and further analysis of this issue is not warranted.

NO IMPACT

- f. *Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

Previous environmental documentation determined no known paleontological resources have been discovered on the project site or its vicinity, including the property at 9988 Wilshire Boulevard, but excavation would have the potential to disturb unknown paleontological resources, resulting in a potentially significant but mitigable impact to such resources (City of Beverly Hills 2008a and 2016). The proposed project would include excavation up to 48 feet below ground surface. In comparison, the maximum depth of excavation under the Existing Specific Plans would be up to 42 feet below ground surface. Nonetheless, the increase in maximum excavation depth associated with the Existing Specific Plans (42 feet) to the proposed project (48 feet) would not increase the potential severity of the significance of impacts to unknown paleontological resources. Previous environmental documentation incorporated mitigation measure MM-CR-6, which would also apply to the proposed project, to reduce impacts to paleontological resources to a less than significant level (City of Beverly Hills 2008a and 2016).

Therefore, impacts to paleontological resources under the proposed project would be less than significant and further analysis of this issue is not warranted.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

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8 Greenhouse Gas Emissions

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circum- stances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
Would the project:					
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- a. *Would the project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?*
- b. *Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

The Beverly Hilton Specific Plan 2008 EIR does not analyze greenhouse gas (GHG) emission impacts related to the Beverly Hilton Specific Plan because that was not an environmental issue under CEQA at that time. More recently, the 9900 Wilshire Specific Plan 2016 SEIR found the 9900 Wilshire Specific Plan would not exceed the SCAQMD-recommended GHG emissions threshold of 3,000 metric tons of carbon dioxide equivalent (MT CO₂e) or conflict with any adopted plans and policies for the purpose of reducing GHG emissions (City of Beverly Hills 2016). In addition, as described in Section 6, *Energy*, the City of Beverly Hills joined the Clean Power Alliance (CPA) in 2017 and selected 50 percent renewable energy product as the community's default CPA tier. Therefore, 50 percent of the proposed project's energy consumption would be provided by renewable sources. The CPA also intends to develop renewable energy programs that would decrease GHG emissions to reduce the effects of climate change, such as incentives and rebates for rooftop solar and battery storage systems, energy efficiency projects, and reduced charging rates for electrical vehicles (City of Beverly Hills 2020b).

However, the proposed project has the potential to generate GHG emissions that may have a significant impact on the environment. In addition, the GHG emissions threshold utilized in the 9900 Wilshire Specific Plan 2016 SEIR was only intended for projects that would be built out by the year 2020 (SCAQMD 2008). The proposed project would be subject to and may potentially conflict with

various plans and policies adopted for the purpose of reducing GHG emissions, including the City's Sustainable City Plan (City of Beverly Hills 2009) and the Southern California Association of Governments' (SCAG) Connect SoCal (2020-2045 Regional Transportation Plan/Sustainable Communities Strategy [RTP/SCS]) (SCAG 2020a). These issues will be studied in the SEIR.

SUBSTANTIAL CHANGE IN PROJECT THAT MAY REQUIRE MAJOR EIR REVISIONS

9 Hazards and Hazardous Materials

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circum- stances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
Would the project:					
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Be located on a site that is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circum- stances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
e. For a project located in an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Previous environmental documentation determined construction and operation of residential, hotel, and other commercial uses would not require extensive or ongoing use of materials expected to constitute a significant hazard to the public (City of Beverly Hills 2008a and 2016). The occasional use or disposal of hazardous materials generally associated with these types of uses include unused paint, aerosol cans, cleaning agents (solvents), automotive supplies (by-products), landscaping-related chemicals, and other common cleaning products and household substances. These materials are generally disposed of at non-hazardous Class II and III landfills (along with traditional solid waste). With compliance with the required procedures and guidelines during construction and throughout operation, impacts associated with the land uses planned under the proposed project on the environment related to the routine transport, use, or disposal of hazardous materials would

be less than significant (City of Beverly Hills 2008a and 2016). The project does not include any proposed changes or new information that would result in new or substantially more severe significant impacts identified in previous environmental documentation. Accordingly, impacts would be less than significant under the proposed project and further analysis of this issue is not warranted.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

- b. Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

Previous environmental documentation determined the Beverly Hilton Specific Plan would potentially result in the exposure of the public to hazardous materials as a result of the demolition of the existing on-site structures (City of Beverly Hills 2008a). Some Beverly Hilton structures were demolished in July 2014. As part of that demolition, asbestos and lead-based paints were removed from the site in accordance with the Beverly Hills Municipal Code Section 10-3-4201. Likewise, the Robinsons-May Building formerly located on 9900 Wilshire Boulevard was demolished in 2014 in accordance with Beverly Hills Municipal Code Section 10-3-4201 and this portion of the project site is now entirely vacant and graded. As the 9900 Wilshire portion of the project site has remained undeveloped since the demolition of the Robinsons-May building in 2014, the 9900 Wilshire Specific Plan 2016 SEIR did not include mitigation related to hazardous materials and this impact area was found to be less than significant (City of Beverly Hills 2016).

The proposed project would involve demolition of the existing Beverly Hilton Conference Center, Beverly Hilton Oasis Building, and aboveground parking structure. Due to the ages of these structures, they could potentially contain asbestos, mold, polychlorinated biphenyls (PCBs), and/or lead-based paints. The proposed project would comply with the Mitigation Measures MM-HAZ-1 through MM-HAZ-3 from the Beverly Hilton Specific Plan 2008 EIR to minimize risks of hazardous materials release associated with project demolition/construction (City of Beverly Hills 2008a).

In addition, mitigation measures discussed under Response (c) below would also apply to demolition and construction activities associated with the proposed project.

According to previous environmental documentation, operation of the proposed project would not involve uses that generate large quantities of hazards and/or toxic materials, and thus, would not result in accidents from hazardous materials or substances (City of Beverly Hills 2008a and 2016). Operational impacts would be less than significant. However, there are three underground storage tanks (USTs) underneath the gas station at 9988 Wilshire Boulevard, all of which held gasoline but have been empty since the closure of the gas station in 2019. However, the gas station site has a pending application for a Conditional Use Permit and could potentially enter into operation in the future. The gas station would be demolished as part of the proposed project. As such, the proposed project may create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Therefore, these issues will be studied further in the SEIR. In addition, the SEIR will consider the mitigation measures included in the previous environmental documentation and incorporate and/or revise them as applicable based on new information and project features.

SUBSTANTIAL CHANGE IN PROJECT THAT MAY REQUIRE MAJOR EIR REVISIONS

- c. *Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?*

As stated in previous environmental documentation, El Rodeo School is located north of the project site, across Wilshire Boulevard, within 0.25 mile of the project site (City of Beverly Hills 2008a and 2016). As of August 2020, El Rodeo School is closed for construction, and is not expected to re-open until the 2021-2022 school year, at the earliest. Previous environmental documentation concluded operation of land uses planned under the proposed project would not release hazardous materials or substances into the environment and impacts during operation would be less than significant (City of Beverly Hills 2008a and 2016). Construction activities associated with the proposed project could potentially result in temporary upset and/or accident conditions involving the accidental release of hazardous materials into the environment within 0.25 mile of El Rodeo School. The Beverly Hilton Specific Plan 2008 EIR included the Mitigation Measures MM-HAZ-4 through MM-HAZ-7, which would also apply to the proposed project, to reduce construction impacts associated with hazardous materials, substances, or waste near schools to less than significant levels (City of Beverly Hills 2008a).

There are three underground storage tanks (USTs) underneath the gas station at 9988 Wilshire Boulevard, all of which held gasoline but have been empty since the closure of the gas station in 2019. However, the gas station site has a pending application for a Conditional Use Permit and could potentially enter into operation in the future. The gas station would be demolished as part of the proposed project; therefore, the proposed project has the potential to emit hazardous emissions within 0.25 mile of an existing school. Therefore, these issues will be studied further in the SEIR. In addition, the SEIR will consider the mitigation measures included in the previous environmental documentation and incorporate and/or revise them as applicable based on new information and project features.

SUBSTANTIAL CHANGE IN PROJECT THAT MAY REQUIRE MAJOR EIR REVISIONS

- d. *Would the project be located on a site that is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

Previous environmental documentation concluded the portions of the project site covered by the Existing Specific Plans are not listed on any federal or state databases of hazardous material sites (City of Beverly Hills 2008a and 2016). The gas station site located at 9988 Wilshire Boulevard is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. However, there are three USTs underneath the gas station at 9988 Wilshire Boulevard, all of which held gasoline but are currently empty. According to the California Department of Toxic Substances Control (DTSC) EnviroStor database and State Water Resources Control Board (SWRCB) GeoTracker database, there is no history of leaks or contamination associated with the existing USTs (DTSC 2020; SWRCB 2020).

Previous environmental documentation also indicated other listed hazardous material sites occur more than 800 feet from the project site or down-gradient of the site, and therefore, pose a low potential for environmental impacts to the project site (City of Beverly Hills 2008a and 2016). Accordingly, previous environmental documentation concluded that the Existing Specific Plans would not create a significant hazard to the public or environment (City of Beverly Hills 2008a and 2016). The project does not include any proposed changes or new information that would result in new or substantially more severe significant impacts identified in previous environmental

documentation. Accordingly, the development of the proposed project would result in less than significant impacts and risks to the public and the environment (City of Beverly Hills 2008a and 2016). Further analysis of this issue is not warranted.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

- e. *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?*

As determined in previous environmental documentation, the project site is not located within an airport land use plan or within two miles of a public airport and would not result in safety hazards for area residents (City of Beverly Hills 2008a and 2016). Therefore, no impact would occur under the proposed project, and further analysis of this issue is not warranted.

NO IMPACT

- f. *Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

Previous environmental documentation determined redevelopment of the project site would not encroach into roadways or evacuation pathways, subsequently interfering with any adopted emergency response plan or emergency evacuation plan (City of Beverly Hills 2008a and 2016). The westernmost portion of the project site would be accessed from Santa Monica Boulevard and Wilshire Boulevard via a private drive along the western edge of the site. The proposed project would also add an exit-only driveway for the proposed hotel building to Wilshire Boulevard. Beverly Hilton access would continue to be from Merv Griffin Way, and the entire project site would have loading access on Santa Monica Boulevard North where it is currently provided for the Beverly Hilton.

The proposed project, similar to the Existing Specific Plans, would be required to comply with all applicable City codes and regulations pertaining to emergency response and evacuation plans maintained by the police and fire departments, as well as fire protection and security. As further discussed in Section 15, *Public Services*, previous environmental documentation included mitigation measure MM-FIRE-1, which would apply to the proposed project and would reduce potential impacts to the movements of fire and police vehicles caused by traffic at the intersection of Merv Griffin Way and Santa Monica Boulevard (City of Beverly Hills 2008a and 2016). Likewise, the proposed project would include Mitigation Measure MM-FIRE-1 to reduce potential impacts to emergency vehicle movements. Furthermore, the Beverly Hills Fire Marshal confirmed the project, while incrementally increasing the demands on BHFD, such an increase would not require new fire protection facilities or additional personnel (Hand, pers. comm. 2020). Therefore, it is anticipated that BHFD would be able to provide adequate fire protection and rescue services to serve the proposed project. As a result, the proposed project would not conflict with applicable emergency response and evacuation plans, and impacts would be less than significant. Further analysis of this issue is not warranted.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

- g. Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?*

The project site is located in an urbanized area that includes commercial, office, residential, and recreational uses and roadways. According to the California Department of Forestry and Fire Protection (CalFIRE), the project site is not located within a very high fire hazard severity zone (VHFHSZ) (CalFIRE 2011). As described in previous environmental documentation, no dense, flammable brush, grass, or trees exist on the project site (City of Beverly Hills 2008a and 2016).

The proposed project would include an eight-acre botanical garden, which could potentially present a fire risk on the project site. However, the botanical garden would be designed to reduce risks of fire by minimizing the planting of highly flammable tree species such as pine and juniper, maintaining the recommended minimum distance of 30 feet between trees and structures, and implementing a Fuel Management Plan for the removal of fuels to reduce the likelihood of fire (City of Beverly Hills 2019 and 2020). Furthermore, prior to final plan approvals, the proposed project, similar to the Existing Specific Plans, would be required by the City to comply with applicable codes, regulations, and standard measures for fire protection. For example, prior to approval of the proposed project, plot plans that show the site access points shall be submitted to BHFD for review and approval. The developer would be required to provide proof of compliance with applicable building and fire code requirements. These requirements include, but are not limited to, items such as types of roofing materials, building construction, fire hydrant flows, hydrant spacing, access and design, fire sprinkler systems, and other hazard reduction programs, as set forth by BHFD and the Uniform Fire Code. Therefore, the project would not result in any additional significant impacts or increase the severity of any impacts identified in previous environmental documentation and potential impacts to people and structures as a result of wildland fires would be less than significant, and further analysis of this issue is not warranted.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

10 Hydrology and Water Quality

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circum- stances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
Would the project:					
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(i) Result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circum- stances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a. *Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?*

Previous environmental documentation concluded redevelopment of the project site would require compliance with a National Pollutant Discharge Elimination System (NPDES) Permit for demolition- and construction-related water quality impacts. Construction and operation of the underground parking garage would also necessitate dewatering activities that would discharge treated water to the City storm drain system. Previous environmental documentation include Mitigation Measure MM-HYDRO-1, which would also apply to the proposed project, to reduce this impact (City of Beverly Hills 2008a and 2016).

Previous environmental documentation also concluded water quality may be impacted by parking lot/garage-generated pollutants, as well as runoff from landscaped areas. Mitigation Measure MM-HYDRO-2 included in previous environmental documentation would reduce water quality impacts from the parking areas/garage and landscaped areas and would also apply to the proposed project (City of Beverly Hills 2008a and 2016).

The project does not include any proposed changes and there is no new information that would result in any new significant water quality impacts or increase the severity of significant impacts related to water quality beyond those identified in previous environmental documentation. Given the mitigation measures included in previous environmental documentation would also apply to the proposed project, water quality impacts would be less than significant, and further analysis of these issues is not warranted.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

- b. *Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?*
- e. *Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*

The proposed project would include excavation up to 48 feet below ground surface, with the average excavation depth of 31 feet below ground surface. In comparison, the maximum depth of excavation under the Existing Specific Plans would be up to 42 feet below ground surface. Previous environmental documentation concluded redevelopment of the project site would result in a less than significant impact on groundwater supplies based on required dewatering and location of the project site to the nearest City well. Groundwater at the project site was encountered at depths of 30 to 45 feet below ground surface. There are certain techniques, including temporary dewatering wells, storage tanks, and filters, that may be used to dewater the site. Dewatering would not deplete groundwater supplies because the distance between the project site and the nearest City well is down-gradient and because potential site dewatering would be conducted only when shallow groundwater conditions are encountered (City of Beverly Hills 2008a and 2016). The proposed project would also be required to comply with all aspects of the City's dewatering ordinance and to obtain an NPDES Permit for Groundwater Discharge from the Los Angeles Regional Water Quality Control Board (LARWQCB). Accordingly, potential impacts to groundwater associated with the proposed project would be consistent with those previously analyzed and would be less than significant.

Previous environmental documentation also concluded redevelopment of the project site would result in less than significant impacts on groundwater supplies based on the project location, available groundwater supplies, and proposed new pervious surface area (City of Beverly Hills 2008a and 2016). The project site is underlain by the Santa Monica Sub-basin, and approximately 10 percent of the City's water supply comes from the nearby Hollywood Sub-basin groundwater sources (City of Beverly Hills 2017). Groundwater consumed by the proposed land uses would be utilized according to current plans and projections from the Hollywood Sub-basin; therefore, the proposed project's impacts to groundwater supplies consistent with those previously analyzed and would be less than significant.

Furthermore, as discussed under Response (a) of this section, compliance with existing regulations would ensure the proposed project would not degrade surface or groundwater quality. Consequently, the project would not conflict with or obstruct implementation of a water quality control plan. Refer to Section 19, *Utilities and Service Systems*, of this Initial Study regarding the proposed project's potential impacts related to increased demand for water under the current drought conditions. Further analysis of groundwater is not warranted.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

- c.(i) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site?*
- c.(ii) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?*

Previous environmental documentation determined redevelopment facilitated by the Existing Specific Plans would not alter the existing drainage pattern of the site or area in a manner that would result in substantial erosion, siltation, or flooding on-site or off-site (City of Beverly Hills 2008a and 2016). The project site also does not contain a stream or a river, nor is the site located in proximity to a stream or a river. Approximately 54 percent of the project site is developed with existing structures and impervious surfaces, while 46 percent of the project site is graded and undeveloped. The entire project site is served by an existing stormwater collection and conveyance system. Previous environmental documentation stated redevelopment of the project site would increase the amount of pervious surfaces compared to existing conditions and potential drainage impacts would be less than significant (City of Beverly Hills 2008a and 2016).

The proposed project would not be located near any streams or rivers. The proposed project would allow for increased building heights to reduce impervious surfaces on the project site and allow for the creation of 10 acres of open space, including an eight-acre botanical garden. In comparison, the Existing Specific Plans would only provide for approximately 6.3 acres of landscaped area (City of Beverly Hills 2008a and 2016). Additionally, stringent municipal separate storm sewer system (MS4) requirements would apply to the proposed project, including Order No. R4-2012-0175 from the LARWQCB, which ensures discharges from the MS4 comply with water quality standards, including protecting the beneficial uses of receiving waters. The Order requires permittees, including the City of Beverly Hills, to implement specific Best Management Practices. The MS4 requirements, as well as the other permitting requirements, would ensure the proposed project would not result in any

new significant impacts related to drainage patterns or increase the severity of significant impacts related to drainage patterns beyond those identified in previous environmental documentation. Therefore, further analysis of these issues is not warranted.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

c.(iii) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

The project site is not located in the vicinity of any streams or rivers, and therefore, the proposed project would not alter the course of any streams or rivers. The project site is served by the existing Beverly Hills stormwater collection and conveyance system. The proposed project would include 10 acres of open space, which would facilitate stormwater collection and delivery to the existing stormwater system and would not increase flows on the project site above the Existing Specific Plans. Furthermore, to discharge the subdrain water proposed as part of the underground parking structure, the project applicant would be required to comply with the City's dewatering ordinance and the NPDES Permit for Groundwater Discharge from the LARWQCB. Therefore, redevelopment under the proposed project would result in a less than significant impact. Further analysis of this issue is not warranted.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

c.(iv) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would impede or redirect flood flows?

As discussed under Responses (c.[i]), (c.[ii]), and (c.[iii]) above, the project site is not located in the vicinity of any streams or rivers, and therefore, the proposed project would not alter the course of any streams or rivers. The project site is served by the existing Beverly Hills stormwater collection and conveyance system. Redevelopment of the project site under the proposed project would increase the area of pervious surfaces on the project site beyond that planned under the Existing Specific Plans and would not impede or redirect stormwater flows (City of Beverly Hills 2008a and 2016). The proposed project would increase pervious surfaces on the project site compared to the Existing Specific Plans by creating additional open space and would therefore not increase stormwater flows or impede or redirect flood flows. Redevelopment under the proposed project would result in a less than significant impact. Further analysis of this issue is not warranted.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

- d. *In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?*

The Flood Insurance Rate Map for the project site and its vicinity was last updated in September 2008. According to the 2008 Flood Insurance Rate Map, the project site is located in Zone X, indicating that the project site is in an area of minimal flood hazard (Federal Emergency Management Agency [FEMA] 2008). Previous environmental documentation determined no impacts due to flooding would occur due to redevelopment of the project site, as the site is not located within a 100- or 500-year flood zone as mapped by FEMA or near enough to the Pacific Ocean or a large body of water capable of producing a seiche (City of Beverly Hills 2008a and 2016). Therefore, the proposed project would not result in impacts associated with flood hazards, tsunamis, or seiches. Further analysis of this issue is not warranted.

NO IMPACT

11 Land Use and Planning

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circum- stances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
Would the project:					
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

a. Would the project physically divide an established community?

The project site is developed and located within an urban setting. Land uses in the vicinity of the project site include Wilshire Boulevard, Beverly Gardens Park, a single-family residential neighborhood, and El Rodeo School to the north; Santa Monica Boulevard, South Santa Monica Boulevard, and retail and office uses to the south and east; and the Los Angeles County Club's golf course to the west. The City's "Business Triangle," its main business district, lies northeast of the intersection of Wilshire Boulevard and Santa Monica Boulevard. The project site is presently zoned C-3 Commercial, 9900 Wilshire Specific Plan, and Beverly Hilton Specific Plan; the Existing Specific Plans allow for a mix of residential and commercial uses on the project site.

The project site is located near the western City limit, beyond which the Los Angeles Country Club's golf course and the community of Century City in the City of Los Angeles are located. Century City, just southwest of the project site, is characterized by a concentration of high-rise residential towers along the Santa Monica Boulevard corridor and residential and office towers farther west and south. Low-rise retail buildings and mid-rise office buildings and medical facilities characterize the Business Triangle northeast of the project site. The scale, mass, and height of the proposed project, similar to the Existing Specific Plans, are generally consistent with existing developments in Century City to the west.

The existing Merv Griffin Way, a private roadway that runs through the project site, provides a connection between Wilshire Boulevard and Santa Monica Boulevard. This roadway would be regraded and moved west as well as covered with a portion of the new landscaped area. The Merv Griffin roadway would remain open and accessible following implementation of the proposed

project and continue to provide access between these two major thoroughfares. In addition, the proposed project would include publicly accessible pedestrian walking paths throughout the project site.

According to previous environmental documentation, the Existing Specific Plans would involve changes to the layout of uses on the project site but would not include any components that would divide or disrupt the arrangement of the established community (City of Beverly Hills 2008a and 2016). Likewise, the proposed project would not include any components that would divide or disrupt the arrangement of the established community. Therefore, related land use impacts would be less than significant and further analysis of this issue is not warranted.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

- b. Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?*

With the adoption of the Existing Specific Plans, the project site's zoning and land use designations were changed to "9900 Wilshire Specific Plan" and "Beverly Hilton Specific Plan." The Existing Specific Plans were determined to be generally consistent with most of the goals, objectives, and policies of the City's General Plan and the Beverly Hills Municipal Code (City of Beverly Hills 2008a and 2016). However, the existing Beverly Hilton Specific Plan introduced residential land uses where none had existed, substantially increased development density, and substantially increased building heights on the project site. For these reasons, the existing Beverly Hilton Specific Plan was found to be inconsistent with General Plan Land Use Element Objective 3, *Areas of Transitional Conflict*, and Objective 4, *Scale of the City*, and with Land Use Element development criteria for Commercial Areas recommending compatibility between commercial and residential areas. Accordingly, previous environmental documentation concluded a potentially significant impact could occur and feasible mitigation measures to reduce impacts to a less than significant level are not available (City of Beverly Hills 2008a).

Previous environmental documentation also found the existing 9900 Wilshire Specific Plan would add a hotel use to the site where none had existed, but that with adherence to existing regulations and implementation of mitigation measures identified in other sections of the 9900 Wilshire Specific Plan 2016 SEIR (Mitigation Measures NOISE-1 through NOISE-3 and TRAF-1 through TRAF-8), the existing 9900 Wilshire Specific Plan would not conflict with any land use plan, policy, or regulation and impacts would be less than significant (City of Beverly Hills 2016).

The proposed project would include land uses described in the Existing Specific Plans but would allow for increased building heights and would add a new parcel to the project site located at 9988 Wilshire Boulevard to accommodate 10 acres of open space on the project site, including a publicly accessible botanical garden and sculpture garden. The proposed project would include changes to the Existing Specific Plans by altering the heights of the proposed new buildings and could potentially conflict with City plans and policies. In addition, subsequent to certification of the Beverly Hilton Specific Plan 2008 EIR, the City adopted a new General Plan with new policies and programs to which the proposed project would be subject. Therefore, land use and planning impacts under the proposed project could be potentially significant, and this issue will be studied further in the SEIR.

SUBSTANTIAL CHANGE IN PROJECT THAT MAY REQUIRE MAJOR EIR REVISIONS

12 Mineral Resources

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circum- stances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
Would the project:					
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a. *Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*
- b. *Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?*

The project site is developed and located within an urban setting. As concluded in previous environmental documentation, no mineral resources of value to the region or the residents of the state are known to be within the project area other than petroleum, and the redevelopment of the project site would not conflict with any policies that would affect the petroleum resources located in the vicinity (City of Beverly Hills 2008a and 2016). Therefore, the proposed project would not result in impacts to mineral resources and further analysis of this issue is not warranted.

NO IMPACT

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13 Noise

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circum- stances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
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Would the project result in:

- | | | | | | |
|---|-------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Generation of excessive groundborne vibration or groundborne noise levels? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- a. *Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

Previous environmental documentation determined that construction noise impacts associated with redevelopment of the project site would be significant and unavoidable (City of Beverly Hills 2008a and 2016). Construction activities performed Monday through Friday between the hours of 8:00 a.m. and 6:00 p.m. would result in less than significant noise impacts; however, exterior construction activities performed outside of the hours specified in the City's noise ordinance, including before 8:00 a.m., after 6:00 p.m., and during weekends and holidays, would result in significant impacts at off-site sensitive receptors. The Beverly Hilton Specific Plan 2008 EIR and 9900 Wilshire Specific Plan 2016 SEIR included Mitigation Measures MM-NOISE-1 and MM-NOISE-1 and MM-NOISE-4, respectively, to reduce construction-related noise impacts (City of Beverly Hills 2008a and 2016).

The Beverly Hilton Specific Plan 2008 EIR determined that while implementation of Mitigation Measure MM-NOISE-1 would reduce construction-related noise impacts, such impacts would remain significant and unavoidable (City of Beverly Hills 2008a). Conversely, the 9900 Wilshire Specific Plan 2016 SEIR found that with implementation of Mitigation Measure MM-NOISE-1, construction noise impacts of the 9900 Wilshire Specific Plan would be reduced to a less than significant level (City of Beverly Hills 2016).

Previous environmental documentation also found that operational noise impacts associated with mechanical systems and traffic generated by redevelopment of the project site would be less than significant (City of Beverly Hills 2008a and 2016). However, previous environmental documentation concluded traffic noise on Santa Monica Boulevard, Wilshire Boulevard, and Merv Griffin Way in the future "with project" condition would approach or exceed the multi-family residential exterior noise standard of 65 dBA and the residential interior noise threshold of 45 dBA CNEL. Previous environmental documentation determined that such impacts would be reduced to a less than significant level with implementation of Mitigation Measures MM-NOISE-2 and MM-NOISE-3 of the Beverly Hilton Specific Plan 2008 EIR and 9900 Wilshire Specific Plan 2016 SEIR, which provided for the inclusion of sound attenuating building materials and techniques (City of Beverly Hills 2008a and 2016).

The construction timing of the proposed project would be similar to that under the Existing Specific Plans (i.e., potentially working before 8:00 a.m., after 6:00 p.m., and during weekends and holidays). However, changes in the locations of structures and overall construction schedule under the proposed project could alter construction and operational noise impacts. In addition, the City recently adopted a new General Plan Noise Element and associated noise policies, as well as revised noise regulations in the City's Municipal Code, subsequent to certification of the Beverly Hilton Specific Plan 2008 EIR. Therefore, construction-related noise impacts will be studied further in the SEIR. In addition, the SEIR will consider construction noise mitigation measures included in the previous environmental documentation and incorporate and/or revise them as applicable based on new information and project features.

Furthermore, while previous environmental documentation concluded Mitigation Measures MM-NOISE-2 and MM-NOISE-3 would reduce impacts to residential exterior and interior noise to a less than significant level under the Existing Specific Plans, the proposed project would involve construction of residential units in a different configuration which may be subject to different noise levels from nearby roadways. As a result, such impacts may be greater under the proposed project. Although the proposed project would be similar to the Existing Specific Plans, noise impacts that were determined to be less than significant or less than significant with mitigation incorporated under the Existing Specific Plans could potentially be significant under the proposed project based on changed noise conditions in the site vicinity, changes in trip generation, and new General Plan

Noise Element policies and revised noise regulations in the City's Municipal Code. Therefore, these issues will be studied further in the SEIR. In addition, the SEIR will consider the mitigation measures included in the previous environmental documentation and incorporate and/or revise them as applicable based on new information and project features.

SUBSTANTIAL CHANGE IN PROJECT THAT MAY REQUIRE MAJOR EIR REVISIONS

- b. Would the project result in generation of excessive groundborne vibration or groundborne noise levels?*

According to previous environmental documentation, construction activity associated with the Existing Specific Plans would generate vibration levels of up to 75 velocity decibels (VdB) at 100 feet from the source (City of Beverly Hills 2008a and 2016). This exceeds 72 VdB, the Federal Railroad Administration's vibration threshold for hotels. Accordingly, construction activity associated with redevelopment of the project site could result in significant vibration impacts on on-site existing and future receptors. Although implementation of Mitigation Measure MM-NOISE-1 would reduce the level of significance of the impact, construction-related vibration impacts would remain significant and unavoidable (City of Beverly Hills 2008a and 2016). The proposed project, while similar to the Existing Specific Plans, would involve construction of taller residential buildings in a different configuration. As a result, greater vibration-related impacts could occur under the proposed project. Accordingly, this issue will be studied further in the SEIR.

SUBSTANTIAL CHANGE IN PROJECT THAT MAY REQUIRE MAJOR EIR REVISIONS

- c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?*

As discussed in Section 9, *Hazards and Hazardous Materials*, the project site is not located within an airport land use plan or within the vicinity of a public airport; therefore, the proposed project would not expose people in the project area to excessive noise levels related to airport activity and no impact would occur. Further analysis of this issue is not warranted.

NO IMPACT

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14 Population and Housing

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circum- stances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
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Would the project:

- | | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a. Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- a. *Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

Previous environmental documentation concluded increased housing and employment at the project site would result in less than significant impacts related to population growth (City of Beverly Hills 2008a and 2016). The proposed project would result in 340 residential units on the project site, which is 37 units more than the planned 303 residential units under the Existing Specific Plans, and up to 30 accessory spaces that could be used for various purposes (e.g., staff living quarters, rooms for offices, wine storage, or other ancillary storage). Assuming the 30 accessory spaces would be used for staff living quarters, the project would result in 67 more total residential units than the Existing Specific Plans. Based on the 2020 estimate of 2.30 persons per household (California Department of Finance [DOF] 2020) and conservatively assuming all 30 accessory spaces are used as staff living quarters at the same rate of 2.30 persons per household, the proposed project would generate an estimated 851 residents. SCAG forecasts the population of Beverly Hills will reach 35,800 by 2045, an increase of 2,025 residents from the City's estimated 2020 population (SCAG 2020b; DOF 2020). The proposed project's contribution to population growth projections would be approximately 42 percent of the population growth projected for 2045. The project would

incrementally increase residential units on the project site in comparison to the Existing Specific Plan. However, the proposed project would not result in an exceedance of anticipated population growth in Beverly Hills and thus, would not induce substantial unplanned population growth. Therefore, the project would result in a less than significant impact.

In addition, the proposed project would result in a net reduction of hotel rooms and retail/commercial square footage on the project site compared to the Existing Specific Plans; hotel rooms would be reduced by 56 (9 percent) and commercial/retail uses would be reduced by 23,121 sf (40 percent) (City of Beverly Hills 2008a and 2016). Therefore, employment growth generated at the project site under the proposed project would be reduced when compared to the Existing Specific Plans. Accordingly, the proposed project would not increase direct or indirect population growth compared to the Existing Specific Plans and further analysis of this issue is not warranted.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

- b. Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

Previous environmental documentation stated the Existing Specific Plans would result in no impact related to the displacement of housing or people (City of Beverly Hills 2008a and 2016). The project site is currently developed with hotels and associated facilities, as well as a gas station. No residences would be removed as part of the proposed project. Therefore, the proposed project would not displace existing housing or persons and no impact would occur. Further analysis of this issue is not warranted.

NO IMPACT

15 Public Services

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circum- stances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a.1. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities, or the need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

Fire protection, rescue services, and emergency medical (paramedic services) are provided by the Beverly Hills Fire Department (BHFD). Previous environmental documentation concluded adherence to City codes and requirements would reduce construction-related fire hazards associated with redevelopment of the project site to a less than significant level (City of Beverly Hills 2008a and 2016). In addition, as discussed in Section 9, *Hazards and Hazardous Materials*, and Section 20, *Wildfire*, the proposed botanical garden would be designed and managed in accordance with best practices for the reduction of fire risk on the project site. Furthermore, the project site is in an urbanized area of the city not close any wildland urban interfaces and is not located within a VHFHSZ as mapped by CalFIRE, indicating that the risk of fire at the project site is low (CalFIRE 2011).

However, previous environmental documentation stated the BHFD indicated the proposed traffic signal at the intersection of Merv Griffin Way and Santa Monica Boulevard could potentially slow emergency response times and inhibit access to the site. Previous environmental documentation included the following mitigation measure, which would also apply to the proposed project, to reduce impacts to less than significant levels (City of Beverly Hills 2008a and 2016):

MM-FIRE-1 The proposed signal at the intersection of Santa Monica Boulevard and Merv Griffin Way shall be outfitted with an Opticom device, a traffic signal pre-emption used to control signalized intersections to allow the BHFD to provide a safe response route and to decrease response times to emergencies.

Previous environmental documentation also concluded redevelopment of the project site would incrementally increase demands on BHFD, but such an increase would not require the construction of new fire protection facilities (City of Beverly Hills 2008a and 2016). Redevelopment of the project site would be required to comply with the California Health and Safety Code regulations for fire protection devices and high-rise building standards, which would further reduce the risk of fire at the project site (City of Beverly Hills 2008a and 2016). Furthermore, the Beverly Hills Fire Marshal confirmed the project, while incrementally increasing the demands on BHFD, such an increase would not require new fire protection facilities or additional personnel (Hand, pers. comm. 2020). Therefore, it is anticipated that BHFD would be able to provide adequate fire protection and rescue services to serve the proposed project. As a result, the proposed project would not increase demands on BHFD significantly beyond that determined for the Existing Specific Plans, and impacts would be less than significant.

Previous environmental documentation also stated the City Engineer had indicated that the fire flow of 1,000 to 1,500 gallons per minute (gpm) measured at hydrants serving the project site may not be adequate for redevelopment of the project site, and that such an impact could potentially be significant. Previous environmental documentation included Mitigation Measure MM-FIRE-2; however, that mitigation measure may be outdated. Therefore, this issue will be studied further in the SEIR. Given that the issue relates to water infrastructure, fire flow and hydrants, this issue will be studied in the “Utilities” section of the SEIR

NEW INFORMATION SHOWING POTENTIALLY NEW OR GREATER SIGNIFICANT EFFECTS THAN PREVIOUS EIR

- a.2. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered police protection facilities, or the need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?*

Police protection in the city is provided by the Beverly Hills Police Department (BHPD). As stated in previous environmental documentation, during construction on the project site, the use of private security, flagpersons, and other standard construction practices would result in less than significant impacts related to police protection (City of Beverly Hills 2008a and 2016). Additionally, during construction and operation of redevelopment on the project site, BHPD considered existing service to be adequate to continue serve the project site (City of Beverly Hills 2008a and 2016). Previous environmental documentation also concluded redevelopment of the project site would incrementally increase demands on BHPD but such an increase would not require expansion of existing resources (City of Beverly Hills 2008a and 2016). The proposed project, like the Existing Specific Plans, would include security features such as gated entry to the proposed residential buildings, 24-hour security, and 24-hour on-site concierge for residents. These security features would incrementally decrease the need for police protection services on the project site. Accordingly, the proposed project would not result in any new significant impacts to police protection services or increase the severity of impacts to police protection services beyond those identified in previous environmental documentation, and further analysis of this issue is not warranted.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

- a.3. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered schools, or the need for new or physically altered schools, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?*

Based on a standard generation rate of 0.7 student per household, the proposed project would generate approximately 238 students. Assuming the 30 accessory spaces are used for staff housing, then the total number of students generated by the proposed project would be approximately 259. The 303 residential units contained within the Existing Specific Plans would generate an estimated 212 students. Therefore, the proposed project would incrementally increase the number of students at the project site by up to approximately 47. Although an increase in students could adversely affect schools, the proposed project, similar to the Existing Specific Plans, would be required to pay school impacts fees (City of Beverly Hills 2008a and 2016). Under Section 65996 of the California Government Code, the payment of such fees is deemed to fully reduce the impacts of new development on school facilities to less than significant levels. Therefore, the proposed project would not result in any new significant impacts to schools or increase the severity of impacts to schools beyond those identified in previous environmental documentation. Therefore, further analysis of this issue is not warranted.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

- a.4. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered parks, or the need for new or physically altered parks, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?*

According to the Open Space Element of the City's General Plan, the City owns and operates approximately 77 acres of developed parkland (City of Beverly Hills 2010). Based on the 2020 population estimate of 33,775 residents, the parkland-to-population ratio in the City is presently 2.3 acres of parkland per 1,000 residents (DOF 2020). Both the Existing Specific Plans and the proposed project would reduce this ratio to 2.2 acres per 1,000 residents. However, the proposed project would increase the amount of publicly accessible open space with the development of 4.5 acres of botanical gardens open to the public and 3.5 acres of open space reserved for project residents and guests of the hotel.

Previous environmental documentation concluded redevelopment of the project site would incrementally increase demands on existing public parks; however, demand would be lessened by the provisioning of on-site recreational amenities and new open space areas, including a fitness center and swimming pools (City of Beverly Hills 2008a and 2016). The proposed project would reduce the number of hotel rooms on the project site compared to the Existing Specific Plans and would therefore not be anticipated to create adverse impacts to parks above those analyzed in the previous environmental documentation. Furthermore, the proposed project, like the Existing Specific Plans, would be required to pay the City's Park and Recreation Facilities Construction Tax, pursuant to the Beverly Hills Municipal Code Section 3-1-702, which would reduce any impacts to a less than significant level (City of Beverly Hills 2016). Accordingly, the proposed project would not result in any new significant impacts to parks or increase the severity of impacts to parks beyond those identified in previous environmental documentation. Therefore, further analysis of this issue is not warranted.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

- a.5. Would the project result in substantial adverse physical impacts associated with the provision of other new or physically altered public facilities, or the need for other new or physically altered public facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?*

Previous environmental documentation concluded redevelopment of the project site would incrementally increase demand on existing library services due to the addition residential units at the project site, but would have less than significant impacts due to the availability of other libraries in proximity to the project site, the current adequacy of the City's main library branch, and the contributions of new residents to the tax base that funds library services (City of Beverly Hills 2008a and 2016). As discussed in Section 14, *Population and Housing*, the proposed project would construct 340 residential units and up to 30 accessory spaces that could be used for various purposes (e.g., staff living quarters, rooms for offices, wine storage, or other ancillary storage). Assuming the 30 accessory spaces would be used for staff living quarters, the project would result in 67 more total residential units than the Existing Specific Plans, an incremental increase of approximately 22 percent. Furthermore, the proposed project would reduce the number of hotel rooms on the project site compared to the Existing Specific Plans; therefore, it would not indirectly generate more demand on library services due to employees than that expected under the Existing

Specific Plans. Guests of the hotel would also not substantially increase demand on library services because their presence in Beverly Hills would be temporary. The proposed project would not substantially increase demand on public libraries when compared to the Existing Specific Plans. The proposed project would not result in any new significant impacts to library services or increase the severity of impacts to library services beyond those identified in previous environmental documentation, and further analysis of this issue is not warranted.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

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16 Recreation

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circum- stances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a. *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*

b. *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

According to the Open Space Element of the City's General Plan, the City owns and operates approximately 177 acres of public land for recreation, including approximately 77 acres of developed parkland and approximately 100 acres of open space area (City of Beverly Hills 2010). Based on a 2020 population of 33,775, the ratio of public land to residents in the City is approximately 5.2 acres of public recreation land for every 1,000 residents. Therefore, the ratio of public parks to residents in the City is greater than the standard ratio of three acres of parkland for every 1,000 residents used by the Quimby Act, which requires developers to help mitigate the impacts of property improvements by dedicating parkland and/or in lieu fees.

As stated in previous environmental documentation, redevelopment of the project site would result in less than significant impacts related to recreational facilities and demand for recreation (City of

Beverly Hills 2008a and 2016). The proposed project would add 340 housing units, which is only 37 units more than the planned 303 residential units under the Existing Specific Plans, and up to 30 accessory spaces that could be used for various purposes (e.g., staff living quarters, rooms for offices, wine storage, or other ancillary storage). Assuming the 30 accessory spaces would be used for staff living quarters, the project would result in an estimated 851 residents based on the DOF estimate of 2.30 persons per household within the City, compared to the 697 residents the Existing Specific Plans would generate (an increase of approximately 22 percent; DOF 2020). In addition, the proposed project would reduce the number of hotel rooms on the project site compared to the Existing Specific Plans, which would reduce any potential impacts of hotel guest use of recreational facilities in the city. Under the proposed project, similar to the Existing Specific Plans, the public recreation land ratio would be 5.1 acres of public recreation land for every 1,000 residents (DOF 2020), which would not substantially alter the existing citywide demand for recreational lands. Redevelopment of the project site would not directly affect any existing or planned public land for recreation. Furthermore, the proposed project would increase the amount of publicly accessible open space with the development of 10 acres of open space, of which 4.5 acres would be botanical gardens open to the public, and 3.5 acres of open space reserved for project residents and guests of the hotel. In addition, the project applicant would be required to pay its fair share of Parks and Recreation Facilities Tax to the City, which generates funding for City parks and recreational facilities. The proposed project would result in a less than significant impact on public recreational lands, would not increase the severity of impacts to recreational lands beyond those identified in previous environmental documentation, and further analysis of this issue is not warranted.

**LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING
PREPARATION OF AN EIR**

17 Transportation

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circum- stances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
Would the project:					
a. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a. *Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?*

Traffic generated by the proposed project may impact existing circulation patterns and the traffic load and capacity of the existing area street system, which may result in a significant impact to circulation. Although previous environmental documentation included an analysis of traffic-related impacts from redevelopment of the project site, as well as mitigation measures to reduce impacts to a less than significant level, due to the age of the Traffic Impact Analyses associated with previous environmental documentation, local traffic conditions may have substantially changed.

Furthermore, the City adopted a new General Plan Circulation Element subsequent to certification of the Beverly Hilton Specific Plan 2008 EIR. Therefore, the proposed project's impacts to circulation could potentially be significant and these issues will be studied further in the SEIR.

SUBSTANTIAL CHANGE IN CIRCUMSTANCES THAT MAY REQUIRE MAJOR EIR REVISIONS

- b. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?*

Previous environmental documentation did not assess project impacts related to CEQA Guidelines Section 15064.3, subdivision (b), as this was not an environmental issue under CEQA at the time either EIR was prepared (City of Beverly Hills 2008a and 2016). CEQA Guidelines Section 15064.3(b) identifies appropriate criteria for evaluating transportation impacts. It states that land use projects with vehicle miles traveled (VMT) exceeding an applicable threshold of significance may indicate a significant impact, and projects that decrease VMT compared to existing conditions should be presumed to have a less than significant transportation impact. The proposed project would generate vehicle trips from new residents accessing the project site, as well as employees and guests of the hotels and retail establishments associated with the proposed project. The proposed project would be infill development, which generally generates lower VMT than “greenfield” development (new development in rural or agricultural areas on the periphery of communities, or lands otherwise not previously planned for development). However, vehicle trips generated by the proposed project have the potential to exceed the VMT thresholds of significance and this subject requires further assessment. Therefore, the proposed project’s impacts to VMT could potentially be significant and these issues will be studied further in the SEIR.

SUBSTANTIAL CHANGE IN CIRCUMSTANCES THAT MAY REQUIRE MAJOR EIR REVISIONS

- c. Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?*

As discussed in previous environmental documentation, an existing network of regional and local roadways serves the project area (City of Beverly Hills 2008a and 2016). Similar to the Existing Specific Plans, the proposed project would be designed to utilize the existing roadways in the vicinity, and no major changes to design or reconfiguration of existing roadways are anticipated. However, potential modifications to site access, as well as on-site circulation, are proposed. These include the regrading and realignment of Merv Griffin Way, the addition of a new private road at the western edge of the project site to provide access to the new residential towers, and reconfigured driveway access. These changes have the potential to increase hazards due to project design features. The final design of the proposed project, similar to the Existing Specific Plans, including internal circulation characteristics, curb cuts, driveways and other streetscape changes, would be subject to review by the Community Development Department’s Transportation Division. Compliance with applicable regulations and standards would ensure that no hazards due to a design feature would occur. Although the site plans for the Existing Specific Plans were reviewed and related impacts were determined to be less than significant, the proposed project’s site plans differ from the Existing Specific Plans’ site plans and traffic conditions in the area have changed. Therefore, the proposed project could result in potentially significant impacts due to hazardous design features and this issue will be studied further in the SEIR.

SUBSTANTIAL CHANGE IN PROJECT THAT MAY REQUIRE MAJOR EIR REVISIONS

d. Would the project result in inadequate emergency access?

As discussed in previous environmental documentation, the project site has a high level of accessibility for emergency vehicles, both from a regional and a site perspective. Previous environmental documentation determined the Existing Specific Plans would not impede emergency access (City of Beverly Hills 2008a and 2016). Under the proposed project, both Wilshire and Santa Monica Boulevards provide direct routes to the project site for emergency vehicles. Once emergency vehicles have reached the site, they can access the on-site structures through Merv Griffin Way, Wilshire Boulevard, Santa Monica Boulevard, or the proposed new access driveway along the western boundary of the project site that would connect to Wilshire Boulevard and Santa Monica Boulevard. Smaller emergency vehicles, such as police cars and ambulances, would be able to access the subterranean parking structure as necessary and impacts would be less than significant. The proposed project's impacts related to emergency access would therefore be less than significant and further analysis of this issue is not warranted.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

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18 Tribal Cultural Resources

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circum- stances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
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Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in a Public Resources Code Section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- | | | | | | |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| <p>a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or</p> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.</p> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

- a. *Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074 that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?*
- b. *Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code 21074 that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1?*

Senate Bill 18 of 2004

As detailed under *Tribal Consultation*, SB 18 requires local governments to contact tribal organizations prior to making a decision to adopt or amend a general or specific plan. As required by SB 18, the Native American Heritage Commission (NAHC) was contacted to request a Sacred Lands File (SLF) search of the project site and a 0.25-mile radius surrounding it. The purpose of the SLF search is to identify lands or resources important to Native Americans and to assess the potential for project-related development to impact Native American resources. A request for a list of California Native American Tribes traditionally affiliated with the project area was submitted to the NAHC on July 24, 2020. On July 27, 2020, the NAHC provided the contact information for six tribes culturally affiliated with the project area: Soboba Band of Luiseño Indians, Gabrielino-Tongva Tribe, Gabrielino Tongva Indians of California Tribal Council, Gabrielino/Tongva Nation, Gabrieleño/Tongva San Gabriel Band of Mission Indians, and Gabrieleño Band of Mission Indians – Kizh Nation.

Assembly Bill 52

As further described under *Tribal Consultation*, AB 52 expanded CEQA by defining a new resource category, “tribal cultural resources.”

AB 52 establishes that “a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment” (PRC Section 21084.2). It further states that the lead agency shall establish measures to avoid impacts that would alter the significant characteristics of a tribal cultural resource, when feasible (PRC Section 21084.3).

PRC Section 21074(a)(1)(A) and (B) defines tribal cultural resources as “sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe” and is:

1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying these criteria, the lead agency shall consider the significance of the resource to a California Native American tribe.

AB 52 also establishes a formal consultation process for California tribes regarding those resources. Under AB 52, lead agencies are required to “begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project.”

Native American tribes to be included in the process are those that have requested notice of projects proposed within the jurisdiction of the lead agency.

The City has begun Native American consultation under AB 52 by sending letters on August 21, 2020 to the NAHC identified Native American groups and individuals (Soboba Band of Luiseño Indians, Gabrielino-Tongva Tribe, Gabrielino Tongva Indians of California Tribal Council, Gabrielino/Tongva Nation, Gabrieleño/Tongva San Gabriel Band of Mission Indians, and Gabrieleño Band of Mission Indians – Kizh Nation) in an effort to identify any tribal cultural resources within the project site and/or its vicinity and to address any potential impacts to tribal cultural resources resulting from project-related development.

The Existing Specific Plans were approved prior to the adoption of AB 52; accordingly, tribal cultural resources are not assessed in previous environmental documentation for the project site. The City will be conducting AB 52 consultation for the proposed project. The results of AB 52 consultation and the proposed project's potential impacts on tribal cultural resources will be included in the SEIR.

SUBSTANTIAL CHANGE IN CIRCUMSTANCES THAT MAY REQUIRE MAJOR EIR REVISIONS

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19 Utilities and Service Systems

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circum- stances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
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Would the project:

- | | | | | | |
|--|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circum- stances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a. *Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?*

Water

Previous environmental documentation also stated the City Engineer had indicated that the fire flow of 1,000 to 1,500 gallons per minute (gpm) measured at hydrants serving the project site may not be adequate for redevelopment of the project site, and that such an impact could potentially be significant. Previous environmental documentation included Mitigation Measure MM-WTR-1; however, that mitigation measure may be outdated. Therefore, this issue will be studied further in the SEIR. Water supply entitlements are discussed in Response (b).

Wastewater Treatment

Previous environmental documentation also concluded sufficient treatment capacity exists at the Hyperion Wastewater Treatment Plant (WWTP) to accommodate the wastewater discharged by buildout associated with the Existing Specifics Plans. The Hyperion WWTP has a dry weather design capacity of 450 million gallons per day and is currently processing an average of 275 million gallons per day, resulting in 175 million gallons per day of available capacity. The City of Beverly Hills has entered into a joint treatment and disposal agreement with the City of Los Angeles, which eliminates entitlements and reduces limitations previously set on the amount of sewage discharged

to the Hyperion WWTP. The City of Beverly Hills has access to the Hyperion WWTP's excess capacity upon payment of Amalgamated Sewerage System Facilities Charges to the City of Los Angeles.

In previous environmental documentation, buildout associated with the Existing Specific Plans was estimated to result in gross wastewater generation of approximately 50 million gallons per year, which represents a net increase in wastewater generation of approximately six million gallons per year over wastewater generation from the existing (2007) uses on the project site. However, the proposed project would only include construction of a total of 340 residential units, and up to 30 accessory spaces that could be used for various purposes (e.g., staff living quarters, rooms for offices, wine storage, or other ancillary storage). Assuming the 30 accessory spaces would be used for staff living quarters, the project would result in 67 more total residential units than the Existing Specific Plans. In addition, the proposed project would result in a net reduction of hotel rooms and retail/commercial square footage on the project site compared to the Existing Specific Plans; hotel rooms would be reduced by 56 (9 percent) and commercial/retail uses would be reduced by 23,121 sf (40 percent) (City of Beverly Hills 2008a and 2016). The net reduction of hotel rooms and commercial/retail uses would offset the majority of the increase in wastewater generation resulting from the project's 67 additional residential units (assuming accessory spaces are used for staff living quarters). In addition, standard City conditions of approval include the requirement for greywater systems to reduce overall water demands and the amount of wastewater that must be treated at off-site treatment facilities. As noted above, the Hyperion WWTP has 175 million gallons per day of available capacity; therefore, the project's incremental increase to wastewater generation in comparison to the Existing Specific Plans would not require the construction of new or expanded wastewater treatment facilities.

The City Public Works Department anticipated the existing wastewater system would be able to accommodate the additional flow generated by the Existing Specific Plans and buildout would not require construction of new wastewater treatment facilities or an expansion of existing facilities. However, the proposed restaurant use under the Existing Specific Plans had the potential to generate a heavier discharge of fats, oils, and grease, which was considered a potentially significant impact. Accordingly, previous environmental documentation included the following mitigation measure, which would also apply to the proposed project, to reduce the impact associated with discharge of waste from the proposed restaurant use (City of Beverly Hills 2008a and 2016):

MM-WW-1 The proposed restaurant shall install a Fat, Oil, and Grease (FOG) Interceptor to remove these substances from its wastewater before entering the sanitary sewer system. This device helps prevent these substances from clogging the sanitary sewer system. The device shall be regularly inspected by the Los Angeles County Department of Public Works.

Based on the above, the proposed project would not result in any new significant impacts related to wastewater treatment infrastructure and would not require or result in the relocation or construction of new or expanded wastewater treatment infrastructure. Further analysis of this issue is not warranted.

Stormwater Drainage

As discussed in Section 10, *Hydrology and Water Quality*, the entire project site is served by an existing stormwater collection and conveyance system. Previous environmental documentation determined redevelopment of the project site that would increase the area of pervious surfaces on the project site beyond that planned under the Existing Specific Plans, like the proposed project,

would not increase stormwater flow (City of Beverly Hills 2008a and 2016). The proposed project would increase the amount of landscaped area on the project site compared to the Existing Specific Plans. In addition, the proposed project would incorporate a series of rainwater management features, including collection, storage, filtration, distribution, and reuse of rainwater on the project site. Therefore, the proposed project would result in a less than significant impact to stormwater drainage and would not result in any new significant impacts related to stormwater drainage infrastructure. Further analysis of this issue is not warranted.

Electric Power, Natural Gas, and Telecommunications

Electricity service for the proposed project would be provided by Southern California Edison (SCE). Natural gas service would be provided by Southern California Gas Company (SoCal Gas). Telecommunications services would be provided at the discretion of future tenants. Electricity, natural gas, and telecommunications are generally available in the project area and are currently provided on the project site.

As discussed in Section 6, *Energy*, the proposed project would demand less energy than the Existing Specific Plans. In addition to complying with energy conservation requirements of the California Energy Code and the California Green Building Standards Code, the proposed project would also be designed to achieve a LEED Gold rating through environmentally-sensitive architecture and building systems, which would further reduce demand on regional electricity and natural gas infrastructure.

In addition to complying with the abovementioned standards and requirements, and being designed to achieve a LEED Gold rating and WELL Certification, implementation of Mitigation Measures MM-ENG-1 and MM-ENG-2 from previous environmental documentation, with minor edits as shown below, would further reduce utility infrastructure-related impacts (City of Beverly Hills 2008a and 2016):

- MM-ENG-1** Prior to issuance of building permits ~~submittal of final plans~~, the applicant shall make necessary alterations to the generation or distribution system as required by SCE. The applicant shall then provide to the Beverly Hills Community Development Department a letter from SCE that states that electricity will be provided to the proposed project and that all applicable energy conservation features have been incorporated into the project design.
- MM-ENG-2** Prior to issuance of building permits ~~submittal of final plans~~, the applicant shall complete a load survey in accordance with the Gas Company procedures and make any necessary alterations to the distribution system as required by the Gas Company. The applicant shall then provide to the Beverly Hills Community Development Department a letter from the Gas Company, which states that natural gas will be provided to the proposed project and that all applicable energy conservation features have been incorporated into the project design.

Therefore, the proposed project would not require or result in the relocation or construction of new or expanded electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects. Impacts would be less than significant. Further analysis of this issue is not warranted.

As discussed above, impacts to wastewater treatment, stormwater drainage, and electric power, natural gas, and telecommunications facilities would be less than significant and further analysis of these issues is not warranted. However, the project's fire flow requirements may result in significant

impacts to water facilities requiring updates to existing mitigation measures. Therefore, this issue will be studied further in the SEIR.

NEW INFORMATION SHOWING POTENTIALLY NEW OR GREATER SIGNIFICANT EFFECTS THAN PREVIOUS EIR

- b. Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?*

Previous environmental documentation concluded water supplies would be adequate to serve buildout associated with redevelopment of the project site under the Existing Specific Plans (City of Beverly Hills 2008a and 2016). The City's water supply consists mostly of imported water purchased from the Metropolitan Water District of Southern California, with some groundwater pumping from the Hollywood Basin (City of Beverly Hills 2016). Although sufficient water supply was available for the Existing Specific Plans, ongoing drought conditions in California have changed the status of statewide water supplies since that time. Furthermore, the City has adopted new policies aimed at water conservation and explored the possibility of developing new supplies, such as increased pumping of groundwater from the Hollywood Basin underlying the project site. As such, the proposed project could involve new or increased severity impacts to water supply and this issue will be studied further in the SEIR.

SUBSTANTIAL CHANGE IN CIRCUMSTANCES THAT MAY REQUIRE MAJOR EIR REVISIONS

- c. Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

As detailed above under item (a), the proposed project would generate less wastewater than the Existing Specific Plans, and the Hyperion WWTP was determined to have sufficient capacity to accommodate wastewater from development under the Existing Specific Plans. In addition, standard City conditions of approval include the requirement for greywater systems to reduce overall water demands and the amount of wastewater that must be treated at off-site treatment facilities. Therefore, the proposed project would not result in any new significant impacts related to wastewater treatment capacity. Further analysis of this issue is not warranted.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

- d. Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?*
- e. Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?*

The Solid Waste Division of the City Public Works Department is responsible for solid waste collection in Beverly Hills. The City contracts with Athens Environmental Services for waste hauling and collection services. The disposal of solid waste occurs at one of three designated landfills: Sunshine Canyon Landfill, Calabasas Sanitary Landfill, and the Commerce Refuse-to-Energy Facility. As shown in Table 4, these landfills have a combined remaining capacity of 73.05 million tons with a combined maximum permitted throughput of 22,600 tons per day (CalRecycle 2020).

Table 4 Solid Waste Disposal Facilities

Facility	Permitted Daily Throughput (tons per day)	Average Daily Waste Quantities Disposed (tons per day)	Estimated Remaining Permitted Capacity (million tons)	Estimated Closure Date
Calabasas Landfill	3,500	951	5.95	2029
Sunshine Canyon City/County Landfill	12,100	7,496	62.11	2037
Commerce Refuse-to-Energy Facility	1,000	299	N/A	N/A
Total	22,600	11,158	73.05	--

Sources: CalRecycle 2020

N/A = not applicable

Previous environmental documentation concluded redevelopment of the project site would result in a less than significant impact related to the generation of solid waste (City of Beverly Hills 2008a and 2016). During construction, the handling of all debris and waste would be subject to the City's and the State's (under AB 939) requirements for salvaging, recycling, and reuse of materials from construction activity on the project site. At least 75 percent of debris generated from demolition activities would be diverted from landfills in compliance with AB 939 and the green building standards set forth in Section 4.10 of the Beverly Hills Specific Plan. Because the proposed project would involve construction activities similar to those of the Existing Specific Plans and would generate a similar amount of construction-related solid waste, impacts related to solid waste during construction would be less than significant. Therefore, further analysis of this issue is not warranted.

As previously stated, the proposed project would include construction of 340 residential units, 37 more residential units than the Existing Specific Plans, and up to 30 accessory spaces that could be used for various purposes (e.g., staff living quarters, rooms for offices, wine storage, or other ancillary storage). The proposed project would result in a net reduction of hotel rooms (56 fewer rooms) and retail/commercial square footage (23,121 sf less) on the project site compared to the Existing Specific Plans. The net reduction of hotel rooms and commercial/retail uses would offset the majority of the increase in solid waste generation resulting from the project's 67 additional residential units (assuming accessory spaces are used for staff living quarters). In addition, as required by law, at least 50 percent of solid waste would be diverted from landfills, and as noted above, there is a combined daily throughput surplus at local landfills of 11,442 tons per day. Accordingly, the proposed project would not result in any new significant impacts related to generating solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, and would not impair attainment of solid waste reduction goals or regulations beyond those identified in previous environmental documentation. Therefore, further analysis of this issue is not warranted.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

20 Wildfire

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circum- stances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
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If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- | | | | | | |
|--|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Substantially impair an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Expose people or structures to significant risks, including downslopes or downstream flooding or landslides, | | | | | |

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circum- stances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a. *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project substantially impair an adopted emergency response plan or emergency evacuation plan?*

The project site is developed and located within an urban setting. As discussed in Section 9, *Hazards and Hazardous Materials*, Section 15, *Public Services*, and Section 17, *Transportation*, the proposed project would not impair emergency response or evacuation plans or impede emergency access to the project site or its surroundings. Furthermore, the project site is not located in state responsibility areas or lands classified as very high fire hazard severity zones (VHFHSZ); the nearest VHFHSZ is located approximately 0.8 mile north of the project site and is separated by intervening structures, roadways, and urban development (CalFIRE 2011). Therefore, the project would have no impact on emergency response and evacuation and further analysis of this issue is not warranted.

NO IMPACT

- b. *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?*

The project site is located in an urban area and is not adjacent to wildlands or other landscapes subject to wildfire risk and is approximately 0.8 mile from the nearest VHFHSZ (CalFIRE 2011). The proposed project would consist of infill development and would include hotel, residential, and retail uses, as well as a botanical garden. As discussed in Section 9, *Hazards and Hazardous Materials*, the botanical garden would be designed and maintained according to best practices to reduce the risk of fire on vegetated portions of the project site. Due to the urban nature of the project site, the distance of the project site from the nearest VHFHSZ, and the proposed uses, the proposed project would not exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. Further analysis of this issue is not warranted.

NO IMPACT

- c. *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*

The proposed project is located in an urban area and is well served by existing roadways and utilities. The proposed project would not require the installation or maintenance of infrastructure that could exacerbate fire risk. See Section 19, *Utilities and Service Systems*, of this Initial Study for a discussion of the proposed project's potential impacts related to water sources, power, and other utilities. Further analysis of utilities infrastructure as it relates wildfire is not warranted.

NO IMPACT

- d. *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project expose people or structures to significant risks, including downslopes or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

The project site is in an urban area and is located approximately 0.8 mile from the nearest VHFHSZ (CalFIRE 2011). As discussed in Section 7, *Geology and Soils*, Section 9, *Hazards and Hazardous Materials*, and Section 10, *Hydrology and Water Quality*, the project site and its vicinity are relatively flat, is not located near any rivers or streams, and is not subject to significant risks of flooding or landslides. Therefore, the risk of wildfire at the project site is considered low and the proposed project would not expose people or structures to significant risks associated with wildfires including downslope flooding or landslides. Further analysis of this issue is not warranted.

NO IMPACT

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21 Mandatory Findings of Significance

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circum- stances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
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Does the project:

- a. Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?



- b. Have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circumstances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
effects of probable future projects)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- a. *Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*

The project site is developed and located within an urban setting. Based on the preceding discussion, the proposed project would neither degrade the quality of the environment nor substantially affect any endangered fauna or flora. In addition, the proposed project would not impact rare, threatened, or endangered wildlife. However, demolition of portions of the Beverly Hilton Hotel may result in impacts to historic resources. As a result, the impact of the proposed project is potentially significant and potential historic resource impacts will be studied further in the SEIR.

SUBSTANTIAL CHANGE IN PROJECT THAT MAY REQUIRE MAJOR EIR REVISIONS

- b. *Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?*

Since certification of previous environmental documentation for the project site, new developments have been constructed and additional developments in and around Beverly Hills have been approved or proposed. Potentially significant impacts associated with the proposed project, in combination with the effects of other past, current, and future projects in the vicinity of the project site, may have a cumulatively considerable effect. The impacts of the proposed project in combination with existing and currently planned and pending developments will be studied further in the SEIR.

SUBSTANTIAL CHANGE IN CIRCUMSTANCES THAT MAY REQUIRE MAJOR EIR REVISIONS

- c. *Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

As discussed in the respective issue areas, the proposed project would have environmental effects that may cause substantial adverse effects on human beings, specifically related to air quality, noise, and transportation/traffic. These issues will be studied further in the SEIR.

SUBSTANTIAL CHANGE IN PROJECT THAT MAY REQUIRE MAJOR EIR REVISIONS

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Rincon Consultants, Inc. prepared this Initial Study under contract to the City of Beverly Hills. Persons involved in data gathering analysis, project management, and quality control are listed below.

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Appendix A

One Beverly Hills Shadow Studies

One Beverly Hills Shadow Studies

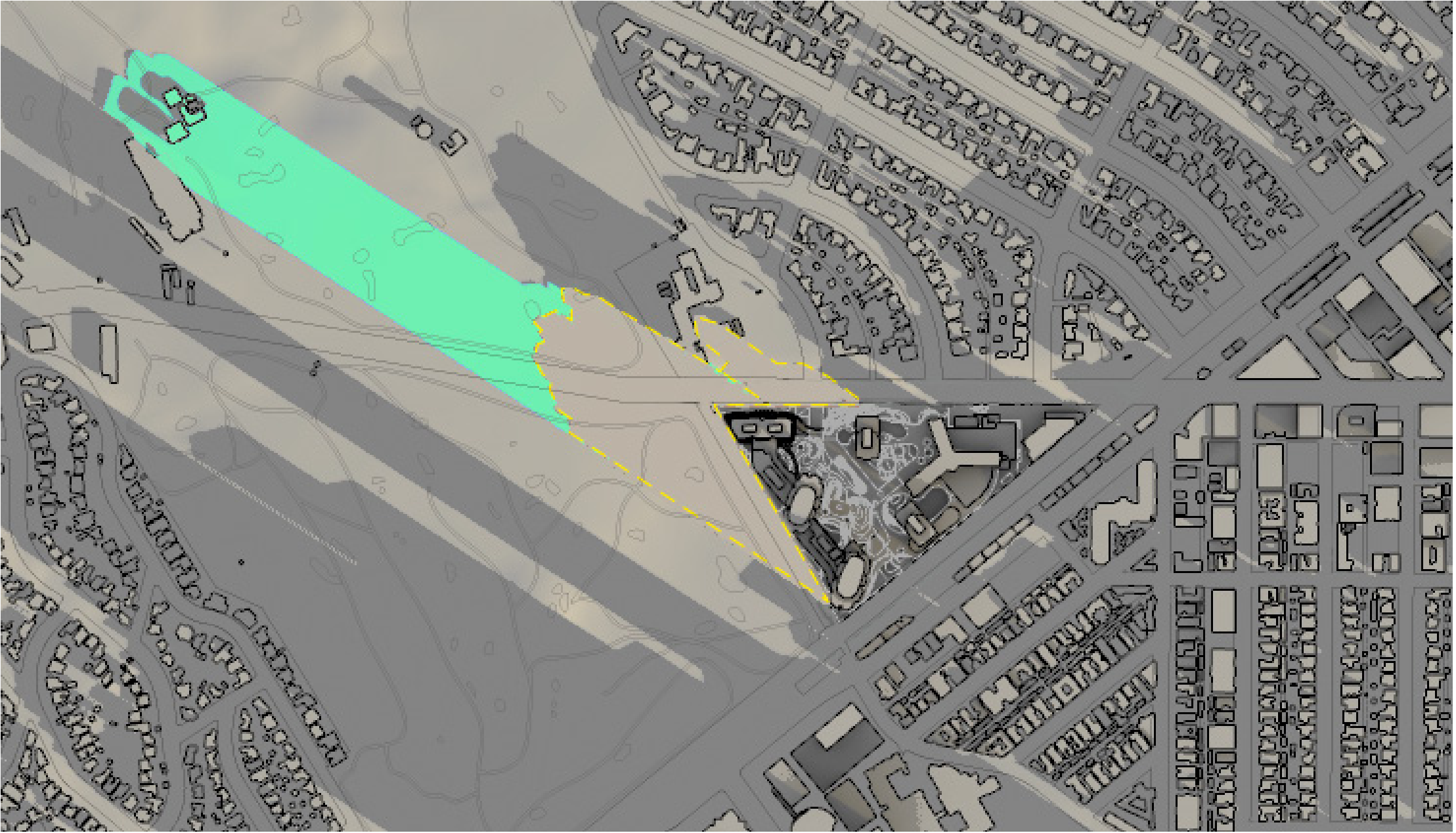
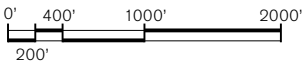
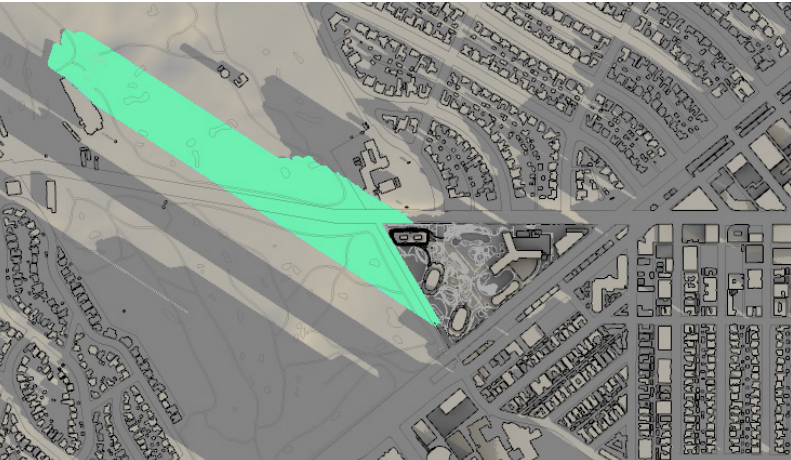
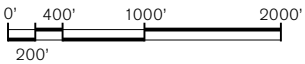
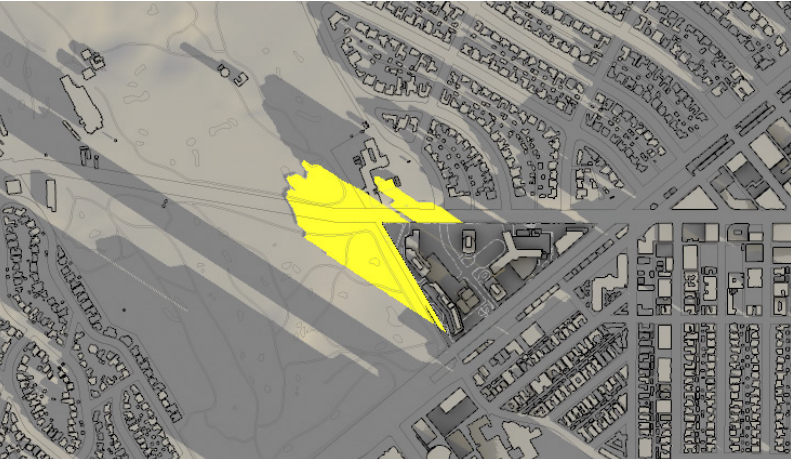
August 2020

Solar Studies | Shadow Plots

Winter Solstice 7:30 AM



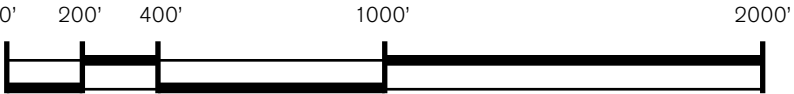
7:30 AM Difference between Approved and Proposed Massing



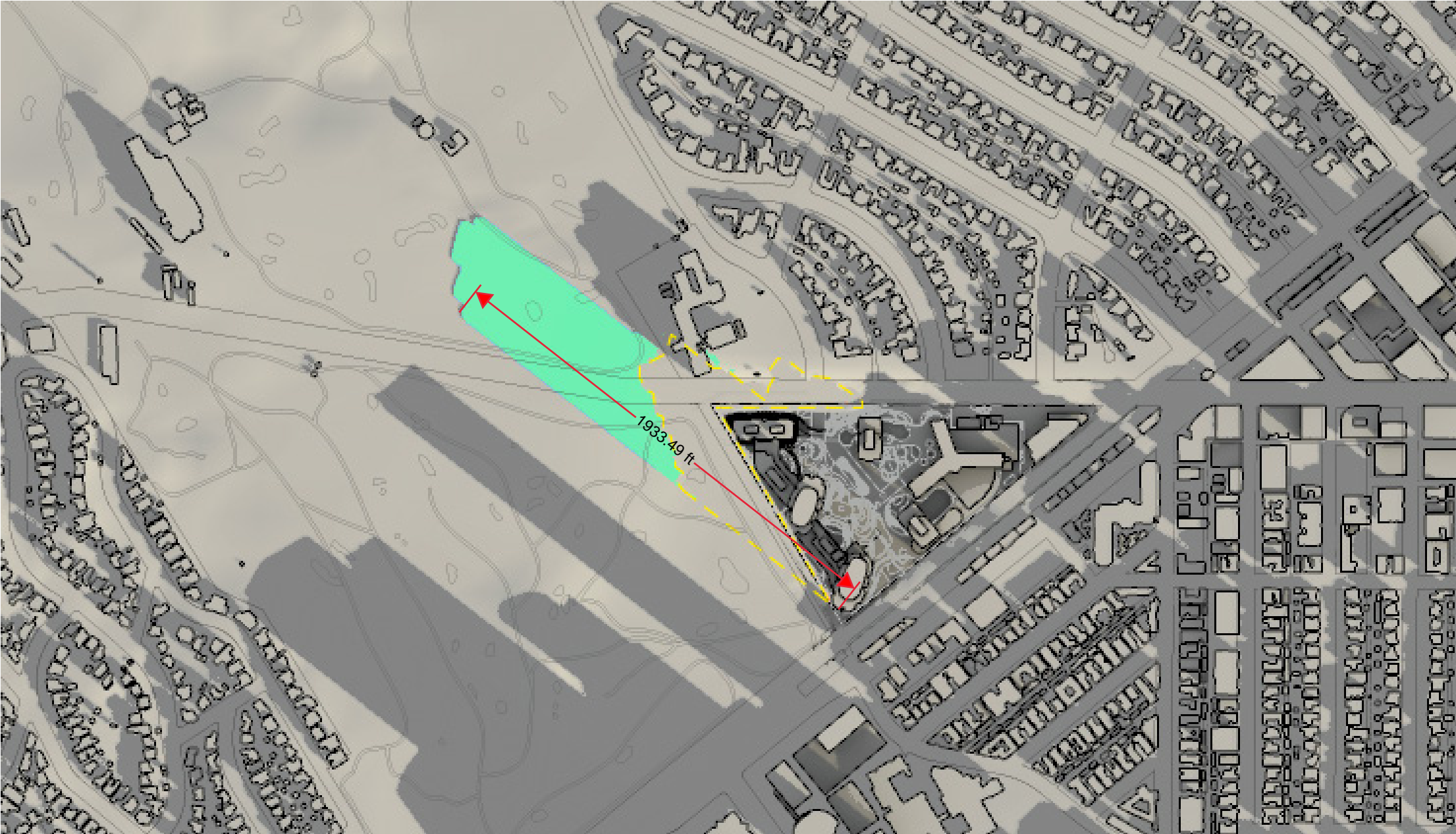
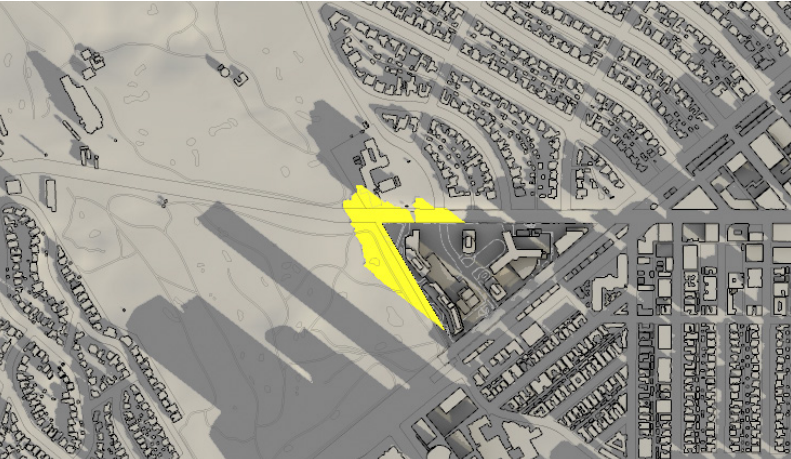
Note: Shading from trees and landscaping not shown.

Legend

- 1. Existing Shadows
- 2. Approved Project
- 3. Proposed Project
- 4. Approved Project Outline



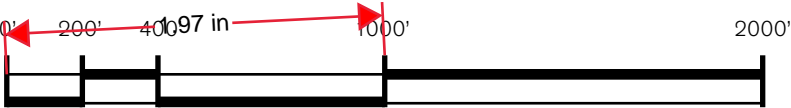
8:00 AM Difference between Approved and Proposed Massing



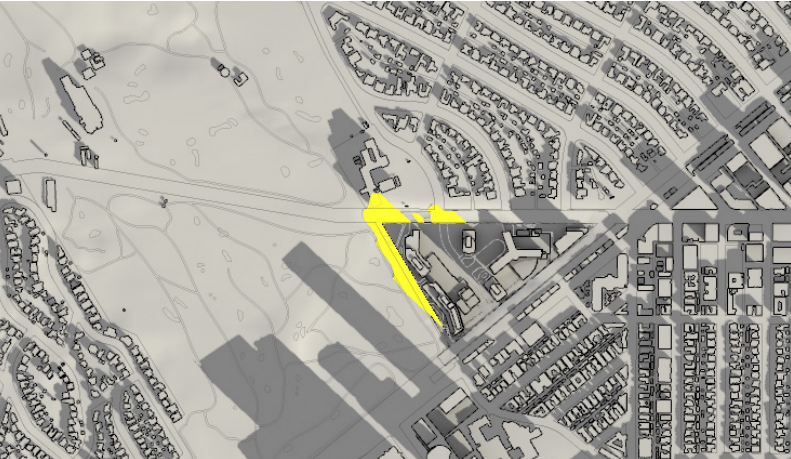
Note: Shading from trees and landscaping not shown.

Legend

- 1. Existing Shadows
- 2. Approved Project
- 3. Proposed Project
- 4. Approved Project Outline



8:30 AM Difference between Approved and Proposed Massing

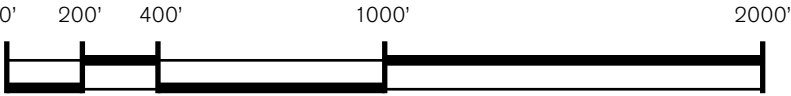


Legend

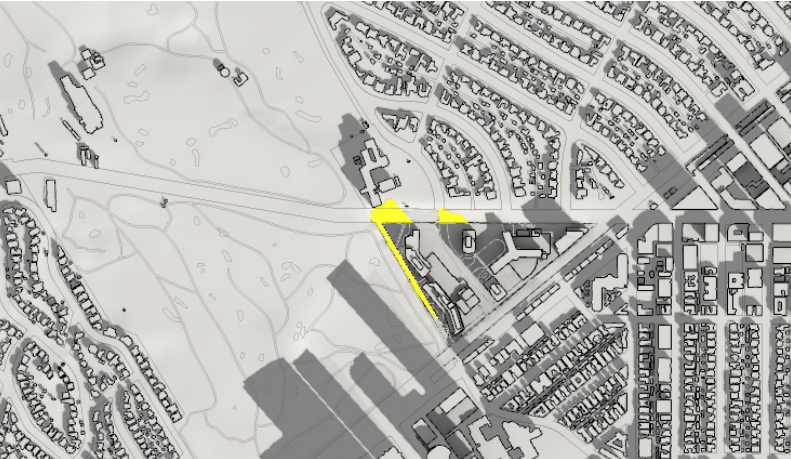
- 1. Existing Shadows
- 2. Approved Project
- 3. Proposed Project
- 4. Approved Project Outline



Note: Shading from trees and landscaping not shown.



9:00 AM Difference between Approved and Proposed Massing



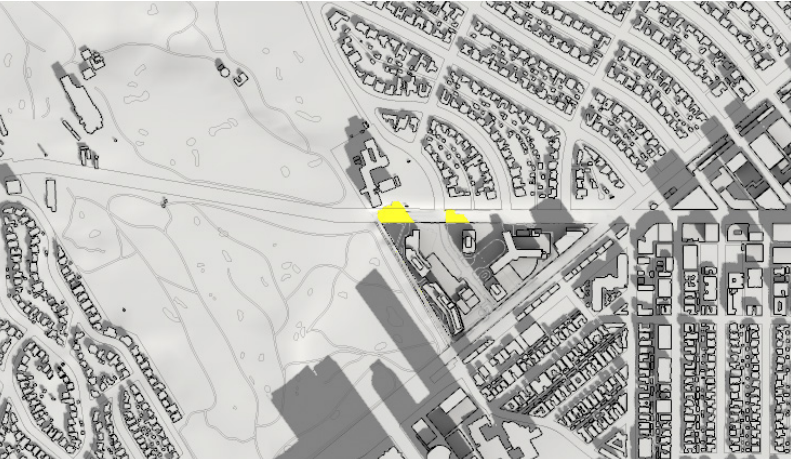
Legend

- 1. Existing Shadows
- 2. Approved Project
- 3. Proposed Project
- 4. Approved Project Outline



Note: Shading from trees and landscaping not shown.

9:30 AM Difference between Approved and Proposed Massing

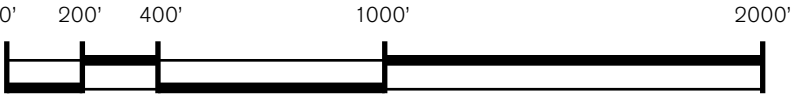


Legend

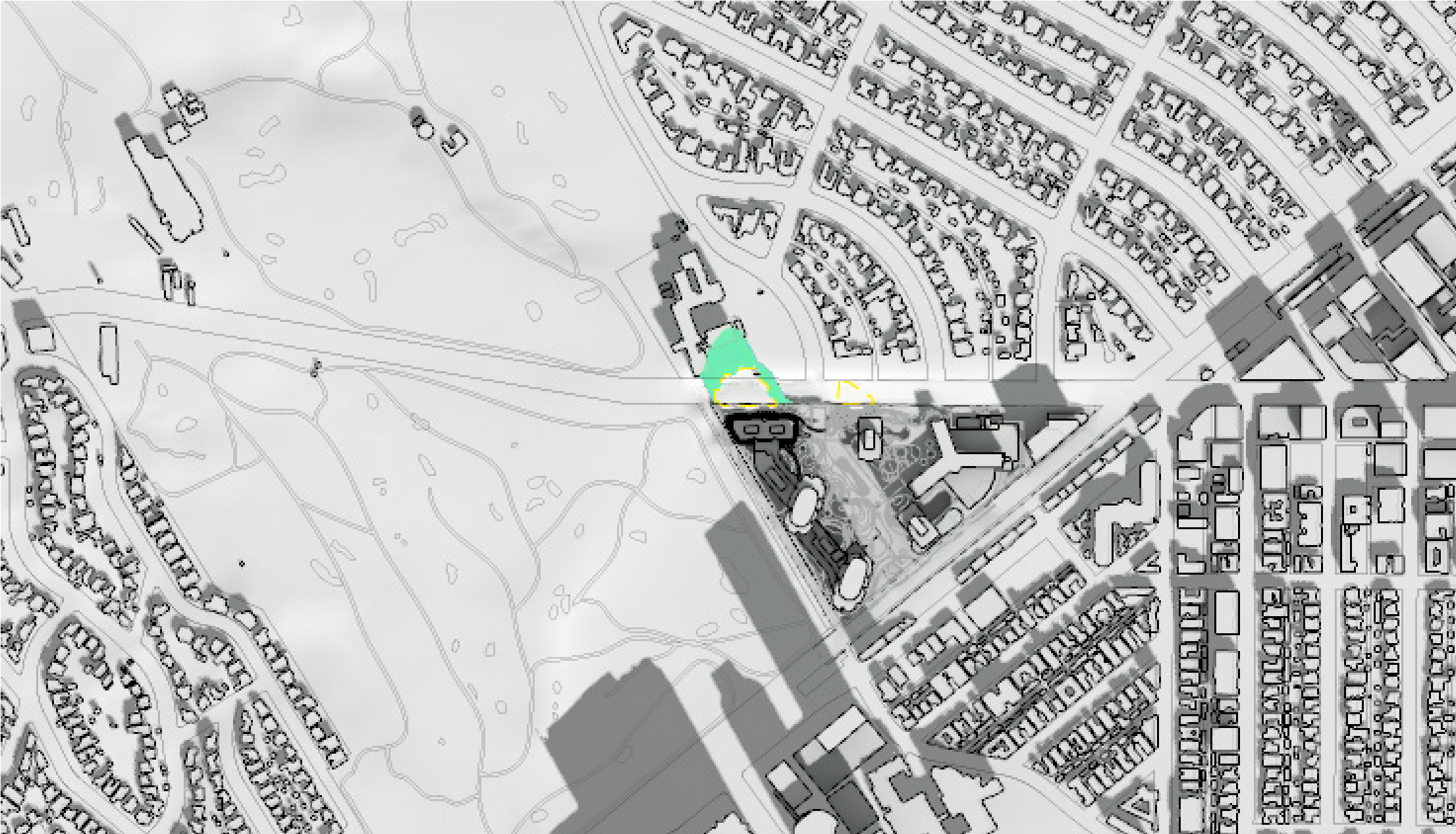
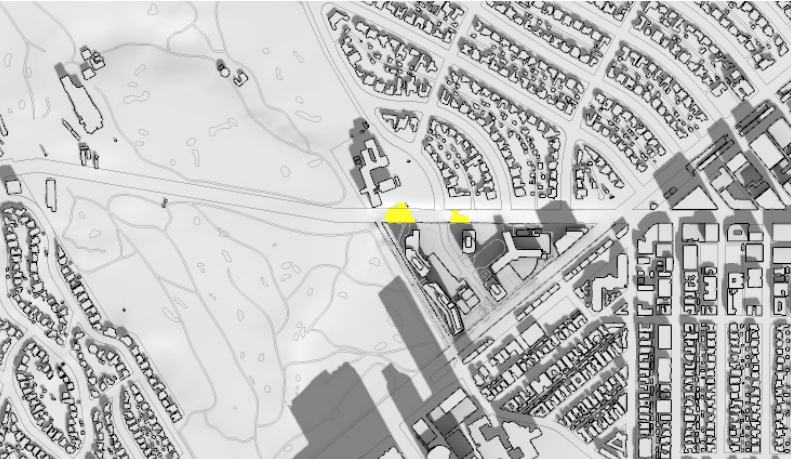
- 1. Existing Shadows
- 2. Approved Project
- 3. Proposed Project
- 4. Approved Project Outline



Note: Shading from trees and landscaping not shown.



10:00 AM Difference between Approved and Proposed Massing

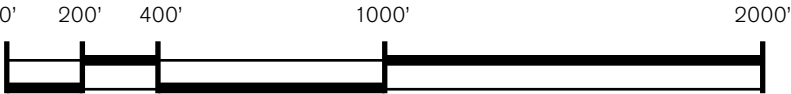


Legend

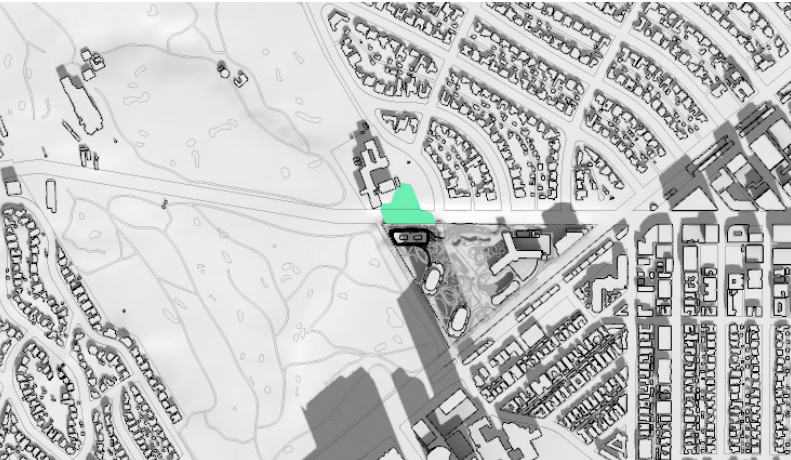
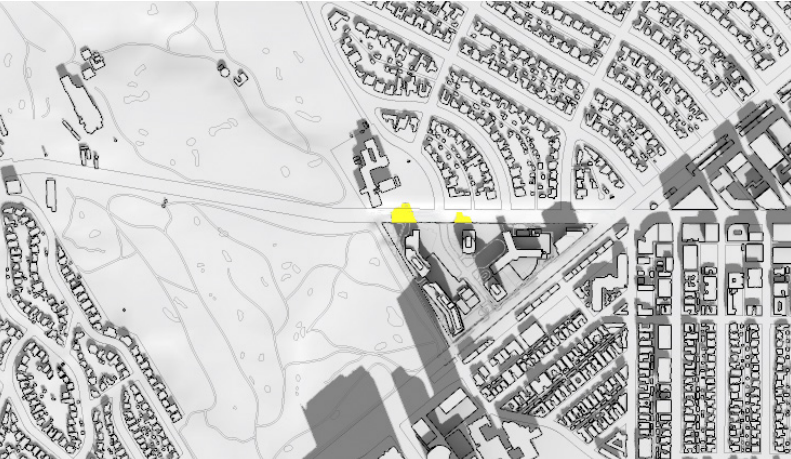
- 1. Existing Shadows
- 2. Approved Project
- 3. Proposed Project
- 4. Approved Project Outline



Note: Shading from trees and landscaping not shown.



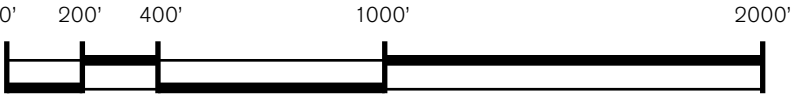
10:30 AM Difference between Approved and Proposed Massing



Note: Shading from trees and landscaping not shown.

Legend

- 1. Existing Shadows
- 2. Approved Project
- 3. Proposed Project
- 4. Approved Project Outline



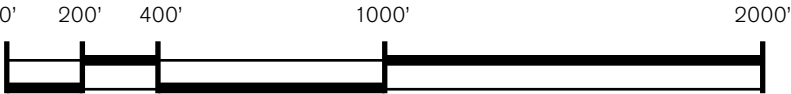
11:00 AM Difference between Approved and Proposed Massing



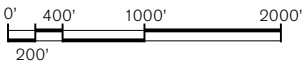
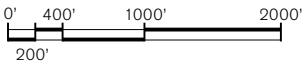
Note: Shading from trees and landscaping not shown.

Legend

- 1. Existing Shadows
- 2. Approved Project
- 3. Proposed Project
- 4. Approved Project Outline



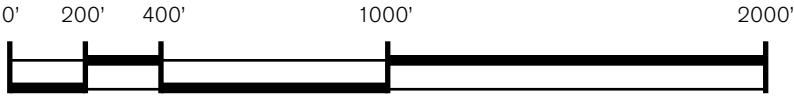
11:30 AM Difference between Approved and Proposed Massing



Note: Shading from trees and landscaping not shown.

Legend

- 1. Existing Shadows
- 2. Approved Project
- 3. Proposed Project
- 4. Approved Project Outline

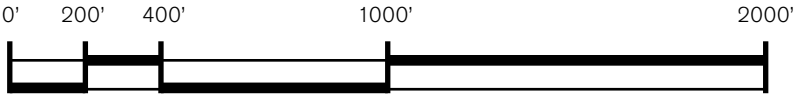


12:00 PM Difference between Approved and Proposed Massing

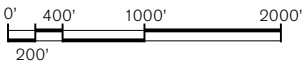
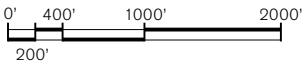


Note: Shading from trees and landscaping not shown.

- Legend**
- 1. Existing Shadows
 - 2. Approved Project
 - 3. Proposed Project
 - 4. Approved Project Outline



12:30 PM Difference between Approved and Proposed Massing

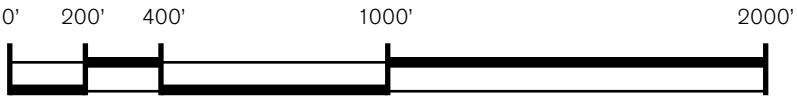


Legend

- 1. Existing Shadows
- 2. Approved Project
- 3. Proposed Project
- 4. Approved Project Outline



Note: Shading from trees and landscaping not shown.



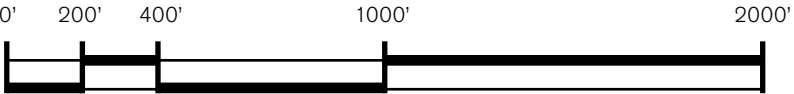
1:00 PM Difference between Approved and Proposed Massing



Note: Shading from trees and landscaping not shown.

Legend

- 1. Existing Shadows
- 2. Approved Project
- 3. Proposed Project
- 4. Approved Project Outline



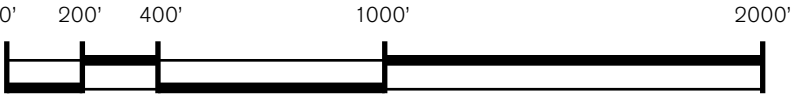
1:30 PM Difference between Approved and Proposed Massing



Note: Shading from trees and landscaping not shown.

Legend

- 1. Existing Shadows
- 2. Approved Project
- 3. Proposed Project
- 4. Approved Project Outline



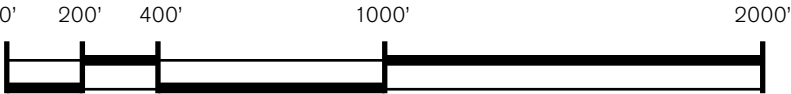
2:00 PM Difference between Approved and Proposed Massing



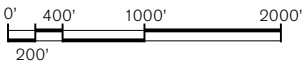
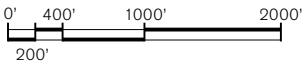
Note: Shading from trees and landscaping not shown.

Legend

- 1. Existing Shadows
- 2. Approved Project
- 3. Proposed Project
- 4. Approved Project Outline



2:30 PM Difference between Approved and Proposed Massing

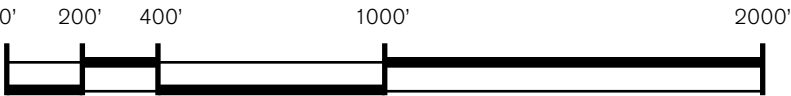


Legend

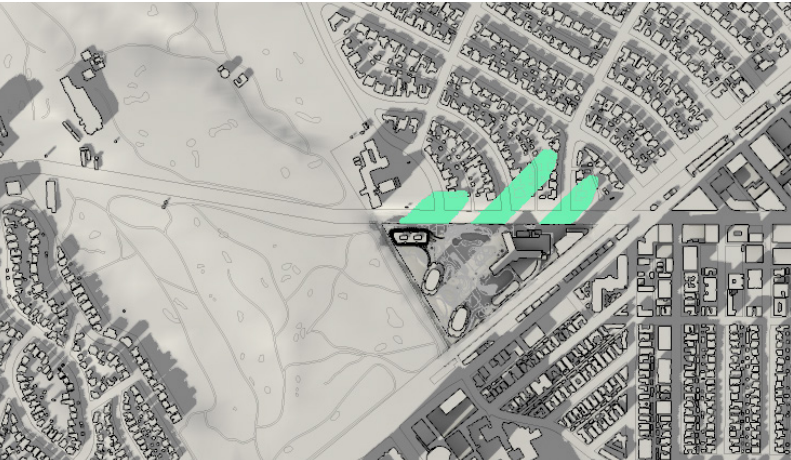
- 1. Existing Shadows
- 2. Approved Project
- 3. Proposed Project
- 4. Approved Project Outline



Note: Shading from trees and landscaping not shown.



3:00 PM Difference between Approved and Proposed Massing

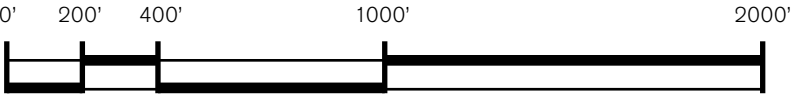


Legend

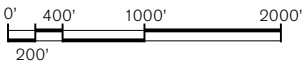
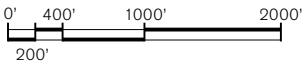
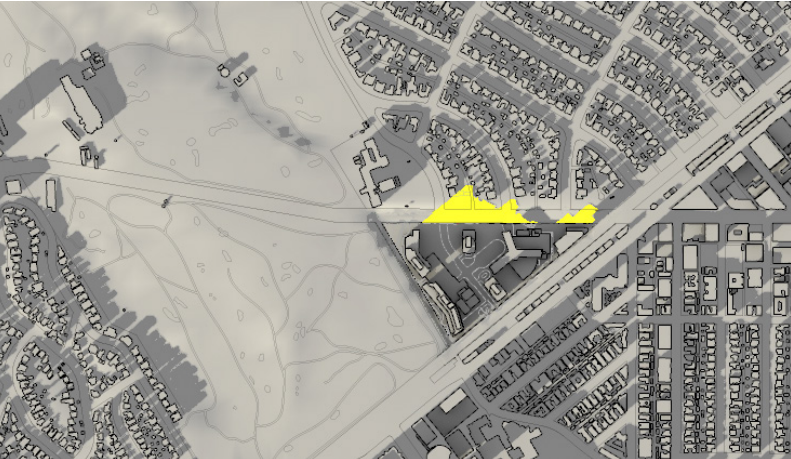
- 1. Existing Shadows
- 2. Approved Project
- 3. Proposed Project
- 4. Approved Project Outline



Note: Shading from trees and landscaping not shown.



3:30 PM Difference between Approved and Proposed Massing

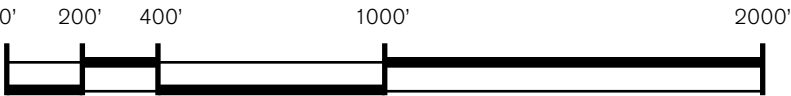


Legend

- 1. Existing Shadows
- 2. Approved Project
- 3. Proposed Project
- 4. Approved Project Outline



Note: Shading from trees and landscaping not shown.



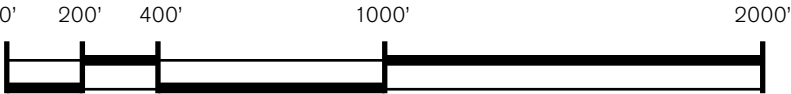
4:00 PM - Shadows Indistinguishable



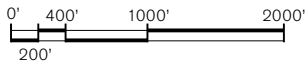
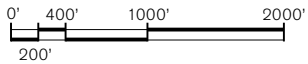
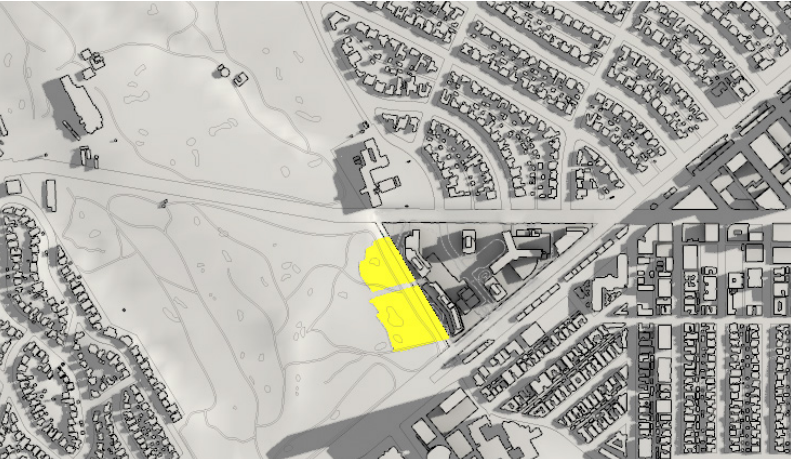
Note: Shading from trees and landscaping not shown.

Legend

- 1. Existing Shadows
- 2. Approved Project
- 3. Proposed Project
- 4. Approved Project Outline



7:30 AM Difference between Approved and Proposed Massing

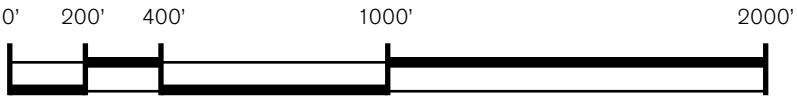


Legend

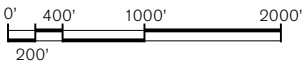
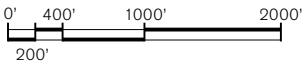
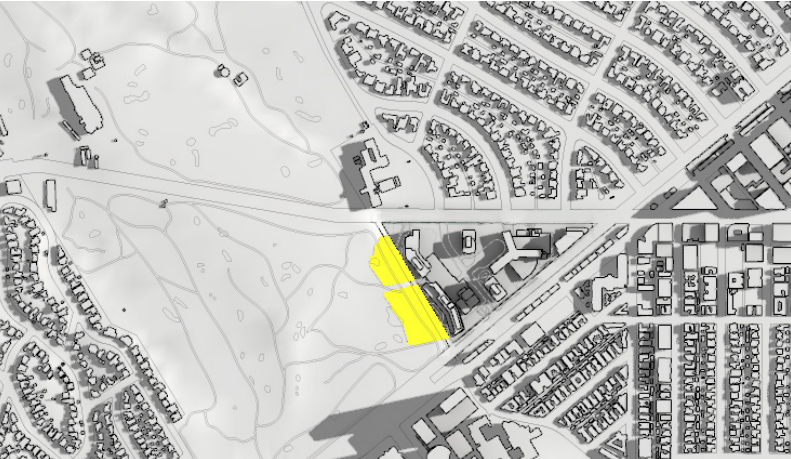
- 1. Existing Shadows
- 2. Approved Project
- 3. Proposed Project
- 4. Approved Project Outline



Note: Shading from trees and landscaping not shown.



8:00 AM Difference between Approved and Proposed Massing

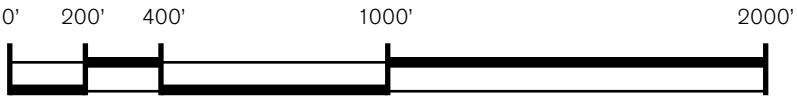


Legend

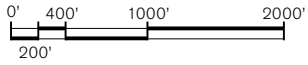
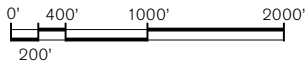
- 1. Existing Shadows
- 2. Approved Project
- 3. Proposed Project
- 4. Approved Project Outline



Note: Shading from trees and landscaping not shown.



9:00 AM Difference between Approved and Proposed Massing

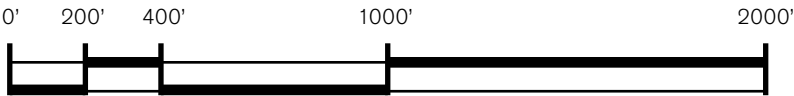


Legend

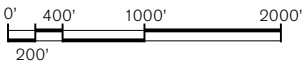
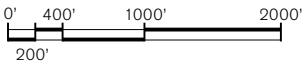
- 1. Existing Shadows
- 2. Approved Project
- 3. Proposed Project
- 4. Approved Project Outline



Note: Shading from trees and landscaping not shown.



10:00 AM Difference between Approved and Proposed Massing

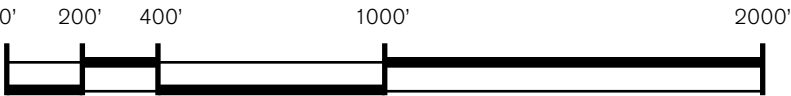


Legend

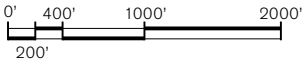
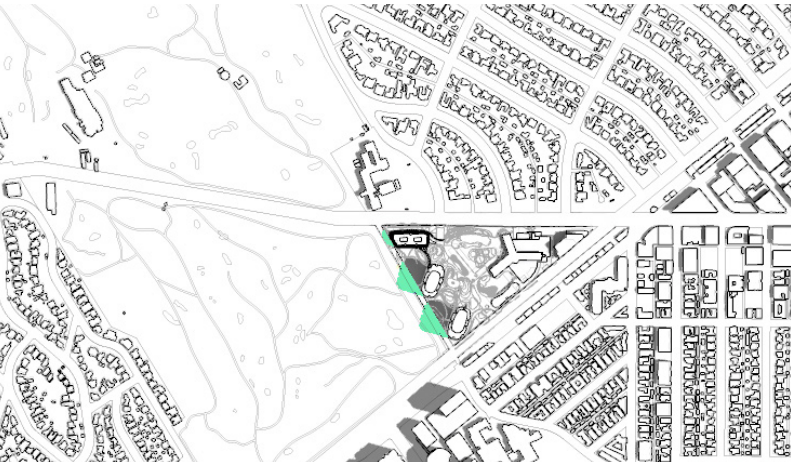
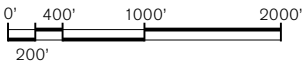
- 1. Existing Shadows
- 2. Approved Project
- 3. Proposed Project
- 4. Approved Project Outline



Note: Shading from trees and landscaping not shown.



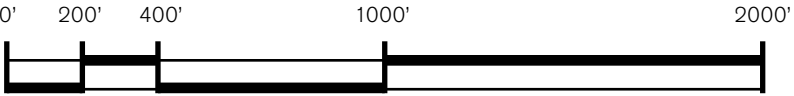
11:00 AM Difference between Approved and Proposed Massing



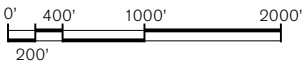
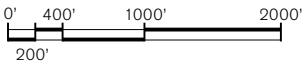
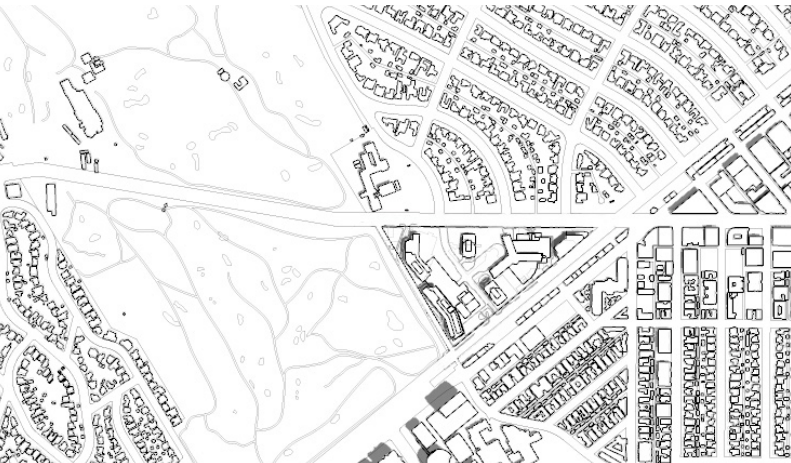
Note: Shading from trees and landscaping not shown.

Legend

- 1. Existing Shadows
- 2. Approved Project
- 3. Proposed Project
- 4. Approved Project Outline



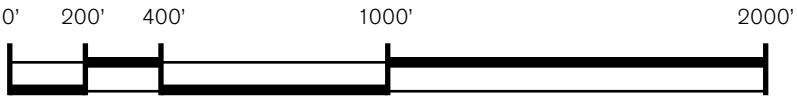
12:00 PM Difference between Approved and Proposed Massing



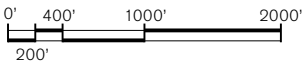
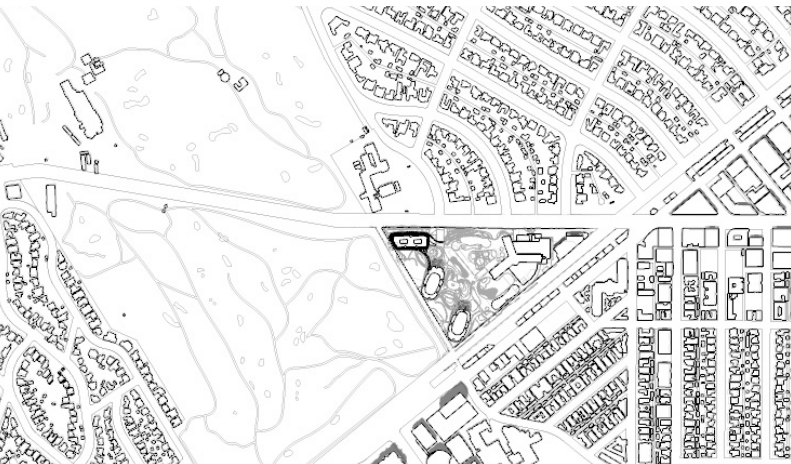
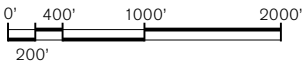
Note: Shading from trees and landscaping not shown.

Legend

- 1. Existing Shadows
- 2. Approved Project
- 3. Proposed Project
- 4. Approved Project Outline

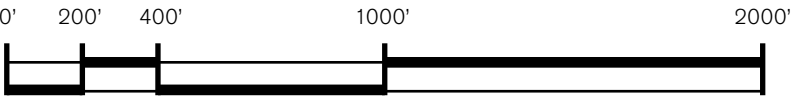


1:00 PM Difference between Approved and Proposed Massing

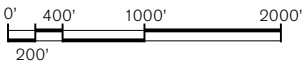
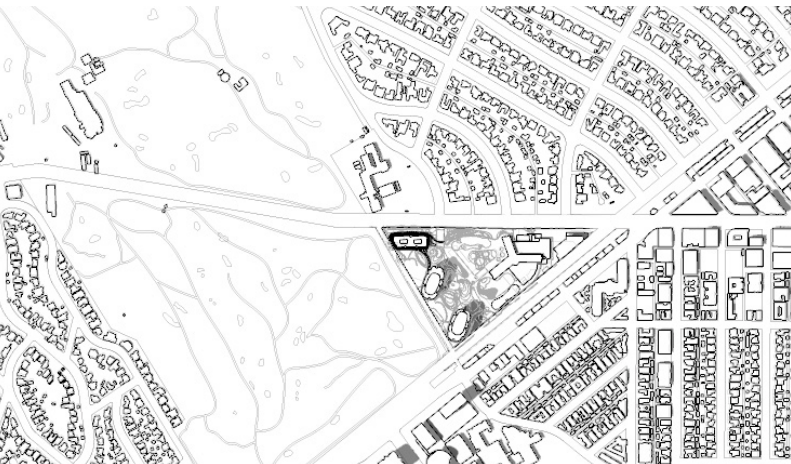
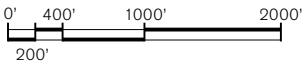
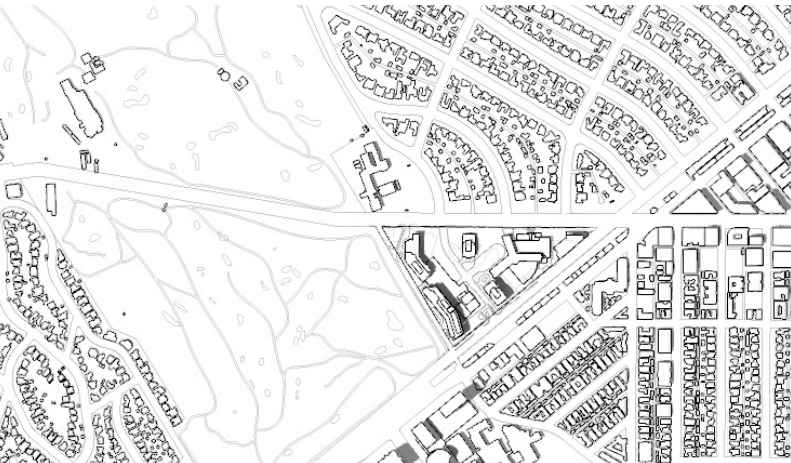


Note: Shading from trees and landscaping not shown.

- Legend**
- 1. Existing Shadows
 - 2. Approved Project
 - 3. Proposed Project
 - 4. Approved Project Outline

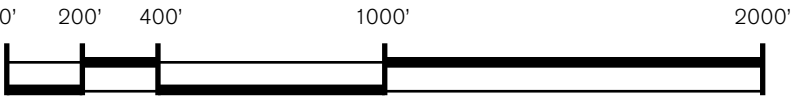


2:00 PM Difference between Approved and Proposed Massing

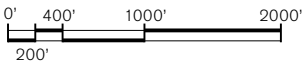
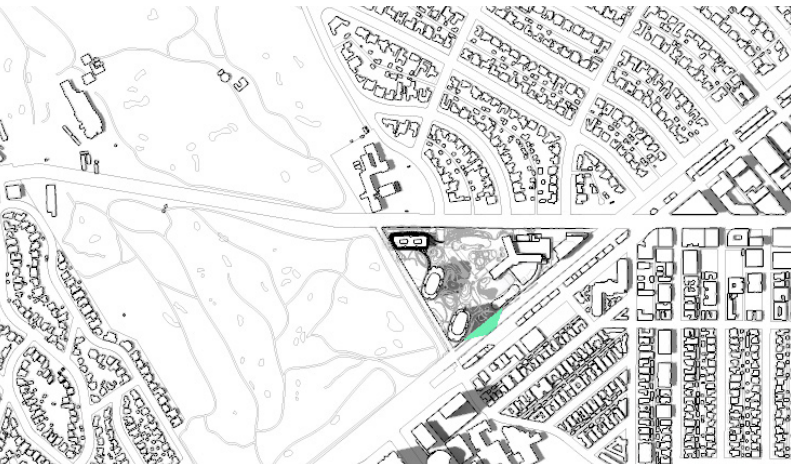
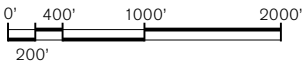
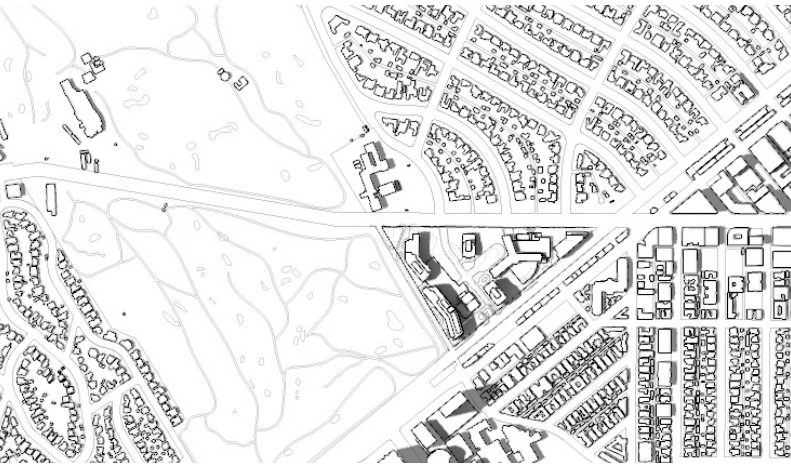


Note: Shading from trees and landscaping not shown.

- Legend**
- 1. Existing Shadows
 - 2. Approved Project
 - 3. Proposed Project
 - 4. Approved Project Outline



3:00 PM Difference between Approved and Proposed Massing

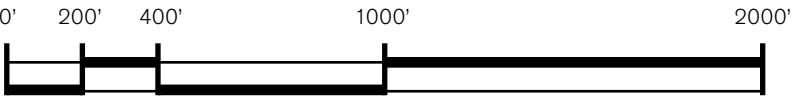


Legend

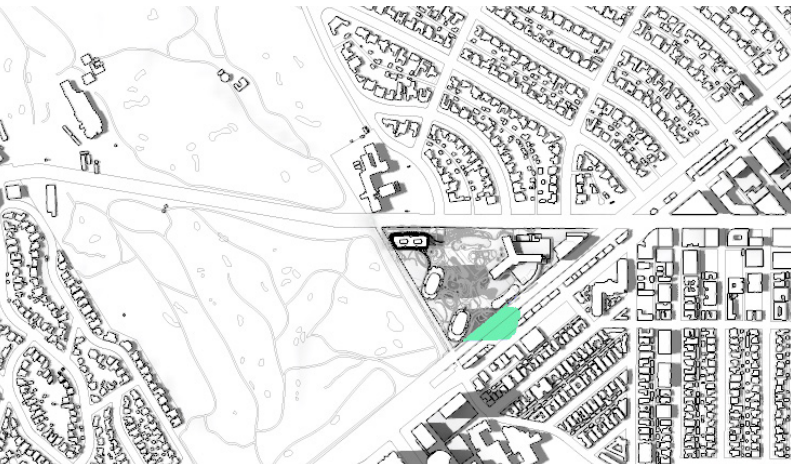
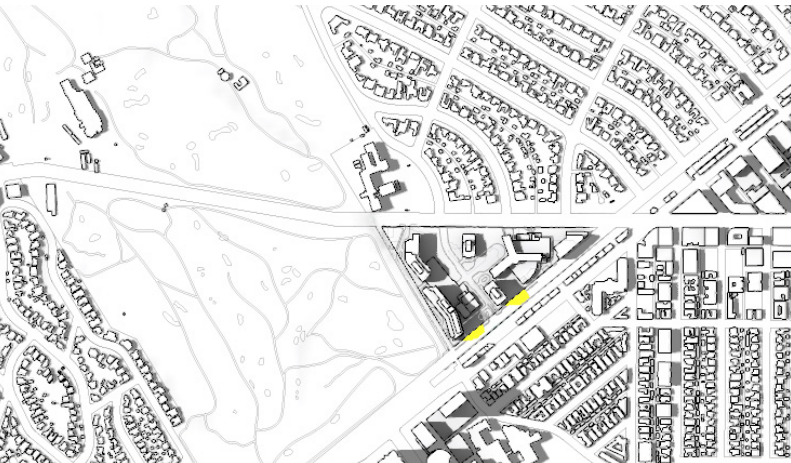
- 1. Existing Shadows
- 2. Approved Project
- 3. Proposed Project
- 4. Approved Project Outline



Note: Shading from trees and landscaping not shown.

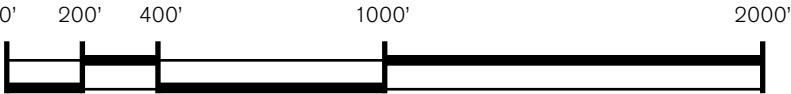


4:00 PM Difference between Approved and Proposed Massing

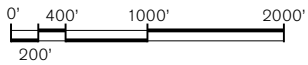
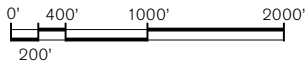


Note: Shading from trees and landscaping not shown.

- Legend**
- 1. Existing Shadows
 - 2. Approved Project
 - 3. Proposed Project
 - 4. Approved Project Outline



5:00 PM Difference between Approved and Proposed Massing

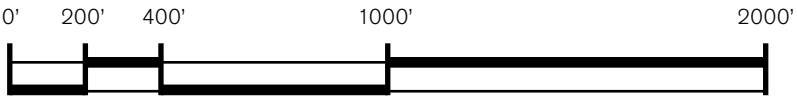


Legend

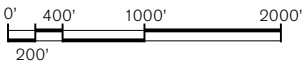
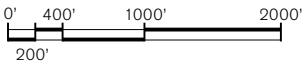
- 1. Existing Shadows
- 2. Approved Project
- 3. Proposed Project
- 4. Approved Project Outline



Note: Shading from trees and landscaping not shown.



6:00 PM Difference between Approved and Proposed Massing

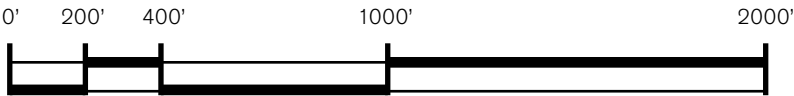


Legend

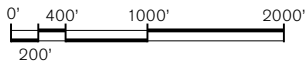
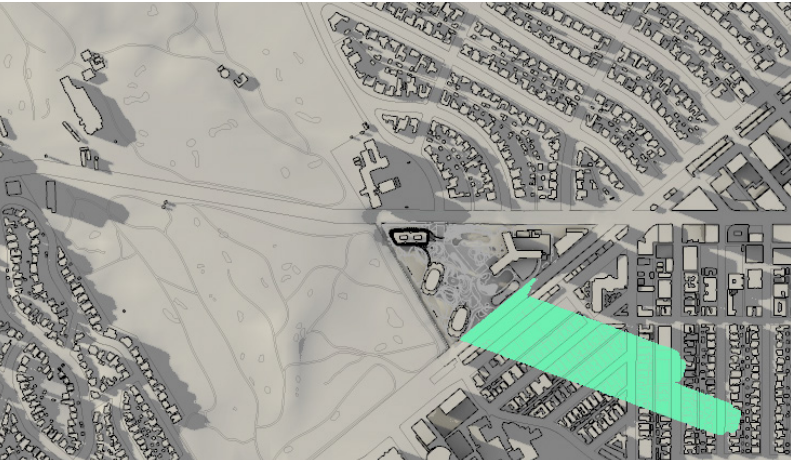
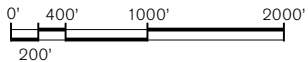
- 1. Existing Shadows
- 2. Approved Project
- 3. Proposed Project
- 4. Approved Project Outline



Note: Shading from trees and landscaping not shown.



7:00 PM Difference between Approved and Proposed Massing

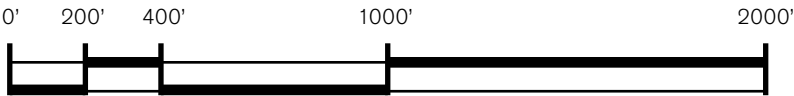


Legend

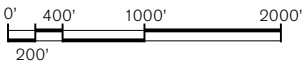
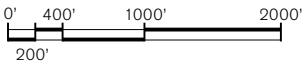
- 1. Existing Shadows
- 2. Approved Project
- 3. Proposed Project
- 4. Approved Project Outline



Note: Shading from trees and landscaping not shown.



8:00 PM - Shadows Indistinguishable



Legend

- 1. Existing Shadows
- 2. Approved Project
- 3. Proposed Project
- 4. Approved Project Outline



Note: Shading from trees and landscaping not shown.

